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CALIFORNIA

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PUBLIC WORKS
BUREAU OF
ENGINEERING

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1149 S. BROADWAY, SUITE 700
LOS ANGELES, CA 90015-2213

<http://eng.lacity.org>

To the Public Works Committee
Of the Honorable City Council
Of the City of Los Angeles

FEB 08 2013

Council File No. 13-0031
Council District: 9
Contact Person: Dale Williams
Phone: (213) 202-3491

Public Works Committee

Transmittal:

Transmitted herewith, is the City Engineer's report dated FEB 08 2013 for Council review and approval of:

VACATION APPROVAL - VAC- E1401205 - Council File No. 13-0031 - Alley Easterly of Main St. from Martin Luther King Jr. Blvd. to Approximately 230 Feet Northerly Thereof.

RECOMMENDATIONS:

1. Adopt the findings of the City Engineer on the attached City Engineer report relative to initiating vacation proceedings. This vacation is exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. Adopt the City Engineer's report dated FEB 08 2013 with the conditions contained therein.
3. Fiscal Impact Statement:

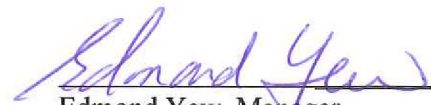
The petitioner has paid a fee of \$10,700.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.

4. That there is a public benefit to this vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.



5. There were no objections to the vacation submitted for this project.

Attachment:



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DW/
H:\

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

FEB 08 2013

Honorable Members:

C. D. No. 9

SUBJECT:

VACATION APPROVAL - VAC- E1401205 - Council File No. 13-0031
Alley Easterly of Main St. from Martin Luther King Jr. Blvd. to Approximately 230 Feet
Northerly Thereof.

RECOMMENDATIONS:

- A. That street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on the attached Exhibit " B ":

Alley easterly of Main Street from Martin Luther King Jr. Boulevard to approximately 230 feet northerly thereof.

- B. That the vacation of the area shown colored orange on Exhibit "B", be denied.
- C. That the Council find that the vacation is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
- D. That the City Council find that there is a public benefit to this street vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the street. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easements.
- E. That, in conformance with Section 556 of the City Charter, the Council make the finding that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan
- F. That, in conformance with Section 892 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for non-motorized transportation facilities.

- G. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for present or prospective public use.
- H. That the Council adopt the City Engineer's report with the conditions contained therein.
- I. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works Committee approval so the City Clerk and Bureau of Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.

FISCAL IMPACT STATEMENT:

The petitioner has paid a fee of \$ 10,700.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code will be required of the petitioner.

Maintenance of the public easement by City forces will be eliminated.

NOTIFICATION:

That notification of the time and place of the Public Works Committee and the City Council meetings to consider this request be sent to:

1. Los Angeles Unified School District
Attn: Aaron C. Bridgewater
333 South Beaudry Avenue, 23rd Floor
Los Angeles, CA 90017
2. FPL& Associates, Inc.
Attn: Ron Canedy, Assistant Vice President
10 Corporate Park, Suite 310
Irvine, CA 92606
3. Concepcion Henriquez
3800 S. Main Street
Los Angeles, CA 90037
4. Gerald S. & Gloria Moret
1837 Parnell Avenue, No. 2
Los Angeles, CA 90025

5. Gilli, Inc.
3810 S. Main Street
Los Angeles, CA 90037
6. Farmer Brothers Co.
20333 Normandie Ave.
Torrance, CA 90502
7. Mary H. Meadows
(Estate of)
P.O. Box 289
Santa Monica, CA 90406
8. Michael Meadows
1345 W. 84th Pl.
Los Angeles, CA 90044
9. Rito & Maria G. Sigala
3831 Woodlawn Ave.
Los Angeles, CA 90011
10. Jean C. Miles
352 S. 38th St.
San Diego, CA 92113
11. Jesus P. & Maria Robles
3823 Woodlawn Ave.
Los Angeles, CA 90011
12. Miguel G. & Engracia Garcia
3819 Woodlawn Ave.
Los Angeles, CA 90011
13. Maria J. Arambul
3815 Woodlawn Ave.
Los Angeles, CA 90011
14. David Sanchez
3811 Woodlawn Ave.
Los Angeles, CA 90011
15. Trifina Barrera
3805 Woodlawn Ave.
Los Angeles, CA 90011

16. Maria Estrada
3801 Woodlawn Ave.
Los Angeles, CA 90011
17. Mercedes Cruz et.al.
3805 Woodlawn Av.
Los Angeles, CA 90011
18. L.A. Restoration Investments Inc
10019 Pangborn Av
Downey CA 90240
16. The Accelerated School
4000 Main St.
Los Angeles, CA 90037

CONDITIONS:

The Conditions specified in this report are established as the requirements to be complied with by the petitioner for this vacation. Vacation proceedings in which the conditions have not been completed within 2 years of the Council's action on the City Engineer's report shall be terminated, with no further Council action.

1. That any fee deficit under Work Order E1401205 be paid.
2. That a suitable map, approved by the Central District Engineering office, delineating the limits, including bearings and distances, of the area to be vacated be submitted to the Land Development Group prior to the preparation of the Resolution to Vacate.
3. That a suitable legal description describing the area being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to the Land Development Group of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
4. That a title report indicating the vestee of the underlying fee title interest in the area to be vacated be submitted to the City Engineer.
5. That the following dedications be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

- a. Dedicate 2 feet as public street along the northerly side of Martin Luther King Jr. Boulevard along with 20-foot property line radius or 15-foot by 15-foot straight corner cuts at the intersection of Martin Luther King Jr. Boulevard with Main Street and with Woodlawn Avenue.
 - b. Dedicate 5 feet as public street along the easterly side of Main Street adjoining owner's properties.
 - c. Dedicate sufficient right-of-way to accommodate for the turnaround area at the new southerly terminus of the alley easterly of Main Street
 - d. Dedicate 2.5 feet as a public alley along the westerly side of the remaining alley easterly of Main Street.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
- a. Fill in the newly dedicated area with concrete along Martin Luther King Jr. Boulevard.
 - b. Widen the existing 28-foot wide half roadway to 35 feet with construction of additional pavement, integral concrete curb & gutter, access ramp, and 10-foot wide sidewalk along Main Street from the new property line along the project, together with relocating the catch basin to the new location of curb.
 - c. Close the alley intersection at Martin Luther King Jr. Boulevard with full height curb, gutter and sidewalk, or with a standard driveway approach.
 - d. Repair or replace any broken, missing, or off-grade curb, gutter, or sidewalk along Woodlawn Avenue.
 - e. Construct the necessary drainage facilities within suitable easement to divert existing drainage runoff from the alley away from the vacation area.
7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, Southern California Gas Company, AT & T and Time Warner Cable for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
8. That plot plans be submitted to the Fire Department for their review and approval.
9. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.

10. That street trees be planted and tree wells to be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.
11. That consents to the vacation be secured from all owners of property adjoining the area to be vacated.

TRANSMITTAL:

Application dated June 15, 2012, from Ron Canedy, Associate Vice President of FPL & Associates, Inc.

DISCUSSION:

Request: The petitioner, Ron Canedy, Associate Vice President of FPL & Associates, Inc., representing the owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public Alley areas shown colored blue and orange. The purpose of the vacation request is to build a new L.A.U.S.D. Public Charter School.

This vacation procedure is being processed under procedures established by Council File No. 01-1459 adopted by the Los Angeles City Council on March 5, 2002.

Resolution to Vacate: The Resolution to Vacate will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on August 14, 2002, under Council File No. 01-0717 adopted a Rule 16 Motion initiating street vacation proceedings. The City Council on October 16, 2002 conditionally adopted the City Engineer's report dated July 16, 2001. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On June 15, 2012, the petitioner submitted a new application. The Council on January 15, 2013 under Council File No. 13-0031, adopted a new Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the west are zoned M1-2 and are developed with Parking lots. The properties adjoining the area to be vacated to the east from lot 27 through 29 are zoned R2-1 and are developed with parking lots; from lot 30 to 31 are zoned R2-1 and are developed with residential dwellings. The property Lot 26 to the east of the proposed vacation area is zoned [Q] C2-1VL and is developed with Parking lots.

Description of Area to be Vacated: The area sought to be vacated is the southerly 230-foot portion of the alley northerly of Martin Luther King Jr. Boulevard between Main Street and Woodlawn Avenue. It is dedicated 15-foot in width and improved with concrete and asphalt concrete pavement and has been incorporated as part of the adjacent parking lot.

Adjoining Streets and Alleys: Martin Luther King Jr. Boulevard is a Major Highway Class II dedicated 100 feet wide with an 80-foot wide roadway, curbs, gutters and 10-foot wide sidewalks on both sides. Main Street is a Secondary Highway dedicated 80 feet wide with a 56-foot wide roadway, curbs, gutters and 12-foot wide sidewalks on both sides. Woodlawn Avenue is a Local Street dedicated 60 feet wide with a 40-foot wide roadway, curbs, gutters and 10-foot wide sidewalks on both sides. Public Alley is a 15 feet wide improved with concrete and asphalt concrete pavement.

Surrounding Properties: The owners of lots adjoining the vacation area have been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The vacation of the subject alley should not have a significant adverse impact on traffic circulation or access as the alley is currently gated at the south end and the vacation area adjoins only the petitioner's properties. A turnaround is already constructed and in use at the proposed new southerly terminus of the alley.

The alley is also not needed for the use of pedestrians, bicyclists or equestrians.

Objections to the vacation: There were no objections to the vacation submitted for this project.

Reversionary Interest: No determination of the underlying fee interest of the vacation area has been made as to title or reversionary interest.

Dedications and Improvements: It will be necessary that the petitioner provides for the dedications and improvements as outlined in the conditions of this report.

Sewers and Storm Drains: There are no existing sewer facilities or storm drain facilities within the area proposed to be vacated

Public Utilities: The Time Warner Cable maintains facilities in the areas proposed to be vacated. The Department of Water and Power, Southern California Gas Company and AT & T did not respond to the Bureau of Engineering's referral letter dated July 10, 2012.

Tract Map: Since the required dedications can be acquired by separate instruments and the necessary improvements can be constructed under separate permit processes, the requirement for the recordation of a new tract map could be waived. However, it will be necessary that the petitioners records an agreements satisfactory to the Bureau of Engineering to hold the adjoining parcel of land under one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over the area, a parcel map exemption is permitted or until released by authority of the City of Los Angeles.

City Department of Transportation: The Department of Transportation states that based on traffic considerations, the vacation is not opposed if provided that all abutting property owners are in agreement with the proposed vacation and a suitable turnaround is provided at the new terminus of the unvacated portion of the alley southerly of 38th Street. The turnaround must be constructed satisfactory to DOT and the Bureau of Engineering. In addition, that through the requirements of a tract map or by other means, provisions are made for (1) lot consolidation, (2) driveway and access approval by DOT and (3) any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Standard Street Dimensions.

City Fire Department: The Fire Department in its letter dated August 29, 2012, states that it has no objection to this Street Vacation and provides the following recommendations:

1. Submit plot plans for Fire Department approval and review prior to recordation of Street Vacation.
2. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
3. Submit plot plans indicating access road and turning area for Fire Department approval.
4. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
5. No building or portion of a building and the entrance or exit of all ground dwelling units shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
6. Adequate public and private fire hydrants shall be required and no building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant.
7. Entrance to the main lobby shall be located off the address side of the building.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated July 10, 2012.

Conclusion: The vacation of the public alley area as shown colored blue on attached Exhibit "B" could be conditionally approved based upon the following:

1. It is unnecessary for present or prospective public use.
2. It is not needed for vehicular circulation or access.
3. It is not needed for non-motorized transportation purposes.

The area shown colored orange should not be vacated because it is needed for public street and alley purposes.

Report prepared by:

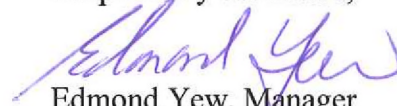
LAND DEVELOPMENT GROUP

Xing Ren
(213) 202-3491

EY/DW /

Q:\LANDDEV\STREET VACATIONS\E1401205 - main\Vacation (approval) report
E1401205.doc

Respectfully submitted,



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY
ORIGINAL - (No copies or faxes)

DATE: 06/15/2012

PROJECT LOCATION AND DESCRIPTION:

- (1) Area proposed to be vacated is: ALLEY N OF MARTIN LUTHER KING JR. BLVD.
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)
and is located between:
MAIN STREET and WOODLAWN AVENUE
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)
- Attach a map if necessary.
- (2) The vacation area lies within or is shown on:
- (a) Engineering District: (check appropriately)
X Central () Harbor () Valley () West Los Angeles
- (b) Council District No. 9
- (c) District Map No. 115-5A205 & 115-5A203
- (d) A CRA Redevelopment Area: _____ OR NO
(YES) (NO)
- (3) Area (in sq. ft.) of the proposed vacation area is approx. 3,440 sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the applicant is required to have an environmental determination performed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$30,000 fee deposit. This will also increase the processing time by approximately 6 months.
- If the vacation is located within a Coastal Development Zone, a Coastal Development Permit will be required for the project. The applicant should be aware that vacations within a Coastal Development Zone will take longer to process and will be considerably more expensive. If the applicant is required to have a Coastal Development Permit processed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$30,000 fee deposit.
 - Some city agencies, including LADOT, may require additional fees to be deposited to cover costs during the referral and investigation process. The applicant is responsible for paying the fees to the agency directly. Referral fees paid to other city agencies are separate from the Bureau of Engineering processing fees.
 - If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.
- (4) Purpose of vacation (future use of vacation area) is: _____
NEW L.A.U.S.D. PUBLIC CHARTER SCHOOL
- (5) Vacation is in conjunction with: (Check appropriately)
- X) Revocable Permit () Tract Map () Parcel Map () Zone Change
() Other _____

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PETITIONER / APPLICANT:

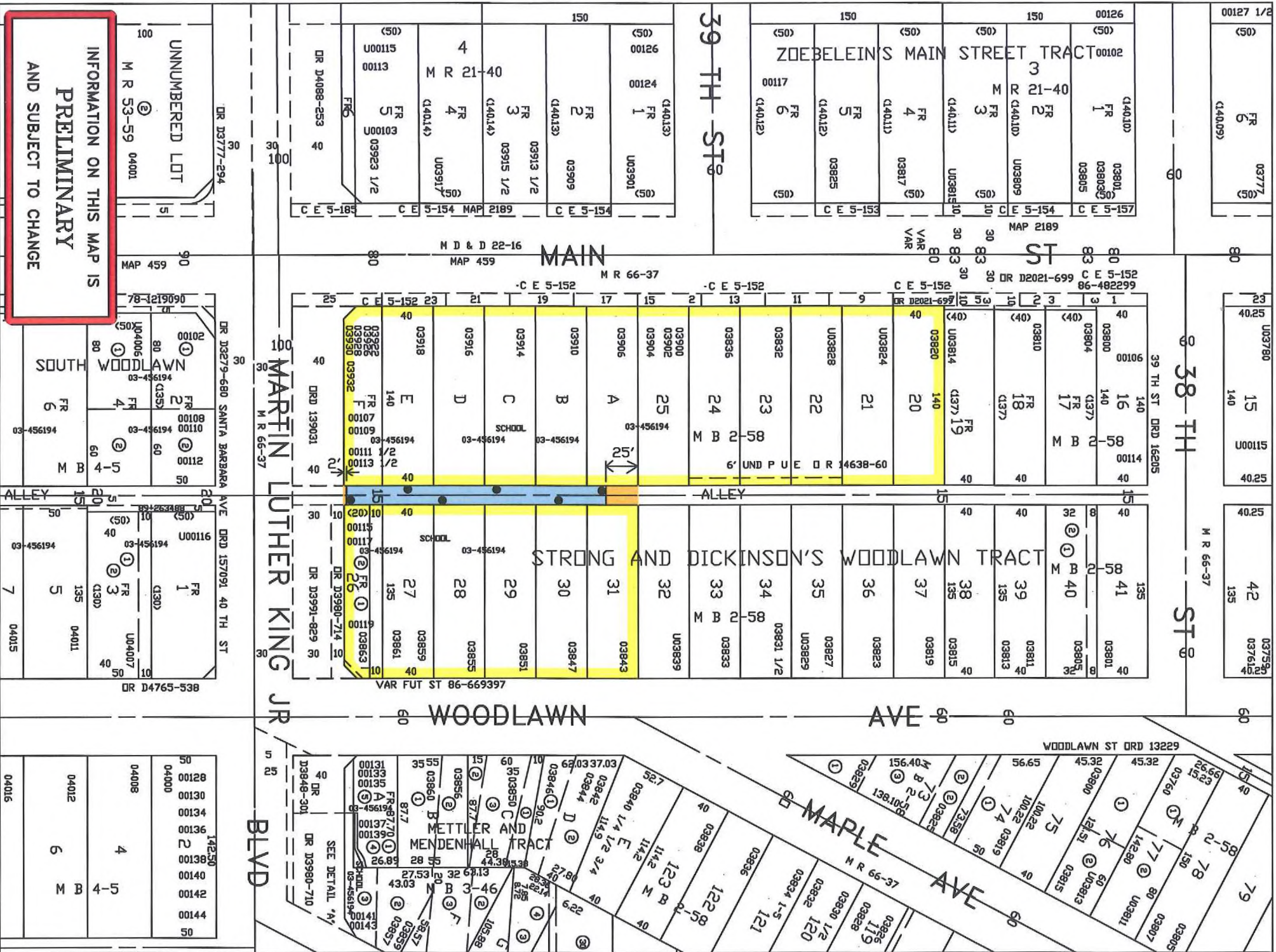
- (6) Petitioner(s): RON CANEDY - FPL & ASSOCIATES, INC.
Print Name(s) of Petitioner(s) in full - Name or Company Name
- Signature(s): Ron Canedy, FPL, ASSIST. VICE PRESIDENT
If Company, Name and Title
- (7) Mailing Address: 10 CORPORATE PARK, SUITE 310., IRVINE, CA. 92606
(Address, City, State, Zip Code)
- (8) Daytime phone number of petitioner is: (949) 252-1688
 FAX number: (949) 252-0088
 E-mail number: RON.CANEDY@FPLANDASSOCIATES.COM
- (9) Petitioner is: (check appropriately) () Owner **OR** (X) Representative of Owner

OWNERSHIPS:

- (10) Name(s) and address of the Owner(s) applying for vacation is/are:
Los Angeles Unified School District
333 South Beavdry Avenue, 23rd Floor
Los Angeles, CA 90017
Print Name(s) and Address of Owner(s) in Full
 (If Owner is Petitioner, Indicate "Same as above")
- Signature(s) Aaron C Bridgewater
Aaron C. Bridgewater
Deputy Director, Asset Management

- (11) Petitioner is owner or representative of owner of: (check appropriately)
- The property described in attached copy of Grant Deed **OR**
- () _____

(Lot, Tract No.) (Parcel, Parcel Map L.A. No.) (Other)



TITLE: ALLEY EASTERLY OF MAIN ST. FROM MARTIN LUTHER KING JR. BLVD.
 TO APPROXIMATELY 230 FEET NORTHERLY THEREOF.

WORK ORDER NO. VAC- E1401205
COUNCIL FILE NO. 13-0031
COUNCIL DIST. 9 **DIV. INDEX** 163
ENG. DIST. CENTRAL **T.G.** 674-C2
DISTRICT MAP 115.5 A 205

DEPT. OF PUBLIC WORKS
BUREAU OF ENGINEERING
CITY OF LOS ANGELES



EXHIBIT B Legend: Vacation boundary as shown

