

Office of the City Engineer

Los Angeles, California

To the Public Works and Gang Reduction Committee

Of the Honorable Council

Of the City of Los Angeles

November 13, 2017

Honorable Members:

C. D. No. 9

SUBJECT:

VACATION APPROVAL - VAC- E1401205 - Council File No. 13-0031 - Alley Easterly of Main Street from Martin Luther King Jr. Boulevard 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 "C":
 - a. Alley easterly of Main Street from Martin Luther King Jr. Boulevard to approximately 230 feet northerly thereof
 - b. 2.5 feet future alley and future alley turnaround area dedicated per recorded as Document No. 20150296983
- B. That the vacation of the area shown colored orange on Exhibit "C", 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 and Gang Reduction Committee approval based on the Initiation of the Street Vacation Proceedings adopted by City Council on May 24, 2017 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 \$26,344.25 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,
10 Corporate Park, Suite 310
Irvine, CA 92606
3. Concepcion Ore Henriquez
3800 S. Main Street
Los Angeles, CA 90037

4. Gerald S. & Gloria Moret TRS
2240 S Beverly Glen Blvd, Unit 104
Los Angeles, CA 90064
5. Shahriar Tehrani.
3310 S. Grand Avenue
Los Angeles, CA 90007
6. Gregory A Meadows
5583 Onacrest Drive
Los Angeles, CA 90043
7. Robert O Burggraf CO TR
618 N Turnabout Road
Orange, CA 92869
8. Rito & Maria G. Sigala
3831 Woodlawn Ave.
Los Angeles, CA 90011
9. Jean C. Miles
352 S. 38th Street
San Diego, CA 92113
10. Jesus P. & Maria Robles
3823 Woodlawn Avenue
Los Angeles, CA 90011
11. Miguel G. & Engracia Garcia
3819 Woodlawn Avenue
Los Angeles, CA 90011
12. Maria J. Arambul
3815 Woodlawn Avenue
Los Angeles, CA 90011
13. David Sanchez
3811 Woodlawn Avenue
Los Angeles, CA 90011
14. Trifina Barrera
3805 Woodlawn Avenue
Los Angeles, CA 90011

15. Kevin Keenan
27 Westport
Irvine, CA 92620

16. The Accelerated School
4000 Main Street
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 and GIS Division 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 and GIS Division 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 newly constructed turning area at the new southerly terminus of the alley easterly of Main Street.
 - b. Dedicate 2.5 feet as a public alley along the westerly side of the remaining alley easterly of Main Street.
6. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the 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.
7. That the petitioner submit suitable evidence on revising the existing plan P-37846 under B-permit BR003368 to show the correct location of the constructed turnaround area satisfactory to the Central Engineering District and Land Development and GIS Division of the Bureau of Engineering.

TRANSMITTAL:

Application dated April 5, 2016, from Ron Canedy, FPL & Associates, Inc.

DISCUSSION:

Request: The petitioner, Ron Canedy, FPL & Associates, Inc., representing the owner of the properties shown outlined in yellow on Exhibit “C”, is requesting the vacation of the public alley areas shown colored blue and orange. In a subsequent communication dated October 25, 2017, LAUSD also requested to vacate 2.5 feet future alley and future alley turnaround area dedicated per recorded as Document No. 20150296983 as part of this vacation. The purpose of the vacation request is to consolidate the proposed vacation area with the adjoining properties, a new L.A.U.S.D. Public Charter School. The subsequent vacation request is to correct the future alley dedication.

This vacation procedure is being processed under procedures established by Council File No. 01-1459-S1 adopted by the Los Angeles City Council on January 31, 2017.

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 May 15, 2013 conditionally adopted the City Engineer’s report dated February 8, 2013. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On April 5, 2016, the petitioner submitted a new application. The Council on May 24, 2017 under Council File No. 13-0031, adopted an Initiation of Vacation Proceedings for this proposed vacation.

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 Alley: Martin Luther King Jr. Boulevard is an Avenue I dedicated 100 feet wide with an 80-foot wide roadway, curbs, gutters and 10-foot wide sidewalks on both sides. Main Street is an Avenue II 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: Dedications and improvements were done under previous vacation conditions adopted by Council in May 15, 2013 by Document No. 20150296980 and 20150296983 and per City plan P-37846. New 2.5-foot alley and alley turnaround area dedication will be required as one of the conditions of this vacation.

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 area proposed to be vacated. The Department of Water and Power in its letter dated April 26, 2016 stated that it has no objection to this vacation since satisfactory arrangement has been made. The Southern California Gas Company and AT & T responded to the Bureau of Engineering's referral letter dated April 25, 2016 that they do not maintain facilities in the area proposed to be vacated.

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 stated in its communication dated February 6, 2017 that it does not oppose the street vacation if all abutting owners agree with the proposed vacation and provisions are made for lot consolidation, driveway and access approval by DOT, and any additional dedication and improvements necessary to bring all adjacent streets into conformance with City's standard street dimensions.

City Fire Department: The Fire Department stated in its communication dated June 22, 2016 that it has no objection to the vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated April 25, 2016.

Conclusion: The vacation of the public alley area as shown colored blue on attached Exhibit "C" 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 alley purposes.

Respectfully submitted,



Edmond Yew, Manager
Land Development and GIS Division
Bureau of Engineering

Report prepared by:

LAND DEVELOPMENT & GIS DIVISION

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