

Office of the City Engineer

Los Angeles, CA

To the Public Works and Gang Reduction Committee

Of the Honorable Council

Of the City of Los Angeles

August 5, 2020

Honorable Members:

CD No. 14

SUBJECT:

VACATION REQUEST – VAC-E1401333 – Council File No. 18-0195 – Turner Street from Alameda Street to Temple Street

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 A:

Turner Street from Alameda Street to Temple Street
- B. 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.
- C. 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.
- D. 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.
- E. 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.
- F. 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.

- G. That the Council adopt the City Engineer's report with the conditions contained therein.
- H. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works and Gang Reduction (PWGR) Committee approval based on the initiation of the street vacation proceedings adopted by City Council on September 21, 2018, so the City Clerk and the Bureau of Engineering (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 deposit of \$32,100 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit to the deposit will be required of the petitioner to recover the cost pursuant to Section 7.44 of the Administrative Code.

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

NOTIFICATION:

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

- a) Los Angeles County Metropolitan Transportation Authority
ATTN: Alvin Trotter, Jr.
1 Gateway Plaza
Los Angeles, CA 90012
- b) City of Los Angeles
General Services Department
Attn: David Roberts
111 E. 1st Street, #201
Los Angeles, CA 90012
- c) City of Los Angeles
Metro Transit Division, Bureau of Engineering
Attn: Lawrence Hsu
1149 S. Broadway, Suite 640
Los Angeles, CA 90015

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 deficit under Work Order E1401333 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 Permit Case Management 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 Permit Case Management Division 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:

Dedicate 0 to 10 feet variable width half right-of-way along Alameda Street as a public street per approved Regional Connector Transit Corridor DU 05 Civil Segment B, Street Improvement Plan, Drawing Number CS 607-PL and CS 653-PL. Metro Transit Division shall verify the Legal Description.

6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer (Metro Transit Division):
 - a. Construct a new sidewalk with integral curb and gutter with proper transitions where Turner Street is vacated along Temple Street. If vehicular access is desired, construct a driveway per City Standard Plan.
 - b. Repair and/or replace any broken sidewalk, curb and gutter along Temple Street.
 - c. Close Turner Street at Alameda Street with standard street improvements.
 - d. Construct pedestrian access along Alameda Street between 1st Street and Temple Street by constructing necessary improvements.
 - e. Provide any necessary improvements to provide proper drainage including relocation of storm drain pipes and catch basins.
 - f. All required pedestrian improvements shall be complied with Americans with Disabilities Act (ADA) as well as state and local standards.

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or unraised by more than ¼ inch from the surrounding concrete work or are

separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

Non-ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or unpraised by more than ¼ inch from the surrounding concrete work or has a full concrete depth cracks that have separations greater than 1/8 inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk, curb, and gutter shall conform to the Bureau of Engineering Standard Plans S410-2, S440-4, S442-5, and S444-0.

7. That arrangements be made with all utility agencies, cable companies and franchises maintaining facilities in the area including but not limited to the Department of Water and Power (LADWP), Southern California Gas Company, 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 satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer and storm drain facilities located within the area to be vacated, unless easements are reserved from the vacation for their protection.
9. That consent to the vacation be secured from the owner of the properties adjoining the area to be vacated.
10. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, agreements be recorded satisfactory to Engineering to hold each or one of the adjoining parcels of land, and its adjoining portions of the areas to be vacated under the same ownership, as one parcel as necessary to preclude the creation of substandard or landlocked parcels. This is to remain effective until a new subdivision map is recorded over said areas, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
11. That street lighting facilities be installed as required by the Bureau of Street Lighting.
12. That street trees be planted and tree wells be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

TRANSMITTAL:

1. Application dated December 15, 2017 from Los Angeles County Metropolitan Transportation Authority.
2. Regional Connector Transit Project Plan Sheets CS-607-PL and CS-653-PL.

DISCUSSION:

Request: The petitioner, Los Angeles County Metropolitan Transportation Authority, owner of the properties shown outlined in yellow on Exhibit A, is requesting the vacation of the public street area shown colored blue. The purpose of the vacation request is to gain ownership of the proposed vacation area for maintenance of landscape and streetscape.

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 will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on January 25, 2006 under Council File, 03-0541, conditionally adopted the City Engineer's report dated March 15, 2005. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. The City Council on September 21, 2018 under Council File No. 18-0195 adopted an Initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated are zoned C2-2D-CDO-RIO and M3-1-CDO-RIO and are developed with transportation facility and parking lots.

Description of Area to be Vacated: The area sought to be vacated is Turner Street from Alameda Street to Temple Street. Turner, and it is a standard local street dedicated 50 feet wide. The portion of Turner Street proposed for vacation is developed with the Metro Gold Line tracks and another portion is primarily used as a parking and entrance to the parking area.

Adjoining Streets: Alameda Street is an improved Avenue I dedicated 80 and 90 feet wide with a 60-foot and variable width roadway, curbs, gutters and variable width sidewalks. Temple Street is an improved Avenue II dedicated 80-foot and variable width right of way with a 60-foot wide roadway, curbs, gutters, and variable width sidewalks.

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

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

Effects of Vacation on Circulation and Access: Alameda Street is an improved Avenue I dedicated 80 and 90 feet wide with a 60-foot and variable width roadway, curbs, gutters and variable width sidewalks. Temple Street is an improved Avenue II dedicated 80-foot and variable width right of way with a 60-foot wide roadway, curbs, gutters, and variable width sidewalks.

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

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 provide for the dedication and improvements as outlined in the conditions of this report.

Sewers and Storm Drains: There are existing sewer and storm drain facilities within the area proposed to be vacated.

Public Utilities: Southern California Gas Company maintains facilities in the area proposed to be vacated as stated in its communication on March 6, 2018. AT&T stated in its communication dated March 9, 2018 stated that it no longer maintains facilities within the area proposed to be vacated. Chevron gas stated in its communication dated March 19, 2018 that it has no facilities inside the proposed area to be vacated. The Time Warner Cable has not replied to the Bureau of Engineering's referral letter dated February 22, 2018.

On January 27, 2020, LADWP stated that suitable arrangement shall be made with the Department's Power Transmission and Distribution Business Unit to grant easements for, or to provide for any necessary relocation of, their electrical facilities contained within the vacation area.

Tract Map: Since there is dedication required and the necessary improvements can be constructed under separate permit processes, the requirement for the recordation of a new tract map could be waived.

City Department of Transportation: The Department of Transportation stated in its communication dated August 7, 2018 that the vacation is not opposed if all abutting property owners are in agreement with the proposed vacation, and that provisions are made for lot consolidation, driveway and access approval by DOT and any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Element of the General Plan.

City Fire Department: The Fire Department stated in its communication dated February 27, 2018 that it has no objection to this street vacation.

Department of City Planning: The Department of City Planning, in its letter dated April 4, 2018, stated that the proposed vacation is consistent with the General Plan as the vacation will create space for safe circulation and pedestrians gathering, facilitate linkage between an existing bus stop and future Regional Connector and encourage transit ridership. Furthermore, the portion of Turner Street proposed to be vacated is currently a dead end and does not contribute to the broader mobility network of Central City North.

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

Respectfully submitted,



Bert Moklebust, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION
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