

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

February 20, 2020

Honorable Members:

C. D. No. 9

SUBJECT:

VACATION REQUEST - VAC- E1401341 - Council File No. 18-0393 - Future Street
Along Northerly Side of 79th Street between McKinley Avenue and Wadsworth Avenue

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":

10-foot future street easement along the northerly side of 79th Street between McKinley Avenue and Wadsworth Avenue.
- 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 be directed to coordinate and schedule the public hearing for the Public Safety Committee's consideration at the appropriate time, 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 \$14,980.00 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 Safety Committee and the City Council meetings to consider this request be sent to:

1. Los Angeles Unified School District
Attn: Al Grazioli
333 S. Beaudry Avenue, 23rd Floor
Los Angeles, CA 90017

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 E1401341 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 property in a manner satisfactory to the City Engineer:
 - a. Dedicate a 10' x 10' corner cut or 15-foot radius corner at the intersections of 79th Street with McKinley Avenue and Wadsworth Avenue.
 - b. Dedicate 3 feet as a public street along McKinley Avenue with a 10' x 10' corner cut or 15-foot radius at the intersections of McKinley Avenue with 78th Street and 79th Street.
 - c. Dedicate a 10' x 10' corner cut or 15-foot radius corner at the intersections of Wadsworth Avenue with 78th Street and 79th Street.
 - d. Dedicate a 10' x 10' corner cut or 15-foot radius corner at the intersections of 78th Street with McKinley Avenue and Wadsworth Avenue.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. 79th street
 - Construct asphalt pavement, concrete curb and gutter to provide an 18-foot half roadway width per latest standards, Standard Plan No. S-470-1.
 - Construct 12 feet full width sidewalk per latest standards, Standard Plan No. S-440-0
 - Reconstruct curb ramp at intersection of 79th Street and Wadsworth Avenue per latest standards, Standard Plan No. S-442-5.
 - b. McKinley Ave
 - Construct asphalt pavement, concrete curb and gutter to provide for a 20foot half roadway with per latest standards, S-470-1.
 - Construct 13 feet sidewalk per latest Bureau of Engineering Standards, Standard Plan No. S-440-0.
 - Construct concrete sidewalk within the newly dedicated public right of way.
 - Remove and replace damaged, cracked, and off-grade sidewalk along frontage of property.

- c. Wadsworth Avenue
 - Remove and replace damaged, cracked, and off-grade sidewalk along footage of property.
 - Construct concrete sidewalk with the newly right of way.
- d. 78th Street
 - Construct asphalt pavement, concrete curb and gutter to provide for an 18-foot half roadway width per latest standards, S-470-1.
 - Construct a new curb and gutter per latest Bureau of Engineering Standards, Standard Plan No. S-410-2.
 - Construct 12' full width sidewalk per latest Bureau of Engineering Standards, Standard Plan S-44-0.
 - Remove and replace damaged, cracked, and off-grade sidewalk along footage of property.
 - From the new property line along the project, fill-in the newly dedicated right of way with concrete sidewalk in a manner satisfactory to the City Engineer.
 - Reconstruct curb ramp at intersection of 78th Street and Mckinley Avenue per latest Bureau of Engineering Standards, Standard Plan No. S-442-5.

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or unpraised 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.

8. That arrangements be made with all utility agencies maintaining facilities in the area including but not limited to the Department of Water and Power, AT &T, Southern California Gas Company and Time Warner for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
9. That street lighting facilities be installed as 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.

TRANSMITTAL:

Application dated March 27, 2018, from Los Angeles Unified School District.

DISCUSSION:

Request: The petitioner, Los Angeles Unified School District, owner of the property shown outlined in yellow on Exhibit "B", is requesting the vacation of the public future street area shown colored blue. The purpose of the vacation request is to consolidate the proposed vacation area with the adjoining property at McKinley Avenue School.

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 March 20, 2019, under Council File No. 18-0393 adopted an Initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The property adjoining the area to be vacated is classified as PF-1, which is a public facilities zone.

Description of Area to be Vacated: The area sought to be vacated is 10-ft future street along northly side of 79th Street between McKinley Avenue and Wadsworth Avenue.

Adjoining Streets: McKinley Avenue is a substandard collector street dedicated 60-ft wide with a 30-ft wide roadway, curbs, gutters and 15-foot side sidewalks. 78th Street is a standard local Street dedicated 60-ft wide with 13-ft sidewalk. Wadsworth Avenue is a standard local street dedicated 60-ft wide with an 18-ft half roadway and 12-ft wide sidewalk.

Surrounding Properties: The owners of lots adjoining the vacation area have been notified of the proposed vacation. No comments were received from other owners of adjoining lots.

Effects of Vacation on Circulation and Access: The vacation of the subject future street easement should not have any adverse effect on vehicular circulation or access since it is an excess right-of-way and currently improved as part of the school.

Objections to the vacation: The Department of Power and Water objects to the proposed vacation due to the existence of electrical facilities within the area until suitable arrangements are made with the Department's Power Transmission and Distribution Business Unit to grant easements for, or to provide for any necessary relocation for the aforementioned facilities.

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

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

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

Public Utilities: The Department of Water and Power maintains facilities in the area proposed to be vacated. AT&T, Southern Gas, Southern California Edison, Metropolitan Water District, and Time Warner Cable did not respond to the Bureau of Engineering's referral letter dated April 18, 2018.

Tract Map: Since 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 states in its communication dated May 3, 2018, that it does not oppose the vacation provided that all abutting property owners are in agreement with the proposed vacation. In addition, 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 the City's Mobility Element of the General Plan.

City Fire Department: The Fire Department states in its communication dated April 24, 2018, that it has no objections to the proposed vacation.

Department of City Planning: The Department of City Planning stated in its communication dated May 22, 2018, that the subject vacation is consistent with the Southeast Los Angeles Community Plan policies and objectives because it would facilitate the ongoing use of the educational functions.

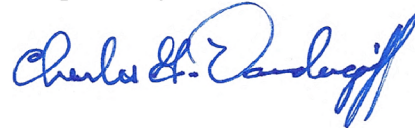
Conclusion: The vacation of the public future street area as shown colored blue on attached Exhibit "B" could be conditionally approved based upon the following:

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 they are needed for public street purposes.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Charles H. Vandergriff".

Edmond Yew, Manager
Land Development Group
Bureau of Engineering

Report prepared by:

LAND DEVELOPMENT AND GIS DIVISION

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