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# CITY OF LOS ANGELES

CALIFORNIA



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DEPARTMENT OF  
PUBLIC WORKS

BUREAU OF  
ENGINEERING

GARY LEE MOORE, P.E.  
CITY ENGINEER

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LOS ANGELES, CA 90015-2213

<http://eng.lacity.org>

OCT 03 2013

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

Council File No. 13-0347  
Council District: 14  
Contact Person: Dale Williams  
Phone: (213) 202-3491

Public Works and Gang Reduction Committee

Transmittal:

Transmitted herewith, is the City Engineer's report dated **OCT 03 2013** for Council review and approval of:

VACATION APPROVAL - VAC- E1401214 - Council File No. 13-0347 – Alley Northerly of Olympic Boulevard and Westerly of Mateo Street.


#### 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 **OCT 03 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:



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Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

EY/DW/  
H:\

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

OCT 03 2013

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION APPROVAL - VAC- E1401214 - Council File No. 13-0347 – Alley  
Northerly of Olympic Boulevard and Westerly of Mateo Street

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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":

The L-shaped alley northerly of Olympic Boulevard and westerly of Mateo Street.

- 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. Barry Segal  
P.O. Box 6108  
Altadena CA 91003
2. Kane Industrial Properties LLC  
2275 E 37<sup>th</sup> St  
Los Angeles CA 90058
3. State Department of Transportation  
ATTN: Melanie Bradford  
Planning (12-220)  
100 S Main St  
Los Angeles CA 90012
4. Eitan Assil  
1509 Mateo St  
Los Angeles CA 90021

5. Eitan Assil  
1013 Towne Av. #A  
Los Angeles CA 90021

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 E1401214 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 improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - a. Repair or replace all broken/off-grade or missing curb, gutter and sidewalk along Mateo Street and Olympic Boulevard.
  - b. Close the alley intersections with Mateo Street and with Olympic Boulevard with full height curb and gutter and sidewalk, or with standard driveway apron.
  - c. Provide any necessary improvements to collect or divert any surface drainage from impounding within the area being vacated.
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, AT &T and Southern California Gas Company 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 consents to the vacation be secured from the owner of Lots 122 through 124 of C.A. Smith's Third Addition adjoining the area to be vacated, and from the State of California Department of Transportation (Caltrans).
9. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, agreements be recorded satisfactory to the Bureau of Engineering to hold each parcel of land under one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of substandard or landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over said area, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
10. That plot plans be submitted to the Fire Department for their review and approval.
11. That street lighting facilities be installed as required by the Bureau of Street Lighting.
12. 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.
13. That the petitioner make arrangements with the State of California Department of Transportation (Caltrans) for the transfer or reincorporation of a portion of the alley vacation for a minimum 15-foot clearance from the edge of the freeway viaduct to be incorporated into the State Right of Way, to the satisfaction of Caltrans.

TRANSMITTAL:

Application dated October 3, 2012, from Barry Segal.

DISCUSSION:

Request: The petitioner, Barry Segal, representing Kane Industrial Properties LLC, the owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public alley area shown colored blue and orange. The purpose of the vacation request is to unite the properties on either side of the alley for future development.

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 April 2, 2013, under Council File No. 13-0347 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the southeast, southwest and northeast are zoned M3-1 and are developed with commercial buildings. To the north and northwest of the area to be vacated is State Department of Transportation (Caltrans) right of way for the Santa Monica Freeway.

Description of Area to be Vacated: The area sought to be vacated is the L-shaped alley northerly of Olympic Boulevard and westerly of Mateo Street. The alley is dedicated 20 feet, 25 feet, and 15 feet wide and is improved with asphalt concrete. The north-south leg of the alley is improved with longitudinal gutter. The northwesterly portion of the east-west leg of the alley is only accessible from the State right-of-way and is separated from the alley by a wall. Gates have been placed at the alley intersection with Olympic Boulevard and with Mateo Street.

Adjoining Streets: Olympic Boulevard is a Major Highway Class II dedicated 100 feet wide with a 25-foot half roadway, curb and gutter, and 25-foot wide sidewalk. Mateo Street is a Secondary Highway dedicated 75 feet wide with a 45-foot wide half right-of-way, 40-foot wide roadway, curb and gutter, and 5-foot wide sidewalk.

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 L-shaped alley northerly of Olympic Boulevard and westerly of Mateo Street should not have an adverse impact on circulation as it only provides access to the adjoining properties. Consent from the owner of the property adjoining the alley to the northeast would be required as a condition of the vacation.

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 provide for the improvements as outlined in the conditions of this report. The existing structures along Olympic Boulevard preclude additional street dedication and widening at this time.

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 within the area proposed to be vacated. Southern California Gas Company and AT&T did not respond to the Bureau of Engineering's referral letter dated October 31, 2012.

Tract Map: Since there are no dedications 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. However, it will be necessary that the petitioner record agreements satisfactory to the Bureau of Engineering to hold each adjoining parcel of land under the same ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of substandard or 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 in its communication dated January 11, 2013 stated that it does not oppose the vacation provided that all abutting property owners are in agreement with the proposed vacation and that provisions are made for lot consolidation, driveway and access approval, and any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Standard Street Dimensions. The proposed vacation is not expected to result in any impacts to local access and circulation.

State Department of Transportation: The State Department of Transportation (Caltrans) stated in its letter dated February 19, 2013 that it objects to the vacation as proposed because the vacation would place the properties adjacent to the freeway too close to the elevated freeway structure. If the City of Los Angeles is to vacate the alley, Caltrans recommends that a portion of the alley to be vacated be reincorporated into the State right-of-way such that there is at least 15 feet of clearance from the edge of the freeway viaduct to the State right-of-way line.

City Fire Department: The Fire Department stated in its memo dated November 30, 2012 that it has no objection to the vacation, and that recommends that plot plans be submitted for Fire Department approval and review prior to the recordation of the vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated October 31, 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 purposes.

Report prepared by:

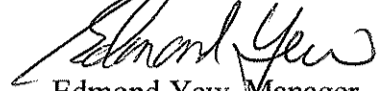
LAND DEVELOPMENT GROUP

Dale Williams  
Civil Engineer  
(213) 202-3491

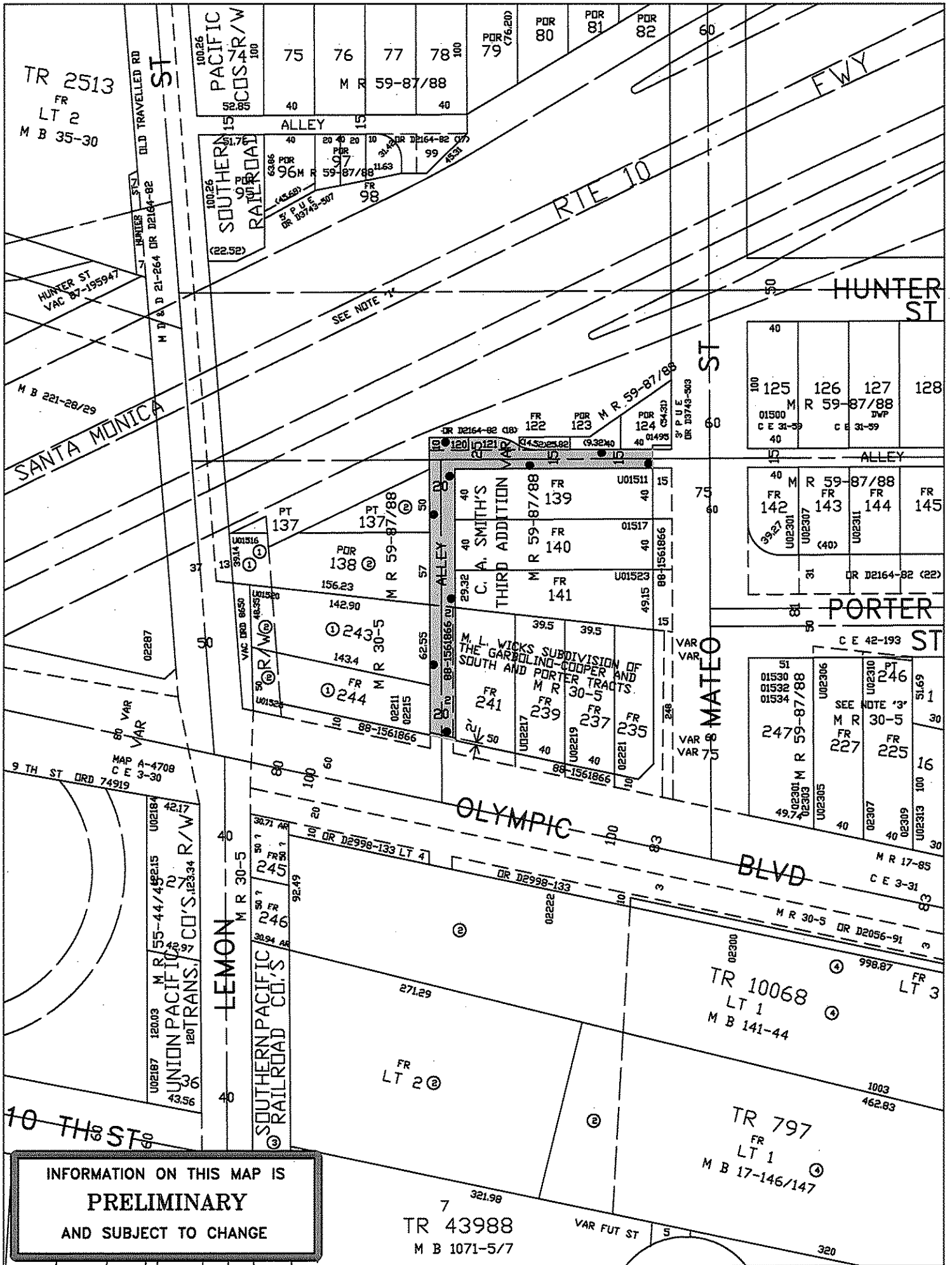
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Respectfully submitted,



Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering



TITLE: ALLEY NORTHERLY OF OLYMPIC BOULEVARD AND WESTERLY OF MATEO STREET

WORK ORDER NO. VAC- E1401214  
 COUNCIL FILE NO. 13-0347  
 COUNCIL DIST. 14 DIV. INDEX 130  
 ENG. DIST. CENTRAL T.G. 634-H7  
 DISTRICT MAP 121.5 A 217



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

EXHIBIT B

Legend: Vacation boundary as shown



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

DATE: 10-3-12

**PROJECT LOCATION AND DESCRIPTION:**

(1) Area proposed to be vacated is: ALLEY NORTH OF OLYMPIC WEST OF MATEO  
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)

and is located between:

OLYMPIC BLVD and MATEO STREET  
(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)

Central ( ) Harbor ( ) Valley ( ) West Los Angeles

(b) Council District No. 14

(c) District Map No. 121-5A217

(d) A CRA Redevelopment Area:  (YES) OR  (NO)

(3) Area (in sq. ft.) of the proposed vacation area is approx. 7,000 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: \_\_\_\_\_

UNITE THE PROPERTIES ON EITHER SIDE OF ALLEY FOR FUTURE DEVELOPMENT

(5) Vacation is in conjunction with: (Check appropriately)

( ) Revocable Permit ( ) Tract Map ( ) Parcel Map ( ) Zone Change

( ) Other N/A

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LAND DEVELOPMENT GROUP  
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