

Office of the City Engineer

Los Angeles, California

To the Honorable Council

Of the City of Los Angeles

April 2, 2019

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION REQUEST - VAC- E1401334 - Council File No. 18-0191 – Banning Street, Jackson Street and Ducommun Street, From Center Street to Their Easterly Terminus

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”:
 - 1. Banning Street from Center Street to approximately 160 feet easterly thereof
 - 2. Jackson Street from Center Street to approximately 290 feet easterly thereof
 - 3. Ducommun Street from Center Street to approximately 315 feet easterly thereof
- B. That the vacation of the area shown colored orange on Exhibit “B”, be denied.
- C. Review and consider the Project Environmental Impact Report (EIR) (State Clearinghouse No. 2017101034), dated September 2018 (Transmittal No. II), which was prepared in compliance with CEQA.
- D. Find that changes or alterations have been required in, or incorporated into, the street vacation that mitigate or avoid significant effects on the environment. Those mitigation measures are described in the EIR and Mitigation Monitoring Plan dated September 2018, pages 4-1 through 4-14, are attached and incorporated herein. A fully enforceable program for reporting or monitoring the changes required in the street vacation or made a condition of approval to avoid or substantially lessen significant environmental effects has been required by the City of Los Angeles Bureau of Engineering (BOE). A copy of the BOE findings adopting this program for reporting or monitoring as set forth in the CEQA

Review Memo, dated October 30, 2018 is attached and incorporated herein (Transmittal No. III)

- E. Find that no new information exists to show that the project or circumstances of the project have been changed to require additional environmental review, as described in State CEQA Guidelines Section 15162, and therefore the existing environmental documents adequately describe the potential impacts for this street vacation.
- F. That the City Council find that there is a public benefit to this street vacation. Upon vacation of the streets, 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.
- G. 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.
- H. 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.
- I. 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.
- J. That the Council adopt the City Engineer's report with the conditions contained therein.
- K. That the City Clerk schedule the vacation for public hearing at least 30 days after the Committee approval based on the Initiation of the Street Vacation Proceedings adopted by City Council on September 21, 2018, 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 \$96, 300.00 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 and Gang Reduction Committee and the City Council meetings to consider this request be sent to:

1. David Roberts
Property Manager, Department of General Services
Asset Management Division
City of Los Angeles
111 E. 1st Street, Room 201
Los Angeles, CA 90012
2. City of Los Angeles
Bureau of Engineering
1149 S. Broadway, 610
Los Angeles, CA 90012
3. Velma C. Marshall
Metropolitan Transportation Authority
Mail Stop 99-13-8
One Gateway Plaza, 14th Floor
Los Angeles, CA 90012-2932
4. Katie Keifer
Council District 14
City of Los Angeles
200 N. Spring Street, Room 465
Los Angeles, CA 90012
5. Lawrence Hsu
Metro Transit Division, Bureau of Engineering
City of Los Angeles
1149 S. Broadway, Suite 640
Los Angeles, CA 90015
6. Alvin Trotter, Jr.
Metropolitan Transportation Authority
Mail Stop 99-20-7
One Gateway Plaza, 14th Floor
Los Angeles, CA 90012-2932

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 E1401334 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 property in a manner satisfactory to the City Engineer:
 - a. Accept a portion of the existing future street dedication on the easterly side of Center Street between Commercial Street and Ducommun Street to accommodate and match the proposed ESOC project. Plan shall be submitted to BOE to determine the exact amount of dedication to be accepted.
 - b. Dedicate 11-foot as a public street on the easterly side of Center Street from Jackson Street to Temple Street to provide a 36-foot half right-of-way in accordance with the Avenue III street standard. If the existing building is to remain, dedicate up to the building. Submit a survey to verify the building location.
 - c. Dedicate 11-foot as a public street on the easterly side of Center Street from Temple Street to Banning Street to provide a 36-foot half right-of-way in accordance with the Avenue III street standard.
 - d. Dedicate 8-foot as a public street on the easterly side of Center Street from Banning Street to 1st Street to provide a 33-foot half right-of-way in accordance with the Collector street standard, if the petitioner own the adjoining property.
 - e. Dedicate 8-foot along the frontage of Lots 4, 6, 8 and 10, Block K, of Subdivision of the Aliso Tract and dedicate 1-foot along Lot 2, Arb 1 of Tract No. 11189 as a public street on Commercial Street to provide a 33-foot half right-of-way in accordance with the Collector Street Standard together with a 20-foot radius property line return at the intersection with Center Street.

- f. Accept 7-foot future street dedication along Commercial Street together with 20-foot radius property line return at the intersection with Center Street.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Construct 20-foot half roadway on the southerly side of Commercial Street, with integral curb, gutter and 13-foot sidewalk in accordance with the Collector Street Standards.
 - b. Widen easterly side of Center Street between Commercial Street to Ducommun Street to match the roadway and border widths, the street arrangement of the Emergency Security Operation Center (ESOC) project to match the proposed half roadway width on easterly side of Center Street between Ducommun Street and Jackson Street.
 - c. Widen easterly side of Center Street between Ducommun Street and Jackson Street as part of the Emergency Security Operation Center (ESOC) project.
 - d. Construct 23-foot half roadway on the easterly side of Center Street between Jackson Street and Temple Street with integral curb, gutter and 13-foot sidewalk in accordance with Avenue III Standard. Provide proper transition at the intersection. No roadway widening is required if the existing building remain in place.
 - e. Construct 23-foot half roadway on the easterly side of Center Street between Temple Street and Banning Street with integral curb, gutter and 13-foot sidewalk in accordance with Avenue III Standard. Provide proper transition at the intersection.
 - f. Remove and replace damaged sidewalk, curb and gutter on the easterly side of Center Street between Banning Street and 1st Street. Fill in a concrete sidewalk at newly dedicated area.
 - g. All required pedestrian improvement shall comply with American with Disabilities Act (ADA) as well as state or local standards.
 - h. Close any intersections of vacated streets with Center Street with full height curbs, gutter and sidewalk. If vehicular access is desired, Metro shall construct a driveway per City of Los Angeles's Standard Plan S-440.
 - i. Close any unused driveways with full height curb.
7. That the petitioner record a Covenant and Agreement agreeing to comply with the Mitigation Measures described in the EIR and Mitigation Monitoring Plan dated September 2018, pages 4-1 through 4-14 and also identified in the Bureau of

- Engineering, Environmental Management Group memo dated October 30, 2018 titled CEQA Review: Summary of Relevant Findings and Mitigation Measures of Metro's Street Vacation Approval Request – Division 20 Portal Widening and Turnback Facility Project, W.O. E1401334 – Banning Street from Center Street to its Easterly Terminus.
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 its protection.
 9. Hydraulic and hydrology study shall be performed for the affected streets, as necessary to the satisfaction of the City Engineer.
 10. That arrangements be made with all utilities agencies, cable companies and franchises maintaining facilities in the area including but not limited to the Department of Water and Power, Southern California Gas Company, AT&T, Southern California Edison 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.
 11. That the petitioner comply with the requirements of the Los Angeles Fire Department (LAFD) letter to the Bureau of Engineering dated May 30, 2018, to the satisfaction of LAFD. A clearance letter from LAFD to the Bureau of Engineering is required.
 12. That the petitioner comply with the requirements of the Los Angeles Department of Transportation. A clearance letter from LADOT to the Bureau of Engineering is required.
 13. That upon the reviews of the title report identifying the underlying fee title interest of the vacation areas, agreements be recorded satisfactory to the Bureau of Engineering to hold each of the adjoining parcels of land, and its adjoining portions of the areas to be vacated under the same ownership, 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 areas, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
 14. That street lighting facilities be installed as required by the Bureau of Street Lighting (BSL). A clearance letter from BSL is required.
 15. That the petitioner comply with the requirements of Urban Forestry Division of the Bureau of Street Services (BSS) letter to the Bureau of Engineering dated June 7, 2018, to the satisfaction of BSS. A clearance letter from BSS to the Bureau of Engineering is required.

TRANSMITTAL:

1. Applications dated April 3, 2018 from Los Angeles County Metropolitan Transportation Authority and a request letter dated April 18, 2018.
2. Project Environmental Impact Report (EIR) SCH No. 2017101034 dated September 2018.
3. California Environmental Quality Act (CEQA) Review Memo dated October 30, 2018 from Maria Martin, Environmental Management Group, Bureau of Engineering, City of Los Angeles titled CEQA Review: Summary of Relevant Findings and Mitigation Measures of Metro's Street Vacation Approval Request – Division 20 Portal Widening and Turnback Facility Project, W.O. E1401334 – Banning Street from Center Street to its Easterly Terminus.

DISCUSSION:

Request: The petitioner, Alvin Trotter of the Los Angeles County Metropolitan Transportation Authority (LACMTA), representing the owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street area shown colored blue. The purpose of the vacation request is to construct Metro Division 20 storage tracks and operation and maintenance facilities.

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 September 21, 2018, under Council File No. 18-0191 adopted the initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the vacation area to the east are zoned PF-1XL and is developed with train tracks. The properties adjoining the vacation area to the north and south are zoned M3-1 and are developed with commercial buildings.

Description of Area to be Vacated: The areas sought to be vacated are Banning Street, Jackson Street and Ducommun Street from Center Street to their easterly terminus. Ducommun Street is dedicated 50 feet wide with 34-foot wide roadway, curb, gutter and sidewalks on both sides. Jackson Street is dedicated 50 feet wide with 34-foot wide roadway, curb, gutter and sidewalks on both sides. Banning Street is dedicated 50 to 57 feet wide with partially improved roadway, no curb, gutter and sidewalks.

Adjoining Street: Center Street is an improved Avenue III dedicated between 50 to 72 feet wide and variable width right-of-way with 40-foot and variable width roadway, curbs, gutters, and sidewalks on both sides except between Jackson Street and Temple Street. Commercial Street is an improved Collector Street dedicated to 50 feet wide right-of-way with 40 feet wide roadway, curbs and gutters on both sides and sidewalk on the north side of Commercial Street.

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 Banning Street, Jackson Street, and Ducommun Street from Center Street to their easterly terminus should not have a significant adverse impact on vehicular circulation or access since the streets are dead end streets and petitioner owns all the adjoining properties.

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

Reversionary Interest: No determinations 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 dedications and improvement as outlined in the conditions of this report. Bureau of Engineering, Metro Transit Division (MTD) will be required to verify completion of the requirement and provide a clearance letter.

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

Public Utilities: The communication from the Department of Water and Power (DWP) dated May 30, 2018 states that DWP maintains facilities in the area proposed to be vacated. Per communication dated May 29, 2018 the Southern California Gas Company maintains gas piping facilities within the area proposed to be vacated. The Southern California Edison, AT&T and Time Warner Cable did not respond to the Bureau of Engineering's referral letter dated April 27, 2018.

Tract Map: Since the necessary improvements can be constructed under a separate permit process, the requirement for the recordation of a new tract map could be waived.

Bureau of Street Services, Urban Forestry Division: The Bureau of Street Services provided a letter dated June 7, 2018 that the applicant meets the following recommendations:

Street trees, a minimum of 24" Box size street trees of species approved by the Urban Forestry Division (UFD) of the Bureau of Street Services (BSS), shall be planted in conformance with City Standard Plans and as required by UFD. Street tree spacing is species dependent and shall conform to the latest tree spacing requirements unless otherwise noted by BSS/UFD. Tree watering shall be a minimum of three-year period until trees are established. It is recommended arrangements be made for the irrigation of street trees and/or parkway landscaping by the abutting property owner.

A clearance letter from the Bureau of Street Services is required as one of the conditions of this vacation.

City Department of Transportation: The Department of Transportation stated in its communication dated February 19, 2019 that the vacation is not opposed if the abutting property owners are in agreement with the proposed vacation and provisions are made for lot consolidation, driveway and access approval by LADOT, and any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Element of the General Plan.

In addition, the Los Angeles Department of Transportation (LADOT) stated in a communication dated January 8, 2019 that Metro to comply with the following conditions:

- Metro shall design and install all traffic control per the approved LADOT A-7634 plan.
- Metro shall mitigate existing commercial loading zone removal per LADOT MPP Section 343.

A clearance letter from LADOT would be required as one of the conditions of this vacation.

City Fire Department: The Fire Department provided a letter dated May 30, 2018 that they have no objection to the proposed street vacation provided the applicant meet the following recommendations:

- All public fire hydrants within the proposed Street Vacation must be relocated at the petitioner expense with the approval of Department of Water and Power.
- Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- On-site hydrants may be required after review of plot plans.
- All water systems and roadways are to be improved to the satisfaction of the Fire Department prior to the issuance of any building permits.
- A valid Division 5 Fire Department permit is required prior to installation for all private fire hydrant systems.
- Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- All fire gates shall be designated to satisfaction of the Los Angeles Fire Department to allow gates to be opened by a master remote control device which will be provided to the Los Angeles Fire Department by the developer.

- Modification of Access Gate Equipment and Facilities. There shall be no modification of any vehicular access gate equipment or facilities installed by Declarant in the Properties, including without limitation modification or changes in hardware and/or method of operation without the written approval of the Los Angeles Fire Department. The provision of this shall be specifically enforceable by the City and Fire Department. Requests for any modifications shall be made to the Hydrants and Access Unit, Los Angeles Fire Department.

A clearance letter from Fire Department would be required as one of the conditions of this vacation.

Department of City Planning: The Department of City Planning (DCP) stated in its communication dated June 19, 2018 that “Based on our analysis on the subject site and surrounding area, vacation of Jackson Street and Ducommun Street Facilitate a necessary transportation infrastructure project, Metro Division 20, and does not create an obstruction to access.”

“The vacation of Banning Street however may impact the property located at 1001 E. 1st Street, a historic building that is eligible for listing in the National Register of Historic Places. The building has been identified as an opportunity for adaptive reuse of a historic building in the Arts District. The zoning of M3-1-RIO provides for allowable uses including manufacturing and offices. The City released an RFP for development of the property in 2017 and still determining the future disposition of the property. Though this position of Banning Street is currently a “dead end”, the street provides important access to a historic resource. We recommend that consideration is made in regards to impacts affecting this historical resource.”

In vacating these streets, Department of City Planning recommends the following:

- That extra care is taken to ensure compatible design within the site and to adjacent properties and uses in the neighborhood, especially in relation to pedestrian accessibility and paths of travel.
- That the applicant maintain a human scale for the development and discourage the creation of mega blocks. Increased network access improves mobility of travelers by breaking up long blocks. Providing direct, safe, and easily accessible paths for pedestrians, especially to transit should be a primary concern for site design on the project.

The Department of City Planning therefore concluded that the proposed vacation is generally consistent with the General Plan.

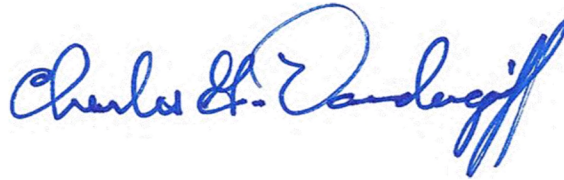
In later communication dated March 11, 2019 with the Department of City Planning, DCP stated that Pickleworks building (1001 E. 1st Street) is no longer existing and no further attention to that point should be needed.

Conclusion: The vacation of the public streets 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 areas shown colored orange should not be vacated because they are needed for public street purposes.

Respectfully submitted,



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

Report prepared by:

LAND DEVELOPMENT AND GIS DIVISION

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Civil Engineer
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