

Office of the City Engineer

Los Angeles, California

To the Public Safety Committee

Of the Honorable Council

Of the City of Los Angeles

July 9, 2018

Honorable Members:

C. D. No. 8

SUBJECT:

VACATION REQUEST - VAC- E1401023 - Council File No. 06-2754 – 47th Street
between St. Andrews Place and Western Avenue Vacation District (Re-application)

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. 47th Street between St. Andres Place and Western Avenue.
 2. Alley southerly of 46th Street between St. Andres Place and the alley westerly of Western Avenue.
 3. Alley westerly of Western Avenue from 46th Street to approximately 19.75 feet northerly of the alley southerly of 47th 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 based on the Initiation of the Street Vacation Proceedings adopted by City Council on September 20, 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 \$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 Works Committee and the City Council meetings to consider this request be sent to:

1. Los Angeles Unified School District
Attn: Al Grazioli
333 South 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 E1401023 be paid.
2. That a suitable map, approved by the Central District Engineering office, delineating the limits, including bearings and distances, of the areas 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 areas 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 areas 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 12 feet as a public street along the westerly side of Western Avenue in the frontage of Lot 3, Block 4 of Western Avenue Square.
6. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the 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.
7. That project conditions identified in the Department of Transportation letter dated August 2, 2005 on the proposed South Region Middle School No. 6 be complied with in a manner satisfactory to the Department of Transportation.

TRANSMITTAL:

Application dated July 5, 2017 from Los Angeles Unified School District.

DISCUSSION:

Request: The petitioner, Al Grazioli of Los Angeles Unified School District, owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street and alley areas shown colored blue and orange. The purpose of the vacation request is to consolidate the proposed vacation areas with the adjoining properties into Obama Global Prep Academy, formerly known as the South Region Middle School No.6.

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 23, 2007 conditionally adopted the City Engineer's report dated March 16, 2007. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On July 5, 2017, the petitioner submitted a new re-application. The Council on September 20, 2017 under Council File No. 06-2754, adopted an Initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The properties adjoining the areas to be vacated to the east are zoned C2-1VL while the properties adjoining the areas to be vacated to the west, north, and south are zoned R2-1 and [Q]R4-1. The adjoining properties are developed with school facilities.

Description of Areas to be Vacated: The areas sought to be vacated are:

1. 47th Street between St. Andres Place and Western Avenue.
2. Alley southerly of 46th Street between St. Andres Place and the alley westerly of Western Avenue.
3. Alley westerly of Western Avenue from 46th Street to approximately 19.75 feet northerly of the alley southerly of 47th Street.

47th Street is a Local Street dedicated 60 feet wide. The east-west alley southerly of 46th Street and the north-south alley westerly of Western Avenue are dedicated 15 feet wide. The areas to be vacated are currently developed with school facilities.

Adjoining Streets and Alley: Western Avenue is an improved Avenue II dedicated 80 and 90 feet wide with a 56-foot wide roadway, curbs, gutters and variable width sidewalks. 46th Street and St. Andrews Place are both improved Standard Local Streets dedicated 60 feet wide with 36-foot wide roadways, curbs, gutters, and 12-foot wide sidewalks. The L-shaped alley southerly of 47th Street between St. Andrews Place and 48th Street are improved alleys dedicated 15 feet wide.

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

Effects of Vacation on Circulation and Access: The vacation of 47th Street between St. Andres Place and Western Avenue, alley southerly of 46th Street between St. Andres Place and the alley westerly of Western Avenue, and alley westerly of Western Avenue from 46th Street to approximately 19.75 feet northerly of the alley southerly of 47th Street should have no adverse effect on circulation or access since the proposed vacation area no longer exists and are currently developed with school facilities.

The street and alleys are 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 determinations of the underlying fee interest of the vacation areas have been made as to title or reversionary interest.

Dedications and Improvements: Dedications and improvements were provided by Instrument No. 20100135923 and per City Plan P-36844 under previous vacation conditions adopted by Council on May 23, 2007. It will be necessary that the petitioner provide for the remaining dedication as outlined in the Conditions of this report.

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

Public Utilities: The Southern California Gas Company and AT&T did not respond to the Bureau of Engineering's referral letter dated August 16, 2017.

Tract Map: Since the required dedications can be acquired by separate instruments, 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 September 20, 2017 that it does not oppose the area proposed to be vacated.

City Fire Department: The Fire Department stated in its letter dated August 29, 2017 that it has no objection to this street vacation.

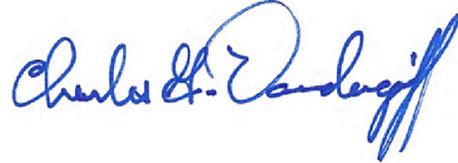
Department of City Planning: The Department of City Planning stated in a letter dated October 24, 2017 that this vacation is consistent with the South Los Angeles Community Plan policies and objectives as it would facilitate the ongoing use of the educational functions. Furthermore, these street segments are currently being used for recreational purposes within the educational campus. The vacation of these segments would not negatively affect the larger circulation network.

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

1. They are unnecessary for present or prospective public use.
2. They are not needed for vehicular circulation or access.
3. They are 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,

A handwritten signature in blue ink, appearing to read "Charles H. Vandegriff". The signature is fluid and cursive, with a large initial "C" and "V".

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

Report prepared by:

LAND DEVELOPMENT & GIS DIVISION

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