

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

December 21, 2017

Honorable Members:

C. D. No. 9

SUBJECT:

VACATION REQUEST - VAC- E1401142 - Council File No. 09-1060 – T-Shaped Alley Westerly of Central Avenue between 45th Street and 46th Street (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”:

T-shaped alley westerly of Central Avenue between 45th Street and 46th Street
- B. That the vacation of the area shown colored orange on Exhibit “B”, be denied.
- C. That the City Council find that it has imposed all the mitigation measures that are within the control of the City, as described in the Final Environmental Impact Report (State Clearinghouse Number 2008041112) that are associated with the impacts of the street vacation and that other mitigation measures that are not within the authority of the City, have been or should be imposed as set forth in the findings of the Board of Education of the City of Los Angeles, dated November 25, 2008, a copy of which is attached and incorporated.
- 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 and Gang Reduction Committee approval based on the Initiation of the Street Vacation Proceedings adopted by City Council on June 13, 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 \$32,100.00 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
2. Silvina Rodriguez
15740 Paramount Blvd, Ste E
Paramount, CA 90723
3. Daisy E Santamaria
1010 E 45th Street
Los Angeles, CA 90011

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 E1401142 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 arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the 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.

TRANSMITTAL:

Application dated September 20, 2016 from Los Angeles Unified School District.

DISCUSSION:

Request: The petitioner, Los Angeles Unified School District, owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public alley areas shown colored blue and orange. The purpose of the vacation request is to consolidate the areas proposed to be vacated with the adjacent properties into the Sally Ride Elementary School, formerly known as the Central Region Elementary School No. 21.

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 October 7, 2009 conditionally adopted the City Engineer's report dated June 10, 2009. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On September 20, 2016, the petitioner submitted a new application. The Council on June 13, 2017 under Council File No. 09-1060, adopted an Initiation of Vacation Proceedings for this vacation.

Zoning and Land Use: The properties adjoining the areas to be vacated to the north and south are zoned R2-1 and are developed with residential housing. The properties adjoining the area to be vacated to the east are zoned [Q]C2-1 and are developed with school facilities.

Description of Areas to be Vacated: The areas sought to be vacated are the T-shaped alley westerly of Central Avenue between 45th Street and 46th Street. Both alleys are dedicated 20 feet wide and currently improved as part of the school facilities.

Adjoining Streets: 45th Street is an improved local street dedicated 60 feet wide with and 46th Street is an improved local street dedicated 60 feet wide and variable width roadway and 10-foot wide sidewalk. Central Avenue is an Avenue II dedicated 80 feet wide with a 56 feet wide roadway, curbs, gutters and 12-foot sidewalk on the westerly side.

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 the T-shaped alley westerly of Central Avenue between 45th Street and 46th Street should not have any adverse impacts on circulation since a hammerhead turnaround has been constructed at the easterly terminus of the unvacated portion of the east/west alley. Moreover, the areas proposed to be vacated are currently developed with school facilities.

The 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 under previous vacation conditions per Council File 09-1060 adopted by City Council in October 7, 2009 Instrument No. 20161443353 and per City Plan P-37395.

At the meeting of the City Council on October 7, 2009, Council District 9 amended the City Engineer Report dated June 10, 2009 regarding the dedication Condition 4(a) and 4(c) and improvement Condition 5(a) and 5(e). Therefore, dedication along Central Avenue is not required.

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

Public Utilities: The Southern California Gas Company did not respond to the Bureau of Engineering's referral letter dated December 6, 2016.

Tract Map: Since the required dedications can be acquired by separate instruments 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 states in its communication dated February 27, 2017 that the vacation is not opposed provided that all abutting property owners are in agreement with the proposed vacation, and 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 City's standard street dimensions.

City Fire Department: The Fire Department stated in its letter dated February 7, 2017 that they have no objection to this street vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated December 6, 2016.

Conclusion: The vacation of the public 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 street purposes.

Respectfully submitted,



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

Report prepared by:

LAND DEVELOPMENT & GIS DIVISION

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