

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

July 22, 2015

Honorable Members:

C. D. No. 9

SUBJECT:

Vacation Approval - VAC-E1401166 - Council File No.11-0751-  
22nd Street between Grand Avenue and Olive 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 rights-of-way indicated below and shown colored blue on the attached Exhibit "B":  

22nd Street between Grand Avenue and Olive 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 Clearing House No. 2004121007) that are associated with the impacts of the street vacation and that other mitigation measures that are not within authority of the City, have been or should be imposed as set forth in the meeting minutes of March 10, 2010 where the Los Angeles Community College (LACCD) Board of Trustees certification of the EIR for LATTC Thirty Year Master Plan was approved.

- D. 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 rights-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.
- E. That, in conformance with Section 556 of the City Charter, the Council make the findings 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 needed for nonmotorized 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 Rule 16 Motion adopted by the City Council on April 21, 2015, so the City Clerk and 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 \$64,200.00 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.

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. PENCO Engineering, Inc.  
Attn: George Jurica  
16842 Von Karman Avenue,  
Irvine, CA 92606
2. Los Angeles Community College District  
Attn: J. O'Reilly  
770 Wilshire Boulevard,  
Los Angeles, CA 90015

CONDITIONS FOR STREET VACATION:

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 No. E1401166 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 of the Bureau of Engineering prior to 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 areas to be vacated be submitted to the City Engineer.

5. That the petitioner dedicates the following adjoining their properties, in a manner satisfactory to the City Engineer:
  - (a) Dedicate 2 feet as public street along the northerly side of 23rd Street (Collector Street Standards) to provide for a 32-foot wide half right-of-way.
  - (b) Dedicate a 20-foot radius property line return at the intersection of 23rd Street and Grand Avenue.
  
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - (a) Grand Avenue:
    - Repair or replace any broken or off-grade concrete sidewalk, curb and gutter.
  - (b) 23rd Street:
    1. Fill in the 2-foot wide newly dedicated area with concrete sidewalk.
    2. Repair or replace any broken or off-grade concrete sidewalk, curb and gutter.
    3. Construct access ramp at the intersection with Grand Avenue.
  - (c) 22nd Street:
    - Close existing street intersections with full height curb, gutter, and sidewalk, or standard driveway apron.
  
7. That arrangements be made with the Department of Water and Power for the removal of any affected facilities or the providing of easements or rights for the protection of any affected facilities to remain in place.
  
8. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing City of Los Angeles sewer and storm drain facilities located within the area to be vacated, unless easements are reserved from the vacation for their protection.

9. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
10. That street trees be planted and tree wells be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.
11. That arrangements be made with the Department of Transportation for any necessary traffic signal at the intersection of Grand Avenue and 22nd Street.

TRANSMITTAL:

Application dated January 28, 2015, from Penco Engineering, Inc.

DISCUSSION:

Request: The petitioner, George Jurica of PENCO Engineering, Inc., representing the Los Angeles Community College District, owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street areas shown colored blue and orange. The purpose of the vacation request is to consolidate the areas to be vacated with the adjoining properties to construct Los Angeles Trade-Technical College facilities.

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 September 7, 2011 conditionally adopted the City Engineer's report dated May 17, 2011. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On January 28, 2015, the petitioner submitted a new application. The Council on April 21, 2015 under Council File No. 11-0751 adopted a new Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties bounding the proposed areas to be vacated are zoned M1-2-0 and PF-1 and are developed with commercial buildings and public facilities.

Description of Areas to be Vacated: The area sought to be vacated is:

22nd Street between Grand Avenue and Olive Street.

22nd Street is an improved local street dedicated 60 feet and with a variable width roadway with curbs, gutters and sidewalks.

Adjoining Streets: Grand Avenue is an improved modified secondary highway dedicated 80 feet wide with a 56-foot wide roadway, and with curbs, gutters and concrete sidewalk. Olive Street is an improved secondary highway street dedicated 80 feet wide with a 56-foot wide roadway, and with curbs, gutters and concrete sidewalk. 23rd Street is an improved collector street dedicated 60 feet wide with a 40-foot wide roadway, and with curbs, gutters and concrete sidewalk. 21<sup>st</sup> Street is a local street dedicated 60 feet improved with concrete curb, gutter, and sidewalk. The vacation of 21<sup>st</sup> Street between Grand Avenue and Olive Street has been adopted by Council under Council File 11-1337.

Effects of Vacation on Circulation and Access: The proposed vacation of 22nd Street between Grand Avenue and Olive Street should not have any adverse impacts on either circulation or access since vehicular circulation is provided by nearby streets.

The streets are not needed for the use 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 areas 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 under the conditions of this report. The City Council's action on July 22, 2011, amended the City Engineer's report to delete the requirement to dedicate and widen Olive Street.

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

Public Utilities: The Department of Water and Power maintains facilities in the areas proposed to be vacated.

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 in its communication dated September 24, 2010, stated that it does not oppose the requested vacation provided that all abutting property owners are in agreement with the proposed vacation, and that the conditions outlined dated June 18, 2003 to Los Angeles Trade-Technical College must be satisfied.

The Department of Transportation did not respond to the Bureau of Engineering's referral letter dated February 13, 2015.

City Fire Department: The Fire Department stated in its communication dated April 10, 2015 that it has no objection to the street vacation.

Department of City Planning: The City Planning Department in a communication dated September 10, 2010, in response to the previous vacation request combining both 21st Street and 22nd Street between Grand Avenue and Olive Street, stated concern that the vacation would create a very large block that could potentially be an obstacle for pedestrians and recommended a mid-block pedestrian walkway to allow access from Olive Street to Grand Avenue. The City Planning Department under ENV-2010-2636-ND also made the finding that a significant impact would result from the implementation of the street vacation. A covenant and agreement was required for a 10-foot wide pedestrian access walkway within 21st Street between Grand Avenue and Olive Street as a condition of the vacation of 21st Street under Council File No. 11-1337.

The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated February 13, 2015.

Conclusion: The vacation of the public street area shown colored blue on the 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 nonmotorized transportation purposes.

The area shown colored orange should not be vacated because it is needed for public street purposes.

Report prepared by:

Respectfully submitted,



LAND DEVELOPMENT GROUP

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Land Development Group  
Bureau of Engineering

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