

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

Honorable Members:

NOV 06 2014

C. D. No. 13

SUBJECT:

VACATION APPROVAL - VAC- E1401235- Council File No. 14-1322 Walkway Easterly of Belmont Avenue From Rockwood Street to the East/West Alley Southerly of Rockwood Street.

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 "A":

Walkway Easterly of Belmont Avenue from Rockwood Street to the East/West Alley Southerly of Rockwood Street.
- B. 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.
- C. 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.
- D. 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.
- E. 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.

- F. 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.
- G. That the Council adopt the City Engineer's report with the conditions contained therein.
- H. 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 City Council on October 7, 2014, 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. Alliance College Ready Academy #16
Attn: Favio Solares
601 S. Figueroa St.
Los Angeles CA 90047
2. Kern Oil International
Attn: Jay Kern
4325 Commonwealth Ave.
La Canada, CA 91011
3. Sierra Club, Angeles Chapter, Central Group
Juanita Dellomes
1518 Rockwood Street
Los Angeles, CA 90026

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 E1401235 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 dedications be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer
 - a) Dedicate 10.75 feet along the northerly side of Beverly Boulevard adjoining Lot 12 and Lot 16 of Block L, "Glassel's Subdivision of Lot No. 7 etc. Block 39 Hancock's Survey No. 1", to complete standard 52-foot wide half right-of-way as designated for Major Highway – Class II.
 - b) Dedicate 2 feet along the westerly side of Lot 16, Block L of said tract to complete a 5-foot half public walk right-of-way.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a) Construct integral concrete curb and gutter, repair or replace any broken/off-grade/missing sidewalk, and close any unused driveways with full height curb along Rockwood Street.
 - b) Construct additional surfacing to join the existing improvements to provide a 40-foot wide half roadway along Beverly Boulevard including asphalt pavement, integral curb and 2-foot wide gutter, and provide a 12-foot wide concrete sidewalk.

- c) Construct 2-foot wide longitudinal concrete gutter and replace broken asphalt concrete pavement along the alley northerly of Beverly Boulevard between Rockwood Street and Glendale Boulevard.
 - d) Construct a minimum 5-foot wide concrete sidewalk within the public walk adjoining the westerly side of Lot 16 of Block L, "Glassel's Subdivision of Lot No. 7 etc. Block 39 Hancock's Survey No. 1"
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 and AT & T 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 upon the reviews of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to the Bureau of Engineering to hold each 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 said area, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
 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 to be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated December 9, 2013, from Favio Solares, on behalf of Alliance College Ready Academy #16.

DISCUSSION:

Request: The petitioner, Favio Solares on behalf of Alliance College Ready Academy #16, representing the owner of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public walkway area shown colored blue. The purpose of the vacation request is for the construction of a public charter school. 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 October 7, 2014, under Council File No. 14-1322 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated are zoned RD1.5-1-O and are currently undeveloped.

Description of Area to be Vacated: The area sought to be vacated is the walkway easterly of Belmont Avenue from Rockwood Street to the east/west alley southerly of Rockwood Street. The existing right-of-way is 6 feet wide and unimproved.

Adjoining Streets and Alleys: Rockwood Street is an improved Local Street dedicated 60 feet wide with a 40-foot roadway without concrete gutter, and a 10-foot wide sidewalk. Beverly Boulevard is an improved Major Highway – Class II dedicated 86.25 feet wide with a 70-foot roadway, with curb and gutter and a 6.25-foot wide sidewalk. The alley northerly of Beverly Boulevard between Rockwood Street and Glendale Boulevard is improved with asphalt concrete pavement and is dedicated 20 feet wide.

Surrounding Properties: The owners of lots surrounding the vacation area have been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The vacation of the walkway should have no adverse effect on circulation or access since the pathway is unimproved and is impassable for vehicular travel.

The walkway is not needed for the use of pedestrians, bicyclists or equestrians.

Objections to the vacation: Juanita Dellomes of the Angeles Chapter of the Sierra Club, in a letter dated January 16, 2014 requested that the vacation be denied, noting that the property adjoining the proposed vacation is the location of a former storage oil well which has environmental issues such as: its location on and near the Elysian Earthquake Fault, the saturated dirt under the former storage oil tank, exposure to methane gas from the former oil well, and hydrogen sulfide. Ms. Dellomes also stated in the letter that the walkway is also where students from two nearby high schools congregate, creating problems for nearby residents and LAPD.

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 improvements as outlined in the conditions of this report.

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 to be vacated. AT&T did not respond to the Bureau of Engineering's referral letter dated December 27, 2013.

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. However, it will be necessary that the petitioner record an agreement satisfactory to the Bureau of Engineering to hold each adjoining 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 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 did not respond to the Bureau of Engineering's referral letter dated December 27, 2013.

City Fire Department: The Fire Department stated in its communication dated January 24, 2014 that all items of concern to the Fire Department appear to have been addressed adequately at earlier levels of review.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated December 27, 2013.

Conclusion: The vacation of the public walkway area as shown colored blue on attached Exhibit "A" could be conditionally approved based upon the following:

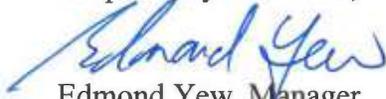
1. It is unnecessary for present or prospective public use.
2. It is not needed for vehicular circulation or access.
3. It is not needed for non-motorized transportation purposes.

Report prepared by:

LAND DEVELOPMENT GROUP

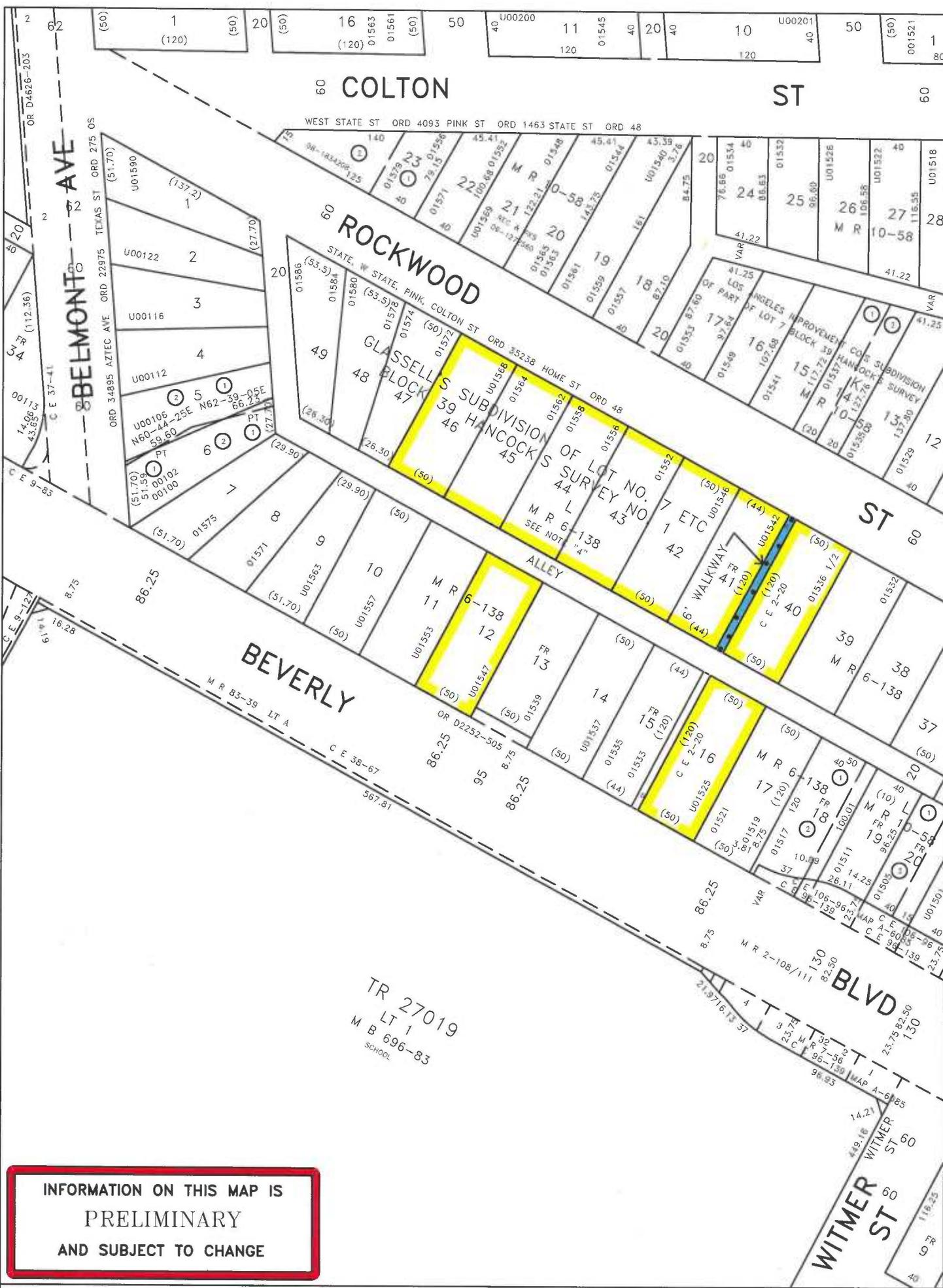
Dale Williams
Civil Engineer
(213) 202-3491

Respectfully submitted,


Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DW /

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TITLE: WALKWAY EASTERLY OF BELMONT AVE. FROM ROCKWOOD ST.
TO THE EAST/WEST ALLEY SOUTHERLY OF ROCKWOOD ST.

WORK ORDER NO. VAC- E1401235
 COUNCIL FILE NO. 14-1322
 COUNCIL DIST. 13 DIV. INDEX 68
 ENG. DIST. CENTRAL T.G. 634-E2
 DISTRICT MAP 135A207



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

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY

ORIGINAL - (No copies or faxes)

DATE: 1/3/12

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: 1539-1568 W Rockwood St Los Angeles CA 90026
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)

and is located between:

Beverly Blvd and Glendale Blvd
(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. 13

(c) District Map No. _____

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

(3) Area (in sq. ft.) of the proposed vacation area is approx. 725 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 \$32,100 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 \$32,100 fee deposit. NO

- 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: Public charter school

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

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

13 DEC 10 AM 9:21

RECEIVED
LAND DEVELOPMENT GROUP