

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

May 30, 2018

Honorable Members:

C. D. No. 15

SUBJECT:

VACATION REQUEST - VAC- E1401325 - Council File No. 17-1112 – I Street Southerly of Opp Street from McFarland Avenue to its Westerly Terminus (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 “ A”:

I Street southerly of Opp Street from McFarland Avenue to its westerly terminus

- 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 Initiation of the Street Vacation Proceedings adopted by City Council on October 11, 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. David Ewing
31501 La Matanza Street
San Juan Capistrano, CA 92675
2. East Coast Transport Inc
10401 Redwood Avenue
Fontana, CA 92337
3. A.T and S.F. RY CO
SBE PAR 5 MAP 804-19-65
One Santa Fe Plaza
5200 E. Sheila Street
Los Angeles, CA 90040
4. Burlington Northern Santa Fe Corp
740 E Carnegie Drive
San Bernardino, CA 92408

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 E1401325 be paid.
2. That a suitable map, approved by the Harbor 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 improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Repair and/or reconstruct existing concrete sidewalk, curb and gutter along McFarland Avenue.
 - b. Close the intersection of I Street with McFarland Avenue with curb, gutter and full width sidewalk.
 - c. Close any unused driveways with full height curb, gutter and sidewalk.
6. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the AT&T, the Southern California Gas Company and the Tesoro Companies, Inc. 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 consents to the vacation be secured from the owners of Lot A of Tract 3892 and Lot 1 of Block E of the North San Pedro Tract of Wilmington adjoining the area to be vacated.
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 the adjoining parcel of land, and its adjoining portion of

the area 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 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 August 10, 2017 from David Ewing.

DISCUSSION:

Request: The petitioner, David Ewing, owner of the property shown outlined in yellow on Exhibit "A", is requesting the vacation of the public street area shown colored blue. The purpose of the vacation request is to consolidate land with adjoining properties.

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 June 07, 2006 under Council File 05-2418 adopted the City Engineer's report dated February 16, 2006. Since the petitioner failed to complete the conditions of the vacation within the time limit, the vacation request expired. The City Council on October 11, 2017 under Council File No. 17-1112, adopted an Initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated to north are zoned [Q] RD3-1XL-O-CUGU and are developed with low density residential housings. The properties to the south are zoned [Q] MR2-1VL-O-CUGU and are developed with parking spaces for containers storage.

Description of Area to be Vacated: The area sought to be vacated is I Street from McFarland Avenue to its westerly terminus. I Street is an unimproved non-continuous local street dedicated 50 feet wide and it is currently used as a parking entrance for the adjacent property and parking cars.

Adjoining Streets: McFarland Avenue is a standard local street dedicated 60 feet wide with a 42-foot wide roadway, curbs, gutters, and sidewalks with parkway.

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 I Street located southerly of Opp Street from McFarland Avenue to its westerly terminus should have no adverse effect on access rights or circulation since the street is a non-continuous local street and terminates at a functioning railroad track. The proposed vacation area is currently unimproved and used as parking and a parking entrance to the adjoining property.

The street is 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 determination of the underlying fee interest of the vacation area has been made as to title or reversionary interest.

Improvements: It will be necessary that the petitioner provides for the 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 Southern California Gas Company and AT&T did not respond to the Bureau of Engineering's referral letter dated September 6, 2017. Tesoro Companies, Inc. maintain facilities in the area proposed to be vacated.

Tract Map: Since 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 records an agreement satisfactory to the Bureau of Engineering to hold the adjoining 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 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 stated in its communication dated November 9, 2017 that DOT does not oppose the requested vacation provided that all abutting property owners are in agreement with the proposed vacation and all residents occupying the real-estate properties consisting of the land and homes located in the proposed street vacated area will continue to have full vehicle access to the property. In addition, 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 the City's Mobility Element of the General Plan.

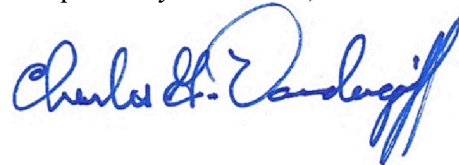
City Fire Department: The Fire Department stated in its letter dated August 29, 2017 that it has no objection to this street vacation.

Department of City Planning: The Department of City Planning in its letter dated October 31, 2017 stated that "the subject vacation involves a non-contiguous segment of I Street that is unimproved and provides no overall connection to other facets of the local circulation network. Vacation would allow for the orderly use of the subject land and would facilitate appropriate fencing and security measures, in particular. For this reason, the vacation would be consistent with the goals and policies of the City's General Plan."

Conclusion: The vacation of the public street 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.

Respectfully submitted,



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

Report prepared by:

LAND DEVELOPMENT & GIS DIVISION

Thein Crocker
Civil Engineer
(213) 202-3493

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