

Office of the City Engineer

Los Angeles, California

To the Public Safety Committee

Of the Honorable Council

Of the City of Los Angeles

June 27, 2018

Honorable Members:

C. D. No. 8

SUBJECT:

VACATION REQUEST - VAC- E1401327 - Council File No. 17-1173 – 79th Street
from New Hampshire Avenue to its Easterly Terminus

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”:

79th Street from New Hampshire Avenue to its easterly 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 based on the Initiation of the Street Vacation Proceedings adopted by City Council on October 24, 2017 so that 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 Safety Committee meetings to consider this request be sent to:

1. Vermont Avenue Church of Christ
7911 S. Vermont Avenue
Los Angeles, CA 90044
2. Ronald Cargill
1481 Paradise Island Lane
Banning, CA 92220
3. Crenshaw Christian Center Church of LA CO.
PO Box 90000
Los Angeles, CA 90009

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 E1401327 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 the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a. Construct an intersection gutter through B-permit on a north to south orientation aligning with the east curb line of the New Hampshire Avenue to the satisfaction of the City Engineer. If necessary, construct integral curb and gutter and sidewalk to join the existing improvements to the south.
 - b. Repair any broken, off-grade, or bad order curb, gutter, and sidewalk on Vermont Avenue.
 - c. Close any unused driveways with standard street improvements or with a standard drive way approach.
 - d. That all drainage matters be addressed to the satisfaction of the City Engineer, including collecting or diverting any surface flow from impounding within the area to be vacated.
6. That the petitioner obtain a revocable permit from Central District Engineering office for any non-standard improvements such as non-standard driveway, rolling steel gates and planter adjoining the proposed vacation area in a manner satisfactory to the City Engineer:
7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to Time Warner Cable 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 satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing storm drain facilities located within the area to be vacated, unless easements are reserved from the vacation for its protection.
9. That consents to the vacation be secured from owners of all properties adjoining the area to be vacated.

10. That street lighting facilities be installed as required by the Bureau of Street Lighting.
11. 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 28, 2017 from Vermont Avenue Church of Christ.

DISCUSSION:

Request: The petitioner, Vermont Avenue Church of Christ, owner of the properties 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 provide additional area for an existing church parking lot.

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 24, 2017 under Council File No. 17-1173 adopted an Initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated to the north are zoned [Q]R4-1 and are developed with community facilities and parking lot. The properties adjoining the area to be vacated to the south are zoned R3-1 and are developed with single family residences.

Description of Area to be Vacated: The area sought to be vacated is 79th Street from New Hampshire Avenue to its easterly terminus. 79th Street is a Collector street dedicated 83 feet wide with a 50-foot wide roadway, curbs, gutters, and 15-foot parkway and sidewalk on the south side and 18-foot parkway and sidewalk on the north side. The area proposed to be vacated is currently gated off and used as part of the parking area for the Church.

Adjoining Streets and Alley: New Hampshire Avenue is a limited Local Street dedicated 50 feet wide with a 30-foot wide roadway, curbs, gutters and 10-foot parkway and sidewalks on both sides. Alley easterly of New Hampshire Avenue is an improved alley dedicated 20 feet wide.

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

Effects of Vacation on Circulation and Access: The vacation of 79th Street from New Hampshire Avenue to its easterly terminus should have no effect on access rights or circulation since it is not improved as a public street. In addition, the proposed vacation area is currently gated off and improved as part of the parking area for the Church. 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 determinations of the underlying fee interest of the vacation area has been made as to title or reversionary interest.

Dedication and Improvements: It will be necessary that the petitioner provides for improvements as outlined in the conditions of this report.

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

Public Utilities: AT&T maintains facilities in the area proposed to be vacated. Time Warner Cable did not respond to the Bureau of Engineering's referral letter dated September 6, 2017.

Tract Map: Since there are no dedications required 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 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 October 20, 2017 that it does not oppose the requested street vacation provided that all abutting property owners are in agreement with the proposed vacation.

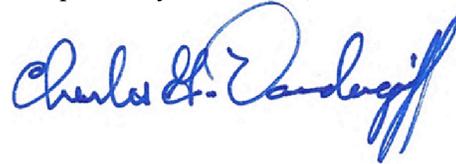
City Fire Department: The Fire Department did not respond to the Bureau of Engineering's referral letter dated September 6, 2017.

Department of City Planning: The Department of City Planning stated in its communication dated October 31, 2017 that the proposed vacation area is considered remnant and of no consequential use in the overall circulation network. Moreover, the proposed vacation would assist in limiting spill-over parking associated with that use in the adjacent residential neighborhood. Therefore, the Department views the subject request as being 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

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