

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

August 15, 2023

Honorable Members:

CD No. 14

SUBJECT:

VACATION REQUEST - VAC- E1401397 - Council File No. 21-0503 Portion of the E-W Alley Southerly of 24th Street West of Minerva Street (Revised)

RECOMMENDATIONS:

- A. That the Bureau of Engineering (Engineering) report dated July 27, 2022, under Council File No 21-0503 not be considered.
- B. 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:

Portion of the East-West Alley South of 24th Street from Minerva Street to approximately 80 feet westerly thereof
- C. 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.
- 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.

FISCAL IMPACT STATEMENT:

The petitioner has paid a deposit of \$14,989 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:

To satisfy Sections 8320 through 8323 of the California Streets and Highways Code, the City Clerk shall schedule the vacation for public hearing at least 30 days after PW Committee approval of this report, so the City Clerk and BOE may process the required Public Notification.

Additionally, City Clerk shall send notification of the time and place of the PW Committee and the City Council meetings to consider this request be sent to:

1. 2460 24th Street Property, LLC
Attn: Mark Blackburn
PO Box 3038
Whittier, CA 90605
2. Oyk Properties
2417 E 25th Street
Los Angeles, CA 9050

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 E1401397 be paid.
2. That a suitable map, approved by Bureau of Engineering (Engineering) Central District Engineering office, delineating the limits, including bearings and distances, of the areas to be vacated be submitted to the Permit Case Management Division (PCM) prior to the preparation of the Resolution to Vacate (Resolution).

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 PCM prior to preparation of the Resolution.
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:

25th Street:

- 4 feet dedication
- A 10-ft by 10-ft cut corner or 15-ft radius at the southeasterly corner of the intersection with 25th Street and Minerva Street.

Minerva Street:

- 4 feet dedication.
- A 10-ft by 10-ft cut corner or 15-ft radius at the southeasterly corner of the intersection with 25th Street and Minerva Street, and at the northeasterly corner of the intersections with 24th Street and Minerva Street.

24th Street:

- Varying dedication ranging from 2 feet to 4 feet.
- A 10-ft by 10-ft cut corner of 15-ft radius at the northeasterly corner of the intersection with 24th Street and Minerva Street.

6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

25th Street:

- Fill in the newly dedicated area with city standard concrete in a manner satisfactory to the city engineer.
- Construct new AC pavement, integral concrete curb and gutter, new sidewalk to provide for a minimum 24-ft half roadway and full width wide sidewalk to meet latest BOE standard street dimension for an Industrial Collector (Standard Plan no. S471-1) with appropriate transitions to the existing improvements. These improvements shall be constructed under a Class "B" Permit in a manner satisfactory to the City Engineer.

- Reconstruct all the existing curb ramps at the intersection with 25th Street and Minerva Street per BOE standard plan S-442-6 and BOE Special Order 01-1020. These improvements shall be constructed under a Class “B” Permit in a manner satisfactory to the City Engineer.
- Close any unused driveways with full height curbs, gutters, and sidewalks. Proposed driveway aprons shall conform and be constructed per latest Engineering’s Standards (Standard Plan No. S-440-4).
- That all drainage matters be addressed to the satisfaction of the City Engineer, if needed.

Minerva Street:

- Fill in the newly dedicated area with city standard concrete in a manner satisfactory to the city engineer.
- Construct new AC pavement, integral concrete curb and gutter, new sidewalk to provide for a minimum 24-ft half roadway and full width wide sidewalk to meet latest BOE standard street dimension for an Industrial Collector (Standard Plan no. S471-1) with appropriate transitions to the existing improvements. These improvements shall be constructed under a Class “B” Permit in a manner satisfactory to the City Engineer.
- Reconstruct all the existing curb ramps at the intersection with 24th Street and Minerva Street and 25th Street and Minerva Street per BOE standard plan S-442-6 and BOE Special Order 01-1020. These improvements shall be constructed under a Class “B” Permit in a manner satisfactory to the City Engineer.
- Close any unused driveways with full height curbs, gutters, and sidewalks. Proposed driveway aprons shall conform and be constructed per latest Engineering’s Standards (Standard Plan No. S-440-4).
- Close unused alley intersection with full-height curb, gutter, and sidewalk.

24th Street:

- Fill in the newly dedicated area with city standard concrete in a manner satisfactory to the city engineer.
- Construct integral concrete curb and gutter and new sidewalk to provide for a full width wide sidewalk to meet latest BOE standards street dimensions for an Industrial Collector (Standard Plan No. S-470-1) with appropriate transitions to the existing improvements. These improvements shall be constructed under a Class “B” Permit in a manner satisfactory to the City Engineer.

- Close any unused driveways with full height curbs, gutters, and sidewalks. Proposed driveway aprons shall conform and be constructed per latest Engineering's Standards (Standard Plan No. S-440-4).

Alley Southerly of 24th Street:

- Close unused alley intersection with full-height curb, gutter, and sidewalk.

Note: Repair or replace broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than ¼ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

Non- ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than ¼ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than 1/8 inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk curb and gutter shall conform to the Engineering's Standard Plans S410-2, S440-4, S442-6 and S444-0

7. That arrangements be made with all utility agencies maintaining facilities in the area including but not limited to Charter Communications 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 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 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:

1. Revised application dated January 12, 2023, from owner 2460 24th Street Property, LLC.
2. Exhibit B, location map.

DISCUSSION:

Request: The petitioner, 2460 24th Street Property, LLC, owner of the properties shown outlined in yellow on Exhibit B, is requesting the vacation of the public area shown colored blue. The purpose of the vacation request is to reuse unused space for a refuse transfer station.

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 will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The Council on June 09, 2021 under Council File No. 21-0503, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the areas to be vacated to the north and south are designated Heavy Manufacturing, zoned M3-1-RIO and are developed as such.

Description of Area to be Vacated: The area sought to be vacated is a portion of the East-West Alley South of 24th Street from Minerva Street to approximately 80 feet westerly thereof

Adjoining Streets and Alley: 25th Street is an Industrial Collector street dedicated 60-ft wide with a 40-ft wide roadway, curbs, gutters and 10-ft wide sidewalks. 24th Street is an Industrial Collector street with dedication varying 60-ft and 64-ft wide with a 40-ft wide roadway, curbs, gutters and varying sidewalk width of 10-ft to 14-ft. Minerva Street is an Industrial Collector street dedicated 60-ft wide with a 44-ft wide roadway, curbs, and gutters, and sidewalk width of 8ft. Alley Southerly of 24th Street between Santa Fe Avenue and Minerva Street is 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 portion of the alley between 24th Street and 25th street, west of Minerva Street will have no adverse effects on access rights or circulation. There is sufficient right of way to provide the necessary roadway and sidewalk to serve this area.

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

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: Charter Communications may maintain facilities in the area 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. However, it will be necessary that the petitioner record agreements satisfactory to Engineering to hold each 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.

City Department of Transportation: The Department of Transportation stated in its communication dated March 17, 2023 that they do not oppose the requested street vacation providing that all abutting property owners are in agreement with the proposed vacation and would result in a roadway and right-of-way dimensions that are consistent with the new street standards identified in the Mobility Element of the General Plan (Mobility Plan 2035). In addition that through the requirements of a tract map or by other means, 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 communication dated March 21, 2023 that they have no objection to this street vacation.

Department of City Planning: The Department of City Planning in its communication dated May 3, 2023, that the subject alley is currently undesignated, does not function as a public right-of-way, and is partially encroached by a brick wall, structures, canopies, and gates. The subject vacation request is consistent with the City of Los Angeles' Central City North Community Plan goals and policies. In addition, the subject vacation would not impact access to other private properties, or the circulation network of the surrounding area given the consolidation of the City owned westerly lots that contain street improvements (including the Santa Fe overpass).

Conclusion: The vacation of the public alley area as shown colored blue on 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 non-motorized transportation purposes.

Respectfully submitted,



Bert Moklebust, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering

Report prepared by:

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