

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

October 20, 2023

Honorable Members:

Council District No. 8

SUBJECT:

VACATION REQUEST – VAC-E1401436 – Council File No. 23-0693 – Alley East of Western Avenue North of Gage Avenue

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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:  
  
Alley east of Western Avenue and between Gage Avenue (North) and Gage Avenue (South).
- 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.

FISCAL IMPACT STATEMENT:

The petitioner has paid a deposit of \$14,980 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 the Public Works (PW) Committee approval of this report, so the City Clerk and the Bureau of Engineering (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. City of Los Angeles  
Real Estate Division  
City Hall South  
111 E. 1<sup>st</sup> Street, Room 201  
Los Angeles, CA 90012
2. Los Angeles Neighborhood Initiative  
Attn: Aleigh Lewis  
800 S. Figueroa Street, Suite 670  
Los Angeles, CA 90017

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 E1401436 be paid.
2. That a suitable map, approved by BOE Central District Office, delineating the limits, including bearings and distances, of the areas to be vacated be submitted to the BOE

Permit Case Management Division (PCM) 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 PCM 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. Along Western Avenue, dedicate a 3-foot wide strip of land to complete a 43-foot wide standard half right-of-way according to the Avenue II Street Standards of Mobility Plan 2035.
  - b. At the intersection of Western Avenue and Gage Avenue, dedicate a 15-foot by 15-foot cut corner.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - a. Gage Avenue North of Vacation (Local Street Standard):
    - i. Fill in the newly dedicated area with concrete per BOE Standard Plan No. S-442-6.
  - b. Western Avenue (Avenue II):
    - i. Fill in the newly dedicated area with concrete per BOE Standard Plan No. S-442-6.
    - ii. Repair and/or replace any damaged, cracked and/or off-grade roadway pavement and sidewalk.
    - iii. Any proposed driveway apron shall conform and be constructed per latest BOE Driveway Standards (Standard Plan No. S-440-4).
    - iv. Close any unused driveways with full height curb, gutter, and sidewalks.

Note: 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 BOE 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 the Department of Water and Power 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 BOE to hold each adjoining parcel of land, and its adjoining portions 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:

1. Application dated January 17, 2023, from Aleigh Lewis of Los Angeles Neighborhood Initiative (LANI).
2. Exhibit A, location map.

DISCUSSION:

Request: The petitioner, LANI, representing the City of Los Angeles, owner of the properties shown outlined in yellow on Exhibit A, is requesting the vacation of the public alley area shown colored blue. The purpose of the vacation request is to create a public park.

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 Council on August 8, 2023 under Council File No. 23-0693, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated are zoned C2-1-CPIO and corresponds to a Community Commercial land use designation. The alley abuts properties that are vacant to the east and west. Properties to the north are developed with a laundromat and multi-family residential. Properties to the south are developed with an auto oriented light manufacturing use and four City-owned lots developed with a playground.

Description of Area(s) to be Vacated: The area sought to be vacated is an alley located east of Western Avenue between the split of Gage Avenue. Currently, the alley is a paper street, not designated in the circulation element, and does not appear to have function for circulation purposes.

Adjoining Streets and Alley: Western Avenue is an Avenue II dedicated 80-foot wide with a 56-foot wide roadway, curbs, gutters, and 12-foot wide sidewalks. Gage Avenue (North) is designated as a Local Standard Street dedicated 60-foot wide with a 36-foot wide roadway, curbs and gutters and 8-foot wide sidewalks. Gage Avenue (South) is designated a Modified Avenue II dedicated 80-foot wide with a 60-foot wide roadway, curbs, gutters and 8-foot wide sidewalks.

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 the 15-foot wide alley located east of Western Avenue and between the split of Gage Avenue 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.

Objections to the vacation: There were no objections to the vacation submitted for this request.

Reversionary Interest: No determinations of the underlying fee interest of the vacation area has/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 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 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 records an agreement satisfactory to BOE to hold each adjoining parcel of land under the 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 the agreement is released by authority of the City.

City Department of Transportation: The Department of Transportation stated in its communication dated May 9, 2023 that they do not oppose the requested Street Vacation provided that all abutting property owners agree with the proposed vacation and that the vacation would result in roadway and right-of-way dimensions that are consistent with the 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 (1) lot consolidation, (2) driveway and access approval by LADOT, and (3) any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Plan 2035.

City Fire Department: The Fire Department stated in its communication dated May 12, 2023 that they have no objection to the street vacation.

Department of City Planning: The Department of City Planning stated in its communication dated June 8, 2023 that the subject vacation is consistent with the Mobility Plan, the Plan for a Healthy Los Angeles (Health Element), and the South Los Angeles Community Plan policies and objectives because overall this request would facilitate access to open space to the community.

Conclusion: The vacation of the public alley 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:  
PERMIT CASE MANAGEMENT DIVISION

Bok Goh  
Civil Engineer  
(213) 808-8618

HMH/BG/zm

Respectfully submitted,

 for  
Bertram Møklebust, P.E.  
Principal Civil Engineer  
Permit Case Management Division  
Bureau of Engineering