

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

May 26, 2023

Honorable Members:

CD No. 11

SUBJECT:

VACATION REQUEST - VAC- E1401401 - Council File No. 21-1160 - Bellanca Avenue from Arbor Vitae Street to its Southerly Terminus

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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":

Bellanca Avenue from Arbor Vitae Street to its Southerly Terminus.

- B. That the City Council review and consider the Final Environmental Impact Statement / Final Environmental Impact Report for the Crenshaw / LAX Transit Corridor (Final EIS/EIR) which was prepared by the Los Angeles County Metropolitan Transportation Authority in compliance with CEQA and adopted by Metro Board of Directors on September 22, 2011 (Transmittal 3).
- C. That the City Council find under CEQA Guidelines Section 15091(a)(1) that changes or alterations have been required in, or incorporated into, the street vacation that reduce or substantially lessen the significant environmental effects as identified in Mitigation Monitoring and Reporting Program to Ensure Fulfillment of All Environmental and Related Commitments in the FEIS, dated October 2011 (Transmittal 4) and in the City's CEQA review Memo, dated November 23, 2022 (Transmittal 5) which is attached and incorporated herein.
- D. That the City Council find that no new information exists to show that the project or circumstances of the project have been changed to require additional environmental review, as described in State CEQA Guidelines Section 15162, and therefore the existing environmental documents adequately describe the potential impacts for this street vacation.
- E. That the City Council specify that the Permit Case Management Division of the Bureau of Engineering located at 201 N. Figueroa Street, Suite 1150, L.A. 90012 is the custodian

of the documents or other relevant material which constitute the record of the proceedings upon which the Council's decision is based.

- F. 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.
- G. 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.
- H. 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.
- I. 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.
- J. That the Council adopt the City Engineer's report with the conditions contained therein.

FISCAL IMPACT STATEMENT:

The petitioner has paid a deposit of \$32,100 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. Alvin Trotter  
LACMTA – Third Party Administration Sr. Manager  
1 Gateway Plaza, 16<sup>th</sup> Floor  
Los Angeles CA 90012

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 E1401401 be paid.
2. That a suitable map, approved by Bureau of Engineering (Engineering) West Los Angeles District Engineering office, delineating the limits, including bearings and distances, of the area 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:
  - a. Dedicate 5 feet as a public street on the south side of Arbor Vitae Street along Lot 38, Arb 74 of Rancho Sausal Redondo and along Lot 1 of Tract 18465, to provide a 55 foot wide half right-of-way in accordance with Boulevard II Standards, as shown on the B-Permit plans, BR402993.
  - b. Dedicate 13 feet as a public street on the south side of Arbor Vitae Street along Lot 38, Arbs 64 and 76 of Rancho Sausal Redondo and along Lot 1 of Tract 17279, to provide a 55 foot wide half right-of-way in accordance with Boulevard II Standards, as shown on the B-Permit plans, BR402993.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - a. Construct a 40 foot wide half roadway on the southerly side of Arbor Vitae Street, with integral curb and gutter, and a 15-foot wide sidewalk in accordance with Boulevard II Standards.
  - b. Close the intersection of Bellanca Avenue with Arbor Vitae Street with full height curb and gutter and 15 foot wide sidewalk, or with a standard driveway approach.
  - c. Repair or replace any broken, off-grade or missing pavement, curb, gutter, and sidewalk; remove any fences, non-permitted pavers or other encroachments, and close any unused driveways along Arbor Vitae Street.

- d. That all drainage matters be addressed to the satisfaction of the City Engineer, including that any necessary provisions be made to collect or divert any surface flows from impounding within the area to be vacated, unless drainage easements are to be reserved from the vacation.

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 Engineering's Standard Plans S410-2, S440-4, S442-6 and S444-0.

7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Los Angeles County Department of Public Works (LACDPW), Southern California Gas Company, AT&T, and 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 satisfactory arrangements be made with the Los Angeles County Flood Control District for the reservation of a 15-foot wide easement for the Los Angeles County storm drain and appurtenant structures located in the area to be vacated.
9. 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.
10. That street lighting facilities be installed as may be required by the Bureau of Street Lighting along Arbor Vitae Street.
11. That street trees be planted and tree wells be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

TRANSMITTAL:

1. Application dated August 19, 2021, from Los Angeles County Metropolitan Authority.
2. Exhibit “A”, location map.
3. Final Environmental Impact Statement / Final Environmental Impact Report for the Crenshaw / LAX Transit Corridor adopted September 22, 2011.
4. Mitigation Monitoring and Reporting Program to Ensure Fulfillment of All Environmental and Related Commitments in the FEIS, Crenshaw / LAX Transit Corridor Project dated October 2011.
5. City’s CEQA review memo dated November 23, 2022.

### DISCUSSION:

Request: The petitioner, Alvin Trotter, Jr., representing the owner of the property, Los Angeles County Metropolitan Authority, 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 more area for the Crenshaw LAX Division 16 – Southwest Maintenance Yard Facility.

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 October 27, 2021, under Council File No. 21-1160, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The subject street vacation request is located within the Westchester - Playa del Rey Community Plan and serves an area that is zoned M2-1 and corresponds to a Light Manufacturing land use **designation**. The purpose of this vacation is to increase the usable land area for Metro’s existing Metros Division 16: Southwestern Maintenance Yard Facility. The subject street vacation abuts properties that are developed with a manufacturing facility on the east, west and southeast sides. The street vacation will allow for the existing uses to continue to operate and expand to internal lots owned by Metro; and is compatible with the existing abutting uses.

Description of Area to be Vacated: The area sought to be vacated is approximately 58,430 square feet of Bellanca Avenue from Arbor Vitae Street to its southerly terminus. Arbor Vitae Street is designated as a Boulevard II Modified and Bellanca Avenue is designated as a Local Standard Street. The request is associated with the expansion of the Los Angeles County Metropolitan Transportation Authority’s (Metro) Division 16: Southwestern Maintenance Yard Facility.

Adjoining Street and Alley: Arbor Vitae is a Modified Boulevard II dedicated at various widths. The southerly half is dedicated 42 and 50 feet wide with a 62-foot wide roadway, curb, and gutter, and 5-foot wide sidewalks within an 11-foot wide border.

Surrounding Properties: All properties adjoining the area to be vacated are owned by LACMTA.

Effects of Vacation on Circulation and Access: The vacation of Bellanca Avenue from Arbor Vitae Street to its southernly terminus 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 project.

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: There are dedications and improvements required as outlined in the conditions of this report.

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

Public Utilities: The Los Angeles County Department of Public Works (LACDPW), Southern California Gas Company, and Charter Communications maintain facilities in the area proposed to be vacated. AT&T did not respond to Engineering's referral letter dated August 31, 2021.

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 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 (DOT) stated in its communication dated January 18, 2022, that based on traffic considerations, the vacation is not opposed provided that all abutting property owners are in agreement with the proposed vacation and would result in roadway and right-of-way dimensions that are consistent with the new street standards identified in the Mobility Element of the General Plan. The Mobility Element (also known as Mobility Plan 2035) was adopted on August 11, 2015, and amended on September 7, 2016 by the City Council.

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 September 10, 2021, that they have no objection.

Department of City Planning: The Department of City Planning, on September 21, 2021, stated that the subject vacation is consistent with the Westchester – Playa del Rey Community Plan policies and objectives because it would provide locations for future industrial development and employment which are convenient to transportation facilities and compatible with surrounding land use.

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,



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

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION

Bok Goh  
Civil Engineer  
(213) 808-8618

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