

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

November 30, 2018

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION APPROVAL - VAC- E1401195 - Council File No. 12-0458 - Mission Road and Jesse Street Vacation District (Reapplication)

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" and that the limits of the vacation area be permitted to be adjusted based on the proposed improvement:

Mission Road from Jesse Street to approximately 125 feet southerly thereof and Jesse Street from approximately 45 feet westerly of Mission Road northerly of Jesse Street to its westerly terminus.

- B. That the City Council reaffirm the determination of the attached Mitigated Negative Declaration (W.O. SZC11545), which was adopted by the City Council on August 1, 2012 under Council File 12-0458-S1. The vacation of Mission Road and Jesse Street Vacation District is an element of the Air Treatment Facility at Mission Road and Jesse Street and Street Vacation at Mission Road and Jesse Street Project, for which the Mitigated Negative Declaration was certified by the City Council and pursuant to the City's Environmental Guidelines complies with the California Environmental Quality Act of 1970 for this vacation.
- 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 the City Council on September 21, 2018, 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 \$ 35,000.00 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 and Gang Reduction Committee and the City Council meetings to consider this request be sent to:

1. City of Los Angeles
200 Main Street
Los Angeles, CA 90012
2. City of Los Angeles
Attn: Jonathan Cuevas
Wastewater Conveyance Engineering Division
1149 S. Broadway, Ste. 600
Los Angeles, CA 90015
3. Los Angeles County Metropolitan Transportation Authority
Attn: Velma Marshall

Director of Real Estate
One Gateway Plaza
Los Angeles, CA 90012

4. Seventh Street Warehouse
11444 W. Olympic Blvd., 10th Floor
Los Angeles, CA 90064
5. City of Los Angeles
Attn: Eunice Lee and Gary Lam
Sixth Street Viaduct Division
585 S. Santa Fe Avenue
Los Angeles, CA 90013
6. Union Pacific Railroad CO
1400 Douglas Street, MS 1640
Omaha, NE 68179

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 E1401195 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 dedications be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

Sufficient area be dedicated along Mission Road, Jesse Street and Myers Street for the construction of roundabout project, per City Engineer Plan P-38550.

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

Construct improvements along Mission Road, Jesse Street and Myers Street per Sixth Street Viaduct Mission/Myers Roundabout Project per City Engineer Plan P-38550.
7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, AT &T, Southern California Gas Company 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 sewer located within the area to be vacated unless easements are reserved from the vacation for its protection.
9. That the petitioner comply with the requirements of the Los Angeles Fire Department (LAFD) letter to the Bureau of Engineering dated May 30, 2018, to the satisfaction of LAFD. A clearance letter from LAFD to the Bureau of Engineering will be required.
10. That street lighting facilities be installed as may be 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.
12. That consent to the vacation be secured from the owner of Lot 3, Arb 2 of Tract 8556 and Lot B of PM 5004.

TRANSMITTAL:

1. Application dated April 13, 2018 from Derrick Lee, Project Engineer of the Bureau of Engineering, City of Los Angeles.
2. Letter from the Los Angeles Fire Department to Bureau of Engineering dated May 30, 2018.
3. Initial Study/Mitigated Negative Declaration for an Air Treatment Facility(ATF) East Central Interceptor Sewer (ECIS) and Street Vacation of Mission Road & Jesse Street (W.O. SZC 11545), Final Revision: May 2012

DISCUSSION:

Request: The petitioner, Derrick Lee, project engineer of the Wastewater Conveyance Engineering Division of the Bureau of Engineering, on behalf of the City of Los Angeles,

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 join adjacent lots currently separated by a dead ended street as part of the Air Treatment Facility project for the East Central Interceptor Sewer.

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 January 14, 2015 conditionally adopted the City Engineer’s report dated December 20, 2012. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On April 13, 2018, the petitioner submitted a new application. The City Council on September 21, 2018 under Council File No.12-0458, adopted an initiation of street vacation proceedings.

Zoning and Land Use: The properties adjoining the areas to be vacated to the north, west and east are zoned M2-1 and are currently under the ownership of the City of Los Angeles and used for Air Treatment Facility for the East Central Interceptor Sewer.

Description of Area to be Vacated: The area sought to be vacated is the Mission Road from Jesse Street to approximately 125 feet southerly thereof and Jesse Street from approximately 45 feet westerly of Mission Road northerly of Jesse Street to its westerly terminus. The proposed vacation area is partially improved.

Adjoining Streets: Jesse Street is a Local Street dedicated 60 feet wide with a 40-foot and variable width roadway, curbs and sidewalks on the north side. Jesse Street from Myers Street to approximately 145 feet westerly thereof is an industrial Collector Street dedicated 60 feet wide with 40-foot and variable width roadway and no curb, gutter or sidewalk on both sides. Mission Road southerly of Jesse Street is a Local Street dedicated 60 feet wide with a 40-foot and variable width roadway, curbs and sidewalks on the west side of the street. The portion of Mission Road Southerly of the proposed vacation area was already vacated under Council File No. 08-3266.

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 street areas should have no adverse affect on the vehicular circulation and access since Mission Road beyond the vacation area is vacated and Mission Road and Jesse Street at this location primarily provide access to the petitioner’s properties.

The streets are 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 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. Improvements shall be constructed per City Engineer Plan P-38550 Sixth Street Viaduct Mission/Myers Roundabout project.

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

Public Utilities: The AT&T and Southern California Gas Company maintain facilities in the area proposed to be vacated. The Department of Water and Power did not respond to Notice of Proposed Vacation dated May 14, 2018.

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.

City Department of Transportation: The Department of Transportation in its communication dated May 22, 2018 stated that it does not oppose the requested vacation provided that all abutting property owners are in agreement with the proposed vacation and that 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 to with the City's General Plan.

City Fire Department: The Fire Department states the following in their communication dated May 30, 2018.

- All public fire hydrants within the proposed Street Vacation must be relocated at the petitioner's expense with the approval of Department of Water and Power.
- Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- On-site hydrants may be required after review of plot plans.
- All water systems and roadways are to be improved to the satisfaction of the Fire Department prior to the issuance of any building permits.
- A valid Division 5 Fire Department permit is required prior to installation for all private fire hydrant systems.
- Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

- All fire gates shall be designed to satisfaction of the Los Angeles Fire Department to allow gates to be opened by a master remote control device which will be provided to the Los Angeles Fire Department by the developer.
- Modification of Access Gate Equipment and Facilities. There shall be no modification of any vehicular access gate equipment or facilities installed by Declarant in the Properties, including without limitation modification or changes in hardware and/or method of operation without the written approval of the Los Angeles Fire Department. The provision of this shall be specifically enforceable by the City and Fire Department. Requests for any modifications shall be made to the Hydrants and Access Unit, Los Angeles Fire Department.
- All fire gates shall be designed to satisfaction of the Los Angeles Fire Department to allow gates to be opened by a master remote control device which will be provided to the Los Angeles Fire Department by the developer.

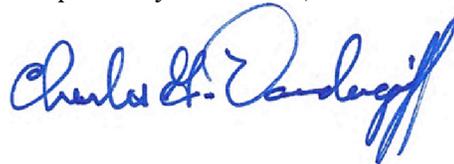
Satisfactory completion of these requirements of the LAFD letter to the Bureau of Engineering dated May 30, 2018 is a condition of vacation recommended in this report.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral dated May 5, 2018.

Conclusion: The vacation of the public street areas as shown colored blue on attached Exhibit "A" could be conditionally approved based upon the following:

1. They are unnecessary for present or prospective public use.
2. They are not needed for vehicular circulation or access.
3. They are not needed for non-motorized transportation purposes.

Respectfully submitted,



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

Report prepared by:

LAND DEVELOPMENT AND GIS DIVISION

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