

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

July 29, 2021

Honorable Members:

C. D. No. 8

SUBJECT:

VACATION REQUEST - VAC- E1401391 - Council File No. 20-1368 – Alley Westerly of Western Avenue between 87th Street and 88th Street

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”:
 - i. The alley westerly of Western Ave between 87th Street and 88th Street.
- 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 and alley 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 areas are 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 areas are 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 \$14,980.00 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:

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. CGR Development
Attn: Terri Dickerhoff
5635 Evening Sky Drive
Simi Valley, CA 93063
2. SOLA at 87th, LP
Attn: Rochelle Mills
3131 Antelo Rd
Los Angeles, CA 90077
3. SOLA at 87th, LP
19772 MacArthur Blvd Ste 110
Irvine, CA 92612
4. SOLA at 87th, LP
501 N Golden Circle Dr. Ste 100
Santa Ana, CA 92705

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 E1401391 be paid.
2. That a suitable map, approved by Bureau of Engineering (Engineering)'s 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 areas 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 areas 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. Western Avenue
 1. Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, sidewalk, and AC pavement. adjoining the project site's street frontage in a manner satisfactory to the City Engineer.
 2. Reconstruct the existing curb ramps at both corners of the intersection with 87th St and 88th St adjoining the property to conform to the latest BOE Curb Ramp standard (Standard Plan No. S-442-6) in a manner satisfactory to the City Engineer.
 - B. 87th Street
 1. Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, sidewalk, and AC pavement. adjoining the project site's street frontage in a manner satisfactory to the City Engineer.
 - C. 88th Street
 1. Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, sidewalk, and AC pavement. adjoining the project site's street frontage in a manner satisfactory to the City Engineer.
 - D. Alley
 1. Close both alley intersections at 87th St. and 88th St. with city standard full height curbs, gutters, and sidewalks OR construct driveway aprons per latest

Bureau of Engineering driveway standards (Standard Plan No. S-440-4) in a manner satisfactory to the City Engineer.

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.

6. Close any unused driveways with full height curbs, gutters, and sidewalks.
7. Proposed driveway aprons shall conform and be constructed per latest Engineering's Standards (Standard Plan No. S-440-4).
8. That arrangements be made with all utility agencies maintaining facilities in the area including but not limited to the Department of Water and Power, 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.
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 each adjoining parcels 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 areas, 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.
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:

1. Application dated September 22, 2020, from Terri Dickerhoff, CGR Development, representing the owner of the property, SOLA at 87th, LP.
2. Exhibit “A”, location map.

DISCUSSION:

Request: The petitioner, Terri Dickerhoff, CGR Development, representing SOLA at 87th, LP, owner of the property shown outlined in yellow on Exhibit “A”, is requesting the vacation of the alley westerly of Western Avenue between 87th Street and 88th Street area shown colored blue. The purpose of the vacation request is to construct a 160 unit affordable housing project that will integrate the alley space into the site design and allow for a cohesive project, rather than a project bifurcated by the alley.

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 December 2, 2020 under Council File No. 20-1368, 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, East, South, and West are all zoned C2 as part of the South Los Angeles Community Plan Zone. The alley abuts properties that are developed with commercial uses on the northern parcels abutting 87th Street and vacant lots on the southern end towards 88th Street, along Western Avenue. All abutting properties are under the same ownership.

Description of Area to be Vacated: The area sought to be vacated is the alley westerly of Western Avenue between 87th Street and 88th Street.

Adjoining Streets: Western Avenue is an Avenue II – Secondary Highway, dedicated 90-foot wide with a 60-foot wide asphalt roadway, concrete curb, gutter, and sidewalk. 87th Street is a Local Street - Standard, dedicated 60-foot wide with a 36-foot wide asphalt roadway, concrete curb, gutter, and sidewalk. 88th Street is a Local Street – Standard dedicated 60-foot wide with a 36-foot wide asphalt roadway, concrete curb, gutter, and sidewalk.

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 subject alleys should have no adverse effect on vehicular circulation and access.

The alley 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 areas have been made as to title or reversionary interest.

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

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

Public Utilities: The Los Angeles Department of Water and Power (LADWP), AT&T, and Charter Communications maintain facilities in the areas proposed to be vacated.

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 record an agreement satisfactory to 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.

City Department of Transportation: The Department of Transportation stated in its communication dated May 3, 2021 that it does not oppose the proposed 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 the Department of Transportation.

City Fire Department: The Fire Department stated in its communication dated January 28, 2021 that the Fire Department has no objection to this Street Vacation.

Department of City Planning: The Department of City Planning stated in its communication dated January 7, 2021 that the vacation is consistent with the South Los Angeles Community Plan policies and objective, because it helps support a safer pedestrian experience.

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.

Respectfully submitted,



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

Report prepared by:

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BM/ HH/SM/MC