

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

NOV 29 2016

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION APPROVAL - VAC- E1401012 - Council File No.06-2468 – Via Las Vegas Vacation District

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 “ B”, and that the limits of the vacation area be permitted to be adjusted based on existing cul-de-sac improvement at the easterly terminus of Plaza Del Sol:
- a. Via Las Vegas between Mission Road and Gabriel Garcia Marquez Street
 - b. The east/west alley southerly of Via Las Vegas between Mission Road and Gabriel Garcia Marquez Street
 - c. Anderson Street between 1st Street and the east/west alley southerly of Via Las Vegas
 - d. Utah Street between 1st Street and the east/west alley southerly of Via Las Vegas
 - e. Plaza Del Sol between Via Las Vegas and Park Paseo
- B. That the vacation of the areas shown colored orange on Exhibit “B”, be denied.
- 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.
- I. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works and Gang Reduction Committee approval based on the Rule 16 motion adopted by City Council on August 10, 2016, 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 \$32,100.00 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 Committee and the City Council meetings to consider this request be sent to:

1. Los Angeles Unified School District
Attn: Aaron Bridgewater
333 South Beaudry Avenue, 23rd Floor
Los Angeles, CA 90017

2. Housing Authority of the City of Los Angeles
18201 Von Karman Avenue, Suite 900
Irvine, CA 92612
3. Housing Authority of the City of Los Angeles
P.O. Box 17157 Foy Station
Los Angeles, CA 90017
4. Housing Authority of the City of Los Angeles
Attn: Asset Development Department
600 Wilshire Boulevard
Los Angeles, CA 90057

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 E1401012 be paid.
2. That a suitable map, approved by the Central District Engineering office, delineating the limits, including bearings and distances, of the areas 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 areas 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 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:

Mission Road

1. Construct a 35-foot wide half roadway along the easterly side of Mission road (Avenue I) adjoining Lot 32, Block B, Clement Tract. The improvements shall include new integral curb, gutter, 15-foot wide concrete sidewalk and asphalt concrete.

2. Construct access ramps for the handicapped at both intersections of Mission Road with 1st Street and with Plaza Del Sol.
3. Relocate the interfering catch basin to a more suitable location.
6. 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 and Time Warner Cable for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
7. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer and storm drain facilities located within the areas to be vacated, unless easements are reserved from the vacation for their protection.
8. That consents to the vacation be secured from the owners of property adjoining the areas to be vacated.

TRANSMITTAL:

Application dated September 8, 2015 from Aaron Bridgewater, representing Los Angeles Unified School District

DISCUSSION:

Request: The petitioner, Aaron Bridgewater, on behalf of, the Los Angeles Unified School District, owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street and alley areas shown colored blue and orange. The purpose of the vacation request is to consolidate the proposed vacation areas to be vacated with the adjoining properties, Mendez Learning Center, formerly known as East Los Angeles High School #1.

This vacation procedure is being processed under procedures established by Council File No. 01-1459 adopted by the Los Angeles City Council on March 5, 2002.

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 October 21, 2008 conditionally adopted the City Engineer's report dated June 13, 2007. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On September 8, 2015, the petitioner submitted a new application. The Council on August 10, 2016 under Council File No.06-2468, adopted a new Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining to the north of Via Las Vegas between Mission Road and Plaza Del Sol are zoned RD2-1 and are developed with a building owned by the Housing Authority. The properties adjoining to the south are zoned [Q]M1-1 and are part of the school campus. Between Plaza Del Sol and Gabriel Garcia Marquez Street, the properties adjoining to the north of Via Las Vegas are zoned PF-1XL while to the south of Via Las Vegas the property is zoned [Q]C1-1.

Description of Areas to be Vacated: The areas sought to be vacated are:

- a. Via Las Vegas between Mission Road and Gabriel Garcia Marquez Street
- b. The east/west alley southerly of Via Las Vegas between Mission Road and Gabriel Garcia Marquez Street
- c. Anderson Street between 1st Street and the east/west alley southerly of Via Las Vegas
- d. Utah Street between 1st Street and the east/west alley southerly of Via Las Vegas
- e. Plaza Del Sol between Via Las Vegas and Park Paseo

The areas have been developed with school facilities and recreational facilities

Adjoining Streets and Alleys: Mission Road is an improved Avenue I dedicated variable width from 102 feet to 92 feet in width with a 30-foot wide half roadway, 8-foot sidewalk and 12-foot parkway. 1st Street is an improved Avenue II dedicated variable width from 93 feet to 105 feet in width with a 40-foot wide half roadway and a 14-foot to 16-foot wide concrete sidewalk. Plaza Del Sol between Mission Road and Park Paseo is an improved unidentified street dedicated 60 feet wide with a 20-foot wide half roadway and 10-foot wide concrete sidewalk on both sides. Gabriel Garcia Marquez Street is an improved local street dedicated 55 feet to 60 feet in width with a 18-foot wide half roadway and a 7.5-foot wide concrete sidewalk on both sides.

Surrounding Properties: The adjoining owners to the vacation areas have been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The vacation of the streets and alleys should have no adverse impacts on circulation and access since the affected streets and alleys are no longer exist and are now developed with school facilities and recreational facilities.

The streets and alleys 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 areas have been made as to title or reversionary interest.

Dedications and Improvements: Dedications and partial improvements were provided per previous vacation conditions adopted by Council in October 21, 2008 by Document No. 20150655924 and per City plan P-37083 and P-37256.

It will be necessary that the petitioner provide for the improvements on Mission Road as outlined under the conditions of this report.

Sewers and Storm Drains: There are existing sewers and storm drain facilities within the areas proposed to be vacated.

Public Utilities: The Department of Water and Power and AT&T maintains facilities in the areas proposed to be vacated. Southern California Gas Company and Time Warner Cable did not respond to the Bureau of Engineering's referral dated September 25, 2015.

Tract Map: Since the required dedications were acquired by separate instruments and the necessary improvements were constructed under separate permit process, the requirement for the recordation of a new tract map could be waived.

The Housing Authority of the City of Los Angeles: The Housing Authority of the City of Los Angeles in a letter dated May 1, 2007 stated its supportive of the Los Angeles Unified School District's request to vacate Via Las Vegas and Utah Street to allow for the construction of East Los Angeles High School #1. Through vacating the streets, students will be provided with greater safety concerns while still maintaining adequate traffic circulation for the community. Los Angeles Unified School District has agreed to create a pedestrian-friendly environment with additional green space to provide an educational and recreational complex for its local residents.

City Department of Transportation: The Department of Transportation did not respond to the Bureau of Engineering's referral letter dated September 25, 2015.

City Fire Department: The Fire Department did not respond to the Bureau of Engineering's referral letter dated September 25, 2015.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated September 25, 2015.

Conclusion: The vacation of the public street and alley areas as shown colored blue on attached Exhibit "B" 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.

The areas shown colored orange should not be vacated because they are needed for public street purposes.

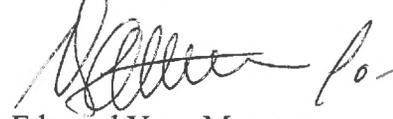
Report prepared by:

LAND DEVELOPMENT & GIS DIVISION

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Respectfully submitted,



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