

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

October 22, 2021

Honorable Members:

CD No. 14

SUBJECT:

VACATION REQUEST - VAC- E1401392 - Council File No. 21-0345 – Alley southerly of Washington Boulevard from the alley easterly of Santa Fe Avenue to its easterly terminus

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. Alley southerly of Washington Boulevard from the alley easterly of Santa Fe Avenue to its easterly terminus.
- 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 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. Mustang Machinery / O'Brien Machinery Inc.
Attn: Damien Hillseth
P.O. Box 58162
Los Angeles, CA 90058

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 deficit under Work Order E1401392 be paid.
2. That a suitable map, approved by Engineering's Central District 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 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 property in a manner satisfactory to the City Engineer
 - a. Provide 10-foot dedication along Washington Boulevard.
 - b. Provide variable width dedications along alley south of Washington Boulevard and east of Santa Fe Avenue.
 - c. Provide any necessary sidewalk easements to comply with ADA requirements to the satisfaction of the City Engineer.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Washington Boulevard: 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.
 - b. Alley south of Washington Boulevard and east of Santa Fe Avenue:
 - a. Construct new AC pavement to provide for a minimum 10-ft half roadway along lot 18 and 33 to meet latest BOE standard street dimensions for an Alley (Standard Plan No. S-470-1) with appropriate transitions to the existing improvements. These improvements shall be constructed under a Class "B" Permit in a manner satisfactory to the City Engineer.
 - b. Construct a turning area at the end of the alley to meet latest BOE standard street dimensions for a Turning area for Alley (Standard Plan No. S-470-1) with appropriate transitions to the existing improvements.
 - c. Construct an Alley intersection using latest BOE Standard Alley intersection (Standard Plan No. S-420-2) with appropriate transitions to the existing improvements. These improvements shall be constructed under a Class "B" Permit in a manner satisfactory to the City Engineer.
7. Repair and/or replace damaged/cracked, off-grade sidewalk, curb and gutter along the frontage in a manner satisfactory to the City Engineer.
8. Any proposed driveway apron shall conform and be constructed per latest Bureau of Engineering Driveway Standards (Standard Plan No. S-440-4) in a manner satisfactory to the City Engineer.
9. Any proposed driveway aprons along Washington Blvd require a Department of Transportation (DOT) approval.

10. Close any unused driveway with full height curb, gutter, and sidewalk in a manner satisfactory to City Engineer.
11. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to Charter Communications and AT&T for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
12. 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.
13. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
14. 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.

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

TRANSMITTAL:

1. Application dated December 24, 2020, from Mustang Machinery / O'Brien Machinery
2. Exhibit "A", location map.

DISCUSSION:

Request: The petitioner, Mustang Machinery / O'Brien Machinery, representing the owner of the property shown outlined in yellow on Exhibit "A", is requesting the vacation of the walkway and

future street area shown colored blue. The purpose of the vacation request is to be able to fully utilize existing enclosed property in its current and future use without an encumbrance on the title.

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.

Zoning and Land Use: The properties adjoining the area to be vacated to the north and south are zoned M3-1-RIO and are developed with storage yards for an industrial equipment supplier.

Description of Area(s) to be Vacated: The area sought to be vacated is approximated 3,500 square feet and undeveloped with dirt. The unimproved alley runs through the existing storage yards of the surrounding properties.

Adjoining Street(s) and Alley(s): Washington Boulevard is a Boulevard II - Standard dedicated varies 90 foot wide and 105 foot wide with a 79 foot to 90 foot wide roadway, curbs, gutters and 8 foot wide sidewalks. Alley south of Washington Boulevard and east of Santa Fe Avenue – Existing 17 foot wide.

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 approximately 3,500 square feet of the alley will have no adverse effects on access rights or circulation.

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 provides for the dedications and improvements as outlined in the conditions of this report.

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: Charter Communications and AT&T may 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 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 in their communication dated March 18, 2021, that based on traffic considerations, does not oppose the requested vacation for the alley southerly of Washington Boulevard from the alley easterly of Santa Fe Avenue to its easterly terminus (indicated in the area shaded in blue on the map) provided that all abutting property owners are in agreement with the proposed vacation. In addition, that through the requirements of a tract map or by other means, provisions are made for (1) lot consolidation and (2) driveway and access approval by DOT.

City Fire Department: The Fire Department stated in its communication dated May 21, 2021 that it has no objection to the subject request.

Department of City Planning: The Department of City Planning in its communication dated March 22, 2021, that the request is consistent with the City of Los Angeles' Central City North Community Plan goals and policies because it would facilitate the better use of industrial sites for industrial purposes. Furthermore, the subject request is in keeping with the Central City North Community Plan, which includes supportive policies found in the Land Use Policies and Programs Chapter, such as: Sufficient land for a variety of industrial uses with maximum employment opportunities which are safe for the environment and the work force and which have minimal adverse impact on adjacent uses; To retain industrial plan designations to maintain the industrial employment base for community residents and to increase it whenever possible; The numerous large rail yards and other industrially planned parcels located in predominantly industrial areas should be protected from development by other uses which do not support the industrial base of the City and the community.

Objections to the vacation: There were no objections to the vacation request.

Conclusion: The vacation of the public alley areas 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 Moglebust, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION

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BM/HH/MC

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