

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

November 8, 2021

Honorable Members:

C. D. No. 8

SUBJECT:

VACATION REQUEST - VAC- E1401345 - Council File No. 18-0881 – Alley
Northerly of Jefferson Boulevard between Van Buren Place and Budlong Avenue

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:

Alley Northerly of Jefferson Boulevard between Van Buren Place and Budlong Avenue
- 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 alley, the City is relieved of its ongoing obligation to maintain the alley. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved alley easement.
- 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 vacation of the area shown colored orange on Exhibit B be denied.

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 to the deposit will be required of the petitioner to recover the cost pursuant to Section 7.44 of the Administrative Code.

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. Sentinel Peak Resources California, LLC
Attn: George Paspalof
5640 South Fairfax Avenue
Los Angeles, CA 90056
2. Alston & Bird, LLP
Attn: Kathleen A. Hill
333 S. Hope Street, 16th Floor
Los Angeles, CA 90071

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 E1401345 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 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 the Permit Case Management Division (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 property in a manner satisfactory to the City Engineer:

Jefferson Boulevard:

- a. A variable width required dedication along Lot 1, Block G, Arbs 1 and 2 are deferred due to existing buildings remaining at the property line.
- b. Dedicate 2 feet along the remaining Lot 1 and all of Lot 4 to complete a 45-foot half right-of-way.
- c. 15-ft x 15-ft cut corner or 20-ft curved corner radius is required at the southeast corner of the property at the intersection with Budlong Avenue.

Budlong Avenue:

- d. Dedicate 3 feet to complete a 33-foot half right-of-way.
 - e. Retain a 3-foot wide strip from the alley northerly of Jefferson Boulevard at the intersection with Budlong Avenue for street use purposes.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Along Jefferson Boulevard construct asphalt pavement, and integral concrete curb and gutter to provide a 35-foot half roadway and minimum 15-foot concrete sidewalk along Lot 1, Block G, Arbs 3, 4 and along Lot 4, Block G, Arbs 1 thru 3 to meet the latest BOE Standard Street Dimensions for a Modified Avenue I with appropriate transitions (Standard Plan No. S-470-1). These improvements shall be constructed under a Class "B" Permit in a manner satisfactory to the City Engineer.
 - b. Construct new sidewalk along the dedicated area along Budlong Avenue to complete a 13-foot wide sidewalk.

- c. Repair and/or replace damaged/cracked, off-grade sidewalk, curb and gutter along the frontage of Van Buren Place and Budlong Avenue in a manner satisfactory to the city engineer.
- d. Close the alley intersection northerly of Jefferson Boulevard at Van Buren Place with full height curb, gutter, and sidewalk.

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or unraised 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 unraised by more than ¼ inch from the surrounding concrete work or has a 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 Bureau of Engineering Standard Plans S410-2, S440-4, S442-5, and S444-0.

- 7. That arrangements be made with all utilities agencies maintaining facilities in the area, including but not limited to 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.
- 8. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to the Bureau of Engineering to hold each 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.
- 9. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
- 10. 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:

Application dated August 14, 2018, from George Paspalof, Executive Vice President of Sentinel Peak Resources California, LLC.

DISCUSSION:

Request: The petitioner, Sentinel Peak Resources LLC, the owner of the property shown outlined in yellow on Exhibit B, is requesting the vacation of the public street area shown colored blue. The purpose of the vacation request is to merge the non-accessible alley to the adjacent lots. The site has been closed to the public since 1965, when the City approved oil operations. The alley has been enclosed by a perimeter wall and is unnecessary for present or prospective public use.

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 will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The Council on March 20, 2019 under Council File No. 18-0881, adopted an Initiation of Vacation proceeding for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated are currently zoned RD1.5-1-O, R2-1-O, and C2-1VL-O. The land use designation of the subject site and adjacent properties include Low Medium I Residential, Low Medium II Residential, and Neighborhood Commercial.

Description of Area to be Vacated: The area sought to be vacated is approximately 4,024 square feet of an alley northerly of Jefferson Boulevard between Van Buren Place and Budlong Avenue. Although private ingress from Van Buren Place, providing access to properties abutting the subject alley, it does not provide a thru route to Budlong Avenue and does not align with the alley continuing east across Budlong Avenue.

Adjoining Streets and Alley: Jefferson Boulevard is a Modified Avenue I dedicated variable 84-93 feet wide with a 50-foot roadway improved with concrete curb, gutter, and 10-foot wide sidewalk adjacent to the project site. Budlong Avenue is designated as a Collector Street dedicated 60 feet with 40-foot roadway, curb, gutters, and 5-foot sidewalks. Van Buren Place is designated as a Standard Local Street dedicated 60 feet with 40-foot roadway, curb, gutters, and 5- and 10-foot sidewalks.

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 15-foot wide alley northerly of Jefferson Boulevard between Van Buren Place and Budlong Avenue should not have any adverse effects on vehicular circulation or access since the alley is fully enclosed by a perimeter wall. Also, 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 area has 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.

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

Public Utilities: The Department of Water and Power, Southern California Gas Company, Charter Communications, and Chevron Pipe Line Company do not maintain facilities in the area proposed to vacate. Southern California Edison Co. and AT&T did not respond to the Bureau of Engineering's referral letter dated September 10, 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. However, it will be necessary that the petitioner records an agreement satisfactory to the Bureau of 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 of Los Angeles.

City Department of Transportation: The Department of Transportation stated in its communication, dated October 23, 2018, that it does not oppose to the proposed vacation provided that all abutting property owners are in agreement with the proposed vacation and that the vacation would result in roadway and right-of-way dimensions that are consistent with the street standards identified in the Mobility Element of the General Plan. In addition, provisions be made for lot consolidation, driveway and access approval by DOT, and any additional dedication 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 3, 2021 that it has no objection to this street vacation.

Department of City Planning: The Department of City Planning stated in its letter dated April 26, 2019, that the proposed vacation is generally consistent with the goals and policies of the South Los Angeles Community Plan because it would facilitate the construction of a mix of use consistent with the General Plan land use designations for the area.

Conclusion: The vacation of the public street area as shown colored blue on attached Exhibit B 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.

The area shown colored orange should not be vacated because it is needed for public street purposes.

Respectfully submitted,



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

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION
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