

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

January 12, 2023

Honorable Members:

CD No. 11

SUBJECT:

VACATION REQUEST - VAC- E1401422 - Council File No. 22-0581 Westerly Portion of Federal Avenue from Pico Boulevard to Approximately 90 Feet Northwesterly Thereof

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. Westerly portion of Federal Avenue from Pico Boulevard to approximately 90 feet northwesterly thereof
- 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. Paddock Group, LLC
Attn: Reza Ghasem
P.O Box 24021
Los Angeles, CA 90024
2. DHS & Associates
Attn: Steve Nazemi
275 Centennial Way, #205
Tustin, CA 92780

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 E1401422 be paid.
2. That a suitable map, approved by Bureau of Engineering (Engineering) West Los Angeles 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 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 properties in the manner satisfactory to the City Engineer:

Federal Avenue:

- a. Dedicate a 20-foot corner radius or 15-feet by 15-feet diagonal cut off at Pico Boulevard and Federal Avenue corner.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:

Federal Avenue:

- a. Construct an 18-foot wide half roadway, 12-foot wide concrete sidewalk including curb width, integral concrete curb with 2-foot wide concrete gutter, install tree wells next to the new curb with root barriers, and planting trees or relocating existing trees to the satisfaction of the Urban Forestry Division. All improvements shall transition and join suitably to the existing improvements to the satisfaction of the City Engineer per B-permit process.
- b. Relocate the street sign and parking meters to the satisfaction of the Los Angeles Department of Transportation.
- c. Relocate the existing power pole next to the new curb of the new border.

Pico Boulevard:

- d. Extend the sidewalk and curb and gutter in the frontage along Pico Boulevard to adjoin the new sidewalk along Federal Avenue. Construct ADA compliant curb ramp at northwest corner of Pico Boulevard and Federal Avenue intersection. All improvements shall transition and join suitably to the existing improvements to the satisfaction of the City Engineer per B-permit process.

Alley:

- e. Construct alley intersection transitioning from existing border northside of the alley on Federal Avenue to the new boarder southside of the alley on Federal Avenue to the new border outside of the alley on Federal Avenue. Extend asphalt alley with 2-foot wide center gutter to the new alley intersection. All improvements shall transition and join suitably to the existing improvements to the satisfaction of the City Engineer per B-permit process.

7. Repair and/or replace any damaged/cracked, off-grade sidewalk, curb and gutter along the frontage in a manner satisfactory to the City Engineer (see Note 1).

Note 1: 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

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 for the removal or relocation 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 the 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.
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 (UFD) of the Bureau of Street Services. Obtain UFD approval for the removal or relocation of the existing street trees.
12. That the petitioner complies with the requirements of the Los Angeles Fire Department (LAFD) that all public fire hydrants within the proposed Street Vacation must be relocated at the Petitioners expense with the approval of Department of Water and Power. A clearance letter from LAFD to Engineering will be required.
13. That the petitioner complies with the requirements of the Los Angeles Department of Transportation (LADOT). See DISCUSSION under City Department of Transportation

for detailed information. A clearance letter from the LADOT to the Bureau of Engineering is required.

TRANSMITTAL:

1. Application dated June 25, 2022, from DHS & Associates.
2. Exhibit “A”, location map

DISCUSSION:

Request: The petitioner, DHS & Associates, representing the owner of the properties 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 be used for a new apartment building.

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 June 3, 2022 under Council File No. 22-0581, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to West and South are zoned C2-1VL corresponding to General Commercial land use designation. The properties to the East are zoned CM-1VL corresponding to Limited Industrial.

Description of Area to be Vacated: The area sought to be vacated is part of a public sidewalk lying on Federal Avenue, designated a Local Street.

Adjoining Streets and Alley: Federal Avenue is a Local Street - Standard dedicated 80-feet wide with a 50-feet wide roadway, curbs, gutters and 15-feet wide sidewalks. Pico Boulevard is an Avenue I dedicated 100-feet wide with a 68-feet wide roadway, curb, gutters and variable width sidewalks. The alley to the north is dedicated 20-feet 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 the 10-foot wide strip of land along the western portion of Federal Avenue north of Pico Boulevard will have no adverse effects on access rights or circulation. There is sufficient right of way to provide the necessary roadway and sidewalk to serve this area.

The vacation area is not needed for the use of pedestrians, bicyclists or equestrians.

The street 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 improvements as outlined in the conditions of this report. There are no dedications required.

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 maintains 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 each 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 Los Angeles Department of Transportation (LADOT) stated in its communication dated June 23, 2022 that they do not oppose the requested vacation provide 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 new street standards identified in the Mobility Element of The General Plan. The Mobility Element (also known as Mobility Plan 2035) was adopted on August 11, 2015 and amended on September 7, 2016 by the City Council.

In addition, that through the requirements of a tract map or by other means, provisions are made for (1) lot consolidation, (2) driveway and access approval by DOT and (3) any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Element of the General Plan.

Whenever the design, condition or mitigation of a land use development project requires the permanent removal of any metered parking spaces, payment to LADOT for lost parking meter revenue is required. LADOT's Parking Meters Division is responsible for calculation the lost revenue fee, referred to as the Meter Revenue Recovery Fee (MRRF), for each parking meter requested for removal during the site plan or B-permit plan review process. LADOT will determine the amount of MRRF to be collected based on the overall revenue for each meter collected over the last twelve continuous months. The permanent removal of each on-street metered parking space will require MRRF payment LADOT's Parking Meter Division for the

calculated annual revenue amount projected over a ten-year period. Payments is required as a condition of the permit and is required of the applicant before LADOT will provide final approval.

The Project applicant will also be subjected to any costs incurred by LADOT during the removal of each parking meter. These charges include but are not limited to the removal and/or installation (including reinstallation and relocation) of meter posts, parking sensors (if any), signs, signposts, stall markings, pavement messages, and curb paint. When construction or project implementation associated with a Development Project required the temporary removal of any on-street parking meter(s), the project applicant will be required to make payment to LADOT's Parking Meters Division for removal cost in advance of any meter removal. These charges will include, but are not limited to, the removal and/or installation (including reinstallation and relocation) of meter posts, parking sensors (if any) signs, signposts, stall markings, pavement messages, and curb paint. In addition to the costs associated with the temporary removal of metered parking spaces, the applicant will also be required to make payment to LADOT for calculated meter revenue loss for temporary removals lasting longer than 30 days, beginning on the actual removal date of the meters. When applicable LADOT's Parking Meters Division will determine the lost revenue for the temporary removal of any parking meters lasting over 30 days. LADOT will determine the amount of MRRF to be collected for temporary removal of each meter based on the overall daily revenue average for revenue collected over the last twelve continuous months. The application is required to pay the calculated MRRF to LADOT's Parking Meters Division for the length of time the meters are out of service beyond the initial 30 days. The project applicant will be responsible to email LADOT Parking Meters Division at ladot-parking-meters@lacity.org to coordinate payment for all related expenses associated with the work.

City Fire Department: The Los Angeles Fire Department stated in its communication dated May 6, 2022 that all public fire hydrants within the proposed Street Vacation must be relocated at the Petitioners expense with the approval of Department of Water and Power.

Department of City Planning: The Department of City Planning stated in its communication dated September 14, 2022 that they agree with Engineering's suggested conditions of approval to make the request consisted with the Mobility Plan and West Los Angeles Community Plans policies that support street and sidewalk improvements that benefit pedestrian connectivity.

Conclusion: The vacation of the public street 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:

PERMIT CASE MANAGEMENT DIVISION

Bok Goh
Civil Engineer
(213) 808-8618

BM/BG/ND