

Office of the City Engineer

Los Angeles, CA

To the Public Works and Gang Reduction Committee

Of the Honorable Council

Of the City of Los Angeles

November 30, 2020

Honorable Members:

CD No. 9

SUBJECT:

VACATION REQUEST – VAC-E1401381 – Council File No. 20-0349 – Central Avenue
(Portion of Easterly Side) from 42nd Street to Approximately 100 Feet Northerly 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:

The easterly portion of Central Avenue from 42nd Street to approximately 100 feet northerly 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.
- H. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works and Gang Reduction (PWGR) Committee approval based on the initiation of the street vacation proceedings adopted by City Council on April 29, 2020, so the City Clerk and Bureau of Engineering (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 deposit of \$14,980 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:

That notification of the time and place of the PWGR Committee and the City Council meetings to consider this request be sent to:

- a) Central Capital Fuel, LLC
Attn: Parviz Shamtoub
1107 Somera Road
Los Angeles, CA 90077
- b) Michael Pauls Associates
Attn: Alicia Ley
6475 E. Pacific Coast Highway, #135
Long Beach, CA 90803

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 E1401381 be paid.

2. That a suitable map, approved by Engineering's Central District Office, delineating the limits, including bearings and distances, of the area to be vacated be submitted to the Permit Case Management Division prior to the preparation of the Resolution to Vacate.
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 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 a manner satisfactory to the City Engineer:

A 2.5-ft dedication is required from the easterly side of Lot 8 and 9 of Oakley's Central Avenue Tract.

6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Central Avenue:
 1. Reconstruct the existing curb ramp at the northeast corner of the intersection with 42nd Street to conform to Engineering's latest Curb Ramp standard (Standard Plan No. S-442-5) in a manner satisfactory to the City Engineer.
 - b. Alley east of Central Avenue:
 1. Construct additional Asphalt Concrete pavement and 2-ft wide longitudinal concrete gutter to complete a 10-ft wide half alley with proper transitions to the existing alley under a Class B Permit in a manner satisfactory to the City Engineer.
 2. Reconstruct the alley intersection at 42nd Street to meet Engineering's latest standard Alley Intersection (Standard Plan No. S-240-2) in a manner satisfactory to the City Engineer.
 - c. Repair and/or replace damaged/cracked, off-grade sidewalk, curb and gutter along the frontage in a manner satisfactory to the City Engineer along Central Avenue and 42nd Street.

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 unpraised 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 Engineering's Standard Plans S410-2, S440-4, S442-5, and S444-0.

7. That arrangements be made with all utility agencies, cable companies and franchises maintaining facilities in the area including but not limited to the Department of Water and Power, AT&T, Southern California Gas Company, Century Link, Verizon and Charter Spectrum Cable Company 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 areas, agreements be recorded satisfactory to Engineering to hold each or one of the adjoining parcels of land, and its adjoining portions of the areas to be vacated under the same ownership, as one parcel as necessary to preclude the creation of substandard or landlocked parcels. This is to remain effective until 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.
9. That street lighting facilities be installed as required by the Bureau of Street Lighting.
10. That street trees be planted, and tree wells be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated March 5, 2020, from Alicia Ley of Michael Pauls Associates.

DISCUSSION:

Request: The petitioner, Alicia Ley, of Michael Pauls Associates, representing the owner of the properties shown outlined in yellow on Exhibit A, is requesting the vacation of the public right-of-way area shown colored blue. The purpose of the vacation request is to obtain the adjacent lands to increase buildable area for the development of the 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 will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on April 29, 2020, under Council File No. 20-0349 adopted an Initiation of Vacation Proceedings for this vacation request.

Zoning and Land Use: The properties adjoining the area to be vacated are within the Southeast Los Angeles Community Plan and serve an area that is designated for Community Commercial land use. The properties to the east of the proposed vacation are zoned C2-2D-CPIO.

Description of Area to be Vacated: The area sought to be vacated is the 7-foot easterly portion of Central Avenue from 42nd Street to approximately 100 feet northerly thereof.

Adjoining Streets: 42nd Street is an improved Local Street dedicated 60 feet wide with a 20-foot wide half roadway, curbs, gutters and 10-foot wide sidewalks on the northerly and southerly sides.

Surrounding Properties: The owners of lots adjoining the vacation area have been notified of the proposed vacation.

Objections to the vacation: There were no objections to the vacation submitted for this project.

Effects of Vacation on Circulation and Access: The vacation of the 7-foot wide strip of land on the easterly side of Central Avenue from 42nd Street to approximately 100 feet northerly thereof will have no significant effects on access rights or circulation.

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

Reversionary Interest: No determination of the underlying fee interest of the vacation areas 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.

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

Public Utilities: AT&T, Century Link and Engineering 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 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 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 April 15, 2020 that it has no objection to this street vacation.

City Fire Department: The Fire Department stated in its communication dated March 27, 2020 that it has no objection to this street vacation.

Department of City Planning: The Department of City Planning stated in its communication dated November 2, 2020 that the street vacation is consistent with the Southeast Los Angeles Community Plan policies and objectives. The vacation will facilitate a safer and efficient street network and provide multi-modal access to the new proposed public-private joint development project.

Conclusion: The vacation of the public right-of-way 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
LAND DEVELOPMENT GROUP

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BM/HH/gp