

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

March 23, 2023

Honorable Members:

CD No. 14

SUBJECT:

VACATION REQUEST - VAC- E1401423 - Council File No. 22-0742 - Calada Street South of Union Pacific 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 "A".

Calada Street South of Union Pacific Avenue to its southerly 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. Thienes Engineering, Inc.
Attn: Sarah Bova
14349 Firestone Blvd
La Mirada, CA 90638
2. Noakes Land Venture LLC
4450 MacArthur Boulevard, Suite 100
Newport Beach, CA 92660

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 E1401423 be paid.
2. That a suitable map, approved by the Bureau of 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.
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

Union Pacific Avenue (Collector Street):

- a. Dedicate 3-feet along Lot B of PM 2402 and Lot 71 of the Union Pacific Tract
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

Union Pacific Avenue (Collector Street):

- a. Construct new integral concrete curb and gutter to provide for a minimum 20-ft half roadway and full width sidewalk to meet the latest BOE Standard Street Dimensions for Collector Street 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. Repair and/or replace damaged/cracked or off-grade pavement adjoining the project site's street frontage in a manner satisfactory to the City Engineer.
- c. Close any unused driveways with full height curb, gutter, and sidewalk in a manner satisfactory to the City Engineer.
- d. Any proposed driveway aprons shall conform and be constructed per latest Engineering's Standards (Standard Plan No. S-440-4).

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than 1/4 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 1/4 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

7. That arrangements be made with all franchise and utility agencies maintaining facilities in the area including but not limited to the Department of Water and Power 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 satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer and storm drain located within the area to be vacated, unless easements are reserved from the vacation for its protection.
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 each adjoining parcel 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 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 of the Bureau of Street Services.
12. That approval be obtained from the Bureau of Sanitation for the relocation of sewer and storm drain facilities.

TRANSMITTAL:

1. Application dated June 3, 2022, from Thienes Engineering, Inc.
2. Exhibit “A”, location map.

DISCUSSION:

Request: The petitioner, Thienes Engineering Inc., 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 support a proposed single industrial cod storage building project.

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 August 05, 2022 under Council File No. 22-0742, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated are Heavy Manufacturing and M3-1-CUGU zoning.

Description of Area to be Vacated: The area sought to be vacated is Calada Street, south of Union Pacific Avenue, designated as a Local Street.

Adjoining Street and Alley: Union Pacific Avenue is a designated Collector street dedicated 62 feet wide with a 52 feet wide roadway, curbs, gutters and a 5 feet wide sidewalk on the north side.

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 Calada Street south of Union Pacific Avenue to its southerly terminus will have no adverse effects on access rights or circulation provided that the conditions outlined in this report are met.

The street is 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 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 existing storm drain and sewer 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 record 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 have no objection to the requested vacation, provided that all abutting property owners are in agreement with the proposed vacation, that through the requirements of a tract map or by other means, provisions are made for lot consolidation and driveway and access approval by LADOT.

City Fire Department: The Los Angeles Fire Department stated in its communication dated July 1, 2022 that they have no objection to the street vacation.

Department of City Planning: The Department of City Planning stated in its communication dated June 14, 2022 that the street vacation is consistent with the Boyle Heights Community Plan goals and policies because it would facilitate the better use of industrial sites for industrial purposes and supports a project that is part of the food cycle system. Furthermore, the subject request is in keeping with the Boyle Heights Community Plan and the Plan for a Healthy Los Angeles.

Overall, the partial street vacation helps to improve utilization of the industrial site. The subject street vacation request is generally consistent with the goals and policies outlined in the City's General Plan. In addition, the Subject vacation would not impact access to private properties or the circulation network of the surrounding area.

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

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Civil Engineer
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