

Office of the City Engineer

Los Angeles, California

To the Public Works and Gang Reduction Committee

Of the Honorable Council

Of the City of Los Angeles

FEB 23 2017

Honorable Members:

C. D. No. 13

SUBJECT:

VACATION APPROVAL - VAC- E1401143 - Council File No. 09-0683 – Council Street and Madison Avenue Vacation Districts.

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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” and that the exact limits of the vacation area be permitted to be adjusted based on the final design of the adjoining street improvement:
1. Council Street between Juanita Avenue and Madison Avenue.
  2. The L-Shaped alley westerly of Madison Avenue from the alley southerly of Beverly Boulevard to its intersection with Madison.
- B. That the vacation of the areas shown colored orange on Exhibit “B”, be denied.
- C. That the City Council find that it has imposed all the mitigation measures that are within the control of the City, as described in the Final Environmental Impact Report (State Clearing House No. 2008051093) that are associated with the impacts of the street vacation and that other mitigation measures that are not within the authority of the City, have been or should be imposed as set forth in the findings of the Board of Education of the City of Los Angeles, dated December 9, 2008 a copy of which is attached and incorporated.
- D. That the City Council finds 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 rights-of-way. In addition, the City is relieved of any potential

liability that might result from continued ownership of the involved street and alley easements.

- E. That, in conformance with Section 556 of the City Charter, the Council make the findings that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan.
- F. 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.
- G. 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.
- H. That the Council adopt the City Engineer's report with the conditions contained therein.
- I. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works and Gang Reduction Committee approval based on the Rule 16 motion adopted by City Council on December 6, 2016, so the City Clerk and Bureau of Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.
- J. That the payment of the processing fee for the vacation proceeding be waived in accordance with Section 7.46 of the Administrative Code which exempts all governmental agencies.

FISCAL IMPACT STATEMENT:

The petitioner has paid a fee of \$32,100.00 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:

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

1. Los Angeles Unified School District  
Attn: Al Grazioli  
333 South Beaudry Avenue  
Los Angeles, CA 90017

2. Nader Soroudi  
710 Riverpoint Court, Ste 268  
West Sacramento, CA 95605
3. LA Pro I Preservation LP  
21515 Hawthorne Boulevard, Ste 125  
Torrance, CA 90503
4. Hankey Investment Company LP  
4751 Wilshire Boulevard, Ste 110  
Los Angeles, CA 90010
5. GE Realprop LP  
746 S Bristol Avenue  
Los Angeles, CA 90049
6. Alfonso O. Manzano TR  
3706 ½ Beverly Boulevard  
Los Angeles, CA 90004
7. Gennady & Betsy Levit  
1796 Anelli Court  
Henderson, NV 89012

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 E1401143 be paid.
2. That a suitable map, approved by the Central District Engineering Office, delineating the limits, including bearings and distances, of the areas to be vacated be submitted to the Land Development and GIS Division of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
3. That a suitable legal description describing the areas being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to the Land Development and GIS Division of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
4. That a title report indicating the vestee of the underlying fee title interest in the areas 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. Dedicate 5 feet as public street along the westerly side of Madison Avenue (Local Street Standards) to provide for a 30-foot wide half right-of-way.
  - b. Dedicate sufficient area as to provide for a 20-foot wide public alley from Madison Avenue to Juanita Avenue.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the Engineer:
  - a. Madison Avenue
    1. Widen the westerly side of Madison Avenue to complete a 20-foot wide half roadway with integral curb and gutter, asphalt concrete pavement and a new 10-foot wide sidewalk.
    2. Repair or replace any broken or off-grade asphalt concrete pavement.
  - b. Alley Westerly of Madison Avenue

Construct a through 20-foot wide alley from Madison Avenue to Juanita Avenue.
  - c. Construct any necessary drainage facility to convey drainage flow through the vacation areas.
7. That arrangements be made with the Department of Water and Power and Southern California Gas Company for the removal of any affected facilities or the providing of easements or rights for the protection of any affected facilities to remain in place.
8. That satisfactory arrangement be made with the City Engineer for the relocation or abandonment of the existing Los Angeles sewer and storm drain facilities located within the areas to be vacated, unless easements are reserved from the vacation for their protection.
9. That satisfactory arrangements be made with the Los Angeles County Flood Control District and Los Angeles County Department of Public Works for the relocation or abandonment of the existing County of Los Angeles sewer and storm drain facilities located within the areas to be vacated, unless easements or rights for the protection of any affected facilities to remain in place are provided to the County of Los Angeles to their satisfaction.

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 Street Tree Division of the Bureau of Street Services.
12. That the petitioner comply with the project requirements identified in the Department of transportation letters to the Los Angeles Unified School District, Office of Health and Safety dated September 30, 2008, to the satisfaction of the City Engineer and the Department of Transportation.

TRANSMITTAL:

Application dated September 20, 2016 from Al Grazioli, Los Angeles Unified School District.

DISCUSSION:

Request: The petitioner, Al Grazioli of the Los Angeles Unified School District, owner of the properties shown outlined in yellow on Exhibit “B”, is requesting the vacation of the public street and alley areas shown colored blue and orange. The purpose of the vacation request is to consolidate the areas to be vacated with the adjoining properties, the new Lee Medical and health Science Magnet School, formerly known as Central Region Elementary School #20.

This vacation procedure is being processed under procedures established by Council File No. 01-1459 adopted by the Los Angeles City Council on March 5, 2002.

Resolution to Vacate: The Resolution to Vacate will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on May 14, 2010 conditionally adopted the City Engineer’s report dated February 17, 2010. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On September 20, 2016, the petitioner submitted a new application. The Council on December 6, 2016 under Council File No. 09-0683, adopted a new Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the areas to be vacated are zoned C2-1, M1-1 and PF-1XL and are developed with commercial buildings and public facilities.

Description of Areas to be Vacated: The areas sought to be vacated are:

1. Council Street between Juanita Avenue and Madison Avenue.

2. The L-shaped alley westerly of Madison Avenue from the alley southerly of Beverly Boulevard to its intersection with Madison Avenue.

The areas have been developed with school facilities and recreational facilities.

Adjoining Streets and Alleys: Juanita Avenue is an improved local street dedicated 80 feet wide with a 56-foot wide roadway, curbs, gutters and 12-foot concrete sidewalk. Madison Avenue is an improved local street dedicated 50 and 55 feet wide with a 30-foot wide roadway, curbs, gutters and 8-foot concrete sidewalk. The alley southerly of Beverly Boulevard and adjoining the L-shaped alley to be vacated is an improved alley dedicated 20 feet wide.

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

Effects of Vacation on Circulation and Access: The proposed vacation of Council Street between Juanita Avenue and Madison Avenue and the L-shaped alley westerly of Madison Avenue from the alley southerly of Beverly Boulevard to its intersection with Madison Avenue should not have any adverse impacts on either circulation or access since the effected street and alleys are no longer exist and are now developed with school facilities and recreational facilities. In addition, replacement alley from Madison Avenue to Juanita Avenue has been constructed and will be dedicated as conditions of the vacation.

The street and alleys are 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 areas 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.

At the meeting of the City Council on May 14, 2010, the following conditions stated in City Engineer's report dated February 17, 2010 were waived.

- 1) Dedicate 2 feet as a public street along the easterly side of Vermont Avenue (Major Highway Class II Standards) to provide for a 52-foot right-of-way.
- 2) Dedicate two 20-foot radius property line returns at the intersection of Vermont Avenue at Council Street and at First Street.

- 3) Widen the easterly side of Vermont Avenue to complete a 40-foot wide half roadway with integral curb and gutter, asphalt concrete pavement and a new 12-foot wide sidewalk together with a new 20-foot radius curb return at corner of intersection with both Council Street and First Street.
- 4) Repair or replace any broken or off-grade asphalt concrete pavement.

Sewers and Storm Drains: There are existing sewer and storm drain facilities within the areas proposed to be vacated.

Public Utilities: The Department of Water and Power and Southern California Gas Company did not respond to the Bureau of Engineering's referral dated October 14, 2016.

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.

City Department of Transportation: The Department of Transportation (LADOT) stated in its communication dated February 15, 2017 that it does not oppose the requested 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 new street standards identified in the Mobility Element (Mobility Plan 2035) of the General Plan.

The Department of Transportation in its communication dated January 8, 2010, that the petitioner comply with all of the project requirements associated with the school from the Department of Transportation letter dated September 30, 2008.

City Fire Department: The Fire Department stated in its memo dated November 8, 2016 that it has no objection to this Street Vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated October 14, 2016.

Conclusion: The vacation of the public street and alleys areas as shown colored blue on attached Exhibit "B" could be conditionally approved based upon the following:

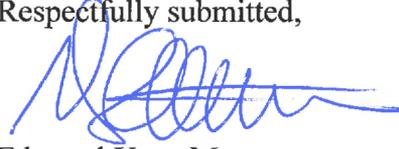
1. They are unnecessary for present or prospective public use.
2. They are not needed for vehicular circulation or access.

3. They are not needed for non-motorized transportation purposes.

The areas shown colored orange should not be vacated because they are needed for public street purposes.

Report prepared by:

Respectfully submitted,



LAND DEVELOPMENT & GIS DIVISION

Edmond Yew, Manager  
Land Development & GIS Division  
Bureau of Engineering

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EY/RS/tc/  
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