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AUG 27 2010

To the Public Works Committee
Of the Honorable Council
Of the City of Los Angeles

Council File No. 08-3343 -
Council District: 13 -
Contact Person: Danny Ho
Phone #(213) 977-6983.

Public Works Committee

Transmittal:

Transmitted herewith, is the City Engineer's report dated
AUG 27 2010 for Council review and approval of:

VACATION APPROVAL - VAC-E1401134 - Council File No. 08-3343 -
Lake Shore Avenue Southerly of Montana Street.

RECOMMENDATIONS:

1. Adopt the findings by the City Engineer's on the attached City Engineer report relative to initiating vacation proceedings. This vacation is exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. Adopt the City Engineer's report dated **AUG 27 2010** with the conditions contained therein.
3. Fiscal Impact Statement:


The petitioner has paid a fee of \$10,700.00 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 may be required of the petitioner.

4. That there is a public benefit to this vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.



5. There were objection letters received for this project.

Attachment:



Edmond Yew, Manager
Land Development Group

EY/DH/gt
H:\ldg4\gtwp804

Office of the City Engineer
Los Angeles, California

To the Public Works Committee
Of the Honorable Council
Of the City of Los Angeles

AUG 27 2010

Honorable Members:

C. D. No. 13

SUBJECT:

Vacation Approval - VAC-E1401134 - Council File No. 08-3343 -
Lake Shore Avenue Southerly of Montana Street.

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 this area be permitted to be adjusted based on the final design and layout of the street and parking area.

A portion of the northwesterly side of Lake Shore Avenue from Montana Street to approximately 190 feet southwesterly thereof.
- B. That the vacation of the areas shown colored orange on Exhibit "B", be denied. That the exact limits of this area be permitted to be adjusted based on the final design and layout of the street and parking area.
- C. 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.
- D. That there is a public benefit to this vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.
- 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 needed for nonmotorized transportation facilities.
- G. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determines 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 Committee approval so the City Clerk and 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 fee of \$10,700.00 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 may 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. Seven Seas Holding, LLC
Attn: Soleman Kahen
2215 Tunbridge Court
Los Angeles, CA 90077
2. Victor Balderas
1827 Montana Street
Los Angeles, CA 90026
3. Armen D. Ross
1218 El Prado Avenue, #128
Torrance, CA 90501

4. Wendy Rosales
1827 Montana Street
Los Angeles, CA 90026
5. O.K. MFG. & Supply, Inc.
Attn: Jeff Kuyleendall
1361 Glendale Boulevard
Los Angeles, CA 90026
6. Jorge A. Menendez
1415 Lake Shore Avenue
Los Angeles, CA 90026
7. Devon Harlon
1826 Montana Street
Los Angeles, CA 90026
8. Carl Urman
40545 Calle Torcida
Temecula, CA 92591
9. David Urman
4257 Oakridge Way
Stockton, CA 95204
10. Hassan Rabie
1771 Blake Avenue
Los Angeles, CA 90031
11. El Rita Henneberry
4214 Holy Knoll Drive
Los Angeles, CA 90027
12. Victoria Barrera
1827 Montana Street
Los Angeles, CA 90026

CONDITIONS FOR STREET VACATION:

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 fees under Work Order No. E1401134 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 Land Development Group of the Bureau of Engineering prior to 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 Land Development Group of the Bureau of Engineering prior to the preparation of the Resolution to Vacate.
4. That title reports indicating the vestee of the underlying fee title interest in the area to be vacated be submitted to the City Engineer.
5. That the petitioner dedicate a 20-foot property line radius or a 15-foot by 15-foot cut corner as public street at the southeast corner of the intersection of Montana Street with Glendale Boulevard adjoining the petitioner's property in a manner satisfactory to the City Engineer:
6. That suitable arrangements be made with the Department of Transportation on the design and layout of replacement public parking, conversion of Lake Shore Avenue into a northbound one-way street and parking restriction signs in conjunction with the street vacation.
7. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 1. Montana Street
 - a) Repair or replace any broken/off-grade concrete sidewalk, curb and gutter along the southwesterly side of Montana Street.
 - b) Construct concrete curb, gutter and sidewalk along the southeasterly prolongation of the southwesterly side of Montana Street together with a new concrete curb return and an access ramp for the handicapped at the corner with the new northerly line of Lake Shore Avenue.

2. Glendale Boulevard

- a) Repair broken sidewalk, curb and gutter.
- b) Construct concrete sidewalk at the newly dedicated corner of the intersection of Glendale Boulevard with Montana Street.
- c) If deemed feasible and acceptable by the Department of Transportation, construct a southbound left-turn lane from Glendale Boulevard to Lake Shore Avenue. Design shall be submitted to the Department of Transportation for review prior to construction.
- d) Construct handicapped access ramps at the intersection with Lake Shore Avenue.
- e) Close any unused driveways with standard street improvements.

3. Lake Shore Avenue

- a) Construct concrete curb, gutter, 5-foot wide concrete sidewalk and a minimum 20-foot wide and variable width asphalt concrete roadway pavement adjoining the new property line along the northwesterly side of Lake Shore Avenue as required by Los Angeles Department of Transportation.
- b) Construct modified channelization and street pavement making layout as required by Los Angeles Department of Transportation, to convert Lake Shore Avenue to a one-way northbound street.
- c) That provisions be made to collect or divert any surface flows impounding within the area to be vacated.
- d) Provide sufficient asphalt concrete pavement public parking area in the public right-of-way on the northwesterly side of Lake Shore Avenue to replace all parking spaces eliminated on the southeasterly side of Lake Shore Avenue as a result of the vacation, with a design and layout satisfactory of the Department of Transportation.
- e) Conduct a speed hump warrant analysis on Lake Shore Avenue and, if warranted, install speed humps on Lake Shore Avenue consistent with the Department of Transportation guidelines.

8. That arrangements be made with 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.
9. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer and storm drain facilities located within the area to be vacated, unless easements are reserved from the vacation for their protection.
10. That upon the review 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 the parcel of land under the one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of 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.
11. That street lighting facilities be upgraded and relocated as required by the Bureau of Street Lighting.
12. 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.
13. That plot plans be submitted to the Fire Department for their review and approval. Additional conditions of the Fire Department may be required.

TRANSMITTAL:

Undated application from Soleman Kahen.

DISCUSSION:

Request: The petitioner, Soleman Kahen, owner of the property shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street area shown colored blue and orange. The purpose of the vacation request is to create a green space area adjacent to a new commercial building.

This vacation procedure is being proposed under 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 December 17, 2008, under Council File No. 08-3343 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The property adjoining the proposed vacation northwesterly on the side of Lake Shore Avenue is zoned C2-1L and is currently vacant and a proposed development for a commercial building is currently being planned. Properties along the southeasterly side of Lake Shore Avenue are developed with residential and commercial buildings.

Description of Area to be Vacated: The area sought to be vacated is a portion of the northwesterly side of Lake Shore Avenue from Montana Street to approximately 190 feet southwesterly thereof. Lake Shore Avenue is an improved local street dedicated 60 feet wide. The exact limits of this area will be dependent upon the final design and layout of the street and parkway area.

Adjoining Streets: Montana Street is an improved local street dedicated 80 feet wide with a 56-foot wide roadway and 12-foot wide sidewalks on both sides. Glendale Boulevard is an improved major highway class II dedicated 140 feet wide with a 116-foot wide roadway and 12-foot wide sidewalks on both sides.

Surrounding Properties: The property owners in the vicinity of the vacation have been notified of the proposed street vacation.

Effects of Vacation on Circulation and Access: The proposed vacation of a portion of the northwesterly side of Lake Shore Avenue from Montana Street to approximately 190 feet southwesterly thereof may have an adverse effect on circulation since a portion of Lake Shore Avenue is to become a one way street. Based on input from the community and Council District Office, the northbound one-way option was selected. Street parking on the east side of Lake Shore Avenue will be required to be replaced with angled street parking spaces on the west side of Lake Shore Avenue.

The street is not needed for the use of bicyclists or equestrians but may eliminate walkways for the use of pedestrians.

Objections to the Vacation: There were objections to the vacation submitted for this project from members of the community. The major concern was the potential loss of public parking spaces that could result from the vacation.

Reversionary Interest: No determination 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 dedication and improvements as outlined under Conditions.

Sewers and Storm Drains: There are existing sewer and 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 dedication can be acquired by separate instrument 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 each adjoining parcel of land under the one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of 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.

City Department of Transportation: The Department of Transportation in its communication dated May 27, 2010 stated that DOT is not opposed to the requested partial vacation of Lakeshore. However, since the partial vacation of Lakeshore would result in a significantly reduced roadway width, then Lakeshore between Glendale and Montana would need to be converted to a one-way street.

Should Lakeshore be converted to a southbound street (which is preferred by DOT), then the applicant should be required to implement the following:

1. Install a northbound right-turn lane on Glendale Boulevard at Montana Street.
2. Add ADA ramps as needed (including at the intersection of Lakeshore & Glendale).
3. Provide sufficient replacement parking to make up for the expected loss of parking along the east side of Lakeshore (replacement parking can be provided by installing angled public parking spaces along one side of Lakeshore).

4. Any angled parking spaces would need to be designed and installed consistent with DOT's angle parking standards.

Should Lakeshore be converted to a northbound street, then the applicant should be required to implement the following:

1. Design a southbound left-turn lane from Glendale Blvd to Lakeshore and submit to DOT for review - adding this southbound left-turn lane would require the removal of a portion of the raised median on Glendale; if this improvement is deemed feasible and is acceptable to DOT, then the applicant shall construct this improvement through BOE's B-permit process.
2. Add ADA ramps as needed (including at the intersection of Lakeshore & Glendale).
3. Provide sufficient replacement parking to make up for the expected loss of parking along the east side of Lakeshore (replacement parking can be provided by installing angled public parking spaces along one side of Lakeshore).
4. Any angled parking spaces would need to be designed and installed consistent with DOT's angle parking standards.
5. Conduct a speed hump warrant analysis along Lakeshore and, if warranted, install speed humps on Lakeshore consistent with DOT guidelines.

City Fire Department: The Fire Department in its letter dated May 28, 2009 states that it has investigated the subject property and recommends that plot plans be submitted for their review and approval, adequate public and private hydrants be required, all structures be fully sprinkled, and access for the Fire Department apparatus and personnel be required. The Fire Department has no objection to the vacation.

Department of City Planning: The Planning Department did not respond to the Bureau of Engineering's referral letter dated November 25, 2008.

Conclusion: The vacation of the public street area as shown colored blue on the 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 nonmotorized transportation purposes.


The areas shown colored orange should not be vacated because they are needed for public street purposes. The exact limits of this area should be permitted to be adjusted based on the final design and layout of the street and parking area.

Report prepared by:

LAND DEVELOPMENT GROUP

Danny Ho
Civil Engineering Associate III
(213) 977-6983

Respectfully submitted,


Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DH/qt
H:\ldg4\GTWP804

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY

ORIGINAL - (No copies or faxes)

DATE: _____

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: The West 1/2 of Lakeshore Ave.
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)

and is located between:

MONTANA Ave and GLENDALE BLVD
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)

• Attach a map if necessary.

(2) The vacation area lies within or is shown on:

(a) Engineering District: (check appropriately)

Central () Harbor () Valley () West Los Angeles

(b) Council District No. 13

(c) District Map No. 141A 209

(d) A CRA Redevelopment Area: _____ OR No
(YES) (NO)

(3) Area (in sq. ft.) of the proposed vacation area is approx. 4605.5 ~~4830~~ sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a Vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the Applicant chooses to have an Environmental Determination performed by the Bureau of Engineering Environmental Group, the Applicant must submit a separate letter acknowledging that the environmental review will add approximately \$15-\$30 thousand to the cost of processing the vacation and increase the processing time by 6 months.

• If the vacation is located within a Coastal Development Zone, prior approval from the California Coastal Commission will be required before the vacation application can be submitted. The Applicant should be aware that vacations subject to the California Coastal Commission will take longer to process and will be considerably more expensive. Since the costs for vacations in the Coastal Development Zone typically reach upwards of \$30 thousand, the Applicant should be prepared to make a supplemental fee deposit to cover additional costs after Engineering Recommendations have been made so the vacation process can continue on to City Council without any delay.

• If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.

(4) Purpose of vacation (future use of vacation area) is: To create a good size area of green space adjacent to a 2700 sq. ft. commercial building

(5) Vacation is in conjunction with: (Check appropriately)

Revocable Permit () Tract Map () Parcel Map () Zone Change
() Other _____

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LAND DEVELOPMENT GROUP
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PETITIONER / APPLICANT:

(6) Petitioner(s): SEVEN SEAS HOLDING, LLC
Print Name(s) of Petitioner(s) in full - Name or Company Name

Signature(s): [Signature] SOLEMAN KAHEN, OWNER
If Company, Name and Title