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CALIFORNIA



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TO: HONORABLE CITY COUNCIL

IMPACTED CD's: Councilmember Jose Huizar, CD 14  
Councilmember Jan Perry, CD 9

FROM: Andrea Alarcón, President, Board of Public Works  
Chair, Downtown Art Walk Stakeholders Task Force

RE: DOWNTOWN ARTWALK

DATE: October 4, 2011

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### TRANSMITTALS

1. Motion establishing the Downtown Art Walk Task Force CF 11-1336 (Attachment 1)
  2. List of parking lots within the Downtown Art Walk perimeter (Attachment 2)
  3. List of Task Force Members (Attachment 3)
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### RECOMMENDATIONS:

In order to ensure and protect the public safety during the reoccurring Downtown LA Art Walk scheduled to occur on the second Thursday of every month, the following actions by Council are recommended:

1. DIRECT the Fire Department and the Department of Building and Safety to impose the following limitations on Temporary Change of Use permit issuance during the reoccurring Downtown LA Art Walk:
  - i. Temporary Change of Use permits for use within existing building structures *may* be issued within the Art Walk Core and Art Walk Perimeter (Core and Perimeter as defined in this report)
  - ii. Temporary Change of Use permits for use on Open Air Parcels *shall not* be issued within the Art Walk Core
  - iii. Temporary Change of Use permits for use on Open Air Parcels *may* be issued within the Art Walk Perimeter. Such permits will be limited as follows:
    1. Live entertainment, i.e. bands/DJ's, shall be prohibited.



2. FIND that, because of the large number of patrons that concentrated food truck and other vendors attract and the increased City resources necessary to support those activities, any Temporary Change of Use permit issued for use during the reoccurring Downtown Art Walk shall constitute a Special Event as defined by Los Angeles Municipal Code Section 41.20 and shall be subject to the Special Events Permitting Process, whereby costs for City services necessary to support the event shall be attributable to the change of use permittee.
3. FIND that the Downtown Art Walk shall constitute a Special Event as defined by Los Angeles Municipal Code Section 41.20 and shall be subject to the Special Events Permitting Process, whereby costs for City services necessary to support the event will be fully recovered.

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## **DISCUSSION**

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### **THE ART WALK**

The Downtown LA Art Walk is a monthly showcase and celebration of several galleries, artists, theatres, photography, restaurants, shops and other businesses located in Downtown LA. The event is held the second Thursday of every month. As the popularity of the Art Walk has grown, attendance has swelled to approximately 15,000-30,000 people per event.

### **THE TRAGEDY**

Tragically, at its July 14<sup>th</sup> event, a motorist attempting to park a car on Spring Street struck nearby pedestrians killing an infant in its stroller. In the aftermath of the incident, and in light of the Art Walk's growth in popularity and geography, there is increasing concern regarding public safety. The incident has drawn significant media attention and sparked varying emotional reactions from community members, residents, businesses owners and Art Walk patrons.

On July 29, 2011, a motion was introduced jointly by Councilmembers Huizar and Perry (CF 11-1336) directing the Bureau of Street Services to convene a task force comprised of various City departments and other stakeholders to review the immediate and long-term public safety measures that may be implemented during future Downtown Art Walk events.

Since that time, a Downtown Art Walk Stakeholder's Task Force was created and held meetings on August 2<sup>nd</sup>, August 4<sup>th</sup>, August 9<sup>th</sup>, and August 18<sup>th</sup>. The Task Force is comprised of representatives from:

- The Downtown Art Walk;
- Local businesses, residents and property owners;
- Art and food vendors;
- Business Improvement Districts;
- Neighborhood Councils;
- Council Districts 9, 11 and 14;
- The Mayor's Office;
- and the following Departments:
  - LA Police Department
  - LA Fire Department
  - Department of Transportation
  - Building and Safety

- Bureau of Street Services
- City Attorney's Office
- City Legislative Analyst's Office
- LA County Department of Public Health

See Attachment 3 for a complete listing of Task Force Participants.

**THE ART WALK FOOTPRINT**

The **CORE** of the Art Walk includes:

- Spring b/w 3<sup>rd</sup> and 7<sup>th</sup> Streets
- Main b/w 3<sup>rd</sup> and 7<sup>th</sup> Streets
- 7<sup>th</sup> St. b/w Main & Spring
- 3<sup>rd</sup> St. b/w Main & Spring

The **PERIMETER** of the Art Walk includes:

- San Pedro b/w 1<sup>st</sup> & Olympic
- Hill b/w 1<sup>st</sup> & Olympic
- 1<sup>st</sup> St. b/w San Pedro & Hill
- Olympic b/w San Pedro & Hill

	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>	9 <sup>th</sup>	Olympic
San Pedro	P	E	R	I	M	E	T	E	R	
Los Angeles										
Main			C	O	R	E				
Spring										
Broadway										
Hill	P	E	R	I	M	E	T	E	R	

**TEMPORARY SPECIAL EVENTS**

Temporary Special Events being held within the City of Los Angeles are required to be inspected and approved by Department of Building and Safety inspectors prior to holding the event. The following qualify as a Temporary Special Event provided they have a maximum duration of 5 consecutive days:

1. Tents or canopies, larger than 450 square foot, on a residential property.
2. Tents or canopies, larger than 12 feet in length or width, on a commercial property.
3. Stages or platforms more than 30 inches above grade. (Structures higher than 30 inches, intended for live loads, require approved engineering prior to inspection).

4. Grandstands or bleachers.
5. Structures higher than 12 feet.
- 6. Temporary change of use (parking lot sales, or use of building for special purpose).**
7. Temporary auto sales (requires sign off by LADBS inspector prior to permit issuance).
8. For information regarding Temporary generators and electrical please call (213) 482-0057 for information.

Criteria 6 above is particularly applicable to the activities of the Downtown Art Walk because there are several parking lot locations within the Art Walk Core and Perimeter (See Attachment 2 for a complete list of the 57 Parking Lot locations in the Art Walk Perimeter). Pursuant to criteria 6 above, the use of parking lots for food truck or other types of sales requires a Temporary Change of Use-Temporary Special Event permit.

Temporary Special Event permit applications are filed with the Department of Building and Safety. Applications shall include a safety plan showing the layout of the event. That plan is required to be approved by the Los Angeles Fire Department prior to obtaining approval from the Building and Safety field inspector. The approved safety plan must be made available to the Building and Safety inspector at the time of the site inspection. At the time of the inspection, the building inspector will check the structural stability of temporary structures, availability of sanitary facilities, required exiting, parking requirements, disabled access requirement, zoning and fire code requirements.

### **OCCUPANCY LOAD**

The Fire Department's review of the proposed site plan includes a determination on its maximum "Occupancy Load". In order to determine such Occupancy Load, the Fire Department applies the following formula:

**Occupancy Load = [Total Available Square Footage – "Unusable Space"] / 15 sq. ft. per person**

Ex: If a parcel has a total 10,000 sq ft and its "Unusable Space" is 2,000 sq. ft., the remaining "Usable" space would be 8,000 sq ft. Therefore, the Occupancy Load would be determined as follows: Remaining "Usable" Space 8,000 sq ft / 15 sq ft per person = 533 person occupancy load on that parcel.

"Unusable space" includes the actual measurements of objects, i.e. tables, stages and other structures. Space being utilized by mobile food vending trucks is deemed "Unusable" space. Therefore, assuming that the average measurement of a food truck is 7 x 25 ft the amount of "Unusable" space per food truck would ordinarily be calculated at 150 sq ft (7 x 25 = 150).

Given the public safety concerns for pedestrian congestion, reducing the Occupancy Load would result in achieving our primary objective: to reduce the concentration of pedestrian traffic. A reduction in Occupancy Load can be achieved by adding a multiplier to the Fire Department's formula, whereby, any "unusable space", as determined by the Fire Department, is multiplied by two.

Ex: If a parcel has a total of 10,000 sq ft and wishes to host 10 average-sized food trucks, the occupancy load would typically be calculated as follows:

**Parcel Total - Unusable Space = Remaining "Usable" Space**  
[10,000 sq ft] - [10 food trucks x 150 sq ft = 1,500 sq ft] = 8,500 sq ft

**Remaining Space / 15 sq ft per person = Occupancy Load**  
[8,500 sq ft] / 15 sq ft = 567 person Occupancy Load

Applying the recommended additional multiplier for Unusable Space to the same facts above would result in a reduced Occupancy Load as follows:

**Parcel Total - Unusable Space = Remaining "Usable" Space**  
[10,000 sq ft] - [(10 food trucks x 150 sq ft = 1,500 sq ft) x 2] = 7,000 sq ft

**Remaining Space / 15 sq ft per person = Occupancy Load**  
[7,000 sq ft] / 15 sq ft = 467 person Occupancy Load

Here, adding the multiplier of 2, the occupancy load was reduced by 100. The outcome of doing so is reduced congestion and improved pedestrian flow on that property and the surrounding public right of way. Therefore, we will implement this approach, as a pilot, for the upcoming Art Walk event to be held on October 13, 2011. The Task Force will assess the outcome of this approach and report back to City Council with any further recommendations.

**October 2011 Art Walk Restrictions:** Change of use permits for use on Open Air Parcels *may* be issued within the Art Walk Perimeter as defined in this report. Such permits will be limited as follows: Occupancy load shall be calculated by multiplying the actual "Unusable Space" by two, thereby reducing the permitted occupancy load. The Fire Department in coordination with the Department of Building and Safety shall make the final determination as to the maximum allowable number of food trucks and other structures per site, taking into account public safety considerations including but not limited to entrance/exit access, occupancy load and other relevant factors.

### **SPECIAL EVENTS PERMITTING PROCESS**

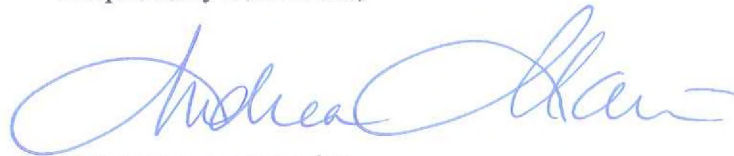
Los Angeles Municipal Code Section 41.20 states that, "the sponsor of any event that involves the use of, or has a direct or indirect impact on, public property or facilities, or that can reasonably be foreseen to have such an impact on or to require a higher level of public safety services or other municipal services, including advance planning services, than that normally provided by the City, shall be responsible for obtaining all required permits and for payment of the costs, including all fees, charges and salary costs, for all such services."

The high concentration of food truck and other vendors attracts a sizeable number of patrons. The estimated Twitter following for these food trucks is approximately 20,000 and the total average attendance for Art Walk is over 30,000. This large following causes severe overcrowding and pedestrian activity in the public right of way. This increased pedestrian activity, jay walking and spillover into the streets necessitates the support of various City services so as to ensure the public's safety. These services include, but are not limited to Police, Fire, Building and Safety, Transportation, and Street Services. City services to support these events are above those normally provided by the City.

According to LAMC Section 41.20, any event that directly or indirectly impacts public property and demands the support of City services above those normally provided by the City shall be deemed a Special Event subject to the Special Event Permitting Process. Therefore, costs associated with those services are attributable to the special event sponsor. Here, the change of use permittee is the special event sponsor.

Therefore, it is recommended that the Council find that change of use permits issued for the use during the reoccurring Downtown Art Walk shall be deemed Special Events subject to the full cost recovery special event permitting process (See Recommendation 2). Similarly, it is recommended that the Council find that the Downtown Art Walk is also a Special Event subject to the full cost recovery special event permitting process (See Recommendation 3).

Respectfully Submitted,



ANDREA ALARCÓN  
President, Board of Public Works  
Chair, Downtown Art Walk Stakeholders Task Force

11-1336  
CD9, 14

ITEM FOR PLACEMENT ON NEXT  
COUNCIL AGENDA TO BE POSTED  
MOTION #56

PUBLIC WORKS JUL 29 2011

RULE 16  
Wednesday 8-3-11

The Downtown LA Art Walk (Art Walk) is a monthly showcase and celebration of art galleries, theaters, artists and photography studios in Downtown Los Angeles. It is also increasingly drawing patrons to nearby restaurants, bars, shops, and businesses, as well as food trucks and other non-parking uses in private parking lots. Tragically, at its July 14<sup>th</sup> event a motorist attempting to park a car on Spring Street jumped the curb and struck pedestrians standing on the sidewalk killing a two-month old infant.

Most Art Walk activities occur in and around the galleries predominantly on Spring and Main Streets between 3<sup>rd</sup> and 7<sup>th</sup> Streets. There are, however, many non-art-establishment related events and activities in the area.

As the popularity of the Art Walk has grown and attendance has swelled, and in the aftermath of the July 14<sup>th</sup> tragedy, there is increasing concern regarding public safety. On July 28<sup>th</sup>, Council Districts 9 and 14 brought together Art Walk stakeholders and City departments to discuss and identify actions that could be taken to address public safety issues while maintaining a successful downtown program.

The meeting clearly demonstrated that City departments need a better understanding of how the Art Walk event is organized and produced, as well as a comprehensive look at program offerings, pedestrian issues and the interplay with affected surrounding communities. This is especially true with respect to non-art-venue focused operations, such as live music, vending and food truck service, which occur on privately owned parking lots, drawing large crowds to the lots and surrounding areas. To this end, it was recommended that the Bureau of Street Services coordinate a multi-department effort to review and assess the Art Walk event and to address permitting and regulatory actions that may be needed.

I THEREFORE MOVE that the Bureau of Street Services be instructed to convene a Task Force comprised of various City departments (Public Works Bureaus, Transportation, Police, Planning, Fire, Building and Safety, City Attorney, representatives from Council Districts 9 and 14, and a member from the Los Angeles County of Health) to review immediate public safety measures that might be implemented in time for the upcoming August 11<sup>th</sup> Art Walk, such as potential parking restrictions, parking lot and food truck requirements, sidewalk vending and pedestrian flow improvements, and overall crowd control measures.

I FURTHER MOVE the Task Force shall also review long-term measures and prepare an assessment of the Downtown Art Walk program (located on Spring and Main Streets between 2<sup>nd</sup> and 9<sup>th</sup> Streets, but also including outlying areas, such as the Fashion District, Broadway and other areas where Art Walk related-events are held) as part of a comprehensive review of public safety issues associated with the event; such report to be returned to the Public Works Committee within 60 days.

PRESENTED BY: *Jose Huizar*  
JOSE HUIZAR  
Councilmember, 14<sup>th</sup> District

PRESENTED BY: *Jan Perry*  
JAN PERRY  
Councilmember, 9<sup>th</sup> District

SECONDED BY: *M. Long*

JUL 29 2011

ORIGINAL

Parking Lot	Address	DOWNTOWN PARKING LOTS IN ARTWALK PERIMETER	APN	Area
Joes Parking	918 S. Main St.		5139002004	12,219
Joes Parking	914 S. Hill St.		5139003001	22,177
Joes Parking	919 S. Broadway		5139003004	7,940
Joes Parking	953 S. Broadway		5139003007	7,945
Prestige Parking	951 S. Hill St.		5139004024	15,687
Joes Parking	1002 S. Hill St.		5139013015	6,686
Paragon Parking	630 S. Hill St.		5144003023	5,152
Paragon Parking	651 S. Hill St.		5144003026	17,472
Unified Parking	725 S. Hill St.		5144013018	6,513
Central Parking	Across From 714 S. Hill St.		5144013019	6,517
Joes Parking	731 S. Hill St.		5144013030	9,694
Modern Parking	737 S. Hill St.		5144013031	9,639
Paragon Parking	747 S. Hill St.		5144013032	19,568
Public Parking	746 S. Spring St.		5144014033	9,711
Joes Parking	734 S. Hill St.		5144014034	9,785
City Center Parking	737 S. Spring St.		5144015021	7,692
Joes Parking	732 S. Spring St.		5144015049	4,652
Joes Parking	816 S. Spring St.		5144016046	1,771
Joes Parking	839 S. Spring St.		5144016053	11,713
Unified Parking	Across from 806 S. Spring St.		5144016056	23,950
Joes Parking	826 S. Broadway		5144016062	8,177
Prestige Parking	826 S. Hill St.		5144017029	19,522
City Center Parking	844 S. Hill St.		5144017037	31,710
Joes Parking	833 S. Hill St.		5144018033	9,041
Nino Ferreti	751 S. Los Angeles St.		5145001013	18,123
Joes Parking	212 E. 7 <sup>th</sup> St.		5145002003	7,072
Joes Parking	759 S. Maple St.		5145003008	4,456
Unified Parking	N.E. Corner of 8 <sup>th</sup> & Maple St.		5145004037	13,713
Joes Parking	Next to 771 S. San Pedro St.		5145008009	5,275
Unified Parking	N.E. Corner of 9 <sup>th</sup> & San Julian St.		5145009010	11,766
SMW Auto Park	929 S. Wall St.		5145017013	7,161
Athena Parking	N.W. Corner of Olympic & San Julian St.		5145017028	6,892
Prestige Parking	412 E. Boyd & San Pedro St.		5147006002	2,500
City Center Parking	307-311 S. Los Angeles St.		5148001022	35,792
Parking Lot	380 S. Los Angeles St.		5148002018	5,759
Paragon Parking	526 S. Los Angeles St.		5148018006	7,257
Joes Parking	Next to 541 S. Los Angeles St.		5148020002	4,332
Joes Parking	601 E. 8 <sup>th</sup> St.		5148022011	188,434
Central Parking	646 S. Maple St.		5148023006	7,437
Joes Parking	246 S. Spring St.		5149007001	12,410
Joes Parking	214 S. Spring St.		5149007005	12,720
Joes Parking	243 S. Spring St.		5149008015	9,786
Joes Parking	236 S. Broadway		5149008028	9,588
Joes Parking	245 S. Broadway		5149009003	10,007
Joes Parking	230 S. Hill St.		5149009014	19,956
Joes Parking	215 S. Broadway		5149009021	21,018
Vacant Lot	N.W. Corner of 2 <sup>nd</sup> St & Hill St.		5149010034	54,227
Joes Parking	245 S. Hill St.		5149010264	197,058
Joes Parking	338 S. Hill St.		5149015013	5,649
Automate Parking	Across from 226 W. 4 <sup>th</sup> St.		5149019034	19,999
Public Parking	408 S. Hill St.		5149025004	10,873
Parking Concepts	Across From 444 S. Hill St.		5149028013	11,176
Joes Parking	504 S. Hill St.		5149032023	4,445
Joes Parking	242 S. Los Angeles St.		5161024016	27,870
Paragon Parking	225 S. Los Angeles St.		5161026035	18,694
City Lot # 755	237 S. Los Angeles St.		5161026905	18,850
LAZ Parking	253 S. Spring St. (On 3 <sup>rd</sup> St. between Spring St & Broadway)			28,730

TOTAL SQ FT.

1,103,958



## DOWNTOWN ART WALK STAKEHOLDER TASK FORCE LIST

Last Name	First Name	Department
Alarcon	Andrea	BPW - Board of Public Works
Galstian	Larry	B & S - Building and Safety Department
Kopp	Randall	B & S - Building and Safety Department
Lara	David	B & S - Building and Safety Department
Caraballo	Tom	BSS - Bureau of Street Services
Cruz	Joseph	BSS - Bureau of Street Services
Harris	Gary	BSS - Bureau of Street Services
Rivera	David	BSS - Bureau of Street Services
Sauceda	Nazario	BSS - Bureau of Street Services
Maricich	Nicholas	Planning Department
Wyatt	Linn	Planning Department
Godfrey	Kathy	CD9 - Councilmember Jan Perry
Magnien Rock	Stephanie	CD9 - Councilmember Jan Perry
McLennan	Laura	CD11 -CLM Rosendahl
Coca	Rick	CD14 - Councilmember Jose Huizar
Cubas	Ana	CD14 - Councilmember Jose Huizar
Gonzalez	Arturo	CD14 - Councilmember Jose Huizar
Habib	Paul	CD14 - Councilmember Jose Huizar
Robbins	Tricia	CD14 - Councilmember Jose Huizar
Smith	Paul	CLA - Chief Legislative Analyst
Arroyo	Marco	DOT - Department of Transportation
Fisher	John	DOT - Department of Transportation
Fong	Sophia	DOT - Department of Transportation
Kim	Roy	DOT - Department of Transportation
Mata	Christine	DOT - Department of Transportation
Moshksar	Mehrdad	DOT - Department of Transportation
Mustafa	Zaki	DOT - Department of Transportation
Sahakian	Aram	DOT - Department of Transportation
Sedadi	Amir	DOT - Department of Transportation
Ayala	Philip	LAFD - Los Angeles Fire Department
Bowman	Michael	LAFD - Los Angeles Fire Department
Clay	Dennis	LAFD - Los Angeles Fire Department
Fisher	James	LAFD - Los Angeles Fire Department
Flores	Benjamin	LAFD - Los Angeles Fire Department
Marino	Tony	LAFD - Los Angeles Fire Department
Origel	Louis P.	LAFD - Los Angeles Fire Department
Andres	Tracy	LAPD - Los Angeles Police Department
Baker	James	LAPD - Los Angeles Police Department
Balchowsky	Mary	LAPD - Los Angeles Police Department
Chamberlain	Todd	LAPD - Los Angeles Police Department
Crecenzo	Maria	LAPD - Los Angeles Police Department
Hsu	Howard	LAPD - Los Angeles Police Department
Jennerson	Joe	LAPD - Los Angeles Police Department
Keenan	Terence	LAPD - Los Angeles Police Department
Labrada	Jennifer	LAPD - Los Angeles Police Department

Marbrey	Ronald	LAPD - Los Angeles Police Department
Nieves	Orlando	LAPD - Los Angeles Police Department
Russell	Daryl	LAPD - Los Angeles Police Department
Sherman	John	LAPD - Los Angeles Police Department
Sherman	John	LAPD - Los Angeles Police Department
Singh	Sucha	LAPD - Los Angeles Police Department
Gale	Mabel	LA County Department of Health
Giles Kinney	Veronica	LA County Department of Health
Hirschtick	Gary	LA County Department of Health
Johnson	Teresa	LA County Department of Health
Manriquez	Suzanne	LA County Supervisor Molina's Office
Pacheco	Jose	LA County Department of Health
Powell	Terrance	LA County Department of Health
Fuentes	Yolanda	Mayor's Office
Green	Lorraine	Mayor's Office
Berman	Patti	DLANC
Brehm	Qathryn	Downtown Art Walk
Brown	Russell	HDBID
Cruz	Carl	Art Square
Dane	Phillip	Truckit Fest
Geller	Matt	SoCal MFVA (Mobile Food Vendors Assoc.)
Gilmore	Tom	Gilmore Associates
Hofberg	Caryn	Historic Downtown Merchants Association
Knight	Derrick	ART Square
Lee	Sunny	Lee's Philly
Moller	Joe	Downtown Art Walk
Nakano	Ken	DCBID
Smith	Kent	Fashion BID
Tampa	Randall	Fashion BID
Vasquez	Carlos	Alexandria Hotel
Warren	Renee	ART U DTLA
Westwater	Brady	HDBID
Williams	Anne	Central City Association (CCA)