

Office of the City Engineer

Los Angeles, California

To the Honorable Council

Of the City of Los Angeles

April 29, 2019

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION REQUEST - VAC- E1401225 - Council File No. 13-1203 - Portion of Alley Northwesterly of Figueroa Street at 827 S. Figueroa Street, adjoining Lots 2 and 11 (Re-application)

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 5-foot and 10-foot wide alley northwesterly of Figueroa Street and southwesterly of 8th Street, adjoining Lot 2 of Tract 2721 and Lot 2 and 11 of “Potter’s Subdivision of Block 3 of Nichol’s Addition to West Los Angeles Also Lots 26 and 27 of Meyer’s Subdivision of Block 4”.

- 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 Committee approval based on the Initiation of Vacation Proceedings adopted by City Council on February 20, 2019 so the City Clerk and Bureau of 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 \$14,980.00 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 and Gang Reduction Committee and the City Council meetings to consider this request be sent to:

1. Adam Rubin
707 Wilshire Blvd. 47th Floor
Los Angeles, CA 90017
2. L&R 845 Figueroa I, LLC
845 S. Figueroa St
Los Angeles, CA 90017
3. L&R 845 Figueroa I, LLC
C/O John C. Day
550 S. Hope Street, Suite 2200
Los Angeles, CA 90071
4. Dominick W Rubalcava
2725 McConnell Drive, Suite 200
Los Angeles, CA 90064
5. CPF 801 Tower LLC
C/O Sheppard and Hampton LLP

333S. Hope Street, 43rd Floor
Los Angeles, CA 90071

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 E1401225 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 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 Land Development Group 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 area to be vacated be submitted to the City Engineer.
5. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Construct a 35-foot half roadway on the northwesterly side of Figueroa Street with integral concrete curb, gutter and 15-foot wide sidewalk in accordance with Avenue I Standard and provide a proper transition to the existing improvements.
 - b. Repair and/or replace any broken/off-grade curb, gutter, and sidewalk along Francisco Street and 8th Place.
 - c. Construct a new access ramp at the northeast corner of the intersection of 8th Place and Francisco Street.
6. That arrangements be made with all utilities agencies, cable companies and franchises maintaining facilities in the area including but not limited to the Department of Water and Power and AT&T for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.

7. That consents to the vacation be secured from the owner of Lot 1 of Tract No. 2721 of Tract 10052 and Lots 7, 8 and 9 of Potter's Subdivision of Block 3 of Nichols Addition to West Los Angeles Also Lots 26 and 27 of Meyers Subdivision of Block 4" adjoining the area to be vacated.
8. That upon the reviews 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 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.
9. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
10. 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.

TRANSMITTAL:

Application dated November 28, 2018, from Adam Rubin.

DISCUSSION:

Request: The petitioner, Adam Rubin, the owner of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public alley area shown colored blue. The purpose of the vacation request is to re-apply for the previous vacation under work order E1401225, which was not completed within the time limit.

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 City Council on January 14, 2014 conditionally adopted the City Engineer's report dated October 1, 2013. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On January 3, 2019, the petitioner submitted a new re-application. The City Council on February 20, 2019, under Council File No. 13-1203 adopted an Initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated to the north, south, east and west are zoned as C2-4D and are developed with commercial buildings and parking facilities.

Description of Area to be Vacated: The area sought to be vacated is a 5-foot and 10-foot wide alley northwesterly of Figueroa Street between 8th Street and 8th Place. The alley is a remnant of a portion of an alley from 8th Street to 222.5 feet southwesterly thereof that was not included in the Resolution to Vacate 90-1578110, adopted by Council on August 24, 1990 and recorded with the County of Los Angeles on September 13, 1990. The proposed vacation area is currently improved as a landscape area.

Adjoining Streets: Figueroa Street is an Avenue I dedicated 100 feet and 105 feet wide with 56-foot and 80-foot roadway, curbs, gutters and sidewalks on both sides. Francisco Street is a Collector Street dedicated 60 feet wide with 40-foot wide roadway, curb, gutters and 10-foot sidewalks. 8th Place is a Limited Local Street, dedicated 47-foot with a 20-foot half right of way, and improved with a 34-foot wide roadway, with a 14-foot half roadway, curbs, gutters and 6-foot sidewalk adjoining the petitioner's property.

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 the alley northwesterly of Figueroa Street between 8th Street and 8th Place will not have an adverse impact on circulation or access since it is currently not accessible from any other public right-of-way. All adjoining properties have access from the surrounding streets and no access is taken from the remaining alley. In addition, proposed vacation area is currently improved as a landscape area.

The alley 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/have been made as to title or reversionary interest.

Dedications and Improvements: It will be necessary that the petitioner provides for the improvements as outlined in the conditions of this report. The dedication has been done under previous vacation condition adopted by City Council on January 14, 2014 by Document No. 20130985918.

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

Public Utilities: The Southern California Edison and Southern California Gas Company do not maintain facilities in the area proposed to be vacated. The AT&T stated in its

communication dated April 11, 2019, that they do maintain communication facilities within the subject area. The Department of Water and Power did not respond to the Bureau of Engineering's referral letter dated January 7, 2019.

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 records an agreement satisfactory to the Bureau of 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 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 of Los Angeles.

City Department of Transportation: The Department of Transportation stated in its communication dated March 12, 2019 that the vacation is not opposed if the abutting property owners are in agreement with the proposed vacation and provisions are made for lot consolidation, driveway and access approval by LADOT, and any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Element of the General Plan.

City Fire Department: The Fire Department stated in its communication dated February 20, 2019 that it has no objection to the vacation of this alley.

Department of City Planning: The City Planning Department in its communication dated January 23, 2019, that this vacation is consistent with the Central City Community plan policies and objectives, because it does not impact circulation and provides a nearby connection between parking and mass transit.

Conclusion: The vacation of the public alley 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,



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

Report prepared by:

LAND DEVELOPMENT AND GIS DIVISION

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