

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

August 20, 2019

Honorable Members:

C. D. No. 10

SUBJECT:

VACATION APPROVAL - VAC- E1401353 - Council File No. 19-0138 Portion of Western Avenue (Easterly Side) & Portion of Oxford Avenue (Westerly Side) both Southerly of 8<sup>th</sup> Street

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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 “ A”:

A 7-foot wide and variable width portion of the easterly side of Western Avenue between 8th Street and approximately 75 feet southerly thereof; also, a 1.5-foot wide and variable width portion of the westerly side of Oxford Avenue between 8<sup>th</sup> Street and approximately 85 feet southerly thereof.

- B. That the Council find that the vacation is exempted 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 the Street Vacation Proceedings adopted by City Council on February 6, 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. Western Plaza Capital Holding, LLC  
Attn: Garrett D. Lee, manager  
439 S. Western Avenue, Suite 208  
Los Angeles, CA 90020
2. Hermitage Woodman  
6234 Woodman Avenue, Apt #101  
Van Nuys, CA 91401-2986
3. Fuscoe Engineering, Inc.  
Attn: Andrew Willrodt, PE  
600 Wilshire Boulevard, Suite 1470

Los Angeles, CA 90017

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 E1401353 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 Group prior to the preparation of the Resolution to Vacate.
3. That a suitable legal description describing the area(s) 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 areas to be vacated be submitted to the City Engineer.
5. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - a. Repair or replace any damaged/cracked and off-grade curb, gutter, and concrete sidewalk along Western Avenue, 8th Street, and Oxford Avenue.
  - b. Close any unused driveways with full height curb, gutter, and concrete sidewalk along Western Avenue and 8<sup>th</sup> Street.
  - c. Construct new access ramp at the southeasterly corner of the intersection of Western Avenue and 8<sup>th</sup> Street per latest BOE Standard Curb Ramp (Standard Plan S-442-5) in a manner satisfactory to the City Engineer.
  - d. Re-construct access the ramp at the southwest corner of the intersection of Oxford Avenue and 8<sup>th</sup> Street, per the latest BOE Standard Curb Ramp (Standard Plan S-442-5) in a manner satisfactory to the City Engineer.
6. That arrangements be made with all utility agencies, cable companies and franchises 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.

7. 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 the adjoining parcel of land, and its adjoining portion 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 areas, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
8. 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 January 10, 2019, from Western Plaza Capital Holding, LLC.

DISCUSSION:

Request: The petitioner, Western Plaza Capital Holding, LLC, owner of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public street areas shown colored blue. The purpose of the vacation request is future private property use.

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 February 20, 2019, under Council File No. 19-0138 adopted an Initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated to the south is zoned as C2-1 and R4-2. The properties to the south are developed with commercial, retail, and residential buildings.

Description of Areas to be Vacated: The areas sought to be vacated are a 7 foot wide and variable width portion of the easterly side of Western Avenue between 8th Street and approximately 75 feet southerly thereof as well as an 1.5 foot wide and variable width portion of the westerly side of Oxford Avenue between 8<sup>th</sup> Street and approximately 85 feet southerly thereof. Western Avenue is an Avenue II dedicated 93 feet wide with a 56-foot wide roadway, curbs, gutters and sidewalks. Oxford Avenue is a Collector Street dedicated 80 feet wide with a 50-foot wide roadway, curbs, gutters and sidewalks.

Adjoining Street: 8<sup>th</sup> Street is a Local Street dedicated 75 feet wide with a 51-foot wide roadway, curbs, gutters and sidewalks.

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 vacation of the the 7-foot wide and variable width portion of the easterly side of Western Avenue between 8th Street and approximately 75 feet southerly thereof as well as the 1.5-foot wide and variable width portion of the westerly side of Oxford Avenue between 8<sup>th</sup> Street and approximately 85 feet southerly thereof should not have any adverse effect on vehicular circulation or access since it is an excess right-of-way and currently improved as a parking area for the adjoining properties.

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 provide for the improvements as outlined in the conditions of this report.

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

Public Utilities: AT&T stated in its communication dated February 14, 2019 that AT&T does not maintains facilities in the area proposed to be vacated. The Southern California Gas Company stated in its communication dated February 15, 2019 that it does not maintain facilities within the proposed vacation area. The Southern California Edison stated in its communication dated February 22, 2019 that it does not maintain facilities within the proposed vacation area.

Tract Map: Since 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 the Bureau of Engineering to hold the adjoining parcel of land under one 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 (LADOT) stated in its communication dated May 16, 2019, 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 of the General Plan. In addition, provisions are made for lot consolidation, driveway and access

approval by DOT, and any additional dedication 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 they have no objection to the street vacation.

Department of City Planning: The Department of City Planning stated in its communication dated February 14, 2019, that the subject vacation is consistent with the Mobility Plan and the Wilshire Community Plan policies and objectives because it would facilitate a more efficient street network.

Conclusion: The vacation of the public street areas as shown colored blue on attached Exhibit "A" 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.

Respectfully submitted,



Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

Report prepared by:

LAND DEVELOPMENT AND GIS DIVISION

Spencer Yu  
Civil Engineer  
(213) 808-8618

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