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DEPARTMENT OF
PUBLIC WORKS

BUREAU OF
ENGINEERING

GARY LEE MOORE, P.E.
CITY ENGINEER

650 SOUTH SPRING ST., SUITE 200
LOS ANGELES, CA 90014-1911
213-847-8766

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OCT 21 2008

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

Council File No. 08-2518 -
Council District: 14 -
Contact Person: Don Sakamoto
Phone #(213) 977-6192.

Public Works Committee

Transmittal:

Transmitted herewith, is the City Engineer's report dated
OCT 21 2008 for Council review and approval of:

VACATION APPROVAL - VAC-E1401104 - Council File No. 08-2518 -
Alley Northerly of 12th Street between Birch Street and Hemlock
Street.

RECOMMENDATIONS:

1. Adopt the findings by the City Engineer 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 report dated OCT 21 2008 with the conditions contained therein.
3. Fiscal Impact Statement:

The petitioner has paid a fee of \$6,420.00 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 alley, 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 alley easement.

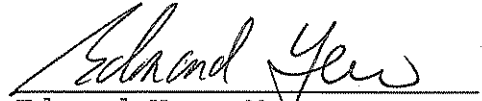
OCT 27 2008

PUBLIC WORKS



5. There were no objections to the vacation submitted for this project.

Attachment:


Edmond Yew, Manager
Land Development Group

EY/DS/gt
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Office of the City Engineer
Los Angeles, California

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

OCT 21 2008

Honorable Members:

C. D. No. 14

SUBJECT:

Vacation Approval - VAC-E1401104 - Council File No. 08-2518 -
Alley Northerly of 12th Street between Birch Street and Hemlock
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":

Alley Southeasterly of Hemlock Street from 12th Street to approximately 274 feet northeasterly thereof.
- B. That the vacation of the area shown colored orange on Exhibit "B", be denied.
- 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 alley, 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 alley 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 \$6,420.00 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. Buchalter Nemer
Attn: Eric Altoon
1000 Wilshire Boulevard, 15th Floor
Los Angeles, CA 90017-2457
2. BCI Coca-Cola Bottling Company of
Los Angeles
c/o Coca-Cola Enterprises Inc.
Attn: Matthew J. Fanoie
2500 Windy Ridge Parkway
Atlanta, GA 30339
3. Birch Hemlock, LLC
1620 S. Los Angeles Street, Suite B
Los Angeles, CA 90015
4. Martin R. Lopez & Francisca Montesdeoca
942 Hemlock Street
Los Angeles, CA 90021

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, and without proper time extension, shall be terminated, with no further Council action.

1. That any fee deficit under Work Order No. 1401104 be paid.
2. That title reports indicating the vestee of the underlying fee title interest in the area to be vacated be submitted to the City Engineer.
3. 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.
4. 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.
5. That the petitioner dedicate 2 feet as public street along the northeasterly side of 12th Street adjoining Lots 185 and 198, together with a 15-foot radius property line return or a 10-foot by 10-foot property line cut corner at the easterly corner of the intersection of 12th Street and Hemlock Street and at the northerly corner of the intersection of 12th Street and Birch Street.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a) Widen the northeasterly side of 12th Street to provide for a 22-foot wide half roadway together with new curb, gutter, a 10-foot wide concrete sidewalk and new access ramps for the handicapped at its intersections with Hemlock Street and Birch Street.
 - b) Construct new integral curb and gutter along the southeasterly side of Hemlock Street where no concrete gutter exists, otherwise repair or replace any broken/off-grade or missing curb, gutter and sidewalk.

- c) Repair or replace any broken/off-grade or missing curb, gutter and sidewalk along the northwesterly side of Birch Street together with widening the existing sidewalk to complete a 10-foot wide sidewalk.
 - d) Close all existing unused driveways with full height curb, gutter and sidewalk.
 - e) Close the alley intersection with 12th Street with standard street improvements including concrete curb, gutter and sidewalk.
7. That arrangements be made with the Department of Water and Power and AT&T 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 consents to the vacation be secured from the owners of Lots 179 through 182 and Lots 192 through 195 adjoining the area to be vacated.
 9. That upon the review of the title reports identifying the underlying fee title interest of the vacation area, agreements be recorded satisfactory to the Bureau of Engineering to hold each parcel of land under the same ownership and its adjoining portions 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.
 10. That street lighting facilities be installed as required by the Bureau of Street Lighting.
 11. That street trees be planted and tree wells be installed as may be required by the Street Tree Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated October 1, 2007 from Eric Altoon.

DISCUSSION:

Request: The petitioner, Eric Altoon of Buchalter Nemer, representing the owners of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public alley area shown colored blue and orange. The purpose of the vacation request is to extend the parking area and to provide for a loading dock for industrial warehouse use.

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 September 23, 2008, under Council File No. 08-2518 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the proposed area to be vacated to the northwest and to the southeast are zoned M2 and are developed for warehousing, manufacturing and for parking facilities.

Description of Area to be Vacated: The area sought to be vacated is the alley southeasterly of Hemlock Street from 12th Street to approximately 274 feet northeasterly thereof. The alley is dedicated 10 feet wide and is presently encroached upon with the applicant's facilities.

Adjoining Streets and Alley: 12th Street is an improved collector street dedicated 60 and 62 feet wide with a 20-foot half roadway width and a 10-foot wide concrete sidewalk. Hemlock Street is an improved local street dedicated 60 feet wide with a 20-foot wide half roadway and a 10-foot wide concrete sidewalk. Birch Street is also an improved local street dedicated 60 feet wide with a 20-foot wide half roadway and a 7-foot wide sidewalk on public right-of-way and 3-foot on private property. The adjacent 10-foot and 15-foot wide T-shaped alley lying northeasterly of the alley to be vacated had been vacated under Council File No. 82-1541.

Surrounding Properties: The owners adjoining the proposed area to be vacated have been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The proposed vacation of the alley northeasterly of 12th Street between Birch Street and Hemlock Street should have no adverse impacts on vehicular circulation since the alley is closed and encroached upon with warehouse buildings and equipment.

The alley is 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 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 provides for the dedications and improvements as outlined under Conditions.

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

Public Utilities: There does not appear to be any public facilities in the area to be vacated. The Department of Water and Power and AT&T, however, did not respond to the Bureau of Engineering's referral letter dated March 12, 2008.

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 agreements satisfactory to the Bureau of Engineering to hold each 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 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 did not respond to the Bureau of Engineering's referral letter dated March 12, 2008.

City Fire Department: The Fire Department states that the subject property has been investigated by their members and that they have no objections to this vacation request.

Department of City Planning: The Planning Department did not respond to the Bureau of Engineering's referral letter dated March 12, 2008.

Conclusion: The vacation of the public alley 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 area shown colored orange should not be vacated because it is needed for public street purposes.

Report prepared by:

LAND DEVELOPMENT GROUP

Don Sakamoto
Civil Engineering Associate III
(213) 977-6192

Respectfully submitted,


Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DS/qt
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APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY
ORIGINAL - (No copies or faxes)

DATE: October 1, 2007

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: ALLEY NORTH OF 12TH STREET
(Street/Avenue/Boulevard/alley/walk: N/S/E/W of)

and is located between:

BIRCH and HEMLOCK
(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. 14

(c) District Map No. 123 A 213 - 2910

(d) A CPA Redevelopment Area: OR
(YES) (NO)

(3) Area (in sq ft) of the proposed vacation area is approx. 2,739 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 \$15,430 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. Also, the processing time and costs will be considerably higher for those vacations requiring a Coastal Development Permit. The Applicant should anticipate making a supplemental fee deposit to cover additional costs after Engineering Recommendations have been made in order that the vacation process can advance for City Council action.
- 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 extend parking area on Lots owned by BCI Coca-Cola Company of Los Angeles and, with respect to the Lots owned by Birch Hemlock, LLC, Martin R. Lopez and Francisca Montesdeoca, for loading and unloading in connection with industrial warehouse use

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

() Revocable Permit (X) Tract Map () Parcel Map () Zone Change

() Other _____

PETITIONER / APPLICANT:

(6) Petitioner(s): Eric Altoon of BUCHALTER NEMER
Print Name(s) of Petitioner(s) in full - Name or Company Name

Signature(s): BUCHALTER NEMER
If Company, Name and Title

(7) Mailing Address: 1000 Wilshire Boulevard, 15th Floor, Los Angeles, CA 90017-2457
(Address, City, State, Zip Code)

(8) Daytime phone number of petitioner is: (213) 891-5733

FAX number: (213) 630-5849

E-Mail number: ealtoon@buchalter.com

(9) Petitioner is: (check appropriately) () owner **OR** (X) Representative of Owner

OWNERSHIPS:

(10) Name(s) and address of the Owner(s) applying for vacation is/are:

BCI Coca-Cola Bottling Company of Los Angeles, c/o Coca-Cola Enterprises Inc.,

2500 Windy Ridge Parkway, Atlanta, Georgia 30339

Matthew J. Fano Matthew J. Fano
Corporate Director
Real Estate and Facilities

Print Name(s) and Address of Owner(s) in Full _____ Signature(s)
(If Owner is Petitioner, indicate "Same as above")

(11) Petitioner is owner or representative of owner of: (check appropriately)

() The property described in attached copy of Grant Deed **OR**

(X) Lots 181 through 185, 196, 197 and 198
(Lot, Tract No.) (Parcel, Parcel Map L.A. No.) (Other)

