

BOARD OF PUBLIC WORKS
MEMBERS

CAPRI W. MADDOX
PRESIDENT

VALERIE LYNNE SHAW
VICE PRESIDENT

STEVEN T. NUTTER
PRESIDENT PRO TEMPORE

WARREN T. FURUTANI
COMMISSIONER

JERILYN LÓPEZ-MENDOZA
COMMISSIONER

ARLEEN P. TAYLOR
EXECUTIVE OFFICER

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
PUBLIC WORKS

BUREAU OF
ENGINEERING

GARY LEE MOORE, P.E.
CITY ENGINEER

1149 S. BROADWAY, SUITE 700
LOS ANGELES, CA 90015-2213

<http://eng.lacity.org>

JUN 11 2013

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

Council File No. 12-0013
Council District: 1
Contact Person: Dale Williams
Phone: (213) 202-3491

Public Works Committee

Transmittal:

Transmitted herewith, is the City Engineer's report dated JUN 11 2013 for Council review and approval of:

VACATION APPROVAL - VAC- E1401179 - Council File No. 12-0013 - Alley Northeasterly of Wilshire Boulevard from Carondelet Street to Coronado Street

RECOMMENDATIONS:

1. Adopt the findings of 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's report dated JUN 11 2013 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 no objections to the vacation submitted for this project.

Attachment:

A handwritten signature in black ink that reads "Edmond Yew". The signature is written in a cursive style with a horizontal line underneath the name.

Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DW/
H:\

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

JUN 11 2013

Honorable Members:

C. D. No. 1

SUBJECT:

VACATION APPROVAL - VAC- E1401179 - Council File No. 12-0013 - Alley
Northeasterly of Wilshire Boulevard from Carondelet Street to Coronado 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 "A":

The alley northeasterly of Wilshire Boulevard from Carondelet Street to Coronado Street.
- 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 Committee approval 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 \$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 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 Committee and the City Council meetings to consider this request be sent to:

1. Wilshire Coronado Development Corp.
ATTN: Gabriel Eshaghian
888 W 6th St., Ste 1050
Los Angeles CA 90017
2. 2501 Wilshire Associates, LTD
ATTN: Gerald Schneiderman
4652 Hollywood Bl.
Los Angeles CA 90027
3. Carondelet House, LLC
627 S. Carondelet St.
Los Angeles CA 90057
4. Perelene Chaplan Tr
2719 Wilshire Bl., Ste 250
Santa Monica CA 90403

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 E1401179 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 properties in a manner satisfactory to the City Engineer:
 - a) Widen the existing 35-foot wide roadway on the northeasterly side of Wilshire Boulevard to 40 feet with construction of additional pavement, new integral concrete curb and gutter and full-width sidewalk.
 - b) Close the alley intersections with Carondelet Street and with Coronado Street with the construction of full height curb and gutter or a standard driveway approach.
 - c) Repair and/or replace all broken, off-grade, or missing curb, gutter and sidewalk along Coronado Street adjoining the petitioner's properties.
6. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to AT &T and Southern California Gas Company, 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 all drainage matters be addressed to the satisfaction of the City Engineer.
8. That consents to the vacation be secured from the owners of Lot 7 and of Lot 8, Block 4 of the Wilshire Boulevard Tract, adjoining the area to be vacated.
9. That plot plans be submitted to the Fire Department for their review and approval.
10. That upon the reviews 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 one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of landlocked or substandard 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 installed as may be required by the Bureau of Street Lighting.
12. 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.
13. That a covenant and agreement be recorded by the owner to the satisfaction of the City Engineer that "Upon completion of the alley vacation process, said portion of the alley northerly of Wilshire Blvd. from Coronado Street approximately 120 feet east thereof, shall remain open for the public until such time as a building permit is issued for the construction of a mixed-use project on the properties directly to the north and south of said alley."

TRANSMITTAL:

Application dated June 13, 2011, from Gabriel Eshaghian on behalf of Wilshire Coronado Development Corporation.

DISCUSSION:

Request: The petitioner, Gabriel Eshaghian, representing the owner of the property 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 use the vacation area as an open space or setback area. The request originally included only the easterly 122 feet of the alley with the westerly portion to be merged under Tentative Tract 65301. The request was modified by letter from the petitioner dated April 3, 2012, to include the entire alley from Carondelet Street to Coronado Street.

This vacation procedure is being processed under procedures established by 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 January 10, 2012, under Council File No. 12-0013 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the north is zoned R4-2 and developed with a residential building. The property to the south is zoned C4-2 and developed with commercial buildings. The properties to the west on both the northeasterly and southwesterly side of the alley are zoned C4-2 and currently developed with a parking lot.

Description of Area to be Vacated: The area sought to be vacated is the alley northeasterly of Wilshire Boulevard from Carondelet Street to Coronado Street.

Adjoining Street and Alley: The alley northeasterly of Wilshire Boulevard is dedicated 12.5 feet wide and improved with asphalt pavement. Wilshire Boulevard is a Major Highway Class II, with a 60-foot half right-of-way and improved with a 35-foot wide half roadway and 25 foot wide sidewalk. Coronado Street is a Local Street dedicated 60 feet wide with a 40-foot wide roadway and 10-foot wide sidewalk. Carondelet Street is a Local Street dedicated 60 feet wide with a 40-foot wide roadway and 10-foot wide sidewalk.

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 northeasterly of Wilshire Boulevard should not have an adverse impact on circulation and access, provided the owners of properties adjacent to the easterly half of the alley granting consent to this vacation request.

At the time of application, the westerly portion of the alley was already approved to be merged under Tentative Tract 65301, approved by the City Planning Department on August 11, 2006. The vacation of the easterly portion of the alley would prevent the creation of a dead end alley that would otherwise result from the merger under Tentative Tract 65301. The vacation request was subsequently revised to include the entire alley from Carondelet Street to Coronado Street.

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 determination of the underlying fee interest of the vacation area has been made as to title or reversionary interest.

Dedications and Improvements: There are no dedications required. 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: Southern California Gas Company maintains facilities in the area proposed to be vacated. AT&T did not respond to the Bureau of Engineering's referral letters dated July 22, 2011 and April 13, 2012.

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 record agreements satisfactory to the Bureau of Engineering to hold each 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 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, in its communication dated May 18, 2012, stated that it does not oppose the vacation of the alley provided that all abutting property owners are in agreement with the proposed vacation, and that provisions are made for any necessary lot consolidation, driveway and access approval by DOT, and any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Standard Street Dimensions.

City Fire Department: The Fire Department, in its communication dated May 1, 2012, provided various recommendations for the development of the site and recommended that plot plans be submitted for Fire Department approval and review prior to recordation of Street Vacation.

Department of City Planning: The City Planning Commission, in its communication dated May 20, 2013, recommended that the vacation be approved by City Council, as recommended by the City Planning Department incorporating a recommended condition.

The City Planning Department supports the proposed alley vacation in order to allow the development of the proposed project at 2525 W. Wilshire Boulevard and 632 S Coronado Street provided that the following recommendation is complied with.

“Upon completion of the alley vacation process, said portion of the alley northerly of Wilshire Blvd. from Coronado Street approximately 120 feet east thereof, shall remain open for the public until such time as a building permit is issued for the construction of a mixed-use project on the properties directly to the north and south of said alley.”

The City Planning Department made the finding that that vacating the alley as proposed, prior to the construction of a building over the western half of the alley, would adversely impact transportation patterns and vehicular access and circulation in this vicinity, but that vacating the alley as recommended would not adversely affect transportation patterns and would greatly benefit the surrounding commercial and residential uses as it will enable redevelopment of currently underutilized surface parking lots into new residential and commercial uses.

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.

Report prepared by:

LAND DEVELOPMENT GROUP

Dale Williams
Civil Engineer
(213) 202-3491

Respectfully submitted,


Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DW /

Q:\LANDDEV\STREET VACATIONS\E1401179 - wilshire\E1401179Report.doc



INFORMATION ON THIS MAP IS
PRELIMINARY
 AND SUBJECT TO CHANGE

TITLE: ALLEY NELY/O WILSHIRE BOULEVARD FROM CARONDELET STREET
TO CORONADO STREET.

WORK ORDER NO. VAC- E1401179
 COUNCIL FILE NO. 12-0013
 COUNCIL DIST. 01 DIV. INDEX 99
 ENG. DIST. CENTRAL T.G. 634-B3
 DISTRICT MAP 133.5A201, 133.5A203



DEPT. OF PUBLIC WORKS
 BUREAU OF ENGINEERING
 CITY OF LOS ANGELES

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY

ORIGINAL - (No copies or faxes)

DATE: 6/13/11

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: Alley North of Wilshire
(Street/Avenue/Boulevard/Alley/Valley/Walkway/Plaza/Other/Wof)
and is located between:

Coronado St. and Carondelet St.
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)

(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. 1

(c) District Map No. 133.5-A-201

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

(3) Area (in sq. ft.) of the proposed vacation area is approx. 1,337 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 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.

• 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 complete full length of alley vacation between Coronado & Carondelet (to be used as open space or set back area).

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

Revocable Permit () Tract Map () Parcel Map () Zone Change
 Other In connection with Vesting Tentative Tract Map No. 65301 - Subdivision.

PETITIONER / APPLICANT:

(6) Petitioner(s): GABRIEL ESHAGHIAN / CLAUDE ESHAGHIAN
Print Name(s) of Petitioner(s) in full - Name or Company Name

Signature(s): WILSHIRE CORONADO
If Company, Name and Title

(7) Mailing Address: 388 W. SIXTH STREET, STE 1050
(Address, City, State, Zip Code) LOS ANGELES, CA 90014

(8) Daytime phone number of petitioner is: (213) 622-0105
FAX number: (213) 622-0095
E-mail number: gabriel@wilshirecoronado.com

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