

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 6, 2015

Honorable Members:

C. D. No. 1

SUBJECT:

VACATION APPROVAL - VAC- E1401106 - Council File No. 12-0412- Alley  
southerly of Olympic Boulevard between Albany Street and Blaine Street

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RECOMMENDATIONS:

- A. That street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted by a two-thirds vote of the entire Council for the vacation of the public right-of-way indicated below and shown colored blue on the attached Exhibit “ B”:  

The alley southerly of Olympic Boulevard between Albany Street and Blaine Street.
- B. That the vacation of the areas 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 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.
- E. 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.

- F. 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.
- G. 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.
- 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 and Gang Reduction Committee approval based on the Rule 16 motion adopted by City Council on April 29, 2015, 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 \$25,145.00 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. Ray Golbari  
1300 W. Olympic Boulevard, #500  
Los Angeles, CA 90015
2. General Commercial Properties, LLC  
1300 W. Olympic Boulevard, #500  
Los Angeles, CA 90015
3. Jasmine Capital Investments, LLC  
1300 W. Olympic Boulevard, #500  
Los Angeles, CA 90015

4. Zarin-afsar & Associate, Inc.  
Attn: Bahram Zarin-afsar  
Lake Shore Tower  
18101 Von Karman Avenue, Suite 300  
Irvine, CA 92612
5. City of Los Angeles  
Department of City Planning  
ATTN: Patricia Diefenderfer AICP  
Policy Planning Division  
200 N Spring St., Rm 667  
Los Angeles CA 90012

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 No. E1401106 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 of the Bureau of Engineering prior to 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 the preparation of the Resolution to Vacate.
4. That title reports indicating the vestee of the underlying fee title interest in the area to be vacated be submitted to the City Engineer.
5. That the petitioner dedicate 16.25 feet along the southeasterly side of Albany Street adjoining Lot 9, Dunkelberger Tract, in a manner satisfactory to the City Engineer.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - a) Repair or replace any broken or off-grade concrete curb, gutter and sidewalk.

- b) Close the alley intersections at Albany and at Blaine Street with standard street improvements including curb, gutter and sidewalk, or standard driveway apron.
  - c) That the petitioner collect or divert any surface flows from impounding within the area to be vacated.
7. That arrangements be made with the Department of Water and Power, AT&T and the Southern California Gas Company and Time Warner 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 upon the review of the title reports identifying the underlying fee title interest of the vacation area, an agreements be recorded satisfactory to the Bureau of Engineering to hold each 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.
  9. That street lighting facilities be installed as required by the Bureau of Street Lighting together with the formation and/or annexation of the development into an appropriate Street Light Maintenance Assessment District.
  10. That street trees be planted and tree well be installed as may be required by the Street Tree Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated November 05, 2014, from General Commercial Properties, LLC.

DISCUSSION:

Request: The petitioner, General Commercial Properties, LLC., representing the owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street area shown colored blue and orange. The purpose of the vacation request is to consolidate the proposed vacation area with the adjoining properties for safety and security reasons.

This vacation 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 June 3, 2008, under Council File No.08-1360 adopted a Rule 16 Motion initiating street vacation proceedings. The City Council on August 8, 2012, under Council File No.12-0412, conditionally adopted the City Engineering report dated January 28, 2009. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. The Council on April 29, 2015, under Council File No. 12-0412 adopted a new Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the proposed area to be vacated to the northeast are zoned [Q]C2-1-0 and are developed with commercial businesses. The properties adjoining the proposed area to be vacated to the southwest and fronting along Blaine Street are also zoned [Q]C2-1-0 and are developed for parking. The properties adjoining the proposed area to be vacated to the southwest and fronting along Albany Street are zoned R3-1-0 and are developed for multiple residential housing and parking.

Description of Area to be Vacated: The area sought to be vacated is alley southerly of Olympic Boulevard between Albany Street and Blaine Street. The alley is dedicated 12 feet wide and is improved.

Adjoining Streets: Olympic Boulevard is a major highway class II dedicated 100 feet wide with a 35-foot wide half roadway and a 15-foot wide concrete sidewalk. Blaine Street is a secondary highway dedicated 60 feet wide with a 20-foot wide half roadway and a 10-foot wide concrete sidewalk. Albany Street is a secondary highway dedication 57.5 feet wide with a 18.75-foot wide half roadway and a 10-foot wide parkway (5-foot wide sidewalk and a 5-foot wide grass area).

Effects of Vacation on Circulation and Access: The proposed vacation of the alley southerly of Olympic Boulevard between Albany Street and Blaine Street should have no effect on access rights or circulation.

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: It will be necessary that the petitioner provide for the dedication and improvements as outlined in the conditions of the report. On August 8, 2012 under Council File No.12-0412, the City Council deleted the requirement to widen the southeasterly side of Olympic Boulevard.

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

Public Utilities: Southern California Gas Company, AT&T, the Department of Water and Power and Time Warner Cable maintain facilities in the area proposed to be vacated.

Tract Map: Since the required dedication can be acquired by separate instrument 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 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 in its communication dated April 3, 2015, stated that it appears that the alley provides access to parking for the uses that front the western segment of the alley and may provide loading for the uses that front Olympic. Therefore DOT recommends that the alley only be vacated if all affected property owners are in agreement with the proposed vacation.

City Fire Department: The Fire Department stated in its memo dated February 11, 2015 that they have reviewed the document and has no objection to this alley vacation.

Department of City Planning: The Department of City Planning in its memo dated May 6, 2015, recommended that the alley be maintained as an essential component of the vehicular and pedestrian circulation network; further stated that the alley is important for vehicular ingress and egress of abutting development, off-street loading/unloading, and for pedestrian and bicycle circulation; and requested that the vacation be denied on the basis of inconsistency with the Westlake Community Plan.

The City Planning Department stated that:

“ Currently the ally can be used for the movement of both people and goods. The alley provides space for off-street loading/unloading. It contributes to the pedestrian and bicycle circulation network by providing increased pedestrian and bicycle passageways. Pedestrian and bicycle circulation is critical in this area, given that Olympic Boulevard is a high frequency major transportation corridor with Metro Bus Rapid Transit (BRT) service. The alley also provides vehicular access to developments on the block, minimizing the need for curb cuts on Olympic Blvd. and consequently improving both the pedestrian orientation of the street and facilitating the flow of vehicles on this major arterial.

Applicable land use policies from the Westlake Community Plan are set forth below:

Circulation Objective 1 - To maximize the effectiveness of public transportation to meet the travel needs of transit dependent residents.

Circulation Objective 2 - To provide for a circulation system with land uses and densities in order to accommodate the movement of people and goods.

Circulation Objective 3 - To encourage alternate modes of travel and provide an integrated transportation system that is coordinated with land uses and which can accommodate the total travel needs of the community.

Circulation Objective 4 - That public transportation, including rapid transportation be accessible to transit dependent residents.”

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 non-motorized transportation purposes.

The areas shown colored orange should not be vacated because they are needed for public street purposes.

Report prepared by:

Respectfully submitted,

LAND DEVELOPMENT GROUP



Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

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