

ACCELERATED REVIEW PROCESS – G

Office of the City Engineer

Los Angeles, California

To the Honorable Council

Of the City of Los Angeles

Honorable Members:

DEC 12 2013

C. D. No. 1

SUBJECT:

Alley Southeasterly of Westlake Avenue from approximately 230 feet Northeasterly of Wilshire Boulevard – Resolution to Vacate – VAC-E1401200 – Council File No. 13-0107

RECOMMENDATIONS:

- A. That the City Council reaffirm its findings of April 5, 2013, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the City Charter.
- B. That the Resolution to Vacate No. 13-1401200 for this vacation be adopted.
- C. That following Council adoption, Resolution to Vacate No. 13-1401200, be transmitted to the Land Development Group of the Bureau of Engineering for recordation of the Resolution with the County Recorder.

TRANSMITTALS:

- 1. Council action of April 5, 2013.
- 2. City Engineer's report dated February 25, 2013.
- 3. Draft of Resolution to Vacate No. 13-1401200.

DISCUSSION:

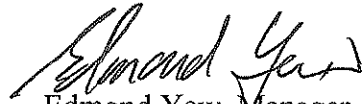
Resolution to Vacate: At the meeting of the City Council on May 15, 2013, no protests were filed against this vacation. All conditions of the Council's action of April 5, 2013, under Council File No. 13-0107 have been fulfilled. The Resolution to Vacate is being presented pursuant to Council instructions of April 5, 2013.

Resolution to Vacate No. 13-1401200 has been approved as to form and legality by the City Attorney.

Environmental Considerations: The City Council, on April 5, 2013, found that this project is exempt from the California Environmental Quality Act of 1970 pursuant to the categorical exemptions included in the City's Environmental Guidelines under Article III, Class 5(3).

Los Angeles City Charter: The Council's action of April 5, 2013 complies with the requirements of Section 556 of the City Charter.

Respectfully submitted,



Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

EY/DW/pm  
E1401200resrpt

RESOLUTION TO VACATE NO. 13-1401200  
(California Streets and Highways  
Code Sections 8324 and 8325)

Vacation a portion of the alley southeasterly of Westlake Avenue from approximately 230 feet northeasterly of Wilshire Boulevard to approximately 422 feet northeasterly thereof.

On May 15, 2013, the City Council considered the evidence submitted regarding said vacation and determined that said alley should be vacated subject to the conditions of vacation having been complied with, (CF 13-0107). All conditions of the Council's action have been fulfilled. No public easements are being reserved from this vacation.

Therefore, from all of the evidence submitted, the Council finds that a portion of the alley southeasterly of Westlake Avenue from approximately 230 feet northeasterly of Wilshire Boulevard to approximately 422 feet northeasterly thereof proposed for vacation is unnecessary for present or prospective public alley purposes; and

The particular portion of the public alley which is to be vacated is described herein attached Exhibit "A".

The City Clerk shall certify this Resolution and affix the City seal, and shall transmit a sealed copy of this Resolution to the Land Development Group of the Bureau of Engineering for recordation in the office of the County Recorder of Los Angeles County.

IT IS THEREFORE RESOLVED that from and after the recordation of this Resolution, the area described hereinabove is vacated.

I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting of \_\_\_\_\_ by a majority vote of all its members.

Approved as to form and legality  
Michael N. Feuer, City Attorney

By  12-6-13  
Deputy Date

HOLLY L. WOLCOTT, Interim City Clerk

By \_\_\_\_\_  
Deputy

Council File No. 13-0107  
R/W No. 33809

October 31, 2012

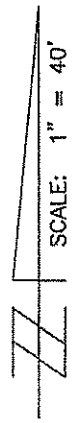
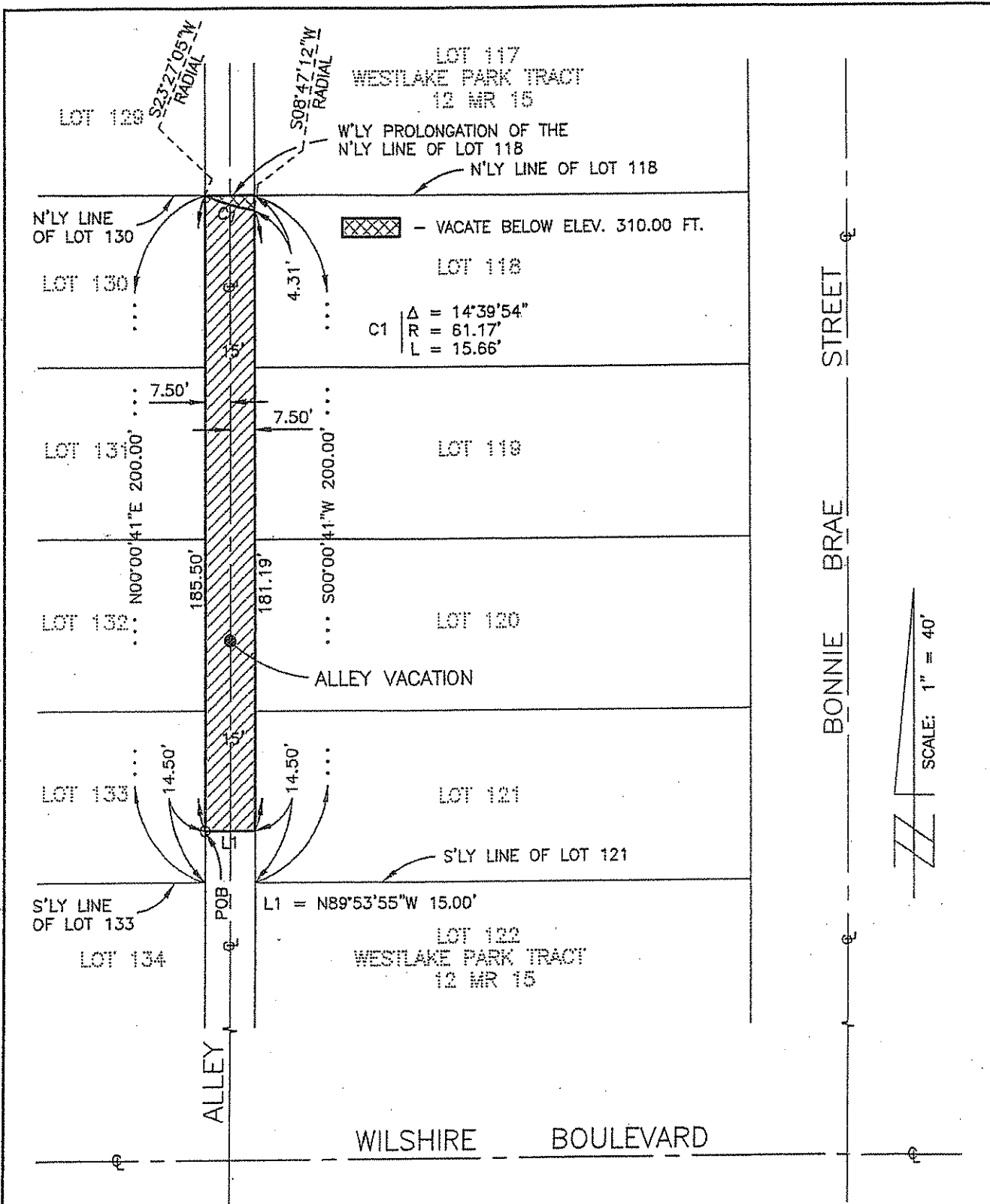
**EXHIBIT "A"**  
**ALLEY VACATION**

THAT PORTION OF THAT CERTAIN 15.00 FOOT WIDE ALLEY LYING WITHIN THE WESTLAKE PARK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 12, PAGE 15 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF SAID ALLEY AND THE EAST LINE OF LOT 133 OF SAID WESTLAKE PARK TRACT, DISTANT THEREON NORTH 0° 00' 41" EAST, 14.50 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 133; THENCE CONTINUING NORTH 0° 00' 41" EAST ALONG THE WEST LINE OF SAID ALLEY, AND EAST LINE OF LOTS 133, 132, 131, AND 130, A DISTANCE OF 185.50 FEET TO THE NORTHEAST CORNER OF SAID LOT 130, SAID CORNER BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 61.17 FEET, A RADIAL LINE TO SAID CORNER BEARS SOUTH 23° 27' 05" WEST; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14° 39' 54", AN ARC LENGTH OF 15.66 FEET TO A POINT IN THE EAST LINE OF SAID ALLEY, AND WEST LINE OF LOT 118 OF SAID WESTLAKE PARK TRACT, DISTANT THEREON SOUTH 0° 00' 41" WEST, 4.31 FEET FROM THE NORTHWEST CORNER OF SAID LOT 118, A RADIAL LINE TO SAID POINT BEARS SOUTH 8° 47' 12" WEST; THENCE CONTINUING SOUTH 0° 00' 41" WEST ALONG THE EAST LINE OF SAID ALLEY, AND WEST LINE OF LOTS 118, 119, 120 AND 121, A DISTANCE OF 181.19 FEET TO A POINT, DISTANT THEREON NORTH 0° 00' 41" WEST, 14.50 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 121; THENCE NORTH 89° 53' 55" WEST, 15.00 FEET TO THE POINT OF BEGINNING, TOGETHER WITH THAT PORTION OF SAID ALLEY LYING NORTHERLY OF THE HEREINABOVE DESCRIBED CURVE HAVING A RADIUS OF 61.17 FEET AND SOUTHERLY OF THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID LOT 118 BELOW ELEVATION 310.00 FEET AS REFERENCED TO CITY OF LOS ANGELES BENCH MARK NO. 12-15610, ELEVATION 282.148 FEET, 1985 ADJUSTMENT, NATIONAL GEODETIC VERTICAL DATUM OF 1929.



# EXHIBIT "A"



SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

PREPARED BY:  
**PALLER-ROBERTS ENGINEERING, INC.**  
 CONSULTING CIVIL ENGINEERS  
 5701 SLAUSON AVENUE, SUITE 208  
 CULVER CITY, CALIFORNIA 90230 PHONE (310) 641-1853

**ALLEY VACATION**  
 L.A. OPEN DOOR CHURCH  
 LOS ANGELES, CALIFORNIA

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

JUNE LAGMAY  
City Clerk

HOLLY L. WOLCOTT  
Executive Officer

When making inquiries relative to  
this matter, please refer to the  
Council File No.

Office of the  
CITY CLERK

Council and Public Services  
Room 395, City Hall  
Los Angeles, CA 90012  
General Information - (213) 978-1133  
Fax: (213) 978-1040

SHANNON HOPPES  
Council and Public Services  
Division

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

April 9, 2013

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 13-0107,  
at its meeting held April 5, 2013, to set a Public Hearing Date of May 15, 2013.

City Clerk  
io

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COMMUNICATION

F 415  
File No. 13-0107

TO: LOS ANGELES CITY COUNCIL  
FROM: COUNCILMEMBER JOE BUSCAINO, CHAIR  
PUBLIC WORKS COMMITTEE

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to vacating an alley southeasterly of Westlake Avenue from approximately 230 feet northeasterly of Wilshire Boulevard (VAC E1401200).

Recommendations for Council action:

1. FIND that the vacation of an alley, southeasterly of Westlake Avenue from approximately 230 feet northeasterly of Wilshire Boulevard, 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 FINDINGS of the City Engineer dated February 25, 2013, as the Findings of the Council.
3. FIND that the 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 Exhibit B of the February 25, 2013 City Engineer report attached to the Council File:

A portion of the alley southeasterly of Westlake Avenue from approximately 230 feet northeasterly of Wilshire Boulevard to approximately 422 feet northeasterly thereof.

4. ADOPT the accompanying City Engineer report dated February 25, 2013 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **MAY 15, 2013**.

Fiscal Impact Statement: The City Engineer reports that 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.

Community Impact Statement: None submitted.

SUMMARY

At a regular meeting held on March 27, 2013, the Chair of the Public Works Committee considered the recommendations of the City Engineer as contained in its February 25, 2013 report. The City Engineer reports that the area sought to be vacated is an alley southeasterly of Westlake Avenue from approximately 230 feet northeasterly of Wilshire Boulevard (a map of the area is included as Exhibit B in the February 25, 2013 City Engineer report and is attached to the Council File). The purpose of the vacation request is to accommodate for a church building currently built over the alley. This vacation procedure is being processed under procedures established by Council on March 5, 2002 as detailed in Council File No. 01-1459.



After having provided an opportunity for public comment, the Committee Chair moved to recommend approval of the recommendations as contained in said City Engineer report and detailed above in Recommendation Nos. 1-5. This matter is now submitted to Council for its consideration.

Respectfully submitted,



COUNCILMEMBER JOE BUSCAINO, CHAIR  
PUBLIC WORKS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
BUSCAINO:	YES
KREKORIAN:	ABSENT
GARCETTI:	ABSENT

ME  
CD 1  
13-0107\_rpt\_pw\_3-27-13

-Not Official Until Council Acts-

**ADOPTED**

APR 05 2013

LOS ANGELES CITY COUNCIL

SET FOR HEARING May 15, 2013

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

FEB 25 2013

Of the City of Los Angeles

Honorable Members:

C. D. No. 1

SUBJECT:

VACATION APPROVAL - VAC- E1401200 - Council File No. 13-0107 Alley  
Southeasterly of Westlake Avenue from approximately 230 feet Northeasterly of  
Wilshire Boulevard.

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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 " B ":
- A portion of the alley southeasterly of Westlake Avenue from approximately 230 feet northeasterly of Wilshire Boulevard to approximately 422 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 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 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 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. Wald Realty Advisors, Inc. ( For ECCU)  
Attn: David Wald, President  
775 Wildomar Street  
Pacific Palisades, CA 90272
2. Evangelical Christian Credit Union  
P.O. Box 2400  
Brea, CA 92821
3. Paller-Roberts Engineering  
Attn: Phillip Roberts  
5701 Slauson Avenue, Ste 208  
Culver City, CA 90230
4. David Shenky  
100 S. Doheny Dr. 1020  
Los Angeles, CA 90048

5. Hae J Park  
2889 Plaza Del Arno, Unit 216  
Torrance, CA 90503
6. 608 S. Westlake Ave, LLC  
665 3rd St., Suite 450  
San Francisco, CA 94107
7. Ronald P Beard  
15 Corporate Plaza Dr., Suite 240  
Newport Beach, CA 92660
8. L.A. Co. Medical Association  
707 Wilshire Blvd., Suite 3800  
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 E1401200 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 dedications be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - a. Dedicate sufficient right-of-way for a standard hammerhead turning area at approximately the northeasterly corner of Lot 135.

- b. Dedicate 15 feet and variable width as public alley along Lot 117, Arb 2 and along Lot 118 to provide a replacement alley for ingress and egress to the existing alley.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - a. Construct 15-foot wide and variable width alley along the newly dedicated area, including a 2-foot longitudinal concrete gutter and alley intersection at Bonnie Brae Street, together with a 10 feet radius curb returns and suitable transitions to join the existing alley improvements.
  - b. Construct a 10-foot wide concrete sidewalk and repair and/or replace any broken or offgrade concrete curb, gutter, and asphalt concrete pavement along Westlake Avenue.
  - c. Construct concrete curb, gutter and a 10-foot wide concrete sidewalk along Bonnie Brae Street.
  - d. Repair and/or replace broken or offgrade concrete alley and alley intersection at Wilshire Boulevard.
  - e. Construct an alley turnaround area in the vicinity of Lot 135, Westlake Park Tract.
  - f. That the petitioner collect or divert any surface flows from impounding within the area to be vacated.
7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the 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.
8. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer facilities located within the area to be vacated, unless easements are reserved from the vacation for its protection.
9. That an agreement 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 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 plot plans be submitted to the Fire Department for their review and approval

prior to recordation of Street Vacation.

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 satisfactory to the City Engineer binding the owner and all successors to the following:
  - a. That the owner shall be required to maintain all elements of the structure below the limited alley right-of-way of the alley southeasterly of Westlake Avenue in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure and adjacent to the limited alley right-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
  - b. That the owner shall be required to limit use and occupancy the structures below the limited alley right-of-way of the alley southeasterly of Westlake Avenue for parking only. No combustible material shall be stored below the limited right-of-way, nor shall any other use or occupancy be allowed except as approved in writing by the Department of Public Works and the Department of Building and Safety.
  - c. That the owner shall obtain a B-Permit from the City Engineer for any substantial structural modification below the limited alley right-of-way of the alley southeasterly of Westlake Avenue and for any structural modification of any structural element outside said areas which provides lateral or vertical support to structures within the areas.
14. That the owner execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the structures underneath the limited right-of-way of the alley southeasterly of Westlake Avenue in connection with the use and maintenance operations within said alley easement.

TRANSMITTAL:

Application dated April 2, 2012, from David Wald of Wald Realty Advisors, Inc.

DISCUSSION:

Request: The petitioner, David Wald of Wald Realty Advisors, Inc., representing the owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public alley area shown colored. The purpose of the vacation request is to accommodate for a church building currently built over the alley.

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 October 5, 2004, under Council File No. 03-0930 conditionally adopted the City Engineer's report dated August 12, 2004. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On April 2, 2012, a petitioner submitted a new application. The Council on February 1, 2013 under Council File No. 13-0107, adopted a new Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to both the northwest and the northeast are zoned C1-2 and are presently parts of the LA Open Door Presbyterian Church. The properties adjoining the area to be vacated to the southwest are zoned C4-2 and are also parts of LA Open Door Presbyterian Church.

Description of Area to be Vacated: The area sought to be vacated is the public alley southeasterly of Westlake Avenue from approximately 215 feet northeasterly of Wilshire Boulevard to approximately 422 feet northeasterly thereof. The subject area is the LA Open Door Presbyterian Church.

Adjoining Streets and Alleys: Wilshire Boulevard is a Major Highway Class II dedicated 90 feet and variable width, with a 56-foot roadway with curbs, gutters and sidewalks on both side of the street. Both Westlake Avenue and Bonnie Brae Street are Local Streets dedicated 60 feet wide with 40-foot wide roadways, curbs, gutters and sidewalks on both side of the street. The alley southeasterly of Westlake Avenue between 6<sup>th</sup> Street and Wilshire Boulevard is dedicated 15 feet wide and improved with concrete pavement.

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 portion alley should have minimal affect on the vehicular circulation and access since a replacement alley is to

be dedicated and constructed to the north and a standard turn-around to be constructed to the south of the vacation 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 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 dedications and improvements as outlined in the conditions of this report.

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

Public Utilities: The Southern California Gas Company did not respond to the Bureau of Engineering's referral letter dated April 26, 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 an agreement satisfactory to the Bureau of Engineering to hold the adjoining parcel of land under the 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 did not respond to the Bureau of Engineering's referral letter dated April 26, 2012.

City Fire Department: The Fire Department in its letter dated May 21, 2012 stated that they have no objection to this street vacation and recommend that plot plans be submitted for their review and approval prior to recordation of Street Vacation.

Department of City Planning: The City Planning Commission in its letter dated July 9, 2012, found the vacation to be substantial conformance with the purposes, intent, and provisions of the City's General Plan and Westlake Community Plan, an element of the General Plan, and therefore recommended it be approved by the City Council.

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

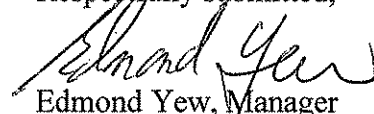
Report prepared by:

LAND DEVELOPMENT GROUP

Xing Ren  
(213) 202-3491

EY/DW /  
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report.doc

Respectfully submitted,



Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering



**TITLE:** ALLEY SOUTHEASTERLY OF WESTLAKE AVENUE FROM APPROX. 230 FEET NORTHEASTERLY OF WILSHIRE BOULEVARD

WORK ORDER NO. VAC- E1401200  
 COUNCIL FILE NO. 13-0107  
 COUNCIL DIST. 1 DIV. INDEX 98  
 ENG. DIST. CENTRAL T.G. 634-C3  
 DISTRICT MAP 132 A 205



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

**EXHIBIT B**

Legend: Vacation boundary as shown   
 Subsurface Vacation boundary as shown 