

ACCELERATED REVIEW PROCESS – G

Office of the City Engineer

Los Angeles, California

To the Honorable Council

Of the City of Los Angeles

AUG 29 2014

Honorable Members:

C. D. No. 14

SUBJECT:

Alley Northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway – Resolution to Vacate – VAC-E1400900 – Council File No. 13-0495

RECOMMENDATIONS:

- A. That the City Council reaffirm its findings of August 20, 2013, that this project is exempt from the California Environmental Quality Act of 1970, pursuant to the categorical exemptions in the City's Environmental Guidelines under Article III, Class 5(3).
- B. That the City Council reaffirm its findings of August 20, 2013, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the City Charter.
- C. That the Resolution to Vacate No. 14-1400900 for this vacation be adopted.
- D. That following Council adoption, Resolution to Vacate No. 14-1400900, 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 August 20, 2013.
- 2. City Engineer's report dated April 24, 2013.
- 3. Draft of Resolution to Vacate No. 14-1400900.

DISCUSSION:

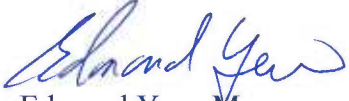
Resolution to Vacate: At the meeting of the City Council on September 24, 2013, no protests were filed against this vacation. All conditions of the Council's action of August 20, 2013, under Council File No. 13-0495 have been fulfilled. The Resolution to Vacate is being presented pursuant to Council instructions of August 20, 2013.

Resolution to Vacate No. 14-1400900 has been approved as to form and legality by the City Attorney.

Environmental Considerations: The City Council, on August 20, 2013, found that this project is exempt from the California 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 August 20, 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
E1400900resrpt

RESOLUTION TO VACATE NO. 14-1400900
(California Streets and Highways
Code Sections 8324 and 8325)

Vacation of the alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway.

On September 24, 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 13-0495). 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 the alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway 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 Exhibits "A" and "B".

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  Deputy 6/26/14 Date

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

Council File No. 13-0495
R/W No. 33845

EXHIBIT "B"

VACATION OF ALLEY BEING A PORTION OF LOT 16 OF THE MITCHELL BLOCK AND 14.70 FEET WIDE STRIP OF LAND NOTED AS "ALLEY" AS SHOWN ON SAID MAP RECORDED IN BOOK 66 , PAGE 79 OF MISCELLANEOUS RECORDS, OFFICIAL RECORDS OF THE COUNTY RECORDER OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

THE LAND DESCRIBED BELOW IS IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF LOT 5, OF THE MITCHELL BLOCK , RECORDED IN BOOK 66 , PAGE 79 MISCELLANEOUS RECORDS, OFFICIAL RECORDS OF THE COUNTY RECORDER OF SAID COUNTY; AND SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 62°29'35" WEST 105.10 FEET ALONTH NORTHEASTERLY LINE OF LOTS 1 THRU 5 OF SAID BLOCK TO A POINT; SAID POINT BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE STREET; THENCE NORTH 28°13'02"EAST 14.70 FEET TO A POINT; SAID POINT BEING ON THE THE SOUTHWESTERLY LINE OF LOT 16, OF SAID BLOCK ; AND SAID POINT BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE STREET; THENCE SOUTH 62°29'35"EAST 49.38 FEET ALONG THE SOUTHWESTERLY LINE OF LOT 16 OF SAID BLOCK TO A POINT; SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 20.00 FEET AND A DELTA ANGLE OF 90°00'00" THENCE COUNTERCLOCKWISE AN ARC LENGTH OF 31.42 FEET TO A POINT; SAID POINT BEING THE END OF CURVE; THENCE NORTH 27°30'25" EAST 5.00 FEET TO A POINT; THENCE SOUTH 62°29'35" EAST 17.42 FEET TO A POINT; SAID POINT BEING ALONG THE THE CALTRAN RIGHT OF WAY LINE PER. CALTRANS RIGHT OF MAP F.M.20201; SAID POINT BEING SOUTH 6°54'35" EAST 6.06 FEET FROM THE NORTHEASTERLY LINE OF LOT 16 OF SAID BLOCK; THENCE SOUTH 6°54'35" EAST 30.33 FEET ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF CALTRANS TO A POINT; THENCE SOUTH 9°51'18"WEST 15.40 FEET ALONG THE CALTRANS RIGHT OF WAY LINE TO A POINT; SAID POINT BEING ON THE NORTHEASTERLY LINE OF LOT 5 OF SAID BLOCK; THENCE SOUTH 62°29'35"EAST 3.63 FEET TO A POINT; SAID POINT BEING AT THE POINT OF BEGINNING...

AREA = 2,310.1 S.F.



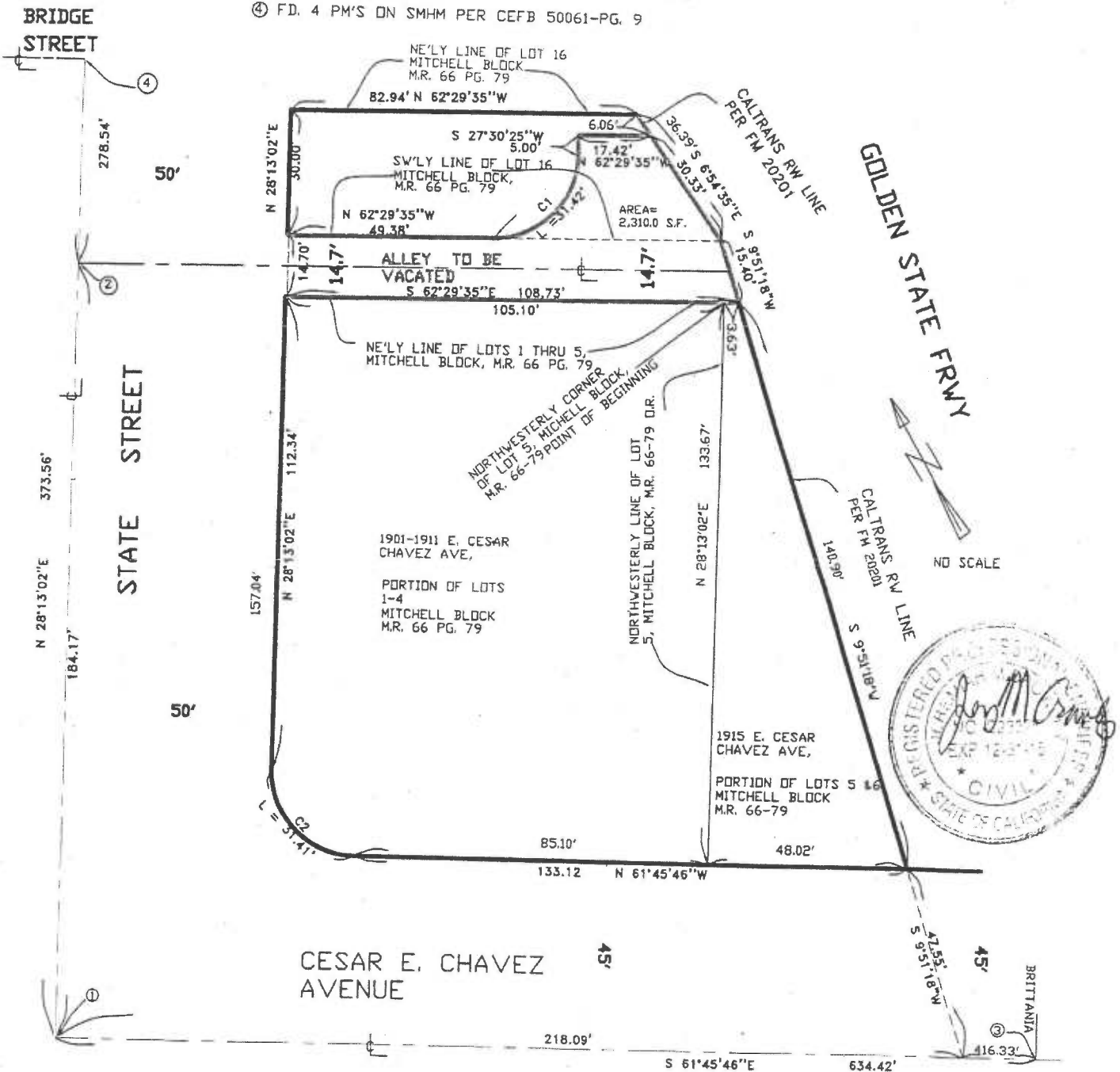
EXHIBIT "A"

VACATION OF ALLEY BEING A PORTION OF LOT 16 OF THE MITCHELL BLOCK AND 14.70 FEET WIDE STRIP OF LAND NOTED AS "ALLEY" AS SHOWN ON SAID MAP RECORDED IN BOOK 66, PAGE 79 OF MISCELLANEOUS RECORDS, OFFICIAL RECORDS OF THE COUNTY RECORDER OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Curve	Delta Angle	Radius	Arc	Tangent
1	90°00'00"	20.00	31.42	20.00
2	89°58'33"	20.00	31.41	19.99

NOTES:

- ① FD. S & W. PER CEFB 129-221 PG. 123
- ② FD. SPIKE AT C.L. ALLEY INTERSECT PER CEFB 50082-16
- ③ FD. 4 PM'S ON SMHM PER CEFB 129-221 PG. 141
- ④ FD. 4 PM'S ON SMHM PER CEFB 50061-PG. 9



Office of the City Engineer
Los Angeles, California

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

APR 24 2013

Honorable Members:

C. D. No. 14

SUBJECT:

Vacation Approval - VAC-E1400900 - Council File No. 04-0613 -
Alley Northeastly of Cesar E. Chavez Avenue between State
Street and the Golden State Freeway.

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 northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway.
- 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 necessary 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 \$10,700.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover any 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. Cordova Associates Inc./Cordova Development Corporation
Attention: Robert B. Cordova
1039 E. Badillo Street
Covina, CA 91724
2. Silva Exchange Corporation
599 S. Barranca Avenue, #216
Covina, CA 91723

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. E1400900 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 preparation of the Resolution to Vacate.
4. That title reports showing the vestee of the underlying fee title interest in the area to be vacated be submitted to the City Engineer.
5. Dedicate 5 feet as a public street along State Street adjoining the petitioner's property together with a 20-foot radius property line return at the intersection with Cesar E. Chavez Avenue.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

State Street

- a) Construct a full-width concrete sidewalk and repair/replace any broken/off-grade curb and gutter.
- b) Close the alley intersection with standard street improvements including curb, gutter and sidewalk.

Cesar E. Chavez Avenue

- a) Repair or replace any broken/off-grade/missing curb, gutter and sidewalk.
 - b) Close all unused driveways with standard street improvements including curb, gutter and sidewalk.
7. That consent to the vacation be secured from the owner of Lot 3 of the Mitchell Block adjoining the area to be vacated.

8. That any drainage discharge from the adjoining properties through this alley be diverted in a manner satisfactory to the City Engineer.
9. That upon the reviews of the title report 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 plot plans be submitted to the Fire Department for their review and approval.
11. That street lighting facilities be installed as required by the Bureau of Street Lighting.
12. That street trees be planted and tree well covers to be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated October 1, 2012, from Robert B. Cordova of Cordova Development Corporation.

DISCUSSION:

Request: The petitioner, Robert B. Cordova, representing Cordova Associates, Inc., owner 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 consolidate the vacated alley with the adjoining properties to construct a medical office building.

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 March 26, 2013, under Council File No. 04-0613 adopted a Rule 16 Motion initiating street vacation proceedings. The City Council on January 18, 2006 and again on November 4, 2008, under Council File No. 04-0613 conditionally approved this alley vacation. In both instances the approval expired prior to completion of the conditions.

Zoning and Land Use: The properties adjoining the proposed area to be vacated to the northeast and southwest are zoned C2-1 and are presently undeveloped.

Description of Area to be Vacated: The area sought to be vacated is the alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State (I-5) Freeway. The alley is a 14.7 foot and variable width, unimproved alley that terminates southeasterly at the (I-5) Golden State Freeway.

Adjoining Streets: State Street is an improved secondary highway dedicated 80 and 86 feet wide. Cesar E. Chavez Avenue is also a secondary highway. Its dedication width varies from 88 to 90 feet.

Effects of Vacation on Circulation and Access: The proposed vacation of the alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State (I-5) Freeway should have no adverse effect on circulation or access since the alley terminates at the freeway and only provides access to several vacant parcels fronting along Cesar E. Chavez Avenue and State Street.

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 provide for dedications and improvements as outlined under the conditions of this report. State Street is a secondary highway which would require an additional 5 feet dedication and a 35-foot wide half roadway, however, Council action under Council File No. 04-0613 on September 23, 2008 and on November 4, 2008 deleted requirements for widening and dedication.

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

Public Utilities: AT&T and Southern California Gas Company did not respond to the Bureau of Engineering's referral letter dated March 25, 2004.

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 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 October 31, 2012.

City Fire Department: The Fire Department in its letter dated November 30, 2012 recommends that plot plans be submitted for Fire Department review and approval prior to recordation of street vacation.

State Department of Transportation: Caltrans - State of California did not respond to the Bureau of Engineering's referral letter dated October 31, 2012.

Department of City Planning: The Planning Department did not respond to the Bureau of Engineering's referral letter dated October 31, 2012.

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 as shown colored orange should not be vacated because it is needed for public street purposes.

Respectfully submitted,



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DS/qt
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