

MOTION

On June 10, 2014, the City Council approved VAC-E1401217 (CF: 14-0076.) In order to effectuate modifications to the conditions of the subject alley vacation, further council action is necessary.

**I THEREFORE MOVE** that Condition b of the vacation required under VAC-E1401217 (CF: 14-0076) be substituted with the following:

The applicant shall be required to provide or suitably guarantee the engineering, implementation / construction, and completion of the Broadway Streetscape Master Plan improvements along both sides of Broadway on two blocks: 9th Street to Olympic Boulevard and Olympic Boulevard to 11<sup>th</sup> Street, beginning on the southern leg of the intersection of Broadway and 9th Street (i.e., from the beginning of the curb return on Broadway south of the intersection) and extending through the northern leg of the intersection of Broadway and 11<sup>th</sup> Street (i.e., from the beginning of the curb return on Broadway north of the intersection.) The applicant shall meet with the Department of Transportation and the Department of City Planning to verify the roadway and sidewalk dimensions required along Broadway.

The applicant shall design and implement this improvement through the Bureau of Engineering's B-permit process or otherwise as instructed by the Bureau of Engineering.

For the purposes of complying with this condition, the applicant may post a bond.

**I FURTHER MOVE** that these requirements are compulsory as is the completion of the requirements. This action shall supersede any reference to similar conditions set forth as "voluntary," located in any other reports related to the mixed-use development at 928 and 1026 S. Broadway.

**I FURTHER MOVE** that the Department of Building & Safety be directed as follows:

- a. A Temporary Certificate of Occupancy may be granted to the development(s) at 928 S. Broadway and 1026 S. Broadway inasmuch as the required improvements are to be guaranteed by bond.
- b. No final Certificate of Occupancy shall be granted to: (i) the development at 1026 S. Broadway until such time as the street improvements on Broadway along the street frontage of the 1026 S. Broadway property are completed to the satisfaction of the Bureau of Engineering; and (ii) the development located at 928 S. Broadway until such time as the remaining street improvements required by VAC-E1401217 (CF: 14-0076) including but not limited to Condition b, as modified herein, are completed to the satisfaction of the Bureau of Engineering.

PRESENTED BY: Jose Huizar  
JOSE HUIZAR  
Councilmember, 14<sup>th</sup> District

SECONDED BY: [Signature]

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MAY 10 2016

ORIGINAL