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PUBLIC WORKS

BUREAU OF
ENGINEERING

DEBORAH WEINTRAUB, AIA, LEED^{AP}
INTERIM CITY ENGINEER

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<http://eng.lacity.org>

FEB 11 2014

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

Council File No. 14-0077
Council District: 14
Contact Person: Dale Williams
Phone: (213) 202-3491

Public Works and Gang Reduction Committee

Transmittal:

Transmitted herewith, is the City Engineer's report dated FEB 11 2014 for Council review and approval of:

VACATION APPROVAL - VAC- E1401227 - Council File No. 14-0077 – Portions of the Northwesterly side of Main Street between Ninth Street and Eleventh 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 FEB 11 2014 with the conditions contained therein.
3. Fiscal Impact Statement:

The petitioner has paid a fee of \$14,980.00 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.

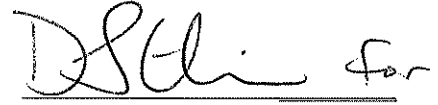
4. That there is a public benefit to this vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.

CITY ENGINEER
DEBORAH WEINTRAUB



5. There were no objections to the vacation submitted for this project.

Attachment:

A handwritten signature in black ink, appearing to read "D. Yew for", written over a horizontal line.

Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DW/
H:\

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

FEB 11 2014

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION APPROVAL - VAC- E1401227 - Council File No. 14-0077 – Portions of the Northwestern side of Main Street between Ninth Street and Eleventh 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 “B”:
 - 1. Portions of the 2-foot and variable width future and public street along the northwesterly side of Main Street between Olympic Boulevard and 11th Street in excess of a 50-foot wide half street right-of-way.
 - 2. A portion of the variable width public street along the northwesterly side of Main Street between 9th Street and Olympic Boulevard in excess of a 45-foot half street right-of-way.
- 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 and Gang Reduction 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 \$14,980.00 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. L & R Investment Co.
845 S Figueroa St., Ste 500
Los Angeles CA 90017
2. Palmer/L&R Broadway Properties LP
ATTN: Darrel Malamut, Director of Development
11740 San Vicente Bl., Ste 208
Los Angeles CA 90049
3. 918 Broadway Associates LLP
600 S Spring St #1700
Los Angeles CA 90014

4. Marsha Weissman, et.al.
141 S Altamont Dr.
Beverly Hills CA 90212

5. Rudi Bassman Tr.
1717 Club View Dr.
Los Angeles CA 90024

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 E1401227 be paid.
2. That a suitable map, approved by the Central District Engineering office, delineating the limits, including bearings and distances, of the areas 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 areas 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 areas 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 variable width as public street on the northwesterly side of Main Street between 9th Street and Olympic Boulevard to provide for a 45-foot half right-of-way, together with a 20-foot radius property line return or 15-foot by 15-foot corner cut at the northerly corner of the intersection of Main Street with Olympic Boulevard.

- b) Dedicate 10 feet as public street on the northwesterly side of Main Street to provide for a 50-foot wide half right-of-way adjoining Lot 3 (Arb 1) and Lot 18 (Arb 2) of E.H. Workman Tract.
 - c) Dedicate an average 2-foot wide sidewalk easement along the northwesterly side of Main Street between Olympic Boulevard and 11th Street in accordance with the Downtown Street Standards.
 - d) Dedicate variable width as public street on the southeasterly side of Broadway between Olympic Boulevard and 11th Street to provide for a 45-foot half right-of-way.
 - e) Dedicate an average 5-foot wide sidewalk easement along the southeasterly side of Broadway between 9th Street and Olympic Boulevard in accordance with the Downtown Street Standards.
 - f) Dedicate 5-feet as public street on the northerly and southerly sides of Olympic Boulevard to provide for a 55-foot half right-of-way on both sides.
 - g) Dedicate an average 8-foot wide sidewalk easement on the northeasterly and southwesterly sides of Olympic Boulevard in accordance with the Downtown Street Standards.
 - h) Dedicate 4-feet as public alley along the northeasterly and southeasterly sides of the L-shaped alley southerly of Olympic Boulevard northwesterly of Main Street, to provide for a 10-foot wide half alley right-of-way.
 - i) Dedicate 4 feet as public alley along the southeasterly side of the alley northwesterly of Main Street between 9th Street and Olympic Boulevard to provide for a 10-foot wide half alley right-of-way. In the event that the vacation of a portion of the alley northwesterly of Main Street between 9th Street and Olympic Boulevard (E1401217) is adopted by Council, provide dedications for said alley in accordance with the conditions of approval for said vacation, under Council File 14-0076.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
- a) Repair and/or replace all broken, off-grade or missing curb, gutter and sidewalk on the northwesterly side of Main Street between 9th Street and Olympic Boulevard.
 - b) Construct a 34-foot wide half roadway, integral curb, gutter, and 16-foot wide sidewalk on the northwesterly side of Main Street, where there is an existing 40-foot wide roadway adjoining the previously vacated Broadway Place.

- c) Repair and/or replace all broken, off-grade or missing curb, gutter and sidewalk on the southeasterly side of Broadway.
 - d) Repair and/or replace all broken, off-grade or missing curb, gutter and sidewalk and fill in the newly dedicated areas to provide a 15-foot wide sidewalk on the northeasterly and southwesterly sides of Olympic Boulevard.
 - e) Repair and/or replace all broken, off-grade or missing curb, gutter and sidewalk on the southwesterly side of 9th Street.
 - f) Construct alley improvements within the newly dedicated area along the northeasterly and southeasterly sides of the L-shaped alley southerly of Olympic Boulevard northwesterly of Main Street.
 - g) Construct alley improvements within the newly dedicated area along the southeasterly side of the alley northwesterly of Main Street between 9th Street and Olympic Boulevard. In the event that the vacation of a portion of the alley northwesterly of Main Street between 9th Street and Olympic Boulevard (E1401217) is adopted by Council, provide improvements for said alley in accordance with the conditions of approval for said vacation, under Council File 14-0076.
7. 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.
8. That upon the reviews of the title report identifying the underlying fee title interest of the vacation areas, 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 substandard or landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over said areas, 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.
10. 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.

TRANSMITTAL:

Application dated May 14, 2013, from Palmer/L&R Broadway Properties LP.

DISCUSSION:

Request: The petitioner, Darrel Malamut, on behalf of Palmer/L&R Properties LP, representing the owners of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street and future street areas shown colored blue. The purpose of the vacation request is to consolidate excess right-of-way with the petitioner's property for a mixed use residential and commercial development with parking.

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 28, 2014, under Council File No. 14-0077 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the areas to be vacated are zoned C2-4D and are currently developed as parking lots or are undeveloped.

Description of Areas to be Vacated: The areas sought to be vacated are a variable width portion of the northwesterly side of Main Street in excess of a 45-foot half right-of-way between 9th Street and Olympic Boulevard, and a 2-foot wide portion of the northwesterly side of Main Street and a 2-foot wide portion of the future street easement on the northwesterly side of Main Street, between Olympic Boulevard and 11th Street. Main Street is a Modified One-Way Secondary Highway with a required 45-foot wide half right-of-way between 9th Street and Olympic Boulevard, and is improved with a 34 to 38-foot wide half roadway, curb and gutter, and variable width sidewalk. Main Street is a Modified Two-Way Major Highway Class II with a required 50-foot half right-of-way between Olympic Boulevard and 11th Street, and is improved with a 90 to 102-foot wide roadway, curb and gutter, and variable width sidewalk.

Adjoining Streets and Alleys: Broadway is a Modified Two-Way Secondary Highway dedicated at variable width, with a 35-foot half roadway, curb and gutter, and variable width sidewalk. Olympic Boulevard is a Modified Two-Way Major Highway Class II dedicated 100 feet wide with a 40-foot wide half roadway, curb and gutter, and 10-foot wide sidewalk. 9th Street is a Modified One-Way Secondary Highway dedicated 70 feet wide with a 35-foot wide half roadway, curb and gutter, and 12-foot wide sidewalk. The L-shaped alley southerly of Olympic Boulevard northwesterly of Main Street is dedicated 12-feet wide and improved with asphalt pavement. The alley northwesterly of Main Street between 9th Street and Olympic Boulevard is dedicated 12-feet wide and improved with asphalt pavement. A portion of this alley is currently being processed for vacation under Council File No. 14-0076.

Surrounding Properties: The owners of lots adjoining the vacation areas have been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The vacation of the portions of the northwesterly side of Main Street between 9th Street and 11th Street should not have an adverse impact on circulation or access as the area to be vacated is in excess of the required right-of-way width for Main Street. The vacation area adjoins only the petitioner's properties.

The vacation area 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 determinations of the underlying fee interest of the vacation areas have 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 are no existing sewer or storm drain facilities within the areas proposed to be vacated.

Public Utilities: The Southern California Gas Company maintains facilities in the areas proposed to be vacated. AT&T did not respond to the Bureau of Engineering's referral letter dated May 22, 2013.

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 the same ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of substandard or 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 May 22, 2013.

City Fire Department: The Fire Department stated in its memo dated May 29, 2013 that it has no objection to this street vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated May 22, 2013.

Conclusion: The vacation of the public street and future public street easement areas as shown colored blue on attached Exhibit "B" could be conditionally approved based upon the following:

1. They are unnecessary for present or prospective public use.
2. They are not needed for vehicular circulation or access.
3. They are not needed for non-motorized transportation purposes.

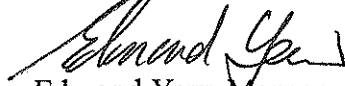
Report prepared by:

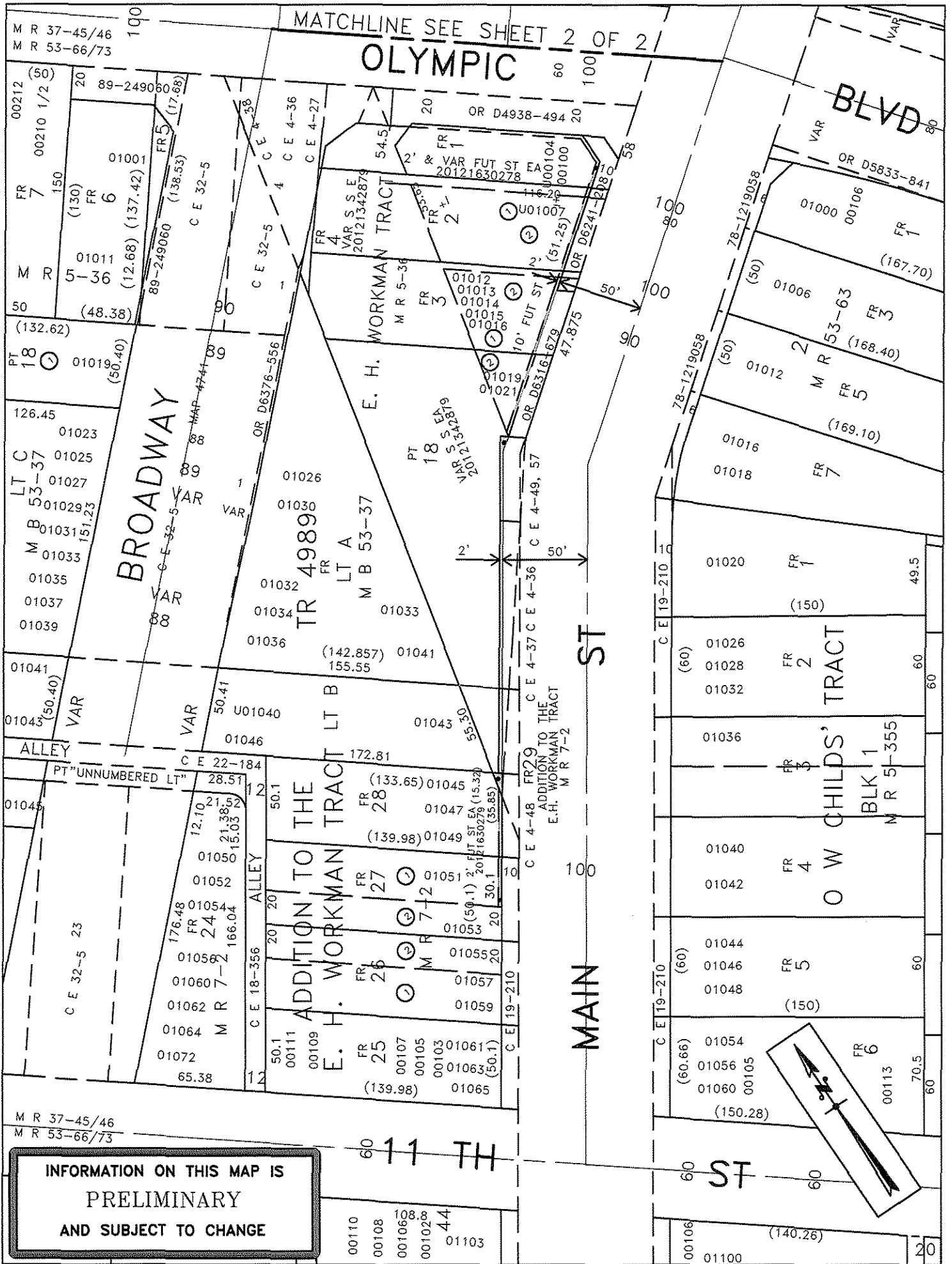
LAND DEVELOPMENT GROUP

Dale Williams
Civil Engineer
(213) 202-3491

EY/DW /
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Respectfully submitted,


Edmond Yew, Manager
Land Development Group
Bureau of Engineering

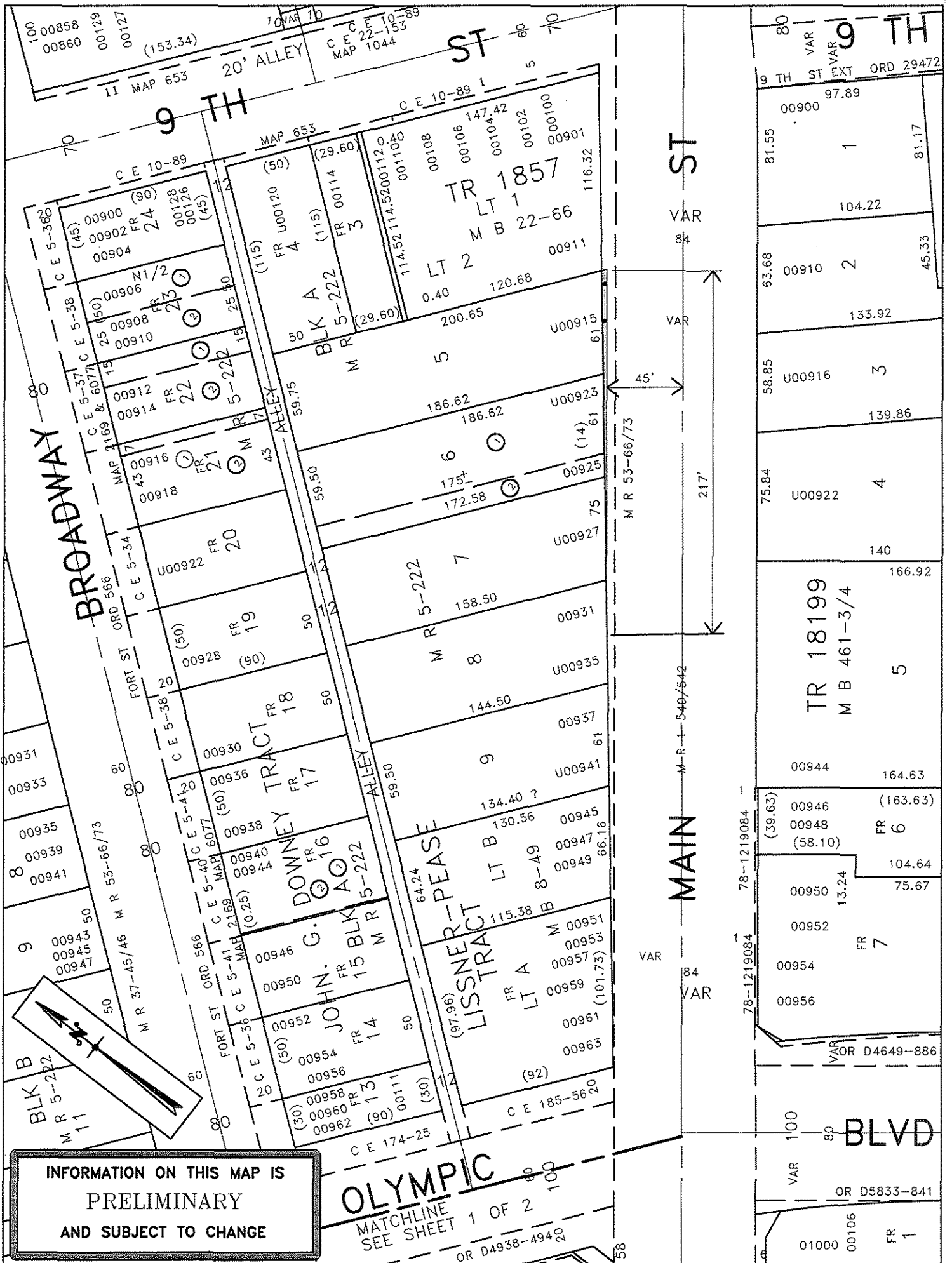


**INFORMATION ON THIS MAP IS
 PRELIMINARY
 AND SUBJECT TO CHANGE**

**TITLE: PORTIONS OF NORTHWESTERLY SIDE OF MAIN STREET
 BETWEEN 9TH STREET AND 11TH STREET**

WORK ORDER NO. VAC- E1401227
 COUNCIL FILE NO. 14-0077
 COUNCIL DIST. 14 DIV. INDEX 113
 ENG. DIST. CENTRAL T.G. 634-E5
 DISTRICT MAP 126 A 209

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



**INFORMATION ON THIS MAP IS
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**TITLE: PORTIONS OF NORTHWESTERLY SIDE OF MAIN STREET
BETWEEN 9TH STREET AND 11TH STREET**

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 ENG. DIST. CENTRAL T.G. 634-E5
 DISTRICT MAP 126 A 209

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: May 14, 2013

PROJECT LOCATION AND DESCRIPTION:

- (1) Area proposed to be vacated is: Main Street
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)
and is located between:
9th Street and 11th Street
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)
- Attach a map if necessary.
- (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. 14
- (c) District Map No. 126A209
- (d) A CRA Redevelopment Area: (YES) OR (NO)
- (3) Area (in sq. ft.) of the proposed vacation area is approx. 836 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 applicant is required to have an environmental determination performed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$32,100 fee deposit. This will also increase the processing time by approximately 6 months.
- If the vacation is located within a Coastal Development Zone, a Coastal Development Permit will be required for the project. The applicant should be aware that vacations within a Coastal Development Zone will take longer to process and will be considerably more expensive. If the applicant is required to have a Coastal Development Permit processed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$32,100 fee deposit.
 - Some city agencies, including LADOT, may require additional fees to be deposited to cover costs during the referral and investigation process. The applicant is responsible for paying the fees to the agency directly. Referral fees paid to other city agencies are separate from the Bureau of Engineering processing fees.
 - 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:
Mixed-use residential and commercial/retail development with parking
- (5) Vacation is in conjunction with: (Check appropriately)
 Revocable Permit Tract Map Parcel Map Zone Change
 Other DIR-2013-1216-SPR-CDO