

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

JUL 06 2017

Honorable Members:

C. D. No. 9

SUBJECT:

VACATION REQUEST - VAC- E1401304 - Council File No. 17-0512 - Alley Westerly of Broadway between Florence Avenue and the East-West Alley Northerly of Florence Avenue

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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":  

Alley westerly of Broadway between Florence Ave and east-west alley northerly of Florence Ave
- 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 and Gang Reduction Committee approval based on the initiation of the Street Vacation Proceedings adopted by City Council on May 17, 2017, 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. ASi Development  
Attn: Andrea Munoz  
5932 Bolsa Avenue, #107  
Huntington Beach, CA 92649
2. Anna Hahn  
303 W. Florence Avenue  
Los Angeles, CA 90003
3. MBB Partners  
1219 E. Florence Avenue  
Los Angeles, CA 90001
4. Mark E. Brown CO TR  
34711 Calle Los Robles  
Capistrano Beach, CA 92624

5. La Velle Gates  
1822 E. Turmont Street  
Carson, CA 90746
6. Milton Spirlin  
7113 S. Broadway  
Los Angeles, CA 90003
7. Seven Seas Jobbers, Inc.  
110 E. 15<sup>th</sup> Street  
Los Angeles, CA 90015
8. WMDL LLC  
P.O. Box 1380  
Los Angeles, CA 90078
9. Robert Jelks TR  
6203 Yarbrough Road  
Shreveport, LA 71119
10. Ruben G Riccardy TR  
1841 S. Chapel Avenue  
Alhambra, CA 91801
11. Arthur B Hackley  
1850 Kinneloa Canyon Road  
Pasadena, CA 91107
12. Ignacio Serrano  
7405 S. Broadway  
Los Angeles, CA 90003
13. Daniel E Salazar  
330 W 71<sup>st</sup> Street  
Los Angeles, CA 90003
14. Pedro and Francisca Morales  
334 W 71<sup>st</sup> Street  
Los Angeles, CA 90003

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 E1401304 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 and GIS Division 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 and GIS Division 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 dedication be provided adjoining the petitioner's property in a manner satisfactory to the City Engineer:

- a. East-West alley north of Florence Avenue

Dedicate 8 feet as a public alley adjacent to the petitioner's properties to provide a sufficient area to allow for vehicles to negotiate the right angle turn at the alleys intersection.

- b. North-South alley west of Broadway

Dedicate 4 feet as a public alley to provide a 10-foot wide half right-of-way on portion of Lot 65, Winton & Mcleod's Figueroa Street Tract No. 6.

6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
  - a. Broadway

Repair or replace any broken or off-grade concrete sidewalk, curb and gutter. Close all unused driveways with full height curb, 2-foot gutter, and sidewalk.
  - b. Florence Avenue

Repair or replace any broken or off-grade concrete sidewalk, curb and gutter. Close all unused driveways with full height curb, 2-foot gutter, and sidewalk.

- c. East-West alley north of Florence Avenue and North-South alley west of Broadway

Fill in the newly dedicated area with pavement to join the existing improvements.

- d. That all drainage matters to be addressed to the satisfaction of the City Engineer, including that any necessary provisions be made to collect or divert any surface flows from impounding within the area to be vacated, unless drainage easement is to be reserved from the vacation area.
7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, Southern California Gas Company, AT & T and Time Warner Cable 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 area, an agreement be recorded satisfactory to the Bureau of Engineering to hold the adjoining parcel of land, and the adjoining portion of the area to be vacated under the same ownership, 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 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.
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 19, 2016, from Andrea Munoz of ASi Development.

DISCUSSION:

Request: The petitioner, Andrea Munoz of ASi Development, representing the 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 area sought to be vacated with adjacent properties to develop a new retail market.

This vacation procedure is being processed under procedures established by Council File No. 01-1459-S1 adopted by the Los Angeles City Council on January 31, 2017.

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 May 17, 2017, under Council File No. 17-0512 adopted an initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated to east and west are zoned C2-1VL and are developed with commercial buildings, gas station, community facilities, and park areas. The properties adjoining the area to be vacated to the northwest are zoned R2-1 and are developed with single and multifamily residences.

Description of Area to be Vacated: The area sought to be vacated is portion of a north-south alley between Florence Avenue and the east-west alley northerly of Florence Avenue. The alley is dedicated 12 feet wide and improved with concrete pavement.

The north-south alley was gated per Nuisance Alley Conversion Project Job No. 827 which was completed on July 30, 2001. The east-west alley was gated per Nuisance Alley Conversion Project Job No. 891 which was completed on March 25, 2002.

Adjoining Street and Alley: Broadway is an improved Avenue I dedicated 100 feet wide with a 68-foot roadway, curbs, gutters and 16-foot wide sidewalks. Florence Avenue is an improved Avenue I dedicated 100 feet wide with a 68-foot roadway, curbs, gutters and 16-foot wide sidewalks. The east-west alley northerly of Florence Avenue is dedicated 12 feet wide and is improved with concrete pavement. The north-south alley west of Broadway is dedicated 12-feet wide and is 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 north-south alley westerly of Broadway between Florence Avenue and the East-west alley northerly of Florence Avenue should not have any adverse effect on vehicular circulation or access since both alleys were gated off by the Nuisance Alley Conversion Project and already inhibiting public vehicular access.

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 provides for the dedications and improvements as outlined in the conditions of this report.

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

Public Utilities: The AT&T and Time Warner Cable maintain facilities in the area proposed to be vacated. The Department of Water and Power and Southern California Gas Company did not respond to the Bureau of Engineering's referral letter dated June 10, 2016.

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 records an agreement satisfactory to the Bureau of Engineering to hold the 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 states in its communication dated January 26, 2017 that they do not oppose to the vacation provided that all abutting property owners are in agreement with the proposed vacation, and provisions are made for lot consolidation, driveway and access approval by DOT, and any additional dedications and improvements necessary to bring all adjacent streets into conformance with City's standard street dimensions.

City Fire Department: The Fire Department states in its communication dated October 5, 2016 that it has no objection to this street vacation.

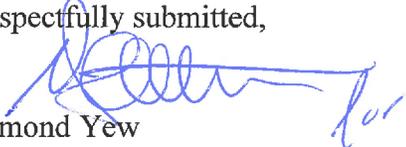
Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated June 10, 2016.

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.

Respectfully submitted,



Edmond Yew  
Land Development & GIS Division  
Bureau of Engineering

Report prepared by:

LAND DEVELOPMENT & GIS DIVISION

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