

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

December 9, 2021

Honorable Members:

CD No. 1, 10

SUBJECT:

VACATION REQUEST - VAC- E1401363 - Council File No. 19-0103 – Portion of La Fayette Park Place (Southeasterly side) Between Hoover Street and Wilshire Boulevard

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”:

Approximately 42 feet of the southeasterly side of La Fayette Park Place between Hoover Street and Wilshire Boulevard
- B. That the vacation of the area shown colored orange on Exhibit B be denied.
- C. Review and consider the La Fayette Park Place (Por of) (SEly Side) Between Hoover Street and Wilshire Boulevard – VAC E1401363 Notice of Exemption (Transmittal 3).
- D. Determine the vacation of portion of La Fayette Park Place (southeasterly side) between Hoover Street and Wilshire Boulevard is categorically exempt under the California Environmental Quality Act (CEQA) (Public Resources Code, Sections 21000 et. seq.) pursuant to State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000 et. seq) Article 19, section 15305(c), Class 5, “Minor Alterations in Land Use Limitations” and as also specified in Los Angeles Environmental Quality Guidelines Article III, Section 1, Class 5, “Alterations in Land Use Limitations”, Category 3.
- E. Specify that the Permit Case Management Division of the Bureau of Engineering located at 201 N. Figueroa Street, Suite 290, L.A. 90012 is the custodian of the documents or other relevant material which constitute the record of the proceedings upon which the Council’s decision is based.
- F. 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.

- G. 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.
- H. 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.
- I. 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.
- J. That the Council adopt the City Engineer's report with the conditions contained therein.

FISCAL IMPACT STATEMENT:

The petitioner has paid a deposit of \$47,080 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:

To satisfy Sections 8320 through 8323 of the California Streets and Highways Code, the City Clerk shall schedule the vacation for public hearing at least 30 days after PW Committee approval of this report, so the City Clerk and BOE may process the required Public Notification.

Additionally, City Clerk shall send notification of the time and place of the PW Committee and the City Council meetings to consider this request be sent to:

1. Psomas
Attn: Paul Garry
555 S. Flower Street, Suite 4300
Los Angeles, CA 90071
2. 672 La Fayette Place, LLC
Attn: Brian Dror
448 S. Hill Street, Suite 406
Los Angeles, CA 90013

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 deficit under Work Order E1401363 be paid.
2. That a suitable map, approved by Engineering's Central District office, delineating the limits, including bearings and distances, of the areas to be vacated be submitted to the Permit Case Management Division (PCM) prior to the preparation of the Resolution to Vacate (Resolution).
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 PCM 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 property in a manner satisfactory to the City Engineer

7th Street:

- a. Provide 3-foot dedication.

Alley:

- a. An existing building extends to the property line and is to remain in place, therefore, the 3.75 feet required dedication is deferred at this time. However, a future alley dedication will be required.

East corner of La Fayette Park Pl and 7th St:

- a. Retain a 15'x15' corner dedication.

South corner of La Fayette Park Pl and Wilshire Bl:

- a. Retain a 15'x15' corner dedication.

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

La Fayette Park Pl:

- a. Construct new integral concrete curb and gutter to complete 18-ft half roadway with 12-ft wide concrete sidewalk to meet the latest BOE standard street dimensions for a Local Street (Standard Plan No. S-470-1) with appropriate transitions to the existing improvements. These improvements shall be constructed under a Class “B” Permit in a manner satisfactory to the City Engineer.
- b. Construct new curb ramps at the north and south corners of the intersections with 7th Street and Wilshire Boulevard, respectively per the latest BOE Curb Ramp Standard (Standard Plan No. S-442-5).
- c. Proposed driveway aprons shall conform and be constructed per latest BOE Driveway Standards (Standard Plan No. S-440-4).

7th Street:

- a. Repair and replace any damaged/cracked or off-grade concrete curb, gutter, and sidewalk adjoining the project site’s street frontage in a manner satisfactory to the City Engineer.
- b. Fill-in the newly dedicated area with concrete sidewalk. Relocate existing wall and gate or obtain a revocable permit.
- c. Close existing unused driveway apron with full height curb, gutter, and sidewalk.

Alley:

- a. Construct a new alley intersection at La Fayette Park Place per latest BOE Alley Intersection Standard (Standard Plan No. S-420-2) in a manner satisfactory to the City Engineer.
- b. Repair and replace any damaged/cracked concrete alley.

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than ¼ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

Non-ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than ¼ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than 1/8 inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk curb and gutter shall conform to the Engineering’s Standard Plans S410-2, S440-4, S442-6 and S444-0

7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to LADWP, AT&T, and 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. Consent to the vacation must be secured from the owner of the property of Lot 3, Block 7, of the Wilshire Boulevard Tract adjoining the proposed vacation area.
9. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to Engineering to hold each adjoining parcels of land, and its adjoining portions 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 areas, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
10. That all drainage matters be addressed to the satisfaction of the City Engineer.
11. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer located within the area to be vacated unless easements are reserved from the vacation for its protection.
12. That satisfactory arrangements be made with the Los Angeles Department of Public Works for the relocation or abandonment of the existing storm drain located within the area to be vacated unless easements are reserved from the vacation for its protection.
13. That the petitioner complies with the requirements of the Department of City Planning letter to the Bureau of Engineering dated June 10, 2021, in particular relating to fencing, to the satisfaction of the Department of City Planning. A clearance letter from the Department of City Planning to the Bureau of Engineering is required.
14. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
15. 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:

1. Application dated May 9, 2019, from Paul Garry of Psomas.
2. Exhibit B, location map.
3. CEQA Notice of Exemption

4. California Environmental Quality Act (CEQA) Review Memo dated October 21, 2021 from Maria Martin, Environmental Management Group, Bureau of Engineering, City of Los Angeles titled California Environmental Quality Act (CEQA) Recommendations for Council Referral Letter Regarding La Fayette Park Pl (Por of) (SELY Side) Between Hoover St and Wilshire Bl – VAC E1401363
5. Transportation Study Assessment

DISCUSSION:

Request: The petitioner, Paul Garry of Psomas, representing the owner of the property shown outlined in yellow on Exhibit “B”, is requesting the vacation of the street area shown colored blue and orange. The purpose of the vacation request is to facilitate the conversion of an over-dedicated right-of-way to a more productive use as real property.

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 August 7, 2019, under Council File No. 19-0103, adopted the initiating street vacation proceedings.

Zoning and Land Use: The subject vacation is located within an area that is designated for Community Commercial land uses and is zoned C4-2, R4-2 on the eastern side, and Open Space land uses, OS-1XL on the western side. The street abuts properties that are developed with mixed use commercial and residential structures on the eastern side.

Description of Area(s) to be Vacated: The area sought to be vacated is approximated 22,260 square feet and developed with sidewalk, parkway, and roadway, curbs and gutters.

Adjoining Street(s) and Alley(s): La Fayette Park Place is a Local Street - Standard dedicated 120 foot wide with a 64 foot wide roadway, curbs, gutters and 12 foot wide sidewalks. 7th Street is an Avenue II-Secondary Highway dedicated 80 foot wide with a 56 foot roadway, curbs, gutters, and 12 foot sidewalks. Alley east of La Fayette Park Place and north of 7th Street dedicated 12.5 foot wide.

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 approximately 19,036 square feet of La Fayette Park Place will have no adverse effects on access rights or circulation.

Reversionary Interest: No determinations of the underlying fee interest of the vacation area 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 existing sewer and storm drain facilities within the area proposed to be vacated.

Public Utilities: LADWP, Southern California Gas, and AT&T may maintain facilities in the area proposed to be vacated.

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 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.

City Department of Transportation: The Department of Transportation in their communication dated November 23, 2021, that based on the traffic study assessment, does not oppose the requested vacation for La Fayette Park Place (indicated in the area shaded in blue on the map).

City Fire Department: The Fire Department stated in its communication dated July 1, 2019 that it has no objection to the subject request.

Department of City Planning: The Department of City Planning in its communication dated June 10, 2021, stated that the proposed vacation would be consistent with the goals and policies of the City's General Plan. City Planning notes that vehicular access to this segment of La Fayette Park Place would continue, as would the 12-foot sidewalk access with the remaining right-of-way.

To ensure that the treatment of the subject vacation area is sympathetic both to the needs of the surrounding right-of-way and to the adjacent historical resource, City Planning recommends that the following conditions be considered:

- Any fencing installed within the vacation area not exceed five feet in height and be placed a minimum of 18 inches from the sidewalk edge to allow for buffering plantings.
- The installation of fencing, or any other permanent fixtures within the vacation area, shall be approved by the Office of Historic Resources, consistent with the City's Cultural Heritage Ordinance.

Objections to the vacation: There were no objections to the vacation request.

Conclusion: The vacation of the public street 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 street purposes.

Respectfully submitted,



Bert Moklebust, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION

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