

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

June 30th 2022

Honorable Members:

CD No. 8

SUBJECT:

VACATION REQUEST - VAC- E1401411 - Council File No. 22-0022 Portion of Alley West of
Broadway Between 87th Street and 88th 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 “ A”,

Portion of alley west of Broadway between 87th Street and 88th Street

- 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.

FISCAL IMPACT STATEMENT:

The petitioner has paid a deposit of \$14,980 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. NHS Neighborhood Redevelopment Corporation
Lori Gay, CEO
3926 Wilshire Blvd., Suite 200
Los Angeles, CA 90010
2. Nichole Smith
Horizon Development + Entitlement
3815 Floresta Way,
Los Angeles, CA 90043
3. Alan N Kleinman TR
PO Box 1438
Venice, CA 90294
4. MCP Estates LLC
100 S Citrus Ave
Los Angeles, CA 90036
5. LA Harvard Property LLC
10573 W Pico Blvd PMB 604
Los Angeles, CA 90064
6. Carol A Boucher
2339 2nd Avenue
Los Angeles, CA 90018

7. Dara Q Mitchell
2640 Clyde Ave
Los Angeles, CA 90016
8. Milton and Belinda Joyner
339 W 88th Street
Los Angeles, CA 90003
9. German Pineda
345 W 88th Street
Los Angeles, CA 90003
10. Milton L and Belinda L Joyner
349 W 88th Street
Los Angeles, CA 90003
11. State of California
351 W 88th Street
Los Angeles, CA 90003
12. Victor Kupper
6306 Greenleaf Ave
Whittier, CA 90003
13. Gardez Lafoi Company LLC
8077 Florence Ave Ste 204
Downey, CA 90240
14. State of California
8730 S. Grand Ave
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 E1401411 be paid.
2. That a suitable map, approved by Bureau of Engineering (Engineering)'s Central District Engineering 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 properties in a manner satisfactory to the City Engineer

88th Street (Local Street – Limited):

- a) Dedicate a 5-foot wide strip of land to complete a 25-foot wide half right-of-way in accordance with Local Street – Limited, together with a 15-foot by 15-foot corner cut or 20-foot radius property line return at the southeasterly corner of the intersection with Broadway.

87th St (Local street – Limited)

- b) Dedicate a 5-foot wide strip of land to complete a 25-foot wide half right-of-way in accordance with Local Street – Limited.

Alley westerly of Broadway between 87th Street and 88th Street:

- c) Dedicate suitable area for a minimum turning area at the new alley terminus per Engineering Standard Plan S-470-1.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

Broadway (Boulevard II):

- a) Repair and/or replace any damaged/cracked or off-grade or missing concrete curb, gutter, sidewalk, and roadway pavement adjoining the frontage in a manner satisfactory to the City Engineer (see Note 1).

88th Street (Local Street – Limited):

- b) Repair and/or replace any damaged/cracked or off-grade or missing concrete curb, gutter, sidewalk, and roadway pavement adjoining the frontage in a manner satisfactory to the City Engineer (see Note 1). Fill in the newly dedicated area with concrete sidewalk including any transitions to join to the existing improvements. Reconstruct all the existing curb ramps at the intersection with 88th St. and Broadway in accordance with ADA requirements, Engineering standard plan S-442-6, and BOE Special Order 01-1020. These Improvements shall be constructed under a Class "A" Permit in a manner satisfactory to the City Engineer.

87th St (Local street – Limited)

- c) Repair and/or replace any damaged/cracked or off-grade or missing concrete curb, gutter, sidewalk, and roadway pavement adjoining the frontage in a manner satisfactory to the City Engineer (see Note 1).

Alley westerly of Broadway between 87th Street and 88th Street:

- d) Close any unused alley intersections with a full-height curb, gutter, and sidewalk per BOE Standard Plan S-444-0 for sidewalk and BOE Standard Plan S-410-2 for the curb.
 - e) Construct a minimum turning area at the alley terminus with proper drainage of the alley per BOE Standard Plan S-470-1 through a Class B Permit in a manner satisfactory to the City Engineer. The improvements shall suitable transition to join to the existing improvements.
7. Close any unused driveways with full height curbs, gutters, and sidewalks.
 8. Proposed driveway aprons shall conform and be constructed per latest Engineering's Standards (Standard Plan No. S-440-4).
 9. That arrangements be made with all utility agencies maintaining facilities in the area including but not limited to the Department of Water and Power, 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.
 10. 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 the adjoining parcel 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 area, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
 11. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
 12. 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.

Note 1: 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

TRANSMITTAL:

1. Application dated February 7, 2022, from NHS Neighborhood Redevelopment Corporation.
2. Exhibit "A", location map.

DISCUSSION:

Request: The petitioner, NHS Neighborhood Redevelopment Corporation, owner of the property shown outlined in yellow on Exhibit "A", is requesting the vacation of the public alley area shown colored blue. The purpose of the vacation request is to improve private property and allow for fire department access to new development.

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 Council on May 17, 2022 under Council File No. 22-0022, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the west and southeast are vacant lots in an area zoned [Q]C2-1 and C2-1-CPIO, both Commercial Zone, with a Community Commercial land use designation. The subject alley vacation abuts vacant lots to the west and southeast. The subject alley vacation abuts commercial establishments to the northeast.

Description of Area to be Vacated: The area sought to be vacated is a portion of the alley west of Broadway between 87th Street and 88th Street.

Adjoining Streets and Alley: Broadway is a Boulevard II dedicated 120-ft wide full right-of-way improved with 90-foot wide road, and sidewalk, curb, and gutter on both sides. 88th Street is a Local Street – Limited with an existing full right-of-way of 40 feet, 30-foot-wide roadway, with sidewalk, curb, and gutter on both sides.

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 the alley west of Broadway, between 87th St. and 88th St. will have no adverse effects on access rights or circulation provided that the conditions outlined in this report are met.

The portion of 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 determinations 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 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 area proposed to be vacated.

Public Utilities: The Department of Water and Power and AT&T 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 each adjoining parcel of land under the one ownership, and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of substandard or landlocked parcels.

City Department of Transportation: The Department of Transportation stated in its communication dated February 9, 2022 that they do not oppose the requested vacation, provided that all abutting property owners are in agreement with the proposed vacation and a suitable turnaround for the remaining non-vacated portion of the alley be provided. In addition, that provisions be made for lot consolidation and driveway and access approval by DOT.

City Fire Department: The Fire Department stated in its communication dated February 14, 2022 that they do not object to the vacation.

Department of City Planning: The Department of City Planning in its communication dated February 7, 2022, stated that the proposed vacation is consistent with the General Plan. Additionally, this vacation is generally consistent with the Southeast Los Angeles Community Plan goals and policies because it would facilitate the construction of a mix of uses consistent with the land use designation.

Conclusion: The vacation of the public alley area as shown colored blue on attached Exhibit "A" 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.

Respectfully submitted,



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

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION

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