

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

March 4, 2016

Honorable Members:

C. D. No. 8

SUBJECT:

VACATION APPROVAL - VAC- E1401266 - Council File No. 16-0206 – Portion of the T-Shaped Alley Westerly of Figueroa Street between Florence Avenue and 73rd 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”:

A portion of the T-shaped alley westerly of Figueroa Street between Florence Avenue and 73rd 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.
- H. 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 Rule 16 motion adopted by City Council on February 26, 2016, 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. UHL Figueroa LLC
5630 Cerritos Ave
Cypress CA 90630
2. Johanna Kim
2973 Harbor Bl., #150
Costa Mesa CA 92626
3. Rebeca McIntire
2973 Harbor Bl, Ste 150
Costa Mesa CA 92626
4. Lula McCowan
1024 W. Stockwell
Compton CA 90222

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 E1401266 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 Group 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 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 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:
 - a.) Dedicate a 20-foot wide replacement north-south alley along the easterly side of Lot 30 of Figueroa Boulevard Tract to accommodate the existing alley improvements.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a.) Repair or replace any broken, off-grade, or missing curb, gutter and sidewalk along Flower Street, Figueroa Street, and 73rd Street.
7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to 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 each adjoining parcel of land, and its 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 suitable evidence of a lot-tie agreement showing that Lots 29 and 30 of Figueroa Boulevard Tract have been tied be submitted to the City Engineer.
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 January 13, 2015, from Johanna Kim.

DISCUSSION:

Request: The petitioner, Johanna Kim, on behalf of UHL Figueroa LLC, owner of the properties shown outlined in yellow on Exhibit “A”, is requesting the vacation of the public alley area shown colored blue and orange. The purpose of the vacation request is to incorporate the area with the adjoining commercial retail site.

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 December 16, 1987 conditionally adopted the City Engineer’s report under Council File 85-2047 to vacate the same alley. The vacation was not completed at that time and the vacation request expired. On February 5, 2015, the petitioner submitted the current application. The Council on February 26, 2016 under Council File No. 16-0206 adopted a new Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the north and east are zoned C2-1VL and are developed with commercial buildings and accessory parking. The properties adjoining the area to be vacated to the southeast are zoned RD2-1 and developed with commercial buildings, accessory parking, and a replacement alley between the east-west alley south of Florence Avenue and 73rd Street.

Description of Area to be Vacated: The area sought to be vacated is a portion of the T-shaped alley westerly of Figueroa Street between Florence Avenue and 73rd Street. The alley is dedicated 12 feet wide and has been incorporated into the use of the adjoining properties. There are existing buildings and accessory parking within the area to be vacated.

Adjoining Streets and Alleys: Florence Avenue is an Avenue I dedicated 100 feet wide and improved with a 35-foot wide half roadway, curb and gutter, and a 15-foot wide sidewalk. Figueroa Street is an Avenue I dedicated 100 feet wide and improved with a 33.5-foot wide half roadway, curb and gutter and a 16.5-foot wide sidewalk. 73rd Street is a Local Street dedicated 60 feet wide with a 20-foot wide half roadway, curb and gutter and a 10-foot wide sidewalk. The remaining east-west alley between Florence Avenue and 73rd Street between the vacation area and Hoover Street is dedicated 12 feet wide and partially improved with asphalt pavement and longitudinal gutter. A replacement north-south alley between the alley south of Florence Avenue and 73rd Street has been constructed per City plan P-32839 but is not dedicated as a public alley.

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 this portion of the T-shaped alley westerly of Figueroa Street between Florence Avenue and 73rd Street should have no adverse impact on circulation or access. The vacation area has been incorporated into the use of the property and there are existing buildings and accessory parking within the area proposed to be vacated. A replacement alley was constructed per City plan P-32839, which would be required to be dedicated as a public alley as a condition of the vacation. All properties adjoining the vacation area are owned by the petitioner and do not require access from the vacation area.

The alley is also not needed for the use of pedestrians, bicyclists or equestrians.

Objections to the vacation: Lula McCowan, owner of Lot 21 of Figueroa Boulevard Tract, in a letter dated February 27, 2015 objected to the vacation.

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 provide for the dedications and improvements as outlined in the conditions of this report. Existing buildings, a building access ramp, and a drive-through facility adjoining the property line on Figueroa Street preclude the dedication of 2 feet along Figueroa Street at this time.

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

Public Utilities: AT&T and Time Warner Cable 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 record an agreement 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 February 13, 2015.

City Fire Department: The Fire Department stated in its correspondence dated April 10, 2015 that it has no objection to the vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated February 13, 2015.

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.

Report prepared by:

Respectfully submitted,

LAND DEVELOPMENT & GIS DIVISION

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Edmond Yew
Land Development & GIS Division
Bureau of Engineering

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