

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

July 6, 2022

Honorable Members:

CD No. 9

SUBJECT:

VACATION REQUEST - VAC- E1401399 - Council File No. 21-0859 – Chick Hearn Court between South Figueroa Street and Georgia 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”: Chick Hearn Court between South Figueroa Street and Georgia Street.
- B. Review and consider the Draft (DEIR) (Transmittal III), Final Environmental Impact Report for the Los Angeles Sports and Entertainment District (FEIR) (Transmittal IV) which were prepared by the City of Los Angeles in compliance with CEQA and certified by City of Los Angeles on September 4, 2001; the December 2021 Eighth Addendum to the Los Angeles Sports and Entertainment District (Eighth Addendum) (Transmittal V); the December 2021 Joint Analysis for the Convention Center Expansion and Modernization Project and JW Marriott Hotel and Conference Center Expansion Project (Eighth Addendum Joint Analysis) (Transmittal VI).
- C. Find under CEQA Guidelines Section 15091(a)(1) that changes or alterations have been required in, or incorporated into, the street vacation that reduce or substantially lessen the significant environmental effects as identified in Chapter III, Mitigation Monitoring and Reporting Program of the FEIR, pages 47 through 83 and in the City’s CEQA review Memo, dated April 13, 2022 (Transmittal VII) which is attached and incorporated herein.
- D. Find that no new information exists to show that the project or circumstances of the project have been changed to require additional environmental review, as described in State CEQA Guidelines Section 15162, and therefore the existing environmental documents adequately describe the potential impacts for this street vacation.
- E. Specify that the Permit Case Management Division of the Bureau of Engineering located at 201 N. Figueroa Street, Suite 1150, 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 \$47,080.00 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:

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 the addresses listed in Transmittal VIII.

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 E1401399 be paid.
2. That a suitable map, approved by Bureau of Engineering (Engineering) 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 any fee interest of the area being vacated which may be vested in the City of Los Angeles be acquired.
6. That the following dedications be provided adjoining the petitioner's property in a manner satisfactory to the City Engineer
 - a. Figueroa Street:
 - i. Average 9-foot sidewalk easement is required.
7. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Figueroa Street:
 - i. No roadway widening is required.

- ii. Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, sidewalk, and AC pavement adjoining the project site's street frontage in a manner satisfactory to the City Engineer (See Note 1).
- iii. A Revocable Permit must be obtained from the BOE Central District office for any existing or proposed non-standard elements encroaching into the public right-of-way.

b. Georgia Street:

- i. No roadway widening is required.
- ii. Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, sidewalk, and AC pavement adjoining the project site's street frontage in a manner satisfactory to the City Engineer (See Note 1).

c. Olympic Boulevard:

- i. No roadway widening is required.
- ii. Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, sidewalk, and AC pavement adjoining the project site's street frontage in a manner satisfactory to the City Engineer (See Note 1).

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.

Proposed driveway aprons shall conform and be constructed per latest Engineering's Standards (Standard Plan No. S-440-4) in a manner satisfactory to city engineer.

- 8. That all drainage matters be addressed to the satisfaction of the City Engineer.
- 9. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing storm drain facilities located within the area to be vacated, unless easements are reserved from the vacation for their protection.
- 10. 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, Southern California Gas Company, Crown Castle, Verizon, and Spectrum the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place. Such easements may be allowed to be reserved from the vacation upon

submittal of an alignment from the agency. The petitioner shall provide these to the affected agency by separate documents, or upon consent of the petitioner and agency.

11. That consents to the vacation be secured from the owners of the lots adjoining the area to be vacated.
12. 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 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.
13. That street lighting facilities be installed as required by the Bureau of Street Lighting.
14. 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.
15. That arrangements be made with the Department of Transportation for the payment of any necessary fee pursuant to Ordinance No. 180,542.
16. That plot plans be submitted to the Fire Department for their review and approval.

TRANSMITTAL:

1. Application dated May 26, 2021, from Kevin Rieger representing LA Live Properties, LLC.
2. Exhibit “A”, location map.
3. Draft Environmental Impact Report for the Los Angeles Sports and Entertainment District (DEIR).
4. Final Environmental Impact Report for the Los Angeles Sports and Entertainment District (FEIR).
5. December 2021 Eighth Addendum to the Los Angeles Sports and Entertainment District (Eighth Addendum).
6. December 2021 Joint Analysis for the Convention Center Expansion and Modernization Project and JW Marriott Hotel and Conference Center Expansion Project (Eighth Addendum Joint Analysis).
7. City’s CEQA review Memo, dated April 13, 2022.

8. List of addresses to receive notification of the time and place of the PW Committee and the City Council meetings.

DISCUSSION:

Request: The petitioner, Kevin Rieger, representing the owner of the property shown outlined in yellow on Exhibit “A”, is requesting the vacation of the public street area shown colored blue. The purpose of the vacation request is to create a pedestrian plaza.

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.

Zoning and Land Use: The subject street vacation abuts both the LASED, and the Convention and Event Center Specific Plan, which are within the Central City Community Plan area. The subject street vacation is directly surrounded by land that is designated for Regional Center Commercial and Public Facilities land uses with the corresponding zones C2-4D-O and PF-4D-O, to the south, and LASED, to the north.

Description of Area to be Vacated: The area sought to be vacated is approximately 70,600 square feet of Chick Hearn Court between South Figueroa Street and Georgia Street. Chick Hearn Court is designated as a Modified Collector street.

Adjoining Street:

Georgia Street is a dedicated Collector Street. Existing half right-of-way adjacent to the property varies between 39 feet and 49 feet. Existing full right-of-way adjacent to the property varies between 74 feet and 84 feet.

Olympic Blvd is a dedicated Boulevard II. Existing ½ right-of-way adjacent to the property varies between 62 feet and 72 feet. Existing full right-of-way adjacent to the property varies between 112 feet and 122 feet.

Figueroa Street is a dedicated Modified Boulevard II. Existing ½ right-of-way adjacent to the property varies between 40 feet and 50 feet. Existing full right-of-way adjacent to the property varies between 107 feet and 112 feet.

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 Chick Hearn Court between Figueroa Street and Georgia Street will have no adverse effects on access rights or circulation. Overall, the street vacation helps support the commercial base of the Staples Center and the LA Live entertainment district that will enhance the pedestrian experience. The subject street

vacation is generally consistent with the goals and policies outlined in the City's General Plan as the project will help to enhance the public right of way.

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 have 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 existing 15-inch and 18-inch storm drain connector lines within the street portion proposed to be vacated. These active lines shall either be relocated under a "B" Permit in a manner satisfactory to the City Engineer or for maintenance purposes a minimum 10' wide easement will be required. No building shall be constructed over or near these active lines without obtaining prior approval from the City Engineer.

There are no sanitary sewer lines in the street portion proposed to be vacated.

Public Utilities: The Department of Water and Power, AT&T, Southern California Gas Company, Crown Castle, Verizon, and Spectrum 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 one 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 stated in its communication dated October 27, 2021 that LADOT does not oppose the requested street vacation along Chick Hearn Court between South Figueroa Street and Georgia Street provided that all abutting property owners are in agreement with the proposed vacation and would result in roadway and right-of-way dimensions that are consistent with the new street standards identified in the Mobility Element of the General Plan. The Mobility Element (also known as Mobility Plan 2035) was adopted on August 11, 2015 and amended on September 7, 2016 by the City Council.

In addition, that through the requirements of a tract map or by other means, provisions are made for (1) lot consolidation, (2) driveway and access approval by DOT and (3) any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Element of the General Plan.

City Fire Department: The Fire Department stated in its communication dated January 24, 2022 that their conditions for approval are as follows:

- a. A 28-ft wide dedicated fire lane is required between Figueroa Street and Georgia Street, and it needs to remain unobstructed 24/7. The proposed site plan requires an approval from LAFD – Hydrants and Access.
- b. Site access to the existing fire protection apparatus needs to be maintained.
- c. New vehicular barrier and/or bollards need to comply with the latest LAFD standards.

Department of City Planning: The Department of City Planning in its communication dated September 3, 2021, that the subject vacation is consistent with the Central City Community Plan policies and objectives, set forth below, because they would strengthen, retain, and expand the existing commercial base. To ensure consistency we recommend that the following stipulations be incorporated into the vacation approval: maintain pedestrian and bicycle linkages through design, treatment of materials, street furniture, bicycle amenities, landscaping, and bollards; physical treatment and design features of the Central Plaza should be expanded to the Chick Hearn Court right of way and consistent with the LASED; in the event of major events and/or street closures on the subject vacation, a pedestrian and bicycle detours should be implemented; a curbless environment on the subject vacation should be considered; and the vacation request is contingent upon the General Plan Amendment to downgrade Chick Hearn Court from Collector to Local Street and amendments to the LASED.

In addition, the requested vacation is further supported by the Citywide Transportation Element (Mobility Plan 2035) which outlines the policy foundation for achieving a balanced transportation system inclusive of all users.

Overall, the street vacation helps support the commercial base of the Staples Center and the LA Live entertainment district that will enhance the pedestrian experience. The subject street vacation, and the aforementioned recommendations, are generally consistent with the goals and policies outlined in the City's General Plan as the project will help to enhance the public right of way.

Conclusion: The vacation of the public street 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 Moklebust, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering

Report prepared by:

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