

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

December 17, 2025

Honorable Members:

Council District No. 14

SUBJECT:

VACATION REQUEST – VAC- E1401457 – Council File No. 24-1448-S1 – Airspace
Vacation (elevation of approximately 401’2” to 471’9”) at corner of Hope Street with 2nd 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 B:

Airspace Vacation (elevation of approximately 401’2” to 471’9”) at corner of Hope Street with 2nd Street

- B. Acknowledge that the vacation of the areas shown colored orange on Exhibit B, are no longer part of the request. These areas were withdrawn from the request by the applicant in their letter dated September 12, 2025 (Transmittal No. 4)
- C. Review and consider the Grand Avenue Project Environmental Impact Report (EIR) No. ENV-2020-1935-EIR, SCH No. 2005091041, which was certified by the Los Angeles Grand Avenue Authority (Authority) on November 20, 2006, and subsequent addenda dated July 2010, April 2014, June 2018, and August 2020 (respectively available at https://clkrep.lacity.org/onlinedocs/2007/07-2306_misc_7-10-08.pdf and <https://planning.lacity.gov/development-services/eir/grand-avenue-project-addendums>) as they relate to the Air Space Vacation in compliance with the California Environmental Quality Act (CEQA).
- D. Find that based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed pursuant to CEQA in the Grand Avenue Project EIR No. ENV-2020-1935-EIR, SCH No. 2005091041, certified on November 20, 2006 and as supported by the subsequent addenda; and pursuant to CEQA Guidelines 15162 and 15164, no subsequent EIR or addendum is required for approval of the Project. A copy of the BOE CEQA Review Findings memo dated August 7, 2025, is attached and incorporated herein (Transmittal No. 3).

- E. Specify that the Permit Case Management and the Environmental Management Divisions of the Bureau of Engineering (BOE), respectively located at 201 N. Figueroa Street and 1149 South Broadway, and other relevant City of Los Angeles departments are custodians of the documents or other 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 public benefit to this airspace vacation of public street. Upon vacation of the portion of the street, the City is relieved of its ongoing obligation to maintain the portion of 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 \$25,021.42 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 shall 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 Public Works Committee (PWC) approval of this report, so the City Clerk and the Bureau of Engineering (BOE) may process the required Public Notification.

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

1. The Broad
Attn: Deborah Kanter
221 South Grand Avenue
Los Angeles, CA 90021

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 E1401457 be paid.
2. That a suitable map, 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 areas 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.
4. That a title report indicating the vestee of the underlying fee title interest in the areas to be vacated be submitted to the City Engineer.
5. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

Hope Street, 2nd Street, General Thaddeus Kosciuszko Way, and Grand Avenue

- a. Repair and/or replace damaged/cracked, off-grade roadway pavement along the frontage in a manner satisfactory to the City Engineer. (See Note 1)
 - b. Close any unused driveways with full height curbs, gutters, and sidewalks. (See Note 1)
 - c. Proposed driveway aprons shall conform and be constructed per latest Engineering's Standards (See Note 1).
 - d. That all drainage matters be addressed to the satisfaction of the City Engineer
6. That arrangements be made with all franchises and utilities agencies maintaining facilities in the area including but not limited to Verizon, ATT, and METFIBNET, for the

removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.

7. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, agreements be recorded satisfactory to BOE to hold each adjoining parcel of land, and its adjoining portions of the areas 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.
8. That street lighting facilities be installed as may be required by the Bureau of Street Lighting (BSL). A clearance letter from BSL will be required.
9. 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 $\frac{1}{4}$ 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 $\frac{1}{8}$ 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 $\frac{1}{4}$ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than $\frac{1}{8}$ 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 S-410-2, S-440-4, S-442-6, and S-444-1.

TRANSMITTAL:

1. Application dated October 22, 2024, from Deborah Kanter for The Broad.
2. Exhibit B, location map.
3. BOE CEQA Review Findings memo dated August 7, 2025
4. Applicant letter dated September 12, 2025, requesting to withdraw certain portions of the area from consideration

DISCUSSION:

Request: The petitioner, Deborah Kanter, representing the owner of the property shown outlined in yellow on Exhibit B, is requesting the airspace vacation of the area shown colored blue. The purpose of the vacation request is to permit architectural projections above the public right-of-way along 2nd Street, Hope Street, and General Thaddeus Kosciusko Way.

The applicant requested that the areas shown colored orange on Exhibit B be withdrawn from the request in their letter dated September 12, 2025 (Transmittal No. 4).

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 shall be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The Council on January 22, 2025, under Council File No. 24-1448-S1, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the areas to be vacated are zoned [HB5-SH1-5] [CX3-FA] [CPIO] and are developed with a concert hall to the north, a mixed-use residential building to the south, a private school to the east, and a Metro light rail station to the west.

Description of Areas to be Vacated: The area sought to be vacated is the airspace (elevation of approximately 401'2" to 471'9") at corner of Hope Street with 2nd Street.

Adjoining Streets: Second Street is a Modified Avenue III, dedicated 76-foot wide with 52-foot roadway width and 10-foot wide sidewalks. Hope Street is an Avenue I, dedicated with a variable width right-of-way and 46-foot wide roadway width and a 10-foot wide sidewalk. Grand Avenue is a Modified Boulevard II, dedicated 110-foot wide right-of-way and an 80-foot wide roadway. General Thaddeus Kosciuszko Way is a Local Street-Standard, dedicated 80-foot wide with 80-foot wide roadway width.

Surrounding Properties: The owners of lots adjoining the vacation areas have been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The vacation of airspace at the corner of Hope Street and 2nd Street between elevations of 401'2" and 471'9" will have no adverse effects on access rights or circulation. The requested area is above the street level by a sufficient distance. The subject street vacation does not impact circulation. There is sufficient right of way to provide the necessary roadway and sidewalk to serve this area.

The vacation area is not needed for the use of pedestrians, bicyclists, or equestrians.

Reversionary Interest: No determinations of the underlying fee interest of the vacation areas have been made as to title or reversionary interest.

Dedications and Improvements: There are no dedications however there are improvements required.

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

Public Utilities: Verizon maintains facilities in the areas proposed to be vacated. ATT and METFIBNET did not respond to BOE inquiry into potential assets.

Tract Map: Since there are no required dedications 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 BOE 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. 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 Los Angeles Department of Transportation stated in its communication dated December 10, 2024, that LADOT does not oppose the requested airspace vacation above the public right-of-way along 2nd Street, Hope Street, and General Thaddeus Kosciuszko Way.

City Fire Department: The Los Angeles Fire Department stated in its communication dated January 7, 2025, that it has no objection to this request.

Department of City Planning: The Department of City Planning stated in its communication dated December 16, 2024, that this request is consistent with the General Plan and consistent with the Central City Community Plan policies and objective.

Conclusion: The vacation of the public street airspace 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 areas shown colored orange should not be considered because they have been withdrawn by the applicant.

Report prepared by:
PERMIT CASE MANAGEMENT DIVISION

Armenia Aguilar
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HMH/TC/AA;sm

Respectfully submitted,


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Hui M Huang, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering