

CITY OF LOS ANGELES
CALIFORNIA

DEPARTMENT OF
PUBLIC WORKS

BUREAU OF
ENGINEERING

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To the Public Works Committee
Of the Honorable Council
Of the City of Los Angeles

Date: SEP 07 2012
Council File No.: 12-1360
Council District: 2
Contact Person: Phillip Martinez
Phone No.: 202- 3487

Transmittal:

Transmitted herewith, is the City Engineer's Report dated SEP 07 2012 for Council review and approval of:

VACATION APPROVAL – VAC E1401159 - Council File No. 12-1360 – Portion of Alley Westerly of Westpark Drive between Magnolia Boulevard and Hartsook Street.

RECOMMENDATIONS:

1. Adopt the findings by the City Engineer on the attached City Engineer's report relative to initiating vacation proceedings. This vacation is exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. Adopt the City Engineer's report dated SEP 07 2012 with the conditions contained therein.
3. Fiscal Impact Statement:

The petitioners have paid a fee of \$10,700.00 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 may be required of the petitioner.

Maintenance of the public easement by City Forces will be eliminated.



4. That there is a public benefit to this vacation. Upon vacation of the alley, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved alley easement.
5. There is an objection to the vacation submitted for this project. In her letter dated November 27, 2009, Michelle Allman, owner of Lot 11 abutting the proposed vacation area, indicated that the vacation would block access to her garage, impact the safety of using this alley area and impact the property value.

Attachment:


Edmond Yew, Manager
Land Development Group.

EY/dw/pm
LDG

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

SEP 07 2012

Honorable Members:

C. D. No. 2

SUBJECT:

VACATION APPROVAL - VAC- E1401159 - Council File No. 12-1360 – Portion of Alley Westerly of Westpark Drive between Magnolia Boulevard and Hartsook 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":

The alley easterly of Irvine Avenue from Magnolia Boulevard to approximately 90 feet northwesterly of Hartsook Street.

- B. That the vacation of the area shown colored orange on Exhibit "B", be denied.
- C. 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.
- D. That the Council find that there is a public benefit to this vacation. Upon vacation of the alley, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved alley easement.
- E. That, in conformance with Section 556 of the City Charter, the Council make the findings that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan.
- F. That, in conformance with Section 892 of the California Streets and Highways Code, the Council determine that the vacation area is not needed for nonmotorized transportation facilities

- G. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determines that the vacation area is not necessary for present or prospective public use.
- H. That the Council adopt the City Engineer's report with the conditions contained therein.
- I. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works Committee approval so the City Clerk and the 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 \$10,700.00 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 may 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 meeting to consider this request be sent to:

- 1. Oakwood School
Attn: Samuel Anker
11600 Magnolia Boulevard
North Hollywood, CA 91601
- 2. Lena Felise
11535 Hartsook Street
North Hollywood, CA 91601
- 3. Michelle Allman
11541 Hartsook Street
North Hollywood, CA 91601
- 4. Jaime and Kieley Jackson
11547 Hartsook Street
North Hollywood, CA 91601

5. Eran Shabtay
7401 Fulton Avenue
North Hollywood, CA 91605
6. Susan Picascia
11557 Hartsook Street
North Hollywood, CA 91601
7. Shawn Ashmore
10350 Santa Monica Boulevard, Suite 130
Los Angeles, CA 90025
8. Ronald Record
11569 Hartsook Street
North Hollywood, CA 91601

CONDITIONS FOR STREET VACATION:

The Conditions specified in this report are established as the requirements to be complied with by the petitioners for this vacation. Vacation proceedings in which the conditions have not been completed within two 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 E1401159 be paid.
2. That a suitable map, approved by the Valley 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 title reports 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 2 feet as public street along the southerly side of Magnolia Boulevard.

- b) Dedicate sufficient right-of-way to provide a 15-foot by 15-foot corner cut or 20-foot radius corner at the intersection with Magnolia Boulevard and Irvine Avenue.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
- a) Construct a 10-foot wide sidewalk along the southerly side of Magnolia Boulevard.
 - b) Close the vacated alley intersection at Magnolia Boulevard with standard street improvements including asphalt concrete pavement, concrete curb, gutter and sidewalk.
7. That arrangements be made with utility agencies maintaining existing facilities in the vacation area, including but not limited to the Department of Water and Power and AT&T 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 agreements be recorded satisfactory to the Bureau of Engineering to hold each 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 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 street lighting facilities be installed as required by the Bureau of Street Lighting.
10. That street trees be planted and tree wells be installed as may be required by the Street Tree Division of the Bureau of Street Services.
11. That written consents to the vacation be secured from all property owners of Lots 10 through 15, Tract No. 10711 adjoining the area to be vacated.

TRANSMITTAL:

Application dated August 28, 2009, Samuel Anker on behalf of Oakwood School.

DISCUSSION:

Request: The petitioner, Oakwood School, owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of a portion of the public alley area shown colored blue. They have stated that the purpose of the vacation is to use it as a private property for the existing school.

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 August 31, 2012, under Council File No. 12-1360 adopted a Rule 16 Motion initiating street vacation proceedings. The City Council in March 1, 1994, under Council File No. 92-1016-S1, conditionally approved the withdrawal from public use of a portion of the proposed vacation area.

Zoning and Land Use: The properties northerly and easterly of the proposed vacation area are zoned R4-1 and are developed with a school and an apartment building. The properties westerly of the north/south alley at Magnolia Boulevard are zoned [Q] R4-1 and are developed with a school. The properties southerly of the proposed vacation area are zoned R1-1 and are developed with single family residences.

Description of Area to be Vacated: The area sought to be vacated is an improved portion of the 20-foot wide alley lying easterly of Irvine Avenue from Magnolia Boulevard to approximately 90 feet northwesterly of Hartsook Street.

Adjoining Streets and Alley: Magnolia Boulevard is an improved Secondary Highway dedicated 86 feet wide with a half-roadway width of 33 feet, concrete curbs, gutters, and variable width sidewalks. Irvine Avenue is an improved Local Street dedicated 60 feet in width with a half roadway width of 18 feet and a 5 foot wide sidewalk, concrete curbs and gutters. Hartsook Street is an improved Local Street dedicated 60 feet in width with a half-roadway width of 18 feet and a 5 foot wide sidewalk, concrete curbs and gutters. The adjoining alley not being vacated northwesterly of Hartsook Street is dedicated 20 feet in width and is improved.

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

Effects of Vacation on Circulation and Access: The vacation of the public alley will have some adverse effect on vehicular access for residents in properties abutting this

vacation area. The ability to use this alley for current or future access by those property residents will be impacted. However, if arrangements can be made and consents to the vacation be granted by these property owners, then this alley can be vacated.

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

Objections to the vacation: In her letter dated November 27, 2009, Michelle Allman, owner of Lot 11 abutting the proposed vacation area, indicated that the vacation would block access to her garage, impact the safety of using this alley area and impact the property value.

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: AT&T maintains facilities in the area proposed to be vacated. The Department of Water and Power did not respond to the Bureau of Engineering's referral letter dated November 10, 2009.

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 one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of 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 authority of the City of Los Angeles.

City Department of Transportation: The Department of Transportation states that they are not opposed to this vacation provided that all abutting property owners are in agreement with the proposed vacation. 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 standard street dimensions.

City Fire Department: The Fire Department did not respond to the Bureau of Engineering's referral letter dated November 10, 2009.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated November 10, 2009.

Conclusion: The vacation of the public alley 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 nonmotorized transportation purposes.

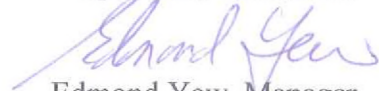
The area shown colored orange should not be vacated because it is needed for public alley purposes.

Report prepared by:
Land Development Group

Phillip Martinez
Civil Engineering Associate II
(213) 202-3487

EY/dw/pm
E1401159
LDG

Respectfully submitted,



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY

ORIGINAL - (No copies or faxes)

DATE: AUGUST 28, 2009

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: UNNAMED ALLEY
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)
and is located between:
MAGNOLIA BLVD AT LEMP AVE and HARTSOOK ST AT WESTPARK
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)

- Attach a map if necessary.
- (2) The vacation area lies within or is shown on:
 - (a) Engineering District: (check appropriately)
() Central () Harbor (X) Valley () West Los Angeles
 - (b) Council District No. 2
 - (c) District Map No. 171B169
 - (d) A CRA Redevelopment Area: _____ OR _____
(YES) (NO)

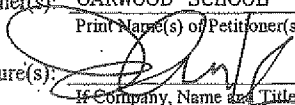
(3) Area (in sq. ft.) of the proposed vacation area is approx. 9,400 sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a Vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the Applicant chooses to have an Environmental Determination performed by the Bureau of Engineering Environmental Group, the Applicant must submit a separate letter acknowledging that the environmental review will add approximately \$15-\$30 thousand to the cost of processing the vacation and increase the processing time by 6 months.

- If the vacation is located within a Coastal Development Zone, prior approval from the California Coastal Commission will be required before the vacation application can be submitted. The Applicant should be aware that vacations subject to the California Coastal Commission will take longer to process and will be considerably more expensive. Since the costs for vacations in the Coastal Development Zone typically reach upwards of \$30 thousand, the Applicant should be prepared to make a supplemental fee deposit to cover additional costs after Engineering Recommendations have been made so the vacation process can continue on to City Council without any delay.
- If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.

(4) Purpose of vacation (future use of vacation area) is: MOST OF THE ALLEY WAS APPROVED FOR VACATION IN 1997, AND HAS BEEN USED SINCE 1994 AS PART OF AN EXISTING SCHOOL. PURPOSE IS TO CONTINUE THIS USE.

(5) Vacation is in conjunction with: (Check appropriately)
() Revocable Permit () Tract Map () Parcel Map () Zone Change
(X) Other CONTINUE AND EXPAND EXISTING SCHOOL USE

PETITIONER / APPLICANT:

(6) Petitioner(s): OAKWOOD SCHOOL
Print Name(s) of Petitioner(s) in full - Name or Company Name
Signature(s): 
If Company, Name and Title: SAMUEL H. ANKER, C.O.O.

(7) Mailing Address: 11600 MAGNOLIA BLVD, NO. HOLLYWOOD, CA 91601
(Address, City, State, Zip Code)

(8) Daytime phone number of petitioner is: (818) 755-8082
FAX number: (818) 766-1285
E-mail number: ankerworks@oakwoodschool.org

(9) Petitioner is: (check appropriately) Owner **OR** Representative of Owner

OWNERSHIPS:

(10) Name(s) and address of the Owner(s) applying for vacation is/are:

[SAME AS ABOVE]

Print Name(s) and Address of Owner(s) in Full
(If Owner is Petitioner, Indicate "Same as above")

Signature(s)

(11) Petitioner is owner or representative of owner of: (check appropriately)

The property described in attached copy of Grant Deed **OR**

[ALL PARCELS SOUTH SIDE OF MAGNOLIA FROM IRVINE TO 170 FWY]
(Lot, Tract No.) (Parcel, Parcel Map L.A. No.) (Other)

(12) The following are the available signatures of other property owners who also own properties adjoining the area proposed to be vacated and whose ownership's are indicated on the attached map by use of "circled letters". (1) Print Name(s), (2) Provide mailing addresses, (3) Indicate Lots owned and (4) Obtain signatures.
(See Example Ownership List)

Ownership Information may be obtained from:

Los Angeles City Clerk
Land Records Division
Room 730
201 North Figueroa Street
Los Angeles, CA 90012
Phone: (213) 977-6001

or for the most
current
information

Los Angeles County Assessor
Ownership Information
500 West Temple Street
Los Angeles, CA 90012
Phone: (213) 974-3211

Provide the information as indicated:

Print Names(s) of Property Owner(s) Here

Signature(s) Here

A

Print Mailing Address Here

Owner of: Lot or Parcel Here

B

[TO BE PROVIDED]

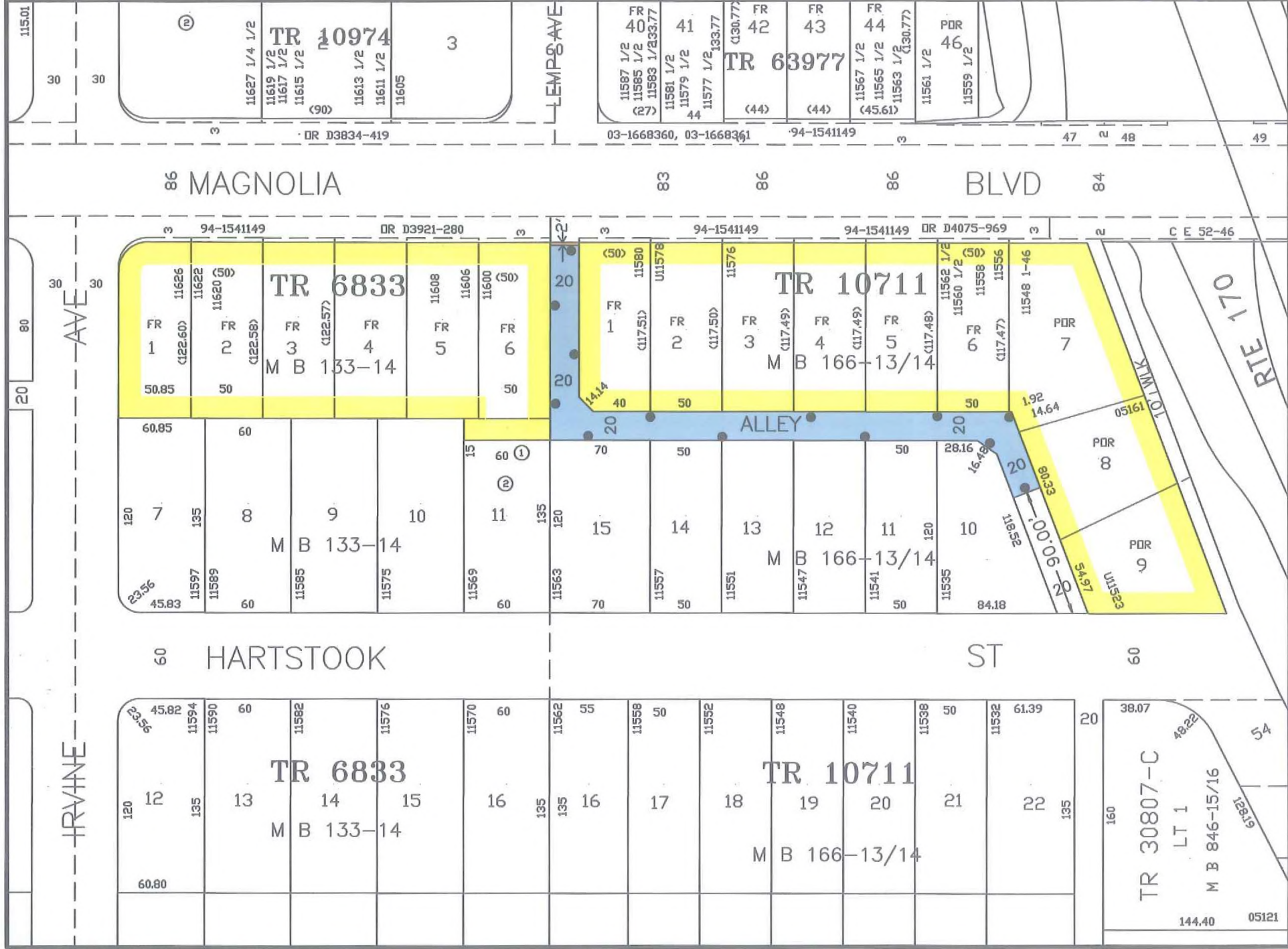
C

D

E

Add extra sheet(s) if necessary

(revised 9-20-07)



TITLE: PORTION OF ALLEY WESTERLY OF WESTPARK DRIVE BETWEEN
MAGNOLIA BOULEVARD AND HARTSOOK STREET

WORK ORDER NO. VAC- E1401159
COUNCIL FILE NO. 12-1360
COUNCIL DIST. 2 DIV. INDEX 1351
ENG. DIST. VALLEY T.G. 562-H2
DISTRICT MAP 171 B169

DEPT. OF PUBLIC WORKS
BUREAU OF ENGINEERING
CITY OF LOS ANGELES

EXHIBIT "B" LEGEND: Vacation boundary as shown