

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

APR 12 2017

Honorable Members:

C. D. No. 2

SUBJECT:

VACATION REQUEST - VAC- E1401159 - Council File No. 12-1360 – Portion of Alley Westerly of Westpark Drive between Magnolia Boulevard and Hartsook Street (Re-application)

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 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 August 10, 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 \$20,700.00 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 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. Oakwood School
Attn: Chris Thomas
11600 Magnolia Boulevard
North Hollywood, CA 91601
2. Toni J. Felise
11535 Hartsook Street
North Hollywood, CA 91601
3. Michelle Allman
11541 Hartsook Street
North Hollywood, CA 91601
4. Hartsook Holdings, LLC.
11600 Magnolia Boulevard
North Hollywood, CA 91601

5. Susan Picascia TR
11557 Hartsook Street
North Hollywood, CA 91601
6. Ronald K. Record
11569 Hartsook Street
North Hollywood, CA 91601

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 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 and GIS Division 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 and GIS Division 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:

Dedicate or retain from the vacation area, if necessary, sufficient area as public street to provide for a turning area at the new terminus north of Hartsook Street created by the vacation of the alley.
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 concrete sidewalk along the property frontage on the southerly side of Magnolia Boulevard.

- b. Upgrade all driveways to comply with ADA requirements and close all unused driveways with standard concrete curb, 2-foot gutter and 12-foot concrete sidewalk.
 - c. Close the vacated alley intersection at Magnolia Boulevard with standard street improvements including asphalt concrete pavement, concrete curb, gutter and sidewalk.
 - d. Construct a turning area to the satisfaction of the Bureau of Engineering and Department of Transportation at the alley terminus north of Hartsook Street created by the vacation of the alley.
7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, 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 consents to the vacation be secured from the owners of Lots 10 through 15, Track No. 10711 adjoining the areas to be vacated.
 9. That agreements 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.
 10. That street lighting facilities be installed as required by the Bureau of Street Lighting.
 11. 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 June 17, 2016, from Chris Thomas on behalf of Oakwood School.

DISCUSSION:

Request: The petitioner, , Chris Thomas, representing the Oakwood School, owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public alley area shown colored blue. The purpose of the vacation request 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 March 4, 2014 conditionally adopted the City Engineer's report dated September 7, 2012. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On June 17, 2016, the petitioner submitted a new application. The Council on August 10, 2016 under Council File No. 12-1360, 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 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 Avenue II dedicated 86 feet wide with a 33 wide half-roadway, curbs, gutters and variable width wide 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 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 public alley will have some adverse effect on vehicular access for residents in properties adjoining 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 those property owners, then this alley can be vacated.

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

Objections to the vacation: Michelle Allman, owner of Lot 11 adjoining the proposed vacation area, stated in a letter dated July 15, 2016 that the vacation will inhibit access to the driveway into her garage.

Alan Anaya, Anaya Law Group, representing Michelle Allman, the owner of the property at 11541 Hartsook Street, North Hollywood, CA 91601, stated in a letter dated May 6,

2015 that “access to the alley has been blocked by Oakwood posing an ongoing impediment for our client to access her property and access her driveway. This persistent issue poses a safety issue and impairs the values of Ms. Allman’s property.”

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 provides for the dedications and improvements as outlined in the conditions of this report.

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

Public Utilities: The Department of Water and Power, AT&T, and the 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 records 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 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 stated in its communication dated February 14, 2017 that the vacation is not opposed provided that all abutting property owners are in agreement with the proposed vacation and provisions are made for lot consolidation, driveway and access approval by DOT, and any additional dedications and improvements necessary to bring all adjacent streets into conformance with City’s standard street dimensions.

City Fire Department: The Fire Department states in its correspondence dated October 6, 2016 that it has no objection to this Street Vacation.

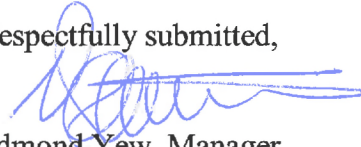
Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering’s referral letter dated June 30, 2016.

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 non-motorized transportation purposes.

Respectfully submitted,



Edmond Yew, Manager
Land Development and GIS Division
Bureau of Engineering

Report prepared by:
LAND DEVELOPMENT & GIS DIVISION

Amy Lin
Civil Engineering Associate
(213) 202-3486

EY/RS/

Q:\LANDDEV\STREET VACATIONS\E1401100-E1401199\E1401159-Westpark
Dr\VAC E1401159R Report.doc