

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

OCT 13 2016

Honorable Members:

C. D. No. 3

SUBJECT:

VACATION REQUEST - VAC- E1401262 - Council File No. 15-0100 – Alley Easterly of Reseda Boulevard from Erwin Street to approximately 153 feet Northerly of Bessemer 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 Reseda Boulevard from Erwin Street to approximately 153 feet northerly of Bessemer Street.

- B. That the vacation of the area shown colored orange on Exhibit “B”, be denied.
- C. That the Council find that:
- 1) The vacation is exempt from the California Environmental Quality Act (CEQA) of 1970 , pursuant to Article III, Class 5(3) of the City’s CEQA 2002, and
 - 2) The minor sidewalk and street improvements are exempt under Class 1(3) of City's CEQA Guidelines (2002).
- D. 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.
- E. 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.

- F. 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.
- G. 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.
- 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 and Gang Reduction Committee approval based on the Rule 16 motion adopted by City Council on February 3, 2015, 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 \$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:

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. Thomas Iacobellis
Iacobellies & Associates Inc.
11145 Tampa Av. #15B
Northridge CA 91326
2. Tarzana Five Properties, LLC
11677 San Vicente Bl., #206
Los Angeles CA 90049

3. Arash Amini
6241 Canby Av.
Tarzana CA 91335
4. James and Amy Miao
22222 Dardenne St
Calabasas CA 91302
5. L and O Dreams LLC
14301 Ventura Bl
Sherman Oaks CA 91423
6. Joyce Layman Tr
27505 Catala Av
Saugus CA 91350
7. Manuel & Rosa Rangel
6217 Canby Av
Tarzana CA 91335
8. Susana Salgado
6211 Canby Av
Tarzana CA 91335
9. Bernard Davis Tr
PO Box 16332
Encino CA 91416
10. Ezat Mahmoudi
6201 Canby Av
Tarzana CA 91335
11. Christopher & Regina Cheramie
6169 Canby Av
Tarzana CA 91335
12. Linda Denninger
6163 Canby Av
Tarzana CA 91335
13. Sergey & Larisa Shelyakov
6157 Canby Av
Tarzana CA 91335
14. Alicia Alvarez
6151 Canby Av
Tarzana CA 91335

15. Wageeh & Magda L Siha
6143 Canby Av
Tarzana CA 91335

16. Miguel A. Garcia
6137 Canby Av
Tarzana CA 91335

17. Joni Greer Tr
4925 Swinton Av
Encino CA 91436

18. Hilda M. Mora
6125 Canby Av
Tarzana CA 91335

19. Reseda Square LLC
416 S Via Montana
Burbank CA 91501

20. Mozafar & Dalia Koshki Tr
4341 Grimes Pl
Encino CA 91316

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 E1401262 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:
 - a. Dedicate 5 feet along Reseda Boulevard as a public street to provide a 55-foot wide half right-of-way in accordance with the Boulevard II standard for Mobility Plan 2035, together with a 20-foot radius property line return at the intersection with Erwin Street.
 - b. Dedicate 3 feet along Erwin Street as a public street to provide a 33-foot wide half right-of-way in accordance with the Collector Street standard for Mobility Plan 2035.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a. Construct additional concrete sidewalk along Reseda Boulevard to provide a 15-foot wide sidewalk.
 - b. Construct additional concrete sidewalk along Erwin Street to provide a 15-foot wide sidewalk.
 - c. Close the alley intersection at Erwin Street with standard street improvements or with a standard driveway approach.
 - d. Provide any necessary improvements to collect or divert any surface flows from impounding within the area to be vacated.
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 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 consents to the vacation be secured from the owners of all properties adjoining the area to be vacated (Lots 16 through 31, inclusive, of Tract 16690), from the owner of Lot 1 of Tract 21537, and from the owner of Lot 32 of Tract 16690.
9. That through lot-tie or other means acceptable to the City Engineer, the petitioner provide sufficient evidence that Lots 2 through 5 of Tract 22807 will satisfy the "no vehicular access to Reseda Boulevard" clause of the recorded Tract Map upon vacation.
10. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, 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.

11. That street lighting facilities be installed as required by the Bureau of Street Lighting.
12. 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:

- 1) Application dated December 18, 2014, from Thomas Iacobellis.
- 2) Notice of Exemption filed with the City Clerk on April 11, 2016

DISCUSSION:

Request: The petitioner, Thomas Iacobellis & Associates, Inc., representing the owner of the property 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 completely close off the alley, which has been removed from public use.

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 February 3, 2015, under Council File No. 15-0100 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the west are zoned R3-1-RIO and are developed with multi-family residential buildings. The properties adjoining the area to be vacated to the east are zoned R1-1-RIO and are developed with single family residences.

Description of Area to be Vacated: The area sought to be vacated is the alley easterly of Reseda Boulevard from Erwin Street to approximately 153 feet northerly of Bessemer Street. The alley is dedicated 20 feet wide and improved. The alley as was closed by the Nuisance Alley Conversion Project and is gated at the intersection with Erwin Street and at the southerly boundary of the area proposed for vacation, approximately 153 northerly of Bessemer Street. The closure was adopted by the Board of Public Works on May 1, 2000.

Adjoining Streets: Reseda Boulevard is a Boulevard II dedicated 100 feet wide with a 80-foot wide roadway, curbs, gutters and 10-foot wide sidewalk. Erwin Street is a Collector Street dedicated 60 feet wide with a 36-foot wide roadway, curb, gutters and 5-foot wide sidewalk in a 12-foot wide border.

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 alley easterly of Reseda Boulevard from Erwin Street to approximately 153 feet northerly of Bessemer Street should not have an adverse effect on circulation since the alley is currently closed to traffic.

Rear access to those properties adjoining the alley would be eliminated through the vacation. Also the vehicular access for lots 2-5 of Tract 22807 would be eliminated by vacation of the alley, as those lots are prohibited from taking vehicular access from Reseda Boulevard per the conditions of the recorded Tract Map 22807. As a condition of the vacation, through lot-tie or other acceptable means, these lots would be required to satisfy the vehicular access requirements of the recorded tract upon vacation.

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

Objections to the vacation:

In a letter dated January 9, 2015, Joni Greer, owner of the property at 6131 Canby Avenue adjoining the vacation area strongly objected to the proposed vacation, citing existing crime issues and unauthorized access to the closed alley.

In a letter dated January 21, 2015, Bernard Davis, owner of the property located at 6205 Canby Avenue adjoining the vacation area opposed the proposed vacation stating that he wanted continuous access from the alley to the rear of his property.

Consent to the vacation from owners of all adjoining properties is recommended as a condition of 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.

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

Public Utilities: The Department of Water and Power and AT&T 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 agreements 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 stated in its communication dated March 6, 2015 that it does not oppose the proposed vacation provided that all abutting property owners are in agreement with the proposed vacation and that provisions are made for: lot consolidation, driveway access and approval by DOT, and any additional dedication and improvements necessary to bring all adjacent streets into conformance with the City's Standard Street Dimensions.

City Fire Department: The Fire Department stated in its memo dated January 14, 2015 that it has no objection to the proposed street vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated December 31, 2014.

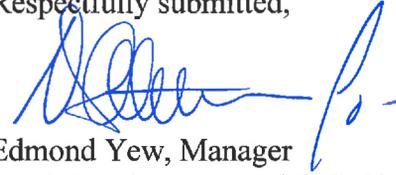
Conclusion: The vacation of the public alley area as shown colored blue and orange on attached Exhibit "B" could be conditionally approved based upon the following:

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

Report prepared by:

Respectfully submitted,



LAND DEVELOPMENT & GIS DIVISION

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Land Development and GIS Division
Bureau of Engineering

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