

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

September 14, 2016

Honorable Members:

C. D. No. 2

SUBJECT:

VACATION REQUEST - VAC- E1401265 - Council File No. 16-0898 - L-Shaped Alley
(Portion of) Southerly of Victory Blvd. and Westerly of Bakman Avenue

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":

A portion of the L-Shaped Alley southerly of Victory Boulevard and westerly of Bakman Avenue
- 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.

- 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 August 17, 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 \$14,980.00 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 and Gang Reduction Committee and the City Council meetings to consider this request be sent to:

1. Hannibal Petrossi
1300 Bristol Street North
Suite 270
Newport Beach, CA 92660

2. Noho Victory LLC
Roberto Rodriguez and Cristina Rodriguez
P.O. Box 11118
Burbank, CA 91516

3. Noho Victory LLC
P.O. Box 11118
Burbank, CA 91510

4. Roberto Rodriguez
22459 South Summit Ridge Circle
Chatsworth, CA 91311

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 E1401265 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 improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Remove and replace any broken, missing, or off-grade sidewalk along Bakman Avenue, Victory Boulevard, and Tujunganga Avenue.
 - b. Repair or replace any broken, missing, or off-grade alley pavement and longitudinal gutter along the alley easterly of Bakman Avenue.
 - c. Construct standard curb ramps at the southeast corner of Victory Boulevard and Tujunganga Avenue and at the southwest corner of Victory Boulevard and Bakman Avenue.
6. 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.
7. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer facilities located within the area to be vacated, unless easements are reserved from the vacation for its protection.
8. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to the Bureau

of 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 areas, 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 may be required by the Bureau of Street Lighting.
10. 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 January 28, 2015, from Hannibal Petrossi, representatives of Noho Victory LLC.

DISCUSSION:

Request: The petitioner, Hannibal Petrossi, representing the owner of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public alley area shown colored blue. The purpose of the vacation request is to consolidate the areas with the adjoining properties.

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 17, 2016, under Council File No. 16-0898 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the northwest are zoned C2-1VL and developed with a commercial building. The properties adjoining the area to be vacated to the north are zoned [Q] R3-1 and developed with parking lots. The properties adjoining the area to be vacated to the west and southeast are zoned R1-1 and developed with a parking lot.

Description of Area to be Vacated: The area sought to be vacated is the portion of the L-Shaped Alley southerly of Victory Boulevard and westerly of Bakman Avenue. It is currently developed as a part of the accessory parking for the commercial building located to the northwest. It does not provide access to the southerly continuation of the public alley.

Adjoining Streets and Alleys: Victory Boulevard is a Boulevard II dedicated 100 feet wide with a 74-foot wide roadway, curbs, gutters and 13-foot wide sidewalks. Tujunga Avenue is an Avenue II dedicated 85 feet wide with a 56-foot wide variable width roadway with curbs, gutters and 12.5-foot wide sidewalks. Bakman Avenue is a Local Street dedicated 60 feet wide with a 33-foot partial roadway with curbs, gutters and 12-foot wide sidewalks. The alley easterly of Tujunga Avenue is dedicated 20 feet wide and improved with asphalt pavement and longitudinal gutter.

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 portion of the L-shaped alley southerly of Victory Boulevard and westerly of Bakman Avenue should have no adverse effect on vehicular circulation or access. The portion of the alley only provides access to the petitioner's property. A 20-foot wide replacement alley was dedicated by Instrument No. 95-1204746 and improved under City Plan P-34749. All properties adjoining the vacation area are owned by the petitioner and do not require access from the vacation area.

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

Objections to the vacation:

There were no objections to the vacation submitted for this project.

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: There are no dedications required. However, it will be necessary that the petitioner provide for the improvements as outlined in the conditions of this report.

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

Public Utilities: The Department of Water and Power and AT&T maintain facilities in the area proposed to be vacated.

Tract Map: Since there are no dedications required 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 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 did not respond to the Bureau of Engineering's referral letter dated January 28, 2015.

City Fire Department: The Fire Department stated in its communication dated March 19, 2015 that they have no objection to the street vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated January 28, 2015.

Conclusion: The vacation of the public alley 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.

Report prepared by:

Respectfully submitted,

LAND DEVELOPMENT & GIS DIVISION



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

Sean Mizan
Civil Engineering Associate I
(213) 202-3491

EY/ dw/tc/sm
Q:\LANDDEV\STREET VACATIONS\E1401200-E1401299\E1401265\VAC
E1401265 Report.doc