

CITY OF LOS ANGELES
INTERDEPARTMENTAL CORRESPONDENCE

Date: February 22, 2008

To: Adam Lid
Legislative Assistant
Public Works Committee
City Clerk

From: 
Edmond Yew
Manager
Land Development Group
Bureau of Engineering

Subject: Vacation Request- VAC E1400864-Council File No. 03-1351-Sunnyslope
Between Debby Street and Erwin Street

Attached is a copy of the City Engineer report dated February 12, 2004 previously transmitted to you office for the consideration of the Public Works Committee for this street vacation request. This subject matter was closed pursuant to Council action of September 13, 2005, all Council files pending before the City Council, which have not been placed on a Council or Committee agenda for consideration for a period of two years or more, are deemed received and filed (CF 05-0553).

A correspondence received by the Bureau of Engineering on July 24, 2006 from Mario and Adriana Benci, applicants of this subject street vacation request, indicated that they are still interested in this vacation request. Please reactivate this street vacation request under Council File No. 03-1351.

PUBLIC WORKS

MAR 06 2008

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

Honorable Members:

FEB 12 2004

C. D. No. 2

SUBJECT:

VACATION REQUEST - VAC- E1400864 - Council File No. 03-1351 – Sunnyslope Avenue Between Debby Street and Erwin Street. (REVISED REPORT)

RECOMMENDATION:

- A. That the City Engineer's report dated August 6, 2003, not be considered.
- B. 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":

Sunnyslope Avenue between Debby Street and Erwin Street.

- C. That the vacation of the areas shown colored orange on Exhibit "B", be denied.
- D. That the City Council find that the vacation is exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City's Environmental Guidelines.
- 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 determines 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 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 \$6,540.00 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. Benci, Mario and Adriana
13461 Erwin St.
Van Nuys, CA 91401

2. Ball, Edgar E. and Dorothy J.
6254 Allott Ave.
Van Nuys, CA 91401
3. Adkins, Ivan A. and Betty
13503 Erwin St.
Van Nuys, CA 91401

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 180 days of the Council's action on the City Engineer's report and without proper time extension, shall be terminated with no further Council action.

1. 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 of the Bureau of Engineering prior to the preparation of the Resolution to Vacate.

2. 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.
3. That an 18-foot wide half roadway be constructed on the southerly side of Debby Street adjoining the petitioner's property including concrete curb, gutter, and sidewalk, together with suitable transitions to join the existing improvements, all in a manner satisfactory to the City Engineer.
4. That arrangements be made with the Southern California Gas Company and SBC Pacific Bell for the removal of affected facilities or the providing of easements or rights for the protection of any affected facilities that may be in place.
5. That an agreement be recorded satisfactory to the Bureau of Engineering to hold the 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 the authority of the City of Los Angeles.
6. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
7. That street trees be planted and tree well covers be installed as may be required by the Street Tree Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated May 20, 2003 from Mario and Adriana Benci.

DISCUSSION:

Request: The petitioners, Mario and Adriana Benci, owners of the property shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street area shown colored blue and orange. They have stated that the purpose of the vacation is to consolidate the proposed vacated area with the adjoining properties to remedy the encroachment of landscaping and existing structures presently within the public right-of-way.

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 July 1, 2003, under Council File No. 03-1351 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties surrounding 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 the unimproved portion of Sunnyslope Avenue between Debby Street and Erwin Street. The street is dedicated 30 feet and variable width and has been privately used by the petitioners primarily as a walkway and a driveway for their existing dwellings.

Adjoining Streets: Debby Street is a partially improved local street dedicated 60 feet and variable width with a 36-foot wide asphalt concrete roadway, concrete curb, gutter, and sidewalk, except over the southerly portion of the street adjacent to the petitioner's property. Erwin Street is an improved local street dedicated 60 feet wide with asphalt concrete roadway, curb, gutter, and sidewalk on both sides of the street.

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

Effects of Vacation on Circulation and Access: The vacation of the public street will not have any adverse effect on vehicular circulation or access since that portion of the street is unimproved and has been a part of the petitioner's property and is being utilized to access their residence.

The street is also not needed for the use of bicyclists or equestrians. Portions of the requested vacation area are improved as a public walk and are needed for pedestrian use.

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

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 petitioners provide for the improvements as outlined under Conditions.

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

Public Utilities: SBC Pacific Bell maintains facilities in the area proposed to be vacated. However, the Southern California Gas Company did not respond to the Bureau of Engineering's referral letter dated June 10, 2003.

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 records an agreement satisfactory to the Bureau of Engineering to hold each adjoining parcels 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 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 states that based on traffic considerations, the vacation is not opposed if all abutting property owners are in agreement with the proposed vacation, the existing public walkway is not altered, and a 10-foot wide public right-of-way is maintained. 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 the Department of Transportation 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 states that they have no objections to this vacation.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated June 10, 2003.

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

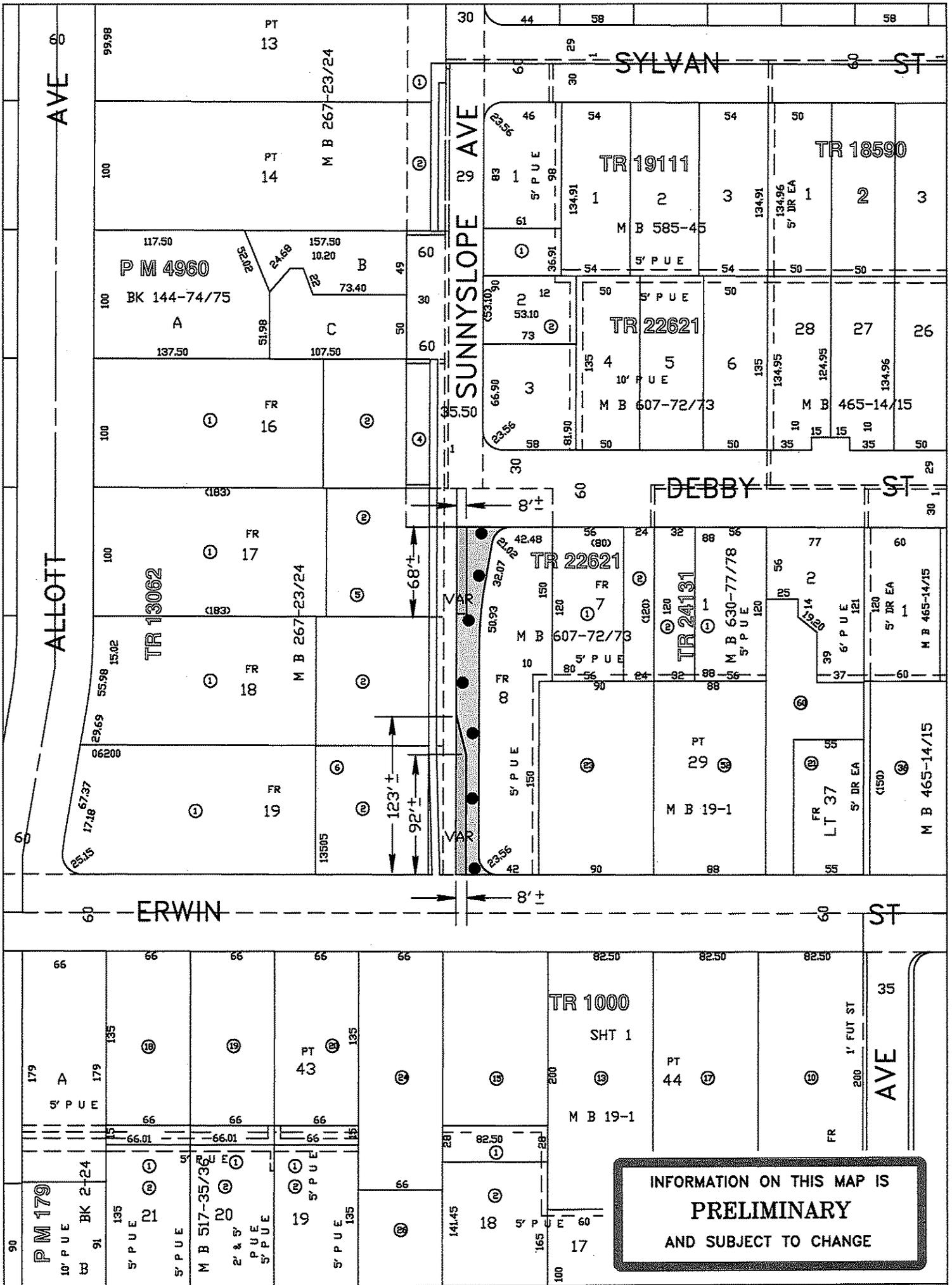
1. It is unnecessary for present or prospective public use.
2. It is not needed for vehicular circulation or access.
3. It is not needed for nonmotorized transportation purposes.

The areas shown colored orange should not be vacated because they are needed for public walk purposes.

Respectfully submitted,


Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DKS/jk
E1400864R
LDG



INFORMATION ON THIS MAP IS
PRELIMINARY
 AND SUBJECT TO CHANGE

TITLE: SUNNYSLOPE AVENUE BETWEEN DEBBY STREET AND ERWIN STREET

WORK ORDER NO. VAC- E1400864
 COUNCIL FILE NO. 03-1351
 COUNCIL DIST. 02 DIV. INDEX 903
 ENG. DIST. VALLEY T.G. 532-C7
 DISTRICT MAP 177 -B- 157



CITY OF LOS ANGELES
DEPT. OF PUBLIC WORKS

 GARY LEE MOORE
 CITY ENGINEER