

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

August 14, 2015

Honorable Members:

C. D. No. 5

SUBJECT:

VACATION APPROVAL - VAC- E1401259 - Council File No. 15-0882 - Selkirk Lane and Rial Lane Vacation District

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”:

Rial Lane from approximately 20 feet northerly of Selkirk Lane to approximately 182 feet northerly of Selkirk Lane.
- 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 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 August 4, 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 \$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 Committee and the City Council meetings to consider this request be sent to:

1. Isaac Verbukh
10921 Wilshire Blvd., #1114
Los Angeles CA 90024
2. Donna Tripp, Craig Lawson & Co. LLC
8758 Venice Bl, Ste 200
Los Angeles CA 90034
3. mVIP Surgery, LLC
4333 Admiralty Way, Ste 9
Marina Del Rey CA 90292
4. LADWP
PO Box 51111
Los Angeles CA 90051

5. David Rapkin Tr
10569 Selkirk Ln
Los Angeles CA 90077

6. Robert S. Winter III
10558 Selkirk Ln
Los Angeles CA 90077

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 E1401259 be paid.
2. That a suitable map, approved by the West Los Angeles 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 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 any fee interest of the area being vacated which may be vested in the City of Los Angeles be acquired.
6. 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 easement along the property frontage of Parcel A and Parcel B of PM 3904, along Selkirk Lane and along Rial Lane.
 - b. Dedicate sufficient area as necessary to provide for a turning area at the intersection of Selkirk Lane and Rial Lane.

7. That provisions be made, if necessary, to collect or divert any surface drainage from impounding within the area to be vacated and, if necessary, to reserve a drainage easement from the vacation.
8. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, Verizon and Southern California Gas Company for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
9. That consent to the vacation be secured from the owner of Lots 15 through 21 of Tract 1033 adjoining the area to be vacated.
10. 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 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.

TRANSMITTAL:

Application dated October 23, 2014, from Isaac Verbukh.

DISCUSSION:

Request: The petitioner, Isaac Verbukh, on behalf of mVIP Surgery LLC, owner of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street areas shown colored blue and orange. The purpose of the vacation request is to maintain use of the existing building pad, driveway, segment of garden wall and landscaping located within portions of the subject paper streets.

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 4, 2015, under Council File No. 15-0882 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area proposed to be vacated along the easterly side of Rial Lane are zoned RE40-1 and developed with residences. The

property adjoining the proposed vacation area to the southwest is zoned A1-1 and developed with a residence. The properties adjoining the proposed vacation area on the westerly side of Rial Lane, northerly of Selkirk Lane are zoned [Q]OS-1XL and are undeveloped.

Description of Areas to be Vacated and Adjoining Streets: The areas sought to be vacated are Selkirk Lane from approximately 20 feet westerly of Rial Lane to its northeasterly terminus and Rial Lane from approximately 30 feet southerly of Selkirk Lane to approximately 180 feet northerly of Selkirk Lane. The area recommended for vacation approval is Rial Lane from approximately 20 feet northerly of Selkirk Lane to approximately 182 feet northerly of Selkirk Lane. Rial Lane is dedicated 20 feet wide and unimproved northerly and southerly of Selkirk Lane. Selkirk Lane is dedicated 20 feet wide and unimproved westerly of Rial Lane. At the intersection of Selkirk Lane and Rial Lane, and within Selkirk Lane easterly of Rial Lane, the street is improved with variable width concrete pavement, which connects to a 20-foot wide improved private street to the northeast, which then connects to another improved segment of Selkirk Lane located to the east.

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 Rial Lane from approximately 20 feet northerly of Selkirk Lane to approximately 182 feet northerly of Selkirk Lane should not have any adverse effect on circulation or access since the street is unimproved and does not carry traffic.

The street 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 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 as outlined in the conditions of this report. There are no improvements required.

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 Southern California Gas Company maintain facilities in the area proposed to be vacated.

Tract Map: Since there are no improvements required, and the required dedications can be acquired by separate instruments 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 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 (LADOT) stated in its communication dated March 6, that it does not oppose the vacation, provided that all abutting property owners are in agreement, and that provisions are made for lot consolidation, driveway and access approval by LADOT and any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Standard Street Dimensions. LADOT stated that these streets do not currently carry traffic so vacation would not result in any adverse access or circulation impacts.

City Fire Department: The Fire Department did not respond to the Bureau of Engineering's referral letter dated November 5, 2014.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated November 5, 2014.

Conclusion: The vacation of the public street 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.

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

Report prepared by:

LAND DEVELOPMENT GROUP

Dale Williams
Civil Engineer
(213) 202-3491

Respectfully submitted,



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

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