

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

June 8, 2016

Honorable Members:

C. D. No. 11

SUBJECT:

VACATION REQUEST - VAC- E1401278 - Council File No. 15-0966 – East Boulevard and South Park Avenue (portion surrounding Island Lot D)

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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”:

Portion of East Boulevard and South Park Avenue adjoining Lot D of Tract 928.

- 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 21, 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. Gwyn Quillen, Trustee  
Cornick Family Trust  
20034 Elfin Forest Rd  
Escondido, CA 92029
2. Gwyn Quillen Trust  
5746 Busch Dr.  
Malibu, CA 90265-3806

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 E1401278 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 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) Replace existing curb with new concrete integral curb and 2-foot concrete gutter along all property frontage.
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 the 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.
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 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.

9. That street lighting facilities be installed as 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 June 17, 2015, from Gwyn Quillen, Trustee, Cornick Family Trust.

DISCUSSION:

Request: The petitioner, Gwyn Quillen, representing the owner of the property shown outlined in yellow on Exhibit "A" is requesting the vacation of the public parkway/right-of-way area shown colored blue. The purpose of the vacation request is to hold the property as one parcel.

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 21, 2015, under Council File No. 15-0966 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated are zoned R1-1 and are developed with residences.

Description of Area to be Vacated: The area sought to be vacated is the 20-foot wide portions of right-of-way surrounding Island Lot D along East Boulevard and South Park Avenue, described in Exhibit "A" in excess of the 30-foot half right-of-way required for a Local Street. The area is currently landscaped as part of the parkway.

Adjoining Streets: South Park Avenue (northwesterly of the property) is an improved local street dedicated 100 feet wide with a 40-foot wide roadway, parkway, curb, and gutter. South Park Avenue (southerly of the property) is an improved local street dedicated 100 feet wide with a 40-foot wide roadway, parkway, curb, and gutter. East Boulevard is an improved local street dedicated 100 feet wide with a 40-foot wide roadway, parkway, curb, and gutter.

Effects of Vacation on Circulation and Access: The proposed vacation should have no adverse effect on vehicular circulation or access since the area to be vacated is currently a

landscaped parkway in excess of the required right-of-way width and the area to be vacated serves only the adjoining property.

The vacation area is 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 Southern California Gas Company 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 the adjoining parcel of land under the same ownership and 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 a communication dated September 4, 2015, that based on traffic considerations, the vacation is not opposed if all abutting property owners are in agreement with the proposed vacation, provisions are made for lot consolidation and driveway access approvals by the Department of Transportation, and dedication and necessary improvements are provided to bring all adjacent streets into conformance with the City's standard street dimensions.

City Fire Department: The Fire Department did not respond to the Bureau of Engineering's referral letter dated July 6, 2015.

Department of City Planning: The Department of City Planning in its memo to the Bureau of Engineering dated November 18, 2015, found that the vacation is consistent with the Palms-Mar Vista-Del Rey Community Plan's residential goal of providing a safe, secure and high quality residential environment for all community residents, and is

therefore in conformance with the General Plan.

Conclusion: The vacation of the public street 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  
AND GIS DIVISION



Edmond Yew  
Land Development and GIS Division  
Bureau of Engineering

Sean Mizan  
Civil Engineering Associate I  
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