

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

February 8, 2018

Honorable Members:

C. D. No. 4

SUBJECT:

VACATION REQUEST - VAC- E1401320 - Council File No. 17-0989 - 10-foot Walkway (Portion of) Adjoining 9056 Saint Ives Drive Westerly of Wetherly Drive

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 10-foot walkway adjoining 9056 Saint Ives Drive westerly of Wetherly Drive

- 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 Initiation of the Street Vacation Proceedings adopted by City Council on September 20, 2017 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. Kimberlina Whettam & Associates
c/o Emiko Isa
241 S. Figueroa Street, #370
Los Angeles, CA 90012
2. Mae-J Holdings Limited Partnership
5700 Canoga Avenue, Suite 300
Woodland Hills, CA 91367
3. Ives Properties LP
101 Loring Avenue
Los Angeles, CA 90024
4. Glue Cat LP
101 Loring Avenue
Los Angeles, CA 90024

5. DACG LLC
9049 Shoreham Drive
Los Angeles, CA 90069
6. Ryan Collier
9601 Wilshire Blvd, No. 1205
Beverly Hills, CA 90210

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 E1401320 be paid.
2. That a suitable map, approved by the Central 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 properties in a manner satisfactory to the City Engineer:

Repair all damaged curb and pavement along Saint Ives Drive.
6. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the AT & T 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.
7. 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 area, a parcel map

exemption is permitted or until released by the authority of the City of Los Angeles.

8. That consents to the vacation be secured from the owners of the property adjoining the areas to be vacated.
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 July 27, 2017 from Kimberlina Whettam & Associates.

DISCUSSION:

Request: The petitioner, Kimberlina Whettam & Associates, representing the owner of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public walk shown colored blue. The purpose of the vacation request is to gain additional land for the construction of new single family home(s).

This vacation procedure is being processed under procedures established by Council File No. 01-1459-S1 adopted by the Los Angeles City Council on January 31, 2017.

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 September 20, 2017 under Council File - No. 17-0989 adopted an Initiation of Vacation Proceedings for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated are zoned RE11-1 and are developed with single family residences.

Description of Area to be Vacated: The area sought to be vacated is an undeveloped 10-foot wide walk between 9050 and 9056 Saint Ives Drive. The walk is undeveloped and currently covered with vegetation.

Adjoining Street: Saint Ives Drive is a Hillside Limited Standard Street dedicated 40-foot wide with a 22-foot wide roadway, curbs, gutters and 10-foot wide parkways on both sides.

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 portion of 10-foot walkway adjoining 9050 and 9056 Saint Ives Drive westerly of Wetherly Drive will not have any adverse effect on vehicular circulation or access since it does not use as a public walk. The area is not distinguishable from the adjoining properties. In addition, the southern portion of the walkway has already been vacated under Council File 77-5185.

The walkway 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 provides for the 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 Southern California Gas Company and AT&T did not respond to the Bureau of Engineering's referral letter dated August 9, 2017.

Tract Map: Since 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 the 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 September 19, 2017 that it does not oppose the requested vacation provided that all abutting property owners are in agreement with the proposed vacation and that provisions are made for lot consolidation, driveway and access approval by DOT, and additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's General Plan.

City Fire Department: The Fire Department stated in its letter dated August 29, 2017 that it has no objection to this street vacation.

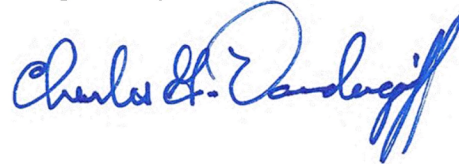
Department of City Planning: The Department of City Planning stated in its communication dated October 24, 2017 that "the subject vacation segment does not appear to be publicly accessible and is not currently developed as a pathway. Furthermore, the southern portion of the walk street has already been vacated and is not

currently publicly accessible. As a result, the vacation of the subject segment would not negatively affect the larger circulation network.”

Conclusion: The vacation of the public walk 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.

Respectfully submitted,



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

Report prepared by:

LAND DEVELOPMENT & GIS DIVISION

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