

Office of the City Engineer

Los Angeles, CA

To the Public Works and Gang Reduction Committee

Of the Honorable Council

Of the City of Los Angeles

August 17, 2020

Honorable Members:

CD No. 6

SUBJECT:

VACATION REQUEST – VAC-E1401344 – Council File No. 18-0904 – Sepulveda Boulevard
(Portion of Westerly Side) Northerly of Parthenia Street

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:

5-foot wide portion along westerly side of Sepulveda Boulevard north of Parthenia Street
- 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 (PWGR) Committee approval based on the initiation of the street vacation proceedings adopted by City Council on March 19, 2019, so the City Clerk and the Bureau of Engineering (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 deposit of \$14,980 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit to the deposit will be required of the petitioner to recover the cost pursuant to Section 7.44 of the Administrative Code.

Maintenance of the public easement by City forces will be eliminated.

NOTIFICATION:

That notification of the time and place of the PWGR Committee and the City Council meetings to consider this request be sent to:

- a) Ane Consulting Inc.
ATTN: Fernando J. Diaz
3646 Long Beach Blvd # 105
Long Beach, CA 90807
- b) J and S PRL, LLC
7210 Jordan Avenue #A20
Canoga Park, CA 91303
- c) Jehangir & Elizabeth Meher
13640 Foothill Blvd
Sylmar, CA 91342
- d) Bergquist, Max D Co. TR
26952 Granite Ridge Ct
Valencia, CA 91381

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 deficit under Work Order E1401344 be paid.
2. That a suitable map, approved by Engineering's Valley District office, delineating the limits, including bearings and distances, of the area to be vacated be submitted to the Permit Case Management 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 Permit Case Management Division 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 dedications be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a. Retain the 5-foot strip of land being vacated as a sidewalk easement to provide an effective Boulevard II standard 15-foot sidewalk/border area, in order to allow for the construction of sidewalk and driveways complying with ADA requirements.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Close unused driveways and construct new or upgrade existing driveways, complying with ADA requirements.
 - b. Construct additional sidewalk to complete a full width, 15-foot sidewalk complying with ADA requirements.
 - c. Repair and/or replace damaged/cracked, off-grade sidewalk, curb and gutter along the frontage in a manner satisfactory to the City Engineer.

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or unpraised by more than ¼ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

Non-ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or unpraised by more than ¼ inch from the surrounding concrete work or has a full concrete depth cracks that have separations greater than 1/8 inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk, curb, and gutter shall conform to the Bureau of Engineering Standard Plans S410-2, S440-4, S442-5, and S444-0.

7. That arrangements be made with all utility agencies, cable companies and franchises maintaining facilities in the area including but not limited to the Department of Water and Power, AT&T, Southern California Gas Company, and Charter Spectrum Cable Company for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
8. That consents to the vacation be secured from the owners of Lots.
9. That upon the reviews of the title report identifying the underlying fee title interest of the vacation areas, agreements be recorded satisfactory to Engineering to hold each or one of the adjoining parcels of land, and its adjoining portions of the areas to be vacated under the same ownership, as one parcel as necessary to preclude the creation of substandard or landlocked parcels. This is to remain effective until 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.
10. That plot plans be submitted to the Fire Department for their review and approval.
11. That street lighting facilities be installed as required by the Bureau of Street Lighting.
12. That street trees be planted and tree wells be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated May 30, 2018, from Fernando Diaz of Ane Consulting Inc.

DISCUSSION:

Request: The petitioner, Fernando Diaz of Ane Consulting Inc., representing the owner of the properties shown outlined in yellow on Exhibit A, is requesting the vacation of the public street area shown colored blue. The purpose of the vacation is to remove or modify the street dedication of 10 feet under OR R2101-341(1) to 5 feet to comply with the designation of a Boulevard II.

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 will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on March 19, 2019, under Council File No. 18-0904 adopted an Initiation of Vacation Proceedings for this vacation request.

Zoning and Land Use: The properties adjoining the area to be vacated are within the Mission Hills-Panorama Community Plan and serve an area that is designated for Community Commercial and General Commercial. The properties adjacent to the vacation are zoned C2-1.

Description of Area to be Vacated: It will be necessary that the petitioner provides for the dedications and improvements as outlined in the conditions of this report.

Adjoining Streets: Parthenia Place is an Avenue II, dedicated 125 feet wide with a 66-foot roadway, curbs, gutters and variable width sidewalks.

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

Objections to the vacation: There were not objections to the vacation submitted for this project.

Effects of Vacation on Circulation and Access: The vacation of the portion of the westerly side of Sepulveda Boulevard northerly of Parthenia Street will have no significant effects on access rights or circulation.

The street is not needed for the use of pedestrians, bicyclists or equestrians.

Reversionary Interest: No determination of the underlying fee interest of the vacation areas has been made as to title or reversionary interest.

Dedications and Improvements: It will be necessary that the petitioner provide for the improvements as outlined in the conditions of this report.

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

Public Utilities: Southern California Gas Company stated in its communication, dated August 16, 2018, that they maintain facilities within the vacation area. They have requested for a non-exclusive easement for their facilities.

Charter Communication stated in its communication dated August 10, 2018 that it has existing aerial and underground facilities within the project limits.

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 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 a new subdivision map is recorded over the area, a parcel map exemption is permitted or until released by authority of the City.

City Department of Transportation: The Department of Transportation stated in its communication dated August 16, 2018 that it has no objection to this street vacation, provided that all abutting property owners are in agreement with the vacation and provisions are made for lot consolidation, driveway and access approval by DOT; and any additional dedication and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Element of the General Plan.

City Fire Department: The Fire Department stated in its communication dated September 18, 2018 that all public fire hydrants within the vacation area must be relocated at the petitioner's expense with the approval of the Department of Water and Power.

Department of City Planning: The Department of City Planning stated in its letter dated March 5, 2019 that it is acceptable for any required standard sidewalk improvements to be completed within the private property, and that in doing so the vacation request can be granted.

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.

Respectfully submitted,



Bert Moklebust, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION
LAND DEVELOPMENT GROUP

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BM/HH/gp