

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

February 3, 2020

Honorable Members:

CD No. 11

SUBJECT:

VACATION REQUEST – VAC-E1401383 – Council File No. 20-0679 – Tavener Avenue between Sawtelle Boulevard and Northerly E/W Alley

RECOMMENDATIONS:

- A. That the City Council receive and file the Bureau of Engineering (Engineering) report, dated October 29, 2020, under Council File No. 20-0679.
- 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:

Tavener Avenue between Sawtelle Boulevard and the northerly east-west alley
- 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 (PW) Committee approval based on the initiation of the street vacation proceedings adopted by City Council on August 4, 2020, so the City Clerk and Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.
- J. That the vacation of the area(s) shown colored orange on Exhibit B, be denied.

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 PW Committee and the City Council meetings to consider this request be sent to:

- a) Demsher Civil Engineering, Inc.
Attn: Maria Delgadillo, Project Manager
16823 Saticoy St.
Van Nuys, CA 91406
- b) Trustee of the Leonard Judaken Trustee
Attn: Len Judaken
P.O. Box 24388
Los Angeles, CA 90024
- c) Roya Yazdani Trust
Attn: Yazdani
1619 S. Camelina Ave.
Los Angeles, CA 90025

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 E1401383 be paid.
2. That a suitable map, approved by Engineering's West Los Angeles District Office (WLA), delineating the limits, including bearings and distances, of the area to be vacated be submitted to Engineering's Permit Case Management Division (PCM) prior to the preparation of the Resolution to Vacate (Resolution).
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 PCM prior to preparation of the Resolution.
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. Tavener Avenue
 - i. Dedicate any additional drainage easement as necessary.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Sawtelle Boulevard
 - i. Per B-permit, install integral curb and 2-ft wide gutter, parkway, and sidewalk.
 - b. Tavener Avenue and Alley
 - i. Improve the full width alley along the frontage.
 - ii. Improve the full width alley with suitable drainage systems and facilities within a drainage easement to drain from the Alley to Sawtelle Boulevard as required to the satisfaction of the City Engineer.
 - iii. That a submittal of hydrology and hydraulic calculation be provided as may be required by WLA, to determine the impact of the vacation on the drainage flow in this area and the need of construction of drainage facilities within a suitable

easement. The drainage easement, if necessary, be reserved from the street vacation area.

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 Engineering's 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 (LADWP), AT&T, and Torrance Logistics 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 consent to the vacation be secured from the owner(s) of Lot 412 of Tract 9733 adjoining the area to be vacated.
9. That agreement be secured from the owner of the property at 11298 West Tavener Avenue, Tract 9733, Lot 412, to change current address to a new Sawtelle Boulevard address.
10. That upon the review 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.
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 January 23, 2020, from Maria Delgadillo of Demsher Civil Engineering Inc.

DISCUSSION:

Request: The petitioner, Maria Delgadillo, Demsher Civil Engineering Inc., representing Len Judaken, Trustee of the Leonard Judaken Trust, the owner of the properties shown outlined in yellow on Exhibit B, is requesting the vacation of the public street area shown colored blue and orange. The purpose of the vacation request is to combine the vacated street with existing ownership on both sides of Tavener Street.

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 August 4, 2020, under Council File No. 20-0679 adopted an Initiation of Vacation Proceedings for this vacation request.

Zoning and Land Use: The area to be vacated is within the Palms—Mar Vista—Del Rey Community Plan and serve an area that is designated for Low Medium Residential land uses and are correspondingly zoned RD2-1.

Description of Area to be Vacated: The area sought to be vacated is an approximately 6,530 square feet of a dead-ending street located between the properties at 4630 South Sawtelle Boulevard and 11298 West Tavener Avenue.

Adjoining Streets: Sawtelle Boulevard is an improved designated Avenue II dedicated 86-feet with a 56-feet wide roadway with concrete curb, gutter, and sidewalk on both sides of the street. Tavener Avenue is an improved Local Street-Standard dedicated 60-feet wide and 36-feet wide roadway. The Alley is dedicated 10-feet wide and unimproved.

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

Objections to the vacation: There are no objections to the vacation request.

Effects of Vacation on Circulation and Access: A portion of Tavener Avenue right-of-way is needed for turn around purposes at the East end of Tavener Avenue. The remaining portion of the vacation of Tavener Avenue between Sawtelle Boulevard and the East-West alley shall not have a significant effect on circulation and access. Also, the vacation area 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 dedications and 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: Torrance Valley Pipeline Company LLC stated in its communication dated April 16, 2020 that they currently maintain one active 16-inch pipeline (M-70) in the vicinity of the vacation area. LADWP stated in its communication dated July 1, 2020, that they maintain electrical facilities with the area sought to be vacated and they request that suitable arrangement shall be made to grant easement for, or to provide for any necessary relocation of, these facilities. Southern California Edison stated in their communication dated May 6, 2020 that they have no objection to the proposed action.

Tract Map: Since the required dedications can be acquired by separate instruments, 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 July 9, 2020 that it has no objection to this street vacation provided that all abutting property owners agree with the proposed vacation and that provisions are made for lot consolidation, driveway and access approval by DOT, and 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 April 3, 2020 that it has no objection to this street vacation.

Department of City Planning: The Department of City Planning stated in its communication dated April 28, 2020 that the street vacation is consistent with the General Plan's Land Use and Transportation Element's Standard and Community Plan's policies. The vacation supports the existing residential land uses and does not interfere with local network access, it is consistent with the Mobility Plan and Community Plan.

Conclusion: The vacation of the area on Tavener Avenue 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 alley 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

Hui M. Huang
Civil Engineer
(213) 378-1281

BM/HH/ms