

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

July 22, 2022

Honorable Members:

CD No. 7

SUBJECT:

VACATION REQUEST - VAC- E1401416 - Council File No. 22-0580 Portion of Alley South of Brand Boulevard Between Burnet Avenue and Noble Avenue and Storm Drain Easement on Northeast Corner

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 Alley South of Brand Boulevard Between Burnet Avenue and Noble Avenue and Storm Drain Easement on Northeast Corner

- 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.

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 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:

To satisfy Sections 8320 through 8323 of the California Streets and Highways Code, the City Clerk shall schedule the vacation for public hearing at least 30 days after PW Committee approval of this report, so the City Clerk and BOE may process the required Public Notification.

Additionally, City Clerk shall send notification of the time and place of the PW Committee and the City Council meetings to consider this request be sent to:

1. SEC Development
Vardan Kasemyan
600 W Broadway Ste 350
Glendale, CA 91204
2. Artur Hambarchyan
11056 Burnet Ave
Mission Hills, CA 91345
3. John T Pulskamp
11024 Balboa Blvd #146
Granada Hills, CA 91344

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 E1401416 be paid.

2. That a suitable map, approved by Bureau of Engineering (Engineering) Valley District Engineering office, delineating the limits, including bearings and distances, of the areas to be vacated be submitted to the 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 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:

Burnet Avenue (Local Street):

- a. Remove and replace any existing damaged or broken sidewalk, curb, gutter, and pavement adjoining the site to comply with ADA requirements and current city standards (see Note 1). Close alley intersection to the satisfaction of the City Engineer. Any proposed driveway aprons shall conform and be constructed per latest Engineering's Standards (Standard Plan No. S-440-4).
6. That arrangements be made with all utility agencies maintaining facilities in the area including but not limited to the Department of Water and Power and Southern California Gas 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 consents to the vacation be secured from the owner of Lot 1, Tract 10072, adjoining the area to be vacated.
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 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.
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.

Note 1: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised 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 upraised by more than ¼ inch from the surrounding concrete work or has 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 Engineering's Standard Plans S410-2, S440-4, S442-6 and S444-0

TRANSMITTAL:

1. Application dated March 24, 2022, from SEC Development.
2. Exhibit "A", location map.

DISCUSSION:

Request: The petitioner, SEC Development, representing the owner of the property shown outlined in yellow on Exhibit "A", is requesting the vacation of the public alley area and storm drain easement shown colored blue and blue hatched. The purpose of the vacation request is to have it for private use and maintenance.

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 Council on June 03, 2022 under Council File No. 22-0580, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated are designated Low Residential and Public Facilities, R1-1 and PF-1XL. This includes single family dwellings with accessory structures and government owned property with sewers and utilities.

Description of Areas to be Vacated: The areas sought to be vacated are an alley and a storm drain easement.

Adjoining Street and Alley: Burnet Avenue is a Local Street dedicated 60-feet wide with a 35-foot wide roadway, curbs, gutters and 13-foot wide sidewalks. The alley is dedicated 20-ft wide.

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 the 20-foot wide alley and storm drain easement south of Brand Boulevard between Burnet Avenue and Noble Avenue intersecting Burnet Avenue will have no adverse effects on access rights or circulation. There is sufficient right of way to provide the necessary roadway and sidewalk to serve this area.

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 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 improvements as outlined in the conditions of this report. There are no dedications 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 maintain facilities in the area proposed to be vacated.

Tract Map: Since there are no required dedications 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 records 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 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.

City Department of Transportation: The Department of Transportation stated in its communication dated March 30, 2022 that they do not oppose the requested street vacation provided that all abutting property owners are in agreement with the proposed street vacation, and that the vacation would result in roadway and right-of-way dimensions that are consistent with the new street standards identified in the Mobility Element of the General Plan (also known as Mobility Plan 2035). In addition, that through the requirements of a tract map or by other means, provisions are made for (1) lot consolidation, (2) driveway and access approval by LADOT and (3) any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Plan 2035 adopted by the City Council on August 11, 2015.

City Fire Department: The Fire Department stated in its communication dated March 08, 2022, that they do not object to the street vacation.

Department of City Planning: The Department of City Planning in its communication dated April 13, 2022, that the vacation is consistent with the Mission Hills – Panorama City – North Hills Community Plan, because the vacation would facilitate the ongoing use of existing single family uses and the subject vacation will not impact the circulation network for pedestrian, bicycle or vehicular access

Conclusion: The vacation of the public alley area as shown colored blue and the storm drain easement shown colored blue and hatched 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

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