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CALIFORNIA



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this matter, please refer to the
Council File No.: [14-1089](#)

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

January 15, 2016

Council File No.: [14-1089](#)

Council Meeting Date: January 13, 2016

Agenda Item No.: 48

Agenda Description: CONTINUED CONSIDERATION OF PROTESTS, CATEGORICAL EXEMPTION and PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT relative to vacation proceedings for the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue (VAC - E1401249).

Council Action: PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT AND AMENDING MOTION (O'FARRELL - BUSCAINO) - ADOPTED

Council Vote:

ABSENT	BOB BLUMENFIELD
YES	MIKE BONIN
YES	JOE BUSCAINO
YES	GILBERT A. CEDILLO
YES	MITCHELL ENGLANDER
YES	FELIPE FUENTES
YES	MARQUEECE HARRIS-DAWSON
YES	JOSE HUIZAR
YES	PAUL KORETZ
YES	PAUL KREKORIAN
YES	NURY MARTINEZ
YES	MITCH O'FARRELL
YES	CURREN D. PRICE
YES	DAVID RYU
YES	HERB WESSON

A handwritten signature in cursive script, appearing to read "Holly L. Wolcott".

HOLLY L. WOLCOTT
CITY CLERK

ITEM No. 48 - A

MOTION

I MOVE that the matter of the Continued Consideration of Protests, Categorical Exemption and Public Works and Gang Reduction Committee Report relative to vacation proceedings for the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue (VAC - E1401249), Item No. 48 on today's Council Agenda (CF 14-1089), BE AMENDED to adopt the following changes (indicated in underlining for additions and strikeout for deletions) to the recommendations and conditions contained in the City Engineer's report dated August 14, 2015:

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 and orange on the attached Exhibit "B", and that the limits of the vacation area be permitted to be adjusted based on the final design of the adjoining alley improvements.:

The north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue.

~~B. That the vacation of the area shown colored orange on Exhibit "B", be denied.~~

CONDITIONS:

~~6. That the following dedications be provided adjoining the petitioner's property in a manner satisfactory to the City Engineer~~

~~a.) Dedicate or retain from the vacation sufficient area as public right-of-way to provide for a turning area at the westerly terminus of the remaining east/west alley northerly of Selma Avenue.~~

~~b.) Dedicate a partial future alley turnaround area, based on a 20-foot radius property line return on the northeasterly corner of Lot 14, Sackett Tract, adjoining the retained vacation area.~~

7. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:

~~a.) Construct a modified turning area at the westerly terminus of the remaining east/west alley northerly of Selma Avenue.~~

b.) Repair and/or replace all broken, off-grade or missing concrete pavement along the remaining alley northerly of Selma Avenue.

c.) Repair and/or replace all broken, off-grade, or missing sidewalk, curb and gutter along Selma Avenue.

d.) Close the alley intersection at Selma Avenue with standard curb, gutter and sidewalk or construct standard driveway apron.

e.) That all drainage matters be addressed to the satisfaction of the City Engineer, including that any necessary provisions be made to collect or divert any surface flows from impounding within the area to be vacated, unless drainage easements are to be reserved from the vacation.

12. That a Covenant and Agreement be recorded satisfactory to the City Engineer preserving an area for vehicular turnaround purposes on the northern 30 linear feet of the area to be vacated shown colored orange on the attached Exhibit "B".

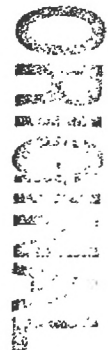
13. That a Covenant and Agreement be recorded satisfactory to the City Engineer providing that no structure shall be erected on the vacation area, and that it shall be used and maintained as a pedestrian plaza.

PRESENTED BY: 

MITCH O'FARRELL
Councilman, 13th District

SECONDED BY: 


January 13, 2016ak



CONSIDERATION OF PROTESTS, CATEGORICAL EXEMPTION and PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT relative to vacation proceedings for the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue (VAC - E1401249).

Recommendations for Council action:

1. CONSIDER protests relative to the proposed vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue.
2. FIND that the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
3. FIND that the 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 Exhibit B of the August 14, 2015 City Engineer report:

The north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue.
4. FIND that the vacation of the area shown colored orange on Exhibit B of the August 14, 2015 City Engineer report be denied.
5. FIND that there is a public benefit to the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue. Upon vacation of the alley, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.
6. FIND that the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue is in substantial conformance with the purposes, intent and provisions of the General Plan, in conformance with Section 556 of the City Charter.
7. FIND that the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue is not necessary for non-motorized transportation facilities, in conformance with Section 892 of the California Streets and Highways Code.
8. FIND that the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue is not necessary for present or prospective public use, in conformance with Section 8324 of the California Streets and Highways Code.

9. ADOPT the City Engineer's report dated August 14, 2015 with the conditions contained therein.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$14,980.00 for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to LAAC Section 7.44 will be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.

Community Impact Statement: None submitted.

SUMMARY

In a report to Council dated August 14, 2015, the City Engineer discusses the alley vacation described above. The City Engineer reports that the petitioner, Michael Gonzales of Gonzales Law Group, representing the property owner, requests the vacation of the public alley areas shown colored blue and orange. The purpose of the vacation request is to provide a pedestrian plaza in conjunction with a hotel at 6417 Selma Avenue abutting the alley. The City Engineer recommends approval of the vacation colored blue and denial of the area colored orange as shown in Attachment B of the August 14, 2015, report to Council.

At its meeting held September 14, 2015, the Public Works and Gang Reduction Committee recommended that Council approve the City Engineer's recommendations and conditions relative to the proposed alley vacation.

Respectfully Submitted,

PUBLIC WORKS AND GANG REDUCTION COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
BUSCAINO:	YES
MARTINEZ:	YES
PRICE:	ABSENT
O'FARRELL:	YES
RYU:	YES

jaw

-NOT OFFICIAL UNTIL COUNCIL ACTS-