

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 12/22/08		Item Number: <u>PH-1</u>	
AGENDA ITEM: PUBLIC HEARING: Adoption of a Resolution Vacating the Alley Located Just Easterly of Elenda Street and Bounded on the North by Lindblade Street and on the South by Barman Avenue, and Reserving a Public Utility Easement over the Entire Width of the Vacated Alley.			
Contact Person/Dept.: Andy O'Connell/PW		Phone Number: (310) 253-5606	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification: Master E-Mail Notification List (12/17/08). Ken La Faso, as applicant, by phone on December 12, 2008. Postcard Notices were mailed to all residents and occupants within a 500 foot radius of the project site, extended to the end of the block, on December 9, 2008. Notice of Public Hearing posted at the site on November 12, 2008 Notice of Public Hearing advertised in the Culver City News on December 5 th and 12 th , 2008.			
Department Approval: Charles D. Herbertson (12/12/08)		City Attorney Approval: Carol Schwab (by H. Baker) (12/15/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (12/16/08)		City Manager Approval: Jerry B. Fulwood (12/17/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a Resolution vacating the alley located just easterly of Elenda Street and bounded on the north by Lindblade Street and on the south by Barman Avenue and reserving a public utility easement over the entire width of the vacated alley. <u>PROCEDURE:</u> 1. Mayor calls on staff for a brief staff report. 2. Mayor requests a motion to open the public hearing to allow for public comments, if any. 3. Receive comments from the applicant and public. 4. Mayor requests a motion to close the public hearing after all testimony has been presented. 5. The City Council discusses the matter and arrives at its decision.			

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BACKGROUND:

The subject alley is 20 feet in width and was created by easement on Tract Map No. 9974, as recorded on May 10, 1927. The alley is unpaved and is bordered on its westerly side by three residential lots that have frontage on Elenda Street, and on its easterly side by one residential lot that fronts Lindblade Street and one residential lot that fronts Barman Avenue. The addresses of these residential lots are as follows:

- 4304 Elenda Street
- 4312 Elenda Street
- 4324 Elenda Street
- 10860 Lindblade Street
- 10855 Barman Avenue

The properties at 4312 Elenda Avenue, 10860 Lindblade Street, and 10855 Barman Avenue have garage access from the alley.

DISCUSSION:

A petition was filed by four of the five adjoining property owners to vacate the alley. The property owner at 4304 Elenda Avenue declined to sign the petition. This property has its garage access from Lindblade Street and has no need to access the alley. The petitioners stated the major problems occurring in the alley are vehicular speeding causing unsafe conditions, including dust hazard, loitering, graffiti, illegal dumping, and a concealed access for burglary to the adjacent residences.

On October 13, 2008, Council adopted Resolution No. 2008-R070 (attached) declaring its intention to order the vacation of this alley and set the public hearing for this evening to consider such vacation.

Existing utilities located within the alley are Southern California Edison, Southern California Gas, Time Warner, A T & T, and Culver City sewer. Therefore, a public utility easement will be reserved over the entire portion of the alley being vacated as part of the Resolution of vacation.

After the alley has been vacated, access to the garages located along the alley will require these property owners to pass over their neighbor's portion of the vacated alley. Therefore, as a condition of the Resolution of vacation, a reciprocal access easement between all property owners will need to be provided and executed by the homeowners prior to the recording of the Resolution.

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FISCAL ANALYSIS:

The vacation of this alley will cause a small reduction in the City's cost for street maintenance and eliminate the City's liability associated with issues concerning the alley. Additionally, the vacation will revert this portion of the alley to private property which will slightly increase the property taxes to the adjoining lots.

ATTACHMENTS:

1. Resolution No. 2008-R070
2. Proposed Resolution of vacation

MOTION:

That the City Council

Adopt a Resolution vacating the alley located just easterly of Elenda Street and bounded on the north by Lindblade Street and on the south by Barman Avenue, as shown on attached Exhibits "A" and "B; directing the City Clerk to delay the recording of the Resolution until the adjacent property owners execute a reciprocal access easement; and reserving a public utility easement over the full width of the vacated alley.