

Staff Report

REQUEST FOR GENERAL PLAN CONFORMANCE FINDING
REGARDING PROPOSED LOS ANGELES COUNTY SALE OF
PARCELS OF LAND ADJACENT TO LA BALLONA CREEK
NEAR JASMINE AVENUE

APPLICANT

County of Los Angeles, Department of Public Works, Mapping and Property Management Division (County DPW).

REQUEST

That the Planning Commission determine that the location, purpose and extent of the disposition of property by the County DPW, identified collectively as portions of Parcel No. P307.X and located to the rear of Jasmine Avenue properties addressed 4538 through 4500, adjacent to La Ballona Creek, is in conformity with the City of Culver City General Plan.

RECOMMENDATION

That the Planning Commission determine that the proposed conveyance of portions of Parcel No. P307.X by the County of Los Angeles to the owners of the reach of properties from 4538 through 4500 Jasmine Avenue is consistent with the Culver City General Plan, subject to the conditions of approval listed below.

BACKGROUND

The California Government Code provides that a local agency shall not dispose of real property until the planning agency of the county or city in which the real property is located finds that the location, purpose, and extent of such disposition is in conformity with the county or city's adopted General Plan. If the county or city fails to report its findings within 40 days of the request, such failure shall be conclusively deemed to be a finding of conformity with the applicable General Plan.

You will recall that a similar request was submitted to the City and discussed at your July 24, 1996, meeting. The Planning Division received this current request for a finding of conformity in a letter dated August 7, 1996, from the County DWP. The County subsequently submitted a letter of clarification dated August 28, 1996. The County's letters and map are attached to this staff report.

The County's excess property is adjacent to Lots 229 through 219 of Tract No. 17328, and is located to the rear of 4538 through 4500 Jasmine Avenue. These lots are located in the R-1a Zone and designated Low Density Single Family Residential in the General Plan Land Use Element. Each parcel segment is approximately 900 to 1,000 square feet and measures approximately 10 to 15 feet by 60 to 70 feet. Over the years similar requests have been made, and as you can see by the attached City atlas sheet map and aerial photograph, extensions to the single family lots on Jasmine Avenue in this area have occurred.

As indicated in the August 28 letter, the property is intended to be sold to the owners of the adjacent lots.

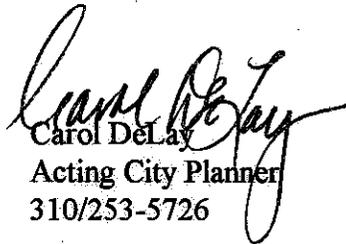
DISCUSSION AND RECOMMENDED CONDITIONS OF APPROVAL

The purpose of the August 7 and 28 letter is to submit a blanket request for what the County describes as the reach of remaining properties in the area described. The intent of the County, and upon reflection concurred with by City staff, is to avoid the duplication of effort in what is, in essence, a series of similar requests. The portions of Parcel No. P307.X considered for sale are adjacent to 11 lots along Jasmine Avenue backing up to Ballona Creek. The arguments supporting a conformity finding for any one of these segments applies to all 11.

The recently adopted Land Use and Open Space Elements of the General Plan Update discuss the Ballona Creek Focused Special Study. The Study provides a process and parameters for a future study to determine whether there is potential for enhancing the Ballona Creek's use as a recreational resource. There was no direction given to forestall future excess land sales. In light of the location of the property in question, its adjacency to single family residential lots, the pattern of existing lot extensions, and the likelihood that there are other more appropriate and better located areas along Ballona Creek for recreational or rest areas, the desirability of reserving these excess parcels strictly for recreational use is not warranted.

Staff therefore recommends that the Planning Commission concur in the conformity finding subject to the following conditions:

1. The County of Los Angeles Department of Public Works shall assure that each parcel segment, as identified on the maps attached to the letters dated August 7 and August 28, 1996, shall be sold only to the owner(s) of the abutting lot.
2. The County of Los Angeles Department of Public Works shall assure that the purchaser of each parcel segment shall execute a covenant and agreement satisfactory to the Culver City City Planner and the City Attorney to hold the two parcels as one.
3. The County of Los Angeles Department of Public Works shall establish markers delineating the location of the property boundary satisfactory to the Culver City City Engineer.


Carol DeLay
Acting City Planner
310/253-5726

CD:lc

- Attachments:
1. Letter from County of Los Angeles Department of Public Works, dated August 7, 1996.
 2. Letter from City of Culver City to County DPW, dated August 15, 1996.
 3. Letter from County DPW, dated August 28, 1996, including attached map.
 4. Culver City atlas sheet map.
 5. Culver City aerial photograph.

RECEIVED



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (818) 458-5100

AUG 09 1996

CULVER CITY
PLANNING DIVISION

HARRY W. STONE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE:

MP-6
17.042

August 7, 1996

Ms. Carol DeLay
Acting City Planner
Culver City Planner Commission
9770 Culver Boulevard
Culver City, CA 90232-0507

Dear Ms. DeLay:

**BALLONA CREEK - THE NORTHWEST BANK OF BALLONA CREEK ALONG THE
WESTERLY BORDER ON JASMINE AVENUE BETWEEN OVERLAND AVENUE AND WEST
OF LE BOURGET AVENUE IN THE CITY OF CULVER CITY
PROPOSAL TO SELL PROPERTIES**

We are considering the sale of portions of our property as shown colored on the enclosed map.

This letter constitutes our submission of the location, purpose, and extent of our proposal, and we are requesting your Planning Commission to report upon our submission as to conformity with the adopted General Plan or part thereof, pursuant to Title 7, Chapter 3, Article 7, Section 65402(C) of the California Government Code.

Your early reply will be appreciated, as this Code Section provides that failure to do so within 40 days shall be conclusively deemed a finding that our proposed sale is in conformity with said adopted General Plan or part thereof.

Please reference the enclosed copies of letters dated November 12, 1992; November 24, 1993; and July 26, 1996, indicating approval of prior sales, in conformance with Section 65402.

Ms. Carol DeLay
August 7, 1996
Page 2

If you have any questions or require additional information, please telephone me at (818) 458-7074.

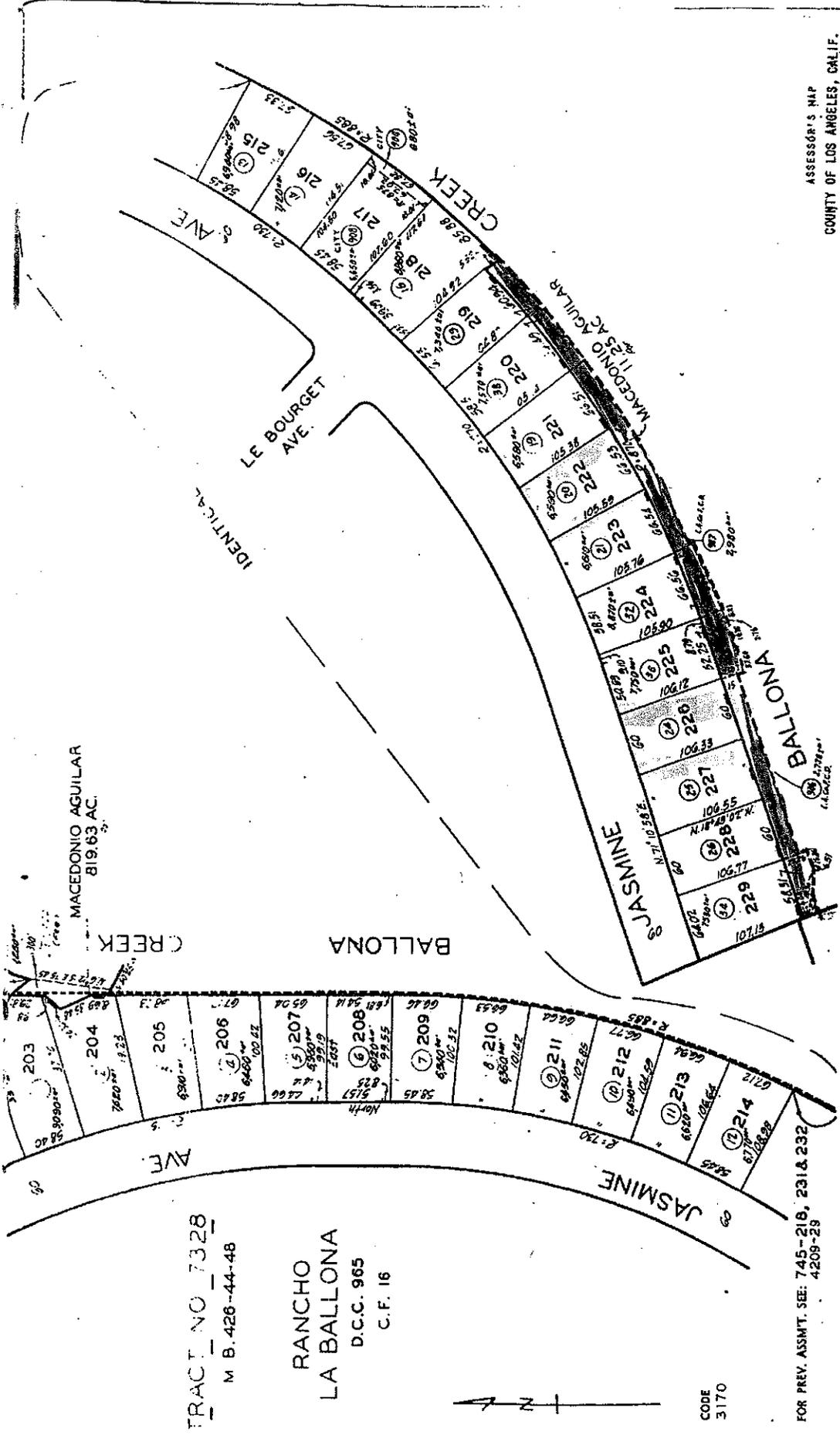
Very truly yours,

HARRY W. STONE
Director of Public Works


JOAN MOBLEY, Real Property Agent I
Mapping & Property Management Division

JYM:mrp229:6:ltrjym12

Enc.



MACEDONICO AGUILAR
819.63 AC.

CREEK

BALLONA

JASMINE

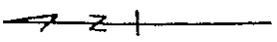
BALLONA

MACEDONICO AGUILAR

TRACT NO 7328

M B. 426-44-48

RANCHO
LA BALLONA
D.C.C. 965
C.F. 16



CODE
3170

FOR PREV. ASSMT. SEE: 745-218, 231 & 232
4209-29

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.



CITY OF CULVER CITY

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

(310) 253-5710

FAX (310) 253-5721

August 15, 1996

Ms. Joan Mobley
Mapping and Property Management Division
Los Angeles County Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803-1331

SUBJECT: YOUR FILE MP-6, 17.042

Dear Ms. Mobley:

I am responding to your letter dated August 7, 1996, and received in our office August 9, and to the messages we traded via telephone voice mail.

I do not see any significant problems with the County's request for a blanket General Plan conformity finding for the "reach" of properties in the particular location intended in your letter, and will so inform the Planning Commission when the matter is presented to them as the decision makers for this issue. However, your letter does not specifically state that your intent is for such a blanket conformity finding, nor does it specifically identify which parcels are intended for sale. The reference in your first paragraph to "property as shown colored on the enclosed map" needs to be clarified. Two maps are attached with different color coding, but no legend.

You will recall that in my July 26, 1996, letter to you relaying the Culver City Planning Commission's General Plan Consistency Finding for parcel P307EX9, the Commission conditioned their approval with the requirement that the excess parcel of land for sale was to be sold to and tied to the abutting single family residential lot, to be held as one property. Your letter does not indicate that this is your intent. Such requirement will indeed be the City's condition.

I respectfully request that your letter be resubmitted to the City with the following specific information:

- The exact parcel identification of each separate parcel to be offered for sale;
- The specific lot identification to which each sale parcel is intended to be offered;
- Your intent to sell each excess parcel only to the abutting property owner;
- Acknowledgement that in the past Culver City has required lot ties as a condition of such conformity findings; and
- The identification of which excess parcels are currently under negotiation for sale.

Culver City Employees take pride in effectively providing the highest levels of service to enrich the quality of life for the community by building on our tradition of more than seventy-five years of public service, by our present commitment, and by our dedication to meet the challenges of the future.

Ms. Joan Mobley
August 15, 1996
Page 2

A legend should then be provided for the accompanying maps that corresponds to the above information.

I also respectfully request that your letter be redated as of the date of mailing, as the August 7 letter is lacking the specific information needed by the Planning Commission to make an informed decision.

I will schedule your request for the next regularly scheduled Planning Commission meeting, which is September 11, 1996. Please be advised that in order to prepare a staff report for a commission meeting, a minimum of two weeks advance notice is necessary -- preferably three weeks. The packets are delivered and agenda posted one week prior to the meeting, after which time the agenda can be modified only for urgency matters. This schedule then provides only one week to prepare the Commission staff report and necessary attachments.

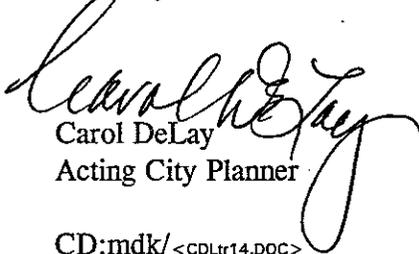
The Planning Commission regularly meets on the second Wednesday of the month. Another meeting may be scheduled on the fourth Wednesday if there are sufficient agenda items to merit the additional meeting. I regret that you were misinformed that the second meeting was a normal or regular occurrence.

I believe the confusion over a fax to you was cleared up. I believe the message referred to the faxed decision letter dated July 26 and sent over a week ago.

If you have any further questions, or need additional information from our staff, please let me or Linda Coll, Administrative Secretary, know. Linda can be reached at (310) 253-5715. The General Planning Division telephone number is (310) 253-5710.

Otherwise, I look forward to receiving your revised letter.

Sincerely,


Carol DeLay
Acting City Planner

CD:mdk/ <CDLtr14.DOC>

RECEIVED

SEP 03 1996

CULVER CITY
PLANNING DIVISION

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (818) 458-5100

HARRY W. STONE, Director

IN REPLY PLEASE
REFER TO FILE:

MP-6
17.042

August 28, 1996

Ms. Carol DeLay
Acting City Planner
Culver City Planning Commission
9770 Culver Boulevard
Culver City, CA 90232-0507

Dear Ms. DeLay:

BALLONA CREEK - COUNTY OF LOS ANGELES EXCESS PROPERTY
SECTION 65402 - COMPLIANCE FOR THE CITY OF CULVER CITY

In your letter dated August 15, 1996, you requested the following information:

1. The exact parcel identification of each separate parcel to be offered for sale;
2. The specific lot identification to which each sale parcel is intended to be offered;
3. Acknowledgment of your intent to sell each excess parcel only to the abutting property owner;
4. Acknowledgment that in the past Culver City has required lot ties as a condition of such conformity findings; and
5. The identification of which excess parcels are currently under negotiation for sale.

In response to Items 1, 2, 3 and 5, please refer to the enclosed map. The parcel numbers can be found within the six-sided boxes (P-307.X). The parcels will be sold to the owners of the adjacent lots. Those lot numbers can be found on the maps. The map has been color-coded to show which parcels are pending sale and which will be sold/offered in the future. We currently have the following buyers:

Ms. Carol DeLay
August 28, 1996
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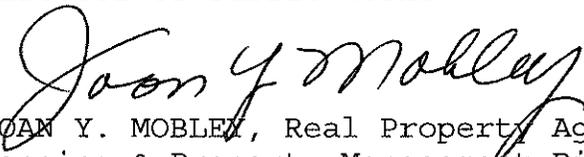
	<u>Parcel</u>	<u>Lot</u>
Mr. Ronald Hopkins and Mrs. Anne Nielsen 4510 Jasmine Avenue	P-307EX.10	222
Mr. and Mrs. Gary Weber 4526 Jasmine Avenue	P-307EX.8	226

As for Item 4, we acknowledge that the City has previously required lot ties. We will continue to inform the prospective purchaser of the City's lot-tie requirement whenever the City specifies such for a particular parcel.

If you have any questions or require additional information, please telephone me at (818) 458-7074. Thank you for your assistance.

Very truly yours,

HARRY W. STONE
Director of Public Works

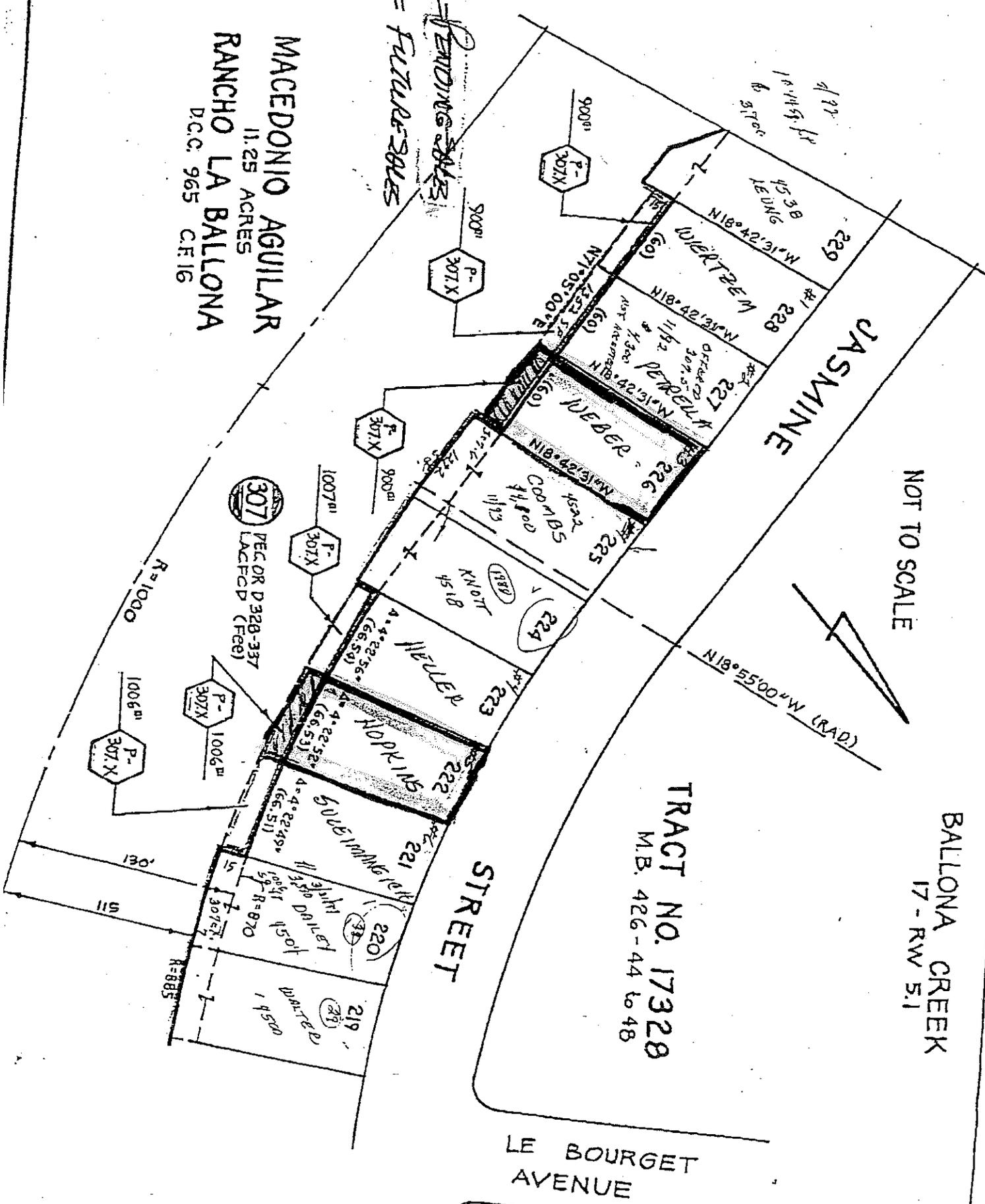

JOAN Y. MOBLEY, Real Property Agent I
Mapping & Property Management Division

JYM:lf/P:2/LtrJYM1

Enc.

MACEDONIO AGUILAR
11.25 ACRES
RANCHO LA BALLONA
D.C.C. 965 C.F.16

SCREEN - REMOVING SIZES
VELLUD = FUTURE SIZES



NOT TO SCALE

TRACT NO. 17328
M.B. 426-44 to 48

BALLONA CREEK
17 - RW 5.1

LE BOURGET AVENUE

Parcel Reached

Parcel Considered 7/24/96

