APPROVED
JUL 09 2014

REPORT OF GENERAL MANAGER

DATE July 9, 2014

OARD OF RECREATION & PARK COMMISSIONFRS

NO.	14-195		
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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PORTER RANCH – EXCHANGE OF PROPERTIES

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Approved	Disapproved	eneral Manager Withdrawn

RECOMMENDATIONS:

That the Board:

- 1. Approve the exchange of properties between the Department of Recreation and Parks (RAP) and the Porter Ranch Development Company (PRDC), as described in the Summary of this Report;
- 2. Adopt the Resolution, substantially in the form on file in the Board Office, authorizing the exchange of six parcels of undeveloped land (RAP Parcels), totaling approximately 3.99 acres, from RAP to PRDC for two parcels of land (PRDC Parcels), totaling approximately 5.77 acres;
- 3. Authorize staff to coordinate with the Department of General Services (GSD), the City Attorney's Office, and other necessary Departments, to expedite the exchange of properties, complete due diligence requirements, and obtain the necessary environmental clearances;
- 4. Grant final approval to accept the PRDC Parcels upon the completion of all necessary due diligence and preliminary acquisition activities, and contingent on the following conditions:
 - A. Appropriate California Environmental Quality Act (CEQA) documentation will have been completed;
 - B. Any additional required environmental assessments if needed, will have been completed and satisfied prior to close of escrow; and

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C. Clearance/resolution of all and any Title issues prior to closing of escrow;

- 5. Direct the Board Secretary to transmit the Resolution to City Council for approval, subject to the approval of the City Attorney as to form;
- 6. Recommend that the City Council approve the Resolution authorizing the exchange of properties, request GSD and the City Attorney's Office to assist in the drafting, processing, and execution of all documentation necessary for the exchange of properties, and request the City Attorney's Office to draft the necessary ordinance to transfer the RAP Parcels to PRDC; and
- 7. Authorize the Board President and Secretary to execute any and all required deeds or other documents necessary to complete the exchange of properties and the acceptance and conveyance of the PRDC Parcels.

SUMMARY:

In the early 1960's the development firm known as Macco requested that approximately 3,000 acres of property it owned in the San Fernando Valley, known as Porter Ranch, be annexed to the City. As a part of the proposed annexation of Porter Ranch, it was determined that RAP would receive land within the annexation area for public parks and recreational facilities.

The annexation of Porter Ranch (Annexation Area #5) to the City became effective on March 30, 1965. As a part of the annexation process, City staff worked to identify, survey, and appraise the sites within Porter Ranch that were proposed to be utilized for public parks. On July 7, 1966, the Board acted to accept twenty-five parcels of land, totaling 403.5 acres, within Porter Ranch for recreation and/or park purposes (Resolution No. 5499). Much of the new park land was in the form of steep hillsides, canyon bottoms, and remnant ridgeline properties. The 403.5 acres of property, which at that time was referred to in its entirety as Porter Ranch Park, was deeded to the City, and dedicated as public parkland, in March 1968 (Board Report No. 606).

Included within the 403.5 acres of new park property were all, or portions of, the parks currently known as Aliso Canyon Park, Browns Creek Park, Eddleston Park, Limekiln Canyon Park, Moonshine Canyon Park, Old Mission Trail, Palisades Park, Porter Ranch Park, Porter Ridge Park, and Wilbur-Tampa Park. In addition to the aforementioned park sites, the 403.5 acres of new park property also included several miles of 12-foot to 25-foot wide noncontiguous strips of land that were intended to be developed into equestrian trails. The location and layout of the accepted park sites and equestrian trails was based in part on the tentative land use and development plans for Porter Ranch that the City approved at the time of its annexation.

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Since Porter Ranch was annexed to the City in 1965, and as the actual construction of the residential and commercial subdivision within the Porter Ranch area have progressed, significant modifications, revisions, and adjustments have been made to the land use, development, and transportation plans in the area.

Consequently, and as there was little regard given to the topographic feasibility of park construction when the 403.5 acres of park property was originally acquired by the City, RAP has participated in a number of property exchanges and/or property transfers with various entities in the Porter Ranch area, including Porter Ranch Development Company (PRDC), the California Department of Transportation (Caltrans), the Mountains Recreation Conservation Authority (MRCA), and the City of Los Angeles Department of Public Works. A brief summary of some of the more significant park property exchanges and/or property transfers that RAP has participated in the Porter Ranch area since 1968 is provided below:

- Transfer of 8.1 acres of park property needed for the development of the Ronald Reagan Freeway (SR-118) to Caltrans in exchange for 13.4 acres of property in the Porter Ranch area (Board Report No. 946-81).
- Transfer of five undeveloped parcels of park property totaling 30.19 acres to PRDC in exchange for two parcels totaling 64.35 acres (Board Report No. 232-93). The five parcels exchanged to PRDC were developed into residential housing. The two parcels exchanged to RAP are the parcels currently known as Holleigh Bernson Memorial Park and Porter Ranch-Sesnon Property.
- Transfer of various parcels originally intended to be developed into equestrian trails to PRDC in exchange for a newly aligned similar equestrian trail in the same area (Board Report No. 172-98)
- Transfer of 10.75 acres of park property adjacent to the Ronald Reagan Freeway (SR-118) to MRCA in exchange for 54.0 acres of property adjacent to Stoney Point Park (Board Report No. 492-98).

Porter Ranch Equestrian Trail Requirements

Pursuant to the Porter Ranch Land Use/Transportation Specific Plan (Specific Plan) and the current Development Agreement between the PRDC and the City (Development Agreement), PRDC is required to provide, and maintain, an equestrian and hiking trail network in the Porter Ranch area.

The Specific Plan was first adopted by the City in 1990 (Ordinance No. 166,068) and has been amended several times since. The Specific Plan is a general plan implementation document and, as such, establishes a link between implementing policies of the City's general plan and the individual development proposals in a defined area. The Specific Plan established a comprehensive set of development regulations for the area and formed the basis for a

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Development Agreement that was later adopted by the City Council.

The Development Agreement between the City and PRDC was executed on February 14, 1992 (Ordinance No. 167,523) and has since been twice amended; the First Amended and Restated Development Agreement (Ordinance No. 173,873) was executed on May 29, 2001; and, the Second Amended and Restated Development Agreement (Ordinance No. 180,084) was executed on September 9, 2008.

Pursuant to Section 8.H.4 of the Specific Plan, PRDC is required to "provide equestrian and hiking trails generally as shown on the Chatsworth-Porter Ranch Community Plan". Those trails are required to be "a minimum width of 12 feet" and include a "minimum 15-foot buffer between the equestrian and hiking trail systems identified in the Chatsworth-Porter Ranch Community Plan and any adjacent houses or fences of residential development."

Pursuant to Section V.A.1.g.iv of the Development Agreement, the Advisory Agency, in approving a subdivision in the area, shall find that PRDC has "guaranteed completion" of the "equestrian and hiking trails as generally shown on the Chatsworth-Porter Ranch Community Plan and as specified in Section 8.H.4 of the Specific Plan" and as attributable to that subdivision.

The Chatsworth-Porter Ranch Community Plan map is attached as Attachment A.

Pursuant to Section V.B.11 of the Development Agreement, PRDC is required "in connection with any subdivision approval by the Advisory Agency for residential development, which includes requirements for the improvement and maintenance of equestrian trails" to record a covenant "which will impose a continuing maintenance obligation, which runs with the land, on the property owners' association(s) or homeowners' association(s) with respect to such equestrian trails."

As required by the Specific Plan and the Development Agreement, there are conditions specific to the required equestrian trails included in the conditions of approval for Tentative Tract Nos. 50505, 50506, 50507, and 50507-01. The conditions of approval for Tentative Tract Nos. 50505 and 50506 require the dedication of easements to the City for a 12-foot wide equestrian trail, and require that a homeowners' association be established to maintain the trails. The conditions of approval for Tentative Tract Nos. 50507 and 50507-01 do not contain conditions regarding maintenance of the trails or the dedication, however the tentative tract map shows an equestrian trail easement along the south boundary and the draft final tract map for Tentative Tract No. 50507-01 shows an 18-foot wide easement for equestrian trail purposes to the City. The equestrian trail are required to be dedicated and constructed to the satisfaction of both the Department of Public Works Bureau of Engineering and the City Planning Department, and those City Departments are the entities responsible for ensuring that the various conditions

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relating to the required equestrian trails are met.

Proposed Land Exchange

PRDC is currently in the process of clearing the conditions of approval for four of its residential tract maps in Porter Ranch, including Tentative Tract Nos. 50505, 50506, 50507, and 50507-01, in order to record the tract maps for the those four subdivisions. However, RAP is the fee title owner of six 25-foot wide parcels (RAP Parcels), totaling 3.99 acres, which are located within the boundaries of Tentative Tract Nos. 50505, 50507, and 50507-01. These six parcels were acquired by RAP in 1968, as a part of the 403.5 acres of new park property RAP received when Porter Ranch was annexed to the City.

As PRDC is not the underlying fee owner for the all the property within Tentative Tract Nos. 50505, 50507, and 50507-01, and as RAP property must be used for park and recreational purposes, PRDC is unable to record the current tract maps for Tentative Tract Nos. 50505, 50507, and 50507-01. In order to reconcile the ownership issue, and enable PRDC to record Tentative Tract Nos. 50505, 50507, and 50507-01, PRDC is proposing an exchange of properties with RAP wherein RAP would quitclaim the RAP Parcels and receive in exchange portions of two parcels owned by PRDC (PRDC Parcels), totaling 5.77 acres. The PRDC Parcels are conterminous to three, currently non-contiguous, RAP owned parcels in Browns Canyon that are a part of the City's Browns Creek Park.

A map summarizing the proposed exchange and showing the location of the RAP Parcels, PRDC Parcels, and the proposed residential tract maps is attached as Attachment B.

The RAP Parcels total approximately 3.99 acres. The RAP Parcels are 25-foot wide parcels that were acquired for, and originally intended to be developed into, equestrian trails. For the most part, the RAP Parcels are not aligned with the natural topography of the area and do not coincide with any existing equestrian trails in this area. The RAP Parcels are not contiguous as they are separated by gaps where the Porter Ranch's street network was proposed to be aligned in 1968. The RAP Parcels are currently undeveloped and unimproved open space. A limited amount of rough grading has occurred within the southernmost parcels but the northern parcels remain in a substantially natural state. The RAP Parcels are inaccessible to the general public and, due to their topography and alignment, are not currently used for public recreational purposes. Several of the parcels are landlocked and do not, or will not, have access to existing or proposed public streets, as the trail right-of-way was established prior to the determination of the final alignment of the street network in this part of Porter Ranch.

A legal description and map of the RAP Parcels is attached as Attachment C.

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The PRDC Parcels total approximately 5.77 acres. The PRDC Parcels are approximately 100 feet wide and generally follow the alignment of a side canyon of Browns Canyon. The majority of the PRDC Parcels are in an unimproved natural condition, and the northernmost portion of the PRDC Parcels are located at the bottom of engineered open space slopes improved with concrete drainage benches and down drains. Properties to the immediate north, east, and west of the PRDC Parcels consist of natural open space slopes, the majority of which are owned by RAP and are part of Browns Creek Park. Browns Creek Park is a 51.99 acre park that consists entirely of undeveloped and unimproved natural open space.

A legal description and map of the PRDC Parcels is attached as Attachment D.

To determine the fair market value for the properties proposed to be exchanged between the RAP and PRDC, a formal appraisal was prepared on December 6, 2013, by an independent appraisar and was reviewed by Department of General Services (GSD) staff. The results of the appraisal are as follows:

RAP Parcels:

- Property: Six parcels of land encompassing a total area of 3.99 acres
- Assessor's Parcel Numbers: 2701-001-902 thru -907
- Estimated Market Value: \$14,000 as of November 23, 2013

PRDC Parcels

- Property: Portions of two parcels of land encompassing a total area of 5.77 acres
- Assessor's Parcel Numbers: Portions of 2701-002-053 and -065
- Estimated Market Value: \$20,000 as of November 23, 2013

Due to the location, shape, and physical topography of the PRDC Parcels it is anticipated that, if they are acquired by RAP, they would be added to Browns Creek Park and would continue to remain undeveloped and in a natural state.

Additionally, and as previously noted, the proposed exchange of properties would not impact the development of equestrian and hiking trails in this area, as PRDC is required by the Specific Plan, the Development Agreement, and in the current conditions of approval for Tentative Tract Nos. 50505, 50506, 50507, and 50507-01, to develop and maintain the equestrian trail system. A map showing the location of the RAP Parcels, the location of the proposed residential tract maps, and the current proposed alignment of the equestrian trail, is attached as Attachment E. The alignment of the new equestrian trail shown on Attachment E is intended to be conceptual, as the final equestrian trail design will lay out the trail to fit with the current topography and graded slopes in the area and will be built to the satisfaction of both the Department of Public Works Bureau of Engineering and the City Planning Department.

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Charter Section 594

Pursuant to Section 594(c) of the Los Angeles City Charter, "all lands set apart or dedicated as a public park shall forever remain for the use of the public".

Pursuant to Section 594(e) of the Los Angeles City Charter, when portions of the lands of existing public parks have been removed from the jurisdiction of the Board "by reason of their dedication or use for public purposes incompatible with park use" then those lands, or the remaining portions thereof, are not subject to the provisions of Section 594(c) if (1) the Board and Los Angeles City Council find that the remaining property is unsuitable for further use as a public park and (2) property of an area at least equal to the property the Board and Los Angeles City Council found to be unsuitable for park use is acquired in the same area of the City.

Pursuant to Section 594(d) of the Los Angeles City Charter, any transfer of property under the control of RAP requires a Resolution of the Board that is approved by the City Council by ordinance. Additionally, as a condition of any such transfer, RAP must be assigned the equivalent in property or funds, when required by the Board.

Staff has reviewed and evaluated the properties proposed to be included in this exchange and determined that, in conformance with the requirements of Sections 594(c) and 594(e) of the Los Angeles City Charter, (1) the RAP Parcels are no longer suitable for use as a public park, (2) that the property that would be received by RAP in the proposed exchange is located in the same area of the City as the RAP Parcels, and (3) the PRDC Parcels that would be received by RAP are greater in both value and size than the RAP Parcels that would be transferred to PRDC.

Given their size, shape, location, and physical topography, the RAP Parcels are suitable only for use as equestrian trails, and only after significant grading and development. However, it is unlikely that the RAP Parcels can ever be developed as equestrian trails as the current Cityapproved alignment of the transportation and equestrian trail system in the Specific Plan area, as shown on the current Chatsworth-Porter Ranch Community Plan map and as required to be built by PRDC, is not consistent with the original proposed alignment of the equestrian trail system and the location of the RAP Parcels.

The PRDC Parcels that are proposed to be exchanged to RAP are located in the same area of the City as the RAP Parcels. The PRDC Parcels are conterminous to three, currently non-contiguous, RAP-owned parcels in Browns Canyon that are a part of the City's Browns Creek Park. Two of the three RAP-owned parcels in Browns Canyon are currently inaccessible to the public, and the acquisition of the PRDC Parcels would enable the RAP staff, and the general public, to access those two parcels without crossing privately owned property.

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Finally, the proposed exchange would result in greater public park acreage and value for the City. The RAP Parcels total 3.99 acres and have an estimated market value of \$14,000, while the PRDC Parcels total 5.77 acres and have an estimated market value of \$20,000.

Environmental Review

A Phase I Environmental Site Assessment (ESA) was performed for the property proposed to be exchanged to RAP. Based on the findings of this assessment, no Recognized Environmental Conditions (RECs) and no historical RECs were identified for the Property. Therefore, no further site investigation is required. The Phase I ESA Report dated November 26, 2013, is on file in the RAP's Real Estate Division.

Staff determined that the subject project consists of the acquisition of property with the intent to preserve open space for park purposes. Therefore, the acquisition of the PRDC Parcels is categorically exempt from the provisions of California Environmental Quality Act (CEQA), pursuant to Article 19, Section 15325, Class 25 (f) of the State CEQA Guidelines.

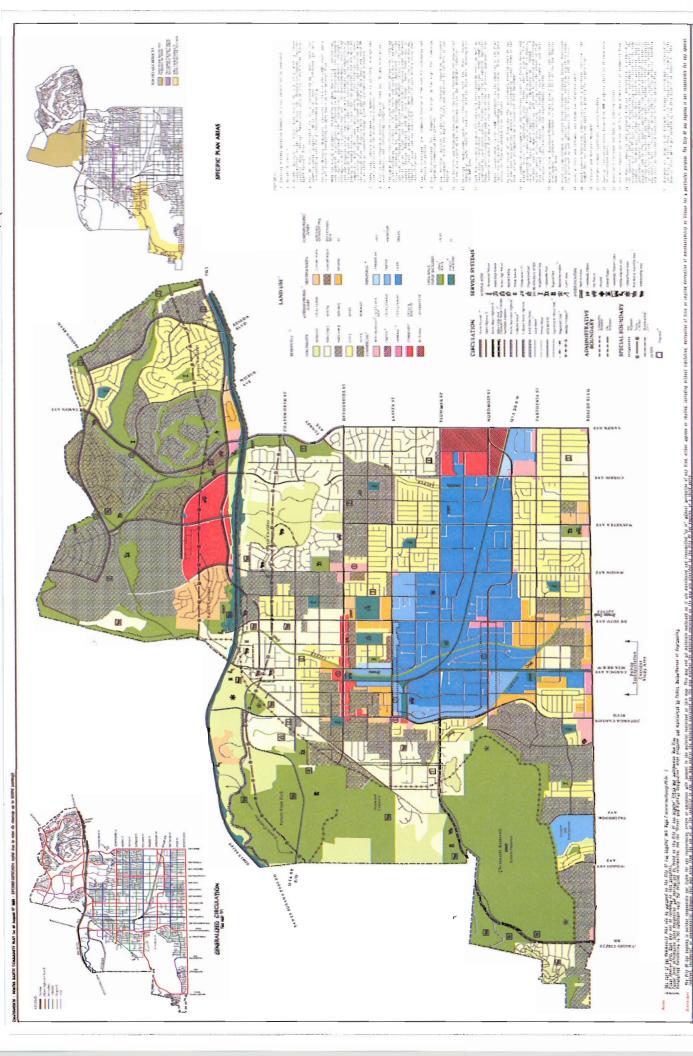
FISCAL IMPACT STATEMENT:

There is no fiscal impact to RAP's General Fund associated with this action as the maintenance of the park sites proposed to be acquired as a part of the proposed property exchange can be performed by current staff with no overall impact to existing maintenance services.

This report was prepared by Darryl Ford, Management Analyst II, Planning, Construction, and Maintenance Branch.

Attachments:

Attachment A (1 page)
Attachment B (1 page)
Attachment C (3 pages)
Attachment D (3 pages)
Attachment E (1 page)



City Of Los Angeles - City Planning Department - Systems And Gis Division Con Howe - Director

GENERAL PLAN LAND USE MAP (as at August 07 200%)

CHATSWORTH - PORTER RANCH COMMUNITY PLAN A PART OF THE GENERAL PLAN OF THE CITY OF LOS ANGELES

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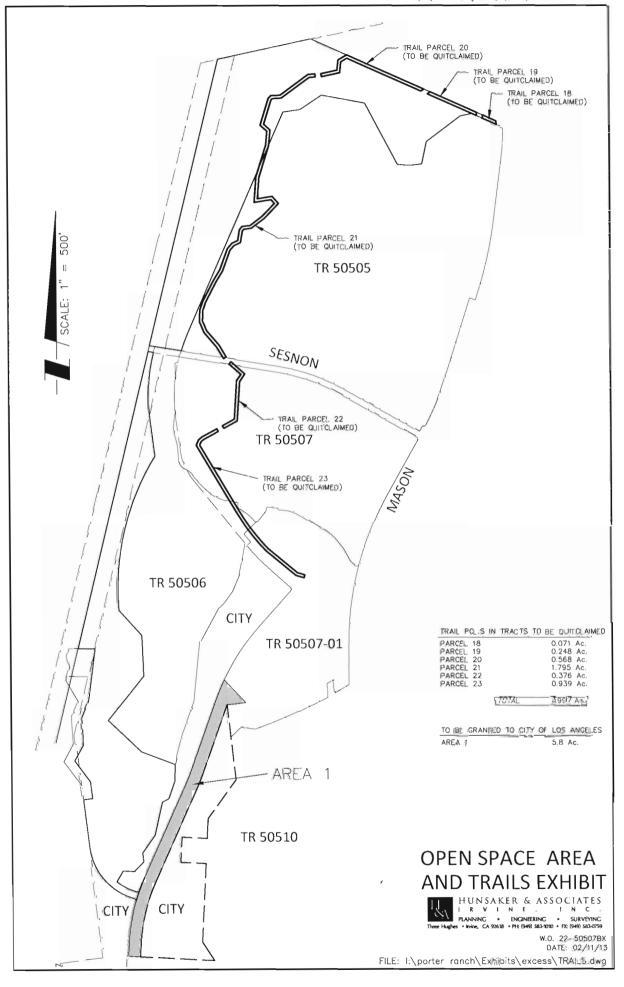


EXHIBIT "A"

LEGAL DESCRIPTION

In the City of Los Angeles, County of Los Angeles, State of California, being a Parcels 18, 19, 20, 21, 22 and 23 as described in the Grant Deed recorded March 29, 1968 as Instrument No. 1135, in Book D3954, Page 626 of Official Records in the office of the County Recorder of said county.

As shown on Exhibit "B", attached hereto and by this reference made a part hereof.

Robert L. Wheeler IV, L.S. 8639

Date: _



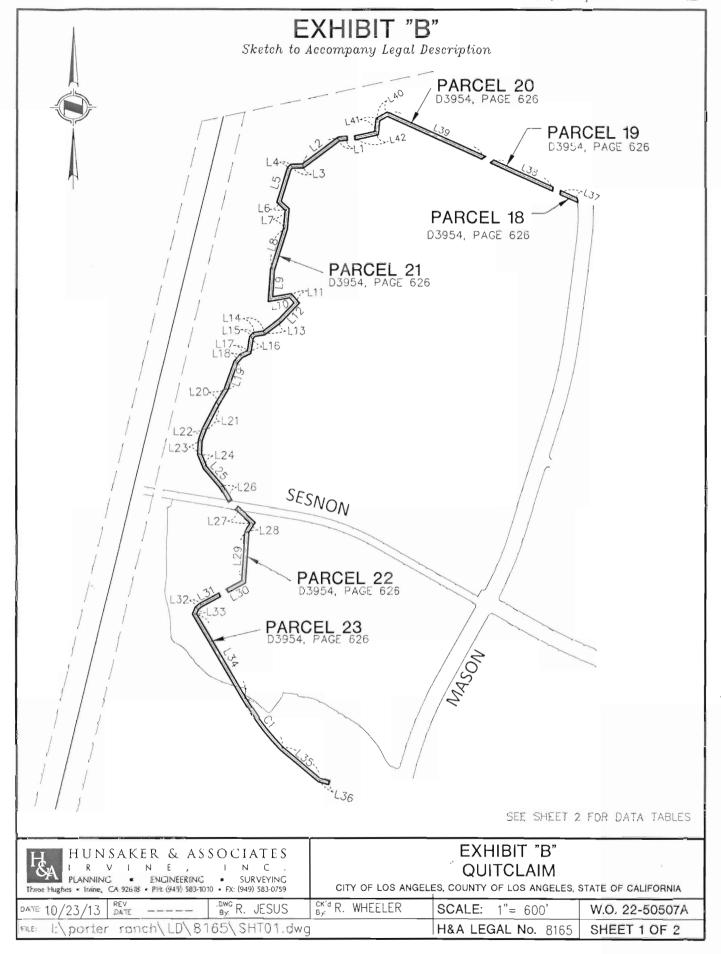


EXHIBIT "B"

Sketch to Accompany Legal Description

LINE TABLE				
LINE	BEARING	LENCTH		
LINE L1		LENGTH		
	S83°49'20"W	55.88'		
L2	S53°24'23"W	290.20		
L3	S87°40'43"W	74.08'		
L4	S43°15'51"W	23.34		
L5	\$17°02'45"W	221.74'		
L6	S47°46'45"E	72.92		
L7	S03°04'10"W	124.49'		
L8	S17°23'27"W	277.69		
L9	S03°51′13″W	193.44		
L10	N80°28'00"E	132.83		
L11	S41°00'33"E	60.96'		
L12	S43°28'45"W	159.86		
L13	S52°30'44"W	129.81		
L14	S82°07'00"W	65.62		
L15	S40°21'32"W	26.25		
L16	S09°04'00"W	95.19		
L17	S64°47'56"W	56.36		
L18	S40°36'05"W	55.32'		
L19	S19°36'44"W	184.72		
L20	S31°03'15"W	108.56		
L21	S27°15′19″W	185.61		
L22	S18°54'16"W	77.16'		
L23	S01°53'17"W	91.05		
L24	S22°22'48"E	91.92		
L25	S40°57'02"E	160.21		
L26	S30°26'07"E	111.83		
L27	S48°35'50"E	140.64		
L28	S33°35'03"W	69.89		
L29	S03°43′12″W	323.68		
L30	S61°20'10"W	120.32		
L31	S61°20'10"W	138.00'		
L32	S49°46'04"W	35.00		
L33	S22°13'30"W	39.17		
L34	S30°40'59"E	633.00'		
L35	S50°32'49"E	317.91		
L36	S74°21'28"E	66.79		
L37	N66°09'32"W	124.31		
L38	N66°09'32"W	431.18'		
L39	N66°09'32"W	685.39		
L40	S60°14'49"W	70.79		
L41	CU20214 43 M	70.79		
L41	S05°50'22"W	88.46'		
L7Z	S77°41'55"W	145.52		

	CURVE	TABLE	
CURVE	DELTA	RADIUS	LENGTH
C1	13°24′31"	1737.50	406.62

HUNSAKER & ASSOCIATES R V N E , N C . PLANNING = ENGINEERING = SURVEYING Three Hughes = Irvine, CA 92618 - PH: (949) 583-1010 - FX: (949) 583-0759		EXHIBIT "B" QUITCLAIM CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA		
DATE: 10/29/13 REV. DATE By. R	. JESUS	CK'd R. WHEELER	SCALE: NTS	W.O. 22-50507A
FEC: I:\porter_ranch\LD\8165\SHT01.dwg		H&A LEGAL No. 8165	SHEET 2 OF 2	

ATTACHMENT DI

EXHIBIT "A"

LEGAL DESCRIPTION

In the City of Los Angeles, County of Los Angeles, State of California, being that portion of

Rancho Ex-Mission De San Fernando, as per a map recorded in Book 1, Pages 605 and 606 of

Patents, in the office of the County Recorder of said County, described as follows:

Beginning at the northerly terminus of that certain course in the easterly boundary of Parcel 11 as

described in the Grant Deed recorded March 29, 1968 in Book D3954, Page 626 of Official Records

in the office of the County Recorder of said county described in said deed as "North 2°56'00" East

957.91 feet"; thence along said easterly boundary South 2°56'00" West 98.00 feet; thence South

87°04'00" East 100.00 feet to the southwesterly corner of Parcel 13 as described in said Grant Deed;

thence along the westerly line of said Parcel 13 the following five (5) courses:

1. North 2°56'00" East 98.00 feet to a curve concave easterly having a radius of 1450.00 feet,

2. northerly 537.36 feet along said curve through a central angle of 21°14'00",

3. North 24°10'00" East 851.93 feet to a curve concave westerly having a radius of 1550.00 feet,

4. northerly 125.79 feet along said curve through a central angle of 4°39'00" and

5. North 19°31'00" East 618.50 feet;

Thence North 83°46'35" East 156.64 feet; thence North 43°34'09" West 259.91 feet to a point on the

westerly boundary of Parcel 12 of said Grant Deed, being a non-tangent curve concave easterly

having a radius of 1850.00 feet, a radial line to the beginning of said curve bears North 64°43'23"

West; thence along said westerly line the following six (6) courses:

1. southerly 185.99 feet along said curve through a central angle of 5°45'37",

2. South 19°31'00" West 618.50 feet to a curve concave westerly having a radius of 1450.00 feet

3. southerly 117.68 feet along said curve through a central angle of 4°39'00",

4. South 24°10'00" West 851.93 feet to a curve concave easterly having a radius of 1550.00 feet,

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By: R. Wheeler

Checked By: R. Beuschlein

EXHIBIT "A"

LEGAL DESCRIPTION

- 5. southerly 118.12 feet along said curve through a central angle of 4°21'59" to a reverse curve concave northwesterly having a radius of 20.00 feet and
- 6. southwesterly 30.78 feet along said curve through a central angle of 88°10'30" to a line which bears North 17°58'31" East 60.00 feet from the southeasterly terminus of that certain course in said Parcel 11 described in said Grant Deed as "North 72°01'29" West 23.94 feet";

thence non-tangent from said curve South 17°58'31" West 60.00 feet to the boundary of said Parcel 11, being the beginning of a non-tangent curve concave southwesterly having a radius of 20.00 feet, a radial line to the beginning of said curve bears North 17°58'31" East; thence along said boundary the following courses:

- 1. southeasterly 30.78 feet along said curve through a central angle of 88°10'30" to a reverse curve concave easterly having a radius of 1550.00 feet,
- 2. southerly 357.55 feet along said curve through a central angle of 13°13'01" to the **Point of Beginning.**

Containing an area of 5.778 acres, more or less.

As shown on Exhibit "B" attached hereto and by this reference made a part hereof.

Robert L. Wheeler IV, L.S. 8639

Date: 03/11/13



