

Regular meeting of the City Council of the City of Los Angeles held Wednesday, December 14, 1938.

Council convened at 10 A.M., and upon calling the roll the following members were found to be present: Messrs. Baumgartner, Bennett, Buyer, Cunningham, Gay, Hyde, Lewis, MacAlister, Sanborn, Thrasher and President Burns (11) and a quorum.

Mr. Buyer moved, and seconded by Mr. Cunningham, that we dispense with the reading of the minutes of the Council meeting of December 12, 1938, and that same be approved; which motion was adopted by the following vote: Ayes, Messrs. Baumgartner, Bennett, Buyer, Cunningham, Gay, Hyde, Lewis, MacAlister, Sanborn, Thrasher and President Burns (11). Noes, none.

No. 3027 (1938)

The City Engineer reported as follows:

I transmit herewith for your approval, Map of Tract No. 11556, being a new subdivision in Councilmanic District No. 11, lying southerly of Manning Avenue and westerly of Motor Avenue, together with City Clerk's File No. 3027 (Series 1938) to which is attached sketch showing location.

The Board of City Planning Commissioners approved the tract on July 5, 1938, upon the following conditions:

1. That storm drain and sanitary sewer easements be dedicated in locations satisfactory to the City Engineer approximately as indicated in green on Exhibit "B".
2. That the following street improvements and drainage construction be either constructed prior to the recording of the map or that such construction be suitably guaranteed:
 - (a) Grade all the streets and portions of streets being dedicated by the tract to the full dedicated width.
 - (b) Improve Manning Avenue with curbs, gutters, sidewalk and 4 inches of rock and oil pavement to provide a 53-foot roadway.
 - (c) Improve Motor Avenue in a similar manner to Manning Avenue, except that the roadway width shall be 56 feet.
 - (d) Improve the 30-foot dead-end street with curbs, gutters, sidewalk and 4-inch rock and oil roadway 24 feet between curbs, and with a satisfactory turn around at the northerly end of the street. Side wall to be on the westerly side.
 - (e) Improve the 54-foot streets in the tract with curbs, gutters, sidewalks and 4-inch rock and oil roadway with 34 feet between curbs.
 - (f) Construct a suitable turning place at the southerly end of the street westerly of Lot 118.
 - (g) Construct a suitable drain with appropriate catch basins to take care of the storm drainage passing over the storm drain easement on Lot 89.
 - (h) The 4-inch thickness of rock and oil pavement specified above in conditions (b), (c), (d) and (e) may be reduced if soil tests indicate a reduction will be satisfactory.
3. That before the map goes to record, the subdivider cause to be prepared and recorded in the County Recorder's Office within 30 days after the tract is recorded a set of protective restrictions with right of enforcement invested in each individual lot owner within the tract, acceptable to this office and the City Attorney, which will:
 - (a) Among other things set up means by which the property owners in the tract through annual charges, assessments or otherwise will be required to permanently maintain the strips 15 feet in width adjacent to Manning Avenue and Motor Avenue, unless in the meantime the

Wednesday - December 14, 1938

the City accepts a deed to the park strips and agrees to maintain said strips.

(b) Permanently reserve these park strips for and only for parkway purposes.

(c) Restrict all the lots in the tract to one single family residence per lot.

(d) Prohibit the fronting of houses on the "future" Exposition Boulevard or on the same, if said "future" street is accepted as a dedicated street.

(e) That the houses on Lots 82 to 93, both inclusive, front to the north and Lot 120 to the northeast, and that houses on said lots present a pleasing appearance from the "future" Exposition Boulevard side of the building in substantial conformity to the fronts of said houses, and in no event shall more than one single family residence per lot be built upon the same at any time.

(f) That the houses on the double frontage lots 70 to 75 both inclusive, front to the east and the rear of said houses shall present a pleasing appearance from the front of Lots 76 to 79, both inclusive, substantially in conformity with the fronts of said houses, and in no event shall more than one single family residence per lot be built upon the same at any time.

(g) That the houses on Lots 114 to 118 both inclusive, shall front the north and south street and the side yards shall present a pleasing appearance from the "future" Exposition Boulevard side, and in no event shall these lots be cut by metes and bounds to give Exposition Boulevard frontage at any time.

4. That all lots in the tract have an average width of not less than 50 feet.

Conditions Nos. 3 and 3-a were reconsidered by said Board of City Planning Commissioners on October 29, 1938, and changed to read as follows:

3. "That before the map goes to record, the subdivider cause to be prepared and recorded in County Recorder's Office within 60 days after the tract is recorded, a set of protective restrictions with the right of enforcement invested in each individual lot owner within the tract, acceptable to this office which will

(3-a) Insure the installation and maintenance by the owner or individual purchaser for one year period, the parkway strips adjacent to Manning and Motor Avenues and the maintenance of the same by the individual property owners for the duration of the restrictions. The clause in 3 with the right of enforcement invested in each individual lot owner within the tract not to be applicable to Condition 3-a."

The tract was tentatively approved by your Honorable Body on July 22, 1938, subject to the conditions as outlined in the Board of City Planning Commissioners' action of July 5, 1938, and upon your further approval on December 9, 1938, of the above change in Conditions 3 and 3-a. Said conditions have been fulfilled as follows:

1. The necessary sanitary sewer and storm drain easements are being dedicated on the map.

2. The street improvements as outlined above have not been completed, and in lieu thereof a surety bond in sufficient amount of \$31,500 has been furnished. Said bond has been approved as to form by the City Attorney and is transmitted herewith for your approval.

3. A communication from the Board of City Planning Commissioners states that satisfactory arrangements have been made for the subdivider to comply with condition No. 3.

4. All the lots in the tract have an average width of 50 feet or more.

A 20-foot strip within the lines of Manning Avenue is not being dedicated by this map because of tax delinquencies. The subdividers in communications attached to the City Clerk's file, requests that the map be approved with this omission and further states that they are the owners of said 20-foot strip and will deed same to the City as a part of Manning Avenue 80 feet wide. When the deed is accepted by the City, the delinquent taxes may be cancelled upon application to the Los Angeles County Board of Supervisors.

Wednesday - December 14, 1938

The improvement of the 20-foot strip as a part of Manning Avenue has been included in the improvement work guaranteed by the above-mentioned \$31,500 Surety bond furnished by the subdivider.

I respectfully recommend that this procedure be approved, and the Real Estate Agent be instructed to accept the deed to the 20-foot strip subject to the taxes on which an application will be later made to the County Board of Supervisors for cancellation, and also upon condition that the subdividers pay the incidental expenses in connection therewith.

The Bureau of Water Works and Supply has approved the tract as to water supply, water mains and fire hydrants.

The owner of this tract is the Francis Land Company.

The map and bond are, therefore, now ready for your approval.

Referred to the Planning Committee.

The President: *In conformity with Rule 28 of the Council, I have referred the following communications as hereinafter set forth:*

No. 4962 (1938) - from Musicians Mutual Protective Association, urging that the pageant "A Day in Old California" be staged in the Coliseum in the spring or early summer whether or not King George VI and Queen Elizabeth can attend, and that it be thereafter presented annually.

Referred to the Playground and Recreation Department.

No. 4963 (1938) - from Harry Fava, et al., requesting an amendment to the Municipal Code affecting the licensing of the business of Auto Wrecker providing for license fee of \$25 per year.

Referred to the Ways and Means Committee.

No. 4964 (1938) - from Mabel Bennett, presenting claim in amount of \$557.75 for personal injuries allegedly sustained when she fell, on Highland Street at or near 1141 North Highland, due to defective condition of the street at that point.

Referred to the City Attorney and Finance Committee.

No. 4831 (1938) - from Wm. C. Bartlett, Attorney, presenting claim of Emma Graham, in amount of \$1119.00 plus \$6 per week for disability, due to injuries sustained when she fell into a hole filled with muddy water dug by employees of the Department of Water and Power in the alley at the rear of her property in repairing leaky water mains, claiming no sign was placed to show that said hole had not been filled with earth.

Referred to the City Attorney and Finance Committee.

No. 4965 (1938) - from the Controller, submitting statement of moneys in the City Treasury and under control of the City Treasurer of December 7, 1938.

Referred to the Finance Committee.

No. 2179 (1938) - from D. Joseph Coyne, re application of Louis Stoeckel for change of zone to permit erection of a 2-story 8-family apartment building on property at the northeast corner of Olympic Boulevard and Muirfield Road., which was approved by the Board of City Planning Commissioners, but denied by the Council, requesting that the matter be given reconsideration.

Referred to the Planning Committee.

No. 5396 (1937) - from John Mace, et al., relative to parking conditions on Marathon Street, between Van Ness and Windsor Boulevard, as well as in the immediate vicinity of Melrose Avenue and