

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

October 18, 2023

Honorable Members:

CD No. 5

SUBJECT:

VACATION REQUEST – VAC – E1401435 – Council File No. 23-0267 – Portion of Magenta Lane North of Viretta Lane

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 on the attached Exhibit B:

Portion of Magenta Lane North of Viretta Lane
- B. That the vacation of the area shown colored orange on Exhibit “B”, be denied.
- C. That the Council find that the vacation is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City’s Environmental Guidelines.
- D. That the City Council find that there is a public benefit to this street vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the street. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easements.
- E. That, in conformance with Section 556 of the City Charter, the Council make the finding that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan.
- F. That, in conformance with Section 892 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for non-motorized transportation facilities.

- G. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for present or prospective public use.
- H. That the Council adopt the City Engineer's report with the conditions contained therein.

FISCAL IMPACT STATEMENT:

The petitioner has paid a deposit of \$14,980 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code will be required of the petitioner.

Maintenance of the public easement by City forces will be eliminated.

NOTIFICATION:

To satisfy Sections 8320 through 8323 of the California Streets and Highways Code, the City Clerk shall schedule the vacation for public hearing at least 30 days after the Public Works (PW) Committee approval of this report, so the City Clerk and the Bureau of Engineering (BOE) may process the required Public Notification.

Additionally, City Clerk shall send notification of the time and place of the PW Committee and the City Council meetings to consider this request be sent to:

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| 1. BZD Group
Attn: Valerie Sacks
5665 Wilshire Blvd. #1423
Los Angeles, CA 90036 | 6. Laryce S. Vidal
1835 Calgary Lane
Los Angeles, CA 90077 |
| 2. Bart Seemen Co-Trust
10307 Viretta Lane
Los Angeles, CA 90077 | 7. Salvatore P Lucia
PO Box 1381
Frisco, CO 80443 |
| 3. Hajime and Joyce Uyehara Trust
15872 Villanova Circle
Westminster, CA 92683 | 8. Richard Renaldo
PO Box 69
Tesuque, NM 87574 |
| 4. Thomas L. and Linda M. Pincu Trust
1031 Viretta Lane
Los Angeles, CA 90077 | 9. Tracy L. Wells
10323 Viretta Ln
Los Angeles, CA 90077 |
| 5. Jan Riggs
10319 Viretta Lane
Los Angeles, CA 90077 | 10. Michele and Fadia De Falco Trust
10337 Viretta Lane
Los Angeles, CA 90077 |

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|---|---|
| 11. Larry N and Allison S Cobar Trs
10390 Caribou Ln
Los Angeles, CA 90077 | 17. Joshua and Gronsbell
1840 N Beverly Glen Blvd
Los Angeles, CA 90077 |
| 12. Mark and Maryam Allison
10633 Eastborne Ave Unit 401
Los Angeles, CA 90024 | 18. Norman F and Chan
1847 Calgary Ln
Los Angeles, CA 90077 |
| 13. James E and Jessica Earnhardt
1800 N Beverly Glen Blvd
Los Angeles, CA 90077 | 19. Kenneth and Youngleib
1847 Calgary Ln
Los Angeles, CA 90077 |
| 14. Roberta J. Dunner
1818 N Beverly Glen Blvd
Los Angeles, CA 90077 | 20. Lawrence G. and Martha A. Mutz
4477 Shadow Hills Blvd S Apt B
Santa Barbara, Ca 93105 |
| 15. Eric and Vanessa J Buskirk Trs
1820 N Beverly Glen Blvd
Los Angeles, CA 90077 | 21. James A Mcaninch
617 Miramonte Drive
Santa Barbara, Ca 93103 |
| 16. Micheline IP Tr
1832 N Beverly Glen Blvd
Los Angeles, CA 90077 | 22. Jeffrey K. Rubenstein
9461 Charlesville Blvd PMB 267
Beverly Hills, CA 90212 |

CONDITIONS:

The Conditions specified in this report are established as the requirements to be complied with by the petitioner for this vacation. Vacation proceedings in which the conditions have not been completed within 2 years of the Council's action on the City Engineer's report shall be terminated, with no further Council action.

1. That any fee deficit under Work Order E1401435 be paid.
2. That a suitable map, approved by BOE West Los Angeles District Office, delineating the limits, including bearings and distances, of the areas to be vacated be submitted to BOE Permit Case Management Division (PCM) prior to the preparation of the Resolution to Vacate.
3. That a suitable legal description describing the area being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to PCM prior to preparation of the Resolution to Vacate.
4. That a title report indicating the vestee of the underlying fee title interest in the area to be vacated be submitted to the City Engineer.

5. That the following reservations be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

That satisfactory arrangements be made with the City Engineer for the reservation of public sanitary sewer, public storm drain, and public utility easements within the area proposed to be vacated.

6. That consents to the right-of-way being vacated and waivers of any damages that may accrue as a result of such street vacation be obtained from all property owners who might have certain rights in the area being vacated including Lot 49, and Lots 66 to 86 of Tract 1033, and Lots 13 to 20, and 23 to 25 of Tract 6775.
7. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to BOE to hold each adjoining parcel of land, and its adjoining portions of the area to be vacated under the same ownership, as one parcel to preclude the creation of substandard or landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over said area, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
8. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
9. That street trees be planted and tree wells to be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.
10. That the petitioner complies with the requirements of the Los Angeles Department of Building and Safety (LADBS). That suitable evidence be submitted to the satisfaction of LADBS showing that all properties will have a frontage meeting the definition of a lot as defined by LAMC Section 12.03 and will not be landlocked as a result of the street vacation. A clearance letter from the Los Angeles Department of Building and Safety to BOE will be required.

TRANSMITTAL:

1. Application dated November 18, 2022, from Valerie Sacks of BZD Group.
2. Exhibit B, location map.

DISCUSSION:

Request: The petitioner, Valerie Sacks of BZD Group, representing the owners of the properties shown outlined in yellow on Exhibit B, is requesting the vacation of the public street area shown colored blue and orange. The purpose of the vacation request is to incorporate the area into their properties to allow for maintenance and use.

This vacation procedure is being processed under procedures established by Council File No. 01-1459-S1 adopted by the Los Angeles City Council on January 31, 2017.

Resolution to Vacate: The Resolution to Vacate will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The Council on March 24, 2023 under Council File No. 23-0267, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the north, south, east, and west are zoned RE-15-HCR corresponding to a Very Low II Residential land use and are developed with single family homes.

Description of Area to be Vacated: The area sought to be vacated is a portion of Magenta Lane, designated as a Local Street Standard. The area is unimproved. The subject vacation is a paper street, and can only be accessed from Viretta Lane, which is also a Local Street - Standard.

Adjoining Streets: Viretta Lane is a designated Local Street.

Surrounding Properties: The owners of lots adjoining the vacation area have been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The vacation of a portion of Magenta Lane north of the Viretta Lane terminus will have no adverse effects on access rights or circulation. There are no public improvements within the requested area.

The vacation area is not needed for the use of pedestrians, bicyclists, or equestrians.

Objections to the vacation: There were no objections to the vacation submitted for this request.

Reversionary Interest: No determinations of the underlying fee interest of the vacation area has/have been made as to title or reversionary interest.

Dedications, Reservations, and Improvements: It will be necessary that the petitioners provide for the reservation outlined in the conditions of this report.

Sewers and Storm Drains: There are no existing sewer or storm drain facilities within the area proposed to be vacated.

Public Utilities: There are no public facilities in the area proposed to be vacated.

Tract Map: Since there are no dedications and improvements required, the requirement for the recordation of a new tract map could be waived. However, it will be necessary that the petitioners record an agreement satisfactory to Engineering to hold each adjoining parcel of land under one ownership, and its adjoining portion of the area to be vacated, as one parcel to

preclude the creation of substandard or landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over the area, a parcel map exemption is permitted, or until the agreement is released by authority of the City.

City Department of Transportation: The Los Angeles Department of Transportation (LADOT) stated in its communication dated March 30, 2023 that they do not oppose the requested street vacation of a portion of Magenta Lane North of Viretta Lane, provided that all abutting property owners are in agreement with the proposed vacation and would result in roadway and right-of-way dimensions that are consistent with the new street standards identified in the Mobility Element of the General plan. The Mobility Element (also known as Mobility Plan 2035) was adopted on August 11, 2015 and amended on September 7, 2016 by the City Council.

In addition, that through the requirements of a tract map or by other means, provisions are made for (1) lot consolidation, (2) driveway and access approval by LADOT and (3) any additional dedications and improvements necessary to bring all the adjacent streets into conformance with the City's Mobility Element of the General Plan.

City Fire Department: The Los Angeles Fire Department stated in its communication dated March 9, 2023 that they do not object to the proposed street vacation.

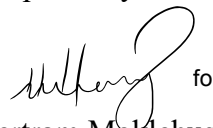
Department of City Planning: The Department of City Planning stated in its communication dated April 5, 2023, that the subject request supports existing land uses and it is generally consistent with the General Plan. Magenta Lane is a paper street and currently serves no vehicular circulation purpose.

Conclusion: The vacation of the public street area as shown colored blue on attached Exhibit "B" could be conditionally approved based upon the following:

1. It is unnecessary for present or prospective public use.
2. It is not needed for vehicular circulation or access.
3. It is not needed for non-motorized transportation purposes.

The area shown colored orange should not be vacated because they are needed for public street purposes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bertram Moklebust', followed by the word 'for'.

Bertram Moklebust, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION

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Civil Engineer
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HMH/BG/ND/SM