

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

January 15, 2025

Honorable Members:

CD No. 4

SUBJECT:

VACATION REQUEST — VAC- E1401448 — Council File No. 24-0301 — Easterly Portion of Pacific View Drive in excess of 40 feet Public Right of Way adjoining Lots 19 and 40 of Tract 8628 north of Mulholland Drive

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:
 - i. Easterly portion of Pacific View Drive in excess of 40 feet public right of way adjoining Lots 19 and 40 of Tract 8628 north of Mulholland Drive
- 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 Public Works Committee (PWC) approval of this report, so the City Clerk and the Bureau of Engineering (Engineering) 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:

1. Pacific View 6681 LLC
117 N Sherbourne Drive
West Hollywood, CA 90069
2. Charles D Alvaré
7219 Pacific View Drive
Los Angeles, CA 90068
3. Carrie Rudolf
7219 Pacific View Drive
Los Angeles, CA 900068
4. Jan McGuire
7223 Pacific View Drive
Los Angeles, CA 90068
5. Steven J Harold
Po Box 39496
Los Angeles CA, 90039

6. Neil Hansen
1125 Laguna Rd
Pasadena CA, 91105
7. Paul I Rodriguez
13400 Riverside Dr Ste 303
Sherman Oaks CA, 91423
8. Jason H Sklaver
2929 Valevista Trl
Los Angeles CA, 90068
9. Gabriel J Cadenas
7200 Pacific View Dr
Los Angeles CA, 90068
10. Alfred And Carole Battisti Trs
7207 Pacific View Dr
Los Angeles CA, 90068
11. Steven J Harrold Co Tr
7211 Pacific View Dr
Los Angeles CA, 90068
12. Marina C Rhinehart Tr
7229 Pacific View Dr
Los Angeles CA, 90068
13. Uzi And Rachel Adrabi Trs
7349 Varna Ave
North Hollywood CA, 91605

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 E1401448 be paid.
2. That a suitable map, approved by Valley District Engineering office, delineating the limits, including bearings and distances, of the areas to be vacated be submitted to the Permit Case Management Division (PCM) prior to the preparation of the Resolution to Vacate (Resolution).

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
 - a. Reserve sufficient right-of-way from the vacation request to maintain a 40-foot wide total right-of-way according to Modified Hillside Local Street standards of Mobility Plan 2035.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a. Remove the dirt and uncover the existing concrete curb to maintain the drainage control in the street under a permit issued by BOE so that the slope integrity will not be compromised.
 - b. Close any unused driveways with full height curbs, gutters, and sidewalks.
 - c. Proposed driveway aprons shall conform and be constructed per latest Engineering's Standards (Standard Plan No. S-440-4).
7. That all drainage matters be addressed to the satisfaction of the City Engineer.
8. That arrangements be made with all franchises and utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, AT&T, and Charter Spectrum for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
9. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer and storm drain facilities located within the area to be vacated, unless easements are reserved from the vacation for its protection.
10. That upon the review of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to Engineering to hold each adjoining parcel of land, and its adjoining portion 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.

11. That street lighting facilities be installed as required by the Bureau of Street Lighting.
12. 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.
13. That the petitioner complies with the conditions and requirements of the applicable affidavit(s) to the satisfaction of the Geotechnical Engineering Division (GED). A clearance letter from GED will be required.

Note 1: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than ¼ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

Non- ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than ¼ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than 1/8 inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk curb and gutter shall conform to the Engineering's Standard Plans S410-2, S440-4, S442-6 and S444-0

TRANSMITTAL:

1. Application dated August 16, 2023, from Pacific View 6681 LLC.
2. Exhibit B, location map.

DISCUSSION:

Request: The petitioner and owner, Pacific View 6681 LLC, of the properties shown outlined in yellow on Exhibit B, is requesting the vacation of the public street area shown colored blue. The purpose of the vacation request is for more practical access to the property and mitigate hardships imposed by the Hillside Ordinance due to the property line being too far from the edge of the street.

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 22, 2024 under Council File No. 24-0301, 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 east are zoned as R1-1 and are developed with single family dwellings.

Description of Area to be Vacated: The area sought to be vacated is an easterly portion of Pacific View Drive in excess of 40 feet public right of way adjoining Lots 19 and 40 of Tract 8628 north of Mulholland Drive.

Adjoining Street and Alley: Pacific View Drive is a Local Street Standard dedicated variable-width with a 24-foot wide roadway.

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 the easterly portion of Pacific View Drive in excess of 40 feet public right of way adjoining lots 19 and 40 of Tract 8628 north of Mulholland Drive shown in blue in the attached Exhibit B will have no adverse effects on access rights or circulation. The vacation area shown in orange is required to remain as right-of-way to be compliant with Hillside Local Street standards.

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

Objections to the vacation: Charles D Alvaré, owner of Lot 1105 of tract 1450, in a letter dated March 20, 2024 objected to the vacation. Carrie Rudolf of the same lot, in a letter dated March 24, 2024 objected to the vacation.

Jan McGuire, owner of Lot 1106 of Tract 1450, in a letter dated March 25, 2024 objected to the vacation.

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

Dedications and Improvements: It will be necessary that the petitioner provide for the dedications and improvements as outlined in the conditions of this report.

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

Public Utilities: The Department of Water and Power, Charter Spectrum, and AT&T maintain facilities in the area proposed to be vacated. The Department of Water and Power (DWP) did not respond to the Bureau of Engineering's referral letter dated March 8, 2024.

Tract Map: Since the required dedications can be acquired by separate instruments and the necessary improvements can be constructed under separate permit processes, the requirement for the recordation of a new tract map could be waived. However, it will be necessary that the petitioner record agreement satisfactory to Engineering to hold each adjoining parcel of land under the same 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 released by authority of the City.

City Department of Transportation: The Los Angeles Department of Transportation stated in its communication dated March 28, 2024 that based on traffic considerations, the vacation is not opposed provided that all abutting property owners are in agreement with the proposed street vacation, and that the vacation 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 also known as Mobility Plan 2035. In addition, that through the requirements of a tract map or by other means, provisions are made for lot consolidation, driveway and access approval by LADOT, and any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's Mobility Plan 2035 adopted by the City Council on August 11, 2015.

City Fire Department: The Los Angeles Fire Department stated in its communication dated March 19, 2024 that they have no objection to this Street Vacation.

BOE Geotechnical Engineering Division: The BOE Geotechnical Engineering Division stated in its communication dated November 18, 2024 that they recommend granting the proposed vacation once the conditions and requirements for affidavits(s) are met.

Department of City Planning: The Department of City Planning stated in its communication dated April 2, 2024, that a portion of the street vacation request is inconsistent with the General Plan. However, to grant a portion of the street vacation request is consistent with the goals and policies of the City's General Plan, in that widening the existing street to the full amount would require extensive grading and cause the roadway to be out of alignment with the rest of the street. As such, City Planning recommends a partial vacation to the right-of-way width which is to the satisfaction of the Bureau of Engineering for minimum or desirable road widths for the purposes of fire vehicular access, a minimum road-width standard for emergency vehicular access is achieved.

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

Respectfully submitted,

Thein Crocker for
A rectangular box containing a digital signature. The signature is written in cursive and reads "Thein Crocker for". Below the signature, the text "box SIGN" is on the left and "4PZRZXYR-1VQY79V5" is on the right.

Hui M. Huang, P.E.
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION

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HMH/BG:ph