

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

June 18, 2024

Honorable Members:

CD No. 4

SUBJECT:

VACATION REQUEST - VAC- E1401450 - Council File No. 24-0302 – Portion of the Easterly Side of Camino De Solana northerly of Camino De La Cumbre

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 “ A”.

Portion of the Easterly Side of Camino De Solana from approximately 260 feet to 325 feet northeasterly of the Camino De Solana and Camino De La Cumbre Junction.

- B. 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.
- C. 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.
- D. 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.
- E. 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.
- F. 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.

G. That the Council adopt the City Engineer's report with the conditions contained therein.

FISCAL IMPACT STATEMENT:

The petitioner has paid a deposit of \$5,000 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 (BOE) may process the required Public Notification.

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

1. Geoffrey H. and Barbara Dourmashkin Case
3852 Camino De Solana
Sherman Oaks, CA 91423
2. Roy J. Lee
3861 Camino De La Cumbre
Sherman Oaks, CA 91423

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 E1401450 be paid.
2. That a suitable map, 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.

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 upon the reviews of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to Engineering to hold the 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.

TRANSMITTAL:

1. Application dated January 28, 2024, from Geoffrey Case and Barbara Dourmashkin-Case.
2. Exhibit “A”, location map.

DISCUSSION:

Request: The petitioners, Geoffrey Case and Barbara Dourmashkin-Case, owners of the properties shown outlined in yellow on Exhibit “A”, are requesting the vacation of the public street area shown colored blue. The purpose of the vacation request is to move existing permitted garage, access stairwells, fences, and landscaping, or portions of these elements, from public right-of-way to private property.

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 will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on October 26, 1990, under Council File No. 87-2210, conditionally adopted the City Engineer’s report dated October 27, 1989, thereby conditionally approving a vacation over the same street area under this current request. Since the petitioner failed to complete all the conditions of the vacation within the prescribed time limit, the previous vacation request expired. The City Council on March 22, 2024, under Council File No. 24-0302 adopted a new initiation report to initiate the street vacation proceedings over this same vacation area. The previous request and its conditional approval were taken into consideration during the review and investigation of this current request.

Zoning and Land Use: The properties adjoining the area to be vacated to the west, south, and north are zoned RE15-1-H and designated with the Very Low Residential General Plan Land Use. The properties east of the requested vacation area are designated as Minimum Residential General Plan Land Use and zoned as RE40-1-H.

Description of Area to be Vacated: The area sought to be vacated includes driveways to portions of permitted garages for lots 8 & 9 of TR 9386 as well as access stairwells, fences, and landscaping.

Adjoining Streets and Alley: Camino De Solana is improved with a 20 foot wide paved roadway within a 30 foot wide right-of-way. Camino De La Cumbre is a partially improved local street dedicated 30 foot in width and a 25 foot wide paved 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 portion of the easterly side of Camino De Solana from approximately 260 feet to 325 feet northeasterly of the Camino De Solana and Camino De La Cumbre junction will have no adverse effects on access rights or circulation. There is sufficient right of way to provide the necessary roadway to serve this area.

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

The street 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 project.

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

Dedications and Improvements: No dedication or improvements will be required.

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 utilities in the area proposed to be vacated.

Tract Map: Since there are no dedications or improvements required, the requirement for the recordation of a new tract map could be waived. However, it will be necessary that the petitioner records an 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 (LADOT) stated in its communication dated March 28, 2024, that they do not oppose the requested vacation provide 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 DOT, 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 June 5, 2024, that they have no objection to this Street Vacation.

Department of City Planning: The Department of City Planning (DCP) stated in its communication dated April 3, 2024, that "City Planning recommends a partial vacation". DCP also added, "Any measurements and area to be vacated is to be confirmed by the Department of Transportation and/or Department of Public Works, Bureau of Engineering. City Planning supports a partial vacation that allows for the retention of the existing homes and garages. However, the Department also concludes that a portion of the street vacation request is inconsistent with the General Plan. To ensure consistency with City policies and safety measures, City Planning recommends and supports a partial vacation disapproval, such that subject to the review and satisfaction of the Bureau of Engineer for minimum or desirable road widths for the purpose 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 "A" 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.

Respectfully submitted,

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/AA