

Office of the City Engineer

Los Angeles, California

To the Public Works and Gang Reduction Committee

Of the Honorable Council

Of the City of Los Angeles

June 18, 2020

Honorable Members:

C. D. No. 13

SUBJECT:

VACATION REQUEST - VAC- E1401354 - Council File No. 19-0175 – Unnamed  
Street Northerly of 5633 La Mirada Avenue Westerly of St. Andrews Place

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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”:

Unnamed Street Northerly of 5633 La Mirada Avenue Westerly of St.  
Andrews Place

- 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.
- H. That the City Clerk be directed to coordinate and schedule the public hearing for the Public Works and Gang Reduction Committee's consideration at the appropriate time, so the City Clerk and Bureau of Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.

FISCAL IMPACT STATEMENT:

The petitioner has paid a fee of \$14,980.00 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:

That notification of the time and place of the Public Works and Gang Reduction Committee and the City Council meetings to consider this request be sent to:

- a) Kristofer Bartelle, P.E  
19800 Acre Street  
Northridge, CA 91324
- b) Laurel Investments, LLC  
Attn: Robin Haim  
269 S. Beverly Drive, Suite 403  
Beverly Hills, CA 90212
- c) City of Los Angeles  
General Services  
Asset Management Division  
111 E. 1<sup>st</sup> Street, Rm 201, CHS  
Los Angeles, CA 90012

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 E1401354 be paid.
2. That a suitable map, approved by the Central District Engineering office, delineating the limits, including bearings and distances, of the area to be vacated be submitted to the Permit Case Management Division 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 the Permit Case Management Division of the Bureau of Engineering 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 improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
  - a. Repair and/or replace damaged/cracked, off-grade sidewalk, curb and gutter along the frontage in a manner satisfactory to the City Engineer.
  - b. Close any unused driveways with full height curbs, gutters, and sidewalks.
  - c. Proposed driveway aprons shall conform and be constructed per latest Bureau of Engineering Standards (Standard Plan No. S-440-4).

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or unpraised 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 unpraised by more than ¼ inch from the surrounding concrete work or has a 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 Bureau of Engineering Standard Plans S410-2, S440-4, S442-5, and S444-0.

6. That arrangements be made with all utility agencies maintaining facilities in the area including but not limited to the Southern California Gas Company and AT&T for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.

7. That consents to the vacation be secured from the owners of Lots 7, 8, and 11 of La Paloma Tract.
8. That upon the review of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to the Bureau of 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.
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.

TRANSMITTAL:

Application dated November 11, 2019, from Kristofer Bartelle, P.E.

DISCUSSION:

Request: The petitioner, Kristofer Bartelle, representing the owner of the property shown outlined in yellow on Exhibit “A”, is requesting the vacation of the public future street area shown colored blue. The purpose of the vacation request is to obtain the adjacent lands for the development of a residential building.

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 City Council on March 20, 2019, under Council File No. 19-0175 adopted an Initiation of Vacation proceeding for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated are zoned R3-1 and are developed with multifamily apartment buildings and institutional uses.

Description of Area to be Vacated: The area sought to be vacated is approximately 1,463 square feet of the northwest triangular portion of 5633 La Mirada Avenue. La Mirada Avenue is designated as a Local Street-Standard. The subject land was claimed public right of way in the 1970's as part of a larger effort to widen and re-align La Mirada

Avenue. The re-alignment was never completed. Furthermore, the City has reversed its acquisition of some properties needed to accomplish the overall widening.

Adjoining Streets: La Mirada Avenue is a Local Street-Standard dedicated 60 feet wide with a 40-foot roadway, curbs, gutters, and 5 feet wide sidewalks on both sides

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

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

Effects of Vacation on Circulation and Access: The vacation of the unnamed street northerly of 5633 La Mirada Avenue shall not have a significant effect on access rights or circulation since it is an unimproved public future street. Also, the unnamed street is not needed for the use of pedestrians, bicyclists, or equestrians.

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

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

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

Public Utilities: AT&T maintains facilities in the area proposed to be vacated.

Tract Map: Since 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 an agreement satisfactory to the Bureau of Engineering to hold the 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 released by authority of the City of Los Angeles.

City Department of Transportation: The Department of Transportation (DOT) stated in its communication dated August 8, 2019, that it does not oppose the requested vacation provided that all abutting property owners are in agreement with the proposed vacation. In addition, provisions be made for lot consolidation and driveway and access approval by DOT.

City Fire Department: The Fire Department stated in its communication dated December 19, 2019 that it has no objection to this street vacation.

Department of City Planning: The Department of City Planning stated in its communication dated February 19, 2019, that the subject vacation is consistent with the General Plan and the Hollywood Community Plan area.

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,



Bertram Moglebust, 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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