

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

November 23, 2022

Honorable Members:

CD No. 4

SUBJECT:

VACATION REQUEST - VAC- E1401364 - Council File No. 19-0659 - Vermont Avenue
(Portion of Easterly Side) From Prospect Avenue to Hollywood Boulevard

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 Vermont Avenue from Prospect Avenue to Hollywood Boulevard

- 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 \$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:

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 PW Committee approval of this report, so the City Clerk and 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:

1. Hollywood 26 Real Estate, LLC
Attn: Benny Pirian
1666 N. Vermont Ave.
Los Angeles, CA 90027
2. DHS & Associates Inc.
Attn: Steve Nazemi
275 Centennial Way #205
Tustin, CA 92780

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 E1401364 be paid.
2. That a suitable map, approved by Engineering's 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.
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 dedications be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer

Vermont Avenue

- Provide sufficient dedication for a 15-ft by 15-ft cut corner at the northwesterly corner of Lot 1, at the intersection with Prospect Ave.

Hollywood Boulevard

- Provide sufficient dedication for a 20-ft curved radius at the southwesterly corner of Lot 2, at the intersection with Vermont Avenue.

Alley

- A 2.5-ft dedication is required along the alley south of Prospect Avenue adjoining the petitioner's properties.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

Vermont Avenue:

- Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, and sidewalk adjoining the project site's street frontage in a manner satisfactory to the City Engineer (See Note 1).
- Fill-in the newly dedicated area as well as the existing parkway area with concrete to provide a minimum 15-ft wide sidewalk.
- Reconstruct existing curb ramps at the southeast and northeast corners of the intersection with Prospect Avenue and Hollywood Boulevard, respectively, per latest BOE Curb Ramp standards (Standard Plan No. S-442-5)
- Proposed driveway aprons shall conform and be constructed per latest BOE Driveway Standards (Standard Plan No. S-440-4).
- Any proposed driveway apron along arterial streets require the Department of Transportation's (DOT) approval.

Prospect Avenue:

- Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, sidewalk, and concrete roadway adjoining the project site's street frontage in a manner satisfactory to the City Engineer (See Note 1).
- Proposed driveway aprons shall conform and be constructed per latest BOE Driveway Standards (Standards Plan No. S-440-4)
- Close Existing unused driveway apron with full height curb, gutter, and sidewalk.

Hollywood Boulevard:

- Repair and/or replace any damaged/cracked or off-grade concrete curb, gutter, and sidewalk, adjoining the project site's street frontage in a manner satisfactory to the City Engineer (See Note 1).
- Proposed driveway aprons shall conform and be constructed per latest BOE Driveway Standards (Standard Plan no. S-440-4)
- Any proposed driveway aprons along arterial streets require the Department of Transportation's (DOT) approval.

Alley:

- Reconstruct damaged/cracked alley intersection at Prospect Ave. with the latest BOE Alley Intersection standard (Standard Plan S-420-2) in a manner satisfactory to the City Engineer.
- Repair and replace any damaged/cracked concrete alley in a manner satisfactory to the City Engineer.

Note 1: Broken curb and/or gutter includes segments within existing score lines that are depressed or unraised by more than 1/4 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 unraised by more than 1/4 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 Engineering's Standard Plans S410-2, S440-4, S442-5, and S444-0.

7. Provide a legal description and map for the 3-foot sidewalk easement reservation along the easterly portion of the proposed vacation area.
8. That arrangements be made with all utility agencies maintaining facilities in the area including but not limited to the Department of Water and Power, AT &T, Southern California Gas Company, and Wilcon 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 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 portions of the areas 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 areas, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
10. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
11. 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:

1. Application dated May 7, 2019, from DHS & Associates Inc.
2. Exhibit "A", location map.

DISCUSSION:

Request: The petitioner, DHS and Associates Inc., representing the owner of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public street area shown colored blue. The purpose of the vacation request is to incorporate into a new multifamily dwelling project.

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 July 30, 2019 under Council File No. 19-0659, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties surrounding the area to be vacated are designated as Highway Oriented Commercial, Neighborhood Office Commercial, and Low Medium II Residential land uses with the corresponding zones C2-1D (to the east and west), P-1 and (Q)C2-1 (to the west), C4-1D (to the north, and RD1.5-1XL (to the east).

Description of Area to be Vacated: The area sought to be vacated is approximately 1,474 square feet of the easterly side of Vermont Avenue between Prospect Avenue and Hollywood Boulevard.

Adjoining Streets and Alley: Prospect Avenue is a Local Street – Standard, dedicated 62 feet wide with a 40 feet wide road, curbs, gutters, and 11 feet wide sidewalks on both sides. Hollywood Boulevard is an Avenue I dedicated 100 feet wide with a 70 feet wide roadway, curbs, gutters, and 15 feet wide sidewalks on both sides. There is an alley east of Vermont Avenue, south of Prospect Avenue, dedicated 15 feet wide.

Surrounding Properties: The owner of the lots adjoining the vacation area has been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The vacation of the 10-foot wide strip of land along the easterly portion of Vermont Avenue between Hollywood Boulevard and Prospect Avenue will have no adverse effects on access rights or circulation provided that the conditions outlined in this report are met.

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

Reversionary Interest: No determinations of the underlying fee interest of the vacation area has 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 sewer or storm drain facilities within the area proposed to be vacated.

Public Utilities: The Department of Water and Power maintains facilities in the area proposed to be vacated.

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 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 stated in its communication dated July 22, 2019 that they do not oppose the requested vacation, 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.

In addition, that 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 Element of the General Plan.

City Fire Department: The Fire Department stated in its communication dated July 1, 2019 that they do not object to the Street Vacation.

Department of City Planning: The Department of City Planning stated in its communication dated July 28, 2022 that the subject vacation is consistent with the Hollywood Community Plan and SNAP (Station Neighborhood Area Plan) Specific Plan policies and objectives because it would provide affordable housing, a commercial establishment oriented to pedestrians, and improve the public right of way. To ensure consistency it is recommend that a 3-foot-wide public parkway easement be reserved along Vermont Avenue to provide additional publically accessible parkway landscaping.

Conclusion: The vacation of the public street areas 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,



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

Report prepared by:

PERMIT CASE MANAGEMENT DIVISION

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