

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

NOV 08 2012

Of the City of Los Angeles

Honorable Members:

C. D. No. 2

SUBJECT:

VACATION APPROVAL - VAC- E1401167 - Council File No. 12-1361 – Viewcrest Road Westerly of Laurel Terrace Drive, Ingress/Egress Easement on Lots A and B, PMLA No. 2005-2824.

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":

The 48-foot wide Ingress/Egress Easement within Parcels A and B, Parcel Map LA 2005-2824, located southerly of Viewcrest Road and westerly of Laurel Terrace Drive.

- 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 Council find that there is a public benefit to this vacation. Upon vacation of the ingress/egress easement, the City is relieved of any potential liability that might result from continued ownership of the involved ingress/egress easement.
- D. That, in conformance with Section 556 of the City Charter, the Council make the findings 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 needed for nonmotorized transportation facilities.

- F. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determines 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 schedule the vacation for public hearing at least 30 days after the Public Works Committee approval so the City Clerk and the 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 \$10,700.00 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 may 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 Committee meeting to consider this request be sent to:

- 1. Mark Wollman  
14025 Riverside Drive, #1  
Sherman Oaks, CA 91423
- 2. Irwin and Marsha Spector  
10841 Acama Street  
North Hollywood, CA 91602

CONDITIONS FOR STREET VACATION:

The Conditions specified in this report are established as the requirements to be complied with by the petitioners for this vacation. Vacation proceedings in which the conditions have not been completed within two 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 No. E1401167 be paid.

2. That a suitable map, approved by the Valley District Engineering Office, delineating the limits, including bearings and distances, of the area to be vacated be submitted to the Land Development Group 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 Land Development Group of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
4. That title reports 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:

Dedicate a 2-foot sidewalk and public utility easement along the southerly side of Viewcrest Road where the ingress/egress easement is located.

6. That consent to the vacation be secured from the owner of Lot B of Parcel Map 2005-2824.

TRANSMITTAL:

Application dated July 6, 2010, from Mark Wollman.

DISCUSSION:

Request: The petitioner, Mark Wollman, owner of the property shown outlined in yellow on Exhibit "A", is requesting the vacation of a portion of the ingress/egress easement area shown colored blue. The Street Vacation application indicated that the purpose of the vacation is for complete useful/enjoyment of property and for construction of property boundary/security walls.

This vacation procedure is being processed under procedures established by Council File No. 01-1459 adopted by the Los Angeles City Council on March 5, 2002.

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 August 31, 2012, under Council File No. 12-1361 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The property southerly of the proposed vacation area is zoned (Q) C2-1L and is undeveloped for single residential.

Description of Area to be Vacated: The area sought to be vacated is an ingress/egress easement, unimproved area, lying southerly of Viewcrest Road.

Adjoining Streets and Alleys: Viewcrest Road, a local street, variable width and improved.

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

Effects of Vacation on Circulation and Access: The vacation of the ingress/egress easement will not have any adverse effect on vehicular circulation or access since the area is not needed as an ingress/egress easement.

The ingress/egress easement 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 determinations of the underlying fee interest of the vacation area has been made as to title or reversionary interest.

Dedications and Improvements: There are no improvements required. It will be necessary that the petitioner provide for the dedication outlined under conditions.

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 improvements required, and the required dedication can be acquired by separate instrument, the requirement for the recordation of a new tract map could be waived.

City Department of Transportation: The Department of Transportation did not respond to the Bureau of Engineering's referral letter dated October 5, 2010.

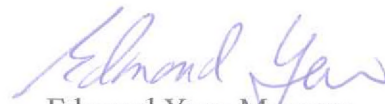
City Fire Department: The Fire Department states that they have no objection to this "Street Vacation" of the originally requested ingress/egress easement as a condition Parcel Map No 2005-2824. Roadway improvements and changes in proposed site plan(s) negate the need for the original requirement.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated October 5, 2010.

Conclusion: The vacation of the public ingress/egress easement 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 nonmotorized transportation purposes.

Respectfully submitted,

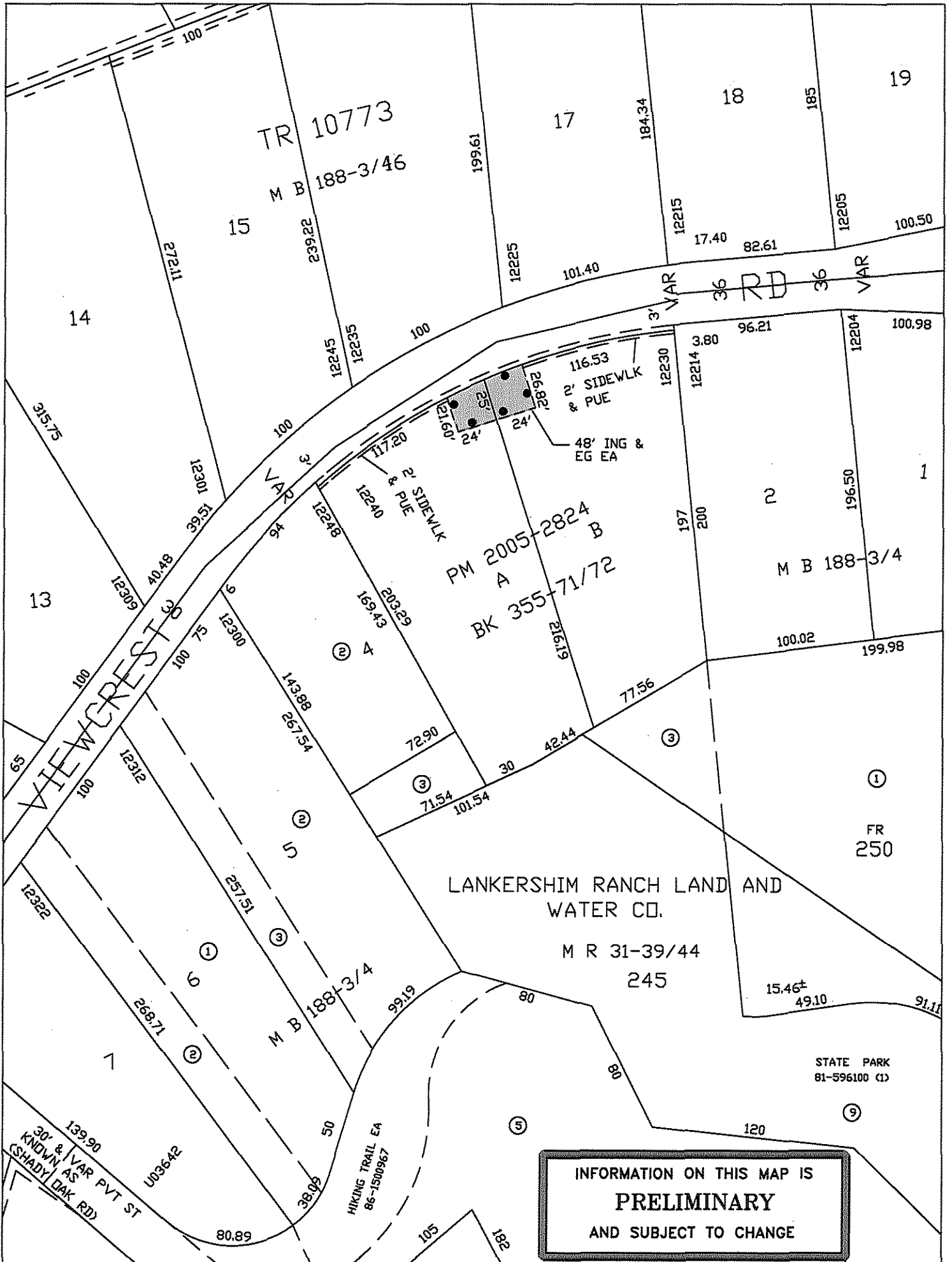


Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

Report prepared by:

Danny Ho  
Civil Engineering Associate III  
(213) 202-3489

EY/dh  
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**TITLE:** VIEWCREST RD WLY/O LAUREL TERRACE DR, INGRESS/EGRESS  
EASEMENT ON LOTS A & B, PMLA NO. 2005-2824

WORK ORDER NO. VAC- E1401167  
 COUNCIL FILE NO. 12-1361  
 COUNCIL DIST. 2 DIV. INDEX 1428  
 ENG. DIST. VALLEY T.G. 562-F6  
 DISTRICT MAP 162B165



DEPT. OF PUBLIC WORKS  
 BUREAU OF ENGINEERING  
 CITY OF LOS ANGELES

**EXHIBIT A**

Legend: Vacation boundary as shown



APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY  
ORIGINAL - (No copies or faxes)

DATE: July 6, 2010

PROJECT LOCATION AND DESCRIPTION:

- (1) Area proposed to be vacated is: INGRESS AND EGRESS EASEMENT  
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)

and is located between:

12230 Viewcrest Rd. and 12240 Viewcrest Rd.  
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)

- Attach a map if necessary.

- (2) The vacation area lies within or is shown on:

- (a) Engineering District: (check appropriately)

( ) Central ( ) Harbor (  ) Valley ( ) West Los Angeles

- (b) Council District No. 2

- (c) District Map No. 162B/65

- (d) A CRA Redevelopment Area: \_\_\_\_\_ OR    
 (YES) (NO)

- (3) Area (in sq. ft.) of the proposed vacation area is approx. 1,000 sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the applicant is required to have an environmental determination performed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$30,000 fee deposit. This will also increase the processing time by approximately 6 months.

- If the vacation is located within a Coastal Development Zone, a Coastal Development Permit will be required for the project. The applicant should be aware that vacations within a Coastal Development Zone will take longer to process and will be considerably more expensive. If the applicant is required to have a Coastal Development Permit processed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$30,000 fee deposit.
- Some city agencies, including LADOT, may require additional fees to be deposited to cover costs during the referral and investigation process. The applicant is responsible for paying the fees to the agency directly. Referral fees paid to other city agencies are separate from the Bureau of Engineering processing fees.
- If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.

- (4) Purpose of vacation (future use of vacation area) is: FOR COMPLETE USEFUL ENJOYMENT OF PROPERTY AND FOR CONSTRUCTION OF PROPERTY BOUNDARY/SECURITY WALLS.

- (5) Vacation is in conjunction with: (Check appropriately)

( ) Revocable Permit ( ) Tract Map ( ) Parcel Map ( ) Zone Change

(  ) Other ACKNOWLEDGEMENT OF EASEMENT FOR CONSTRUCTION OF PROPERTY BOUNDARY/SECURITY WALLS.