

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

September 1, 2016

Honorable Members:

C. D. No. 4

SUBJECT:

VACATION REQUEST - VAC- E1401282 - Council File No. 16-0567- Hillcrest Way between Hillcrest Road and Pinehurst Road Southeasterly of Paseo Del Serra

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”,

Hillcrest Way between Hillcrest Road and Pinehurst Road Southeasterly of Paseo Del Serra.
- 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.
- I. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works and Gang Reduction Committee approval based on the Rule 16 motion adopted by City Council on May 25, 2016, 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 Committee and the City Council meetings to consider this request be sent to:

1. Jai Pal S Khalsa AIA
TKG West Inc.
8178 Aster Road
Oak Hills, CA 92344
2. Richard Greenberg
1977 Hillcrest Road
Los Angeles, CA 90068
3. Lester L. Wisbrod
1973 Hillcrest Rd
Los Angeles, CA 90068
4. Aslan, Reza CO TR
1954 Pinehurst Rd
Los Angeles, CA 90068
5. Alene S. Kornfeld Trust
2002 Pinehurst Rd
Hollywood, CA 90068

6. Niall Prendergast and Deirdre Ryan
PO BOX 2008
Santa Monica, CA 90406

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 E1401282 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 Land Development and GIS 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 Land Development and GIS 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. Construct a 14-foot wide half roadway on the southerly side of the Hillcrest Road with integral curb and gutter, and 4-foot wide sidewalk in accordance with Hillside Limited Standards.
6. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to AT & T, Time Warner Cable, and Southern California Gas Company 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 satisfactory arrangements be made with the City Engineer for the reservation of easements from the area to be vacated for the existing sewer and storm drain facilities located within the vacation area for their protection.
8. That consents to the vacation be secured from the owners of Lot C of PM5468, Lots 23, 24, and Lot 34 Arb 1 & Arb 3, of Pinehurst Terrace Tract adjoining the area to be vacated.

9. That, upon the reviews of the title report identifying the underlying fee title interest of the vacation area, agreements be recorded satisfactory to the Bureau of Engineering to hold each adjoining parcel of land, and its adjoining portions 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 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 required by the Bureau of Street Lighting.
11. That street trees be planted and tree wells be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated September 9, 2015, from Jai Pal S. Khalsa of TKG West, Inc., on behalf of Richard Greenberg.

DISCUSSION:

Request: The petitioner, Jai Pal S. Khalsa of TKG West, Inc., representing the owner of the property shown outlined in yellow on Exhibit "B", is requesting the vacation of the public walkway area shown colored blue and orange. The purpose of the vacation request is to consolidate the area with the adjoining properties.

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 May 25, 2016, under Council File No. 16-0567 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the east and west are zoned R2-1XL and are developed with residential buildings.

Description of Area to be Vacated: The area sought to be vacated is a Hillcrest way, a 6-foot wide unimproved public right of way with structures that are encroaching the area to be vacated.

Adjoining Streets: Hillcrest Road is a hillside street dedicated 40 feet wide with a 16-foot wide roadway. Pinehurst Road is a hillside street dedicated 28 feet wide with a 20-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 Hillcrest Way between Hillcrest Road and Pinehurst Road would not affect vehicular access or circulation, as it is unimproved and inaccessible to vehicles. The street is also not needed for the use of pedestrians, bicyclists or equestrians.

Objections to the Vacation: Alene Sam Kornfeld, owner of Lot 24 of Pinehurst Terrace Tract adjoining the area to be vacated, in a letter dated May 20, 2016 opposed the proposed vacation. In a subsequent communication dated August 23, 2016, Alene Sam Kornfeld stated that "I have no objection and support the vacation of Hillcrest Way".

Consents from the abutting property owners would be required as one of the conditions of 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: There are no dedications required; however, it will be necessary that the petitioner provide the improvements as outlined in the conditions of this report.

Sewers and Storm Drains: There are existing sewer and storm drain facilities within the area proposed to be vacated.

Public Utilities: AT&T maintains facilities in the area proposed to be vacated. Southern California Gas Company and Time Warner Cable did not respond to the Bureau of Engineering's referral letter dated September 9, 2015.

Tract Map: Since the required dedications can be acquired by separate instruments, 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 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 of Los Angeles.

City Department of Transportation: The Department of Transportation (LADOT) stated in its communication dated January 22, 2016 that based on traffic considerations, the vacation is not opposed if provisions are made for:

- 1) Lot consolidation
- 2) Driveway and access approval by DOT

- 3) Any other 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 did not respond to the Bureau of Engineering's referral letter dated September 9, 2015.

Department of City Planning: The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated September 9, 2015.

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 it is needed for public street purposes.

Report prepared by:

Respectfully submitted,



LAND DEVELOPMENT & GIS DIVISION

Edmond Yew
Land Development & GIS Division
Bureau of Engineering

Dale Williams
Civil Engineer
(213) 202-3491

EY/ DW /tc
Q:\LANDDEV\STREET VACATIONS\E1401200-E1401299\E1401282\VAC
E1401282Report.doc