

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 11, 2020

Honorable Members:

C. D. No. 4

SUBJECT:

VACATION APPROVAL - VAC- E1401370 - Council File No. 19-1189 - L-shaped Alley Northerly of Riverside Drive and Westerly of Riverton Avenue.

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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 "B":  

L-shaped alley Northerly of Riverside Drive and Westerly of Riverton Avenue
- B. That the vacation of the areas 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 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:

1. Barry and Joji Barris Paster  
23103 Erwin Street  
Woodland Hills, CA 91367
2. Shanta Oil Inc  
4506 Lankershim Boulevard  
North Hollywood, CA 91602
3. Harvey Goodman  
834 17<sup>th</sup> Street #5  
Santa Monica, CA 90403
4. California Department of Transportation  
District 7 – Office of Regional Planning  
100 S. Main Street, Suite 100  
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 E1401370 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 Permit Case Management Division, Land Development Group, of the Bureau of Engineering, 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, Land Development Group, 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 dedications be provided adjoining the petitioner's property in a manner satisfactory to the City Engineer
  - a. Dedicate a 20-foot property line return at the intersection of Riverside Drive and Riverton Avenue.
  - b. Dedicate 5 feet along Riverton Avenue to complete a 25-foot half R/W and a turning area at the Riverton Avenue terminus satisfactory to the City Engineer.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
  - a. Improve Riverside Drive by constructing concrete curb and an integral 2-foot gutter, 7-foot sidewalk adjacent to the property line in a 15-foot border and suitable surfacing to widen the existing 30-foot half roadway to a 35-foot half-roadway satisfactory to City Engineer.
  - b. The existing alley intersections should be closed and a new common access driveway be constructed satisfactory to the City Engineer.

- c. Improve Riverton Avenue by constructing concrete curb and an integral 2-foot gutter (the curve face to be at the same location), a 10-foot wide sidewalk, and a suitable surfacing to construct a 15-foot half roadway.
- d. Construct a curb ramp at the intersection of Riverside Drive and Riverton Avenue.
- e. All drainage matters be addressed to the satisfactory of the City Engineer, including the relocation of inlets.

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.

7. 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, and Charter Communications for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
8. That consents to the vacation be secured from the California Department of Transportation and owners of Lots 4, 5, and 6, Tract No. 6318 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, 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.
10. That street lighting facilities be installed as 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.

12. That the following be provided adjoining the petitioner's property in a manner satisfactory to the California Department of Transportation:
  - a. Obtain an encroachment permit for any project work proposed in the vicinity of the Caltrans Right of Way. All environmental concerns must be adequately addressed.
  - b. Suitable arrangements be made to provide for a drainage easement and an ingress and egress access to the adjoining Caltrans Right of Way for necessary maintenance purposes.

TRANSMITTAL:

Application dated July 30, 2019, from Joji Barris-Paster.

DISCUSSION:

Request: The petitioners, Joji A Barris-Paster and Barry D Paster, owners of the property shown outlined in yellow on Exhibit "B", are requesting the vacation of the public alley area shown colored blue. The purpose of the vacation request is to allow existing security gates to remain at the entrances of both alleys.

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 January 22, 2020, under Council File No. 19-1189 adopted an Initiation of Vacation proceeding for this proposed vacation.

Zoning and Land Use: The properties adjoining the area to be vacated are zoned C2-1VL and C2-1VL-RIO and are developed with commercial and retail uses with associated surface parking lots.

Description of Area to be Vacated: The area sought to be vacated is approximately 6,260 square feet of an L-shaped alley located north of Riverside Drive and west of Riverton Avenue. Riverside Drive is designated as an Avenue I Street. Riverton Avenue is designated as a Local Street-Standard. The existing T-shaped alley is being used as a common driveway access for properties 10803-10813 W. Riverside Drive.

Adjoining Streets: Riverside Drive is an Avenue I dedicated 100 feet wide with a 70-foot roadway improved with concrete curb, gutter, and 5-foot wide sidewalks on both sides.

Riverton Avenue is a Local Street-Limited dedicated 50 feet wide with a 30-foot roadway improved with concrete curb, no gutter, and 5.5-foot sidewalks on both sides.

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 L-shaped alley shall not have a significant effect on circulation and access since the vacation area is currently being used as a common driveway access for properties 10803-10813 W. Riverside Drive. Also, the alley is not needed for the use of pedestrians, bicyclists, or equestrians.

Objections to the vacation: The California Department of Transportation stated in its communication dated November 25, 2019, that it objects to the proposed vacation due to the existence of a retaining wall that contains drainage weeping holes that lead directly onto the proposed vacation area. Additionally, there is a slope area above the proposed location containing landscaping elements that require upkeep and other maintenance. Caltrans is proprietor of a portion of land within the area of the alley, Parcel 2366. Caltrans recommends the City of Los Angeles to not vacate this area until suitable arrangements are made to provide easements for the aforementioned area. If the City of Los Angeles must vacate this alley, conditions of approval must be established, such as an easement (at least 12 feet), allowing Caltrans to maintain ingress and egress to the property for maintenance purposes.

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: It will be necessary that the petitioners 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, AT&T, and Charter maintain 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 December 4, 2019, that it does not oppose the requested vacation

provided that all abutting property owners are in agreement with the proposed vacation and that the vacation would result in roadway and right-of-way dimensions that are consistent with the street standards identified in the Mobility Element of the General Plan. In addition, provisions be made for lot consolidation, driveway and access approval by DOT, and any additional dedication 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 January 24, 2020 that they have no objection to this street vacation.

Department of City Planning: The Department of City Planning stated in its communication dated November 12, 2019, that the subject vacation is consistent with the Mobility Plan and the Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan policies and objectives because it would facilitate a more efficient street network.

Conclusion: The vacation of the public alley 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 area shown colored orange should not be vacated because it is needed for public street purposes.

Respectfully submitted,



Bertram Moglebust, P.E.  
Principal Civil Engineer  
Permit Case Management Division  
Bureau of Engineering

Report prepared by:

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