

Office of the City Engineer

Los Angeles, CA

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

May 19, 2022

Honorable Members:

CD No. 13

SUBJECT:

VACATION REQUEST - VAC- E1401386 - Council File No. 20-1482 Maltman Avenue
Between Crestmont Avenue and Effie Street

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”,
 - Maltman Avenue between Crestmont Avenue and Effie Street.
- 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 general 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 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. Bianca Roe
3600 Crestmont Ave
Los Angeles, CA 90026
2. James Channon Roe
3600 Crestmont Ave
Los Angeles, CA 90026
3. Cynthia Ann Ito
3526 Crestmont Ave
Los Angeles, CA 90026

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 E1401386 be paid.
2. That a suitable map, approved by Bureau of Engineering (Engineering)'s Central 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 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 properties in a manner satisfactory to the City Engineer
 - a. Dedicate a 5-foot wide strip of land on Crestmont Avenue to complete a 25-foot wide standard half right-of-way according to the Local Street-Limited standard in a manner satisfactory to the City Engineer.
 - b. Dedicate a 3-foot wide strip of land on Effie Street to complete a 33-foot wide standard half right-of-way according to Collector Street standard in a manner satisfactory to the City Engineer.
 - c. That the petitioner complies with the requirements of the Department of City Planning letter to the Bureau of Engineering Dated December 13, 2021 in particular related to reserving a sidewalk easement, to maintain a sidewalk within the area to be vacated, to the satisfaction of the Department of City Planning and Engineering. An approval letter from the Department of City Planning and Engineering will be required.
6. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a. Crestmont Avenue (Local Street-Limited):
 - i. Roadway widening is required
 - ii. Construct new AC pavement, integral concrete curb and gutter to provide a minimum 15-foot half roadway along subject properties and full width sidewalk to meet latest BOE standard street dimensions for a Local Street-Limited (Standard Plan No. S-470-1) with appropriate transitions to the existing improvements. These improvements shall be constructed under a Class "B" Permit in a manner satisfactory to the City Engineer.
 - b. Effie Street (Collector):
 - i. Roadway widening is required.
 - ii. Construct new AC pavement, integral concrete curb and gutter to provide a minimum 20-foot half roadway along subject properties and full width sidewalk to meet latest BOE standard street dimensions for a Collector Street (Standard Plan No. S-470-1) with appropriate transitions to the

existing improvements. These improvements shall be constructed under a Class "B" Permit in a manner satisfactory to the City Engineer.

7. Repair and/or replace damaged/cracked, off-grade sidewalk, curb and gutter along the frontage in a manner satisfactory to the City Engineer.
8. Close any unused driveways with full height curbs, gutters, and sidewalks in a manner satisfactory to City Engineer.
9. Any proposed driveway apron shall conform and be constructed per latest Bureau of Engineering Driveway Standards (Standard Plan No. S-440-4) in a manner satisfactory to the City Engineer
10. That all drainage matters be addressed to the satisfaction of the City Engineer. The existing surface or street drainage flow path within the street portion to be vacated require a drainage easement. This drainage flow path may also be diverted or re-routed under a "B" Permit in a manner satisfactory to the City Engineer
11. That arrangements be made with all utility agencies maintaining facilities in the area including but not limited to, 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.
12. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer facilities located within the area to be vacated, unless easements are reserved from the vacation for its protection.
13. That upon the reviews 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 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.
14. That street lighting facilities be installed as may be required by the Bureau of Street Lighting.
15. 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.

Note: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised 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 upraised by more than ¼ inch from the surrounding concrete work or has 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 Engineering's Standard Plans S410-2, S440-4, S442-6 and S444-0

TRANSMITTAL:

1. Application dated 9/30/2020, from Bianca Roe.
2. Exhibit "A", location map.

DISCUSSION:

Request: The petitioner, Bianca Roe, representing the owners of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public area shown colored blue. The purpose of the vacation request is to incorporate vacated land into adjoining properties with the possibility of building housing 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 March 04, 2021 under Council File No. 20-1482, adopted a new initiation report to initiate the street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated are located within an area that is designated for Low Medium I Residential land uses and is correspondingly zoned R2-1VL. The surrounding areas are developed with low scale single family, duplex, or triplex dwellings.

Description of Area to be Vacated: The area sought to be vacated is Maltman Avenue between Effie Street and Crestmont Avenue, is approximately 7,740 square feet. Maltman Avenue is designated as a Local Street – Standard. The subject vacation area is in a High Fire Severity Zone located in the Hillside Area with limited street circulation and emergency access.

Adjoining Streets and Alley: Crestmont Avenue is a Local Street-Limited with an existing dedicated half right-of-way of 20 feet (required 25 feet) and existing full right-of-way of 40 feet (required 50 feet). It has an existing 25 feet wide roadway, curbs, gutters and 7 feet wide sidewalks. Effie Street is a Collector street with an existing dedicated half right-of-way of 30 feet

(33 feet required) and full right-of-way of 60 feet (66 feet required). It has an existing 30 feet wide roadway, curbs, gutters and 15 feet wide sidewalks.

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 Maltman Avenue between Effie Street and Crestmont Avenue will have no adverse effects on access rights. However, the subject right-of-way is located in a High Fire Severity Zone, recent changes in law now obligate the adjacent property owners to provide regular brush abatement. Therefore, it is stipulated that a paved sidewalk be maintained, either as public right-of-way, or as a public easement, to allow for continued pedestrian circulation.

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/have been made as to title or reversionary interest.

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

Sewers and Storm Drains:

Sewers: There is an active 6-in diameter sewer line in the area proposed to be vacated. This active line shall either be relocated under a "B" Permit in a manner satisfactory to the City Engineer or for maintenance purposes a minimum 8' wide easement will be required. No building shall be constructed over or near this active line without obtaining prior approval from the City Engineer.

Drainage: There is no existing storm drain facilities within the street portion proposed to be vacated. However, the existing surface or street drainage flow path within the street portion to be vacated requires a drainage easement. This drainage flow path may be diverted or re-routed under a "B" Permit in a manner satisfactory to the City Engineer.

Public Utilities: AT&T 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 the 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 Department of Transportation stated in its communication dated September 29, 2021 that they do not object to the proposed vacation provided all abutting property owners are in agreement with the proposed vacation. In addition, that through the requirements of a tract map or by other means, provisions are made for (1) lot consolidation and (2) driveway and access approval by DOT.

City Fire Department: The Fire Department stated in its communication dated January 28, 2021, and in a follow-up communication dated February 17, 2022, that they do not object to the proposed vacation.

Department of City Planning: The Department of City Planning in its communication dated December 13, 2021, that they do not object to the proposed vacation as it is generally consistent with the General Plan provided that a sidewalk be maintained to allow for continued pedestrian circulation. The proposed street vacation, and the recommendation to maintain sidewalk, is supported by the goals and policies of the Land Use Element (Silver Lake - Echo Park - Elysian Valley Community Plan, Chapter 3) and the Mobility Element.

Conclusion: The vacation of the public street 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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BM/BG/ND

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