



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: March 4, 2009

SUBJECT: **Agenda Item IX: Consideration of resolution authorizing the acquisition of APN 4416-002-014 (approximately 0.33 acres) in the Pacific Palisades using funds from the Santa Monica Mountains Open Space Preservation Assessment District No. 2, City of Los Angeles.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing the acquisition of APN 4416-002-014 (approximately 0.33 acres) in the Pacific Palisades using funds from the Santa Monica Mountains Open Space Preservation Assessment District No. 2

Background: The subject 0.33-acre parcel is located between Sunset Boulevard and the Los Liones section of Topanga State Park. It sits just across a narrow, gravel-surfaced street (Via Nicholas) from actual State Park property. That State property provides a small, commonly used, gravel parking area. Legal street access to the subject parcel is by Via Nicholas.

The moderately sloped property leads up to a bluff edge with great views of the Santa Monica Mountains, the Self-Realization Fellowship facility below, and a bit of the ocean to the south. It has been difficult to find an affordable property in the Pacific Palisades that has good public access, is usable, scenic, geologically stable, connected to other quality habitat, and meets the expectations of a broad range of concerned community members. This property has all of those attributes. The seller of the property is the immediate neighbor to the north and there currently is not a residence to the south. With great State Park property and public street to the west, and great views to the east, there should be no issues about public use of the site.

Staff initially vetted this property with the Council Office and key members of the Palisades Community Council. There were no unfavorable responses and a few favorable responses. The District No. 2 Citizens Oversight Committee then readily

adopted a resolution determining that the property was consistent with all the requirements determined in the Final Engineers Report.

The seller signed an MRCA offer on the property in August. The subject acquisition was on the MRCA's August 15, 2008 agenda. Just prior to that MRCA meeting, the Palisades Community Council voted to oppose the acquisition until the property could be vetted before the Council in a subsequent meeting. The item was put on the Council's agenda and staff made a presentation. By an approximately 8-5 vote, the Council approved the MRCA's acquisition of the property. However, for this type of vote, a two-thirds majority is required for an official action or position. In deference to the Council, staff worked on bolstering its case for the property, and as always, continued to look for an acceptable alternative. Subsequently the Executive Officer determined that a definitive action of the Council was not essential for staff to proceed with the transaction. A new representative on the District No. 2 Citizens Oversight Committee is now assessing whether other alternative properties may exist within the remaining Area H funds. In the mean time apparently developers are making offers on the property partly because costly earth stabilization is occurring on the adjacent property.

Staff considered the adjacent ownership to the south but the owner is now in the middle of constructing a minimum eight-foot-high, mostly below ground retaining wall to stabilize his site for a house that apparently has full Coastal Commission Approval. Even though this house would impede views to the south, staff continues to be bullish on this acquisition. It will still offer significant views and be a great community amenity. Staff sees no downside to the proposed acquisition.

The plan is to open the property as a neighborhood destination overlook that would be open normal park hours from sunrise to sunset. Some attractive non-native trees provide some shade and landscape relief on an otherwise grassland site. The eastern edge of the property supports oak woodland and rich chaparral elements on steep terrain. The edge of the bluff supports coastal sage scrub and native grassland relicts which provide a ready seed source for gradual restoration. Historic vegetation removal has left many clear paths to walk from the State Park property along Los Liones Drive up slope, across Paseo Miramar, to the subject property. The ultimate formalization of such a path is up to State Parks.

The property is currently fenced. The attached photograph was taken by staff three years ago from outside the fence on Via Nicholas. Maintenance should be limited to a small amount of weed whipping between the bluff edge and Via Nicholas. Staff has reserved approximately \$10,000 of additional Area H funds to construct an attract fence to exclude night time users.

Details of the transaction can be discussed in closed session. The acquisition would use up all remaining Area H funds and still allow the full \$750,000 Temescal Canyon work.