

ACCELERATED REVIEW PROCESS – G

Office of the City Engineer

Los Angeles, California

To the Honorable Council

Of the City of Los Angeles

Honorable Members:

FEB 04 2014

C. D. No. 5

SUBJECT:

Venice Boulevard (Portion of Northwesterly Side) between Mentone Avenue and the Alley Northeasterly Thereof – Resolution to Vacate – VAC-E1401065 – Council File No. 08-0762

RECOMMENDATIONS:

- A. That the City Council reaffirm its findings of December 16, 2011, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the City Charter.
- B. That the Resolution to Vacate No. 14-1401065 for this vacation be adopted.
- C. That following Council adoption, Resolution to Vacate No. 14-1401065, be transmitted to the Land Development Group of the Bureau of Engineering for recordation of the Resolution with the County Recorder.

TRANSMITTALS:

1. Council action of December 16, 2011.
2. City Engineer's report dated December 9, 2011.
3. Draft of Resolution to Vacate No. 14-1401065.

DISCUSSION:

Resolution to Vacate: At the meeting of the City Council on January 11, 2012, no protests were filed against this vacation. All conditions of the Council's action of December 16, 2011, under Council File No. 08-0762 have been fulfilled. The Resolution to Vacate is being presented pursuant to Council instructions of December 16, 2011.

Resolution to Vacate No. 14-1401065 has been approved as to form and legality by the City Attorney.

Environmental Considerations: The City Council, on December 16, 2011, found that this project is exempt from the California Environmental Quality Act of 1970, pursuant to the categorical exemptions included in the City's Environmental Guidelines under Article III, Class 5(3).

Los Angeles City Charter: The Council's action of December 16, 2011 complies with the requirements of Section 556 of the City Charter.

Respectfully submitted,



Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

EY/DW/pm  
E1401065resrpt

RESOLUTION TO VACATE NO. 14-1401065  
(California Streets and Highways  
Code Sections 8324, 8325 and 8340)

Vacation of a portion of the northwesterly side of Venice Boulevard between Mentone Avenue and the alley northeasterly thereof.

On January 11, 2012, the City Council considered the evidence submitted regarding said vacation and determined that said street should be vacated subject to the reservations and exceptions as contemplated and subject to the conditions of vacation having been complied with, (CF 08-0762). All conditions of the Council's action have been fulfilled.

Therefore, from all of the evidence submitted, the Council finds that a portion of the northwesterly side of Venice Boulevard between Mentone Avenue and the alley northeasterly thereof proposed for vacation is unnecessary for present or prospective public street purposes; and

The particular portion of the public street which is to be vacated is described herein attached Exhibits "A" and "B".

RESERVING AND EXCEPTING THEREFROM, an easement for public utility purposes for the use of the Department of Water and Power of the City of Los Angeles over the entire area described hereinabove.

ALSO, RESERVING AND EXCEPTING THEREFROM, an easement for the use of Information Technology Agency of the City of Los Angeles over the entire area described hereinabove.

ALSO, RESERVING AND EXCEPTING THEREFROM, an easement for the use of AT&T and to Southern California Gas Company over the entire area described hereinabove.

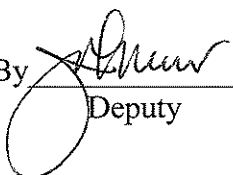
ALSO, RESERVING AND EXCEPTING THEREFROM, an easement to the City of Los Angeles for public sanitary sewer purposes over a strip of land 10 feet wide is described herein attached Exhibit "C".

The City Clerk shall certify this Resolution and affix the City seal, and shall transmit a sealed copy of this Resolution to the Land Development Group of the Bureau of Engineering for recordation in the office of the County Recorder of Los Angeles County.

IT IS THEREFORE RESOLVED that from and after the recordation of this Resolution, the area described hereinabove is vacated, subject to the reservation and exception of said permanent easement.

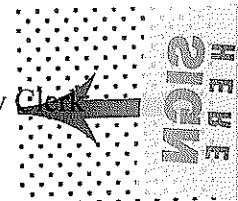
I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting of \_\_\_\_\_ by a majority vote of all its members.

Approved as to form and legality  
Michael N. Feuer, City Attorney

By  Deputy      1/31/14 Date

HOLLY L. WOLCOTT, Interim City Clerk

By \_\_\_\_\_ Deputy



Council File No. 08-0762  
R/W No. 33830

## EXHIBIT A

Title: Venice Boulevard (portion of northwesterly side) between Mentone Avenue and Alley northeasterly thereof.

Work Order Number: VAC- E1401065

Council District 11 Div. Index 1120

Engineering District West Los Angeles

T.G. 672-F1

District Map 117B165 and 120B165

Southerly of A.I.N. 4314-003-015, 016 and 017

### LEGAL DESCRIPTION

#### PARCEL NO. 1 (Street vacation purposes):

That portion of Venice Boulevard, formerly known as Josephine Street, 60 wide, of Lowe Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 10 Page 120 of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, lying southeasterly of Lot 17 of said tract, more particularly within the following described boundaries:

Beginning at the most southerly corner of said Lot 17, thence along the southeasterly lot line

(L1) North 57°08'04" East, a distance of 150.53 feet to the most easterly corner of said Lot;

Thence along the southeasterly prolongation of the northeasterly line of said lot, said line also being the southwesterly Right of Way line of an Alley, 20 feet wide,

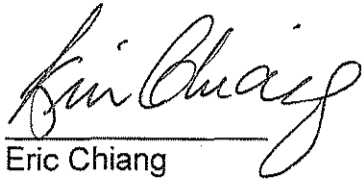
(L2) South 32°55'00" East, a distance of 60.00 feet to the southeasterly line of Josephine Street, 60 wide, of said Lowe Tract; thence parallel with said southeasterly line of Lot 17

(L3) South 57°08'04" West, a distance of 150.53 feet to the southeasterly prolongation of the southwesterly line of said lot, said line also being the northeasterly Right of Way line of Mentone Avenue, 60' wide; thence

(L4) North 32°55'00" West, a distance of 60.00 feet along said line to the Point of Beginning.

Area of PARCEL NO.1 contains: 9,032 Square Feet.

Legal description was prepared by or under the direct supervision of:



Eric Chiang

L.S. No. 6671

Expired: 06-30-2014

01/14/2014  
Date



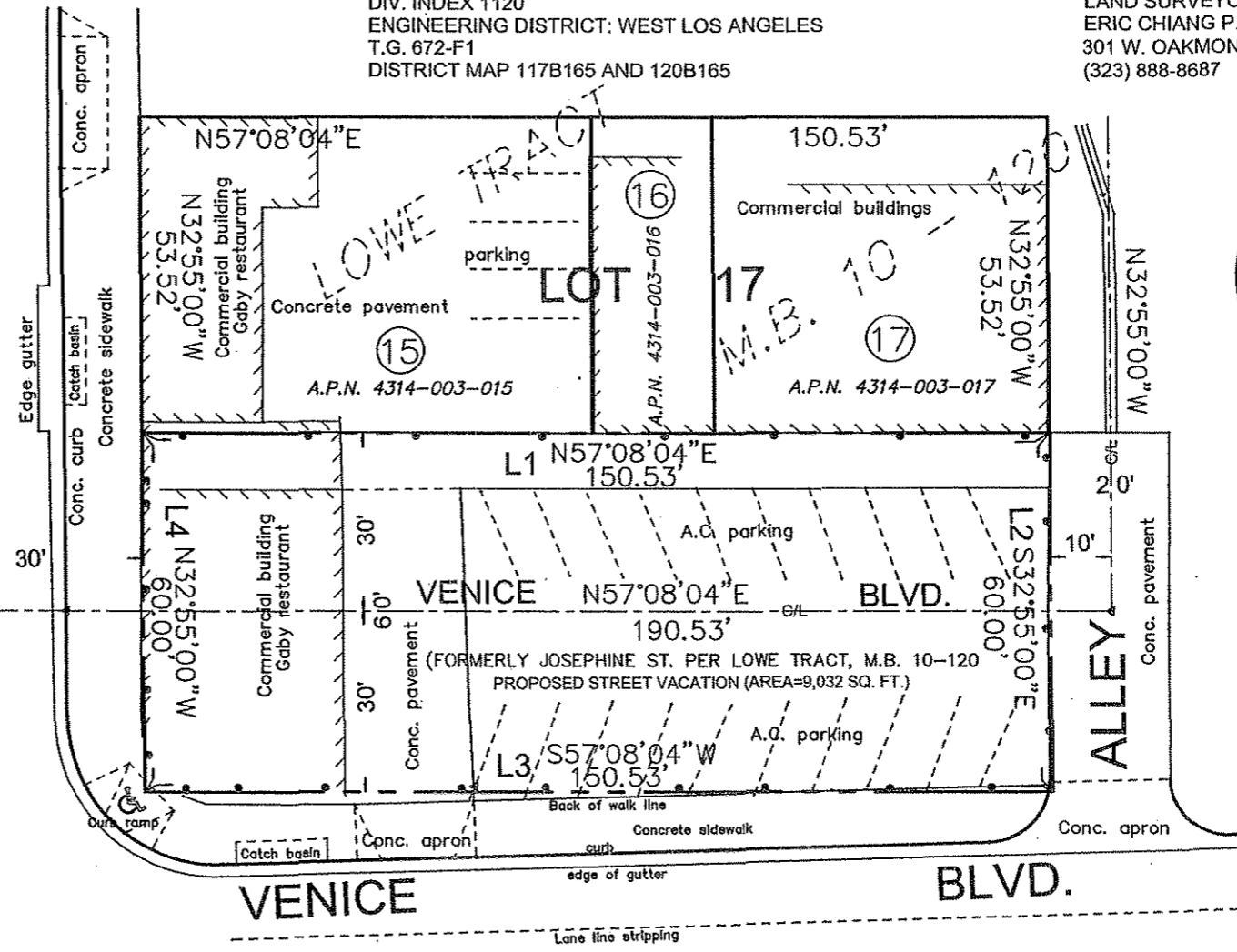
# EXHIBIT "B"

TITLE: VENICE BOULEVARD (STREET VACATION) BETWEEN  
 MENTONE AVE. AND ALLEY NORTHEASTERLY THEREOF.  
 WORK ORDER NO. VAC-E1401065  
 COUNCIL DISTRICT: 11  
 DIV. INDEX 1120  
 ENGINEERING DISTRICT: WEST LOS ANGELES  
 T.G. 672-F1  
 DISTRICT MAP 117B165 AND 120B165

LEGEND:

INDICATES THE BOUNDARY OF THE LAND  
 OF THE PROPOSED STREET VACATION  
 LAND SURVEYOR :  
 ERIC CHIANG P.L.S. 6671  
 301 W. OAKMONT DR., MONTEBELLO, CA 90640  
 (323) 888-8887

MENTONE AVE.  
 BASIS OF BEARINGS  
 PER LOWE TRACT  
 S32°55'00"E



*Eric Chiang*  
 01/14/2014

NOT TO SCALE  
 DATE: 01/12/2014

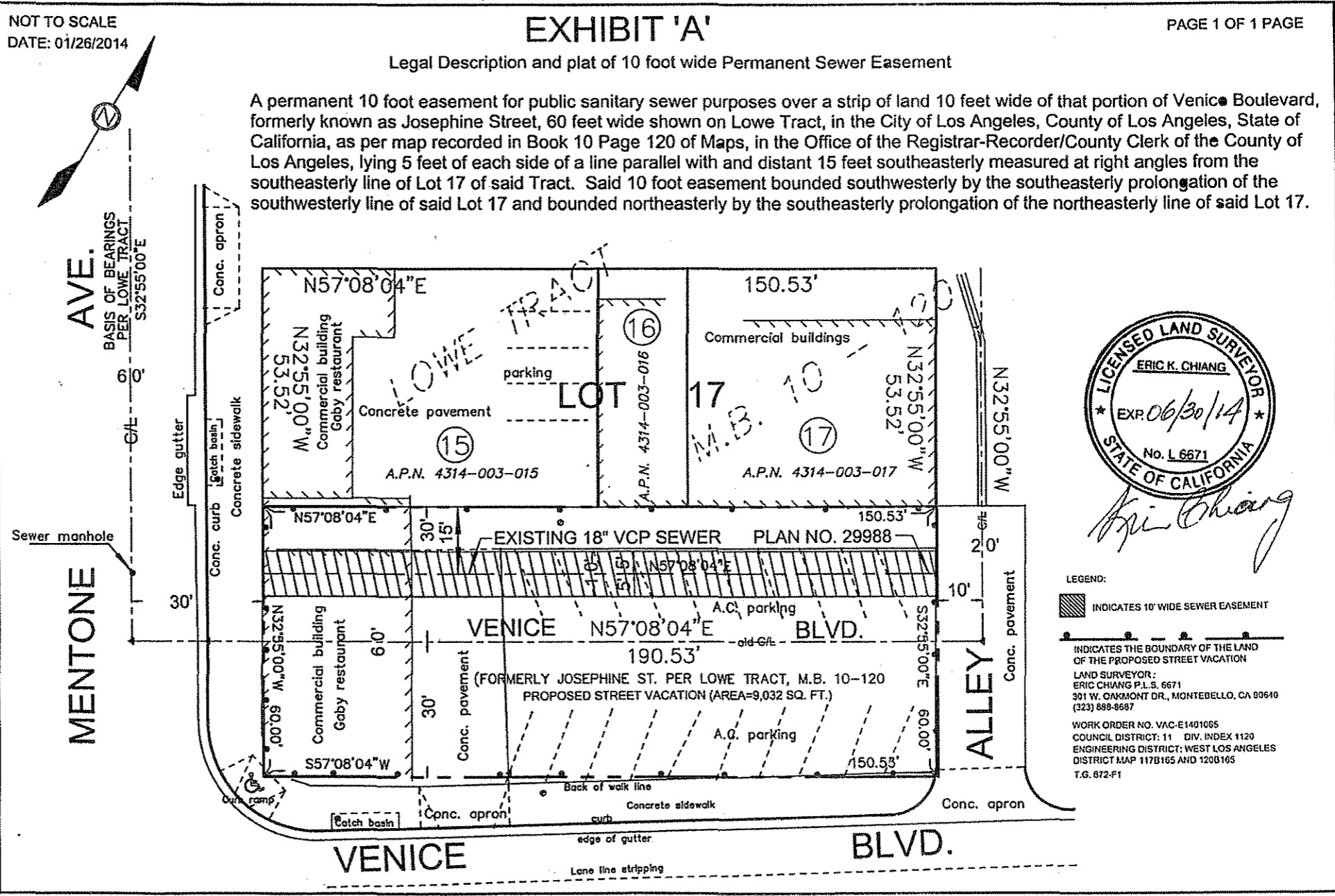
EXHIBIT "C"

NOT TO SCALE  
DATE: 01/26/2014

EXHIBIT 'A'

Legal Description and plat of 10 foot wide Permanent Sewer Easement

A permanent 10 foot easement for public sanitary sewer purposes over a strip of land 10 feet wide of that portion of Venice Boulevard, formerly known as Josephine Street, 60 feet wide shown on Lowe Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 10 Page 120 of Maps, in the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles, lying 5 feet of each side of a line parallel with and distant 15 feet southeasterly measured at right angles from the southeasterly line of Lot 17 of said Tract. Said 10 foot easement bounded southwesterly by the southeasterly prolongation of the southwesterly line of said Lot 17 and bounded northeasterly by the southeasterly prolongation of the northeasterly line of said Lot 17.



LEGEND:  
 [Hatched box] INDICATES 10' WIDE SEWER EASEMENT  
 [Dashed line] INDICATES THE BOUNDARY OF THE LAND OF THE PROPOSED STREET VACATION  
 LAND SURVEYOR:  
 ERIC CHIANG P.L.S. 6671  
 301 W. OAKMONT DR., MONTEBELLO, CA 90910  
 (323) 898-8687  
 WORK ORDER NO. VAC-E1401065  
 COUNCIL DISTRICT: 11 DIV. INDEX 1120  
 ENGINEERING DISTRICT: WEST LOS ANGELES  
 DISTRICT MAP 117B165 AND 120B165  
 T.G. 672-F1



Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

DEC 09 2011

Of the City of Los Angeles

Honorable Members:

C. D. No. 11

SUBJECT:

VACATION APPROVAL - VAC- E1401065 - Council File No. 08-0762 - Venice Boulevard (Portion of Northwesterly Side) between Mentone Avenue and the Alley Northeastly Thereof

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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". That the actual limit of the vacation area be permitted to be adjusted to retain a minimum 12-foot wide sidewalk area along Venice Boulevard:

A portion of the northwesterly side Venice Boulevard between Mentone Avenue and the alley northeasterly thereof.
- B. That the vacation of the areas shown colored orange on Exhibit "B", be denied.
- C. That the Council not consider the City Engineer's report dated May 20, 2008.
- D. 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.
- E. 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.
- F. 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.

- G. 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.
- H. 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.
- I. That the Council adopt the City Engineer's report with the conditions contained therein.
- J. 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 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 \$6420.00 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. Gaby Malouf  
8449 Sheffield Road  
San Gabriel, CA 91775

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 E1401065 be paid.
2. That a suitable map, approved by the West Los Angeles 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 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.) Repair or replace any broken, missing, or off-grade curb, gutter, and sidewalk along Venice Boulevard and along Mentone Avenue; and remove protruding bolt ends in the sidewalk area along Venice Boulevard. Place additional concrete as may be necessary to construct a 12-foot wide sidewalk along Venice Boulevard.
  - b.) Repair any broken or off-grade pavement in the alley.
6. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, AT &T, 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 relocation or abandonment of the existing sewer and storm drain facilities located within the area to be vacated, unless easements are reserved from the vacation for their protection.
8. 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 each 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 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.

9. That plot plans be submitted to the Fire Department for their review and approval.
10. That street lighting facilities be installed as may be 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 petitioner submit a survey to determine the exact vacation limits based on retaining a 12-foot wide public sidewalk area along Venice Boulevard.

TRANSMITTAL:

Application dated April 19, 2007, from Gaby Malouf.

DISCUSSION:

Request: The petitioner, Gaby Malouf, owner of the property shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street area shown colored blue and orange. The purpose of the vacation request is to provide parking for the site and for future development.

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 April 8, 2008, under Council File No. 08-0762 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the area to be vacated to the northwest and to the northeast are zoned C2-1 and are developed for commercial use. The properties to the southwest are developed for residential use.

Description of Area to be Vacated: The area sought to be vacated is a portion of the northwesterly side of Venice Boulevard between Mentone Avenue and the alley northeasterly of Mentone Avenue. The area is encroached upon with a restaurant and parking.

Adjoining Streets and Alley: Venice Boulevard is a fully improved major highway with a variable width right-of-way. Mentone Avenue is a 60-foot wide local street with a 17-foot wide half roadway. The alley northeasterly of Mentone Avenue is dedicated 20 feet wide and is improved.

Effects of Vacation on Circulation and Access: The vacation of the portion of the northwesterly side of Venice Boulevard between Mentone Avenue and the alley northeasterly thereof should not have an adverse impact on circulation in the area.

The street is also 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: It will be necessary that the petitioner provide for 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: The Department of Water and Power, and AT&T maintain facilities in the area proposed to be vacated. Southern California Gas Company did not respond to the Bureau of Engineering's referral letter dated May 29, 2007.

Tract Map: Since there are no dedications required 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 record an agreement satisfactory to the Bureau of 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 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 did not respond to the Bureau of Engineering's referral letter dated May 29, 2007.

City Fire Department: The Fire Department states that the subject property has been investigated by their members and that they recommend that plot plans be submitted for their review and approval.

Department of City Planning: The Director of Planning on June 13, 2007, recommended that the vacation be disapproved, based on the finding that it would adversely affect future transportation patterns by eliminating opportunities for future public transit improvements in the Palms-Mar Vista-Del Rey Community plan area, citing the potential expansion of the Exposition Right-of-way Project on Venice Boulevard. The City Planning Department staff in subsequent email communication dated December 6, 2011, supported the proposed street vacation.

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 area shown colored orange should not be vacated because it is needed for public street purposes.

Report prepared by:

LAND DEVELOPMENT GROUP

Dale Williams  
Civil Engineer  
(213) 202-3491

Respectfully submitted,

  
Edmond Yew, Manager  
Land Development Group  
Bureau of Engineering

EY/DW/

H:\LANDDEV\STREET VACATIONS\E1401065-Venice (alley)\E1401065 Approval Report.doc

INFORMATION ON THIS MAP IS  
**PRELIMINARY**  
 AND SUBJECT TO CHANGE



**TITLE:** VENICE BOULEVARD (PORTION OF NORTHWESTERLY SIDE) BETWEEN MENTONE AVENUE AND ALLEY NORTHEASTERLY THEREOF.

WORK ORDER NO. VAC- E1401065  
 COUNCIL FILE NO. 08-0762  
 COUNCIL DIST. 11 DIV. INDEX 1120  
 ENG. DIST. W.L.A. T.G. 672-F1  
 DISTRICT MAP 117B165 & 120B165



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

**EXHIBIT B** Legend: Vacation boundary as shown

CITY OF LOS ANGELES  
CALIFORNIA

JUNE LAGMAY  
City Clerk

HOLLY L. WOLCOTT  
Executive Officer



ANTONIO R. VILLARAIGOSA  
MAYOR

Office of the  
CITY CLERK

Council and Public Services  
Room 395, City Hall  
Los Angeles, CA 90012  
General Information - (213) 978-1133  
Fax: (213) 978-1040

SHANNON HOPPE  
Council and Public Services  
Division


[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

When making inquiries relative to  
this matter, please refer to the  
Council File No.

December 16, 2011

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 08-0762,  
at its meeting held December 16, 2011, to set a Public Hearing Date of January 11,  
2012.

  
City Clerk  
VCW



COMMUNICATION

File No. 08-0762

*28*

TO: THE COUNCIL OF THE CITY OF LOS ANGELES  
FROM: COUNCILMEMBER JOSE HUIZAR, CHAIR  
PUBLIC WORKS COMMITTEE

COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to the vacation of Venice Boulevard (portion of northwesterly side) between Mentone Avenue and alley northeasterly thereof (VAC E1401065).

Recommendation for Council action:

APPROVE the vacation request for Venice Boulevard (portion of northwesterly side) between Mentone Avenue and alley northeasterly thereof (VAC E1401065).

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$6,420 in charges has been expended in the investigation of this request pursuant to Los Angeles Administrative Code (LAAC) Section 7.42.

Community Impact Statement: None Submitted.

SUMMARY

At its regular meeting held on December 7, 2011, the Chair of the Public Works Committee considered the recommendations of the City Engineer as contained in its May 20, 2008 report. The City Engineer reports that the area sought to be vacated is northwesterly side portion of Venice Boulevard between Mentone Avenue and alley northeasterly thereof (a map of the area is included as Exhibit A in the May 20, 2008 City Engineer report and is attached to the Council file). The purpose of the vacation request is to consolidate the vacation area with the adjoining properties to provide for a bridge to connect the parking structure on both sides of the alley. The May 20, 2008 City Engineer report recommends denial of the vacation.

During the committee meeting the Department of Public Works agreed with the vacation approval and will prepare a new report to reflect that recommendation. After having provided an opportunity for public comment, and taking into consideration the letters of support to approve the vacation request from Councilmember Rosendahl and Councilmember Parks, the Committee Chair moved to recommend approval of the vacation request. This matter is now submitted to Council for its consideration.

Respectfully submitted,

*Jose Huizar*

COUNCILMEMBER JOSE HUIZAR, CHAIR  
PUBLIC WORKS COMMITTEE

DEC 14 2011 CONTINUED TO Dec 16, 2011

**ADOPTED**  
*As Amended*  
DEC 16 2011

MEMBER VOTE  
HUIZAR: YES  
ENGLANDER: ABSENT  
PARKS: ABSENT

LOS ANGELES CITY COUNCIL  
*See Attached Motion*  
**FORTHWITH**

ESV  
CD11  
08-0762\_rpt\_pw\_12-7-2011.doc

- Not Official Until Council Acts -

MOTION

22A

I MOVE that the Communication from the Chair, Public Works Committee relative to the vacation of Venice Boulevard (portion of Northwesterly side) between Mentone Avenue and the Alley Northeasterly (VAC E1401065), Item No. 22 on today's Council Agenda (CF 08-0762), BE AMENDED to adopt the following additional recommendations:

- a) FIND that the vacation of Venice Boulevard (portion of Northwesterly side) between Mentone Avenue and the Alley Northeasterly thereof is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
- b) ADOPT the FINDINGS of the City Engineer report dated December 9, 2011, attached to the file (City Engineer Report), as the Findings of the Council.
- c) FIND 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 Exhibit "B" of the City Engineer Report:

A portion of Venice Boulevard between Mentone Avenue and the Alley Northeasterly thereof.

- d) AMEND recommendation "A" of the City Engineer Report, to read as follows:

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".

A portion of the Northwesterly side of Venice Boulevard between Mentone Avenue and the alley Northeasterly thereof.

- e) DELETE recommendation B in the City Engineer Report.
- f) AMEND Condition 5(a) of the City Engineer Report to read as follows:  
  
Repair or replace any broken, missing, or off-grade curb, gutter, and sidewalk along Venice Boulevard and along Mentone Avenue, and remove protruding bolt ends in the sidewalk area along Venice Boulevard.
- g) ADOPT the recommendations of City Engineer Report to approve the vacation as amended above.
- h) INSTRUCT the City Clerk to set a public hearing date for January 11, 2012.

**ADOPTED**

DEC 16 2011

LOS ANGELES CITY COUNCIL

DEC 16 2011

SET FOR HEARING... Jan 11, 2012

December 16, 2011

dp

PRESENTED BY: *Bill Rosendahl*  
BILL ROSENDAHL  
Councilmember, 11<sup>th</sup> District

SECONDED BY: *[Signature]*

**ORIGINAL**