

Agenda Report

TO: CITY COUNCIL

Date: October 28, 2002

FROM: City Manager

SUBJECT: ADOPT A RESOLUTION OF INTENT TO VACATE PORTIONS OF MADELINE DRIVE (WEST), A COMPONENT OF A SECOND MASTER DEVELOPMENT PLAN AMENDMENT (MDPA 2) FOR THE WESTRIDGE SCHOOL FOR GIRLS 324 MADELINE DRIVE

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Approve the Initial Environmental Study and Negative Declaration (Attachment 1);
2. Approve the De Minimis Impact Finding on the California Department of Fish and Game (Attachment 2);
3. Adopt the attached Resolution of Intention to vacate portions of Madeline Drive (west) from approximately 250 feet east of Orange Grove Boulevard to the east end of the cul-de-sac;
4. Set a public hearing for Monday, November 18, 2002, at 8:00 p.m., to consider the proposed street vacation prior to adoption of the Resolution of Vacation in accordance with the requirements and recommendations contained in this report and subject to the conditions herein;
5. Direct the City Clerk to publish, post and mail a Notice of Hearing in accordance with the requirements of Streets and Highways Code Sections 8320, 8322 and 8323.

PLANNING COMMISSION REVIEW:

On October 9, 2002, the Planning Commission reviewed the proposed amendment to the Master Development Plan (MDPA2), including the proposed vacation of portions of

Madeline Drive, and other components of the MDP. The Planning Commission recommends that the City Council approve the proposed street vacation. The Planning Commission further recommends that the City Council approve the proposed Master Development Plan Amendment (MDPA2), including the street vacation, zone change and amendment to the General Plan land use designation of the subject parcel, and other components of the Master Development Plan.

URBAN FORESTRY ADVISORY COMMITTEE REVIEW:

At the meeting of the Urban Forestry Advisory Committee on September 18, 2002, the committee approved staff's recommendation to allow removal of two trees. The applicant shall be responsible for the appraised value of these trees and is required to replace each tree with a 48-inch box tree of a species to be determined by the Parks and Natural Resources Division. In addition to the six trees that are remaining, and the two trees that are being replaced, the applicant is responsible for the installation of a maximum of six additional trees along the new cul-de-sac.

EXECUTIVE SUMMARY:

The proposed vacation of certain portions of Madeline Drive (west) is in conjunction with a proposed amendment to the Master Development Plan of Westridge School for Girls, located at 324 Madeline Drive, between South Orange Grove Boulevard and Pasadena Avenue. The proposed street vacation involves a two-step process, pursuant to the California Streets and Highways Code, Chapter 3, General Vacation Procedure. The first step requires the City Council's adoption of a Resolution of Intention to vacate the subject portions of street, and to set a public hearing date and time, at least two weeks after the Resolution of Intent is adopted. The second step requires the City Council to hold a public hearing at which time the proposed street vacation shall be considered, and, if the City Council finds is not needed for present or prospective public use, shall be approved by adopting a Resolution of Vacation.

Approval of this amendment will not increase the total number of students (502) or staff/faculty (105) allowed by the existing MDP. The conditions associated with the 1998 amendment would remain in effect.

BACKGROUND:

On March 1, 2000, Westridge School submitted to the Department of Public Works, a request for a vacation of a portion of Madeline Drive (west) from approximately 250 feet east of Orange Grove Boulevard to the east end of the cul-de-sac. This proposed street vacation accompanies a Master Development Plan Amendment (MDPA). Most of the projects associated with the original MDP have been completed. The 1998 MDP included the construction of an auditorium, which is currently in plan review for a building permit.

A Master Development Plan (MDP) for Westridge School for Girls (324 Madeline Drive) was first adopted by the City Council in January 1994, and amended in February 1998. The major components of the proposed amendment under review at this time consists

of: 1) Vacation of portions of Madeline Drive between Orange Grove Boulevard and the end of the existing cul-de-sac; and 2) expansion of the school campus onto an adjacent parcel to the east, which will require a zone change and an amendment to the General Plan Land Use designation. The proposed MDPA2 will be submitted to the City Council at a subsequent public hearing, together with the proposed street vacation.

The school campus site at present consists of 8.29 acres (361,516 square feet), and currently has 87,610 square feet of buildings. The 1998 MDPA approved a total of 131,790 square feet of building floor area. Some of the buildings approved under the 1998 MDPA have not been constructed and are anticipated for completion after this proposed amendment. The current amendment (MDPA2) will provide for additional buildings and removal of certain structures, resulting in a total building floor area of approximately 114,458 square feet allowed in the campus. This is 17,332 square feet less than the square footage approved in 1998.

There are 26 existing public trees on Madeline Drive from Orange Grove Boulevard east to the end of the existing cul-de-sac. Of these 26 street trees, 18 are located within the portion of Madeline Drive that is proposed for vacation. If the vacation is approved, the applicant is required to maintain the trees according to the Tree Protection Ordinance. If any of these trees are damaged or removed for any reason, the applicant is responsible for the appraised value of those trees. Of the eight remaining street trees, two will need to be removed in order to construct the new cul-de-sac.

ENVIRONMENTAL CLEARANCE:

An Initial Study prepared for the proposed amendment to Westridge School's Master Development Plan, including the proposed street vacation. It was determined that no significant impacts will result from the proposed project. A Negative Declaration is recommended.

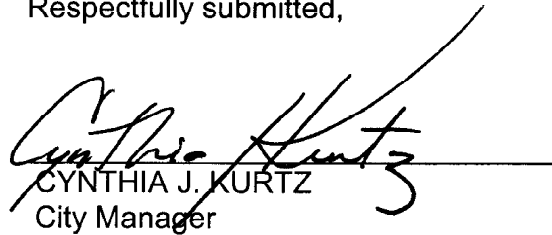
AUTHORITY AND FUTURE PROCESSING:

Pursuant to PMC Section 2.105.110 (4.a.), the Planning Commission is required to consider and make recommendations to the City Council regarding any proposed vacation of a public right-of-way. The California Streets and Highways Code establishes a two-step process for the City Council. The first step is adoption of a Resolution of Intention and setting of a public hearing. The second step, if approved by the City Council, is the holding of a public hearing and adoption of a Resolution of Vacation. Staff will prepare a report and set of recommendations for the hearing on November 18, 2002. Staff has forwarded courtesy notices to all utilities and City departments specifying the proposed vacation. All utilities have responded with their requirements, which shall be incorporated in the Westridge School Master Development Plan Amendment Number Two (2002).

FISCAL IMPACT:

There will not be an immediate fiscal impact as a result of this Master Development Plan Amendment, Street Vacation, General Plan amendment and zone change. The applicant shall be responsible for all costs associated with the design, review and construction of the new cul-de-sac, relocation of public utilities on the vacated portion of Madeline Drive, provide for easements along the vacated portion, replacement and maintenance of all trees on the vacated portion, maintenance of street lights on the vacated portion, and costs associated with meeting all the conditions set forth in the street vacation. Permitting fees will be collected for future development projects in the campus to cover costs incurred from staff time required for project review.

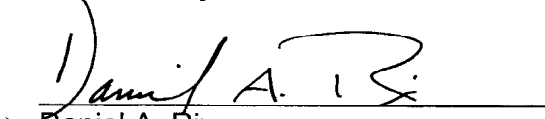
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

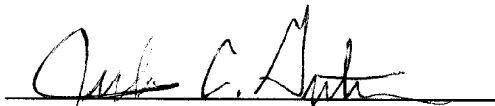
Prepared by:


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Daniel A. Rix
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Julie A. Gutierrez, Director
Department of Public Works

BLH:sk

Attachments