

Agenda Report

TO: CITY COUNCIL

Date: JUNE 20, 2005

FROM: CITY MANAGER

SUBJECT: ADOPT A RESOLUTION OF INTENT TO VACATE A PORTION OF BELLEVUE DRIVE BETWEEN RAYMOND AVENUE AND THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY AND SETTING A PUBLIC HEARING THEREON

RECOMMENDATION

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

1. Adopt the attached Resolution of Intention to Vacate a portion of Bellevue Drive from Raymond Avenue to the Metropolitan Transportation Authority (MTA) right-of-way.
2. Set a public hearing for Monday, July 11, 2005, at 8:00 p.m., to consider the proposed street vacation prior to adoption of the Resolution Ordering the Vacation in accordance with the requirements and recommendations contained in this report and subject to conditions, including the condition that the applicants provide proof that they have interest in fee to the underlying property of the proposed portion of Bellevue Drive.
3. Direct the City Clerk to publish and post a Notice of Hearing in accordance with the requirements of Streets and Highways Code Sections 8320, et seq.

PLANNING COMMISSION REVIEW

On Wednesday, June 8, 2005, the Planning Commission reviewed and recommended that the City Council approve the proposed street vacation as presented by staff.

BACKGROUND

The proposed vacation of a portion of Bellevue Drive between Raymond Avenue and the MTA right-of-way is for Union Station Foundation, located at 412 S. Raymond Avenue, and for Plati German Car Service and Repair, located at 422 S. Raymond Avenue. 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 Ordering the Vacation. Staff will prepare a report and set of recommendations for the hearing on July 11, 2005. Staff has contacted all utilities, county agencies, MTA, Caltrans and City departments and there are no objections to the proposed vacation. Any requirements for easements will be incorporated into the Condition Satisfaction Contract upon the approval of the vacation.

The subject portion of Bellevue Drive to be vacated is approximately 149 feet in length and 80 feet in width as shown on Exhibit "A", attached hereto.

Union Station Foundation, the property owners of the property on the north side of Bellevue Drive, and Plati German Car Service and Repair, Inc., the property owners on the south side of Bellevue Drive, have requested the vacation of a portion of Bellevue Drive between Raymond Avenue to the MTA right-of-way.

Prior to 1998, Bellevue Drive was a through street from Raymond Avenue to Arroyo Parkway. On November 2, 1998, a resolution was adopted by the City Council to close certain streets without vacation for the purpose of the Gold Line to ensue safety and protection of the general public during the times the Gold Line is in operation and crossing City streets. Bellevue Drive was not officially closed to through traffic until construction of the Gold Line began in this area.

The proposed vacation will improve safety and provide protection for both vehicles and pedestrians. With the vacation of the Bellevue Drive, the property owners will be required to close the street and construct a standard drive approach. This will improve safety by eliminating an intersection on the east side of Raymond Avenue. Drivers will no longer find themselves on a dead end street only to have to make a u-turn to get back to Raymond Avenue. By requiring a drive approach, pedestrians will be given protection from vehicles with the installation of sidewalk across the entire 80 feet of Bellevue Drive. Finally, maintenance costs will be reduced in that the City will no longer need to maintain a dead end street that only serves three properties.

The only properties with access from the proposed portion of Bellevue Drive are Union Station Foundation, Plati German Car Service and Repair, and the MTA. When Bellevue Drive was closed to through traffic, Union Station Foundation and Plati

German Car Service and Repair contacted the City to re-stripe the subject portion of Bellevue Drive to allow more parking. The city accommodated this request since Bellevue Drive was no longer a through street and installed 90 degree parking. These parking spaces primarily serve these two properties. The third property, MTA, which has access via Bellevue Drive, has requested that an ingress/egress easement be granted for them to maintain access to their property. This will be a condition of the vacation if approved by the City Council.

The City's interest in the subject portion of Bellevue Drive is in easement only, for public purposes. The vacation will convey all rights to the abutting property owners except for public utility easements and a private ingress/egress easement for MTA to service their property. As a result of the easements, no structures will be allowed on the subject portion of Bellevue Drive that is reserved for these easements. The property owners are not proposing any changes in usage of the subject portion of Bellevue Drive which is currently being used for parking and/or storage of vehicles which is consistent with the adjacent uses of the abutting properties owned by Union Station Foundation and Plati German Car Service and Repair.

Since Bellevue Drive between Raymond Avenue and Arroyo Parkway has been permanently closed to through traffic for approximately three years, the Departments of Public Works and Transportation have determined that the proposed vacation of Bellevue Drive will not have an adverse impact on traffic circulation in the area.

GENERAL PLAN CONSISTENCY

The proposed street vacation of Bellevue Drive, between Raymond Avenue and the MTA right-of-way is located within an area designated as the Central District Specific Plan in the 2004 Land Use Element of the General Plan.

The area of Bellevue Drive proposed to be vacated is immediately to the east of Raymond Avenue, which is designated as a multi-modal corridor according to the 2004 Mobility Element. The vacation of Bellevue Drive will not detract from the intended function of Raymond Avenue as a multi-modal corridor. In addition, the proposed street vacation helps further the following policies of the Mobility Element:

Policy 2.7 – Promote improvements for pedestrians to support vibrant and active streets and major places of activity.

Policy 4.5 – Ensure safe and efficient travel and traffic management throughout the City, while providing adequate access for all users.

Policy 4.15 – Limit the intrusion of commercial truck traffic on City streets by directing truck traffic to major arterials and enforcing related regulations on local streets.

Policy 4.16 – Recognize and accommodate the distinctive needs of the users of multi-modal corridors as well as the particular needs of major destinations.

ENVIRONMENTAL CLEARANCE

An environmental initial study was completed for the proposed vacation of Bellevue Drive between Raymond Avenue and the MTA right-of-way. The initial study found that the street vacation will not result in any significant impact on the environment, resulting in a Negative Declaration.

NEIGHBORHOOD MEETINGS

A neighborhood meeting was held on Thursday, June 2, 2005, to receive feedback from property owners and the surrounding neighborhoods regarding the proposed vacation of Bellevue Drive between Raymond Avenue and the MTA right-of-way. Those invited to the neighborhood meeting included property owners and occupants of buildings located within a 500-foot radius of the subject portion of Bellevue Drive. At the meeting were representatives from Union Station Foundation and Plati German Car Service and Repair. In addition, there were two attendees from the community, one representing the property located at 500 S. Raymond Avenue and one representing U-Haul of Pasadena located at 552 S. Raymond Avenue.

Both representatives from 500 and 552 S. Raymond Avenue had questions regarding the vacation process of a street which was addressed by staff. The representative of 500 S. Raymond Avenue asked a question about meeting parking requirements for his future project and how the vacation of Bellevue Drive would impact this requirement. Staff informed him that public parking could not be used as a means of meeting his parking requirements and, therefore, the vacation of Bellevue Drive would have no impact on his future project. He was further informed that he could meet his parking requirements by leasing off-site parking from private property owners.

Finally, questions were asked about the Raymond Avenue project that will be taking place within this area and the impact to their businesses. Staff responded to these questions, as well.

CONDITIONS

The proposed vacation of Bellevue Drive between Raymond Avenue and the MTA right-of-way is subject to conditions. If the City Council approves the vacation at the Public Hearing that is recommended for July 11, 2005, the applicant must meet all conditions that are imposed upon the vacation prior to its recordation with the County Assessor's office.

One of these conditions pertains to the underlying fee title to the proposed portion of Bellevue Drive. Currently, there are unresolved issues with the underlying property as to who has title. The applicants, Union Station Foundation and Plati German Car Service and Repair, will be required to provide proof that they have underlying fee title to the proposed portion of Bellevue Drive prior to the City vacating the street and are in the process of obtaining a supporting document.

FISCAL IMPACT

All costs for processing the vacation and construction of public improvements are at the applicant's expense. The applicant shall be responsible for all costs associated with the design, review and construction of the new public improvements and costs associated with meeting all the conditions set forth in the street vacation.

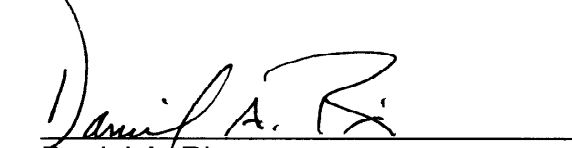
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

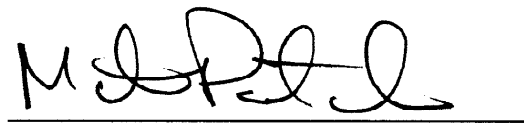
Prepared by:


Bonnie L. Hopkins
Principal Engineer

Reviewed by:


Daniel A. Rix
City Engineer

Approved by:


Martin Pastucha, Director
Department of Public Works

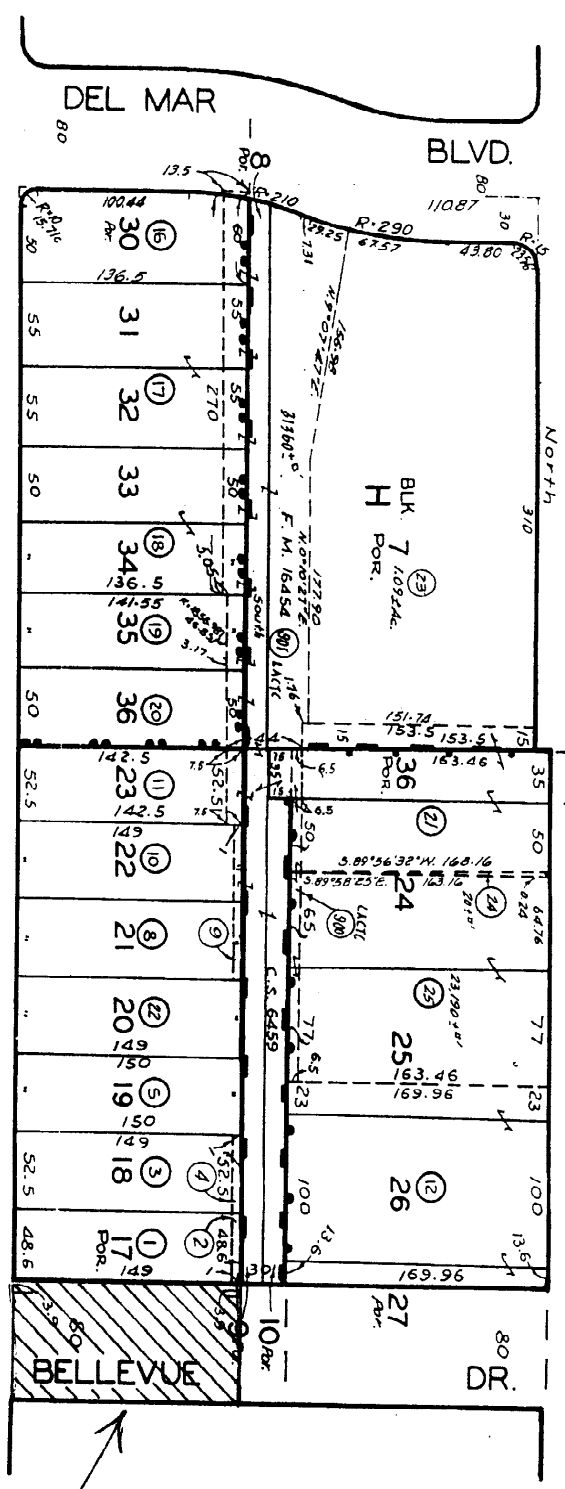
BLH
Attachments

ARROYO

PARKWAY

Revised
2-26-98
1-29-59
4-24-59
A-3-61E
74060350E
740927212
99080805005001-45
W:20203000001-05

EXHIBIT "A"



DEL MAR BLVD.
RAYMOND AVE.
BELLEVUE DR.

SAN PASQUAL TRACT
M.R. 3-315
M.R. 32-81

WEBSTER & STRATTON'S SUBDIVISION
OF THE G. I. STAMM PROPERTY
M.R. 11-83

GLENDALE TRACT
M.R. 11-36

JULIA E. WARD HOMESTEAD TRACT
M.R. 7-54



CODE 7500
FOR PREV. ASSM'T. SEE: 1812-9

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF BELLEVUE DRIVE BETWEEN RAYMOND AVENUE AND THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY AND SETTING A PUBLIC HEARING THEREON

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA

WHEREAS, the City has received a request to vacate a portion of Bellevue Drive between Raymond Avenue and the Metropolitan Transportation Authority (MTA) right-of-way and which said portion of said street shall be referred to in this resolution as Bellevue Drive; and

WHEREAS, Bellevue Drive, between Raymond Avenue and the MTA right-of-way, is approximately 149 feet in length and 80 feet in width, shown on Exhibit "A" and is on file in the office of the Director of Public Works; and

WHEREAS, the vacation proceeding for said street is and will be conducted pursuant to the requirements of the Streets and Highways Code Sections 8320, et seq.:

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena:

1. The City Council of the City of Pasadena hereby declares its intention to vacate the above described portion of Bellevue Drive subject to certain conditions being met prior to vacation; and
2. A hearing is hereby set for 8:00 p.m. on Monday, July 11, 2005, in the Multi/Purpose Room of the Pasadena Senior Center, 85 East Holly Street,

Pasadena, to consider the proposed street vacation. All persons interested in the vacation are invited to attend and give testimony if desired.

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2005, by the following vote:

AYES:

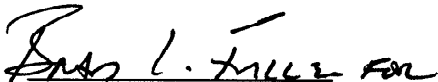
NOES:

ABSENT:

ABSTAIN:

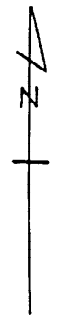
JANE L. RODRIGUEZ, City Clerk

Approved as to form:



Michele Beal Bagneris
City Attorney

EXHIBIT "A"



CODE
7500

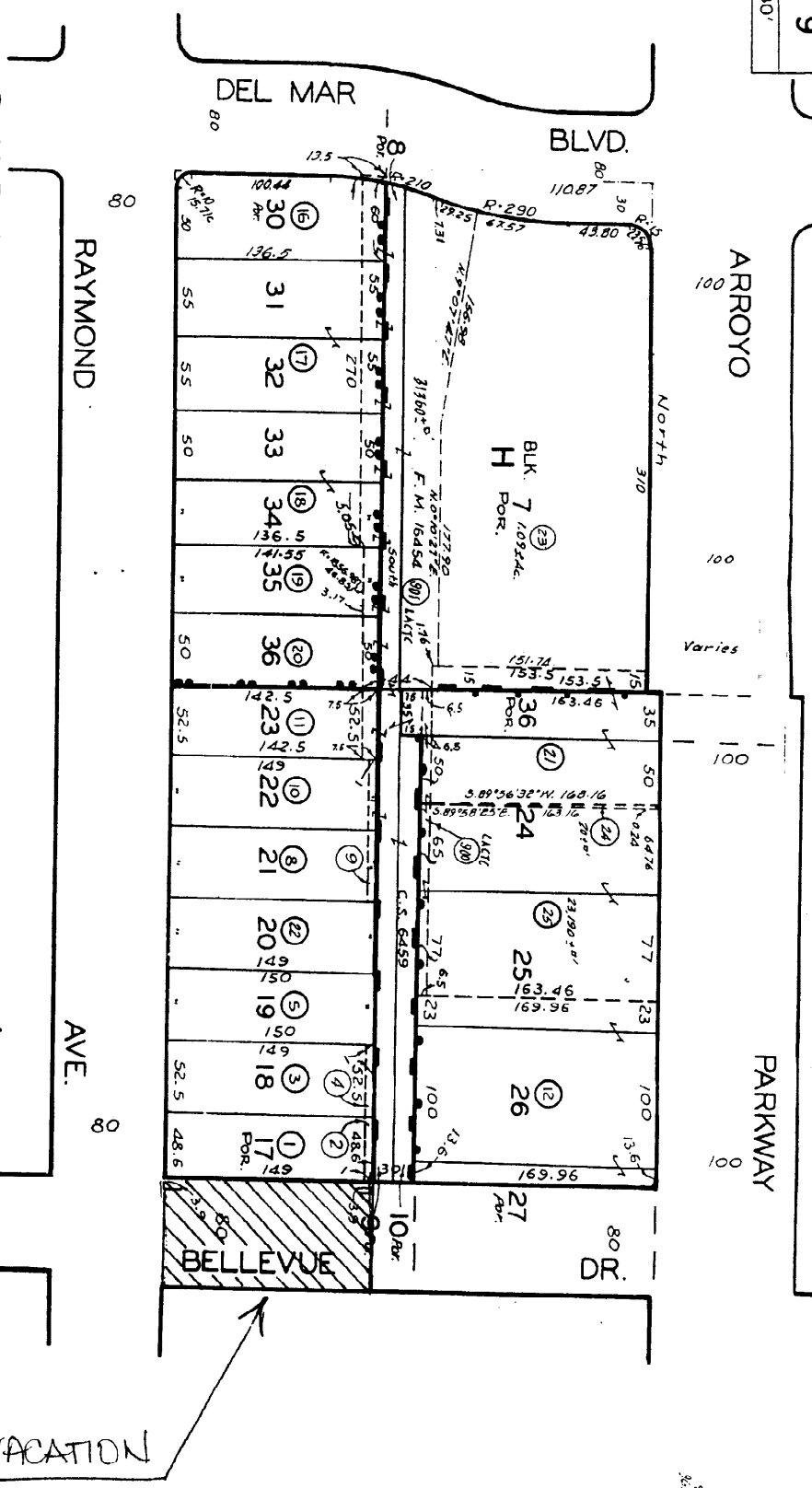
FOR PREV. ASSM'T. SEE: 1812-9

GLENDALE TRACT
M.R. 11-36

JULIA E. WARD HOMESTEAD TRACT
M.R. 7-54

SAN PASQUAL TRACT
M.R. 3-315
M.R. 32-81

WEBSTER & STRATTON'S SUBDIVISION
OF THE G. I. STAMM PROPERTY
M.R. 11-83



5-20-65
660215
Revised
2-26-58
1-29-59
4-24-59
10-3-61E
74060330E
74092721E
9288181501501-45
REVISED 03/06/00/1-05