

Agenda Report

TO: CITY COUNCIL **Date:** May 21, 2007
FROM: CITY MANAGER
SUBJECT: ADOPT A RESOLUTION FOR THE SUMMARY VACATION OF A PORTION OF FAIR OAKS AVENUE ADJACENT TO THE HUNTINGTON MEMORIAL HOSPITAL OUTPATIENT SERVICES PAVILION, LOCATED AT 625 SOUTH FAIR OAKS AVENUE

RECOMMENDATION

It is recommended that the City Council:

Adopt a resolution that affirms that the City Council has previously adopted a Mitigated Negative Declaration for the project associated with the proposed summary street vacation and that no further environmental review is required because no significant changes in the environment would result from the summary vacation; and summarily vacates a portion of Fair Oaks Avenue adjacent to 625 South Fair Oaks Avenue, pursuant to Sections 8331, 8333, and 8334 of the California Streets and Highways Code.

BACKGROUND

The applicant, Pacific Medical Buildings, is developing the project located at 625 South Fair Oaks Avenue (formerly known as 70 West California Boulevard) adjacent to the Huntington Memorial Hospital. The Huntington Memorial Outpatient Services Pavilion project is surrounded by the Huntington Memorial Hospital, medical office buildings, California Boulevard, and Fair Oaks Avenue. The project includes the construction of a 189,818 square foot medical office building, serving physicians affiliated with Huntington Memorial Hospital, on the site located at the southwest corner of California Boulevard and Fair Oaks Avenue.

As a condition of the Minor Conditional Use Permit for the project, the applicant is required to widen the sidewalk along the Fair Oaks Avenue frontage by three feet, providing a continuous 13-foot wide sidewalk along the project frontage. The 13-foot wide sidewalk will allow for the needed space to accommodate a bus shelter and pedestrian access to a heavily used bus stop location.

The existing public sidewalk along the Fair Oaks Avenue frontage is 10-feet wide. In 1982, an additional nine-foot wide easement along the Fair Oaks frontage of the project was dedicated to the City for street purposes. The easement is located west of the existing public sidewalk along the west side of Fair Oaks Avenue from the southerly California Boulevard right-of-way line to 135 feet south. The original purpose for the easement was to widen Fair Oaks Avenue. Since Fair Oaks Avenue will not be widened, the City only requires the easterly three feet of the existing easement to provide for a 13-foot wide public sidewalk. The remaining portion of the existing easement is proposed for summary vacation.

The subject portion of Fair Oaks Avenue to be summarily vacated is approximately 135 feet in length, 6 feet wide, and has not been used for public street purposes for at least five consecutive years.

The subject portion of Fair Oaks Avenue to be summarily vacated is legally described in Exhibit "A" and is shown on Exhibit "B", both attached hereto.

Staff has determined that the area to be summarily vacated has no market value since it was obtained as an easement for public purposes only. In addition, the department has determined that there is no need, present or future, to retain this area for its intended public purpose. As a result, staff recommends the adoption of a summary vacation.

Authority for Summary Vacation

Chapter 4 of the California Streets and Highways Code, entitled "Summary Vacation," provides for summary vacations by adoption of a resolution without prior notice.

Vacation of this area may be directed under Sections 8331(a) and (b), 8333(a), and 8334 (a) of the California Streets and Highways Code. The vacation takes effect immediately upon the recording of the resolution.

Section 8331 of the California Streets and Highways Code has two conditions that must be met during the period of five consecutive years: (1) The portion has been impassable for vehicular travel, and (2) no public money was expended for maintenance on the portion. Both conditions are met.

Section 8333 of the California Streets and Highways Code has three conditions, only one of which must be met: The portion has not been used for its dedicated purpose for a period of five consecutive years preceding the proposed vacation. This condition has been met.

Section 8334 of the California Streets and Highways Code has two conditions, only one of which must be met: The excess right-of-way of street or highway is not required for street or highway purposes. This condition has been met.

If any evidence is presented at the time City Council votes to adopt the resolution which indicates that the portion does not meet any of the requirements of Sections 8331, 8333, or 8334, then that portion should be removed and considered for vacation using other statutory procedures.

Environmental Clearance

The environmental initial study and Mitigated Negative Declaration ("MND") that was adopted by the City Council on November 14, 2005, for the Huntington Memorial Outpatient Services Pavilion, cited in its project description that the summary vacation of a portion of Fair Oaks Avenue was needed for the project. The proposed summary vacation is deemed a subsequent step to implement the approved project. Under this circumstance, CEQA provides guidelines to determine whether a subsequent Negative Declaration is required or not. After reviewing the summary vacation, staff finds that no substantial changes in the

project have occurred and no new information of substantial importance has become known that would require major revisions to the MND.

FISCAL IMPACT

This summary vacation will eliminate any potential responsibility for maintenance or liability to the City. The owner has paid the costs for preparing, process, and recordation of the summary vacation. No revenue will be expended or generated by the adoption of this summary vacation.

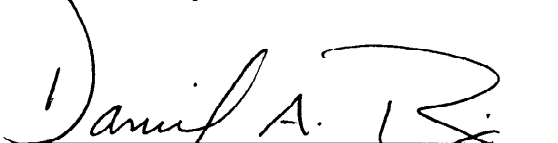
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

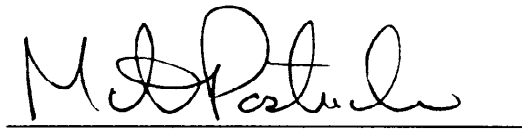
Prepared by:


Bonnie L. Hopkins
Principal Engineer

Reviewed by:


Daniel A. Rix
City Engineer

Approved by:


Martin Pastucha, Director
Department of Public Works

BLH
Attachments

EXHIBIT "A"

LEGAL DESCRIPTION FOR SUMMARY VACATION

THOSE PORTIONS OF LOTS 1, 2 AND 3 OF MARTIN'S SUBDIVISION, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS DESCRIBED IN THAT CERTAIN EASEMENT FOR STREET PURPOSES RECORDED JULY 8, 1982 AS DOCUMENT NO. 82-688649, AND AS SHOWN ALSO ON A MAP FILED IN BOOK 10, PAGE 48 OF MISCELLANEOUS RECORDS, ALL IN THE OFFICE OF THE RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTH LINE OF SAID LOT SOUTH 89° 52' 55" WEST 78.00 FEET;

THENCE PERPENDICULAR TO SAID NORTH LINE SOUTH 00° 07' 05" 15.00 FEET;

THENCE PARALLEL TO SAID NORTH LINE NORTH 89° 52' 55" EAST 48.03 FEET TO THE BEGINNING OF A 15.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18° 14' 39 " AND ARC DISTANCE OF 4.78 FEET TO THE **TRUE POINT OF BEGINNING**; A RADIAL THROUGH SAID BEGINNING BEARS NORTH 18° 07' 34" EAST;

THENCE CONTINUING SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 71° 52' 26" AN ARC DISTANCE OF 18.81 FEET;

THENCE SOUTH 00° 00' 00" EAST 119.97 FEET TO THE SOUTH LINE OF SAID LOT 3 DISTANT THEREON 15.00 FEET FROM THE SOUTHEAST CORNER THEREOF;

THENCE ALONG SAID SOUTH LINE NORTH 89° 52' 55" EAST 6.00 FEET;

THENCE PARALLEL TO THE CENTERLINE OF FAIR OAKS AVENUE AS SHOWN ON SAID MAP OF MARTIN'S SUBDIVISION AND 44.00 FEET WESTERLY THEREFROM NORTH 00° 00' 00" WEST 112.95 FEET TO THE BEGINNING OF A 22.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 75° 04' 25" AN ARC DISTANCE OF 28.82 FEET TO THE SAID **TRUE POINT OF BEGINNING**.

CONTAINING 754.15 SQUARE FEET, MORE OR LESS.

ALL AS SHOWN ON CITY OF PASADENA, DEPARTMENT OF PUBLIC WORKS DRAWING NO. 5666 ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED BY AND UNDER THE DIRECTION OF:



DAVID H. WILLIAMS, P.L.S. 4131
LICENSE EXPIRES 6/30/06

8/21/06

DATE:

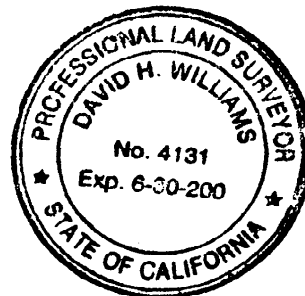
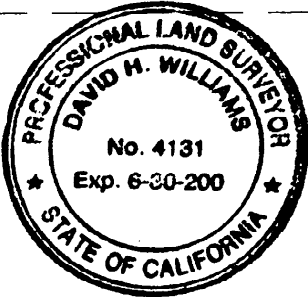
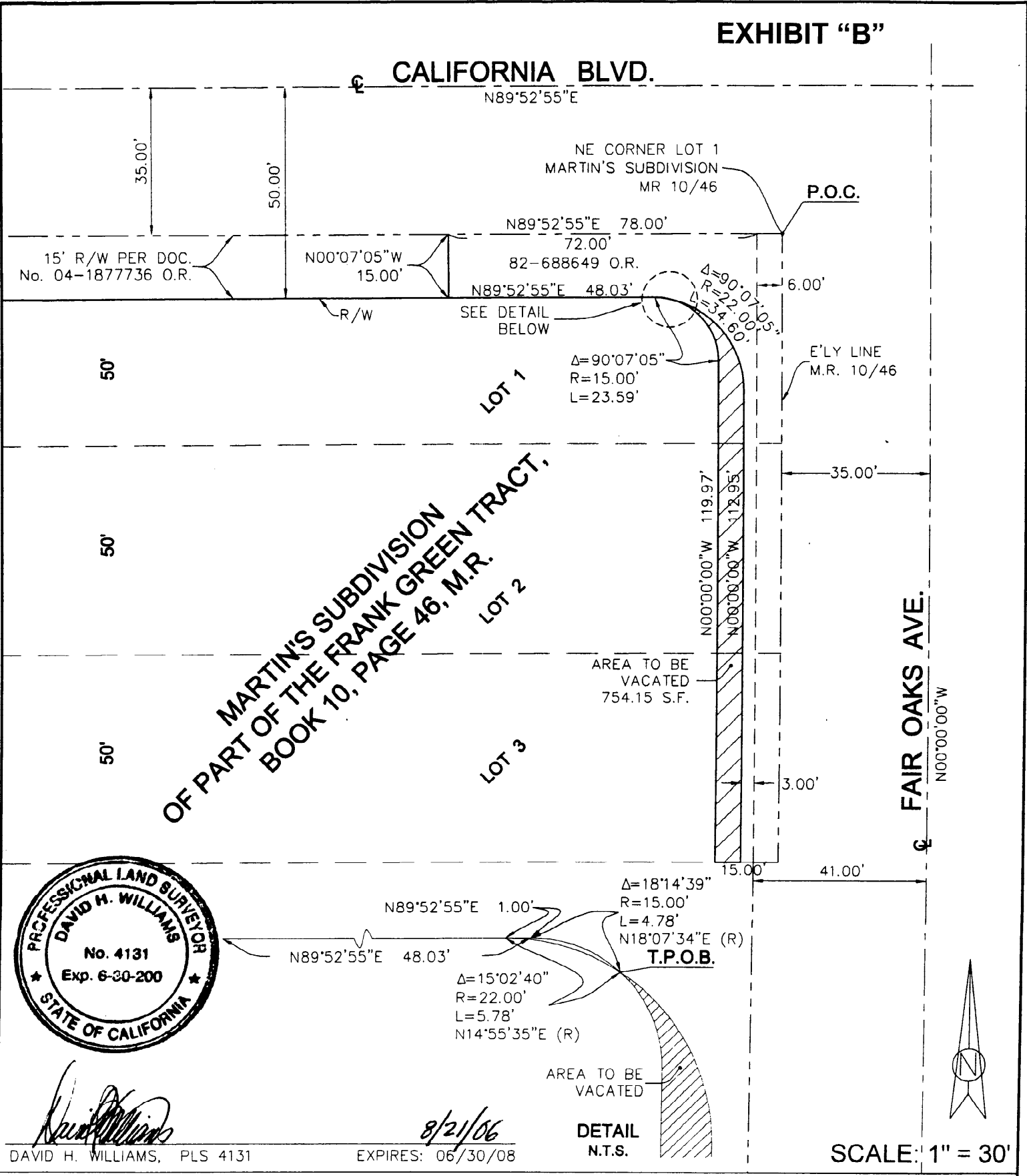


EXHIBIT "B"

CALIFORNIA BLVD.



David H. Williams

DAVID H. WILLIAMS, PLS 4131

8/21/06

EXPIRES: 06/30/08

**DETAIL
N.T.S.**

SCALE: 1" = 30'

CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

**SUMMARY VACATION OF PORTION OF FAIR OAKS AVE.
PER MAP OF MARTIN'S SUBDIVISION, M.R. 10 / 46**

DRAWN BY: H.I.
CHECKED BY: D.H.W.
SUBMITTED BY: TETRA TECH
FIELD BOOK No. NONE

APPROVED BY:

CITY ENGINEER

DATE

SCALE:
1" = 30'
DATED:
8/21/06
5666
SHEET 1 OF 1

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA SUMMARILY VACATING A PORTION OF FAIR OAKS AVENUE ADJACENT TO THE HUNTINGTON MEMORIAL OUTPATIENT SERVICES PAVILION, LOCATED AT 625 SOUTH FAIR OAKS AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA

WHEREAS, Pacific Medical Buildings (“applicant”) wishes to develop 625 South Fair Oaks Avenue (“the subject property”); and

WHEREAS, as a condition of development of the subject project, the City has received a request to summarily vacate a six-foot wide portion of Fair Oaks Avenue from California Boulevard to approximately 135 south of California Boulevard (“Fair Oaks Avenue Portion”); and

WHEREAS, the Fair Oaks Avenue portion is legally described in Exhibit “A” and as shown on Exhibit “B” (Department of Public Works Drawing No. 5666) on file in the office of the Director of Public Works; and

WHEREAS, the City Council approved the finding that there is substantial evidence that the summary vacation of the Fair Oaks Avenue Portion will have no significant effect on the environment based on the acknowledgement, of the City Council, that the Mitigated Negative Declaration has been adopted for the development on the subject property; and

WHEREAS, the City Council finds that there will be public benefits from the vacation and from the fulfillment of conditions associated with the development, all at no cost to the City, specifically the following: (a) the sidewalk along Fair Oaks Avenue

shall be widened to provide a 13-foot wide sidewalk for the needed space to accommodate a bus shelter and pedestrian access to a heavily used bus stop location; and (b) the public shall be relieved from future maintenance responsibility and associated liability for the vacated area.

WHEREAS, the summary vacation proceeding is and will be conducted pursuant to the requirements of the Chapter 4 of Part 3 of Division 9, Sections 8331, 8333, and 8334, of the Streets and Highways Code of the State of California:

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

1. The following findings are made:
 - a. That the Fair Oaks Avenue Portion has been impassible for vehicular travel for at least five consecutive years preceding this action.
 - b. That no public money was expended for maintenance on the Fair Oaks Avenue Portion for at least five consecutive years preceding this action.
 - c. That the Fair Oaks Avenue Portion has not been used for public right-of-way purposes for at least five consecutive years preceding this action.
 - d. That the Fair Oaks Avenue Portion is not required for street or highway purposes.
2. The City Council of the City of Pasadena hereby summarily vacates the Fair Oaks Avenue Portion; and
3. From and after the date this resolution is recorded, the Fair Oaks Avenue Portion will no longer constitute a present or future street, or public right-of-way.
4. The City Manager is authorized and directed to execute any necessary vacation documents.

5. The City Clerk shall certify to the adoption of this resolution, shall permanently maintain a copy thereof in the records of the City, and shall record a certified copy thereof in the Office of the County Recorder of Los Angeles.

Adopted at the _____ meeting of the City Council on the ____ day of _____, 2007, by the following vote:

AYES:

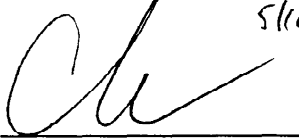
NOES:

ABSENT:

ABSTAIN:

JANE L. RODRIGUEZ, City Clerk

Approved as to form:

 5/10/07

Nicholas G. Rodriguez
Assistant City Attorney

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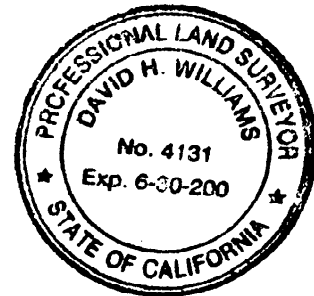
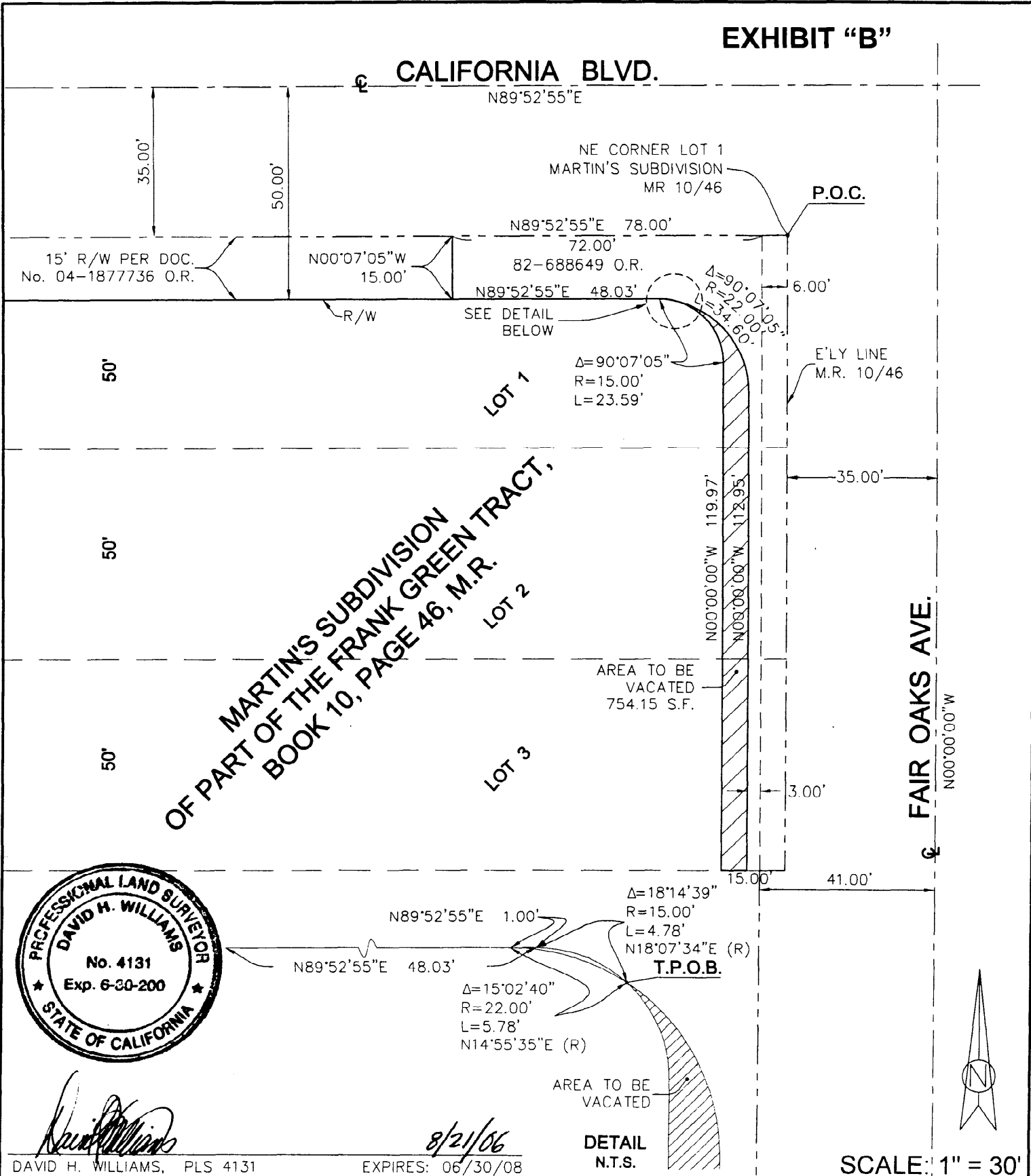


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8/21/06

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EXPIRES: 06/30/08

SCALE: 1" = 30'

CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

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CHECKED BY: D.H.W.		DATED: 8/21/06
SUBMITTED BY: TETRA TECH	APPROVED BY:	5666 SHEET 1 OF 1
FIELD BOOK No. NONE	CITY ENGINEER	DATE