

Agenda Report

DATE: August 6, 2012

TO: Honorable Mayor and City Council
FROM: Department of Public Works
SUBJECT: APPROVAL OF FINAL PARCEL MAP NO. 071790, FOR THE CREATION OF THREE LAND LOTS FROM ONE EXISTING LOT AT THE VONS SHOPPING CENTER, AT 2355 EAST COLORADO BOULEVARD

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt a resolution to approve Final Parcel Map No. 071790;
2. Accept the offer of easement dedication for utilities purposes as shown on said map; and
3. Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map.

HEARING OFFICER RECOMMENDATION:

The tentative vesting map was approved on May 2, 2012 by the Hearing Officer, to be recorded within three years.

BACKGROUND:

The subject development was approved by the City as Conditional Use Permit No. 5237 on August 19, 2009. The project site has frontages on Colorado Boulevard, Sierra Madre Boulevard, and Walnut Street. The development consisted of the demolition of an existing Vons grocery store and Rite-Aid pharmacy, and the construction of a new Vons grocery store and three other retail buildings for multiple tenants. All construction including the public improvements was completed in September 2011. The project site is intended to be subdivided into three individual parcels for future separate real property transactions, enhancing the asset solvency for the developer.

The subject Final Parcel Map, for the creation of three land lots from one existing lot at the Vons Shopping Center, at 2355 East Colorado Boulevard, was reviewed and approved in tentative form by the Subdivision Committee on May 2, 2012.

The developer's engineer has completed the final parcel map which has been reviewed by a licensed surveyor. Said map, as shown in Attachment A, is now ready for the City Council's approval prior to recordation in the office of the County Recorder. The developer has complied with or provided surety for all the conditions of approval required by the City, including monumentation. Included among these conditional requirements was the dedication of easements from parcels one and two for utilities purposes.

The dedication is shown on the Final Parcel Map for this development and is recommended for acceptance by the City Council. All construction has been completed under approved permits and the Certificates of Occupancy for the new buildings were issued in 2011.

As part of the Conditions of Approval from the Planning Department, a parking covenant shall be recorded with the Los Angeles' County Recorder's Office and a copy filed with the Zoning Administrator prior to the approval of the Final Parcel Map. The purpose of the covenant shall be to ensure that all parking spaces are mutually available for use by all three lots unless and until other parking arrangements are established which satisfy the requirements of the Pasadena Municipal Code. Said covenant, which is titled as "Affidavit to Provide Shared On-site Parking Lot Spaces," has been reviewed and approved by the Zoning Administrator, and was recorded as Document No. 20120966049 with the Los Angeles' County Recorder's Office. It is included herein as Attachment B.

This project is not required to comply with the Inclusionary Housing Requirements of Pasadena Municipal Code Title 17, Chapter 17.42 or the Tenant Protection Ordinance - Pasadena Municipal Code (PMC) Chapter 9.75.

COUNCIL POLICY CONSIDERATION:

The proposed final parcel map is consistent with the following General Plan Objectives and Policies: Objective 1 – Growth will be targeted to serve community needs and enhance the quality of life; Policy 1.1 – Targeted Development Areas; and Policy 1.3 – Transit-Oriented and Pedestrian Oriented Development.

ENVIRONMENTAL ANALYSIS:

The Hearing Officer adopted the environmental determination that the project is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 4 §15304, Minor Alterations to land). The proposed Final Parcel Map is for a mapping action and does not include review of physical changes to the site.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA APPROVING FINAL PARCEL MAP NO. 071790, FOR THE CREATION OF THREE LAND LOTS FROM ONE EXISTING LOT AT THE VONS SHOPPING CENTER, AT 2355 EAST COLORADO BOULEVARD

WHEREAS, the Subdivision Committee of the City of Pasadena approved the tentative map for Parcel Map No. 071790 on May 2, 2012;

WHEREAS, the Department of Public Works of the City of Pasadena has determined that the developer of said parcel has complied with all conditions of approval and other standards and requirements imposed by the City;

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

1. That final map for Parcel Map No. 071790, for the creation of three land lots from one existing lot at the Vons shopping center, at 2355 East Colorado Boulevard, presented herewith, is approved;
2. The offer of easement dedication for utilities purposes as shown on said map, presented herewith, is approved and accepted; and
3. The City Clerk is authorized and directed to execute the Certificate on the map showing the City's approval of said map.

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:



Frank Rhemrev
Assistant City Attorney

PARCEL MAP NO. 71790

LOCATED IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF ALL OF LOTS 1 AND 34 OF THE EAST COLORADO TRACT AS PER MAP RECORDED IN BOOK 7, PAGE 70 OF MAPS, AND A PORTION OF THE RANCHO SANTA ANITA, DESCRIBED AS A WHOLE AS PER THAT CERTAIN GRANT DEED TO SAFEWAY INC., A DELAWARE CORPORATION RECORDED APRIL 4, 2001 AS INSTRUMENT NO. 01-0561559 OFFICIAL RECORDS OF SAID COUNTY, TAIT & ASSOCIATES, INC.

SUBDIVISION STATEMENT

THIS PROPERTY IS BEING SUBDIVIDED FOR THE PURPOSES OF LEASE, TAXES, SALE AND/OR MAINTENANCE. A PROPER SET OF CD&R'S, REA OR EQUIVALENT SHALL BE PREPARED PRIOR TO THE SALE OF ANY PROPOSED PARCEL SHOWN HEREON.
JANUARY 2012

OWNER'S STATEMENT:

WE, THE UNDERSIGNED, BEING THE OWNERS OF, OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION.

WE HEREBY DEDICATE TO THE CITY OF PASADENA THE EASEMENTS FOR UTILITIES PURPOSES AS DEDICATED AND AS SHOWN ON SAID MAP AND ALL USES INCIDENT THERETO, INCLUDING THE RIGHT TO MAKE CONNECTIONS THEREWITH FROM ANY ADJOINING PROPERTIES.

CTFF PASADENA VONS SHOPPING CENTER CORPORATION,
A DELAWARE CORPORATION

BY: [Signature]

PRINT NAME: Scott Darling

PRINT TITLE: President

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SAFEWAY INC., IN JANUARY 2012. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP IF ANY; THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

[Signature] 7/30/2012
DUSTIN BYRON WILTON PLS 8080 DATE
LICENSE EXPIRES 12/31/2013



CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT IT SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP AND ALL APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION ORDINANCES OF THE CITY OF PASADENA APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT WITH RESPECT TO CITY RECORDS; AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT SECTION 66450 (a)(1),(2) AND (3) HAVE BEEN COMPLIED WITH.

CITY ENGINEER, CITY OF PASADENA DATE
DANIEL A. RIX ROE 38689
REGISTRATION EXPIRES 3/13/2013

CITY SURVEYOR'S STATEMENT:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND THAT IT COMPLIES WITH ALL PROVISIONS OF STATE LAW APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

[Signature] 7-31-12
ROBERT D. VASQUEZ DATE
PLS 7300
LICENSE EXPIRES 12-31-2012



I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ _____ HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES ON THE LAND SHOWN ON MAP OF PARCEL MAP NO. 71790 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____ DATE _____
DEPUTY

I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____ DATE _____
DEPUTY

STATE OF CALIFORNIA

COUNTY OF Los Angeles

ON 7/30/12 BEFORE ME Carol Perez PERSONALLY APPEARED

Scott Darling
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE [Signature]

NAME OF NOTARY Carol Perez

COUNTY IN WHICH COMMISSIONED Los Angeles

DATE COMMISSION EXPIRES March 19, 2013

COMMISSION NUMBER 1640887



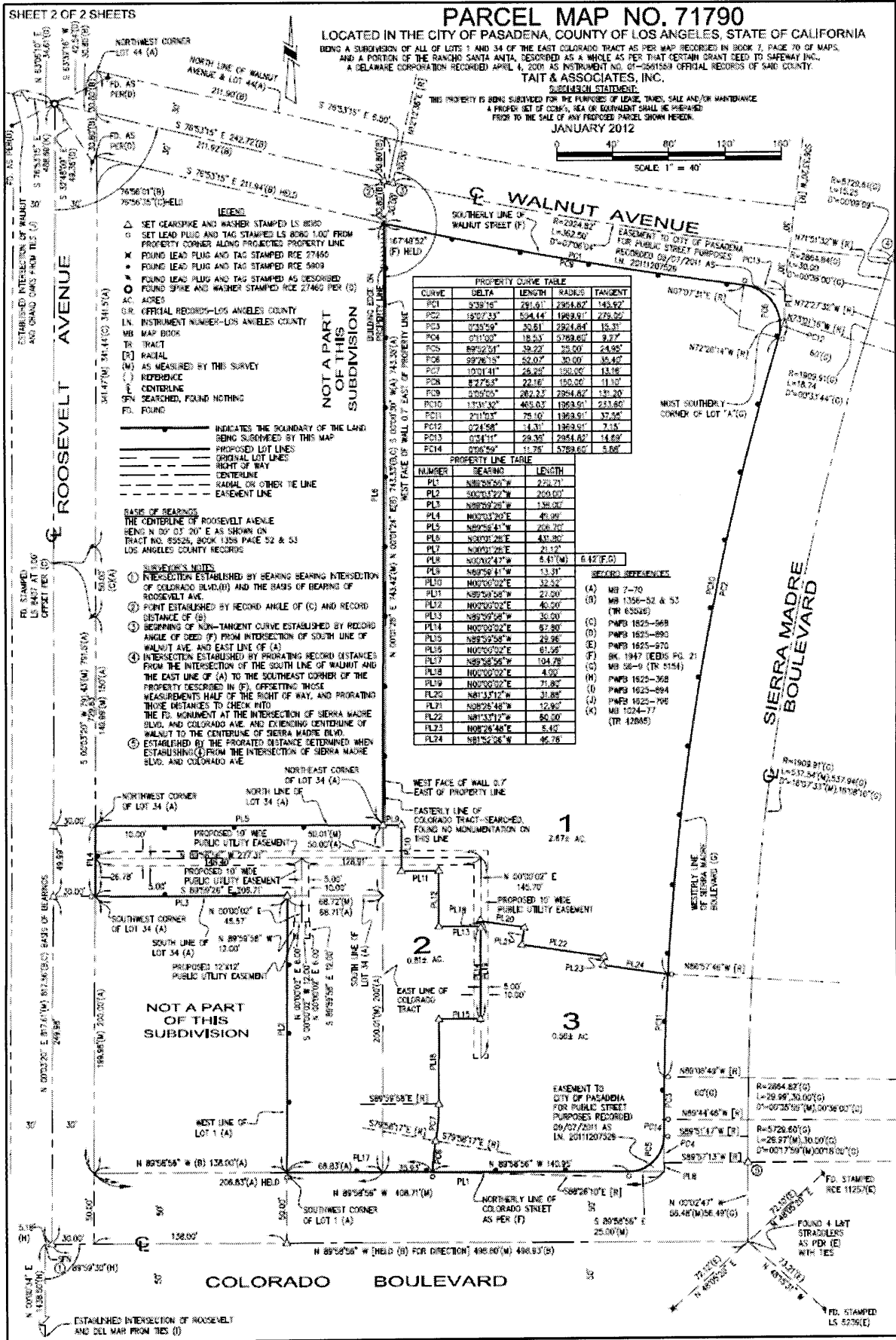
CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF PASADENA BY RESOLUTION NO. _____ PASSED ON THE _____ DAY OF _____, 2012 APPROVED THE ATTACHED MAP AND ACCEPTED THE EASEMENTS FOR UTILITIES PURPOSES SHOWN ON SAID MAP.

CITY CLERK _____ DATE _____
CITY OF PASADENA

SIGNATURE OMISSION NOTE:

THE SIGNATURE OF THE CITY OF PASADENA, HOLDER OF AN EASEMENT FOR PUBLIC STREET BY A DOCUMENT RECORDED ON SEPTEMBER 7, 2011 AS INSTRUMENT NUMBER 20111207529, O.R. MAY BE OMITTED UNDER THE PROVISIONS OF SECTION 66436 OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE LOCAL AGENCY



Attachment B

RECORDING REQUESTED BY:)

City of Pasadena)

AND WHEN RECORDED MAIL TO:)

City of Pasadena,)
Attention: Zoning Administrator,)
Re: Tentative Parcel Map 071790)



Space for Recorders Use Only

**AFFIDAVIT TO PROVIDE
SHARED ON-SITE PARKING LOT SPACES**

The undersigned hereby certifies that we are the owner(s) of the business located at the legally described real property located in the City of Pasadena, County of Los Angeles, State of California:

Location of the Buildings/Uses: 2335, 2345 and 2355 East Colorado Blvd,
Pasadena CA 91107

Business Name: Von's Shopping Center (Safeway Inc., a Delaware Corporation)

In conjunction with the approval of Tentative Parcel Map (TPM) #071790, the above Von's Shopping Center is required to provide a total of 320 on-site parking spaces. Of the 320 parking spaces 315 shall be shared by all uses on the sites and 5 shall be for exclusive use by the grocery store (Von's). In order to comply with Section 17.46.040 of the Pasadena Municipal Code, these 315 parking spaces shall be retained for use by the three lots created by TPM #071790 (as shown in the site plan attached hereto as Exhibit A). The below signed authorized representative shall provide a minimum of 30-day's notice to the City of Pasadena prior to the termination of or any change to the shared parking. Notice shall be in writing and addressed to the City of Pasadena, Attention: Zoning Administrator, Re: Case No. TPM #071790.

This agreement shall run with the life of the above use (shopping center) and the benefits granted under. TPM #071790. The requirement to provide 320 on-site parking spaces shall be in full force and effect as long as the use is located at the above cited address or until the Zoning Administrator of the City of Pasadena determines the on-site parking spaces identified by this affidavit are no longer required by law. Failure to provide such on-site parking spaces may result in the revocation of the entitlements granted under TPM #071790.

Business Owner: _____

Safeway, Inc.
a Delaware Corporation

By: K. Elliott

Name: Karen Elliott

Title: Assistant Vice-President

By: [Signature]

Name: Steven J. Gouig

Title: Assistant Secretary

SEE NEXT PAGE

K.E.

Attachment B

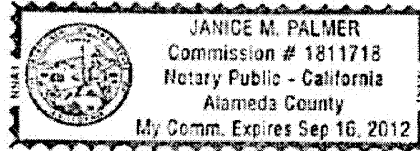
State of California }
County of Los Angeles } S.S.

(Operator must notarize its signature)

On May 24, 2012, before me, Janice M. Palmer, Notary Public, personally appeared Karen Elliott & Steven J. Gouig, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~was~~ are subscribed to the within instrument and \ to me that ~~he/she/they~~ they executed the same in his/~~her~~/their authorized capacity (ies), and that by ~~his/hers~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Signature Janice M. Palmer
Signature of Notary Public

DO NOT RECORD UNTIL PAGE 2 BEEN COMPLETED BY THE CITY

BELOW FOR CITY OF PASADENA USE ONLY

Dated: 6/4/12 By: [Signature]
Zoning Administrator Signature

State of California }
County of Los Angeles } S.S. }

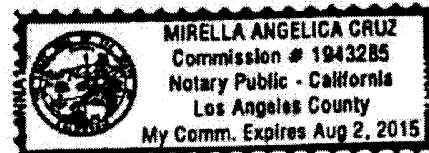
On June 4, 2012, before me, Mirella Angelica Cruz, Notary Public, personally appeared David M. Reyes, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ they executed the same in his/~~her~~/their authorized capacity (ies), and that by his/~~her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature Mirella A. Cruz
Signature of Notary Public

(seal)



Attachment B

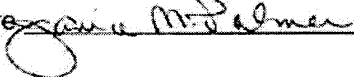
State of California

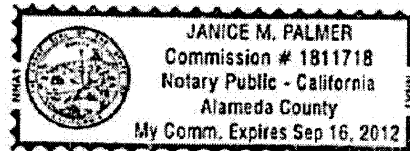
County of Alameda

On May 24, 2012 before me, Janice M. Palmer, Notary Public
(Insert Name of Notary Public and Title)
personally appeared Karen Elliott and Steven J. Gouig,
who proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that
~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by
~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 



(Seal)