

Agenda Report

DATE: APRIL 26, 1999

TO: CITY COUNCIL
THROUGH THE DEREGULATION COMMITTEE

FROM: CYNTHIA J. KURTZ, CITY MANAGER

SUBJECT: DECLARATION OF CERTAIN CITY-OWNED LAND (FORMER MILLARD RESERVOIR SITE) AS SURPLUS AND APPROVAL OF THE SALE THEREOF

RECOMMENDATION:

It is recommended that the City Council adopt a resolution:

- A. Finding and determining that certain City-owned land located on the west side of Canyon Ridge Drive (a private street), just west of Lincoln Avenue, Altadena, (hereinafter referred to as "subject property") falls under Class 12 of Categorically Exempt Projects, and thus, exempt from the requirements of the California Environmental Quality Act (CEQA), and direct the City Clerk to file a Notice of Exemption, with the Los Angeles County Recorder;
- B. Declaring that the subject property is not needed for the purpose for which it was acquired or for any other public purpose and is, therefore, surplus real property; and
- C. Directing that the subject property be sold through a public noticed competitive bid process, pursuant to Charter Section 4.02 of the Pasadena Municipal Code.

BACKGROUND:

The subject property is located on the west side of Canyon Ridge Drive (a private street), just west of Lincoln Avenue, Altadena (unincorporated county territory). The Water and Power Department purchased this property in 1946 as an operating sunken reservoir. In 1992 a replacement reservoir was constructed at higher elevations, rendering the subject property surplus. Subsequently, the subject reservoir was demolished and the site back filled consistent with established guidelines.

The subject property consists of a flag lot containing about 16,314 gross square feet. The topography is highly variable with the easterly portion of the site, along Canyon Ridge Drive a relatively level pad, then the parcel slopes steeply downward towards Canyon Crest Road. The subject property is a single family residentially zoned vacant land parcel which can also be identified as Los Angeles County Assessor's Tax Parcel; APN 5830-008-270, 271.

The subject parcel appears to be adequate in size and shape to allow single family residential development. Due to building setback requirements and topographical factors, it is anticipated that development would be of cantilevered design.

The subject property's legal access is achieved via a long narrow access strip to Canyon Crest Road. This access strip contains several oak trees and is encroached upon by an ownership located immediately to the south.

The subject property also has physical frontage along Canyon Crest Road, a private residential street. While the subject does not have legal access to this street, it is anticipated that vehicular access could be achieved from a local home owner's association. Legal access from Canyon Crest Road would improve the subject property's potential for residential development.

An Environmental Exemption has been issued relative to the abandonment of the former reservoir. According to the exemption, no further environmental action is anticipated. Additionally, a Certificate of Compliance has been issued for the subject property, and recorded on July 17, 1997, as Instrument No. 97-1080606. This document, provides that the subject is a legal lot. Any activity that may impact an oak tree requires an Oak Tree Permit from the County of Los Angeles.

On January 12, 1998, the City received a formal letter from an adjacent property owner, who reportedly represents two other adjacent owners. This correspondence references, among other factors: 1) alleged access and pipe line easements, 2) use limitations and 3) an agreement to reconvey. A preliminary City Attorney's opinion failed to find substantive merit in these arguments, but did advise that potential purchasers be advised of them.

On May 11, 1998, a second letter from the adjacent owner was received. Basically, this correspondence requested that the subject property be sold under subparagraph F of Section 4.02.040 of the Code. This Code section provides that "Sale to an adjoining landowner of surplus residentially zoned real property which is found by the [City Council] to be so impaired in configuration as to be unbuildable as a separate parcel is not subject to competitive bid process".

In addition to the above discourse, the City has received unsolicited requests to purchase the subject property from other area property owners.

Staff has concluded that it is in the City's best interest to sell the subject property under the following conditions:

- A. In its current state, without obtaining access to Canyon Crest Road.
- B. Without complete resolution of the encroachment by the adjacent parcel to the south.
- C. On an open competitive bid basis.
- D. With consideration to the interests of the adjacent owners.
- E. Condition that all potential purchasers be advised of the latent claim discussed above.

As required by the Pasadena Municipal Code, the Housing and Development Department advised all City departments of the possible sale of the subject property and asked them to notify that department should they have any present or anticipated future interest in the subject property. As of this date, the Housing and Development Department has received no notification of any interest in the subject property.

As required by the California Government Code, all appropriate state, county and local, park, housing and educational institutions in which jurisdiction the subject property is located have been advised of the possible sale of the subject property. As of this date, no interest in the subject property has been received from any of these agencies.

CONCLUSION

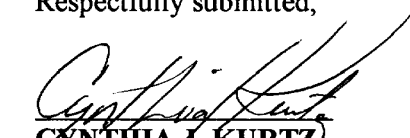
Staff believes that the best course of action at this time is for the property to be declared surplus and sold on an open competitive bid basis with consideration given to the adjacent owners. Processing of this sale should be administered by staff in accordance with the requirements of Chapter 4.02 of the Code relating to the sale of surplus property.

Staff shall directly notify the homeowners' association and the adjacent property owners of the pending sale of the subject property and the City's willingness to cooperate with them on the site's division.

FISCAL IMPACT

Revenue received from the sale of the property in the probable amount of \$48,000 (less escrow and closing costs) will be deposited into Water Fund No. 402.

Respectfully submitted,

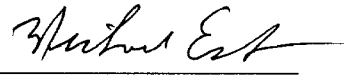

CYNTHIA J. KURTZ
City Manager

Prepared by:




PETER E. PETZOLD
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Approved as to form:



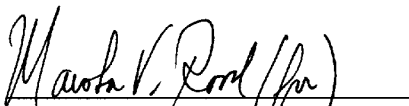
MICHAEL ESTRADA
Assistant City Attorney

Concurrence:

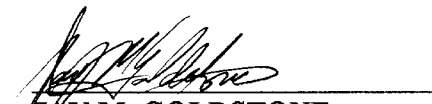


MANUEL NEGRETE JR
Real Property Manager

Approved by:



STEPHEN G. HARDING
Interim Director, Housing and Development Department



JAY M. GOLDSTONE
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