

# Agenda Report

**DATE:** MARCH 12, 2001

**TO:** CITY COUNCIL

**FROM:** CYNTHIA J. KURTZ, CITY MANAGER

**SUBJECT:** **DECLARATION THAT CERTAIN CITY-OWNED REAL PROPERTY LOCATED BETWEEN 1518 AND 1530 SUNSET AVENUE IS EXEMPT FROM SECTION 4.02 OF THE PASADENA MUNICIPAL CODE AND AUTHORIZATION TO SELL ON A DIRECT BASIS TO THE ADJACENT LANDOWNERS BY FINDING THAT AN EXTRAORDINARY OVERRIDING PUBLIC BENEFIT WOULD BE ACHIEVED**

**RECOMMENDATION:**

It is recommended that the City Council:

- A. Find and determine that certain City-owned land located between 1518 and 1530 Sunset Avenue, (hereinafter referred to as "the Property") falls under Class 12 of Categorically Exempt Projects, and is 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. Declare that an extraordinary overriding public benefit would be achieved by merging the Property with adjacent land, thereby finding that the sale of the Property to an adjacent landowner is exempt from Section 4.02 of the Pasadena Municipal Code; and
- C. Direct that the Property be sold to the adjoining landowners pursuant to the Pasadena Municipal Code and authorizing the City Manager to take all actions necessary to effectuate the sale.

**ADVISORY COMMITTEE RECOMMENDATIONS**

During its January 17, 2001 meeting the Northwest Commission recommended this sale by finding that an extraordinary overriding public benefit would accrue to the immediate neighborhood. Further, the Northwest Commission recommends the proceeds of the sale be utilized at Jackie Robinson Center. Consistent with past practice, Staff does not recommend that these funds be appropriated at this time. At such time as funds are necessary for a proposed project at Jackie Robinson Center, staff will recommended an appropriate course of action.

**BACKGROUND:**

On October 31, 2000, the City received an offer to purchase the vacant, RM 12 zoned site located between 1518 and 1530 Sunset Avenue from Jose Cordero, the adjacent landowner to the south. Subsequent investigations disclosed that the adjacent landowners to the north, Rosalio Valles and Tomasa Lucero are also interested in purchasing the Property.

Negotiations between the City and the adjacent landowners resulted in a price agreeable to all parties in light of the restricted purposes for which the Property is capable of being used and Good Faith deposits have been received. Due to the lot's small size and the high-density of existing developments in the neighborhood, staff recommends that the Property should not be sold to a noncontiguous third party purchaser or developed as a separate parcel.

The somewhat sloped Property has 37.6 feet of frontage to a slightly varying depth averaging 87.3 feet, for a total land area of, 3,271 square feet. The Los Angeles County Assessor's Parcel Number is: Book 5728, Page 016, Parcel 900. Please see attached Plat Map labeled Exhibit "A" for additional details.

While the Property does not meet the minimum requirements for a new lot, it predates enactment of applicable ordinances relative to current development standards and is therefore "buildable" as a separate parcel due to grandfather clauses. The Property has been idle since it was acquired by the City from the Department of Housing and Urban Development in 1975.

Section 4.02.040(F) of the Pasadena Municipal Code ("Code") provides that a sale to an adjoining landowner of surplus residentially zoned real property which is less than one half the minimum lot area and width required by the zone is exempt from the other provisions of the Code relative to the sale of surplus land.

Under the provisions of the RM-12 zone, the minimum lot area is 7,200 square feet and the minimum lot width is 55 feet. Accordingly, the Property fails to qualify for an exemption under Section 4.02.040(F) because it is ten feet more than one half the

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minimum width and 329 square feet more than one half the minimum lot area required by the zone.

Code Section 4.02.040(F) also provides that a sale to an adjoining landowner is exempt from the other provisions of the Code if the land is found by the City to be so impaired in configuration as to be unbuildable as a separate parcel.

Furthermore, Code Section 4.02.030 provides exception from the competitive sale requirement and allows direct negotiations with adjoining landowners provided that an extraordinary overriding public benefit is achieved. Such public benefit may relate to the "economic and public well being of other properties in the immediate vicinity." The two parcels adjacent to the Property consists of 3,200 square foot lots improved with 600 square foot single family dwellings constructed in the early 1920's. This high-density development is characteristic of other parcels in the immediate vicinity. In addition, the small size and narrow width of lots created by the original subdivision precludes expansion of existing homes, thereby discouraging renovation.

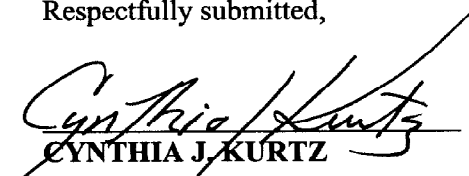
Staff believes that the best course of action at this time is to split the Property and sell half to the adjoining landowners on the north and south, on a direct sale basis. The purchasers would be required to merge the Property with their adjacent lands, hold them as one parcel and covenant not to increase the unit density on the land. The processing of the sale would be administered by staff in accordance with the requirements of the Code relating to the sale of real property.

The Environmental Administrator has determined that the finding that an extraordinary public benefit would be achieved by selling the Property to adjacent landowners is categorically exempt from CEQA under CEQA Guidelines Section 15312, Surplus Government Property Sales.

**FISCAL IMPACT:**

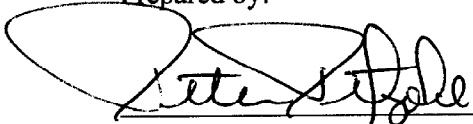
The estimated fair market value of the Property in light of the use restriction of \$17,000 (net) will be deposited into the Charter Capital Endowment Fund. At such time that projects are proposed for Jackie Robinson Center, these funds are a potential funding source.

Respectfully submitted,

  
CYNTHIA J. KURTZ  
City Manager

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Surplus/Sunset/Agenda