

Agenda Report

TO: CITY COUNCIL

Date: March 25, 2002

FROM: City Manager

SUBJECT: License Agreement Between the City of Pasadena and SNK Peabody Pasadena LLC, for the Installation of Decorative Brick Pavers and a Modified Drive Approach in the Public Right-of-Way at 325 Cordova Street

RECOMMENDATION:

It is recommended that the City Council adopt a resolution approving a License Agreement with SNK Peabody Pasadena LLC, located at 325 Cordova Street, with the terms and conditions as set forth in the background section of this report, and authorize the City Manager to execute and the City Clerk to attest, said License Agreement, on behalf of the City of Pasadena.

BACKGROUND:

In conjunction with the construction of the multi-level residential complex at 325 Cordova Street, the developer, SNK Peabody Pasadena LLC ("Licensee"), has requested a license agreement to install decorative sidewalk along Cordova Street frontage of the subject property. In addition, the developer has requested a license agreement for a modified drive approach. During the construction phase of this development, it was determined that the ground level entrance to the complex at the Euclid Avenue frontage was not constructed according to the approved plans and could not meet the height clearance of 10 feet as required by the Building Code. In order to avoid major design and construction revisions to the pre-approved building plans, the developer requested approval to construct a modified, depressed, drive approach to meet the correct height requirement.

Because of the potential for high storm water runoff at this location, a standard drive approach is needed to contain the runoff and prevent the flooding of the subterranean parking area. By depressing the drive approach to provide the required height clearance, the potential for flooding is substantially increased. Rather than redesign and reconstruct a portion of the building, the developer has agreed to execute a license agreement relieving the City of liability in the event that the subterranean parking area floods as the result of the depressed drive approach.

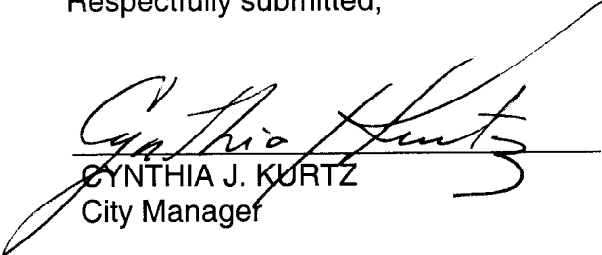
A license agreement, authorizing encroachment and setting forth the terms for maintenance and liability, has been executed by the developer and is ready for approval by the City Council. This matter is categorically exempt from CEQA (Section 15301, Class 1, Subsection (C)) being a minor alteration to existing public sidewalk.

The proposed License Agreement areas are described in the Legal Description (Exhibit "A") and are shown on the City of Pasadena Public Works and Transportation Drawing No. 5173 (Exhibit "B"). Both documents are attached.

FISCAL IMPACT:

There is no fiscal impact. Applicant has paid for the staff costs to prepare and process the license agreement documents.

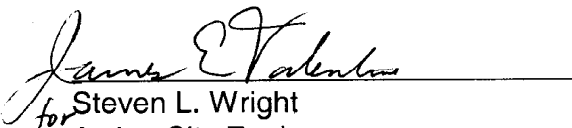
Respectfully submitted,


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City Manager

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Julie A. Gutierrez, Acting Director
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BLH:bs

Attachments