

# Agenda Report

**TO:** CITY COUNCIL

**Date:** July 11, 2005

**FROM:** CITY MANAGER

**SUBJECT:** VACATION OF A PORTION OF BELLEVUE DRIVE BETWEEN  
RAYMOND AVENUE AND THE METROPOLITAN TRANSPORTATION  
AUTHORITY RIGHT-OF-WAY

## RECOMMENDATION

It is recommended that the City Council take the following actions:

1. Hold a public hearing on the proposed vacation and hear evidence offered by persons interested;
2. Adopt the attached resolution that:
  - (a) Acknowledges the adoption of the Environmental Initial Study and Negative Declaration indicating that no significant changes in the environment would result from the street vacation (Attachment "A");
  - (b) Finds that the proposed vacation of the subject portion of Bellevue Drive is consistent with the General Plan Mobility Element, and is unnecessary for present or prospective public use for traffic purposes;
  - (c) Orders the vacation of the subject portion of Bellevue Drive based on certain conditions set forth in Exhibit "C", including the condition that the applicants provide proof that they have interest in fee to the underlying property of the proposed portion of Bellevue Drive, if and only if these certain conditions are met.

3. Declare that the City's interest in the proposed vacated street is an easement only with a fair market value of less than \$1,000, and therefore the City's interest in the property is not subject to the provisions of Chapter 4.02 of the Pasadena Municipal Code as indicated in Section 4.02.040(A) of said chapter;
4. Authorize the City Manager to execute a Condition Satisfaction Contract between the City and the applicants.

### **PLANNING COMMISSION REVIEW**

On June 8, 2005, the Planning Commission reviewed and recommended that the City Council approve the proposed street vacation as presented by staff.

### **BACKGROUND**

The proposed vacation of a portion of Bellevue Drive between Raymond Avenue and the MTA right-of-way is for Union Station Foundation, located at 412 South Raymond Avenue, and for Plati German Car Service and Repair, located at 422 South Raymond Avenue. Pursuant to PMC Section 2.105.110 (4.a.), the Planning Commission is required to consider and make recommendations to the City Council regarding any proposed vacation of a public right-of-way. The California Streets and Highways Code establishes a two-step process for the City Council. The first step is adoption of a Resolution of Intention and setting of a public hearing. The second step, if approved by the City Council, is the holding of a public hearing and adoption of a Resolution Ordering the Vacation. Staff will prepare a report and set of recommendations for the hearing on July 11, 2005. Staff has contacted all utilities, county agencies, MTA, Caltrans, and City departments and there are no objections to the proposed vacation. Any requirements for easements will be incorporated into the Condition Satisfaction Contract upon the approval of the vacation.

The subject portion of Bellevue Drive to be vacated is legally described in Exhibit "A" and is shown on Exhibit "B", both attached hereto.

Union Station Foundation, the property owners of the property on the north side of Bellevue Drive, and Plati German Car Service and Repair, Inc., the property owners on the south side of Bellevue Drive, have requested the vacation of a portion of Bellevue Drive between Raymond Avenue to the MTA right-of-way.

Prior to 1998, Bellevue Drive was a through street from Raymond Avenue to Arroyo Parkway. On November 2, 1998, a resolution was adopted by the City

Council to close certain streets without vacation for the purpose of the Gold Line to ensure safety and protection of the general public during the times the Gold Line is in operation and crossing City streets. Bellevue Drive was not officially closed to through traffic until construction of the Gold Line began in this area.

The proposed vacation will improve safety and provide protection for both vehicles and pedestrians. With the vacation of Bellevue Drive, the property owners will be required to close the street and construct a standard drive approach. This will improve safety by eliminating an intersection on the east side of Raymond Avenue. Drivers will no longer find themselves on a dead-end street only to have to make a U-turn to get back to Raymond Avenue. By requiring a drive approach, pedestrians will be given protection from vehicles with the installation of sidewalk across the entire 80 feet of Bellevue Drive. Finally, maintenance costs will be reduced in that the City will no longer need to maintain a dead-end street that only serves three properties.

The only properties with access from the proposed portion of Bellevue Drive are Union Station Foundation, Plati German Car Service and Repair, and the MTA. When Bellevue Drive was closed to through traffic, Union Station Foundation and Plati German Car Service and Repair contacted the City to re-stripe the subject portion of Bellevue Drive to allow more parking. The city accommodated this request since Bellevue Drive was no longer a through street and installed 90-degree parking. These parking spaces primarily serve these two properties. The third property, MTA, which has access via Bellevue Drive, has requested that an ingress/egress easement be granted to maintain access to their property. This will be a condition of the vacation if approved by the City Council.

The City's interest in the subject portion of Bellevue Drive is in easement only, for public purposes. The vacation will convey all rights to the abutting property owners except for public utility easements and a private ingress/egress easement for MTA to service their property. As a result of the easements, no structures will be allowed on the subject portion of Bellevue Drive that is reserved for these easements. The property owners are not proposing any changes in usage of the subject portion of Bellevue Drive which is currently being used for parking and/or storage of vehicles which is consistent with the adjacent uses of the abutting properties owned by Union Station Foundation and Plati German Car Service and Repair.

Since Bellevue Drive between Raymond Avenue and Arroyo Parkway has been permanently closed to through traffic for approximately three years, the Departments of Public Works and Transportation have determined that the proposed vacation of Bellevue Drive will not have an adverse impact on traffic circulation in the area.

## **GENERAL PLAN CONSISTENCY**

The proposed street vacation of Bellevue Drive, between Raymond Avenue and the MTA right-of-way is located within an area designated as the Central District Specific Plan in the 2004 Land Use Element of the General Plan.

The area of Bellevue Drive proposed to be vacated is immediately to the east of Raymond Avenue, which is designated as a multimodal corridor according to the 2004 Mobility Element. The vacation of Bellevue Drive will not detract from the intended function of Raymond Avenue as a multimodal corridor. In addition, the proposed street vacation helps further the following policies of the Mobility Element:

Policy 2.7 – Promote improvements for pedestrians to support vibrant and active streets and major places of activity.

Policy 4.5 – Ensure safe and efficient travel and traffic management throughout the City, while providing adequate access for all users.

Policy 4.15 – Limit the intrusion of commercial truck traffic on City streets by directing truck traffic to major arterials and enforcing related regulations on local streets.

Policy 4.16 – Recognize and accommodate the distinctive needs of the users of multimodal corridors as well as the particular needs of major destinations.

## **ENVIRONMENTAL CLEARANCE**

An environmental initial study was completed for the proposed vacation of Bellevue Drive between Raymond Avenue and the MTA right-of-way. The initial study found that the street vacation will not result in any significant impact on the environment resulting in a Negative Declaration.

## **NEIGHBORHOOD MEETINGS**

A neighborhood meeting was held on Thursday, June 2, 2005, to receive comments from property owners and the surrounding neighborhoods regarding the proposed vacation of Bellevue Drive between Raymond Avenue and the MTA right-of-way. Those invited to the neighborhood meeting included property owners and occupants of buildings located within a 500-foot radius of the subject portion of Bellevue Drive. At the meeting were representatives from Union Station Foundation and Plati German Car Service and Repair. In addition, there were two attendees from the community, one representing the property located

at 500 South Raymond Avenue and one representing U-Haul of Pasadena located at 552 South Raymond Avenue.

Both representatives from 500 and 552 South Raymond Avenue had questions regarding the vacation process of a street which was addressed by staff. The representative of 500 South Raymond Avenue asked a question about meeting parking requirements for his future project and how the vacation of Bellevue Drive would impact this requirement. Staff informed him that public parking could not be used as a means of meeting his parking requirements and, therefore, the vacation of Bellevue Drive would have no impact on his future project. He was further informed that he could meet his parking requirements by leasing off-site parking from private property owners.

Finally, questions were asked about the Raymond Avenue project that will be taking place within this area and the impact to their businesses. Staff responded to these questions, as well.

### **CONDITIONS**

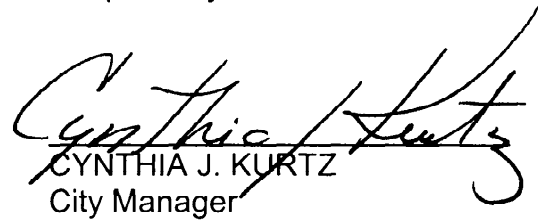
The proposed vacation of Bellevue Drive between Raymond Avenue and the MTA right-of-way is subject to conditions. If the City Council adopts the resolution ordering the vacation, the applicant must first meet all conditions that are imposed upon the vacation prior to its recordation with the Los Angeles County Recorder.

One of these conditions pertains to the underlying fee title to the proposed portion of Bellevue Drive. Currently, there are unresolved issues with the underlying property as to who has title. The applicants, Union Station Foundation and Plati German Car Service and Repair, will be required to provide proof that they have secured underlying fee title to the proposed portion of Bellevue Drive prior to the City vacating the street. The applicants are currently in the process of obtaining the required documents.

**FISCAL IMPACT**

All costs for processing the vacation and construction of public improvements are at the applicant's expense. The applicant shall be responsible for all costs associated with the design, review and construction of the new public improvements and costs associated with meeting all the conditions set forth in the street vacation.

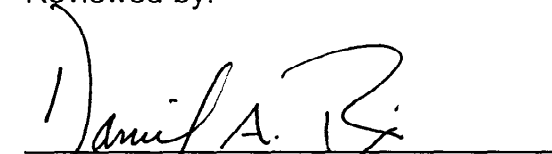
Respectfully submitted,

  
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

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA ORDERING THE VACATION OF A PORTION OF BELLEVUE DRIVE FROM RAYMOND AVENUE TO THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY**

WHEREAS, Resolution No. 8487 was adopted by the City Council of the City of Pasadena on June 20, 2005, declaring the intention of the City of Pasadena to vacate a portion of Bellevue Drive from Raymond Avenue to the Metropolitan Transportation Authority (MTA) right-of-way and which said portion of said street shall be referred to in this resolution as Bellevue Drive; and

WHEREAS, Bellevue Drive, from Raymond Avenue to the MTA right-of-way, is approximately 149 feet in length and 80 feet in width; and

WHEREAS, Exhibit "B" on file in the office of the Director of the Department of Public Works identifies in detail the subject street to be vacated; and

WHEREAS, the City Council finds on the basis of the Environmental Initial Study and the Negative Declaration that have been previously prepared that there is no substantial evidence that the vacation of the subject portion of Bellevue Drive, as described herein and in Resolution No. 8487, will have a significant effect on the environment and no further environmental review is required and that the vacation proceeding for said street is and will be conducted pursuant to the California Streets and Highways Code Section 83290, et seq.; and

WHEREAS, the City Council finds that the vacation of the subject portion of Bellevue Drive, as described herein and in Resolution No. 8487, is consistent with the General Plan Mobility Element and is unnecessary for present or prospective public use for traffic purposes:

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

1. Said Bellevue Drive, as described in Exhibit "A" and shown on Exhibit "B", attached hereto and incorporated herein by reference, is hereby ordered vacated and abandoned, subject to fulfillment of the conditions adopted with the resolution set forth in Exhibit "C" attached hereto and incorporated herein by reference and the fulfillment of the condition to provide proof of interest in fee to the underlying property of the said portion of Bellevue Drive ; and

2. It is further ordered that the City Clerk shall cause a certified copy of this resolution to be recorded in the Office of the County Recorder of Los Angeles only after the attached conditions have been satisfied by the applicant, through completion of a Condition Satisfaction Contract.

Adopted at the \_\_\_\_\_ meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, by the following vote:

AYES:

NOES:

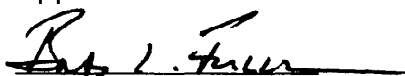
ABSENT:

ABSTAIN:

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JANE L. RODRIGUEZ, City Clerk

Approved as to form:



Brad L. Fuller  
Assistant City Attorney

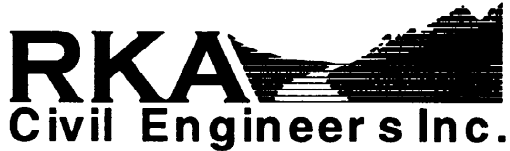


## Bellvue Drive Street Vacation

### Exhibit "A" Legal Description

That portion of Bellvue Drive bounded on the west by the east line of Raymond Avenue as shown on a map of the Julia E. Ward Homestead Tract as recorded in Book 7, page 54, of Miscellaneous Records in the office of the County Recorder of Los Angeles County and bounded on the east by the west line of the LA & SGV RR as shown on said map of the Julia E. Ward Homestead Tract.

Prepared by:



398 South Lemon Creek Drive, Suite E  
Walnut, California 91789  
Tel (909) 594-9702 • Fax (909) 594-2658

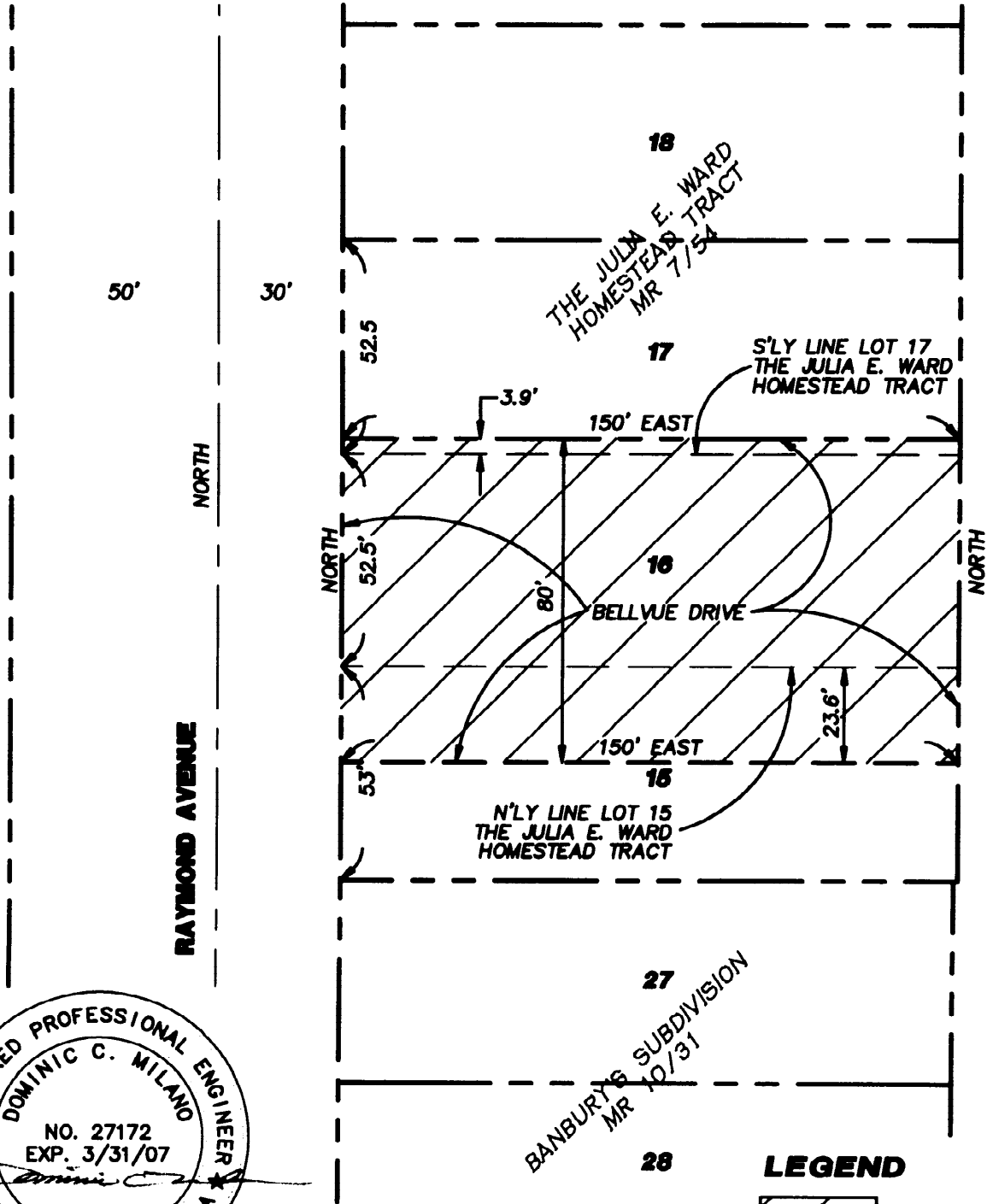


A handwritten signature in black ink, appearing to read "Dominic C. Milano".

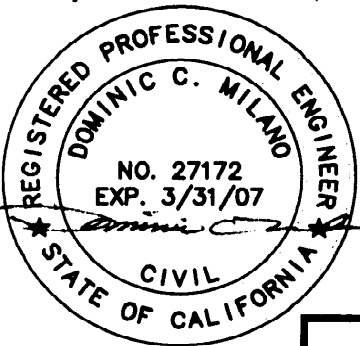
Dominic C. Milano, RCE 27172

**\* NOTE:**

THIS PLAT COMPILED FROM L.A. COUNTY ASSESSOR MAPS NOT A SURVEY. EXACT LOCATION OF BELLVUE DRIVE IS UNKNOWN.



LOS ANGELES COUNTY  
M.T.A. RIGHT-OF-WAY



**LEGEND**

 AREA OF VACATION

**RKA**  
CIVIL ENGINEERS INC.  
288 S. LEMON CREEK DRIVE - SUITE 2 - PASADENA, CA - 91788  
(800) 99-49708 - (626) 391-8828 - FAX (626) 99-4898  
WWW.RKACIVIL.COM

**EXHIBIT 'B'**  
**BELLVUE DRIVE**  
**PASADENA, CA**

DATE: 05/12/2005 SCALE: 1"=40' DRAWN BY: J.C.W. SHEET: 1 OF 1

EXHIBIT "C"

**MEMORANDUM - CITY OF PASADENA**  
**Department of PUBLIC WORKS**

**DATE:** April 25, 2005

**TO:** Richard Bruckner, Director  
Department of Planning and Permitting

**FROM:** Daniel A. Rix, City Engineer  
Department of Public Works

**RE:** **Vacation of Bellevue Drive from Raymond Avenue to the Metropolitan Transportation Authority Right-of-Way**

**RECOMMENDATION:**

In accordance with the authority conferred upon the Planning Commission by Section 2.105.110(B)(4)(a) of the Pasadena Municipal Code, the Department of Public Works recommends that the Planning Commission recommend that the City Council:

1. Take the appropriate action and make the appropriate findings to vacate the subject portion of Bellevue Drive from Raymond Avenue to the MTA right-of-way, in accordance with the requirements and recommendations contained in this report and subject to the conditions herein;
2. Find that the subject portion of Bellevue Drive proposed for vacation is consistent with the General Plan Mobility Element and is unnecessary for present or prospective public use for traffic purposes;
3. Declare that the City's interest in the proposed vacated portion of Bellevue Drive is an easement only with a market value of less than \$1,000. Therefore, the City's interest in the property is not subject to the provisions of Chapter 4.02 of the Pasadena Municipal Code as indicated in Section 4.02.040(A) of this chapter;
4. Adopt a resolution vacating the subject portion of Bellevue Drive in accordance with the requirements and recommendations contained in this report and subject to the conditions described herein;

Richard Bruckner, Director  
Department of Planning and Development  
April 25, 2005  
Page 2

**BACKGROUND:**

Union Station Foundation, the property owners of the property on the north side of Bellevue Drive, and Plati German Car Service & Repair, Inc., the property owners of the property on the south side of Bellevue Drive, have requested the vacation of Bellevue Drive between Raymond Avenue and the MTA right-of-way.

Prior to 1998, Bellevue Drive was a through street from Raymond Avenue to Arroyo Parkway. In November 2, 1998, a resolution was adopted by the City Council to close certain streets without vacation for the purpose of the Gold Line to ensue safety and protection of the general public during the times the Gold Line is in operation and crossing City streets. Bellevue Drive was not officially closed to through traffic until construction of the Gold Line began in this area. Now that the street has been permanently closed to through traffic for approximately three years, the Departments of Public Works and Transportation have determined that the proposed vacation of Bellevue Drive, which is 149 feet in length and 80 feet in width, will not have an adverse impact on traffic circulation in the area.

The proposed vacation will improve safety and provide protection for both vehicles and pedestrians. With the vacation of the Bellevue Drive, the property owners will be required to close the street and construct a standard drive approach. This will improve safety by eliminating an intersection on the east side of Raymond Avenue. Drivers will no longer find themselves on a dead end street only to have to make a u-turn to get back to Raymond Avenue. By the requiring a drive approach, pedestrians will be given protection from vehicles with the installation of sidewalk across the entire 80 feet of Bellevue Drive. Finally, maintenance costs will be reduced in that the city will no longer need to maintain a dead end street that only serves three properties.

The only properties with access from the proposed portion of Bellevue Drive are Union Station Foundation, Plati German Car Service and Repair, and the MTA. Union Station Foundation, located at 412 South Raymond Avenue, proposes to expand their existing two-story building to include an expanded dining room, an elevator, conference rooms, a 20-bed women's dormitory, laundry room, rest rooms and showers. The proposed vacation would increase on-site parking for Union Station Foundation. The proposed vacation would also benefit Plati German Car Service and Repair, located at 422 South Raymond Avenue, by providing them with parking and storage area for their vehicles. MTA has requested that an ingress/egress easement be granted for them to have access to their property.

Richard Bruckner, Director  
Department of Planning and Development  
April 25, 2005  
Page 3

The City's interest in the subject portion of Bellevue Drive is in easement, only, for public purposes. The vacation will convey all rights to the abutting property owners except for public utility easements required as described below and private ingress/egress easements. As a result, no structures will be allowed on the subject portion that is reserved for easements and ingress/egress. The property owners are not proposing any changes in usage of the subject portion of Bellevue Drive which is currently being used for parking and/or storage of vehicles which is consistent with the adjacent uses of the abutting properties owned by Union Station Foundation and Plati German Car Service and Repair.

The subject portion of the Bellevue Drive to be vacated is shown on the attached Los Angeles County Assessor's Drawing No. 5722-009 as "Proposed Vacation." Exhibits legally describing the vacation area and a Department of Public Works Drawing are being finalized and will be forwarded prior to the Planning Commission Public Hearing.

**OTHER CITY DEPARTMENTS, PUBLIC AGENCIES, AND OTHERS:**

The street vacation has been reviewed by other City departments, County Agencies, various utilities, and the California Department of Transportation (Caltrans). The following have no specific comments or objections to the proposed street vacation:

Caltrans  
Southern California Gas Company  
SBC  
Southern California Edison  
California American Water Company  
County Sanitation Districts of Los Angeles County  
Metropolitan Water District  
Atrio/Champion  
Charter Communications  
City of Pasadena Departments and Divisions:  
    Police Department  
    Fire Department

The following have comments and requirements:

1. **Metropolitan Transportation Authority:**

The Metropolitan Transportation Authority (MTA) has right-of-way adjacent to the proposed vacation of Bellevue Drive. As a result, the applicant shall retain an easement for ingress/egress to allow MTA access to their property.

2. **Water and Power Department – Water Division:**

The Water Division has facilities, including a fire hydrant, within the proposed vacation of Bellevue Drive. An easement will be required to maintain their facility and the applicant may be required to relocate the fire hydrant. The existing 6-inch water main is located 18 feet north of the south property line of Bellevue Drive.

3. **Water and Power Department – Power Division:**

The applicant shall retain an easement for the existing power vault and main line located approximately 26 feet north of the south property line of Bellevue Drive and any power connections to the vault.

4. **Department of Public Works:**

A. **Street:**

(1) The installation of new PCC curb, gutter and sidewalk and required AC paving along the east side of Raymond Avenue shall be constructed to close Bellevue Drive, unless otherwise approved by the City Engineer. In addition, only standard driveway approaches may be installed along the east side of Raymond Avenue, unless otherwise approved by the City Engineer.

(2) The applicant shall retain an ingress/egress easement for all adjacent properties, including the MTA property.

B. Storm Drain:

(1) There is an existing 24 inch to 27 inch storm drain located along the north side of Bellevue Drive. A 12 foot easement is required to maintain the storm drain.

(2) The existing catch basins on the north side and the south side of Bellevue Drive, and the connector pipes to the storm drain, will no longer be City facilities. If the applicant chooses to use these catch basins as private facilities, they will be responsible for maintenance associated with the catch basins and connector pipes. If the applicant chooses not to use these as private facilities, they must remove the catch basins and seal the connector pipes.

C. Drainage: The applicant will not be allowed to discharge water from the vacated street to Raymond Avenue.

D. Sewer: There are no sewer facilities within the proposed vacation area.

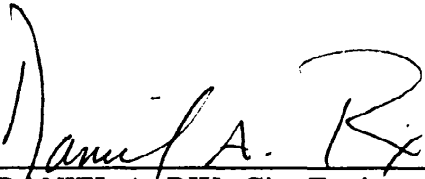
E. Plans, Design, Review, and Construction Costs: The applicant is responsible for design, preparation of plans, specifications, and any supporting documents and reports. The applicant is also responsible for construction of all required public improvements that arise as a result of all conditions noted in this report. Plans, supporting documents, reports, and specifications for the above improvements shall be prepared by an engineer registered with the State of California and shall be approved by the Department of Public Works. Plans must be submitted in AutoCAD format with the City standard borders.

Upon submission of improvement plans, specifications, reports, and supporting documents to the Department of Public Works for review and checking, the applicant shall be required to place a deposit with the Department to cover these costs. Prior to construction of the improvements, the applicant shall be required to place a deposit with the Department to cover construction inspection.

- F. Condition Satisfaction Contract between the City and the Applicant: A condition satisfaction contract ("contract") between the City and the applicant will be reviewed, approved and executed by both parties. The contract shall outline the applicant's obligations to provide security for performance of the conditions listed in this report. The request for approval of the City entering into a contract with the applicant will be included with the recommendations to the City Council to vacate the subject portion of Bellevue Drive.

Recordation of the vacation resolution will occur only after the conditions of the contract and all conditions in this report have been met to the satisfaction of the Department of Public Works.

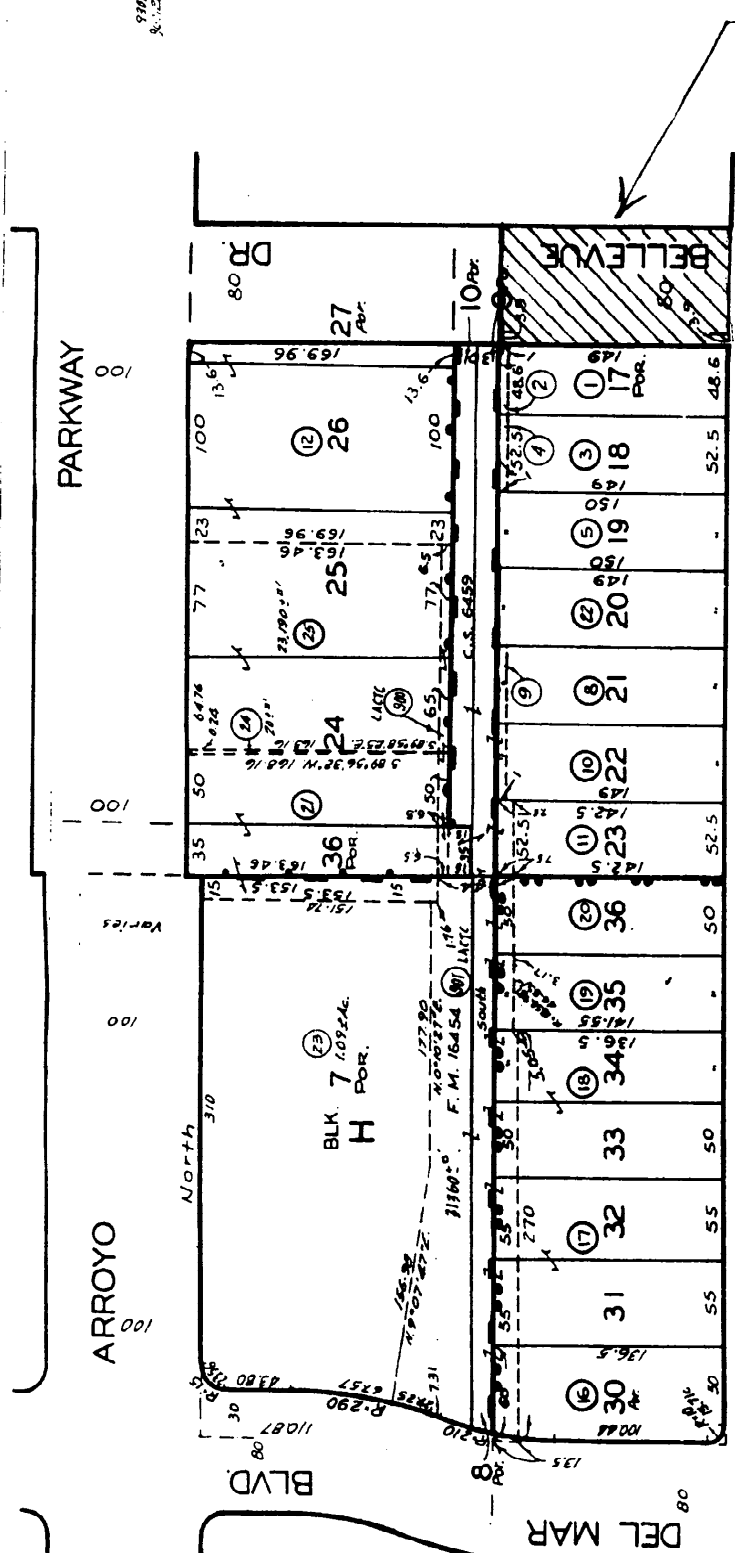
- G. The applicant shall be responsible for all costs associated with these conditions. Unless otherwise noted in this memo, all costs will be determined when submissions are received and will be based upon the estimated cost to the Department for the work and on the General Fee Schedule that is in affect at the time these conditions are met.

  
\_\_\_\_\_  
DANIEL A. RIX, City Engineer  
Department of Public Works

DAR:BH  
Attachments



2-20-65  
 680959  
 Revised  
 2-26-68  
 1-29-59  
 4-24-59  
 10-3-67  
 740605502  
 74 0587212  
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PROPOSED VACATION

PARKWAY

ARROYO

North 310

DEL MAR BLVD

RAYMOND AVE.

BELLEVEU

WEBSTER & STRATTON'S SUBDIVISION  
 OF THE G.T. STAMM PROPERTY  
 M.R. 11-83

SAN PASQUAL TRACT  
 M.R. 3-315  
 M.R. 32-81

JULIA E. WARD HOMESTEAD TRACT  
 M.R. 7-54

GLENDALE TRACT  
 M.R. 11-36

FOR PREV. ASSMT. SEE: 1812-9

ASSESSOR'S MAP COUNTY OF LOS ANGELES, CALIF.



CODE 7500