

Agenda Report

TO: CITY COUNCIL

Date: March 14, 2005

FROM: CITY MANAGER

SUBJECT: ADOPT A RESOLUTION OF INTENT TO VACATE A PORTION OF PICO STREET BETWEEN RAYMOND AVENUE AND THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY AND SETTING A PUBLIC HEARING THEREON

RECOMMENDATION:

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

1. Adopt the attached Resolution of Intention to vacate a portion of Pico Street from Raymond Avenue to the Metropolitan Transportation Authority (MTA) right-of-way.
2. Set a public hearing for Monday, April 4, 2005, at 8:00 p.m., to consider the proposed street vacation prior to adoption of the Resolution Ordering the Vacation in accordance with the requirements and recommendations contained in this report and subject to the conditions herein.
3. Direct the City Clerk to publish, post and mail a Notice of Hearing in accordance with the requirements of Streets and Highways Code Sections 8320, et seq.

PLANNING COMMISSION REVIEW:

On February 9, 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 Pico Street between Raymond Avenue and the MTA right-of-way is for Pasadena Physicians LLC, located at 630 S. Raymond Avenue, and for 650 S. Raymond, LLC (current tenant is Silver Birches), located at 650 S. 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 March 21, 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.

Pasadena Physicians LLC, the property owners of the property on the north side of Pico Street, and 650 South Raymond LLC, the property owners on the south side of Pico Street, have requested the vacation of a portion of Pico Street from Raymond Avenue to the MTA right-of-way.

The developers for the property adjacent to the north side of Pico Street, located at 630 South Raymond Avenue, propose to develop the property with a three-story medical office building and three levels of subterranean parking. Without the proposed vacation, the development would require the installation of a cul-de-sac on Pico Street which would eliminate the existing parking on the street that is primarily used by Silver Birches, the tenant at 650 South Raymond Avenue. Together, the property owners determined that the vacation of Pico Street would benefit both property owners. 650 South Raymond LLC would be able to gain private parking that is needed for their site and current tenant, and Pasadena Physicians LLC would be able to develop their property to accommodate a loading zone and provide the area needed for their proposed subterranean parking garage.

The City's interest in the subject portion of Pico Street is in easement, only, for public purposes. The vacation will convey all rights to the abutting property owners except for an easement for public utilities and traffic signals, and for private ingress/egress easements for the property owners, including an ingress/egress easement for MTA to service their property. As a result of the easements, no structures will be allowed on the subject portion that is reserved for easements. In addition, the property owners are not proposing any changes in usage for the subject portion of Pico Street which is currently being used for access to their parking and loading areas.

In addition to the reasons stated above, Section 5.2.1 of the South Fair Oaks Specific Plan recommends that Pico Street, between Raymond Avenue and the MTA right-of-way, be vacated or closed to allow for development opportunities on adjacent parcels.

Pico Street, from Raymond Avenue to the MTA right-of-way, is approximately 150 feet in length and 50 feet in width. A review by the Departments of Public Works and Transportation determined that the proposed vacation of Pico Street will not have an adverse impact on traffic circulations in the area.

The subject portion of Pico Street to be vacated is legally described in Exhibit "A" and shown on Exhibit "B" (Department of Public Works Drawing No. 5524), both attached hereto.

GENERAL PLAN CONSISTENCY:

The objective of the proposed street vacation is to provide additional land area to accommodate access to an approved project's loading spaces and parking structure. The proposed vacation is consistent with one of the South Fair Oaks Specific Plan's provisions that vacation of the subject portion of Pico Street will provide opportunity for development of adjacent private properties.

The proposed street vacation will implement the medical office development, which in turn, furthers Objection 10 of the General Plan Land Use Element, Diverse Economy: "Pasadena shall promote a diverse economic base that serves local residents by providing jobs, by providing city revenue ...and by meeting the needs of international competition."

The proposed street vacation will implement the medical office development, which is anticipated to provide new employment opportunities, in a location that is within the Central District's Transit-Oriented Development Area. Objection 4.4 of the Mobility Element states: "Focus new employment in key transit corridors..." Thus, it furthers the objectives and strategies of the Mobility Element of the General Plan.

ENVIRONMENTAL CLEARANCE:

The environmental initial study and Mitigated Negative Declaration that was adopted by the Design Commission in July 2004, for the proposed new development at the adjacent north property, cited in its project description that the project (the new three-story building) was designed with the street vacation of a segment of Pico Street and that the environmental assessment of the proposed vacation will be reviewed under a separate application. The proposed street vacation is deemed a subsequent step to implement the approved project. Under this circumstance, CEQA provides guidelines to determine whether a subsequent Negative Declaration is required or not. After reviewing the conditions that will trigger the need for a subsequent Negative Declaration, staff finds that none of the conditions apply to the proposed street vacation; therefore, such that no further environmental documentation is necessary.

NEIGHBORHOOD MEETINGS:

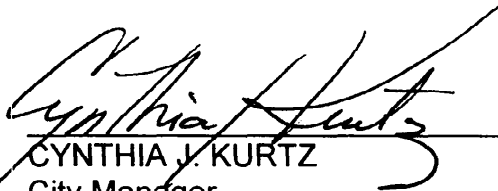
Other than the Planning Commission public hearing on February 9, 2005, no separate neighborhood meeting was held for the proposed street vacation. However, the new medical office building at the north adjacent property obtained a concept Design approval through a public hearing process, wherein property owners within a 300-foot

radius were notified about the public hearing, and the project description in the public notice contained language that the proposed development was designed with street vacation of the adjacent segment of Pico Street. Therefore, the surrounding property owners had been made aware of the subsequent request for the vacation of the subject portion of Pico Street.

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.

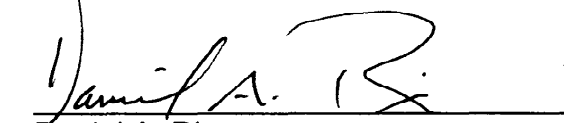
Respectfully submitted,


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 DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF PICO STREET BETWEEN RAYMOND AVENUE AND THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY AND SETTING A PUBLIC HEARING THEREON

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA

WHEREAS, the City has received a request to vacate a portion of Pico Street between Raymond Avenue and the Metropolitan Transportation Authority (MTA) right-of-way and which said portion of said street shall be referred to in this resolution as Pico Street; and

WHEREAS, Pico Street, between Raymond Avenue and the MTA right-of-way, is approximately 150 feet in length and 50 feet in width, legally described in Exhibit "A" and as shown on Exhibit "B" (Department of Public Works Drawing No. 5524) on file in the office of the Director of Public Works; and

WHEREAS, the vacation proceeding for said street is and will be conducted pursuant to the requirements of the Streets and Highways Code Sections 8320, et seq.:

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

1. The City Council of the City of Pasadena hereby declares its intention to vacate the above described portion of Pico Street; and
2. A hearing is hereby set for 8:00 p.m. on Monday, April 4, 2005, in the Multi/Purpose Room of the Pasadena Senior Center, 85 East Holly Street,

Pasadena, to consider the proposed street vacation. All persons interested in the vacation are invited to attend and give testimony if desired.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

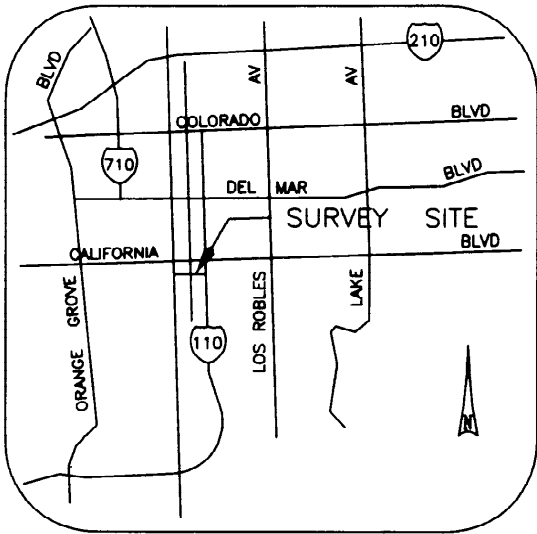
JANE L. RODRIGUEZ, City Clerk

Approved as to form:

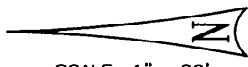
 3/2/05

Nicholas G. Rodriguez
Assistant City Attorney

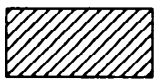
EXHIBIT "B"



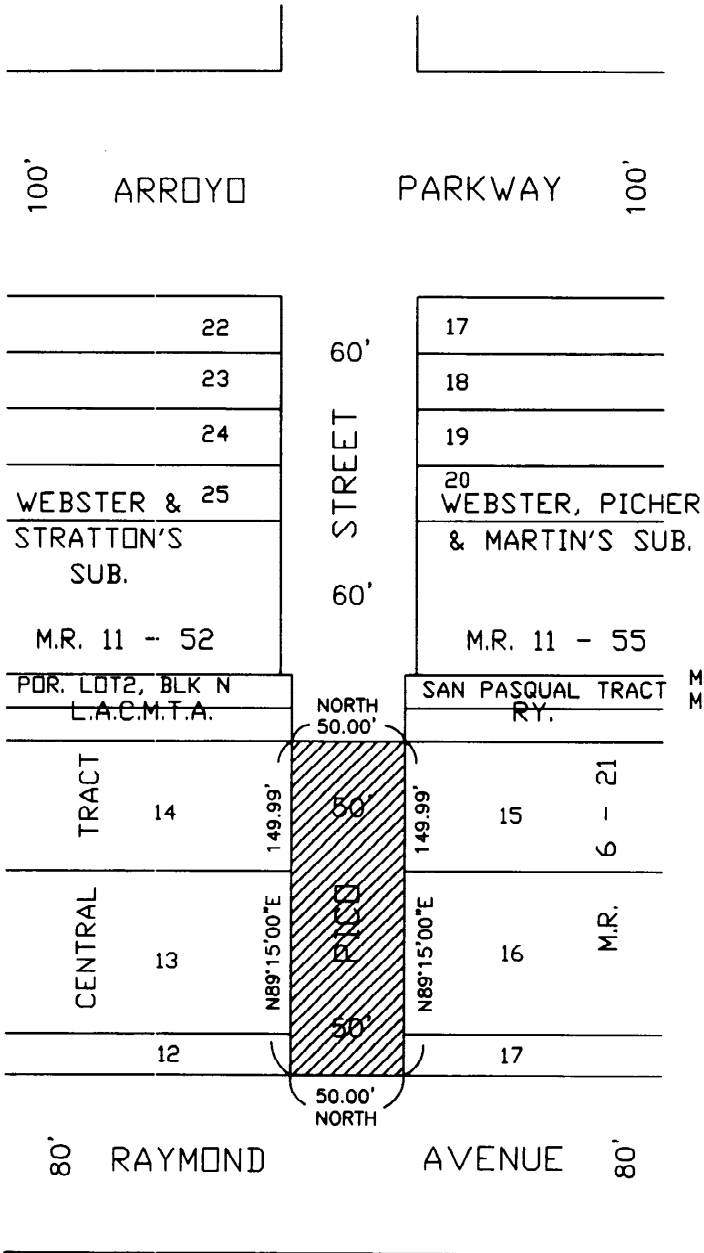
VICINITY MAP



SCALE: 1" = 80'



PROPOSED VACATION AREA



CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

DRAWN BY: PVT.	VACATION OF PICO STREET FROM RAYMOND TO M.T.A. RIGHT OF WAY	SCALE: NTS
CHECKED BY: B.L.H.		DATED: 02/08/05
SUBMITTED BY: B.L.H.	APPROVED BY: <i>Daniel A. [Signature]</i>	5524 SHEET 1 OF 1
FIELD BOOK NO. NONE	CITY ENGINEER <i>[Signature]</i> 2/14/2005 DATE	