

Agenda Report

July 11, 2022

TO: Honorable Mayor and City Council
FROM: Department of Public Works
**SUBJECT: ADOPT RESOLUTION OF INTENTION TO VACATE NINA STREET
FROM SUNNYSLOPE AVENUE TO EAST TERMINUS**

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt a Resolution of Intention to vacate Nina Street from Sunnyslope Avenue to its East terminus;
2. Set a public hearing for Monday, August 15, 2022, at 5:30 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 conditions herein; and
3. Direct the City Clerk to publish and post a Notice of Hearing in accordance with the requirements of the Streets and Highways Code Sections 8320, et seq.

PLANNING COMMISSION REVIEW:

It is customary for staff to recommend the City Council adopt a Resolution of Intention and direct the City Clerk to publish and post a Notice of Hearing after a presentation to the Planning Commission for review and recommendation on the entirety of the project. However, the proposed street vacation and construction of a new automobile sales and showroom building requires the coordination of various agencies and departments to ensure that water, gas, electrical and other infrastructure is removed and replaced appropriately. Council's action this evening does not commit the City to any project but allows for an additional two weeks of coordination, prior to the Planning Commission's review of the project on July 27, 2022 since the California Streets and Highways Code Section 8322(a), states that "...a notice of the hearing on the proposed vacation shall be published for at least two successive weeks prior to the hearing."

The proposed street vacation will be presented to the Planning Commission for review and recommendation on July 27, 2022. The Department of Public Works memorandum

to the Planning and Community Development Department is included as Attachment A. The current recommendation for the Intent to Vacate Nina Street has no bearing on the final decision by City Council, which will be considering the street vacation after the Planning Commission has met and decided on a recommendation.

BACKGROUND:

As part of the development under Conditional Use Permit No. 6926 with the Planning and Community Development Department, an application has been filed for the street vacation of Nina Street from Sunnyslope Avenue to its East terminus. The proposed street vacation is needed to facilitate construction and eliminate a substandard cul-de-sac.

The proposed segment of Nina Street to be vacated is 60 feet wide, from Sunnyslope Avenue to its terminus approximately 276 feet east. It is a dead-end street located one block north of Colorado Boulevard, as shown on the vicinity map in Attachment B. The application for this street vacation was submitted in conjunction with the proposed Rusnak Porsche development on the east side of Sunnyslope Avenue between Walnut Street and Colorado Boulevard. The proposed construction includes the demolition of existing buildings and the construction of new automobile sales, leasing, services and parts buildings with a paved parking lot. Subject segment of Nina Street is in conflict with the proposed development's footprint.

The applicant for the street vacation, Rusnak Daimler Chrysler Center Inc., a Delaware Corporation, is the property owner for all abutting properties along both sides of the subject street segment, as well as the developer for the proposed development. The City's interest in the subject segment of Nina Street is an easement dedicated for public street purposes. The fee title of the proposed vacation area is currently vested in Rusnak Daimler Chrysler Center Inc.

Staff has determined that there is no need, present or future, to retain the subject street segment for its intended public purpose, and that its vacation will not cause any negative impacts to the City's transportation system. Relinquishing all rights of the proposed vacation area will relieve the City from future maintenance responsibilities and any liability associated with the vacated area. It is therefore recommended that the subject street vacation be initiated in accordance with the Streets and Highways Code Sections 8320, et seq.

The subject portion of Nina Street currently consists of a 10-foot wide sidewalk on both sides and a 40-foot wide roadway. The street terminates abruptly at the East End and provides access to the abutting properties. The existing roadway configuration is not in conformance with Pasadena Standard Plan S-410, the standard design for a cul-de-sac. The existing straight-angled configuration does not provide sufficient turn-around space for public, emergency and maintenance vehicles, rendering it substandard for motorists. The subject portion of land to be vacated is legally described in Exhibit A and is shown

on Exhibit B (Department of Public Works Drawing No. 6093), which are referenced and attached to the Resolution.

Upon Council's adoption of the Resolution of Intention to vacate, property owners within a 500-foot radius will be notified, and a public hearing will be scheduled for Monday, August 15, 2022 to consider the proposed street vacation prior to adoption of the Resolution Ordering the Vacation. Upon City Council's approval of the Order to Vacate, the final vacation will convey all rights to the abutting property owner, Rusnak Daimler Chrysler Center Inc.

COUNCIL POLICY CONSIDERATION:

The proposed street vacation is consistent with the following City Council goals and objectives: improve, maintain and enhance public facilities and infrastructure; improve mobility and accessibility throughout the City of Pasadena, ensure public safety; and support and promote the quality of life and local economy.

ENVIRONMENTAL ANALYSIS:

Environmental review for the entire project is underway. A draft Mitigated Negative Declaration has been prepared and is being circulated for public comment. Therein it was concluded that the project, including the street vacation, will have less than significant impacts on the environment because mitigation measures will be incorporated into the project. It is important to note that the action proposed herein is not a final discretionary action, therefore no environmental findings are necessary at this point. Should the City Council adopt the proposed Resolution Ordering the Vacation on August 15, 2022, Council will be asked to make the appropriate environmental findings at that time.

The Planning Commission will be considering comments on the proposed Mitigated Negative Declaration at its July 27, 2022 public hearing.

FISCAL IMPACT:

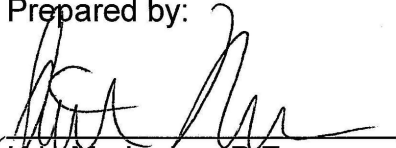
All costs for processing the vacation are at the applicant's expense. The applicant shall be responsible for all costs associated with meeting all the conditions set forth for the street vacation.

Respectfully submitted,



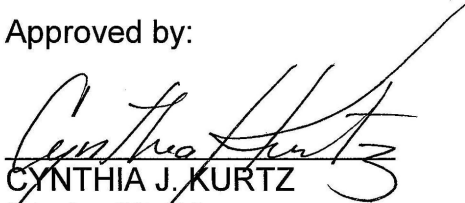
TONY OLMOS, P.E.
Director of Public Works

Prepared by:



Foy Kris Markarian, P.E.
City Engineer

Approved by:



CYNTHIA J. KURTZ
Interim City Manager

Attachments:

Attachment A – Public Works Memorandum to the Planning and Community
Development Department

Attachment B – Vicinity Map