

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA ORDERING THE VACATION OF NINA STREET FROM SUNNYSLOPE AVENUE TO EAST TERMINUS

WHEREAS, Resolution No. 10,064 was adopted by the City Council of the City of Pasadena on July 15, 2024, declaring the intention of the City of Pasadena to vacate Nina Street from Sunnyslope Avenue to East terminus and which said portion of land shall be referred to in this resolution as the Proposed Vacated Area; and

WHEREAS, the Proposed Vacated Area, is legally described in Exhibit A and is shown on Exhibit B (Department of Public Works Drawing No. 6093) and is on file in the office of the Director of Public Works; and

WHEREAS, the City Council found on July 15, 2024 on the basis of the Initial Environmental Study and the Mitigated Negative Declaration that there is less than significant impacts on the environment and less than significant impacts on Cultural Resources, Hazardous Materials, and Tribal Cultural Resources with mitigation measures for the Rusnak Porsche project, which encompasses this street vacation; and

WHEREAS, that the vacation proceeding for the Proposed Vacated Area is and will be conducted pursuant to the California Streets and Highways Code Section 8320, et seq.; and

WHEREAS, the City Council declares that the City's interest in the Proposed Vacated Area is in easement only, for public street purposes; and that the land is not owned by the City as fee title; and that it is not subject to the provisions of Chapter 4.02, Sale of Surplus Real Property, of the Pasadena Municipal Code; and

WHEREAS, the City Council finds that the vacation of the subject portion of Nina Street, as described herein and in Resolution No. 10,064, is consistent with the General Plan Mobility Element and is unnecessary for present or prospective public use for street purposes:

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

1. Said Nina Street, as described in Exhibit A and shown in 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

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 set forth in Exhibit C have been satisfied by the applicant.

Adopted at the _____ meeting of the City Council on the ____ day of _____, 2024, by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:


Caroline Monroy (Jul 24, 2024 09:54 PDT)

Caroline Monroy
Deputy City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
NINA STREET
BETWEEN SUNNY SLOPE AVENUE AND LOTS 7 AND 18 OF TRACT NO. 8479

That portion of Nina Street, a dedicated public street, 60.00 feet wide, as shown on map of Tract No. 8479, in the City of Pasadena, County of Los Angeles, State of California, as per map recorded in Book 93, Page 4 of Maps, in the Office of the County Recorder of said County, described as follows:

BEGINNING at a point in the Northerly line of said Nina Street, said point being also the Southwest corner of Lot 12 of said Tract;

Thence, along said Northerly line, North 89°54'00" East, 276.46 feet, to the Southeast corner of Lot 8 of said Tract;

Thence, at right angles, South 00°06'00" East, 30.00 feet, to an intersection with the centerline of said Nina Street;

Thence, along said centerline, South 89°54'00" West, 1.08 feet, to an intersection with a line, drawn perpendicular to said centerline, from the Northeast corner of Lot 17 of said Tract;

Thence, at right angles, South 00°06'00" East, 30.00 feet, to said Northeast corner of Lot 17, being also a point in the Southerly line of said Nina Street;

Thence, along said Southerly line, South 89°54'00" West, 276.46 feet, to the Northwest corner of Lot 13 of said Tract;

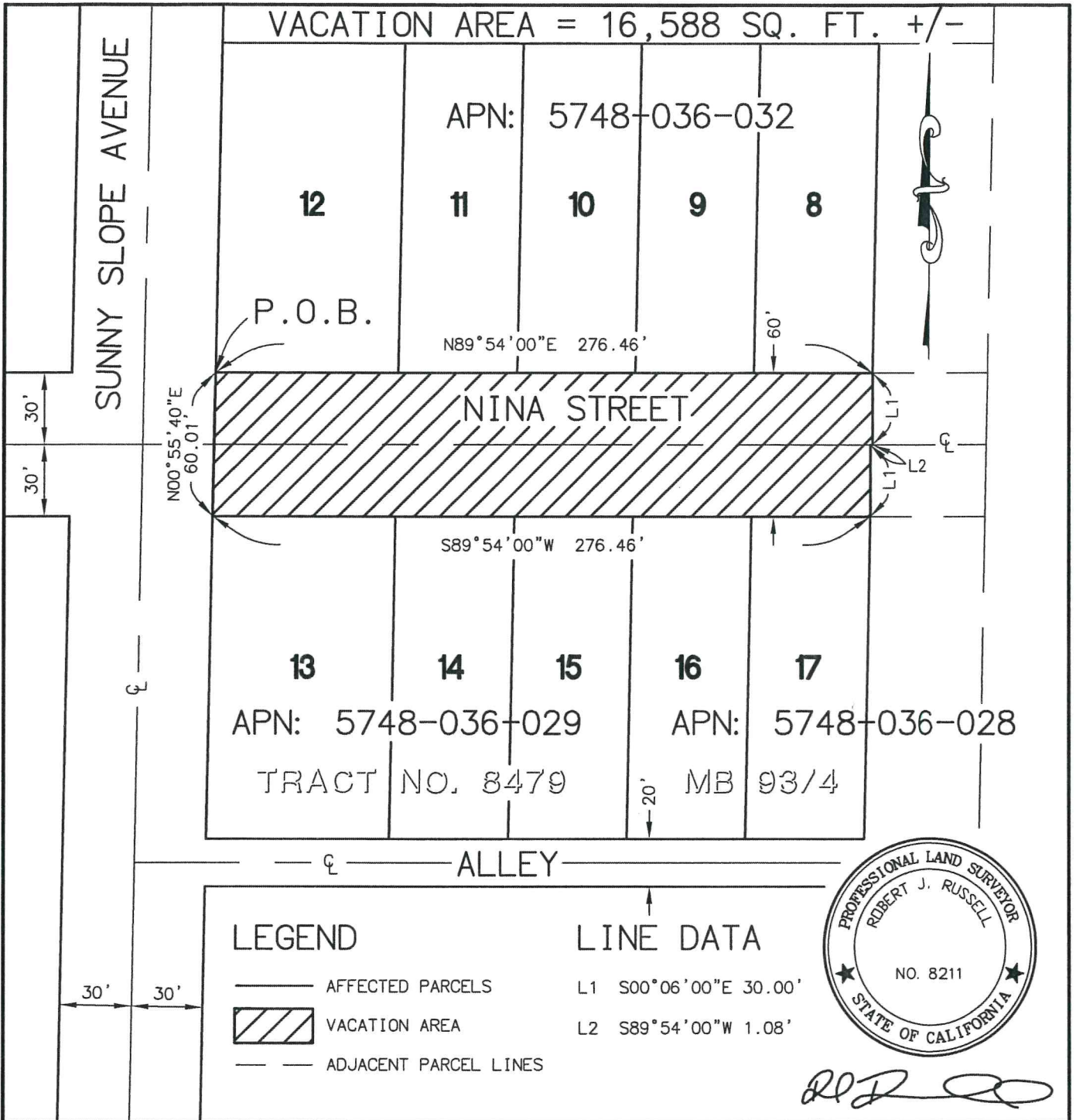
Thence, North 00°55'40" East, 60.01 feet, to the **POINT OF BEGINNING**.

"All as shown on Exhibit "B" attached hereto and made a part hereof."

Legal Description prepared by Commercial Development Resources.

Rob, Russell, PLS 8211
September 12, 2019

EXHIBIT "B"



CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

VACATION

TO RUSNAK DAIMLER CHRYSLER CENTER, INC., A DELAWARE CORPORATION

NINA STREET

BETWEEN SUNNY SLOPE AVENUE AND LOTS 7 AND 18

Commercial Development Resources

Today's Ideas. Tomorrow's Reality.

4121 Westerly Place #112 Newport Beach CA 92660
T 949-640-8997 www.CDRwest.com

REVIEWED BY:

CITY ENGINEER

DATE

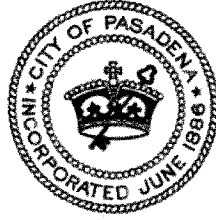
SCALE:
1" = 60'

DATE:
09/12/19

PLAN NUMBER:

6093

SHEET 1 OF 1



DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Beilin Yu, Zoning Administrator
Planning and Community Development Department

FROM: Kris Markarian, P.E., Deputy Director / City Engineer
Department of Public Works

DATE: May 8, 2024

SUBJECT: Street Vacation of Nina Street from Sunnyslope Avenue to its East Terminus

RECOMMENDATIONS:

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 is asking the Planning Commission to recommend that the City Council:

1. Take the appropriate action and make the appropriate findings to vacate the subject portion of land, in accordance with the conditions and recommendations contained in this report;
2. Find that the subject portion of land proposed for vacation is consistent with the General Plan Mobility Element and is unnecessary for present or prospective public use for street purposes;
3. Declare that the City's existing interest in the subject portion of land proposed for vacation is in easement dedicated for public street purposes; and that the land is not owned by the City in fee title; and that it is not subject to the provisions of Chapter 4.02, Sale of Surplus Real Property, of the Pasadena Municipal Code; and
4. Adopt a resolution vacating the subject portion of land, in accordance with the conditions and recommendations contained in this report.

BACKGROUND:

The proposed vacation portion of Nina Street 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. 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 new construction of automobile sales, leasing, services and parts buildings with paved parking lot. Subject portion of Nina Street conflicts with the proposed building footprint.

The applicant requesting the street vacation, Rusnak Daimler Chrysler Center Inc., a Delaware Corporation, is the property owner of 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 portion of Nina Street is in easement, dedicated for public street purposes. As the sole owner of abutting properties, Rusnak Daimler Chrysler Center Inc. currently holds the underlying fee title of the proposed vacation area.

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.

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 to ensure public safety; and, support and promote the quality of life and local economy.

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. on each side of the street. The Department has determined that there is no need, present or future, to retain this easement for its intended public purpose. Relinquishing all rights of the proposed vacation area will relieve the City from future maintenance responsibilities and any liability associated with the vacated area.

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), attached hereto.

CITY DEPARTMENTS, PUBLIC AGENCIES AND OTHERS:

The street vacation has been reviewed by various City departments, Los Angeles County agencies and utility agencies. The following agencies have no specific comments or objections to the proposed street vacation:

- Southern California Edison
- California American Water Company
- County Sanitation Districts of Los Angeles County
- Metropolitan Water District
- Kinneloa Irrigation District
- Charter Communications
- Foothill Transit
- Level 3 Communications
- Verizon
- Crown Castle
- City of Pasadena Departments:
 - Police Department
 - Fire Department
 - Department of Transportation
 - Department of Information Technology

The following comments and requirements have been received and will be incorporated as conditions of approval for the subject street vacation:

1. Southern California Gas Company

Southern California Gas Company has facilities within the proposed vacation area. There is a gas service line serving the neighboring property located at 2965 East Colorado Boulevard (Pasadena Audi), also owned by the applicant. The service line is connected to a 4-inch mainline on Nina Street. The existing facilities within the proposed vacation area shall be terminated, capped, or abandoned by the applicant. The existing service to Pasadena Audi is deemed not necessary by the applicant and will not require reconnection.

The applicant shall coordinate directly with the Transmission Department of Southern California Gas Company at (818) 701-4546 or SoCalGasTransmissionUtilityRequest@semprautilities.com.

2. Pasadena Water and Power Department – Water Division:

The Water Division has a 4-inch mainline and four service laterals with meters serving the applicant within the proposed vacation area. The applicant shall abandon the existing water service in the proposed vacation area and/or relocate all facilities if needed in a manner acceptable to the Water and Power Department. The applicant shall coordinate directly with Pasadena Water and Power Department, Water Utility Services Planning at (626) 744-4495.

3. Pasadena Water and Power Department – Power Division:

The Power Division has two utility poles with overhead power facilities located on the north side of Nina Street. The applicant shall abandon the existing power facilities in the proposed vacation area and/or relocate all facilities if needed in a

manner acceptable to the Water and Power Department. The applicant shall coordinate directly with Mr. William Varsh of Pasadena Power Division at (626) 744-4271 or wvarsh@cityofpasadena.net or ESP@cityofpasadena.net.

4. Pasadena Department of Public Works:

- A. Street: The existing substandard cross-gutter and two curb ramps at the intersection of Nina Street and Sunnyslope Avenue shall be replaced with continuous concrete curb, gutter and sidewalk per Department of Public Works Standards.
- B. Sewer: There is an existing 8-inch sewer mainline and two manholes in the proposed vacation area. The applicant shall cap and abandon the facilities in a manner acceptable to the Department of Public Works.
- C. Storm Drain: There is an existing catch basin at the east terminus of Nina Street that collects runoff from the proposed vacation area. Upon redevelopment of the proposed vacation area and addition of a standard curb and gutter at the intersection of Sunnyslope Avenue, the existing facility will serve no purpose. The catch basin connects to an 18-inch reinforced concrete pipe within an existing 10-foot wide storm drain easement on the abutting property. The applicant shall cap and abandon all associated drainage facilities in a manner acceptable to the Department of Public Works.
- D. Street Trees: There are 15 street trees in the proposed vacation area. Removal of the trees after the recordation of the final vacation resolution will be subject to private property laws, subject to approval by the Planning and Community Development Department.
- E. Street Light: There is one street light luminaire arm attached to a utility pole on the north side of Nina Street. The applicant is responsible for the removal and salvaging of said street light. The salvaged street light shall be delivered to the City Yards at 233 West Mountain Street. The applicant shall coordinate with Mr. Tony Indolino, Public Works Street Maintenance Division at (626) 744-4770.
- F. Street Signs: There are various regulatory signs on steel poles on both sides of Nina Street. The applicant is responsible for the removal and salvaging of all poles and signs. The salvaged materials shall be delivered to the City Yards at 233 West Mountain Street. The applicant shall coordinate with Mr. Joe Herrera, Department of Public Works at 626-744-4792 or jherrera@cityofpasadena.net.
- G. 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

the construction of all required public improvements and public utility abandonments and relocations that arise as a result of all conditions noted in this report. Plans, supporting documents, reports, and specifications for the above improvements and relocations shall be prepared by an engineer registered within the State of California and shall be reviewed and approved by the Department of Public Works and the corresponding utility agencies.

Upon submittal of the improvement plans, specifications, reports, and supporting documents to the Department of Public Works for review, the applicant shall be required to place a deposit with the Department to cover the costs of plan checking, permit, inspection, and the estimated construction costs. All construction in the public right of way shall be performed under a permit issued by the Department of Public Works. Prior to construction of the improvements, the applicant shall be required to place a deposit with the Department to cover construction inspection.

- H. 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 Nina Street.

Recordation of the vacation resolution with the Los Angeles County Recorder Office will occur only after all conditions of the Contract and in this report have been met to the satisfaction of the City and all affected utility agencies.

- I. The applicant shall be responsible for all costs associated with these conditions. These costs include those for plan checking, permit, inspection, and construction. Unless otherwise noted in this document, all costs will be determined when submittals are received and will be based upon the estimated costs to the Department for the work and on the current City's General Fee Schedule.

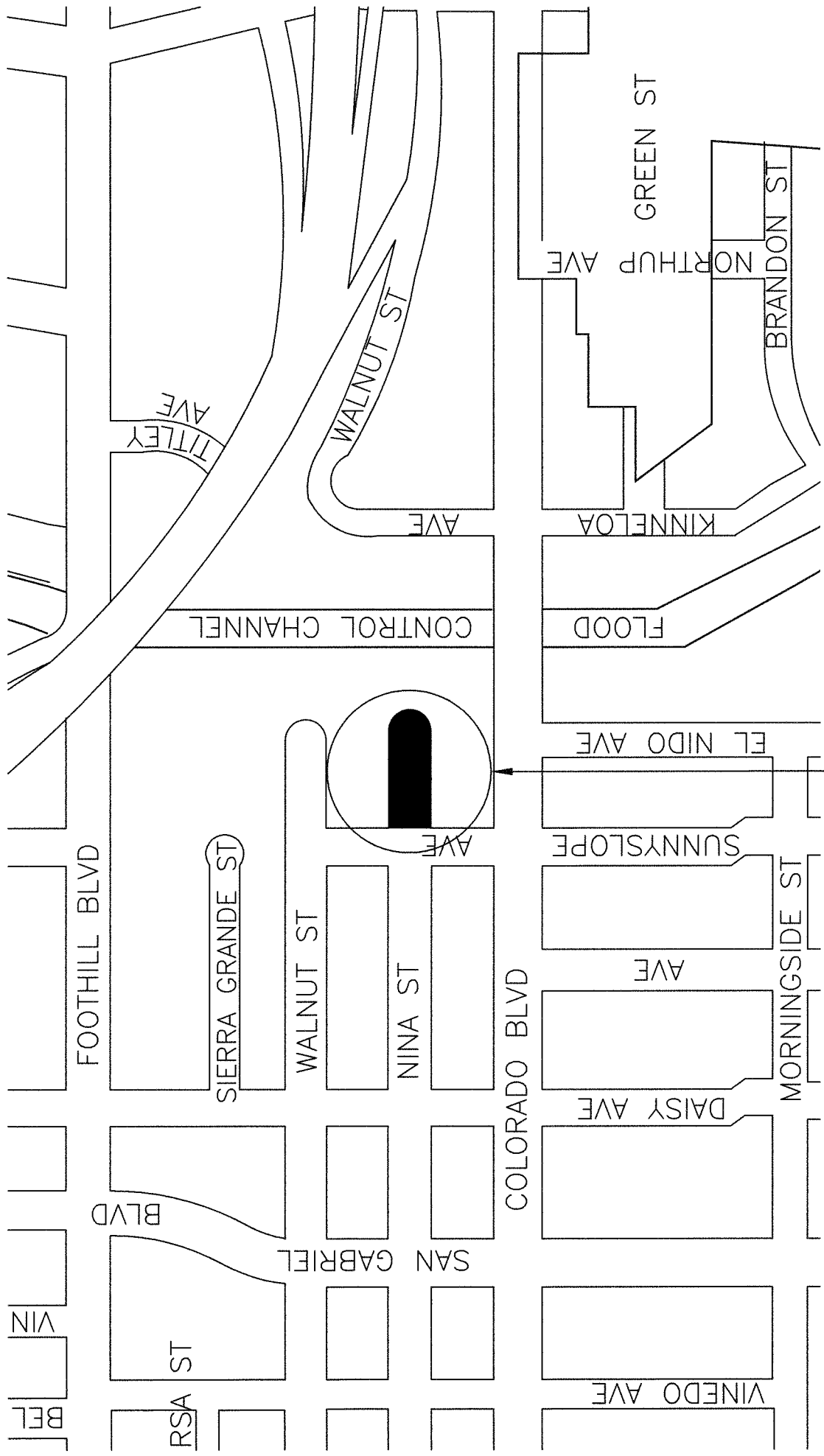
Exhibits:

Exhibit A: Legal Description

Exhibit B: Public Works Drawing 6093

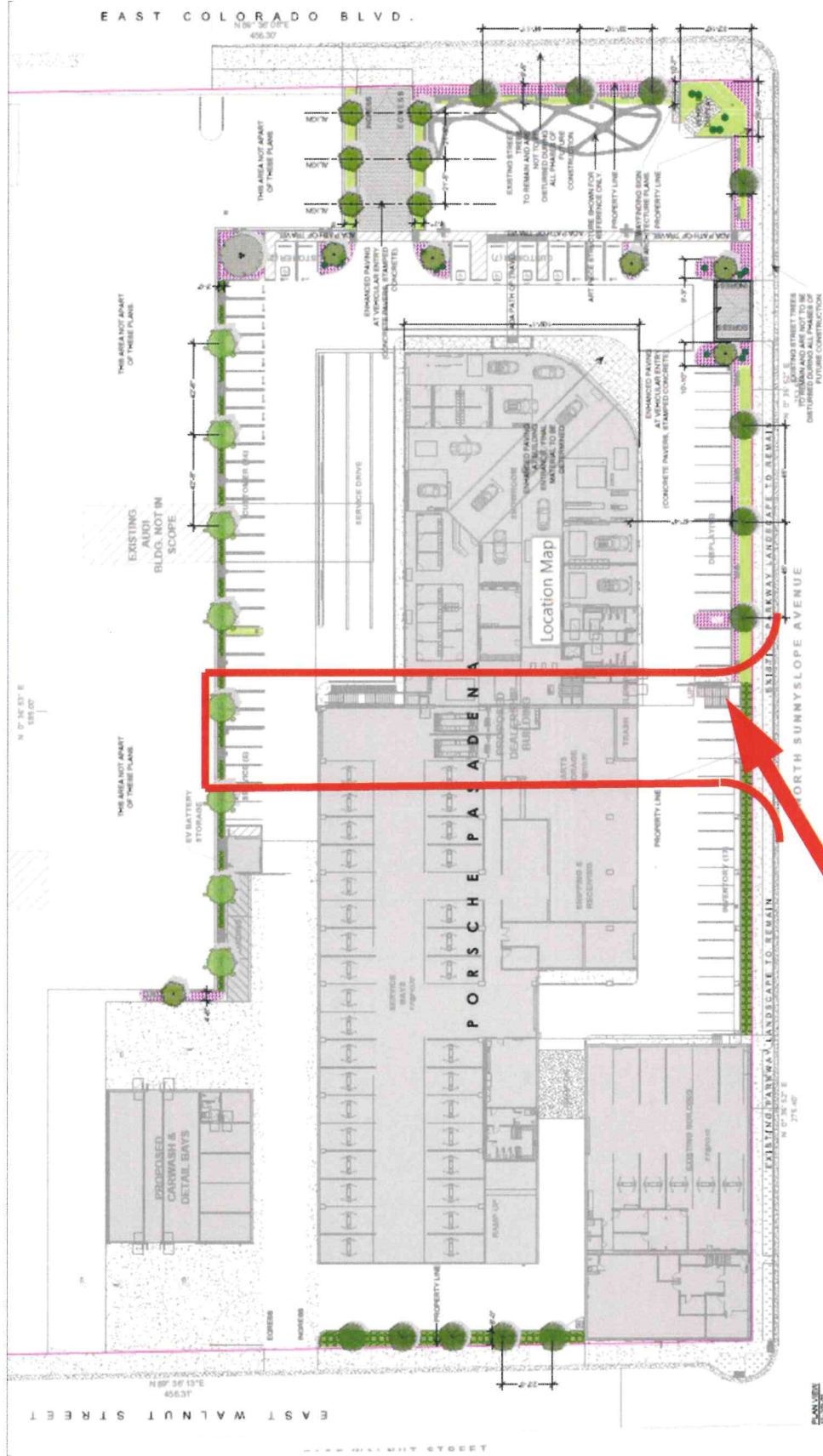


Attachment A - Vicinity Map



Proposed Street Vacation
Nina Street from Sunnyslope Avenue
to its East Terminus

Attachment B - Development Site Plan



**Nina Street
Street Vacation**

Attachment C

RESOLUTION NO. 10064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA DECLARING ITS INTENTION TO ORDER THE VACATION OF NINA STREET FROM SUNNYSLOPE AVENUE TO EAST TERMINUS

WHEREAS, the City has received a request to vacate Nina Street from Sunnyslope Avenue to east terminus and which said portion of land shall be referred to in this resolution as the Proposed Vacated Area; and

WHEREAS, the Proposed Vacated Area, is legally described in Exhibit A and is shown on Exhibit B (Department of Public Works Drawing No. 6093) and is on file in the office of the Director of Public Works; and

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

WHEREAS, Planning Commission has considered and made recommendations on the proposed vacation:

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PASADENA RESOLVES AS FOLLOWS:

1. The City Council of the City of Pasadena hereby declares its intention to vacate the above Proposed Vacated Area, subject to certain conditions being met prior to vacation; and
2. A hearing is hereby set for 5:30 p.m. on Monday, August 26, 2024, in the Council Chamber, Pasadena City Hall, 100 North Garfield Avenue, Room S249, Pasadena, to consider the proposed street vacation. All persons interested in the vacation are invited to attend and give testimony if desired.

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I hereby certify that the foregoing document is a full, true and correct copy of Resolution No. 10064 On file in the office of the City Clerk of the City of Pasadena Calif.



City Clerk

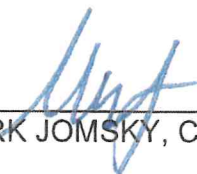
Adopted at the regular meeting of the City Council on the 15th day of July, 2024, by the following vote:

AYES: Councilmembers Hampton, Lyon, Masuda, Rivas, Williams,
Vice Mayor Madison, Mayor Gordo

NOES: None


ABSENT: Councilmember Jones

ABSTAIN: None



MARK JOMSKY, City Clerk

Approved as to form:


Caroline Monroy (Jun 19, 2024 10:25 PDT)

Caroline Monroy
Deputy City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
NINA STREET
BETWEEN SUNNY SLOPE AVENUE AND LOTS 7 AND 18 OF TRACT NO. 8479

That portion of Nina Street, a dedicated public street, 60.00 feet wide, as shown on map of Tract No. 8479, in the City of Pasadena, County of Los Angeles, State of California, as per map recorded in Book 93, Page 4 of Maps, in the Office of the County Recorder of said County, described as follows:

BEGINNING at a point in the Northerly line of said Nina Street, said point being also the Southwest corner of Lot 12 of said Tract;

Thence, along said Northerly line, North 89°54'00" East, 276.46 feet, to the Southeast corner of Lot 8 of said Tract;

Thence, at right angles, South 00°06'00" East, 30.00 feet, to an intersection with the centerline of said Nina Street;

Thence, along said centerline, South 89°54'00" West, 1.08 feet, to an intersection with a line, drawn perpendicular to said centerline, from the Northeast corner of Lot 17 of said Tract;

Thence, at right angles, South 00°06'00" East, 30.00 feet, to said Northeast corner of Lot 17, being also a point in the Southerly line of said Nina Street;

Thence, along said Southerly line, South 89°54'00" West, 276.46 feet, to the Northwest corner of Lot 13 of said Tract;

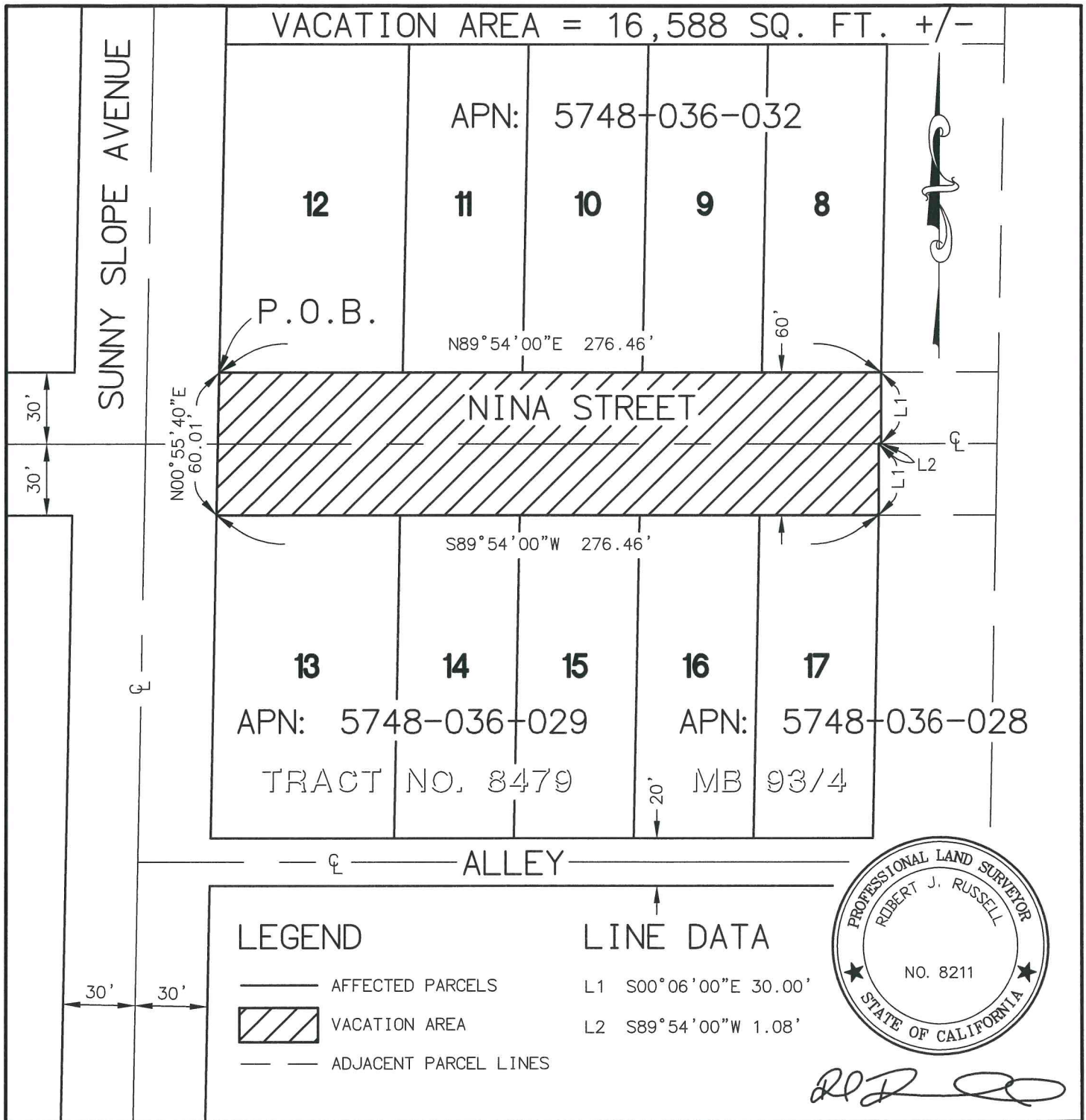
Thence, North 00°55'40" East, 60.01 feet, to the **POINT OF BEGINNING**.

"All as shown on Exhibit "B" attached hereto and made a part hereof."

Legal Description prepared by Commercial Development Resources.

Rob, Russell, PLS 8211
September 12, 2019

EXHIBIT "B"



CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

VACATION

TO RUSNAK DAIMLER CHRYSLER CENTER, INC., A DELAWARE CORPORATION

NINA STREET

BETWEEN SUNNY SLOPE AVENUE AND LOTS 7 AND 18



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 T 949-640-8997 www.cdrwest.com

REVIEWED BY:

[Signature] 8/7/2024
 CITY ENGINEER DATE

SCALE:
 1" = 60'

DATE:
 09/12/19

PLAN NUMBER:

6093

SHEET 1 OF 1