

Agenda Report

TO: CITY COUNCIL
FROM: City Manager
SUBJECT: The Vacation of a Portion of Walnut Street
and the Extension of Cook Avenue

Date: May 10, 1999

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. Find that the proposed extension of Cook Avenue is consistent with the General Plan Mobility Element and is necessary for present or prospective public use for traffic purposes;
3. Adopt the attached resolution that:
 - (a) Affirms that the City Council has adopted the Initial Environmental Study and the Negative Declaration proposed for this vacation and has approved the De Minimis Impact Finding on the State Fish and Wildlife Habitat at the April 5, 1999, City Council meeting,
 - (b) Finds that the proposed vacation of the subject portion of Walnut Street is consistent with the General Plan Mobility Element and is unnecessary for present or prospective public use for traffic purposes (the portion of Walnut Street in question is physically separated from the rest of Walnut Street by a strip of Metropolitan Transportation Authority [MTA] right-of-way and will be referred to in this report as Walnut Street North),
 - (c) Orders the vacation of Walnut Street North based on certain conditions, if and only if those certain conditions are met;
4. 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;

5. Direct the City Clerk to file a Notice of Determination in accordance with Section 15075 of the State California Environmental Quality Act (CEQA) Guidelines together with the environmental documents approved or adopted April 5, 1999, by the City Council, with the Los Angeles County Recorder, as per the hearing to be held at the May 10, 1999, City Council Meeting;
6. Authorize the City Manager to execute a Condition Satisfaction Contract between the City and the applicant.
7. Authorize the Director of the Public Works and Transportation Department to approve the applicant's proposal of submitting a deposit, in lieu of the required street occupation fee, to cover costs associated with his partial occupation of Walnut Street North.

BACKGROUND:

On April 18, 1996, the owner of the property located at 130 North Sierra Madre Boulevard, also the site of Trans Ocean Motors, Inc., submitted a request for vacation of Walnut Street North between Sierra Madre Boulevard and Cook Avenue. After this initial request, the applicant also requested the extension of Cook Avenue from Walnut Street North south to Walnut Street, through what is currently the MTA right-of-way in response to concerns raised by the Public Works and Transportation Department. Review by the Public Works and Transportation Department determined that circulation would be adversely impacted by the vacation of Walnut Street North without the extension of Cook Avenue. With the extension of Cook Avenue, Walnut Street North will be unnecessary for present or prospective public use.

The applicant wishes to expand the display and sales lot for Trans Ocean Motors and is exploring the possible addition of another franchise. Due to the constrained nature of the Trans Ocean Motors property, additional area is required. The applicant is also in negotiation with the MTA for the use, and/or purchase, of a portion of MTA's existing right-of-way for the purposes stated above. The proposed expansion of the Trans Ocean Motors site is in compliance with the purposes, goals, and objectives of the City's business development work program which includes assistance to automobile dealerships to accommodate, where possible, dealership expansion.

Walnut Street North is approximately 344 feet in length and 50 feet in width. It is located between Sierra Madre Boulevard and Cook Avenue and is directly north of the MTA right-of-way which serves to separate it from Walnut Street. This subject portion of road to be vacated is shown on Exhibit "A" (Public Works and Transportation Drawing No. 4902, Sheet 1 of 2) and is described in Exhibit "C" (both attached). The proposed extension of Cook Avenue is located on a portion of MTA right-of-way that is approximately 60 feet in length and 60 feet in width plus additional area to accommodate corner roundings. It is located south of Cook Avenue and north of Walnut Street. This subject portion of MTA right-of-way to be used for the extension is shown on Exhibit "B" (Public Works and Transportation Drawing No. 4902, Sheet 2 of 2) and is described in Exhibit "D" (both attached).

BACKGROUND:, Continued

A review by the Public Works and Transportation Department determined that the proposed vacation of Walnut Street North will not have an adverse impact on traffic circulation in the area, especially given the extension of Cook Avenue to Walnut Street, rendering Walnut Street North unnecessary for present or prospective public use. A review by this same department determined that the proposed extension of Cook Avenue will not have an adverse impact on traffic circulation in the area. Both the vacation and extension will not be in conflict with the General Plan. The Planning Commission has recommended to the City Council the vacation of Walnut Street North based on certain conditional requirements outlined in Exhibit "E". On April 5, 1999, the City Council adopted Resolution No. 7734 declaring its intention to order the vacation and set a public hearing for May 10, 1999.

COOK AVENUE EXTENSION AND REVISIONS TO EXHIBIT "E":

The extension of Cook Avenue is a condition of the vacation of Walnut Street North. It will require that an easement over a portion of the current MTA right-of-way be granted to the City before the physical construction of said extension can begin. This easement will be for public street purposes. A revision to Condition C, on page 8 of Exhibit "E", will allow the applicant, at the discretion of the Director, to occupy a portion of Walnut Street North before the extension is completed. The rest of Walnut Street North will remain open and traffic circulation along the street will continue during this partial occupation, ceasing after the extension is completed.

It may take the applicant several months to complete the acquisition of the MTA right-of-way needed for the extension of Cook Avenue. However, increased automobile sales have deemed it necessary to augment the applicant's current storage and display space. As a result, the applicant has requested the partial occupation of Walnut Street North. Additionally, he has requested that a deposit be submitted, in lieu of the required street occupation fee, to cover the costs associated with this partial occupation.

Another condition of this vacation will be the dedication, for public street purposes, of a seven (7) foot strip of current MTA right-of-way located directly north of Walnut Street. This subject portion of MTA right-of-way is shown on Exhibit "F" (Public Works and Transportation Drawing No. 5043) and is described in Exhibit "G" (both attached). Said dedication, which expands upon Condition D, on page 8 of Exhibit "E", will be necessary for the construction of a standard ten (10) foot parkway along the north side of Walnut Street from the extended Cook Avenue to Sierra Madre Boulevard. The applicant will be responsible for said construction.

STREET TITLE STATUS:

Based on the Preliminary Title Report by Stewart Title, the City's interest in Walnut Street North is an easement for public street purposes with a fair market value of less than \$1000. The applicant has full underlying interest in the entire portion of Walnut Street North and no other property owner has a claim to any interest in said street. Upon passage and recordation of the resolution to vacate Walnut Street North, the applicant will have fee title to the street. Based on the Los Angeles County Assessor's map, the strip of land south of Cook Avenue currently belongs to the MTA. Upon passage and recordation of the resolution accepting the grant

STREET TITLE STATUS:, Continued

of easement from whomever has ownership of the MTA right-of-way at the time the grant of easement is received by the City, the City will proceed with the extension of Cook Avenue. The applicant will pay for all costs associated with the vacation and extension.

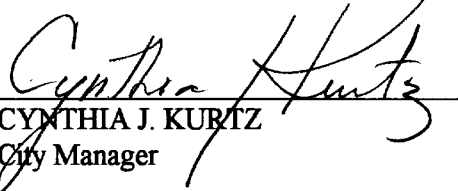
ENVIRONMENTAL CLEARANCE:

At the April 5, 1999, City Council meeting, the City Council adopted the Initial Environmental Study and the Negative Declaration and approved the De Minimis Impact Finding on the State Fish and Wildlife Habitat. These actions, which are in accordance with CEQA, found the vacation to be consistent with the General Plan Mobility Element and to have no impacts on the environment.

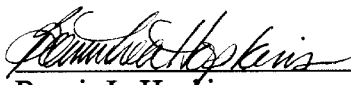
FISCAL IMPACT:

All costs for processing and construction of public improvements are at the applicant's expense. As stated above, staff costs associated with the partial occupation of Walnut Street North will be covered by the applicant's \$5,000 deposit. If Walnut Street North is formally vacated, the vacation will result in a savings to the City in street maintenance. The extension of Cook Avenue will result in added costs to the City for street maintenance and street lighting.

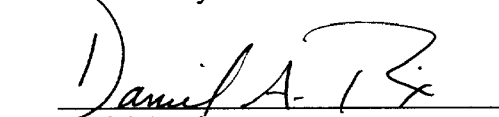
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

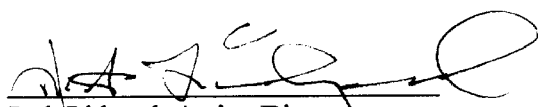
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