

DATE ISSUED: May 29, 2002

REPORT NO. 02-126

ATTENTION: Honorable Mayor and City Council
Docket of June 4, 2002

SUBJECT: Caltrans Street Vacations and Parcel Map in Old Town, Council District 2,
Process 5

APPLICANT: State of California, Department of Transportation (Attachment 10)

SUMMARY

Issues -

- 1) Should the City Council approve the proposed Parcel Map for Caltrans, which includes various street vacations?
- 2) Should the City Council approve the Agreement for Caltrans street vacations and construction of various public improvements?

City Manager's Recommendations -

- 1) APPROVE the Resolution for Parcel Map PM I.D. 99-851 (PTS No. 6485), including the corresponding Street Vacations (Attachment 8).
- 2) APPROVE the Resolution for the corresponding off-site Street Vacation (Attachment 8).
- 3) APPROVE, and DIRECT the City Manager to execute the Agreement (between the City of San Diego and Caltrans) for the Street Vacations and construction of public improvements (Attachment 6).

Planning Commission Recommendation - In accordance with Municipal Code 125.0940(c), a summary street vacation does not require a recommendation by the Planning Commission.

Community Planning Group Recommendation - On September 13, 2000 the Old Town Community Planning Board voted 7-0-1 in favor of the street vacations proposed by Caltrans.

Other Recommendations - None.

Environmental Impact - On October 2, 2001, the Environmental Impact Report for this project was certified by Caltrans. These Street Vacations are exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b) (3) (Attachment 11).

Fiscal Impact - All costs have been paid by the applicant.

Code Enforcement - None with this action.

Housing Affordability Impact - None with this action.

Traffic Impact Statement - This project is estimated to generate 385 additional average daily trips (ADT). It is estimated that 155 of these trips would use the nearby Interstate 8, which has an estimated near term plus project volume of 2185,155 and 135 of these trips would use the nearby Interstate 5, which has an estimated near term plus project volume of 190,135. There are no improvements planned by Caltrans on Interstates 8 and 5 in the vicinity of this project. Project shall provide improvements on Taylor Streets and other nearby streets and intersections as outlined on Pages 3.6-17 through 3.6-19 of FEIR dated September 2001.

Water Quality Impact Statement - All water quality issues and required mitigations were addressed in the certified Environmental Impact Report.

BACKGROUND

The State of California's Department of General Services proposes to construct a new office building for Caltrans within the area bounded by the Amtrak/Coaster/Metropolitan Transit Development Board railroad tracks to the northwest, Interstate-8 to the north and northeast, Sunset Street to the east and Taylor Street to the south. The project is located in the Old Town Community Planning Area. The construction project proposes three new office buildings ranging from two to five stories in height and totaling approximately 301,000 square-feet.

Caltrans is requesting a consolidation of various lots and the vacation of four streets that terminate on Caltrans property within the Old Town Community Plan Area. The proposed development site is on approximately 11 acres of land consisting of six lots and portions of four public streets (Juan Street north of Taylor Street, Rosecrans Street west of Sunset Street, Sunset Street north of Rosecrans Street, Gaines Street east of the railroad tracks, a portion of as shown in Attachment 2). The public streets are to be vacated and the lots consolidated as a result of the proposed development.

An Environmental Impact Report (EIR) was prepared by Caltrans and the Department of General Services covering the proposed Caltrans project in Old Town. The EIR was certified by Caltrans on October 2, 2001. The City of San Diego reviewed the project EIR, as a Responsible Agency under CEQA. However, these proposed Street Vacations, are stand alone actions, are exempt from CEQA per Section 15061 (b) (3).

The State is not subject to local building and zoning regulations for development on State property. Therefore, the State is not required to process development plans through the City for review and approval. However, for any work performed within the public right-of-way, the State will process construction plans through the City prior to commencing work.

The site is currently developed with one-story office buildings and temporary office bungalows, and are used for a variety of Caltrans activities. The site also contains several surface parking

lots. Excluding very small portions of Gaines, Sunset, and Rosecrans Streets that abut the Interstate 8 right-of-way, the streets to be vacated are currently in use and provide access to the Caltrans buildings and parking.

DISCUSSION

Parcel Map

To facilitate the proposed development, Caltrans is requesting approval of a Parcel Map to consolidate six lots on approximately 11 acres of land. The Parcel Map includes vacating portions of four streets that terminate on Caltrans property. The four streets are currently improved and provide access to Caltrans buildings and associated parking. Staff has reviewed the Parcel Map and found that it is consistent with all State Map Act requirements and, as such, can recommend its approval.

Off-Site Street Vacation

Included in the street vacations action is an off-site portion of Rosecrans Street to be vacated. As a result of the construction of a required cul-de-sac at the end of Rosecrans Street, a remnant, unusable portion of the street would remain (Attachment 5). Vacating this portion of Rosecrans Street will eliminate the remnant part of this unusable street.

Street Vacations and Public Improvements Agreement

As a condition of the vacations, Caltrans is required to provide public improvements including the construction of a cul-de-sac at the eastern terminus of Rosecrans Street, a 20-foot widening along Sunset Street, the modification of the traffic signal at Taylor Street and Juan Streets, and the abandonment or relocation of public utilities (Attachment 4).

Conditions placed on a street vacations are required to be satisfied prior to the recordation of the street vacations. Caltrans's new office building project is funded in phases and the next phase is for the construction portion of the project. Caltrans cannot receive the funding from the State's Pooled Money Investment Board (PMIB) for construction of the public improvements until the vacated streets are recorded.

This conflict would prevent Caltrans from obtaining funding for construction. As a result of this conflict, Caltrans has requested that the City record the street vacations within 10 days of receipt from the State Public Works Board authorization to proceed to the construction phase of the project. To accommodate this schedule, a Public Improvement Agreement (Attachment 7) has been prepared, separate from the street, which identifies the required public improvements to be constructed at a later date. This agreement between the City and the State, requires the State to construct the required public improvements within 5 years of the approval of the agreement. Staff supports the approval of this agreement because it is not necessary for the public improvements to be completed prior to the recordation of the street vacations.

Street Vacation Findings

Staff review has determined that the project is consistent with Council Policy 600-15 and that the

four findings for the vacations can be made as follows:

Finding A) - That there is no present or prospective use for the easement or right-of-way, either for the facility for which the it was originally acquired or for any other public use of a like nature that can be anticipated.

The right-of-way associated with this project is contained entirely within Caltrans property. As there is no through traffic associated with these streets, no other properties are affected by the proposed vacations and given the applicant expects to use the vacated streets for building space, there would be no other expected use for the right-of-way.

Finding B) - That the public will benefit from the action through improved utilization of land made possible by the street vacations.

As a result of the vacations the right-of-way land would revert to Caltrans ownership. As such, the City of San Diego would be relieved of maintenance and liability associated with the vacations.

Finding C) - That the vacations or abandonments are not inconsistent with the General Plan, an approved Community Plan, or the Local Coastal Program.

The streets being vacated are not included in the Transportation Element of the Old Town Community Plan. As such, the vacations are not inconsistent with area planning. Notwithstanding this fact, the Old Town Community Planning Committee recommended approval of the proposed vacations.

Finding D) - That the facility for which the right-of-way as originally acquired will not be detrimentally affected by the street.

The streets being vacated are only providing access to the Caltrans facility. The plan for constructing the proposed buildings would eliminate the streets within the area of the project. In addition, there are no present or plans for through streets in this area. All existing utilities will have a license and agreement to allow continued use and relocations during the construction phase of the project.

CONCLUSION

Given that all the street vacation findings for this project can be made, that the Parcel Map is consistent with the requirements of the California Map Act and that the Old Town Community Planning Committee has voted to recommend approval, it is recommended that the City Council approve Parcel Map No. 6485, including street vacations and the Rosecrans Street off-site street vacation and the project's associated Public Improvement Agreement.

ALTERNATIVES

- 1) Do not approve Resolution for the Parcel Map, including the corresponding Street Vacations.
- 2) Do not approve Resolution for the Off-Site Street Vacation.

- 3) Do not approve the Public Improvement Agreement for street vacation and construction of public improvements.

Respectfully submitted,

Tina P. Christiansen, A.I.A.
Development Services Director

Approved: P. Lamont Ewell
Assistant City Manager

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Note: The attachments are not available in electronic format. A copy is available for review in the Office of the City Clerk.

- Attachments:
1. Location Map
 2. Proposed Street Vacations
 3. Parcel Map Exhibit "A"
 4. Public Improvements Plan Exhibit "B"
 5. Off- Site Street Vacation Drawing, Exhibit "C"
 6. Legal Description, Exhibit "D"
 7. Public Improvement Agreement, Exhibit "E"
 8. Draft Parcel Map Resolution including Street Vacations
 9. Draft Off-Site Street Vacation Resolution
 10. Ownership Disclosure
 11. Environmental Exemption Form
 12. EIR- available in Clerks Office