



PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 2, 2009
Staff Report #: 09-073

Agenda Item #: D1

CONSENT: Adoption of a Resolution of Intention to Abandon Portions of Public Rights of Way Along Alma Street and Mielke Drive for Future Construction of the Burgess Gymnasium

RECOMMENDATION

Staff recommends that the Council adopt a Resolution of Intention (see Attachment A) to abandon portions of public rights of way along Alma Street and Mielke Drive for future construction of the Burgess Gymnasium.

BACKGROUND

An update on the Burgess Gymnasium and Gymnastic Center projects was presented to the Council as an informational item at its May 19, 2009, meeting. A copy of the staff report providing additional background is included as Attachment B.

In April 2008, Staff presented conceptual drawings and the anonymous offer to construct the new Burgess Gymnasium at the site adjacent to the Recreation Center along Alma Street. In July 2008, the Council affirmed staff's recommendation to proceed with the environmental approvals and permitting needed to expedite completion of the project as proposed by the donor, subsequently disclosed as Mr. John Arrillaga.

Environmental Review of the Burgess Gymnasium and Gymnastics Center projects is currently underway. The public comment period on the draft EIR closed on May 26, 2009. It is anticipated that the environmental and architectural control reviews will be completed by late Summer 2009. The Planning Commission is being asked to recommend findings and conditions of approval for the Council's consideration. The anticipated construction start date would be in Fall 2009.

ANALYSIS

City development approval processes require applicants to observe setbacks from public rights of way. The City campus is zoned PF, which does not have specific setback requirements. However, City standards establish that the limits of building construction be outside of the public right of way, which generally encompasses the street travel way, curb and gutter, and pedestrian facilities (sidewalks and trails).

The footprint of the proposed gymnasium extends to approximately 10 feet from the travel way of Alma Street. A new five-foot wide sidewalk will be constructed between the gymnasium and the travel way.

The right of way for Alma Street was first shown on a subdivision map recorded in 1868. The mapped right of way is 100 feet wide between Ravenswood Avenue and Burgess Drive and envelopes portions of the existing skate park, basketball court, and two parking lots. In addition, Mielke Drive, which is shown on recorded maps as public right of way, was closed as a connector between Laurel Street and Alma Street in 2004 to facilitate development of the current Burgess Field and additional parking to serve the campus.

Staff consulted with a licensed land surveyor to determine the most appropriate process for abandoning unnecessary or unused rights of way and re-establishing right of way where needed. The surveyor recommended the approach being presented to Council as the most expeditious way to formalize the current uses and the future needs of these areas.

The actions needed to facilitate approval of the building permit for the proposed Bugess Gymnasium project and to properly designate the surrounding land uses are:

1. Abandon the Alma Street and Mielke Drive rights of way within the limits as shown in Attachment C.
2. Establish a 36-foot wide public right of way for Alma Street beginning at Ravenswood Avenue, and widening to a 60-foot wide public right of way ending at Burgess Drive. (See Attachment D.)
3. Reserve a public utilities easement (PUE) over the abandoned portion of Mielke Drive to protect and facilitate future maintenance of existing utilities.

The process involved in abandoning a public right of way is outlined in the California Streets and Highways Code (sections 8320, et seq.). The first step in the process is the adoption of the Resolution of Intention. Subsequent steps in the process that ensure public notification and involvement are as follows:

- The City Council submits the proposed abandonment to the Planning Commission to be reviewed at a public meeting. This is currently scheduled for June 29, 2009.
- The Planning Commission renders a report as to whether the proposed abandonment conforms to the General Plan.
- The Council conducts a public hearing regarding the proposed abandonment and considers adopting resolutions abandoning the rights-of-way and approving a new street easement for Alma Street between Ravenswood Avenue and Burgess Drive and a PUE along Mielke Drive. The public hearing is tentatively scheduled for July 14, 2009.

The utility companies have been notified of the pending street abandonments. It is not anticipated that significant comments will be received.

IMPACT ON CITY RESOURCES

There is no direct impact on City resources associated with the actions in this staff report. Fees for staff time to review and process the abandonments have been paid from the Burgess Gymnasium project budget. Consultant costs for preparation of the plat and legal descriptions have also been funded from the Burgess Gymnasium project.

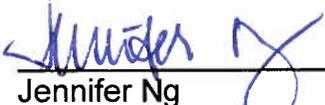
The proposal right of way for Alma Street conforms to existing street improvements. No changes to the existing street are required due to the proposed abandonment.

POLICY ISSUES

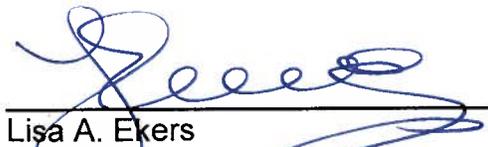
The recommendation does not represent any change to existing City policy. Section 1805 of the California Street and Highways Code stipulates that the width of all city streets be at least 40-feet, except that the governing body may, by resolution passed by four-fifths of its membership, determine that the public convenience and necessity demand the acquisition, construction and maintenance of less than 40-feet.

ENVIRONMENTAL REVIEW

The proposed street abandonment is Categorically Exempt under Class 5, minor alterations in land use, of the current State of California Environmental Quality Act Guidelines.



Jennifer Ng
Senior Civil Engineer



Lisa A. Ekers
Engineering Services Manager

PUBLIC NOTICE: Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS:

- A. Resolution of Intention
- B. Staff report from May 19, 2009
- C. Survey Plats for Abandonment
- D. Proposed Alma Street Easement

RESOLUTION NO. _____

RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO ABANDON PORTIONS OF PUBLIC RIGHTS OF WAY ALONG ALMA STREET AND MIELKE DRIVE FOR FUTURE CONSTRUCTION OF THE BURGESS GYMNASIUM

WHEREAS, the City Council of the City of Menlo Park has considered the abandonment of portions of public rights of way along Alma Street and Mielke Drive to accommodate the future construction of the Burgess Gymnasium; and

WHEREAS, the Planning Commission will hold a Public Hearing on this subject on June 29, 2009, as required by law to notify property owners and to determine whether the proposed abandonment is consistent with the City's General Plan; and

WHEREAS, the City Council will hold a Public Hearing on Tuesday, July 14, 2009, at approximately 7:00 p.m. as required by law, at which time and place all persons interested in or objecting to said proposed abandonment may appear and present objections to said proposed abandonment and submit evidence in support thereof.

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Menlo Park that a Resolution of Intention is hereby established for the consideration of the above.

I, MARGARET S. ROBERTS, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the second day of June, 2009, by the following votes:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this _____ day of _____, 2009.

Margaret S. Roberts, MMC
City Clerk



PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 19, 2009
Staff Report #: 09-067

Agenda Item: 11

INFORMATION ITEM: Update on the Burgess Gymnasium and Gymnastics Center Project

This is an information item and does not require City Council action.

BACKGROUND

In December 2007, City Council unanimously approved the Parks and Recreation Commission's recommendation to proceed with a programming study and design phase for the renovation of the Burgess Gymnasium and Gymnastics Center. The project was to be funded by the second Measure T bond sale.

In December 2007, the City Council authorized a contract with Field Paoli Architects of San Francisco to develop conceptual designs for the expansion of the Burgess Gymnasium and Gymnastics Center. The contract included a programming study that evaluated operations, physical conditions, and space needs for the current and future uses as well as conceptual design of the facilities. Input from a programming consultant, gym users, gymnastics participants, neighbors, and City staff and an evaluation of the existing building were used by Field Paoli to develop and prepare cost estimates for three schemes that would fit in the existing available space at the Civic Center. The conceptual plans, estimates, and report summaries are available on the City's website and can be accessed at: www.menlopark.org/gym. Three refined schemes were presented at the Parks and Recreation Commission meeting on April 16, 2008. The Commissioners in attendance discussed each scheme's strengths and weaknesses and suggested additional information that might be helpful in determining their preferred scheme.

Following the April 16, 2008, Parks and Recreation Commission meeting, local philanthropist John Arrillaga met with City representatives and presented an offer to further develop the gymnasium plan, construct a new gymnasium, and finance all but \$5 million of the design and construction costs. Mr. Arrillaga will select the construction contractor and take an active role in managing construction. The City will finance \$5 million of the construction costs plus normal City plan-check, building permit and inspection fees, utility connection fees, and will complete the environmental document for the project. Mr. Arrillaga has a successful history of similar philanthropic endeavors in the region and proven ability to complete projects of this complexity.

CURRENT ACTIVITIES

The City retained an environmental consultant, LSA Associates, Inc. (LSA), to perform the Initial Study required under the California Environmental Quality Act (CEQA) to determine the potential impacts of the project. This Initial Study indicated that the project would result in "potentially significant impact" on traffic and parking in the area. A Draft Environmental Impact Report (DEIR) focused on transportation impacts was prepared by LSA, and was released for public review on April 9, 2009, with a comment period ending on May 26, 2009. In addition, a Public Hearing to receive oral comments on the adequacy of the Draft EIR was held at the May 4, 2009, Planning Commission meeting.

Following the close of the public review period, a "Response to Comments" document will be prepared that includes all written and oral comments received and responses to those comments. The Draft EIR and the Response to Comments will be combined to form the Final EIR, which is scheduled to be presented to the Planning Commission on June 29, 2009. The Final EIR will be available at least ten (10) days prior to the Planning Commission's public hearing on the project. At the same Public Hearing, the gymnasium project will be before the Planning Commission for architectural control review and recommendation to the Council.

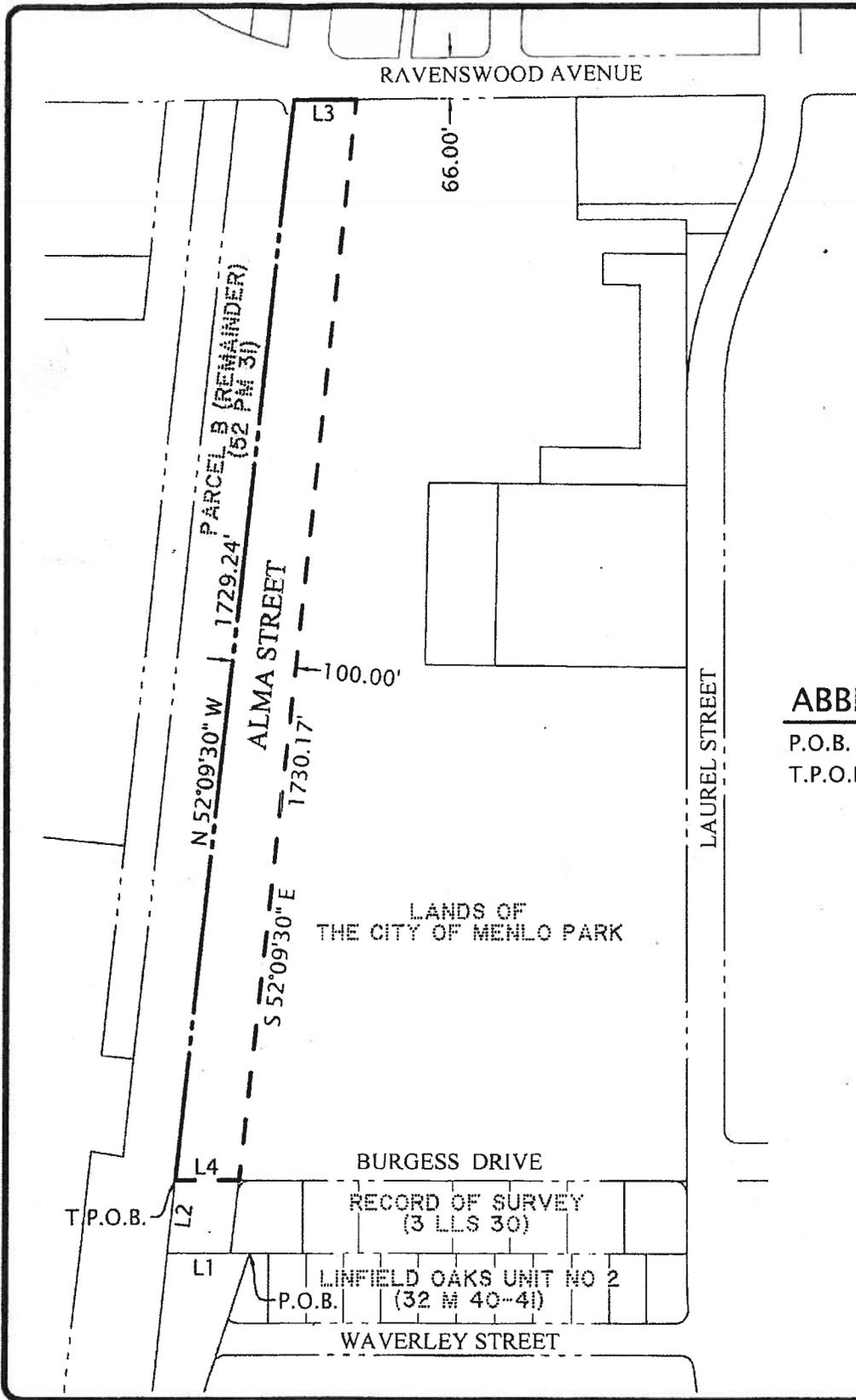
A public hearing on the Final EIR and architectural control for the gymnasium is tentatively scheduled for the July 21, 2009, City Council meeting. The Council will be asked to certify the Final EIR at this hearing. Once the Final EIR is certified, the building permit application process can begin.


Matheu Oscamou, P.E.
Senior Civil Engineer


for Lisa A. Ekers, P.E.
Engineering Services Manager

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ATTACHMENTS: None

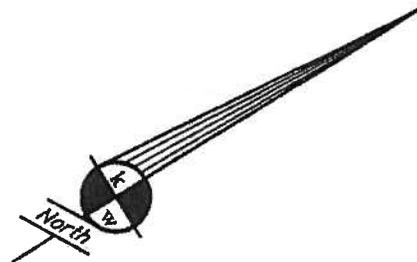


LINE TABLE:

LINE	BEARING	DISTANCE
L1	N 31°45'00" E	130.00'
L2	N 52°09'30" W	115.66'
L3	N 31°13'30" E	100.67'
L4	S 31°45'00" W	100.57'

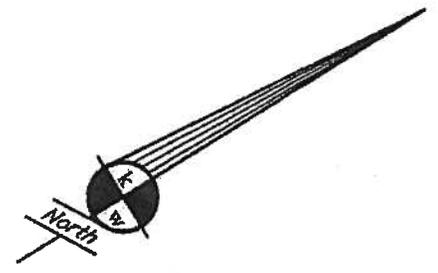
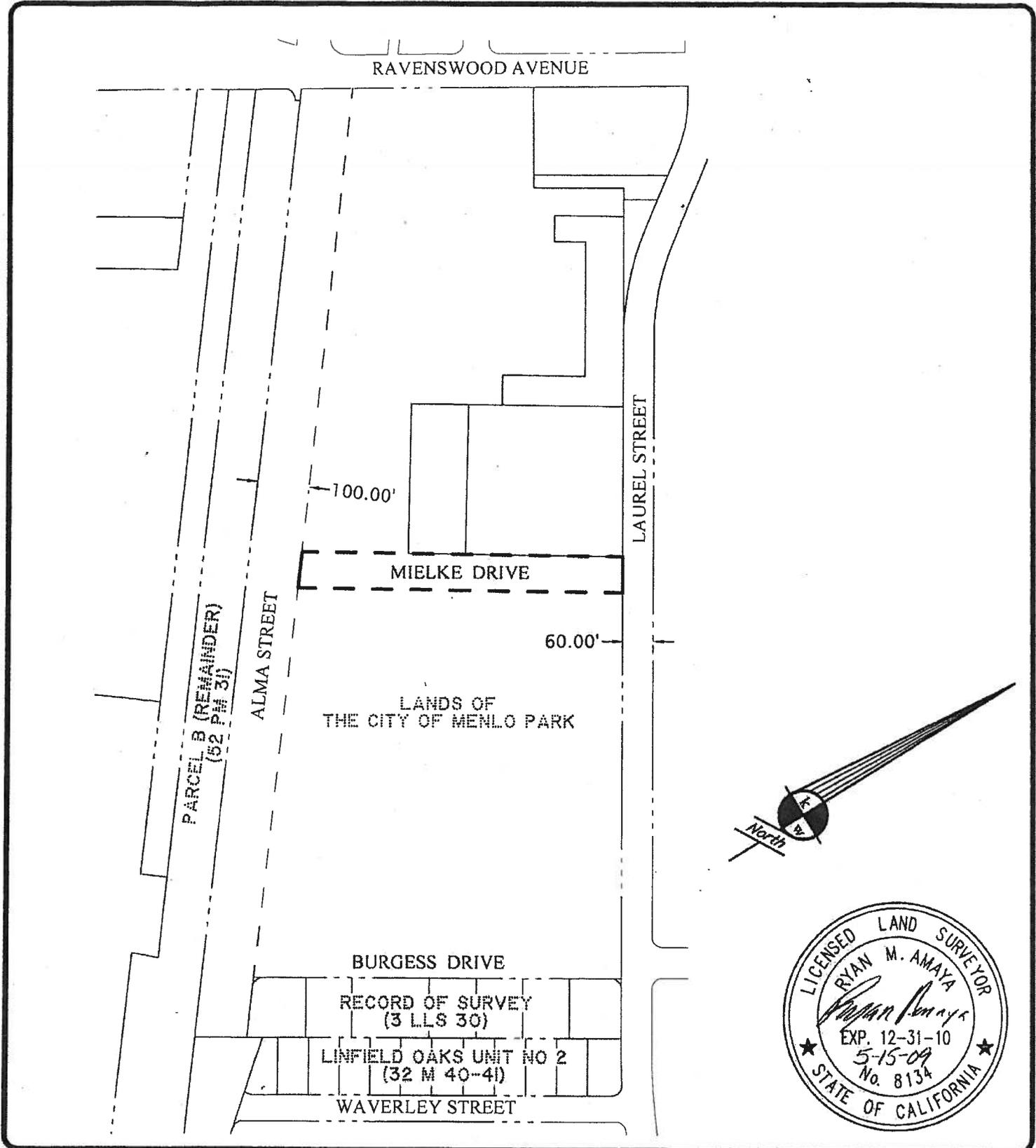
ABBREVIATIONS

P.O.B.	POINT OF BEGINNING
T.P.O.B.	TRUE POINT OF BEGINNING



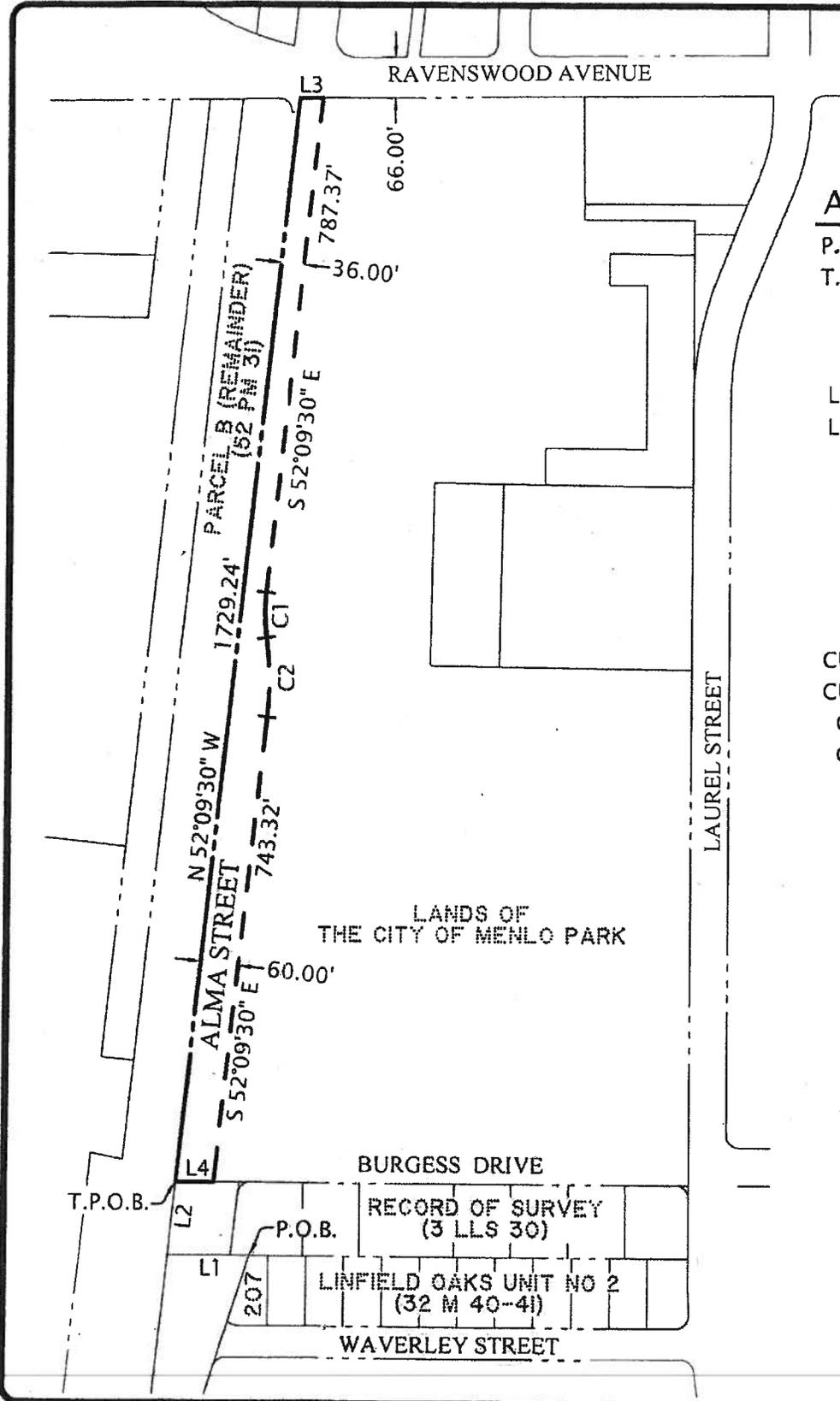
PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR: STREET VACATION - ALMA STREET		DATE MAY 2009
MENLO PARK		SCALE 1"=250'
CALIFORNIA		DR. BY SB
EXHIBIT "B"		JOB A09025
USER: shorber I:\PROJECTS\A09025\DWG\SURVEY\PLATS\STREET VACATION - ALMA\C-PLAT.dwg MAY 14, 2009 10:26 AM		SHEET NO. 1 OF 1
KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 (408) 727 6665 Santa Clara, California 95054 fax (408) 727 5641		

(1)



<p align="center">PLAT TO ACCOMPANY LEGAL DESCRIPTION</p> <p align="center">FOR: STREET VACATION AND RESERVATION OF PUBLIC UTILITY EASEMENT - MIELKE DRIVE</p>		DATE	MAY 2009
		SCALE	1"=250'
<p>MENLO PARK</p> <p align="center">EXHIBIT "B"</p> <p><small>USER:ramaya E:\PROJECTS\A09025\DRG\SURVEY\PLATS\STREET VACATION - MIELKE\C-PLAT.dwg MAY 15, 2009 3:13 PM</small></p>	 <p>KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 (408) 727 6665 Santa Clara, California 95054 fax (408) 727 5641</p>	DR. BY	SB
		JOB	A09025
		SHEET NO.	1 OF 1

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ABBREVIATIONS

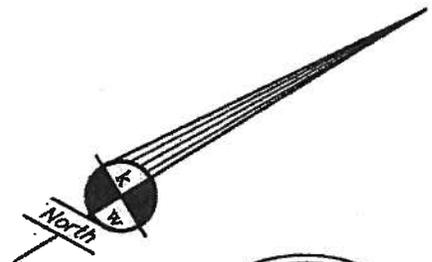
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L3	N 31°13'30" E	36.24'
L4	S 31°45'00" W	60.34'

CURVE TABLE:

CURVE	RADIUS	DELTA	LENGTH
C1	295.00'	13°56'21"	71.77'
C2	520.00'	13°56'21"	126.51'



PLAT TO ACCOMPANY LEGAL DESCRIPTION		DATE	MAY 2009
FOR: STREET EASEMENT - ALMA STREET		SCALE	1"=250'
MENLO PARK	CALIFORNIA	DR. BY	SB
EXHIBIT "B"	KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 (408) 727 6665 Santa Clara, California 95054 fax (408) 727 5641	JOB	A09025
		SHEET NO.	1 OF 1

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