



REPORT TO COUNCIL

City of Sacramento

18

915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

PUBLIC HEARING
March 28, 2005

Honorable Mayor and
Members of the City Council

Subject: The Vacation of 15-Foot Wide Public Utility Easement Within Parcel 1, 2, 3 and 4 of Parcel Map Entitled "Valley Plaza", Vacation Proceeding No. VP04-04

Location/Council District:

East of Center Parkway, north of Mack Road, west of La Mancha Way and south of Elder Creek within Council District 8 (see Attachment "A", Page 4).

Recommendation:

Adopt the Resolution approving the vacation (abandonment) of the 15-foot wide public utility easement within parcel 1, 2, 3 and 4 of the Parcel Map entitled "Valley Plaza".

Contact(s): Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Cesar Narvaez II, Junior Engineer, (916) 808-7873

Presenter: Not Applicable

Department: Development Services Department

Division: Development Engineering

Organization No: 4815

Summary:

Mr. Robert Nolasco, owner of parcel 1, 2, 3 and 4 of the Parcel Map entitled "Valley Plaza", requested the vacation of the subject public utility easement (PUE). Staff finds that the current 15-foot wide PUE is no longer necessary for present or future use because it will be replaced by a new PUE in a different location. All existing utility facilities will be relocated to the new PUE. Staff recommends approval of this vacation.

Committee/Commission Action:

The City Planning Division has reviewed the proposed vacation. Staff finds that the proposed vacation is consistent with the General Plan.

Background Information:

On March 10, 2004, the applicant received approval from the City to develop the project site into a mini-storage facility. The facility will consist of five one-story storage buildings and one two-story management office. To efficiently and cost-effectively develop the project site, the applicant proposed to vacate the existing PUE on the project site and relocate existing utility facilities to a new PUE. Various City agencies and utility agencies reviewed and supported this request for vacation. Letters from these agencies are available from the Development Engineering Division of the Development Services Department.

Staff finds that this request for vacation is in conformance with the State of California Streets and Highways Code (S&HC) Section 8310-8325. Staff also finds that the current 15-foot wide PUE is no longer necessary for present or future use because it will be replaced by a new PUE in a different location. All existing utility facilities will be relocated to the new PUE. Staff recommends approval of this vacation.

Following vacation, the title to the subject property is cleared of the PUE.

Financial Considerations:

The applicant is responsible for all fees required to process the vacation application and there is no cost to the City.

Environmental Considerations:


The Environmental Planning Services Division of the Development Services Department has reviewed this project and determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 5 Section 15305 of the CEQA Guidelines. Projects exempt under Section 15305 consist of minor alterations due to land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

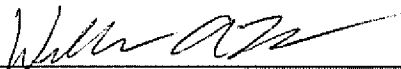
Policy Considerations:

The Council action recommended in this report supports the City Strategic Plan 3 Year Goal to "promote and support economic vitality". The State of California Streets and Highways Code Section 8310-8325 allows for the vacation of streets, alleys, and easements.

Emerging Small Business Development (ESBD):

None.

Respectfully Submitted by: 
Edward Williams
Manager, Development Engineering and Finance

Respectfully Submitted by: 
William A. Thomas
Director of Development, Development Services Department

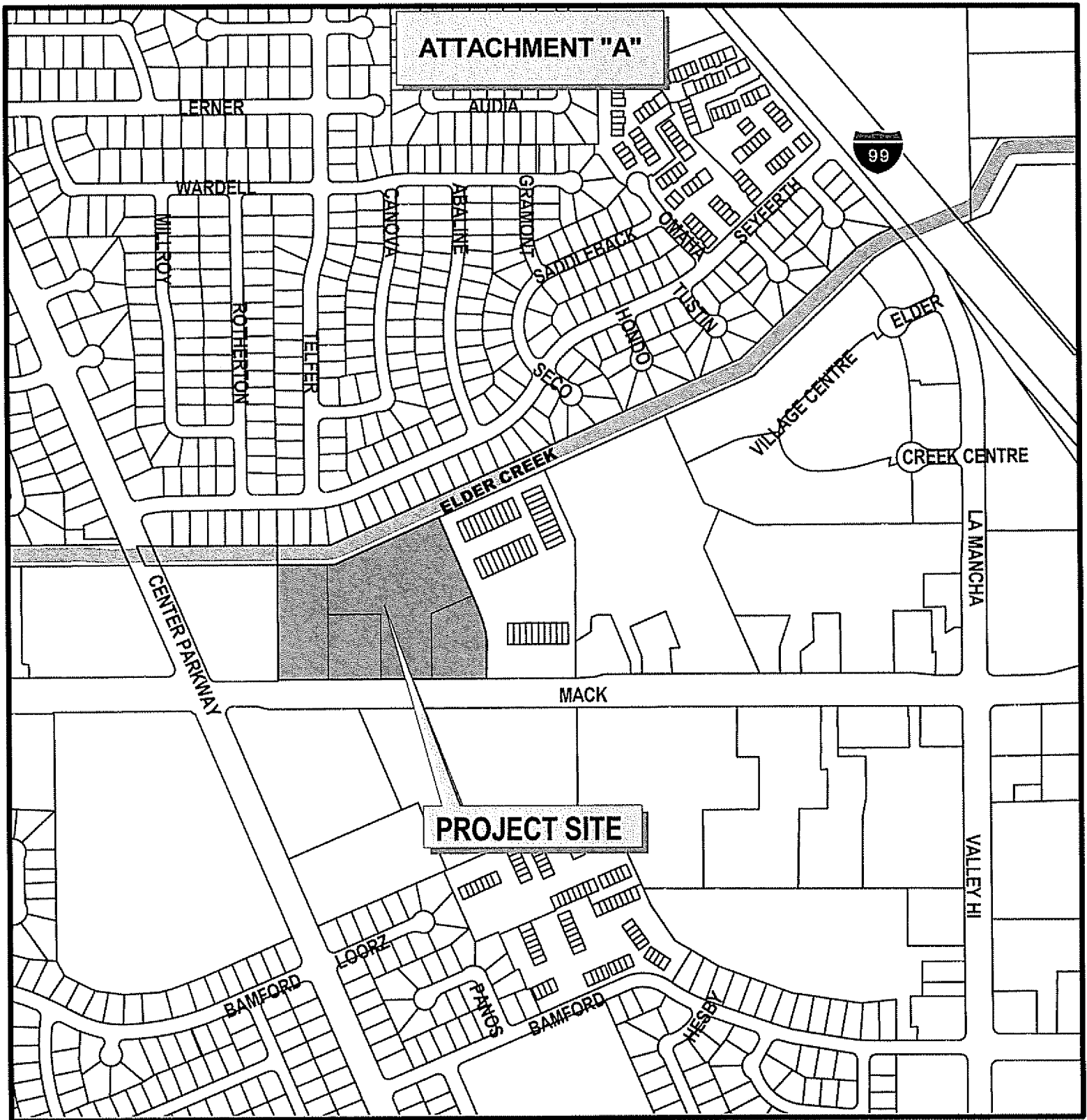
Recommendation Approved:


for RAY KERRIDGE
City Manager

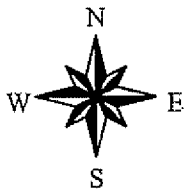
Table of Contents:

Pg	1-3	Report
Pg	4	Attachment A, Location Map
Pg	5-7	Resolution
Pg	8	Resolution Exhibit A, Location Map
Pg	9	Resolution Exhibit B, Legal Description

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VACATION, VP04-04
 The vacation of 15-Foot wide Public Utility
 Easement within Parcel 1, 2, 3 and 4 of Parcel
 Map Entitled "Valley Plaza"



RESOLUTION NO.

Adopted by the Sacramento City Council

RESOLUTION APPROVING THE VACATION OF 15-FOOT WIDE PUBLIC UTILITY EASEMENT WITHIN PARCEL 1, 2, 3 AND 4 OF PARCEL MAP ENTITLED "VALLEY PLAZA" LOCATED IN COUNCIL DISTRICT 8

VACATION PROCEEDING NO. VP04-04

BACKGROUND

- A. "Mr. Robert Nolasco" requested the City to vacate the subject public utility easement located within the City of Sacramento.
- B. The Sacramento City Council will consider this vacation proceeding in accordance to State of California Streets and Highways Code Section 8310-8325.
- C. The City of Sacramento Planning Division reviewed this vacation proceeding pursuant to State of California Government Code Section 65402 and concluded that this vacation is consistent with the City's General Plan and applicable Community Plan.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The 15-foot wide public utility easement within parcel 1, 2, 3, and 4 of Parcel Map entitled "Valley Plaza" within Council District 8, specifically described in Exhibit A and Exhibit B of this Resolution, is hereby ordered vacated subject to the conditions specified on this Resolution.
- Section 2. The City Council has considered this vacation in accordance to State of California Streets and Highways Code Section 8310-8325. The City Council finds that the subject public utility easement is no longer necessary for present or future public use.
- Section 3. The City Council finds that the said vacation has been submitted to and reported on by the City's Planning Division and finds that the said vacation is consistent with the City's General Plan and applicable Community Plan.
- Section 4. This vacation is subject to the following conditions:
 - a. The applicant shall construct and provide the following conditions to the satisfaction of the Department of Utilities:
 - i. Water main extensions shall be constructed to provide the same standard of water service that currently exists for the existing townhouse development adjacent to the east of the project site.

Water main extensions shall be designed and constructed to the satisfaction of the Department of Utilities. A water main shall be constructed in Mack Road from the existing 8" water main near the western end of the site where the existing on-site water system is currently tied, to the private north-south road and north in the private road to the existing 6" water main (approximately a 700' main extension). The main extension configurations shall be to the satisfaction of Department of Utilities. The applicant shall submit pipe network calculations for the proposed water distribution system to the Department of Utilities for review that show no negative effect on the existing townhouse development.

- ii. Verify that the existing sewer lines connected by manholes 510, 518, 517, 515 and 514 are located within the existing PUE. If the existing sewer lines are not within the existing PUE, easements shall be dedicated to the City of Sacramento to the satisfaction of the Department of utilities.
 - iii. Verify that the existing water line running north-south from the tee between 502 and 503 to the 90 degree elbow approximately 50' south of hydrant 506 is located within the existing PUE. If the existing waterline is not within the existing PUE, easements shall be dedicated to the City of Sacramento to the satisfaction of the Department of utilities.
- b. At no cost to PG & E, the applicant shall cut off existing underground gas services and dedicate a new easement covering the new location of any gas facilities (if applicable) to the satisfaction of PG & E.
 - c. At no cost to SBC, the applicant shall dedicate right-of-ways to cover all SBC facilities within the project site. The applicant shall relocate existing SBC facilities and dedicate new easements for the relocation of SBC facilities to the satisfaction of SBC.
 - d. The applicant shall submit and obtain approval for sewer abandonment to County Sanitation District 1 (CSD-1).

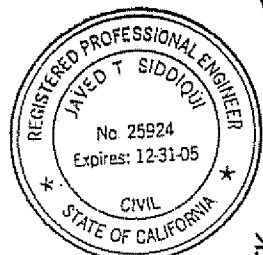
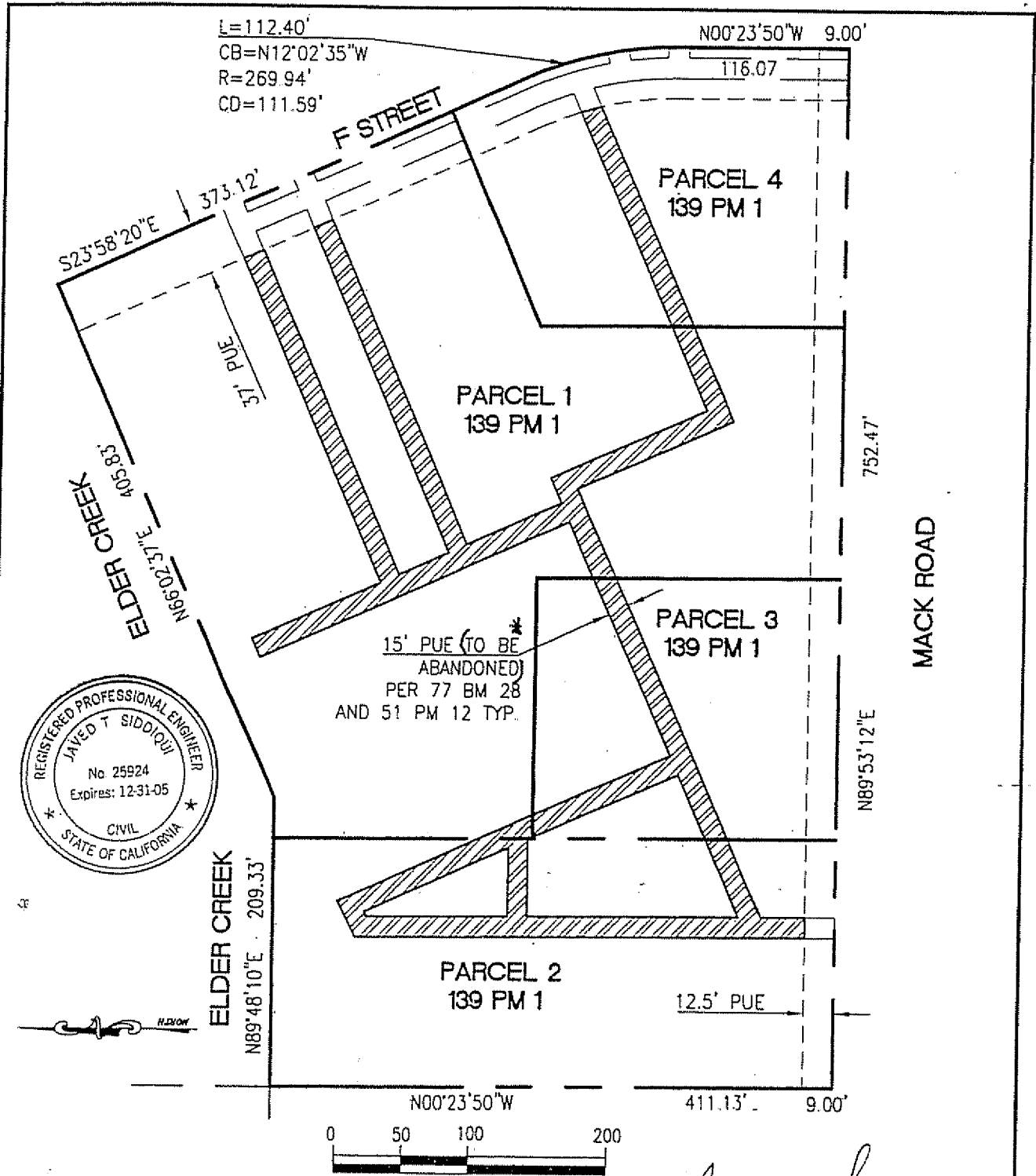
Section 5. The conditions specified in Section 4 of this Resolution must be completed within two years of the date of this Resolution. If all conditions are not completed within the two years specified, this Resolution approving the vacation shall become void, unless the City Council grants a time extension.

Section 6. Once the conditions in Section 4 are met, the City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded. The vacation shall be effective when the City Clerk records this Resolution with the County Recorder

Table of Contents:

Exhibit A: Exhibit Plat/Map – 1 Page

Exhibit B: Legal Description – 1 Page



NOTE:
 THIS EXHIBIT IS PREPARED FROM RECORD DATA.
 IT IS NOT BASED ON A SURVEY. *15' PUE ABANDONMENT REQUESTED

PREPARED BY: *Javed T. Siddiqui*
 JAVED T. SIDDIQUI RC# 25924 3-27-04

JTS ENGINEERING CONSULTANTS, INC. <small>1028 J STREET SACRAMENTO CALIFORNIA 95814 (916) 441-6708</small>	SCALE: 1"=100'	EXHIBIT 'A' 15' P.U.E. EASEMENT ABANDONEMENT APN:118-0111-062, 063, 064, 065 COUNTY OF SACRAMENTO CALIFORNIA
	DATE: 03-12-04	
	DRAWN: CJK	
	CHECKED: JTS	
JOB No: 2003-088		

EXHIBIT "B"

Page 1 of 1

***Legal Description for Abandonment of a 15' Public Utility Easement
5701 Mack Road***

All that real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

Being a portion of *Parcels 1, 2, 3 and 4* as shown on the Parcel Map entitled "*Valley Plaza*", recorded on April 22, 1994, in *Book 139 of Parcel Maps, at Page 1 (139PM1)*, of Official Records of Sacramento County.

All of those *15' Public Utility Easements* depicted on Maps filed in *Book 77 of Maps, at Page 28 (77BM28)* and filed in *Book 51 of Parcel Maps, at Page 12 (51PM12)*, within the area bounded by Mack Road to the South, the 37' Public Utility Easement along "F" Street to the East, Elder Creek to the North and the Westerly property line of *Parcel 2*, as depicted on the said Parcel Map of "*Valley Plaza*", filed in *Book 139 of Parcel Maps, Page 1 (139PM1)*. These 15' Public Utility Easements are more particularly depicted of attached *Exhibit "A"*.

End of Legal Description

Prepared by JTS Engineering from record data



Javed T. Siddiqui

Javed T. Siddiqui, RCE 25924

Date: *3/22/04*
