

DEPARTMENT OF
SERVICES
PUBLIC WORKS
TECHNICAL SERVICES

CITY OF SACRAMENTO
CALIFORNIA

DEVELOPMENT
1231 I Street
SACRAMENTO, CA
95814
PH 916-264-7474
FAX 916-264-7480

June 28, 2000

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: HEARING ON ABANDONMENT OF AN IRREVOCABLE OFFER TO DEDICATE AND A PUBLIC UTILITY EASEMENT EAST OF CORPORATE WAY; ABANDONMENT PROCEEDING NO. AP00-02

LOCATION/COUNCIL DISTRICT: East of Corporate Way
Council District 7.

RECOMMENDATION:

This report recommends that after hearing testimony, the City Council close the hearing and adopt the attached resolution adopting and approving the abandonment of an Irrevocable Offer to Dedicate and a Public Utility Easement east of Corporate Way.

CONTACT PERSONS: Ron Perry, Engineering Technician III, 264-8298

FOR COUNCIL MEETING OF: July 18, 2000

City Council
Abandonment of a I.O.D. and P.U.E. East of Corporate Way – AP00-02
June 28, 2000

SUMMARY:

The City has received a request from the Spink Corporation on behalf of the Pocket Area Self Storage to abandon an irrevocable offer to dedicate and a public utility easement east of Corporate Way in order to allow for the expansion of the new Pocket Area Self Storage.

COMMITTEE/COMMISSION:

None required.

BACKGROUND INFORMATION:

- The Spink Corporation has requested the abandonment of an Irrevocable Offer to Dedicate and a Public Utility Easement east of Corporate Way. The abandonment will allow for the expansion of the new Pocket Area Self-Storage.
- City of Sacramento departments and utility companies have reviewed this request for abandonment. Letters regarding this abandonment are on file with the Department of Public Works, Development Services. See Attachment A for a time schedule for this abandonment.
- Staff has reviewed the request to abandon and finds it in conformance with City Guidelines for Easement Closures (City Resolution No. 95-667) and the State of California, Streets and Highways Code (Section 8300 et seq).
- A Resolution of Intention (ROI) was adopted by the City Council on June 20, 2000, which established this date as the hearing for the proposed abandonment. Letters to the property owners and residents adjacent to the abandonment were mailed on June 22, 2000. Notice of the abandonment was posted along the subject right-of-way on June 23, 2000, and the Resolution of Intention was published in the Daily Recorder on June 23, 2000 and June 30, 2000. The Engineer's report relating additional facts of the abandonment is on file with the City Clerk's office. See Attachment A for the time schedule for this abandonment.
- Following abandonment, ownership of the street will return to the original property owners based on underlying title.

FINANCIAL CONSIDERATIONS:

The applicant provided all the documentation required for the abandonment and has paid a fee to fund staff time required to process the abandonment application. There is no expense to the City.

City Council

Abandonment of a I.O.D. and P.U.E. East of Corporate Way – AP00-02

June 28, 2000

ENVIRONMENTAL CONSIDERATIONS:

On April 18, 2000, the City Council ratified a Negative Declaration for the entitlements related to the Pocket Area Self-Storage Facility (P99-068). Potentially significant environmental issues relating to the construction of this facility were evaluated. Mitigation measures were included relating to flooding; transportation and circulation; biological resources; noise; and utilities and service systems. The currently proposed abandonment was included and evaluated in the previous environmental document. No new issues or new information are known that would trigger additional environmental analysis. Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act Public Resources Code provides that an additional Negative Declaration need not be prepared unless subsequent changes are proposed in the project, substantial changes occur with respect to the project circumstances, or new information of substantial importance to the project becomes known or available. The proposed abandonment is within the scope of the prior environmental document. Therefore, no additional environmental document is required.

POLICY CONSIDERATIONS:

The proposed abandonment is consistent with Council priorities of public safety, and neighborhood revitalization and enhancement.

1. Section 8300 et. Seq. of the Streets and Highways Code allows for abandonment of streets, alleys, and easements that are no longer needed for public use. These abandonments are classified as regular abandonments.
2. The local governing body is the approving authority and may reserve such rights as may be needed (e.g., retaining the utility easement when approving a street abandonment).
3. City policy, as stated in Resolution No. 96-176 (approved by the City Council on May 7, 1996), provides for abandonment of streets and alleys so long as there is a benefit to the community, it does not inhibit access to other properties and would be supported by the majority of the property owners.
4. The proposed abandonment is consistent with these policies.

City Council
Abandonment of a I.O.D. and P.U.E. East of Corporate Way – AP00-02
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ESBD CONSIDERATIONS:

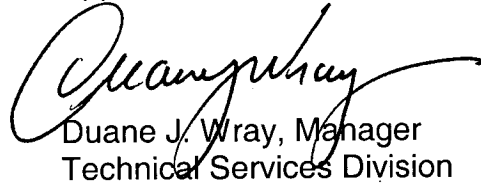
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Gary Alm, Manager
Development Services

Approved:



Duane J. Wray, Manager
Technical Services Division

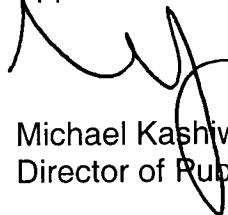
RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

\\PW06\VOL1\SHARED\TS Wrk Grp Docs\Develop Svcs\Council\AP00-02\CCR Public Hearing .doc

Approved:



Michael Kashiwagi
Director of Public Works

ATTACHMENT A

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING
TO ABANDON AN IRREVOCABLE OFFER TO DEDICATE AND A
PUBLIC UTILITY EASEMENT EAST OF CORPORATE WAY WITHIN
COUNCIL DISTRICT 7 (AP00-02)**

Resolution of Intention	June 20, 2000
Send Letters to Property Owners	June 22, 2000
Posting on Alleys/Streets	June 23, 2000
Copy of Resolution Published in Daily Recorder	June 23, 2000 & June 30, 2000
Public Hearing at City Council/Final Approval	July 18, 2000

APPROVED
JUL 18 2000
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 2000-440

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION TO ABANDON AN IRREVOCABLE OFFER TO DEDICATE AND
A PUBLIC UTILITY EASEMENT EAST OF CORPORATE WAY WITHIN
COUNCIL DISTRICT 7**

ABANDONMENT PROCEEDING NO. AP00-02

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- A. WHEREAS, the City received a petition to abandon from owners of property within the City of Sacramento requesting the City Council to consider abandonment of the subject property; and
- B. WHEREAS, a notice that the City Council would consider the proposed abandonment at a Public Hearing was given in compliance with California Streets and Highways Code, Section 8300, et. seq.; and
- C. WHEREAS, the Neighborhoods, Planning and Development Services Department reviewed the proposed abandonment pursuant to Government Code Section 65402 and concluded that said abandonment would be consistent with the City General Plan and the applicable Community Plan; and

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- 1. Pursuant to the standards and procedures provided in the Public Streets, Highways and Service Easements Vacation Law, California Streets and Highways Code Section 8300 et seq, the City Council hereby declares its intention to abandon an irrevocable offer to dedicate and public utility easement east of Corporate Way within Council District 7 in the City of Sacramento, specifically described below and shown on Exhibit B.

All that portion of Parcels 6 and 7, as shown on that certain Parcel Map entitled "Portion of Lot B, 45 P.M. 8 and Portion of Parcel 4, 80 P.M. 14", recorded in the office of the Recorder of Sacramento County in Book 122 of Parcel Maps, at Page 18, described as follows:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

The certain Irrevocable Offer of Dedication to the City of Sacramento located along the boundary common to said Lots 6 and 7, together with the 12.5 feet wide Public Utility Easements located adjacent to said Irrevocable Offer of Dedication.

EXCEPTING THEREFROM that portion of said 12.5 feet wide Public Utility Easements located Easterly of and contiguous to the Easterly line of Corporate Way, as shown on said Parcel Map.

2. The City Council finds that the above described public portion of the street is not necessary for present or prospective public use in that:
 - a. It is not necessary for through traffic circulation;
 - b. The City Engineer has reviewed said abandonment and found that it will not interfere with the traffic flow in the area or affect the aesthetics of the neighborhood;
 - c. The parcels adjacent to the abandoned portion of the street described above have other access and said abandonment will not create any land-locked parcels; and
 - d. The portion of the street to be abandoned is not necessary or useful as a non-motorized transportation facility as defined in Section 156 of the Streets and Highways Code.
3. The City Council hereby finds that said abandonment has been submitted to and reported on by the Neighborhoods, Planning and Development Services Department as to conformity with the City General Plan. The Council, pursuant to Streets and Highways Code Section 8300 et. Seq., has considered this abandonment in connection with the General and Community Plans and finds the abandonment consistent with them in that: The abandonment of the street identified in paragraph 1 above does satisfy the City Council's "Review Guideline for Street and Alley Closure," adopted May 7, 1996, by Resolution No. 96-176.
4. This abandonment is subject to the following conditions which shall be fulfilled at no cost to the City:
 - A: Public Works Department:
 1. Construct standard street improvements pursuant to section 40.12.1211 of the City Code.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

5. After all the conditions in paragraph 4 of this resolution have been fulfilled and all fees have been paid, the City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.

6. All conditions specified in paragraph 4 of this resolution must be completed within two years of the date of this resolution. If all the conditions are not completed within the two years specified, this resolution approving the abandonment shall become void, unless the City Council grants a time extension.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT B

PARCEL MAP
122 - 18A

PARCEL 1
PARCEL 12

CORPORATE WAY
29' 29'

PARCEL 6

PARCEL 7


12.5' P.U.E.
12.5' P.U.E.
12.5' P.U.E.

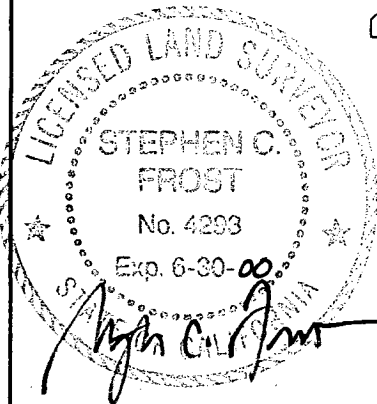
0.08 Acres To Be Abandoned
Located Within IODD on Parcel 7

0.07 Acres To Be Abandoned
Located Within IODD on Parcel 6

LEGEND:

 = 12.5' P.U.E. To Be Abandoned

 = IODD To Be Abandoned



UNPUBLISHED WORK
©, 1999
THE SPINK CORPORATION

TITLE: EXHIBIT FOR 12.5' P.U.E.
AND I.O.D. ABANDONMENT

CLIENT: BRYANT PROPERTIES

DATE: 08-12-99 JOB NO.: 1080-006
DRAWN BY: TF CHECKED BY:

Rev. 6/5/00

The Spink Corporation

2590 VENTURE OAKS WAY SACRAMENTO, CA 95833
PHONE: (916)925-5550 FAX: (916)921-9274

SCALE: 1" = 100' CODE: PKT-16 DR.NO.: ST ABANDON

EXHIBIT B

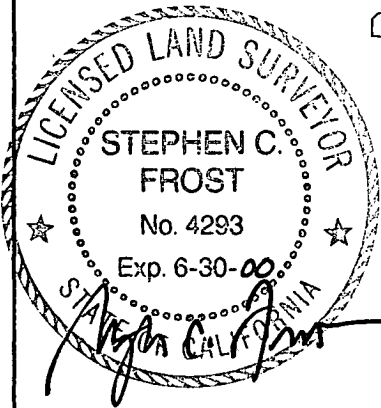
PARCEL MAP
122 - 18A

PARCEL 1
PARCEL 12

CORPORATE WAY

PARCEL 6


PARCEL 7




0.08 Acres To Be Abandoned
Located Within IDD on Parcel 7

0.07 Acres To Be Abandoned
Located Within IDD on Parcel 6

LEGEND:

 = 12.5' P.U.E. To Be Abandoned

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16-2

ATTACHMENT A

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING
TO ABANDON AN IRREVOCABLE OFFER TO DEDICATE AND A
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ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

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ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

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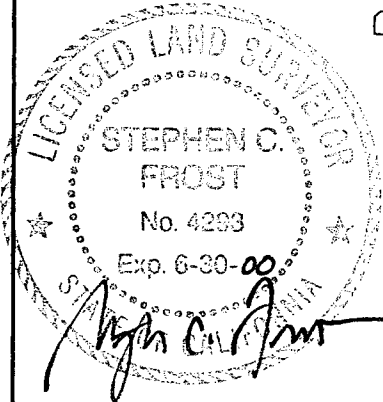
PARCEL 12

PARCEL 6

CORPORATE WAY

PARCEL 1

PARCEL 7




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Located Within IOD on Parcel 7

0.07 Acres To Be Abandoned
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LEGEND:

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