

City Planning Commission
Sacramento, California

Members in Session:

SUBJECT: Section 65402(a) Review for General Plan and Central City Community Plan consistency of the abandonment of an alley bound by 4th Street, T Street, 5th Street and U Street totaling 0.15± acres in the Multiple Family (R-3A) zone. (M92-048)

LOCATION: East/West Alley Between 4th and 5th Street, T and U Street
(Council District #4)

APPLICANT: Mogavero Notestine Associates, c/o Craig Stradley, 2229 J St, Sacramento, CA 95816

SUMMARY: The applicant is requesting to abandon the existing alley that runs east/west between 4th Street and 5th Street. The applicant intends to utilize the alley for access to parking areas and to provide a common open space and pedestrian connection for the proposed River City Co-Housing project which will be constructed on the north and south sides of the existing alley.

PROJECT INFORMATION:

General Plan Designation:	Medium Density Residential (16-29 du/na)
Central City Community Plan Designation:	Multiple Family Residential
Existing Zoning of Site:	R-3A
Existing Land Use of Site:	Alley

Surrounding Land Use and Zoning:

North:	Vacant and Residential; R-3A
South:	Residential; R-3A
East:	Vacant and Residential; R-3A
West:	Residential and Vacant; R-3A

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of a 20 foot wide by 320 foot long (0.15± acre) existing alley. The General Plan designates the surrounding area as medium density residential (16-29 du/na) and the 1980 Central City Community Plan designates the surrounding area as medium density residential. The existing alley is surrounded by parcels that are zoned Multiple Family (R-3A). The surrounding land uses and zoning include: vacant land and residential developments zoned Multiple Family (R-3A), on the north, east and west; and residential developments to the south, zoned Multiple Family (R-3A).

B. Applicant's Proposal

The applicant is requesting to abandon the existing alley which runs east/west between 4th and 5th Streets, T and U Streets. On October 24, 1991, the City Planning Commission approved a proposed 25 unit condominium project on 1.27± acres which are located on the north and south side of the alley to be abandoned. The City Council approved the proposed condominium project on December 10, 1991. The project that was previously approved included discussions relating to the abandonment of the alley in order to provide for open space and the elimination of a physical barrier between the proposed condominium site. The applicant is requesting to abandon the alley in order to eliminate through traffic. The existing alley will remain as a driveway and will have removable ballards installed in order to allow for emergency access and maintenance of the existing utilities located on, under and above the existing alley.

C. General/Community Plan Consistency

The proposed alley abandonment requires review by the Planning Commission for General Plan consistency findings as required by Government Code Section 65402(a). The 320' x 20' alley to be abandoned runs east/west between 4th Street, 5th Street, T Street and U Street. The alley is being abandoned in order to provide parking, maneuvering and open space for the previously approved 25 unit condominium project known as the 5th and T Co-Housing Project (P91-101) which will be constructed on several parcels that are adjacent to the existing alley. The abandoned alley will accommodate the development of the Co-Housing project which is consistent with the residential designation of the General and Community Plans. The subject abandonment is consistent with the plan in that the proposed alley to be abandoned is not designated as a major arterial in the General Plan or Central City Community Plan.

D. Staff Analysis

All property owners adjacent to the alley have signed letters agreeing to the abandonment with the exception of the property owner at the north east corner of 4th Street and the alley. The applicant is working with the property owner in order to obtain support of the abandonment but at this time has not obtained a written approval. Planning staff and staff from the Development Services Division of Public Works have determined that the requested abandonment can be processed without the letter of approval provided that the abandonment is phased in two parts. The first phase of the project will require that the easterly 240 feet of the alley is abandoned. Before the applicant will be able to record the second resolution allowing the abandonment of the remaining 80 feet along the western portion of the alley the applicant will need to submit a letter of agreement from the property owner at the northeast corner of 4th Street and the alley south of T Street. In the event that the westerly 80 feet is not abandoned it will not result in any parcels being landlocked and will not eliminate utilization of the alley adjacent to the property that has not agreed to the abandonment. Planning staff has reviewed the applicant's request and has determined that even with the phasing of the abandonment and the possibility that the westerly 80 feet might not be abandoned the proposed abandonment is consistent with the City's guidelines for street/alley closures.

001582

E. Agency Comments

The proposed project was reviewed by City Public Works Development Services, City Flood Control and Sewers, City Water, City Electrical Design Engineering, City Traffic Engineering, City Fire Department, City Police Department, Pacific Bell, Pacific Gas and Electric, SMUD, Sacramento Cable Television, and Regional Transit. The following comments were received:

City Public Works Development Services Division

This proposed abandonment can proceed in one of the following ways:

1. The applicant shall obtain approval to abandon from the remaining property owner (See Exhibit A) and abandon the entire alley, or;
2. The abandonment shall be set up so that it goes to City Planning Commission and City Council once, but that the abandonment can be phased, if:
 - a. The City Planning Commission report discusses that the applicant will immediately abandon the westerly 240± ft, that the applicant is working with the hold-out resident to obtain approval to abandon the remaining 80± ft., and will abandon as soon as permission is received. However, the City Planning Commission needs to be made aware that the applicant may be unsuccessful in obtaining permission to abandon, in which case only the westerly 240± ft. will be abandoned; and
 - b. The City Council report needs to cover the same information as the City Planning Commission report, and a separate resolution, map, and description needs to be prepared for each portion of the alley. The City Council may approve both and each will be recorded when conditions are met (including permission on the westerly 80± ft.)

City Flood Control and Sewer Division

The City of Sacramento Flood Control and Sewer Division has no objections to the proposed abandonment provided that :

1. The applicant shall obtain approval from the Flood Control and Sewer Division on the following issue prior to this abandonment request being scheduled for a City Council hearing on the requested abandonment:
 - a. The abandonment of the T/U alley will require changes to the existing combined sewer routings and stormwater drainage overland slopes and routes. A mitigation plan must not only address resolution to increase sanitary and stormwater flows but also address the existing physical constraints and limitations, in which the increased flows can be properly mitigated.

City Water Division

No objection to the proposed abandonment provided that:

- 1) Existing right-of-way shall be retained as an easement;
- 2) Structures, gates or fences shall not be constructed over or within the easement; and
- 3) Water Division personnel and Water Division vehicles shall have access to the easement at all times.

City Electrical Design Engineering

No objection to the proposed abandonment provided that:

- 1) An easement shall be provided for the existing overhead fire alarm cable.

City Traffic Engineering

No objection to the proposed abandonment provided that the following conditions are met:

- 1) Reciprocal access easements are obtained from adjacent properties for access into parking spaces; and
- 2) City standard driveways shall be constructed at alley entrances.

City Fire Department

No objection to the proposed abandonment.

City Police Department

No objection to the proposed abandonment.

Pacific Bell

Pacific Bell maintains existing joint aerial facilities in this alley with Sacramento Municipal Utility District and **CATV**. Pacific Bell has no objections to the abandonment for pedestrian traffic providing the following language be incorporated in the vacation:

"EXCEPTING AND RESERVING THEREFROM PURSUANT TO THE PROVISIONS OF Section 8340 of the Street and Highways Code and for the benefit of Pacific Bell, the permanent easement and the right at any time or from time to time to construct, maintain, operate, replace, remove, renew and enlarge lines of pie, conduits, cable wires, poles and other convenient structures, equipment and fixtures for the operation of telegraphic and telephone lines and other communication facilities, including access and the right to keep property free from inflammable

materials and wood growth, and otherwise protect the same from all hazards, in, upon, over and across that portion of the 20 foot wide alley located in the block bounded by T and U and 4th and 5th Streets abandoned."

If relocation of these facilities is necessary, Pacific Bell will require the owner/developer to assume all costs associated with the relocation prior to abandonment and provide a new easement if necessary. I suggest that a letter requesting a relocation plan and estimated costs be submitted to Sue Smith, Pacific Bell Engineer, P.O. Box 15038, Sacramento, CA 95851.

Pacific Gas & Electric Company

PG & E has no facilities within this area and has no objection to the proposed abandonment without reservation.

SMUD

This District is presently occupying the 20 foot alley with overhead electric power facilities. However, provided the usual "continuing-use" clause as cited in the State of California Streets and Highways Code is incorporated in the abandonment ordinance, reserving all rights for the District to construct, reconstruct, operate and maintain electric facilities, we will not object to the abandonment.

Sacramento Cable Television

No objection to the proposed abandonment of the 20 foot wide alley located in the block bounded by "T" and "U" and 4th and 5th Streets. However, Sacramento Cable Television must retain easements (existing) for future overhead lines.

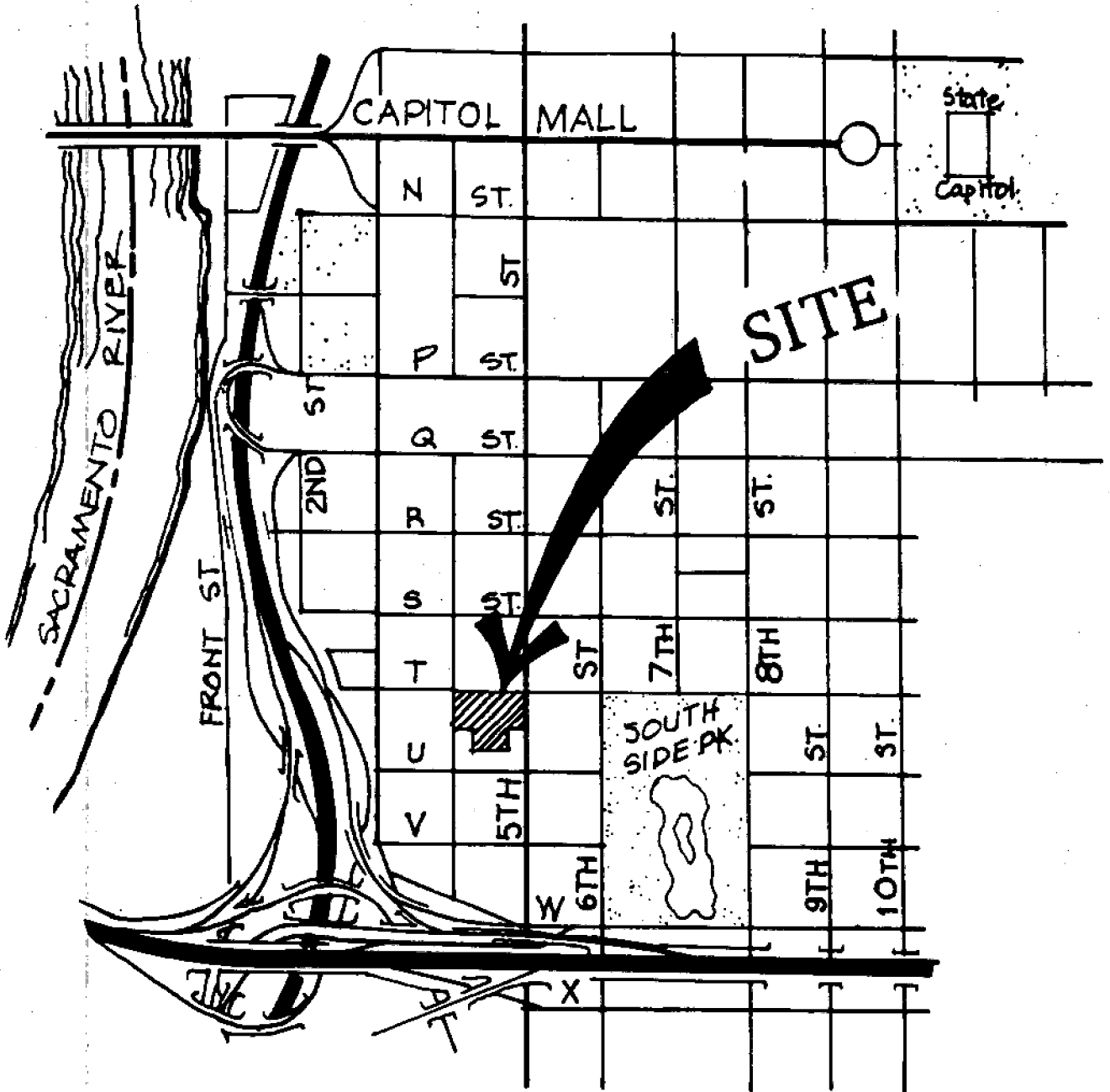
ENVIRONMENTAL DETERMINATION: 65402(a) reviews by the Planning Commission are not discretionary actions, therefore, the California Environmental Quality Act (CEQA) does not apply.

RECOMMENDATION: Staff recommends the Planning Commission approve the staff report and find the abandonment consistent with the General Plan and Central City Community Plan and forward the above agency comments to Public Works for City Council approval.

Respectfully Submitted,

Cindy Anas for

Joy Patterson
Senior Planner

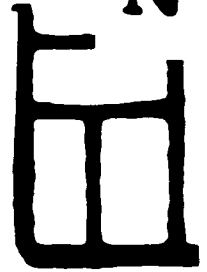
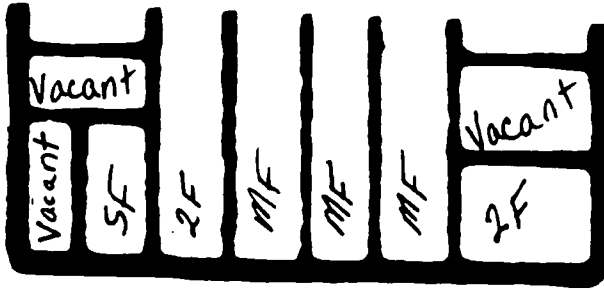
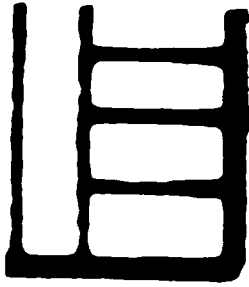


001580

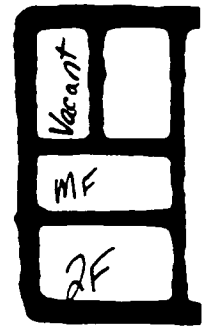
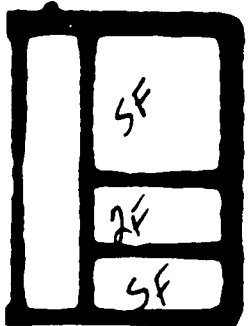
VICINITY MAP

001580

THE SHADED AREAS REFLECT THE CO-HOUSING PROJECT LOCATION



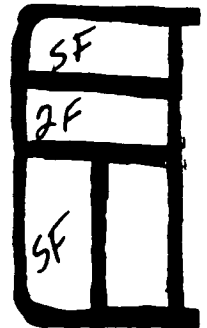
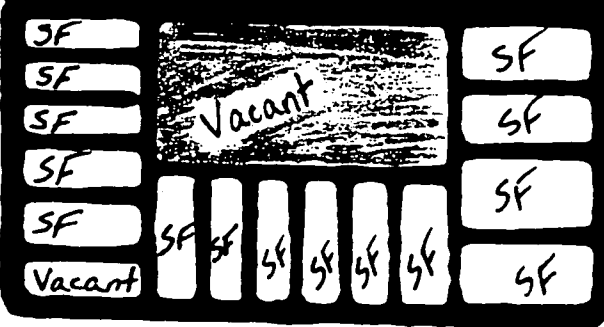
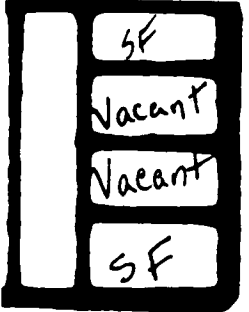
T STREET



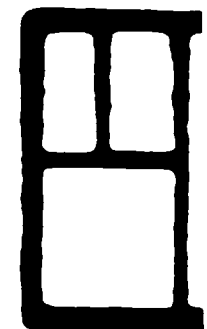
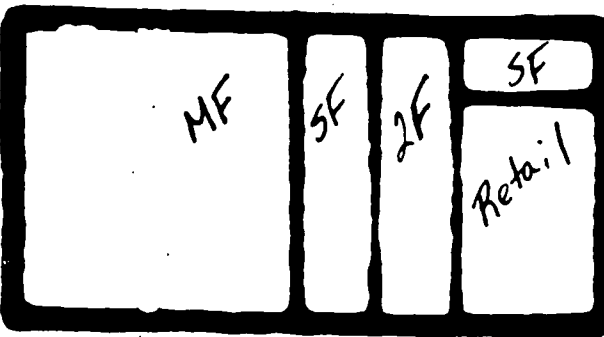
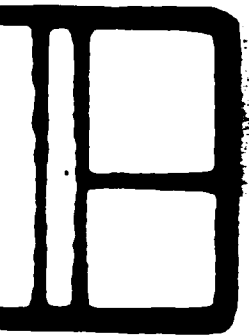
STREET
SUBJECT SITE

4TH STREET

STREET



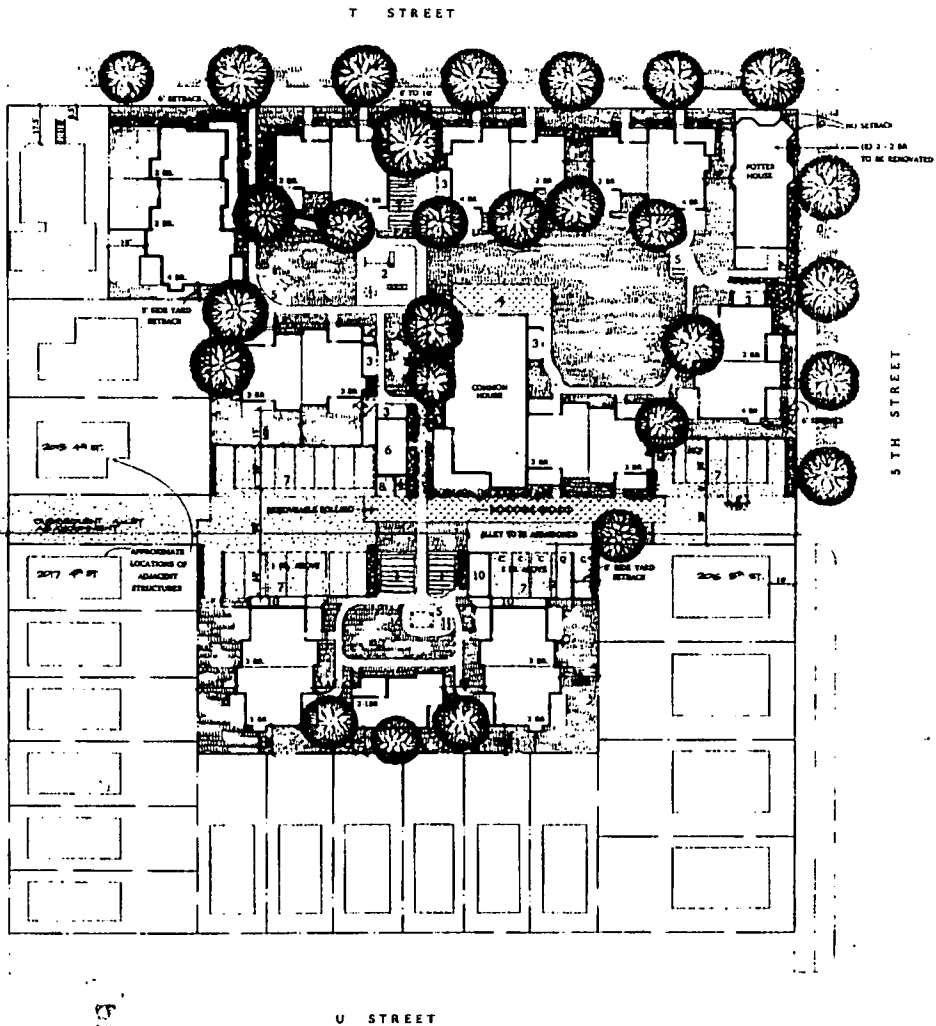
U STREET



ENTIRE PAGE IS ZONED MULTIPLE FAMILY (R-3A)

May 28, 1992

001588



PROJECT DATA

APN 009-0113-04-11 & 16

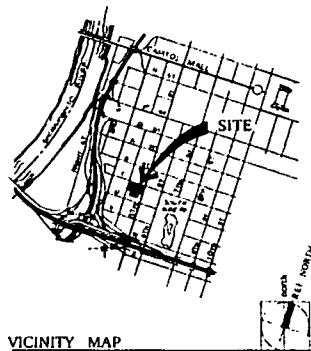
SITE AREA 1.266 ACRES

ZONING R - 3A

4	1 BR. UNITS
8	2 BR. UNITS
8	3 BR. UNITS
5	4 BR. UNITS
25	TOTAL UNITS
27	PARKING SPACES REQUIRED
27	PARKING SPACES PROVIDED

LEGEND

- 1 GARDEN
- 2 PLAY AREA
- 3 BIKE STORAGE
- 4 TERRACE
- 5 TOT LOT / GATHERING NODE
- 6 WORKSHOP
- 7 CARPORT
- 8 TRASH ENCLOSURE
- 9 TRANSFORMER
- 10 STORAGE



VICINITY MAP



MOGAVERO NOTESTINE ASSOCIATES

THE COMPASSING CO.
 1000 F STREET, N.W.
 WASHINGTON, D.C. 20004
 (202) 638-1100

EXHIBIT - A
SITE PLAN

18 FEB 92

SITE PLAN for ALLEY ABANDONMENT