



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2019-00554

June 4, 2019

Public Hearing Item 20

Title: The Vacation of the Alley Bounded by Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street, Within Council District 2 Proceeding No. VAC16-0014 [Noticed 05/17/2019, 05/24/2019 & 05/31/2019]

Location: District 2

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution to vacate the alley bounded by Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street.

Contact: Jair Bautista, Engineering Technician, (916) 808-7929; Jennifer Johnson, Supervising Engineer, (916) 808-7754, Department of Public Works

Presenter: Jair Bautista, Engineering Technician, (916) 808-7929, Department of Public Works

Attachments:

1-Description/Analysis

2-Resolution

Description/Analysis

Issue Detail: Recreational vehicles (RVs) parked within the alley and in the adjacent parcels bounded by Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street are associated with a business operated by the property owner. Said property owner was cited a code violation involving the surface pavement used for parking purposes. To facilitate addressing this violation and be code compliant, the property owner of all the parcels of the block bounded by Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street, is requesting the vacation of the right-of-way easement along said alley per the dedication on the map "J.W. Bird Subdivision" (16 B.M. 32) as the majority of adjacent parcels serve as facilities for the business operations of "RVs of Sacramento."

The alley that runs parallel to El Camino Avenue and Santiago Avenue is being used for RV parking spaces for this business and is not necessary for through travel or other ongoing public uses. In the interest of assisting this business, vacation of the right-of-way would allow for legal parking of RVs in this location. A public service easement is proposed to be retained along this alley for utility facility maintenance and services.

Policy Considerations: The action recommended in this report is consistent with the Sacramento 2035 General Plan and in compliance with the California Streets and Highways Code Sections 8300-8325.

Economic Impacts: None

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this vacation/abandonment of the right-of-way easement and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15305, Minor Alteration in Land Use Limitation. The project consists of the minor alteration in land use limitations with an average slope of less than 20%, which do not result in any changes in land use or density.

Sustainability: Not applicable

Commission/Committee Action: None

Rationale for Recommendation: Approval of this vacation request will support the adjacent business and public access through this alley is not needed. City staff, along with various agencies, supports the vacation request.

Financial Considerations: The applicant is responsible for all fees required to process this application at no cost to the City.

Local Business Enterprise (LBE): Not applicable

RESOLUTION NO. 2019-

Adopted by the Sacramento City Council

June 4, 2019

The Vacation of the Alley Bounded by Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street, Within Council District 2 Proceeding No. VAC16-0014

BACKGROUND

- A. Woolard Enterprises, Inc., property and business owner of 1051 El Camino Avenue's "RVs of Sacramento," is requesting the vacation of the right-of-way easement of the alley bounded by the Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street.
- B. Said property owner owns all the parcels in that block bounded by said streets. The property owner is requesting the vacation of the right-of-way easement along the alley to properly pave the business' lot space for their RVs.
- C. Said right-of-way easement was dedicated along the alley per the dedication on the map "J.W. Bird Subdivision" (16 BM 32)
- D. The City of Sacramento's Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 17.912.030 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City of Sacramento's General Plan.

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

- Section 1. The public alley bounded by Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street, more specifically described in Exhibits A and B of this Resolution, is unnecessary for present or prospective use and is vacated subject to the reservation below in Section 2 and subject to the conditions specified in Section 4 of this Resolution.
- Section 2. Pursuant to Streets and Highways Code Section 8306 and 8340, the City of Sacramento reserves a public service easement which is more specifically described in Exhibits A and B of this resolution, for all the

purposes and reasons described in Streets and Highways Code Sections 8306 and 8340 including, but not limited to, the right at any time, or from time to time, to construct, maintain, operate, replace , remove, or renew any public service facilities in, upon, or over and across the subject property to be vacated.

Section 3. The vacation of the right-of-way easement, more specifically described in Exhibits A and B, is made pursuant to the California Streets and Highways Code, Division 9, Part 3, Chapters 2 and 3, Sections 8300-8325.

Section 4. The vacation is subject to the following condition:

The applicant must provide 24-hour access to the alley for all utility companies, including City of Sacramento's Department of Utilities, that may have facilities in need of service and maintenance.

Section 5. The City Council finds that the vacation has been submitted to and reported on by the City of Sacramento's Planning Director and finds that the vacation is consistent with the City of Sacramento's 2035 General Plan.

Section 6. Once this Resolution has been approved, the City Clerk shall cause a certified copy of this Resolution, attested by City Clerk under seal to be recorded. The vacation shall be effective when a City designee records this Resolution in the office of the County Recorder.

Section 7. Exhibits A and B are incorporated into and made part of this resolution.

Adopted by the City of Sacramento City Council on [Date Adopted], by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest:

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

EXHIBIT A

LEGAL DESCRIPTION VACATION OF PUBLIC ALLEY

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA,
COUNTY OF SACRAMENTO, CITY OF SACRAMENTO, AND IS DESCRIBED AS
FOLLOWS:

THE PUBLIC ALLEY AS SHOWN ON THE PLAT OF "J.W. BIRD SUBDIVISION
OF LOTS 3 AND 4 IN BLOCK 55, NORTH SACRAMENTO SUBDIVISION NO. 1",
FILED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO
COUNTY, JULY 25, 1921, IN BOOK 16 OF MAPS, MAP NO. 32

RESERVING, HOWEVER, A 15 FOOT WIDE PUBLIC SERVICES EASEMENT.

END OF DESCRIPTION



SCALE: 1"=80'
 DATE: 10/17/2018

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EXHIBIT B
 VACATION OF PUBLIC ALLEY
 CITY OF SACRAMENTO
 STATE OF CALIFORNIA

