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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

WITHDRAWN

DEVELOPMENT SERVICES
1231 I STREET
ROOM 300
SACRAMENTO, CA
95814

TECHNICAL SERVICES DIVISION

May 20, 1999

JUN 8 1999

BY THE CITY COUNCIL
OFFICE OF THE CITY CLERK

PH 916-264-7474
FAX 916-264-7480

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: RESOLUTION OF INTENTION FOR ABANDONMENT OF 45th STREET
NORTH OF 2ND AVENUE WITHIN COUNCIL DISTRICT 5; ABANDONMENT
PROCEEDING NO. AP99-03**

LOCATION/COUNCIL DISTRICT:

45th Street North of 2nd Avenue. Council District 5.

RECOMMENDATION:

The Zoning Administrator has approved development of the Hotel Project (Camellia Inn) Z99-037, this report recommends that City Council adopt the Resolution of Intention to initiate the abandonment proceedings and set a hearing date of June 29, 1999 at 2:00 p.m.

CONTACT PERSONS: Ron Perry, Engineering Technician III, 264-8298
Theresa Arnold, Associate Engineer, 264-5514

FOR COUNCIL MEETING OF: June 8, 1999

SUMMARY:

The City has received a request from JTS Engineering to abandon 45th Street in order to allow development of a Hotel (Camellia Inn) at 45th Street and 2nd Avenue.

COMMITTEE/COMMISSION:

None required.

BACKGROUND:

JTS Engineering, on behalf of the property owners, has requested the abandonment of 45th Street north of 2nd Avenue. The abandonment will create a larger site to facilitate the construction of a Hotel (Camellia Inn) on the corner of 2nd Avenue and 45th Street.

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 Street Closures (City Resolution No. 95-667) and the State of California, Streets and Highways Code (Section 8300 et seq).

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.

ENVIRONMENTAL CONSIDERATIONS:

The Neighborhoods, Planning and Development Services Department has reviewed this project and has determined that this activity is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15305 (c) of the CEQA Guidelines. The project involves the alteration of an existing public right-of-way with no expansion of the existing use and no substantial change to existing traffic flow or physical features in the City.

POLICY CONSIDERATIONS:

The Zoning Administrator has approved development of the Hotel (Camellia Inn) Project, the abandonment of the street affected by the project will be consistent with Council priorities of public safety and neighborhood revitalization and enhancement.

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).

City policy, as stated in Resolution No. 96-176, which was approved by City Council on May 7, 1996, provides for abandonment of streets so long as there is a benefit to the community, it does not inhibit access to other properties, and is supported by the majority of property owners.

City Council
Resolution of Intention - AP99-03
May 20, 1999

ESBD CONSIDERATIONS:

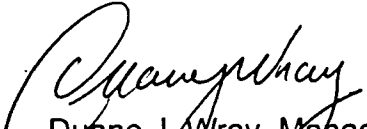
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Marty Hanneman
Transportation Manager

Approved:



Duane J. Wray, Manager
Technical Services Division

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

RP:MH:dt
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Attachment

ATTACHMENT A

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING
TO ABANDON 45TH STREET NORTH OF 2ND AVENUE
WITHIN COUNCIL DISTRICT 5 (AP99-03)**

| | |
|---|----------------------------------|
| Letter to City Clerk/schedule item on City Council Agenda | May 14, 1999 |
| Resolution of Intention to be heard by City Council | June 8, 1999 |
| Send Letters to Property Owners | June 10, 1999 |
| Posting on Alleys/Streets | June 10, 1999 |
| Copy of Resolution Published in Daily Recorder | June 11, 1999 & June 18, 1999 |
| Public Hearing at City Council/Final Approval | June 29, 1999 |

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION OF INTENTION TO ABANDON 45th STREET NORTH
OF 2ND AVENUE WITHIN COUNCIL DISTRICT 5;**

ABANDONMENT PROCEEDING NO. AP99-03

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 45th Street north of 2nd Avenue within Council District 5 in the City of Sacramento, specifically described below and shown on Exhibit A.

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

Parcel 1:

All that portion of Stafford Avenue (currently known as 45th Street) as shown on the plat of Stafford Place recorded in Book 10 of Maps, Map Number 38 Official Records, Sacramento County, lying northerly of the easterly prolongation of the northerly line of 2nd Avenue as described in deed recorded April 28, 1998, Series No. 199804280690 Official Records Sacramento County.

Parcel 2:

All those portions of the six (6) foot wide strips reserved for sidewalk purposes as shown on the plat of Stafford Place recorded in Book 10 of Maps, Map Number 38 Official Records Sacramento County, lying northerly of the easterly prolongation of the northerly line of 2nd Avenue as described in deed recorded April 28, 1998 Series No. 199804280690 Official Records Sacramento County.

Parcel 3:

All that certain three (3) foot strip as described in deed recorded December 9, 1955 in Book 2975, Page 459, Series No. 89204 Official Records Sacramento County.

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

Total area of abandonment = .3228 Acres.

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 will consider this proposed abandonment at a public hearing on June 29, 1999, at 2:00 p.m. in the Council Chambers, City Hall, 915 I Street, Sacramento, California.
4. The City Clerk is directed to publish the Notice of Hearing of the proposed vacation in the Daily Recorder, a newspaper published five (5) days a week, as required by law, and the Notice of Hearing shall be posted along the alley to be vacated in accordance with the provisions of Sections 8322 and 8323 of the Streets and Highways Code of the State of California.

ATTEST:

MAYOR

CITY CLERK

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FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

ABANDONMENT EXHIBIT "A"

Y STREET

011-0183-003

011-0183-002

011-0183-004

011-0183-005

011-0183-006

011-0183-007

011-0183-008

011-0183-009

011-0183-010

011-0183-011

011-0183-012

011-0183-013

011-0200-063

WATER EASEMENT 3.00'
PER BK 2975 OR PG459

011-0183-015

011-0191-001

S/W EASEMENT 6.00'
PER PLAT OF STAFFORD
PLACE TO BM 36

011-0191-002

011-0191-003

011-0191-004

011-0191-005

011-0191-019

011-0192-008

011-0200-063

011-0191-023

011-0191-022

6.00' S/W EASEMENT
PER PLAT OF STAFFORD
PLACE TO BM 36

011-0200-063

STOCKTON BLVD

2 ND AVE.

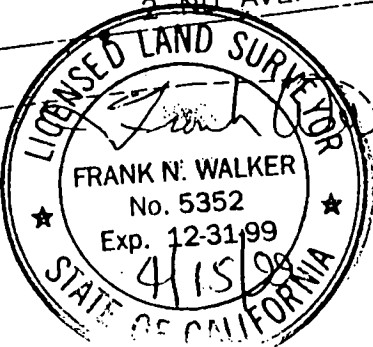
NORTH LINE OF 2ND AVE.
PER DEED RECORDED 4/28/98
SERIES NO. 199804280690

2 ND AVE.

45 TH STREET PER
PLAT OF STAFFORD PLACE
TO BM 36

45TH STREET

SCALE: 1"=100'



JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO CALIFORNIA 95814 (916) 441-6708

EXHIBIT A