

**APPROVED**  
BY THE CITY COUNCIL

**MAR 30 1999**

OFFICE OF THE  
CITY CLERK



1.9

DEPARTMENT OF  
PUBLIC WORKS

**CITY OF SACRAMENTO**  
CALIFORNIA

DEVELOPMENT SERVICES  
1231 I STREET  
ROOM 300  
SACRAMENTO, CA  
95814

TECHNICAL SERVICES DIVISION

March 9, 1999

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

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: RESOLUTION OF INTENTION FOR ABANDONMENT OF AN ALLEY BOUNDED BY FRUITRIDGE ROAD, STOCKTON BOULEVARD, 53<sup>RD</sup> STREET, AND YOUNG STREET WITHIN COUNCIL DISTRICT 6; ABANDONMENT PROCEEDING NO. AP97-18**

**LOCATION/COUNCIL DISTRICT:**

The alley bounded by Fruitridge Road, Stockton Boulevard, 53<sup>rd</sup> Street, and Young Street. Council District 6.

**RECOMMENDATION:**

If City Council approves development of the Rite Aid project (Special Permit Application P97-127) this report recommends that City Council adopt the Resolution of Intention to initiate the abandonment proceedings and setting a hearing date of April 20, 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:** March 30, 1999

**SUMMARY:**

The City has received a request from Comm Tech Services to abandon an alley in order to allow development of a Rite Aid Drug Store at Stockton Boulevard and Fruitridge Road.

City Council  
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**COMMITTEE/COMMISSION:**

None required.

**BACKGROUND:**

Comm Tech Services, on behalf of the property owners, has requested the abandonment of the alley. The abandonment will create a larger site to facilitate the construction of a Rite Aid Drug Store on the corner of Stockton Boulevard and Fruitridge Road.

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 Exhibit A for a time schedule for the 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:**

If the City Council approves development of the Rite Aid project, the abandonment of the alley 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).

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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.

**ESBD CONSIDERATIONS:**

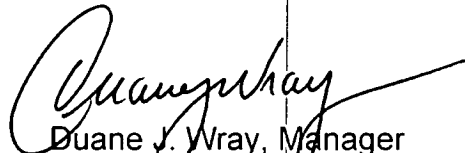
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



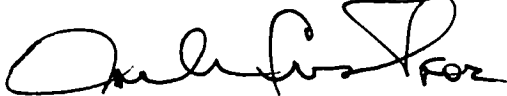
Marty Hanneman, Manager  
Traffic Engineering & Development Services

Approved:



Duane J. Wray, Manager  
Technical Services Division

RECOMMENDATION APPROVED:



ROBERT P. THOMAS  
City Manager

Approved:



Michael Kashiwagi  
Director of Public Works

RP:TA:jd

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Attachment

**EXHIBIT A**

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING  
TO ABANDON AN ALLEY BOUNDED BY FRUITRIDGE ROAD,  
STOCKTON BOULEVARD, 53<sup>RD</sup> STREET, AND YOUNG STREET  
WITHIN COUNCIL DISTRICT 6 (AP97-18)**

Letter to City Clerk/schedule item on City Council Agenda	March 9, 1999
Resolution of Intention Letter to City Council	March 30, 1999
Letters sent to property owners	April 2, 1999
Posting on Alleys/Streets	April 2, 1999
Copy of Resolution Published in Daily Recorder	April 2, 1999 & April 9, 1999
Public Hearing at City Council/Final Approval	April 20, 1999

**APPROVED**  
BY THE CITY COUNCIL

**MAR 30 1999**

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 99-145**

**ADOPTED BY THE SACRAMENTO CITY COUNCIL**

**ON DATE OF \_\_\_\_\_**

**RESOLUTION OF INTENTION TO ABANDON AN  
ALLEY BOUNDED BY FRUITRIDGE ROAD, STOCKTON  
BOULEVARD, 53<sup>RD</sup> STREET, AND YOUNG STREET WITHIN  
COUNCIL DISTRICT 6**

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

- 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 alley bounded by Fruitridge Road, Stockton Boulevard, 53<sup>rd</sup> Street, and Young Street within Council District 6 in the City of Sacramento, specifically described below and shown on Exhibit B.

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

All that real property in the City of Sacramento, County of Sacramento, State of California, being a portion of Lot 11 as shown on the "Plat of Young's Subdivision," recorded in the office of the County Recorder of Sacramento County, California on June 11, 1946, in Book 23 of Maps, Map No. 26, said real property being described as follows:

BEGINNING at the northeast corner of said lot; thence along the east line of said lot, South 19° 49' 00" East 342.07 feet to the southeast corner of said lot, said corner being a point on the north line of Young Street as shown on said plat; thence, along the south line of said lot, and along the north line of Young Street, South 89° 23' 49" West 23.55 feet to a point that lies 22.24 feet perpendicularly distant from said east line of Lot 11; thence, along a line parallel with said east line of Lot 11, North 19° 49' 00" West 342.16 feet to a point on the north line of said lot, said point also being a point on the south line of Fruitridge Road as shown on said plat; thence, along said north line of Lot 11, and along said south line of Fruitridge road, North 89° 37' 00" East 23.58 feet to the POINT OF BEGINNING, containing 0.175 acres, more or less.

**FOR CITY CLERK USE ONLY**

**RESOLUTION NO:** \_\_\_\_\_

**DATE ADOPTED:** \_\_\_\_\_

Together with the 4.00 foot wide Public Utility Easement lying east of, and adjacent to, the above described strip of land, as shown on Book 23 of Maps, Page 26, Official Records of said county, the west line of said Public Utility Easement being coincident with the east line of said Lot 11, containing 0.031 acres, more or less.

The Basis of Bearings for the above description is the north line of Lot 11, Book 23 of Maps, Map No. 26, namely, North 89° 37' 00" East.

Total area of abandonment = 0.206 Ac.

2. The City Council finds that the above described public portion of the streets and alleys are 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 alley 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 April 20, 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

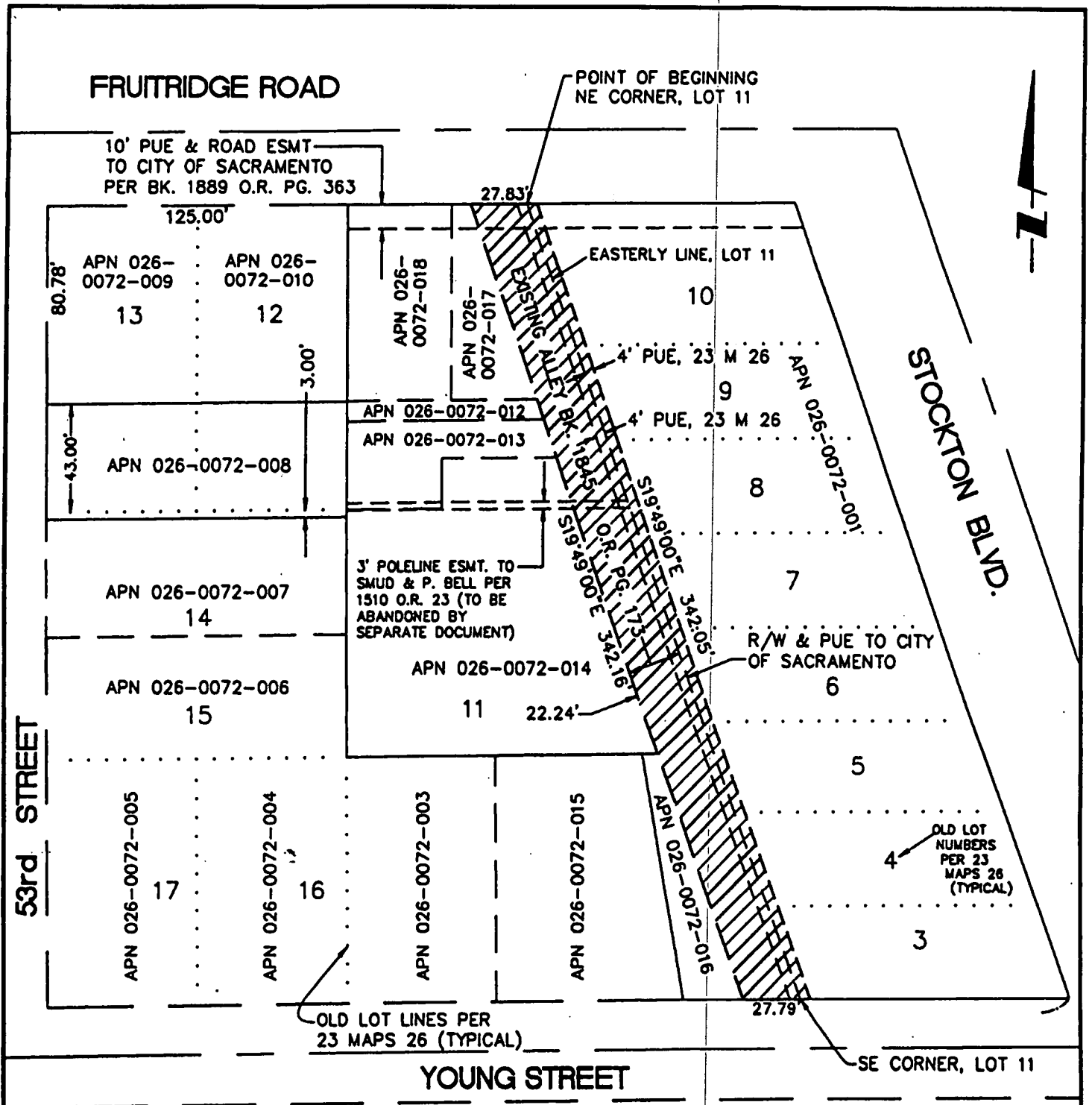
\_\_\_\_\_  
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

EXHIBIT B



 ALLEY TO BE ABANDONED (0.206 ± ACRES)  
(INCLUDES 4' PUE ON EAST SIDE)

EXHIBIT B  
EXHIBIT FOR ALLEY ABANDONMENT

DATE: 6/4/98	SCALE: 1" = 60'
DRAWN BY: RLH	SHEET 1 OF 1
CHECKED BY: BEB	JOB NO.: 6MCW0104 PATH: S:\SURVEY\MCW0104\ESMT4.DWG

**PSOMAS**  
 Promas and Associates  
 2295 Gateway Oaks Drive, Suite 250  
 Sacramento, California 95833  
 916/482-7100  
 916/482-2260 (FAX)

Engineers  
Surveyors  
Planners