

Planning Commission
Sacramento, California

MEMBERS IN SESSION:

Subject: Request to abandon a portion of 3rd Street, North of Broadway and South of Business 80 (M90-042) (Section 65402(a) Review)

SUMMARY: The applicant is requesting abandonment of portion of 3rd Street North of Broadway and South of Business 80 in order to provide additional truck parking area.

PROJECT INFORMATION:

General Plan Designation: Heavy Commercial or Warehouse
1980 Central City Community Plan: Heavy Commercial
Existing Zoning of Site: C-4
Existing Land Use of Site: Street

Surrounding Land Use and Zoning:

North: Freeway Business 80; TC
South: Warehouse and TV Station Channel 10; M-1 and M-2
East: Mack Trucking Co.; C-4
West: Vacant; C-4

PROJECT EVALUATION: Staff has the following comments:

A. **Land Use and Zoning:**

The subject site consists of a 80 foot wide street, 60 feet in length on the west side and 100 feet in length on the east side for a total of 0.16+ acres. The General Plan designates the site as Heavy Commercial or Warehouse. The 1980 Central City Plan designates the site as Heavy Commercial. The surrounding land use and zoning includes Business 80, TC to the north; Mack Trucking Co., C-4 to the east; warehouse and TV station, C-4 and M-1 to the south; and vacant, C-4 to the west.

B. **General/Community Plan Consistency:**

California Government Code, Section 65402(a), requires the City Planning Commission to make a finding of general and community plan consistency with regard to the proposed street abandonment. Staff has reviewed the proposed abandonment for consistency with the City's General Plan and 1980 Central City Community Plan. The subject site is dedicated right of way which serves only the subject adjacent property, thus the proposal will not impact area circulation. There are no General or Community Plan policies which affect this proposal.

C. **Review Guidelines for Street Closure:**

Staff has reviewed the proposed abandonment in light of review guidelines for street closures (Exhibit C) and has found that the subject request is consistent with the guidelines. The proposed abandonment will not eliminate public street access for adjacent lots nor will it result in the disruption of land uses neighboring the subject site.

D. **Other Agency Comments:**

The proposed street abandonment was reviewed by City Utility Planning Division, City Flood Control and Sewers, City Electrical Design

Engineering, City Traffic Engineering, City Fire and Police Departments, Pacific Bell, Pacific Gas and Electric, SMUD and Sacramento Cable Television. The following comments were received:

City Utility Planning Division

No objection to the proposed abandonment provided an easement be retained and the following conditions are met:

1. The Water Division has no objection to the proposed abandonment, provided the existing right of way be retained as an easement.
2. Buildings, fences, gates or other obstructions shall not be constructed upon the easement.
3. Water Division personnel shall have unrestricted access to the easement at all times.

City Flood Control and Sewers

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

1. Existing easements are retained.
2. No structures, gates, fences or facilities are constructed over or within existing easements.

City Electrical Design Engineering

No objection to the proposed abandonment.

City Traffic Engineering

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

1. The street intersection must be removed and curb, gutter and sidewalk constructed in its place. If private driveways are required owners may apply through standard permit procedures.

City Fire and Police Departments

No objection to the proposed abandonment.

Pacific Bell

No objection to the proposed abandonment provided an easement be retained.

Communication facilities are located within that portion of the above mentioned vacation which must be retained for service to the area and beyond. This company, therefor, requests the following language be incorporated in any resolution or ordinance of vacation of 3rd Street.

"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 pipe, 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 the property free from inflammable materials and wood growth, and otherwise protect the same from all hazards, in, upon, over and across that portion of 3rd Street abandoned."

SMUD

No objection to the proposed abandonment provided the usual "continuing-use" clause as cited in the State of California Streets and Highway Code is incorporated in the abandonment resolution, reserving all rights for the District to construct, reconstruct, operate and maintain the overhead facilities.

P.G. & E.

No objections to the proposed abandonment provided a reservation clause is inserted to protect the existing facilities in the area.

"Reserving, however, to Pacific Gas and Electric Company the right from time to time to install, maintain, repair, operate replace, remove and renew such underground electrolysis wires, cables, fixtures and appurtenances for the cathodic protection of gas facilities within the easterly half of said area."

Sacramento Cable Television

No objections to the proposed abandonment.

Environmental Determination: The project is exempt from environmental review pursuant to State EIR Guidelines, CEQA Section 15312.

Recommendations: Staff recommends the Planning Commission approve the staff report and find the abandonment consistent with the General Plan and forward the attached agency comments to the City Council.

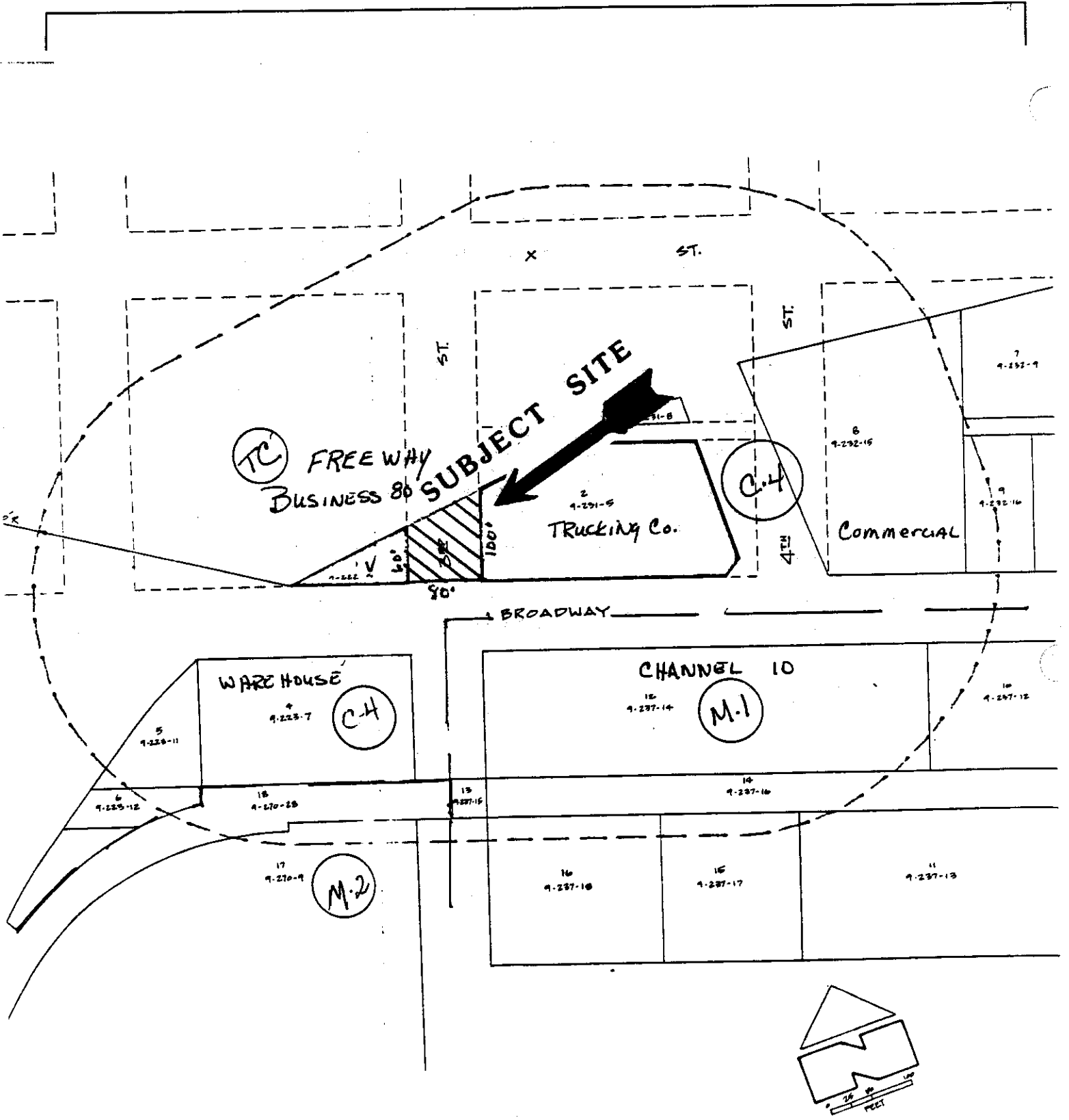
Respectfully submitted,

Joy Patterson

Joy Patterson
Senior Planner

Report Prepared By:

Jeanne Corcoran
Jeanne Corcoran
Junior Planner



VICINITY, LAND USE & ZONING MAP

EXHIBIT A

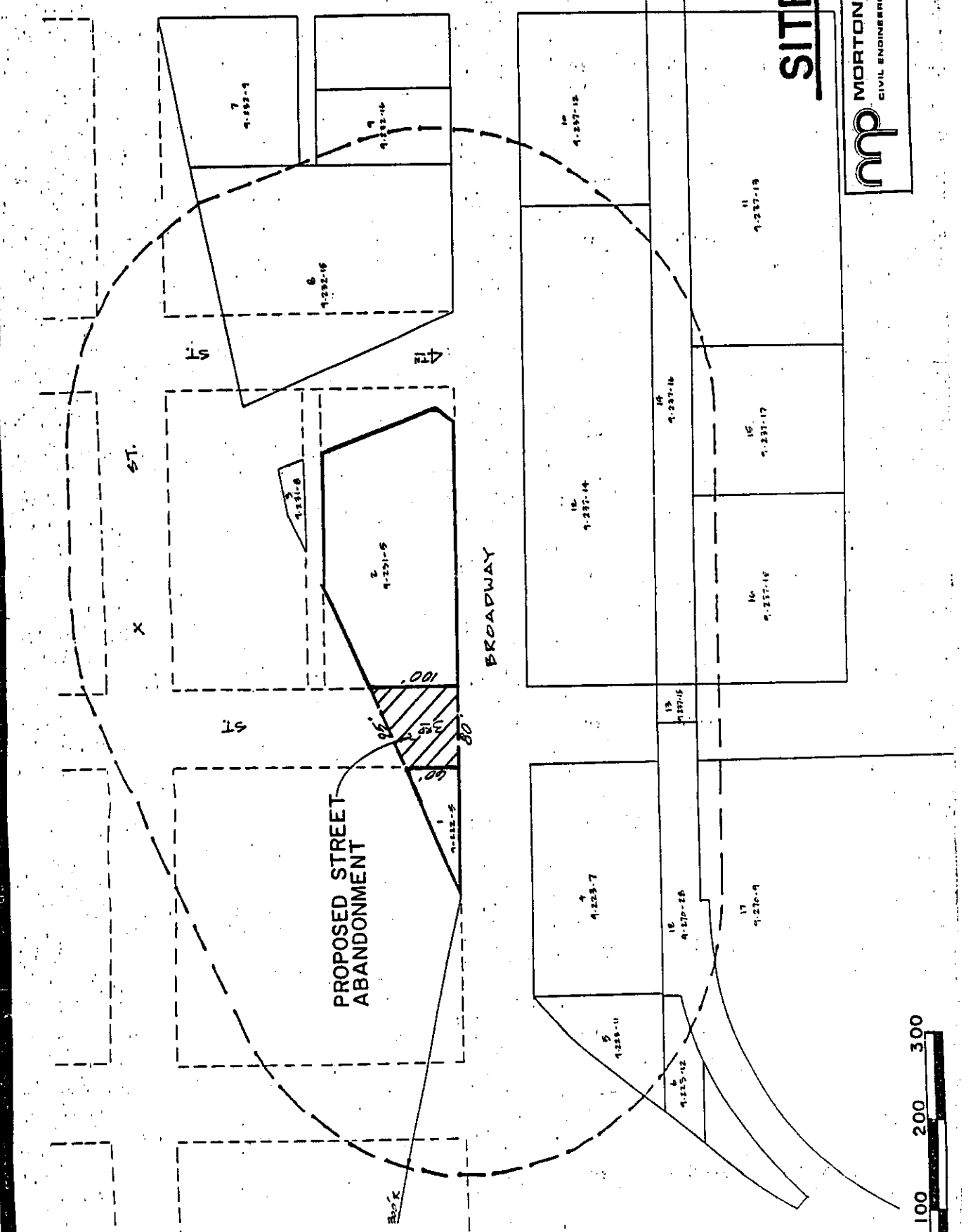
SITE PLAN

MORTON & PITALO, IN
CIVIL ENGINEERING · PLANNING · SURVEY



100113

SCALE: 1" = 10'



M90-042

12-13-90

ITCM NO. 39



EXHIBIT B



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1788 Tribute Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax: 916/567-0120

CITY PLANNING DIVISION

DEC 04 1990

RECEIVED

December 4, 1990
90-0113

LEGAL DESCRIPTION

All that real property situate in the State of California, County of Sacramento and City of Sacramento, more particularly described as follows:

That portion of 3rd Street lying North of Broadway (formerly Y Street) as shown on the official map of the City of Sacramento and lying South of Interstate Highway 80 right-of-way as said right-of-way is described in Book 68-05-13, Page 26, filed in the Office of the Recorder for the County of Sacramento.

RESOLUTION NO. 82-509

Adopted by the Sacramento City Council on date of

July 20, 1982

REVIEW GUIDELINES FOR STREET CLOSURES

WHEREAS, the following listing represents review guidelines which the City of Sacramento City Council and staff will consider in evaluating the merits of a proposed street closure;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that the following review guidelines will be applicable to all street closure proposals within the City of Sacramento:

- 1) Designated major and minor streets should not be the subject of a proposed street closure.
- 2) Local street which provide a through connection between two adjacent, intersecting major or minor streets should not be closed. (Evaluated on a block-by-block basis.)
- 3) Local streets should not be closed merely to provide additional acreage for building development.
- 4) Approval of local street closures should be dependent upon a finding of substantial benefit for the community planning area affected.
- 5) The closure of a local street should be supported by a majority of the property owners and tenants of the uses located along the affected block and within 300 feet from the street being closed.
- 6) When considering local street closures, consideration should be given to the impact on the following areas:
 - (a) Elimination of public street access for the land uses located along the affected block.
 - (b) Disruption to land use along parallel or intersecting adjacent streets.
 - (c) Elimination or modification of existing bus route patterns.
 - (d) Significant increases in emergency response times for uses along the affected street as well as in the surrounding area.
 - (e) Reduction of the ability to provide fire protection to the affected block(s) and surrounding area.
 - (f) Increases or decreases in the level of parking along adjacent residential streets.
- 7) Local street closures within predominately residential areas should only occur for purposes of creating new landscaped, open space or park facilities.

- 8) Local street closures for parking purposes should be considered only if viable alternatives, including administrative remedies, for providing needed parking supplies are unavailable.
- 9) If local street closures for parking purposes are approved, the design of the abandoned street should incorporate measures to enhance pedestrian and bicycle access and should be landscaped to significantly improve and modify the appearance of the closed street where appropriate.
- 10) If a local street closure is approved, the City should consider, where appropriate, requesting the project proponent to construct public or private improvements reasonably related to community needs created by the street closure. Such improvement project may include utility relocations, construction of a new parallel street, street lighting, landscaping, pedestrian amenities, or other appropriate facilities.

Phil Isenberg
Mayor

ATTEST:

Lorraine Magana
City Clerk