

ORDINANCE NO. 99-048

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF AUG 31 1999

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED BY PRE-ZONING PROPERTY LOCATED NORTH AND SOUTH OF GARDEN HIGHWAY, SOUTH & EAST OF I-80, FROM 44.65+ ACRES A-20 TO TC AND R-1 (PUD), AND FROM SPA-F (COUNTY ZONING DESIGNATION FOR SPECIAL PLANNING AREA IN THE FLOOD ZONE) TO A-OS-F (P97-063); (APN:274-0021-017, 020,021; 274-0220-017, 022, 047, 051, 052, 060, 061, 066, 069; 274-0480-059, 060);
and West River Drive, and Caltrans lands under I-80

BE IT BE ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

The attached Exhibit C describes the Willowcreek area properties and their current zoning as established by Ordinance No. 2550, Fourth Series, as amended. The Exhibit further designates the zones for which the properties are to be placed pursuant to this amendment.

- A. The zoning designation for the following 4 properties, which constitutes 39.25 gross acres, is hereby changed from A-20 (County Zoning Designation for Agriculture) to R-1-PUD:
274-0220-017,047,051,052;
- B. The zoning designation for the Caltrans properties, which constitutes 5.4 gross acres, is hereby changed from A-20 (County Zoning Designation for Agriculture) to TC (Transportation Corridor)
- C. The zoning designation for the following 4 properties (Sand Cove Park), which constitutes 12.2 gross acres, is hereby changed from F-SPA (County Zoning Designation for Flood Zone within a Special Planning Area) to A-OS-F (Agriculture / Open Space in the Flood Zone):
274-0220-022,060,061,062;

Section 2

This action pre-rezoning the property described in the attached exhibit is adopted subject to the following conditions and stipulations:

FOR CITY CLERK USE ONLYORDINANCE NO.: 99-048DATE ADOPTED: AUG 31 1999

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve pre-rezoning of the applicant's property is the development plans and representation submitted by the applicant in support of this request. It is believed said plan and representation are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representation submitted by the applicant and as approved by the Planning Commission on July 22, 1999, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.
- c. The developer shall obtain all necessary building permits prior to construction.

SECTION 3

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this Ordinance.

PASSED FOR PUBLICATION: 07/27/99

DATE EFFECTIVE: 09/30/99

ATTEST:

VALERIE BURROWES

CITY CLERK
P97-063

JOE SERNA, JR.

MAYOR

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 99-048
DATE ADOPTED: AUG 31, 1999

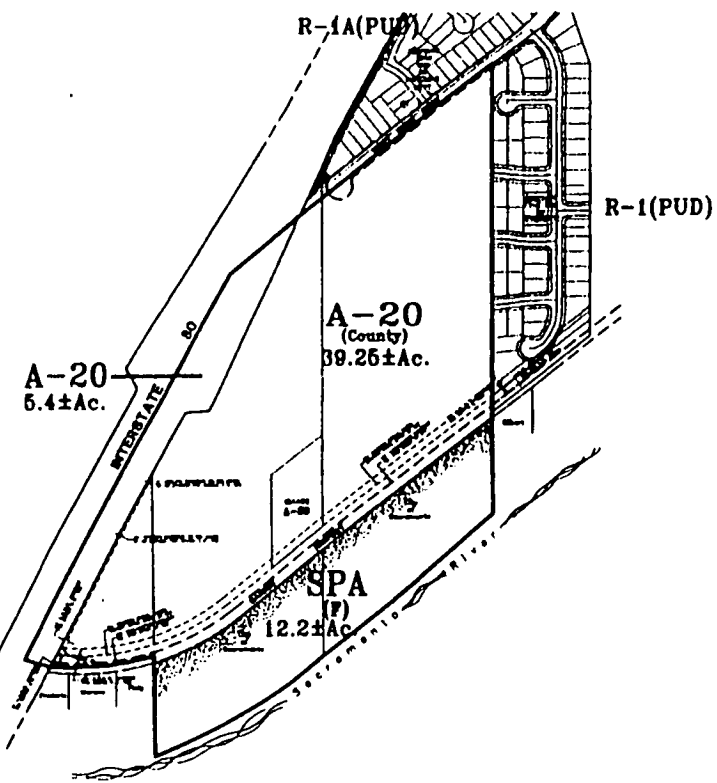
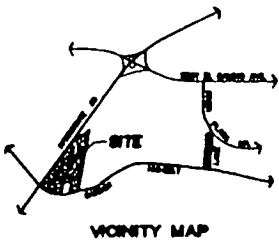
Willowcreek Area Reorganization Rezone Exhibit

RIVERBEND CLASSICS

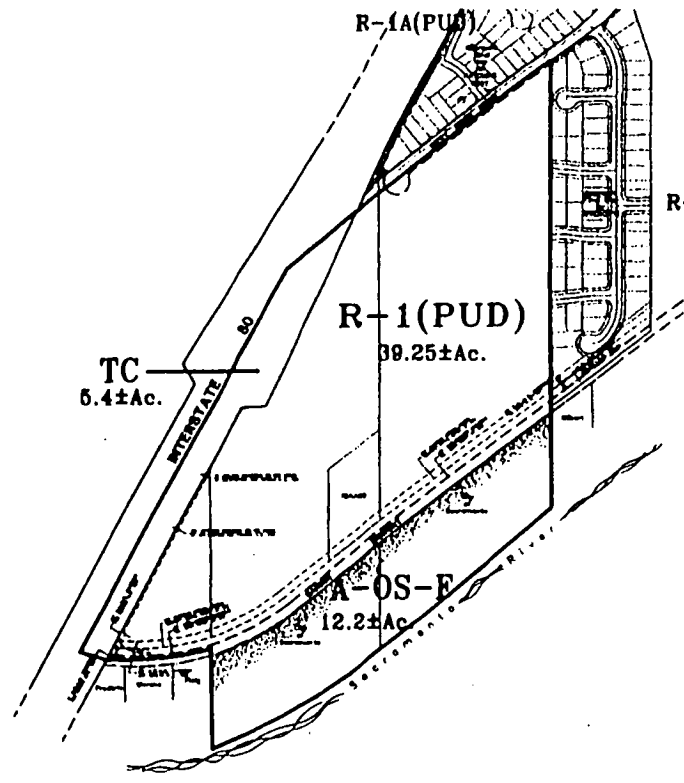
City of Sacramento, California

ORDINANCE NO. 99-048

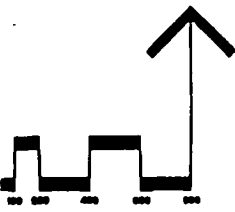
AUG 31 1999



Existing Zone



Proposed Zone



Revised: July, 1999
 Revised: February 18, 1999
 Revised: November 10, 1998
 June 27, 1997

The **Splink** Corporation
 6840 VICTORIE BLVD #117, SACRAMENTO, CALIFORNIA 95823-0288
 PHONE: (916) 993-8888 FAX: (916) 961-9974

#9538-003

ITEM # 11
PAGE # 14



APPROVED
BY THE CITY COUNCIL

AUG 31 1999

OFFICE OF THE
CITY CLERK

1.2

DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

DEVELOPMENT SERVICES
1231 I STREET
ROOM 300
SACRAMENTO, CA
95814

TECHNICAL SERVICES DIVISION

August 17, 1999

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

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: RESOLUTION OF INTENTION FOR ABANDONMENT OF THE ALLEY
BOUNDED BY EL CAMINO AVENUE AND DEL PASO BOULEVARD -
ABANDONMENT PROCEEDING NO. AP99-06**

LOCATION/COUNCIL DISTRICT:

Alley bounded by El Camino Avenue and Del Paso Boulevard. Council District 2.

RECOMMENDATION:

This report recommends that City Council adopt the Resolution of Intention to initiate the abandonment proceedings for the subject alley above and sets a hearing date of September 21, 1999, at 2:00 p.m.

CONTACT PERSON: Ron Perry, Engineering Technician III, 264-8298

FOR COUNCIL MEETING OF: August 31, 1999

SUMMARY:

The City has received a request from CommTech Services to abandon the alley in order to allow development of a Rite Aid facility at El Camino Avenue and Del Paso Boulevard.

COMMITTEE/COMMISSION:

None required.

BACKGROUND:

CommTech Services, on behalf of the property owner, has requested the abandonment of the alley bounded by El Camino Avenue and Del Paso Boulevard. The abandonment will create a larger site to facilitate the remodel of a Rite Aid facility on the corner of El Camino Avenue and Del Paso Boulevard.

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 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).

CommTech Services has submitted a request for a special permit (P99-005) to remodel a Rite Aid facility. In the event the special permit is not approved, this abandonment would be withdrawn.

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 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).

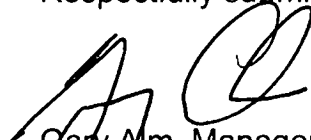
City policy, as stated in Resolution No. 96-176, which was approved by City Council on May 7, 1996, provides for abandonment of streets so long as there is a benefit to the community, it does not inhibit access to other properties, and is supported by the majority of property owners.

City Council
Resolution of Intention - AP99-06
August 17, 1999

ESBD CONSIDERATIONS:

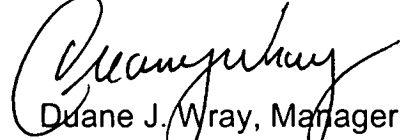
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Gary Alm, Manager
Development Services & Special Districts

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
S:\TECHSVC\Project Delivery\Dev Svs\Council\AP99-06\CC-AP99-06 ROI.wpd

Attachment

ATTACHMENT A

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING
TO ABANDON THE ALLEY BOUNDED BY EL CAMINO AVENUE
AND DEL PASO BOULEVARD WITHIN COUNCIL DISTRICT 2 (AP99-06)**

Application was submitted on	May 24, 1999
Resolution of Intention to be heard by City Council	August 31, 1999
Send letters to property owners	September 2, 1999
Posting on Alleys/Streets	September 3, 1999
Copy of Resolution Published in Daily Recorder	September 3, 1999 September 10, 1999
Public Hearing at City Council/Final Approval	September 21, 1999

APPROVED
BY THE CITY COUNCIL

RESOLUTION NO. 99-189

AUG 31 1999

ADOPTED BY THE SACRAMENTO CITY COUNCIL

OFFICE OF THE
CITY CLERK

ON DATE OF _____

**RESOLUTION OF INTENTION TO ABANDON THE ALLEY
BOUNDED BY EL CAMINO AVENUE AND DEL PASO BOULEVARD
WITHIN COUNCIL DISTRICT 2;
ABANDONMENT PROCEEDING NO. AP99-06**

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 the alley bounded by El Camino Avenue and Del Paso Boulevard within Council District 2 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:

All that real property situated in the City of Sacramento, County of Sacramento, State of California, being a portion of land described as "public alley" of Block 7 as shown on that certain plat entitled "North Sacramento Subdivision No. 8," filed in the office of the Recorder, County of Sacramento, State of California, in Book 13 of Maps, Map No. 49, more particularly described as follows:

BEGINNING at the easterly corner of Lot 3 of said Block 7; thence southeasterly along the southeasterly prolongation of the northeasterly boundary line of said Lot 3, South 44°55'00" East 20.00 feet to the northwesterly boundary line of Lot 8 of said Block 7; thence along said northwesterly boundary line South 45°05'00" West 234.94 feet to the southerly boundary line of said Block 7 as shown on said Plat; thence along last said line North 89°55'00" West 28.28 feet to the southeast corner of Lot 1 of said Block 7; thence along the southeasterly boundary line of Lots 1, 2 & 3 of said Block 7 North 45°05'00" East 254.94 feet to the POINT OF BEGINNING.

Total area of abandonment = .112 Acres more or less.

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

2. The City Council finds that the above described public portion of the alley 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 alley 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 September 21, 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: _____

EXHIBIT "A"

POINT OF BEGINNING

BLOCK 7
13 M 49

SOUTHEASTERLY BOUNDARY
LINES OF LOTS 1, 2 AND 3

SOUTHERLY
BOUNDARY
LINE
BLOCK 7

NORTHWESTERLY BOUNDARY
LINE OF LOT 8.

N89°55'00"W

EL CAMINO AVENUE

N45°05'00"E
AREA = 0.112 AC.
N45°05'00"E

254.94'

234.94'

20.00'

S44°55'00"E
20.00'



EXHIBIT FOR ALLEY ABANDONMENT

CITY OF SACRAMENTO

COUNTY OF SACRAMENTO

DATE: 5/21/99

SCALE: 1" = 30'

PSOMAS

DRAWN BY: JDS

SHEET 1 OF 1

2295 Gateway Oaks Drive, Suite 250 Engineers
Sacramento, California 95833 Surveyors
916/929-7100 Planners

CHECKED BY: SAB

JOB NO. : 6MCW0127