

**P95-060 - 5TH STREET ABANDONMENT**

REQUEST: A. Section 65402(a) Review for General Plan consistency of a street abandonment a portion of 5th Street located between Vallejo Way and 4th Avenue.

LOCATION: The portion of 5th Street located between Vallejo Way and 4th Avenue.  
Adjacent to APNs 12-0010-23,24,25,26  
Land Park Community  
Sacramento City Unified School District  
Council District 4

APPLICANT:	2814 5th Street Associates Anna-Maria White (916) 442-4731 2125 19th Street, Suite 101 Sacramento CA 95818
OWNER:	2814 5th Street Associates c/o John Stewart 2310 Mason Street San Francisco, CA 94133
APPLIC. FILED:	6-23-95
STAFF CONTACT:	Mark Kraft, 264-8116

**SUMMARY/RECOMMENDATION:**

The applicant is requesting that the portion of 5th Street, described above, be abandoned, in order to prevent through traffic from entering an existing housing development and to provide an area for additional open space and recreational activities for the development.

**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 Public Works for City Council action. This recommendation is based on the project's consistency with the policies of the General Plan.**



PROJECT INFORMATION:

General Plan Designation: Medium Density Residential (16-29 DU/Net Acre)  
 Community Plan Designation: N/A  
 Existing Land Use of Site: Public Street (Temporary abandonment in place)  
 Existing Zoning of Site: R-3/R-3R

## Surrounding Land Use and Zoning:

North: Multi-Family; R-3  
 South: Single Family; R-1  
 East: Single Family; R-1  
 West: Interstate 5; TC

PROPOSED LAND USE:

	<u>Gross Acres</u>	<u>Net Acres</u>	<u>Density</u>
Total Property Area:	N/A		
Property Dimensions:	N/A		
Topography:	Flat		
Street Improvements:	Existing		
Utilities:	Existing		

OTHER APPROVALS REQUIRED: In addition to the Sec. 65402(a) review, the project will also need the following approvals:

<u>Agency</u>	<u>Requirement</u>
City Council	Approval of the Street Abandonment

BACKGROUND INFORMATION:

The property owner of the housing development known as Camellia Commons has requested this street abandonment, in conjunction with the rehabilitation of the buildings on the site. The street abandonment is intended to enhance the livability of the site in two ways. First, the abandonment will prevent through traffic from entering the development which is located on both sides of this segment of 5th Street. Second, the abandonment will provide an area which will be used for the addition of open space and areas for recreational activities, such as swimming, basketball, hopscotch, shuffleboard, and tetherball. In addition, decorative paving will be installed in portions of the abandoned street section.

Currently, a temporary street closure is in place, and this segment of 5th Street has already been closed, using iron gates. These gates would be retained subsequent to the



abandonment.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

California Government Code, Section 65402(a), requires the City Planning Commission to make a finding of General and applicable Community Plan consistency with regard to street abandonment. Staff has reviewed the proposed abandonment for consistency with the City's General Plan.

The City General Plan establishes the following Goals and policies which are relevant to the proposed abandonment:

- ◆ Sec. 1-30 establishes policies which deal with Quality of Life, One of these policies specifically identifies open space and space for recreational activities as a valuable asset.
- ◆ Section 2-1, Goal A states "Maintain and improve the quality and character of residential neighborhoods in the City".
- ◆ Section 5-11, Goal C states "Create and maintain a street system which protects residential neighborhoods from unnecessary levels of traffic".

It is the policy of the City to enhance and maintain the quality of life of it's citizens. This abandonment is consistent with the City Council's commitment to improving livability of Sacramento's neighborhoods through provision of open space and recreational areas and through limitation of traffic through existing the housing development.

B. Project Discussion/Zoning Requirements

1. Land Use Compatibility

The subject site is presently abutted by fully developed single family and multi-family development, zoned R-1 (Single Family) & R-3 (Multi-Family) respectively. The street abandonment is compatible with the nature of land use in the area, because no single-family dwellings or multi-family dwellings, other than the applicant's development, derive access exclusively from this street section.

2. Parking & Circulation

The street proposed to be abandoned provided limited neighborhood circulation prior to



temporary closure, and provides no neighborhood circulation currently. Access from Vallejo Way to 4th Avenue may be gained using San Luis Court which is located +213 feet to the east of the current 5th Street Right of Way. Therefore, impact to auto and pedestrian circulation caused by the abandonment will be minimal. There is adequate area for both on-street and off-street parking in the area. Therefore, the loss of public on-street parking resulting from the abandonment will have minimal impact on parking availability in the area.

#### PROJECT REVIEW PROCESS:

A. Environmental Determination 65402(a) reviews by the Planning Commission are not discretionary actions, therefore, the California Environmental Quality Act (CEQA) does not apply.

#### B. Neighborhood Association Comments

The Upper Land Park Neighborhood Association was notified of the abandonment request on July 19, 1995. As of this writing, staff has received no comments opposing the project.

#### C. Summary of Agency Comments

The proposed project was reviewed by City Utilities, Planning Division, City Electrical Design Engineering, City Traffic Engineering, City Fire Department, City Police Department, Solid Waste, Pacific Bell, Pacific Gas and Electric, SMUD and Sacramento Cable Television. Staff has received no objection to the proposed abandonment provided that the appropriate utility and access easements are retained. The comments of affected agencies (ATTACHMENT B) are recommended to be included by the City Council as conditions of project approval.

#### PROJECT APPROVAL PROCESS:

This project is a 65402(a) review by the Planning Commission, which is a not a discretionary action. The regular abandonment process is set forward in the following steps:

1. The City Planning Commission hears the proposed abandonment in order to determine its consistency with the General Plan and any applicable community plans(Section 65402, Gov't Code).
2. Conditions which must be met by the applicant prior to the abandonment being recorded are developed. These conditions are generally derived from comments received from City departments and utility companies.





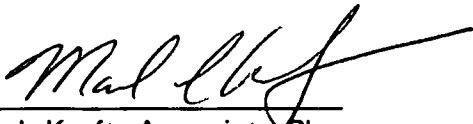
3. A "Resolution of Intent to Abandon" the street or alley is heard by the City Council. At this City Council meeting, a hearing date for the abandonment is set, usually three weeks following the meeting.
4. The public is notified of the intent to abandon the street or alley and of the hearing date before City Council.
5. A hearing on the abandonment of the street or alley is conducted by the City Council.
6. The applicant meets the conditions of abandonment. The conditions must be met within two years of the abandonment hearing date, or the abandonment becomes null and void.
7. The "Resolution to Abandon" is recorded with the County Clerk by the City.

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

- A. 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 Public Works for City Council action.

Report Prepared By,

Report Reviewed By,



Mark Kraft, Associate Planner



Barbara L. Wendt, Senior Planner

Attachments

Attachment A  
Attachment B  
Attachment C  
Attachment D

Vicinity, Land Use and Zoning Map  
Agency Comments  
Site Plan

Resolution approving the staff report and finding the abandonment consistent with the General Plan and forwarding the attached agency comments to Public Works for City Council action.

Exhibits D-1

Location of Subject Site

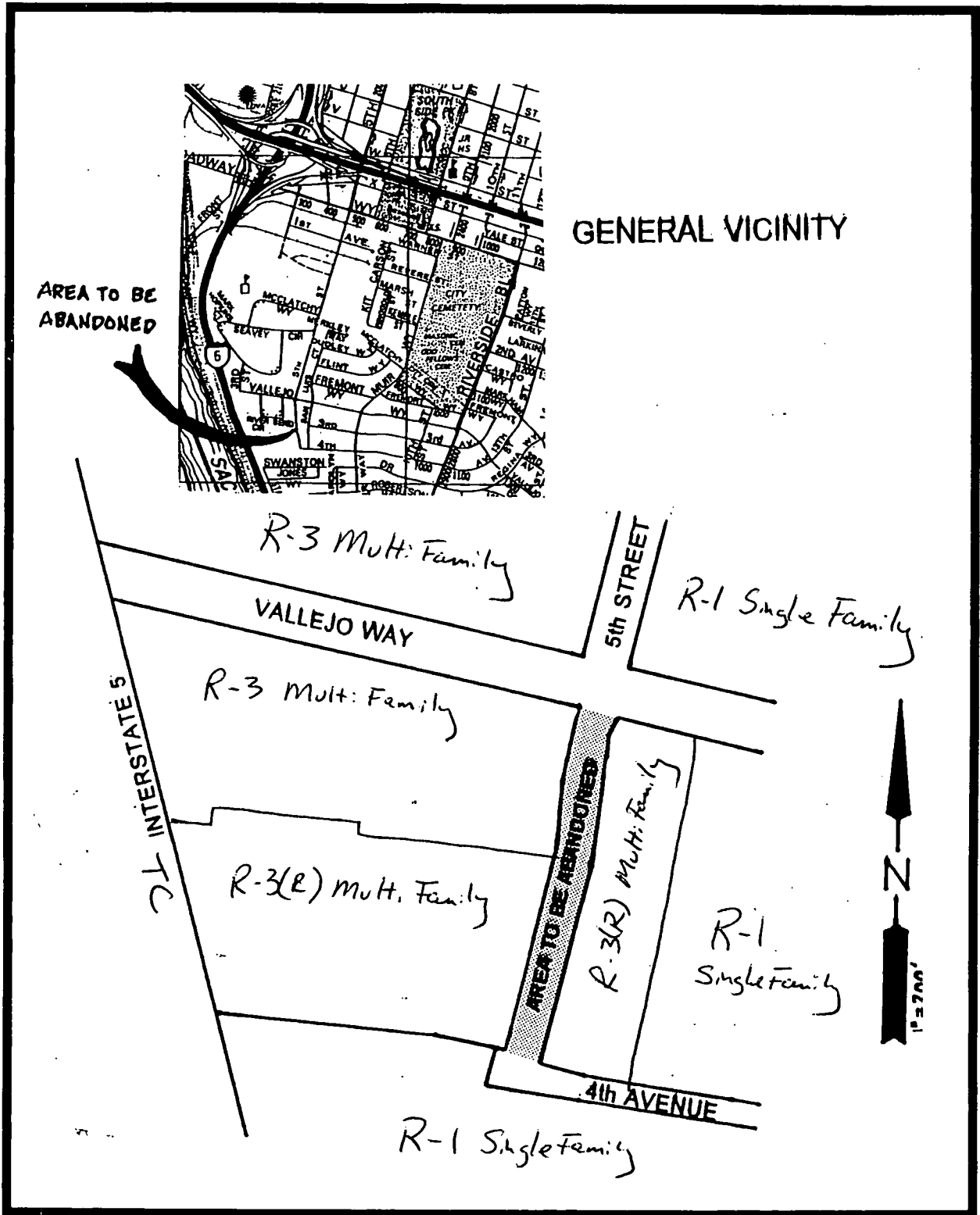


ATTACHMENT A

M94-031

AUGUST 11, 1994

ITEM # 7  
PAGE 6



VICINITY, LAND USE & ZONING MAP

# ATTACHMENT B AGENCY COMMENTS

**PACIFIC BELL**  
3707 Kings Way, Section B-21  
Sacramento, CA 95851  
Attn: Public Works Coordinator

TO: 2814 5th Street Associates, a California Limited Partnership  
(Applicant's Name)  
2125 19th Street Suite 101  
(Applicant's Address)  
Sacramento CA 95818  
(City/State/Zip)

Location of Abandonment: 5th Street between Vallejo and 4th Avenue

(See Attached Map & Description)

The following abandonment has been requested. Please check the appropriate box below. *TYPE or PRINT* your comments, if applicable, and *return to the applicant.*

- No objection to the proposed abandonment.
- No objection to the proposed abandonment provided the following conditions are met. (See "Comments" below)
- Not approved. (See "Comments" below)

**COMMENTS:**

Pacific Bell currently has communication facilities located within this proposed abandonment area which must be retained for service to the area and beyond.

This Company has no objection to the requested abandonment providing existing facilities are not impaired and that future service requirements can be met.

SIGNED: S. C. Del Real DATE: 5-31-95

S. C. Del Real, Public Works Coordinator  
Pacific Bell  
Tel. No. 972-6121

AB-03.FRM cc: Ms. Sue Smith, Design Engineer, Pacific Bell  
Rev. 10/25/94 Tel. No. 972-2144

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JUN 01 1995  
RChC



SEPTEMBER 14, 1995

Pacific Gas and Electric Company

343 Sacramento Street  
Auburn, CA 95603



May 31, 1995

2814 5th Street Associates  
2125 19th Street Suite 101  
Sacramento, CA 95818

Subject: Abandonment of Public Street Easement  
5th Street between Vallejo and 4th Avenue  
City of Sacramento, California

Gentlemen:

We have no existing facilities within the existing subject street, therefore we have no objection to the abandonment of this street.

Sincerely,

A handwritten signature in cursive script that reads "Lou A. Norton". The signature is written in black ink on a white background.

Lou A. Norton  
Land Agent

S. L. Mc Lain:slm

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JUN 02 1995  
RGHC



SACRAMENTO MUNICIPAL UTILITY DISTRICT  P. O. Box 15830, Sacramento CA 95852-1830, (916) 452-3211

JUNE 8, 1995

SMUD FILE: PWC/C 626-1

CITY COUNCIL  
CITY OF SACRAMENTO  
C/O ANNA-MARIA WHITE  
RURAL CALIFORNIA HOUSING CORPORATION  
2125 19TH STREET, SUITE 101  
SACRAMENTO CA., 95818

Anna-Maria White has informed us of the proposed abandonment of all that portion of 5th street lying south of the south line of Vallejo Way and north of the north line of 4th Avenue, in the City of Sacramento, according to the official map or plat thereof.

This District is presently occupying this portion 5th street with underground electrical facilities, however, provided the usual "continuing-use" clause as cited in the State of California Streets and Highways Code is incorporated in the abandonment ordinance, reserving all rights for the District to construct, reconstruct, operate and maintain electric power facilities, we will not object to the abandonment.

  
JOHN C HUGHES  
SUPERVISING LAND SPECIALIST  
REAL ESTATE SERVICES  
732-5334

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P. 02

SACRAMENTO CABLE  
4350 Pell Drive  
Sacramento, CA 95838  
Attn: Construction Department

TO: 2814 5th Street Associates, a California Limited Partnership  
(Applicant's Name)  
2125 19th Street Suite 101  
(Applicant's Address)  
Sacramento CA 95818  
(City/State/Zip)

Location of Abandonment: 5th Street between Vallejo and 4th Avenue

(See Attached Map & Description)

The following abandonment has been requested. Please check the appropriate box below. *TYPE or PRINT* your comments, if applicable, and *return to the applicant.*

- No objection to the proposed abandonment.
- No objection to the proposed abandonment provided the following conditions are met. (See "Comments" below)
- Not approved. (See "Comments" below)

COMMENTS:

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SIGNED:

DATE:

6-9-95

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CITY OF SACRAMENTO  
CALIFORNIA

DEPARTMENT OF  
PUBLIC WORKS  
  
TRANSPORTATION AND ENGINEERING  
PLANNING DIVISION

1231 I STREET  
ROOM 300  
SACRAMENTO, CA  
95814

PH 916-264-7474  
FAX 916-264-7185

TO: 2814 5th Street Associates, a California Limited Partnership  
(Applicant's Name)  
2125 19th Street Suite 101  
(Applicant's Address)  
Sacramento CA 95818  
(City/State/Zip)

Location of Abandonment: 5th Street Between Valejo and 4th Avenue

(See Attached Map & Description)

The following abandonment has been requested. Please check the appropriate box below. *TYPE or PRINT* your comments, if applicable, and *return to the applicant*.

- No objection to the proposed abandonment.
- No objection to the proposed abandonment provided the following conditions are met. (See "Comments" below)
- Not approved. (See "Comments" below)

COMMENTS:

Remove existing intersection improvements and construct  
standard driveway section with curb, gutter and sidewalk at  
5th Street & Vallejo and 5th Street & 4th Avenue

SIGNED: *Kimberly M. Egan*

DATE: 9-23-95

DS2-02.mrg  
Revised 11/10/94

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DEPARTMENT OF  
POLICE  
  
ARTURO VENEGAS, JR.  
CHIEF OF POLICE

CITY OF SACRAMENTO  
CALIFORNIA

HALL OF JUSTICE  
813 SIXTH STREET  
SACRAMENTO, CA  
95814-2495  
  
PH 916-264-5121

TO: 2814 5th Street Associates, a California Limited Partnership  
(Applicant's Name)  
2125 19th Street Suite 101  
(Applicant's Address)  
Sacramento CA 95818  
(City/State/Zip)

Location of Abandonment: 5th Street between Vallejo and 4th Avenue

(See Attached Map & Description)

The following abandonment has been requested. Please check the appropriate box below. *TYPE* or *PRINT* your comments, if applicable, and *return to the applicant*.

- No objection to the proposed abandonment.
- No objection to the proposed abandonment provided the following conditions are met. (See "Comments" below)
- Not approved. (See "Comments" below)

COMMENTS:

TO ENSURE ADEQUATE SAFETY FOR EMERGENCY PERSONNEL  
ENTERING THE COMPLEX THROUGH THE EMERGENCY ACCESS GATE,  
THE POLICE DEPARTMENT REQUIRES THE GATE BE CONSTRUCTED OF  
WHICH PROVIDES UNRESTRICTED VISIBILITY TO THE INTERIOR  
OF THE PROJECT; AND, ACCESS MECHANISM OF A KEYPAD

SIGNED: *PH* DATE: 05.31.95

264-5787

AS-03.FRM  
Rev. 10/25/94

RATHER THAN PADLOCK TO ALLOW POLICE AND  
FREE EQUAL ACCESS.



CITY OF SACRAMENTO  
CALIFORNIA

DEPARTMENT OF  
PUBLIC WORKS  
  
TRANSPORTATION AND ENGINEERING  
PLANNING DIVISION

1231 I STREET  
ROOM 300  
SACRAMENTO, CA  
95814

PH 916-264-7474  
FAX 916-264-7185

TO: 2814 5th Street Associates, a California Limited Partnership  
(Applicant's Name)  
2125 19th Street Suite 101  
(Applicant's Address)  
Sacramento CA 95818  
(City/State/Zip)

Location of Abandonment: 5th Street between Vallejo and 4th Avenue

(See Attached Map & Description)

The following abandonment has been requested. Please check the appropriate box below. *TYPE* or *PRINT* your comments, if applicable, and *return to the applicant*.

- No objection to the proposed abandonment.
- No objection to the proposed abandonment provided the following conditions are met. (See "Comments" below)
- Not approved. (See "Comments" below)

COMMENTS:

A 20' WIDE ACCESS FREE FROM ANY  
OBSTRUCTIONS IS TO BE MAINTAINED. ANY  
GATES ARE TO HAVE "KNOX HAZARD" TO  
ALLOW FIRE AGENS AT ANY TIME.

SIGNED: [Signature]

DATE: 5/31/95

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P. 02



DEPARTMENT OF  
GENERAL SERVICES  
COMMUNICATIONS DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

5750- 24TH STREET  
BUILDING FOUR  
SACRAMENTO, CA  
95822-3699

PH 916-433-6210  
FAX 916-399-0263

RONALD P. COSTA  
COMMUNICATIONS  
SYSTEMS MANAGER

TO: 2814 5th Street Associates, a California Limited Partnership  
(Applicant's Name)  
2125 19th Street Suite 101  
(Applicant's Address)  
Sacramento CA 95818  
(City/State/Zip)

Location of Abandonment: 5th Street between Vallejo and 4th Avenue

(See Attached Map & Description)

The following abandonment has been requested. Please check the appropriate box below. *TYPE* or *PRINT* your comments, if applicable, and *return to the applicant*.

- No objection to the proposed abandonment.
- No objection to the proposed abandonment provided the following conditions are met. (See "Comments" below)
- Not approved. (See "Comments" below)

COMMENTS:

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SIGNED: Ronald P. Costa DATE: 6-13-95



DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

ARCHITECTURE & ENGINEERING DIVISION  
TRANSPORTATION DEVELOPMENT NO. 1

927 10TH STREET  
ROOM 300  
SACRAMENTO, CA  
95814-2702

916-264-7921  
FAX 916-264-7903

TO: 2814 5th Street Associates, a California Limited Partnership  
(Applicant's Name)  
2125 19th Street Suite 101  
(Applicant's Address)  
Sacramento CA 95818  
(City/State/Zip)

Location of Abandonment: 5th Street Between Vallejo and 4th Avenue

(See Attached Map & Description)

The following abandonment has been requested. Please check the appropriate box below. *TYPE* or *PRINT* your comments, if applicable, and *return to the applicant*.

- No objection to the proposed abandonment.
- No objection to the proposed abandonment provided the following conditions are met. (See "Comments" below).
- Not approved. (See "Comments" below)

COMMENTS:

THE EXISTING ST. LING ON 5th ST BTWN 4th AVE  
& VALLEJO WILL HAVE TO BE ABANDONED.  
CUSTOMER TO PROVIDE POWER FOR ST. LING.

SIGNED: John Howerton DATE: 6/13/95

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DEPARTMENT OF  
UTILITIES  
  
ENGINEERING SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

5770 FREEPORT BLVD.  
SUITE 100  
SACRAMENTO, CA  
95822-2911

PH 916-433-6318  
FAX 916-433-6652

TO: 2814 5th Street Associates Attn: Anna-Maria White  
2125 19th Street, Suite 101  
Sacramento, Ca., 95818

LOCATION OF ABANDONMENT: 5th Street between Vallejo and 4th Avenue

The following abandonment has been requested. Please check the appropriate box below.  
TYPE OR PRINT your comments, if applicable, and return to the applicant.

- No objection to the proposed abandonment. (See "Comments" below)
- No objection to the proposed abandonment provided an easement is retained.  
(See "Comments" below)
- Not approved. (See "Comments" below)

COMMENTS: The Department of Utilities has no objection to the above described abandonment provided the following conditions are satisfied:

1. The existing right-of-way shall be retained as an easement for Department of Utilities facilities. No permanent structures shall be constructed over or within this easement. Department of Utility personnel shall have unlimited and unrestricted access to this easement at all times.
2. Any manholes, water meters, or water valves within this easement are to remain clear of obstructions at all times.
3. If underground water, sewer, or drainage repairs within this easement become necessary, replacement of any decorative paving shall be the responsibility of the applicant.

SIGNED: *M. Reid*

DATE: 6/6/95



DEPARTMENT OF  
UTILITIES  
ENGINEERING SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

5770 FREEPORT BLVD.  
SUITE 100  
SACRAMENTO, CA  
95822-2911

August 4, 1995  
950401:MD

PH 916-433-6318  
FAX 916-433-6652

**MEMORANDUM**

TO: Lisa Burke, Planning  
FROM: *Terry Paxton*  
Terry Paxton, Department of Utilities  
SUBJECT: **5TH STREET ABANDONMENT (P95-060)**

The Department of Utilities has previously responded to this request for the abandonment of 5th Street between Vallejo Way and 4th Avenue. The proposed use of this abandoned portion of 5th Street is shown on the submittal. It appears that the area surrounding the pool, the basketball court, the shuffle board court, and various other facilities encroach into the proposed easement. The Department of Utilities has a **42 inch water transmission main** and a **60 inch combined system main** within the proposed easement. It is imperative that the applicant be aware of the existence and location of these major facilities and consider relocating some of the onsite amenities so the easement is not encroached upon. Per the original abandonment conditions, "no permanent structures shall be constructed over or within this easement". Prior to any construction within this proposed easement all underground facilities must be located and the Department of Utilities shall be notified of the construction. Attached is the original response to the proposed abandonment.

cc Glenn Marshall

