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DEPARTMENT OF  
PUBLIC WORKS

TECHNICAL SERVICES

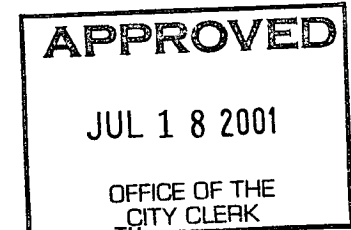
CITY OF SACRAMENTO  
CALIFORNIA

SPECIAL DISTRICTS  
1231 I Street, ROOM 300  
SACRAMENTO, CA 95814  
PH 916-264-7474  
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June 28, 2001

City Council  
Sacramento, California

Honorable Members in Session:



**SUBJECT: HEARING ON ABANDONMENT OF AN ALLEY BOUNDED BY 10<sup>TH</sup> STREET ON THE WEST, 11<sup>TH</sup> STREET ON THE EAST, N STREET ON THE NORTH AND O STREET ON THE SOUTH; ABANDONMENT PROCEEDING NO. AP01-08**

**LOCATION/COUNCIL DISTRICT:** 10<sup>th</sup> and N Street  
Council District 1

**RECOMMENDATION:**

This report recommends that the City Council adopt the attached resolution approving the abandonment of the alley bounded by 10<sup>th</sup> Street on the west, 11<sup>th</sup> Street on the east, N Street on the north and O Street on the south. See Exhibit A to resolution.

**CONTACT PERSONS:** Ron Perry, Engineering Technician III, 264-8298

**FOR COUNCIL MEETING OF:** July 18, 2001

**SUMMARY:**

The City has received a request from the State of California Department of General Services Real Estate Division to abandon the alley bounded by 10<sup>th</sup> Street on the west, 11<sup>th</sup> Street on the east, N Street on the north and O Street on the south.

**COMMITTEE/COMMISSION:**

None required.

**BACKGROUND INFORMATION:**

- 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.
- Staff has reviewed the request to abandon and finds it in conformance with city guidelines for alley closures (City Resolution No. 95-667) and the State of California, Streets and Highways Code (Section 8300 et seq).
- Letters to the property owners and residents adjacent to the alley of the abandonment were mailed by the applicant. Notice of the abandonment was posted along the subject right-of-way on July 6, 2001 and the Public Hearing Date was published in the Daily Recorder on July 6, 2001 and July 13, 2001. The Engineer's report relating additional facts of the abandonment is on file with the City Clerk's office. See Attachment A for the time schedule for this abandonment.
- Following abandonment, ownership of the alley will return to the original property owner based on underlying title.

**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 Planning and Building Department has reviewed this project and have 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 proposed abandonment is consistent with Council priorities of public safety, and neighborhood revitalization and enhancement.

1. Section 8300 et. Seq. of the Streets and Highways Code allows for abandonment of streets, alleys,

and easements that are no longer needed for public use. These abandonments are classified as regular abandonments.

2. 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).
3. City policy, as stated in Resolution No. 96-176 (approved by the City Council on May 7, 1996), provides for abandonment of streets and alleys so long as there is a benefit to the community, it does not inhibit access to other properties and would be supported by the majority of the property owners.
4. The proposed abandonment is consistent with these policies.

**ESBD CONSIDERATIONS:**


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

Respectfully submitted,



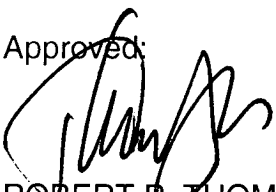
Gary Alm, Manager  
Development Services

RECOMMENDATION APPROVED:



Michael Kashiwagi  
Director of Public Works

Approved:



ROBERT P. THOMAS  
City Manager

ATTACHMENT A

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING TO ABANDON AN ALLEY  
BOUNDED BY 10<sup>TH</sup> STREET ON THE WEST, 11<sup>TH</sup> STREET ON THE EAST, N STREET ON THE  
NORTH AND O STREET ON THE SOUTH  
ABANDONMENT PROCEEDING NO. AP01-08**

Posting on Alleys/Streets	July 6, 2001
Copy of Resolution Published in Daily Recorder	July 6, 2001 & July 13, 2001
Public Hearing at City Council/Final Approval	July 18, 2001



**RESOLUTION NO. 2000 - 500**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF

**RESOLUTION OF ADOPTING FINDINGS OF FACT AND APPROVING ABANDONMENT OF AN ALLEY BOUNDED BY 10<sup>TH</sup> STREET ON THE WEST, 11<sup>TH</sup> STREET ON THE EAST, N STREET ON THE NORTH AND O STREET ON THE SOUTH WITHIN COUNCIL DISTRICT 1**

**ABANDONMENT PROCEEDING NO. AP01-08**

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

- A. WHEREAS, the City received a petition to abandon from owners of property within the City of Sacramento requesting the City Council to consider abandonment of the subject property; and
- B. WHEREAS, a notice that the City Council would consider the proposed abandonment at a Public Hearing was given in compliance with California Streets and Highways Code, Section 8300, et. seq.; and
- C. WHEREAS, the Planning and Building Department reviewed the proposed abandonment pursuant to Government Code Section 65402 and concluded that said abandonment would be consistent with the City General Plan and the applicable Community Plan; and

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

- 1. The alley bounded by 10<sup>th</sup> Street on the west, 11<sup>th</sup> Street on the east, N Street on the north and O Street on the south, specifically described below, is hereby ordered abandoned subject to the conditions and reservation specified in this resolution:

All that portion of a public (alley) roadway situated in the City of Sacramento, County of Sacramento, State of California, and being more particularly bounded as follows:

A public (alley) roadway bounded within that certain block bounded by N Street on the North, O Street on the South, 10<sup>th</sup> Street on the West, 11<sup>th</sup> Street on the East, as said public (alley).

**FOR CITY CLERK USE ONLY**

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

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

O Street on the South, 10<sup>th</sup> Street on the West, 11<sup>th</sup> Street on the East, as said public (alley) roadway is shown on the official map of the City of Sacramento, Recorded in Book 1 of Maps, Map No. 3, Official Records of Sacramento County, State of California. Containing 0.147 acres more or less.

RESERVING HOWEVER, a public service easement (as defined in Section 8306 and 8340 of the California Streets and Highways Code) the full width of the existing alley and right at any time, of from time to time upon construct, maintain, operate, replace, remove, or renew any public service facilities in, upon, or over and across the alley to be abandoned.

Total acreage of the alley described = 0.147ac

A map or plan of the proposed abandonment is attached as Exhibit "A" and is on file with the Department of Public Works, Development Services Section, located at 1231 I Street, Room 300.

2. The City Council finds that the above described public alley is not necessary for present or prospective public use in that:
  - a. It is not necessary for through traffic circulation; 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; and
  - b. A parcel adjacent to the abandoned portion of the alley described above have other access and said abandonment will not create any land-locked parcels; and
  - c. The alley to be abandoned is not necessary or useful as a non-motorized transportation facility as defined in the Streets and Highways Code.
  
3. The City Council hereby finds that said abandonment has been submitted to and reported on by the Planning and Building Department as to conformity with the City General Plan. The Council, pursuant to Streets and Highways Code Section 8300 et. Seq., has considered this abandonment in connection with the General and Community Plans and finds the abandonment consistent with them in that: The abandonment of the alley identified in paragraph 1 above does satisfy the City Council's "Review Guideline for Street and Alley Closure," adopted May 7, 1996, by Resolution No. 96-176.

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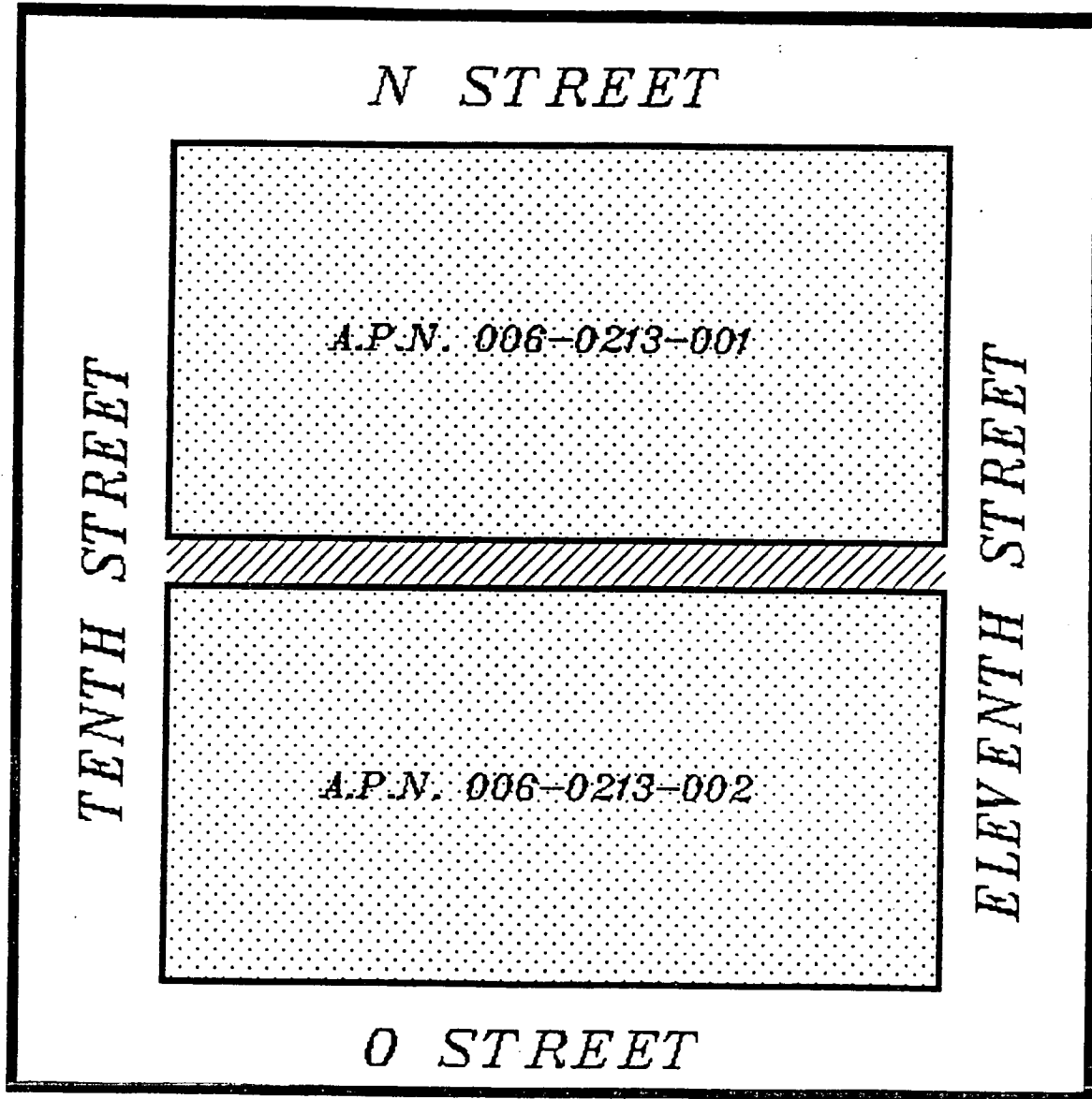
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DATE ADOPTED: \_\_\_\_\_

Requested Alley to be Abandoned by the  
City of Sacramento

Exhibit A



 *Property Owned by State of California*

 *Alley To Be Abandoned*

FOR CITY CLERK USE ONLY

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

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