



(11)

**DEPARTMENT OF
PUBLIC WORKS**

ENGINEERING DIVISION

THOMAS M. FINLEY
ENGINEERING DIVISION MANAGER

CITY OF SACRAMENTO
CALIFORNIA

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2705

916-449-8220

CONSTRUCTION SECTION
640 BERGUT DRIVE
SUITE B
SACRAMENTO, CA
95814-0131

916-449-5282

August 23, 1988

APPROVED
BY THE CITY COUNCIL

AUG 23 1988

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members In Session:

**SUBJECT: Abandonment of a Portion of the Western Area of Otto
Circle - Summary AP No. 88-05**

SUMMARY

The Department of Public Works requests that the City Council adopt a resolution abandoning a 7' x 168' portion of the western area of Otto Circle located at the southwest corner of 47th Avenue and Otto Circle.

BACKGROUND

Williamson and Associates is requesting the abandonment of a 7' x 168' portion of the right-of-way adjacent to the southwest corner of Otto Circle and 47th Avenue. The abandonment request is for a portion of property lying between where the street was actually constructed and the existing right-of-way line.

The proposed abandonment, exempt from the City's "Review Guidelines for Street Closures", was reviewed by staff and found to be in conformance with State law. Approval of the request is recommended. The Planning Department Environmental Coordinator has filed a Negative Declaration for this project. Staff and the utility companies have reviewed the proposed abandonment and have no objections.

City Council
Summary AP No. 88-05
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Page 2

FINANCIAL

No expense to the City or to property owners is necessary for the proposed abandonment.

VOTE OF COMMISSION

The Planning Commission, on July 14, 1988, voted to approve the proposed abandonment. (See attached report).

RECOMMENDATION

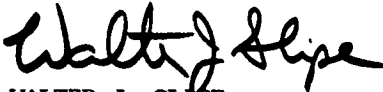
It is recommended that the attached resolution be adopted, which is the final order in the proceedings for the abandonment.

Respectfully submitted,



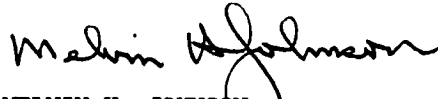
THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



WALTER J. SLIPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

SA:yg
RE3-04AB.C
08.1588

August 23, 1988
District No. 7

Attachment

RESOLUTION NO. 88-718

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

SUMMARY VACATION AND ABANDONMENT OF A 7' x 168'
PORTION OF THE OTTO CIRCLE LOCATED AT THE
SOUTHWEST CORNER OF 47TH AVENUE AND OTTO CIRCLE
AP NO. 88-05

APPROVED
BY THE CITY COUNCIL
AUG 23 1988
OFFICE OF THE
CITY CLERK

WHEREAS, in accordance with Section 8300, Et. seq., of the Streets and Highways Code of the State of California, the City Council hereby vacates and abandons a portion of the following described street:

That certain parcel of land situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

Beginning at the southeast corner of Lot 72 as shown on the "Plat of Cordova Townsite" filed in the Office of the Recorder of Sacramento County in Book 8 of Maps, Map No. 28

Thence from said point of beginning, along the east line of said Lot 72, North 13° 35' 30" West 168.37 feet; thence along a curve to the right, said curve having a radius of 20.00 feet and being subtended by a chord bearing South 45° 26' 05" East, 27.03 feet; thence along a tangent curve to the left, said curve having a radius of 423.00 feet and being subtended by a chord bearing South 12° 10' 34" East, 135.17 feet; thence South 76° 24' 30" West, 7.09 feet; thence South 21° 54' 45" East, 10.39 feet; thence South 76° 24' 30" West, 5.33 feet to the point of beginning
RESERVING HOWEVER, for the above described real property for the right-of-entry to repair, maintain and construct sewer, water and gas pipes and aerial or underground power, telephone and other communication facilities now in place or which from time to time may be placed therein. Containing 0.0349 acres more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Council does hereby find and declare that all of the facts, as set forth in this resolution, are true and correct; that by reason of the findings and premises aforesaid, said street, as above set forth and described, is hereby declared abandoned and vacated.

PRIMARY VACATION AND ABANDONMENT OF A PORTION OF
PORTION OF THE CITY CIRCLE LOCATED AT THE
SOUTHWEST CORNER OF NINTH AVENUE AND DIXIE STREET
AS NO. 1000

WHEREAS, in accordance with Section 8000 of the Streets and
Highways Code of the State of California, the City Council hereby vacates and
abandons a portion of the following described street:

That certain parcel of land situate in the City of Sacramento, County of
Sacramento, State of California, described as follows:

Beginning at the southeast corner of Lot 25 as shown on the plan
of Lot 25 recorded in the office of the Recorder of Sacramento
County, Map No. 25

then to the east line of said Lot 25,
North 137° 38' 30" East 168.37 feet; thence along a curve to the right,
said curve having a radius of 20.00 feet and being subtended by a chord
bearing South 48° 08' East, 27.03 feet; thence along a tangent curve
to the left, said curve having a radius of 17.00 feet and being
subtended by a chord bearing South 12° 10' 41" East, 136.14 feet; thence
South 67° 34' 30" West, 7.09 feet; thence South 81° 54' 56" East, 10.33
feet; thence South 70° 24' 30" West, 2.33 feet to the point of beginning
RESERVING HOWEVER, for the above described road project for the right
of-way to repair, maintain and construct sewer, water and gas pipes
and aerial or underground power, telephone and other communication
facilities now in place or which from time to time may be placed
therein. Containing 0.018 acres more or less.

WHEREAS, it is received by the Council of the City of Sacramento:

That the City Council does hereby find and declare that all of the facts, as
set forth in this resolution, are true and correct; that by reason of the
findings and premises hereon said street, as above set forth and described,
is hereby declared abandoned and vacated.

IT IS FURTHER ORDERED that a copy of this resolution, attested by the Clerk of this Council, be recorded in the office of the Recorder of the County of Sacramento.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, THIS 23RD DAY OF AUGUST, 1988.

MAYOR

ATTEST:

CITY CLERK

IT IS FURTHER ORDERED that a copy of this resolution, attested by the Clerk of this Council, be recorded in the office of the Recorder of the County of Sacramento.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THIS THIRD DAY OF AUGUST, 1988.

MAYOR

ATTEST:

CITY CLERK

RES-044B-C

City Planning Commission
Sacramento, California

Members in Session:

Subject: A. Environmental Determination

B. Request to abandon a 168 foot long portion of the western area of Otto Circle located at the Southwest corner of 47th Avenue and Otto Circle containing 0.03+ acres in the M-1(S), R(EA-4) zone (M88-064).

SUMMARY: The applicant is requesting abandonment of a seven foot wide, 168 foot long portion of right-of-way not constructed along Otto Circle adjacent to the southwest corner of Otto Circle and 47th Avenue. The abandonment request is for a portion of property lying between where the street was actually constructed and the old right-of-way line. The City Engineer has stated the City has no need for the right-of-way.

BACKGROUND INFORMATION: On March 10, 1988, the Planning Commission approved a Plan Review of a 12,150 sq. ft. warehouse building and lot line adjustment to merge four lots into one lot for 0.66+ acres located at the southwest corner of Otto Circle and 47th Avenue. The City Council approved the rezoning of 0.66 acres from R-1 to M-1(S) R-(EA-4) on April 26, 1988 (P88-050). The surplus Otto Circle right-of-way was considered as part of the requested actions by the Commission and City Council (refer to Exhibit C).

PROJECT INFORMATION:

General Plan Designation:	Heavy Commercial/Warehouse
1984 Airport Meadowview	
Community Plan Designation:	Industrial
Existing Zoning of Site:	R-1 (EA-4)
Existing Land Use of Site:	Vacant with trees

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Warehouse; M-1(S) (EA-4)	Front:(Otto Cr)	25'	25'with acquisition of public R/W
South: Steel storage & warehouse M-1(S) (EA-4)	Side(Int):	0'	0'
East : Street & warehouse; M-1(S) (EA-4)	Side(St)(47th)	25'	25'
West : Single Family; R-1(EA-4)	Rear:	15'	55'

Parking Required:	13 spaces
Parking Provided:	13 spaces
Property Dimensions:	195' x 165'
Property Area:	0.66+ acres total; 0.03+ acres for street abandonment
Square Footage of Building:	12,150 sq. ft. in two warehouse buildings
Height of Building:	24'

Topography: Flat
 Street Improvements: Existing
 Utilities: Existing
 Exterior Building Materials: Slumpstone block, reveal lines, recessed window systems

PROJECT EVALUATION:

A. Land Use and Zoning

The project site is currently zoned Standard Single Family (EA-4) zone and contains 0.66+ vacant acre with several large trees. Street improvements have been installed on both 47th Avenue and Otto Circle. No sidewalks are constructed on Otto Circle. Adjacent land uses include single family to the west and warehousing and heavy commercial uses to the north, south and east. Lands to the south are zoned M-1(S) on Otto Circle. A required 25 foot landscape setback is required for all lots facing Otto Circle. The entire area is covered by the Executive Airport Overlay 4 zone. Warehouse uses are compatible and allowed in the EA-4 Overlay zone.

B. Street Abandonment

The proposed abandonment is before the Planning Commission for General Plan consistency findings as required by Section 65402(a) of the California Government Code. The portion of surplus right-of-way is to be added onto the adjacent western lot for future development of a warehouse building. Staff has reviewed the abandonment as part of the original review and report on the rezoning, plan review and lot line merger and supports the requested abandonment. Otto Circle is constructed to the full street section as required by City Public Works for the site.

C. Agency Comments

The project was reviewed by the following departments or utilities with no comments received in opposition to the abandonment.

1. City Utilities Planning Division
2. City Electrical Design
3. City Traffic Engineering
4. City Fire Marshall's Office
5. Pacific Bell Telephone
6. Pacific Gas and Electric

7. SMUD
8. Sacramento Cable Television
9. City Waste Removal Division
10. City Real Estate Division

D. Summary


The 1984 Airport-Meadowview Community Plan designates both 47th Avenue and Otto Circle as minor streets. The reduction in width of right-of-way to coincide with the as existing street section in Otto Circle does not adversely affect access to properties located on Otto Circle. Staff recommends the Commission approve the abandonment and find it consistent with the City General Plan.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined the project will not have a significant impact on the environment and has filed a Negative Declaration.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the Negative Declaration.
- B. Approve staff recommendation of the abandonment to the City Council and find it consistent with the City General Plan as depicted on Exhibits A and B.

Respectfully submitted,


Will Weitman,
Senior Planner

WW:DH:vf

M88-064

July 14, 1988

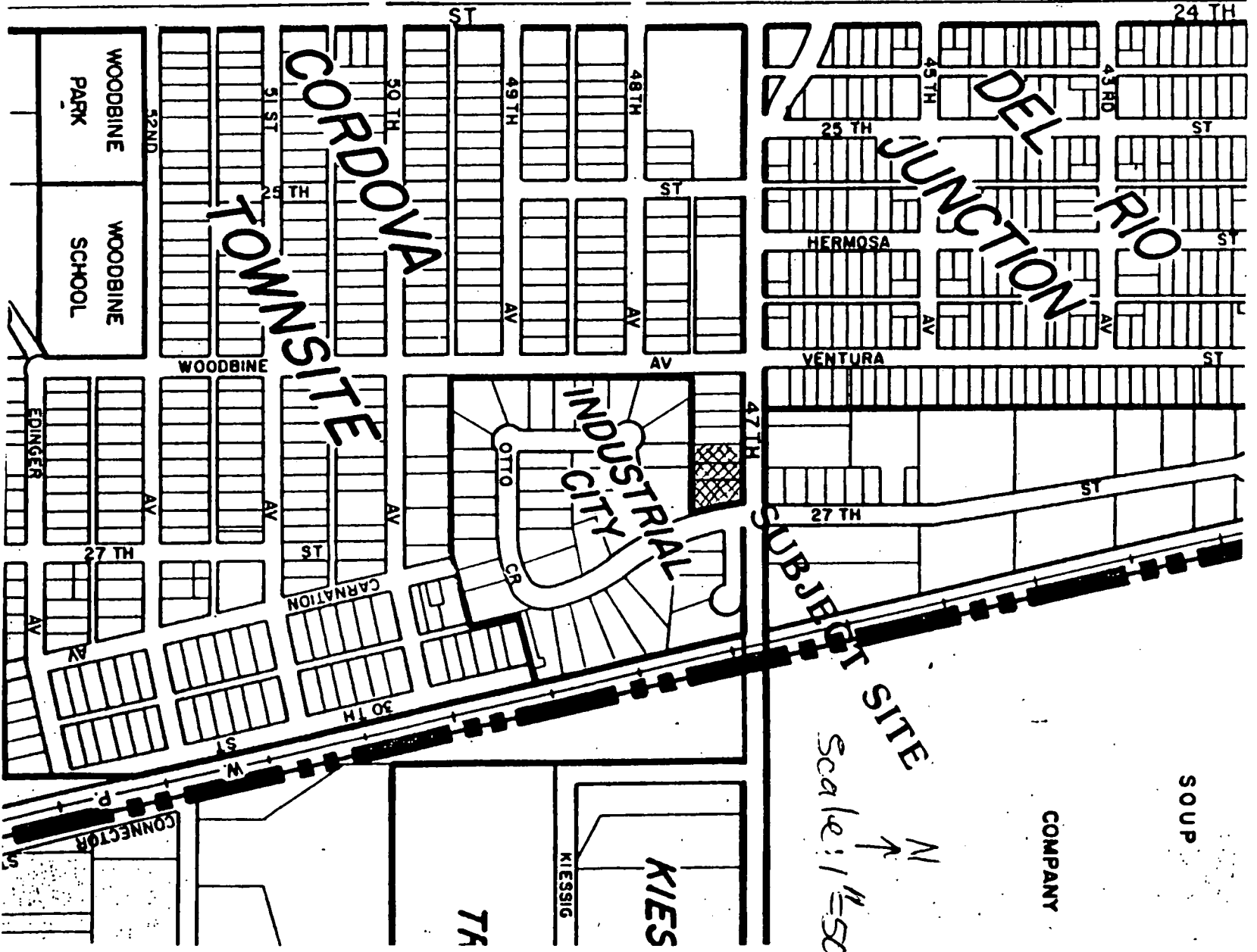
Item #27

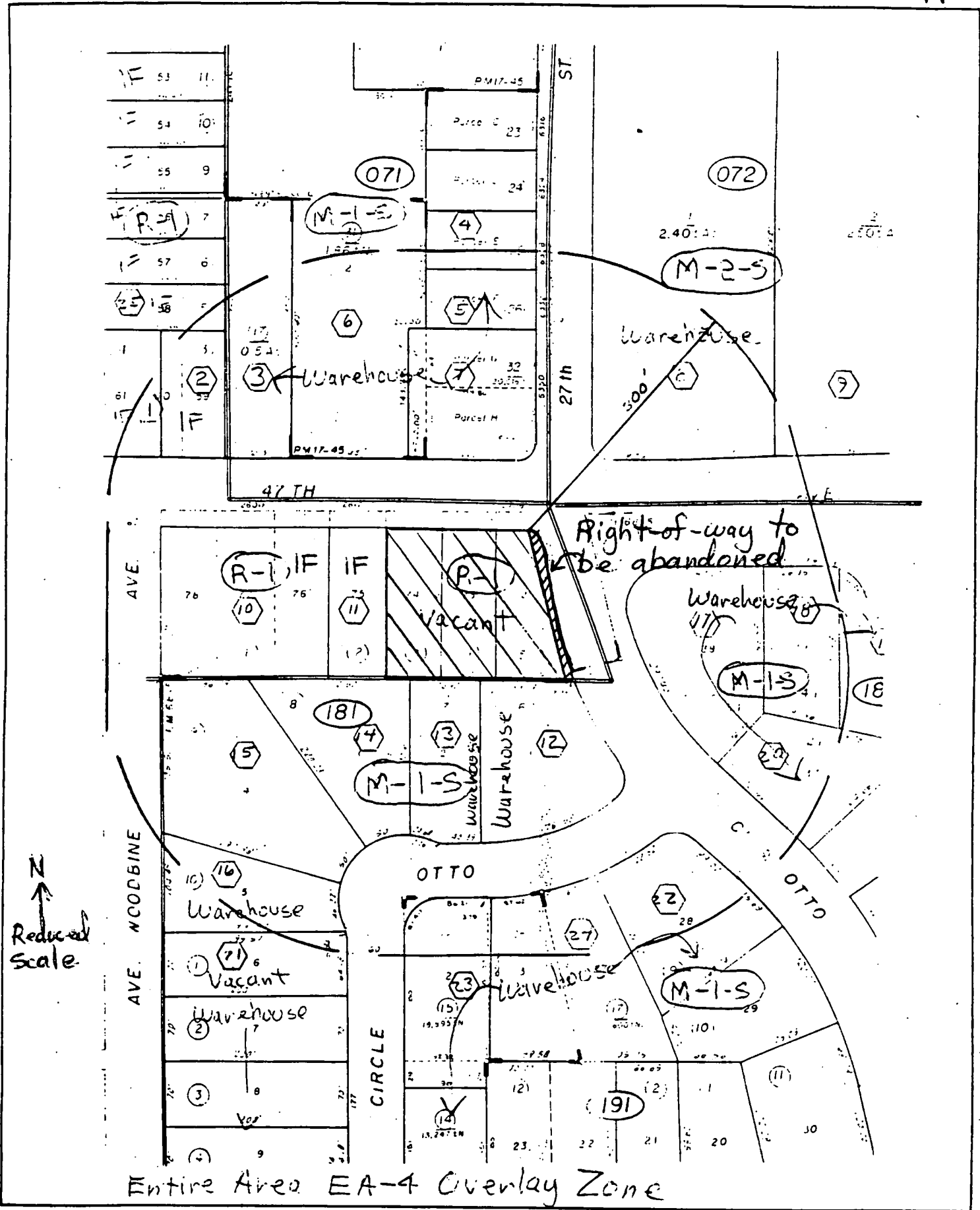
M-88-064

7-14-88

Tom 27

VICINITY MAP





Entire Area EA-4 Overlay Zone

LAND USE & ZONING MAP

M-88-064

47TH

AVENUE

EXHIBIT FOR DESCRIPTION

S 45° 26' 05" E
27.03'
R = 20'

RIGHT OF WAY TO BE ABANDONED BY CITY OF SACRAMENTO

CIRCLE

LOT 72

168.37'

R = 423'

N 13° 35' 30" W

135.17'

CH = 512° 10' 34" E

OTTO

S 76° 24' 30" W
7.09'

S 21° 54' 45" E
10.39'

S 76° 24' 30" W
5.33'

63 3 M 5

July 14, 1988

Item 21



1" = 30'

EXHIBIT A

11

EXHIBIT B

RIGHT OF WAY
TO BE ABANDONED

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 72 AS SHOWN ON THE "PLAT OF CORDOVA TOWNSITE" FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 8 OF MAPS, MAP NO. 28.

THENCE FROM SAID POINT OF BEGINNING, ALONG THE EAST LINE OF SAID LOT 72, NORTH $13^{\circ} 35' 30''$ WEST, 158.37 FEET. THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 20.00 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH $45^{\circ} 26' 05''$ EAST, 27.03 FEET. THENCE ALONG A TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 423.00 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH $12^{\circ} 10' 34''$ EAST, 135.17 FEET. THENCE SOUTH $76^{\circ} 24' 30''$ WEST, 7.09 FEET. THENCE SOUTH $21^{\circ} 54' 45''$ EAST, 10.39 FEET. THENCE SOUTH $76^{\circ} 24' 30''$ WEST, 5.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.0349 ACRES MORE OR LESS

M-88-064

July 14, 1988

item 21

M-88-064

LOT MERGER AND

LOT MERGER
LOTS 72, 73 AND 74, CORNER
TOWNSITE, 8 B.M. 2

CITY OF SACRAMENTO
DECEMBER 1987

SHEET 1 OF 1



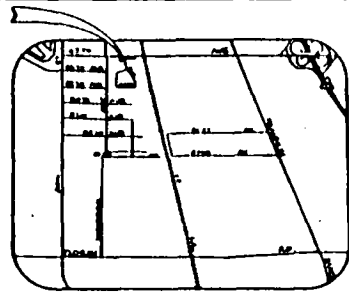
WILLIAMSON & ASSOCIATES
825 SECRET RIVER DRIVE, SUITE
SACRAMENTO, CA. 95825
(916) 393-7000

OWNER: JOHN & LINDA CIOLI
620 CIOLI CONSTRUCTION
7000 LUTHER DR. # 3
SACRAMENTO, CA. 95825

A.P.N. 36-181-03-04-108

REZONING EXHIBIT

PROJECT LOCATION



VICINITY MAP
(N.T.S.)

47th AVENUE

CIRCLE

RIGHT OF WAY TO BE ABANDONED BY
CITY OF SACRAMENTO & ACQUIRED
BY APPLICANT

PROPOSED
LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO,
STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

ALL OF LOT 72, LOT 73, AND LOT 74, AS SHOWN ON THE
PLAT OF CONDORA TOWNSITE FILED IN THE OFFICE OF THE
RECORDER OF SACRAMENTO COUNTY IN BOOK 8 OF MAPS, MAP
NO. 28.

REZONE FROM R-1

COM-1-S-R

LOT 74

LOT 72

EXISTING LOT LINE
TO BE REMOVED

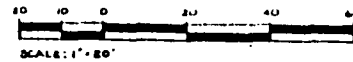
EXISTING LOT LINE
TO BE REMOVED

EXIST. CURB, GUTTER &
SIDEWALK

30' PALM
15' PINE

EXIST. GUTTER

OLLO



7-14-88 266-1816-960
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EXHIBIT C