

3.2

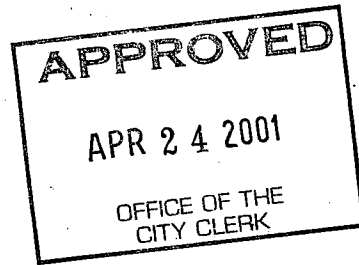
**DEPARTMENT OF
PUBLIC WORKS**

TECHNICAL SERVICES

**CITY OF SACRAMENTO
CALIFORNIA**

SPECIAL DISTRICTS
1231 I Street, ROOM 300
SACRAMENTO, CA 95814
PH 916-264-7474
FAX 916-264-7480

March 19, 2001



City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: HEARING ON ABANDONMENT OF A PORTION OF TRACTION AVENUE FROM BOWLES STREET ON THE SOUTH TO OAKMONT STREET ON THE NORTH (TRIANGLE PARK) ABANDONMENT PROCEEDING NO: AP01-04.

LOCATION/COUNCIL DISTRICT: Traction Avenue and Bowles Street
Council District 2

RECOMMENDATION:

This report recommends that the City Council adopt the attached resolution approving the abandonment of a portion of Traction Avenue from Bowles Street on the south to Oakmont Street on the north.

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

FOR COUNCIL MEETING OF: April 24, 2001

SUMMARY:

Public Works in cooperation with the Parks and Recreation Department is requesting the abandonment of a portion of Traction Avenue necessary for the construction of a neighborhood park (Triangle Park).

City Council
Abandonment of a portion of Traction Avenue – AP01-04
April 10, 2001

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 Street 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 within 500 feet of the abandonment were mailed by the City. Notice of the abandonment was posted along the subject right-of-way on April 5, 2001 and the Public Hearing Date was published in the Daily Recorder on April 5, 2001 and April 12, 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 a portion of the street will return to the original property owner based on underlying title.

FINANCIAL CONSIDERATIONS:

The City provided all the documentation required for the abandonment. The abandonment process is funded by a CIP project number LM56. The cost estimate for Triangle Park Improvements, including design, surveying, inspection, environmental study, construction and contingencies is \$81,600. The construction cost estimate by itself is \$58,300. The above estimates do not include landscaping. Funding of the project is through:

- 205: Block Grant/Housing and Redevelopment;
- 206: Sacramento Housing and Redevelopment Agency and;
- 281: Citywide Landscaping and Lighting.

ENVIRONMENTAL CONSIDERATIONS:

The project was found to be exempt under the California Environmental Quality Act (CEQA) guidelines Sections #15301(c), 15305(c) and 15311(a). The currently proposed abandonment was included and evaluated in the previous environmental document related to the Triangle Park improvement project (CIP LM56). The project involves the alteration of an existing public right-of-way with no substantial change to existing traffic flow in the City.

POLICY CONSIDERATIONS:

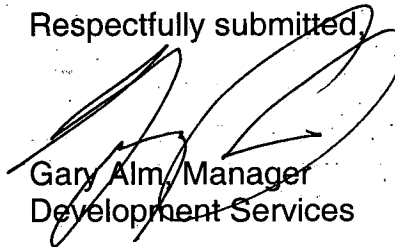
The proposed abandonment is consistent with Council priorities of public safety, and neighborhood revitalization and enhancement.

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:

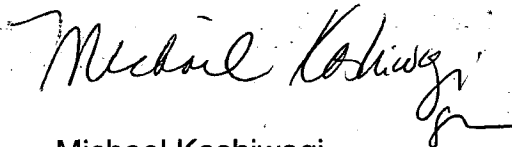
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



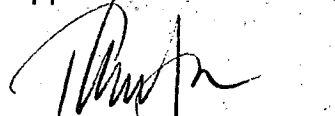
Gary Alm, Manager
Development Services

RECOMMENDATION APPROVED:



Michael Kashiwagi
Director of Public Works

Approved:



ROBERT P. THOMAS
City Manager

ATTACHMENT A

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING TO ABANDON A
PORTION OF TRACTION AVENUE FROM BOWLES STREET ON THE SOUTH TO
OAKMONT STREET ON THE NORTH (TRIANGLE PARK).
ABANDONMENT PROCEEDING NO. AP01-04**

Posting on Alleys/Streets

April 5, 2001

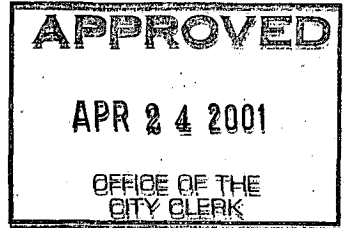
Copy of Resolution Published in Daily Recorder

April 5, 2001

April 12, 2001

Public Hearing at City Council/Final Approval

April 24, 2001



RESOLUTION NO. 2001-241

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION OF ADOPTING FINDINGS OF FACT AND APPROVING ABANDONMENT OF
A PORTION OF TRACTION AVENUE FROM BOWLES STREET ON THE SOUTH TO
OAKMONT STREET ON THE NORTH (TRIANGLE PARK)
WITHIN COUNCIL DISTRICT 2**

ABANDONMENT PROCEEDING NO. AP01-04

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

- A. WHEREAS, the City received a request from the City of Sacramento Department of Public Works and The City of Sacramento Department of Parks and Recreation to abandon the 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 Neighborhoods, Planning and Development Services 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. Portion of Traction Avenue from Bowles Street on the south to Oakmont Street on the north, specifically described below, is hereby ordered abandoned subject to the conditions and reservation specified in this resolution:

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

All that portion of a forty (40.00) foot roadway, as shown on that certain Plat of North Sacramento Subdivision No.8, recorded in Book 13 of Maps, Map No.49, more particularly described as follows:

All that portion of said roadway located between the easterly right of way line of the Sacramento Northern Railway, the westerly line of Oakmont Street produced northerly, the westerly line of Lot 1, Block A of said plat, and the northerly line of Bowles Street produced westerly.

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 Street and right at any time, or from time to time to construct, maintain, operate, replace, remove, or renew any public service facilities in, upon, or over and across the Street to be abandoned. 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 street 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 street 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 Neighborhoods Services and the Planning and Building Departments 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 street 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.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

4. This abandonment is subject to the following conditions :
- a. Public Works: Standard Street improvements pursuant to Section 16.48.110 of the City Code shall be provided with this project. These improvements will include, but are not limited to curb, gutter, and sidewalk. All improvements will be to the satisfaction of the Department of Public Works.
 - b. The City shall conform to ADA requirements in all respects.
 - c. All new driveways shall be constructed to City Standards to the satisfaction of the Department of Public Works.
 - d. Repair or replace any existing deteriorated curb, gutter, and sidewalk to the satisfaction of the Department of Public Works.
5. After all the conditions in paragraph 4 of this resolution have been fulfilled, the City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.
6. All conditions specified in paragraph 4 of this resolution must be completed within two years of the date of this resolution. If all the conditions are not completed within the two years specified, this resolution approving the abandonment shall become void, unless the City Council grants a time extension.

MAYOR

ATTEST:

CITY CLERK

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT A

Abandonment of Portion of
Traction Ave.

AREA TO BE ABANDONED



SACRAMENTO NORTHERN RR

LOT 1
BLOCK A
13 BM 49

BOWLES ST.

DAKMONT ST.

TRACTION AVE.

LAMPASAS
AVE.



SCALE:
1"=80'

NOV. 2000

PLAT MAP

CITY OF SACRAMENTO

100'

40'

30'

30'

25'
25'