

Planning Commission
Sacramento, California

MEMBERS IN SESSION:

- Subject: A. Environmental Determination
- B. Request to abandon an alley located between 28th, 29th, J and K Streets (M89-001) (Section 65402(a) Review).

SUMMARY: The applicant is requesting abandonment of a 20 foot wide, 320 foot long alley located north of K Street and south of J Street, between 28th and 29th Streets. The applicant proposes to restrict access into the alley to relieve traffic congestion caused by vehicles exiting onto K Street. The applicant is proposing to provide pay booths fronting on K Street and fronting on 28th Streets.

PROJECT INFORMATION:

General Plan Designation:	Community Neighborhood/Commercial Offices
1980 Central City Community Plan:	General Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Parking Garage, Carrows' Restaurant, AM/PM Market and Gas Station

Surrounding Land Use and Zoning:

North: Commercial; C-2
South: Hospital; C-2
East : Commercial; C-2
West : Commercial; C-2

Alley Dimensions to be Abandoned: 20 ft. x 320+ ft.
Acres: 0.14+

PROJECT EVALUATION: Staff has the following comments:

- A. The proposed alley abandonment is before the Planning Commission for General Plan consistency findings as required by Section 65402 (a) of the California Government Code. The purpose of the alley abandonment is to relieve traffic conditions caused by vehicles exiting the parking garage onto K Street. Exiting would be directed to the alley and then onto 28th Street during day time hours only. Vehicles will be able to exit out of the garage onto K Street at night and weekends. The applicant is not proposing to construct any buildings in the alley or modify the alley. The applicant does, however, propose to place pay booths in the alley for vehicles exiting onto 28th Street and onto K Street.

A portion of the alley will continue to be used for vehicle ingress and egress into Carrows' restaurant parking lot and the AM/PM market and gas station. The applicant has made an agreement with the adjacent property owners to allow the usage of the eastern portion of the alley. Staff supports the closure of the alley since the subject site has access for all lots and no lots will be

landlocked. The adjacent property owner of Carrows' restaurant and the AM/PM market and gas station has given consent to the closure of the alley.

B. The proposed alley abandonment has been reviewed by the City Traffic Engineer, Electrical Design, City Police Department, Fire Department, Pacific Bell, SMUD, P.G. & E., Flood Control and Sewer Department, Water Division, Real Estate and the Sacramento Cable Television. The following comments were received:

1. City Electrical Engineering Division - No objection
2. City Police Department - No objection
3. City Fire Department - All Fire Department connections should be located from the north side of the building to the west side of the building. At this location there are city fire hydrants for our use.
4. Pacific Bell - see attached letter of October 24, 1988
5. SMUD - see attached letter of November 1, 1988
6. P.G. & E. - see attached letter of October 13, 1988
7. Flood Control and Sewers/Public Works - an easement covering existing sewer lines and catch basins, right of egress and ingress for maintenance of sewer lines. An easement of 20 ft. wide is preferred.
8. Water Division/Public Works - We have no objection to the proposed abandonment provided the water main and customer services are relocated at the owner's expense. Relocation to be to the satisfaction of the Water Division.
9. Sacramento Cable Television - see attached letter of November 16, 1988.
10. The Traffic Engineer Section has no objections to abandonment of the alley provided the following conditions are met prior to filing official closure:
 - a. remove alley entrances and construct curb, gutter and sidewalk in it's place. Driveways may be constructed under standard permit procedures if required;
 - b. if the alley is to be claimed by owners of K Street frontage the property line normally in the center of the right of way must be legally adjusted accordingly;

- c. should have six car stacking space on private property before gates on entrance;
- d. existing entrance only from K Street creates serious traffic bottleneck, due to excessive left turns. A second entrance should be established off of alley, or use alley as entrance only and K Street as exit only;
- e. exit gates must be no less than one car from back of sidewalk;
- f. the applicant shall work with the Traffic Engineering Department regarding the above conditions prior to filing official closure.

C. Conclusion: Planning staff has reviewed the proposed abandonment and finds it consistent with the City's General Plan and the 1980 Central City Community Plan in that the alley is not designated for improvements as part of the circulation element of the General Plan nor the circulation section of the 1980 Central City Community Plan. Further, the proposed abandonment is consistent with the City's Guidelines for street closures.

ENVIRONMENTAL COORDINATOR: The Environmental Coordinator determined the project will not have a significant adverse impact on the environment and has filed a negative declaration.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the negative declaration; and
- B. Recommend approval of the alley abandonment to the City Council and find it consistent with the City General Plan as depicted on Exhibits A and B and transmit comments from agencies and City departments.

Respectfully submitted,

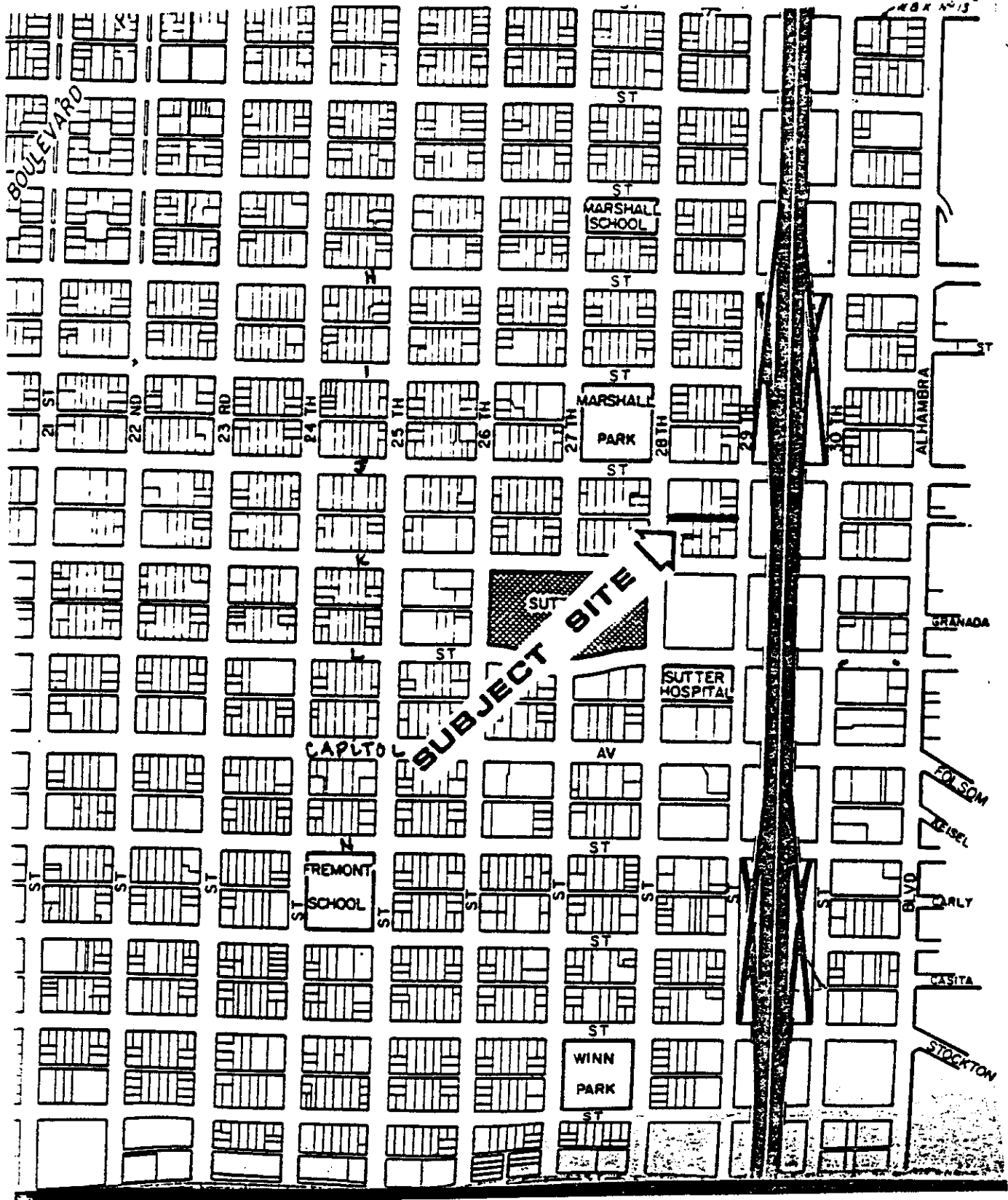
Wilfred Weitman
 Wilfred Weitman,
 Senior Planner

WW:BW:cd

M89-001

~~January 12, 1989~~
 March 23, 1989

#3
 item #28



VICINITY MAP

3-23-89

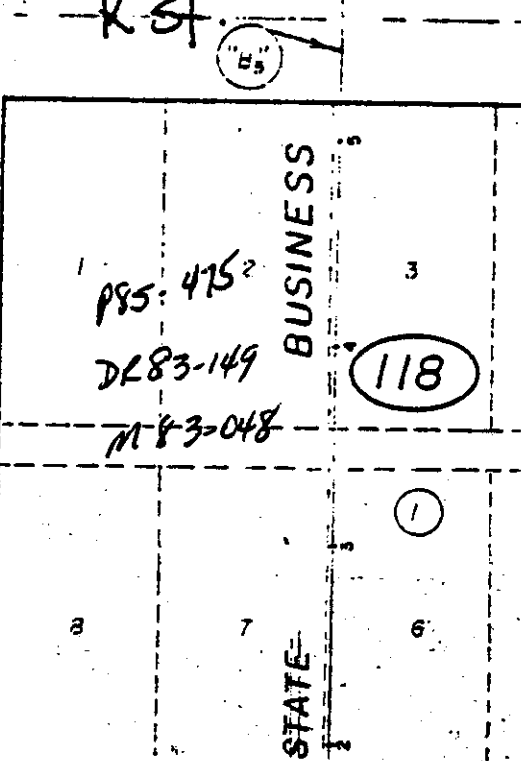
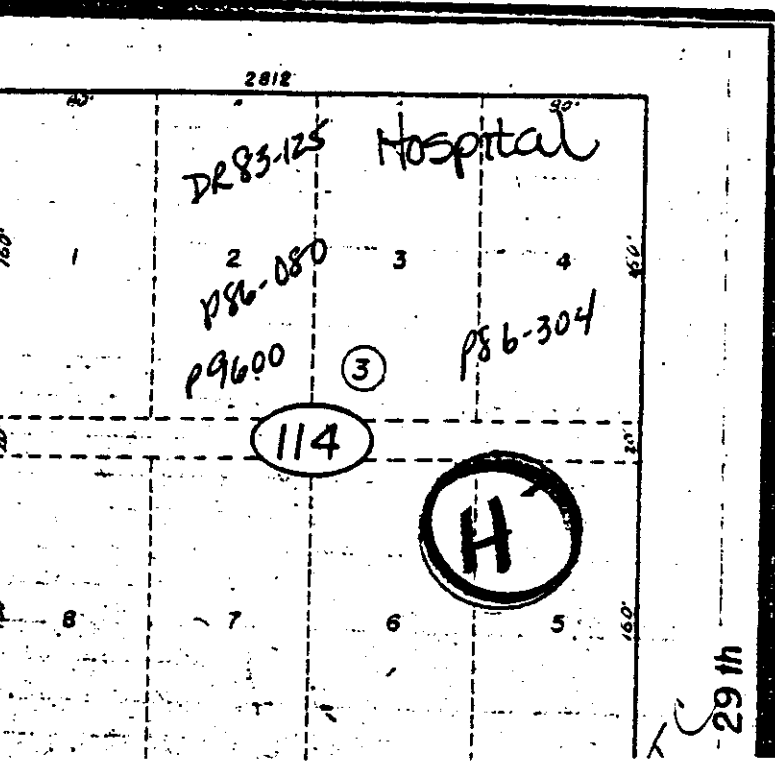
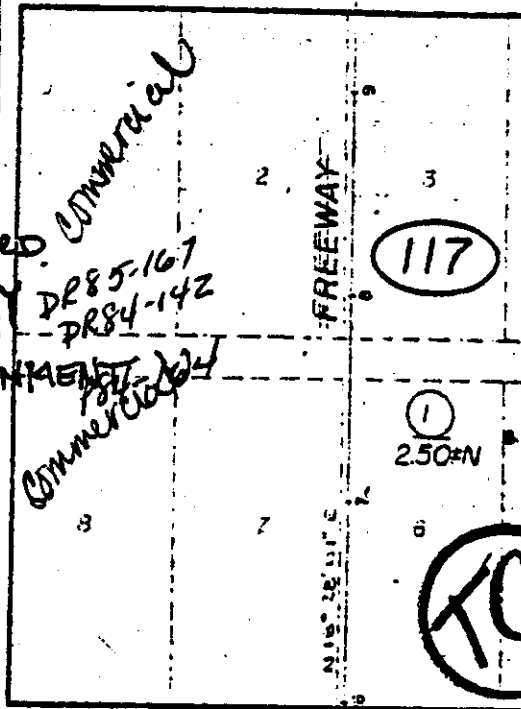
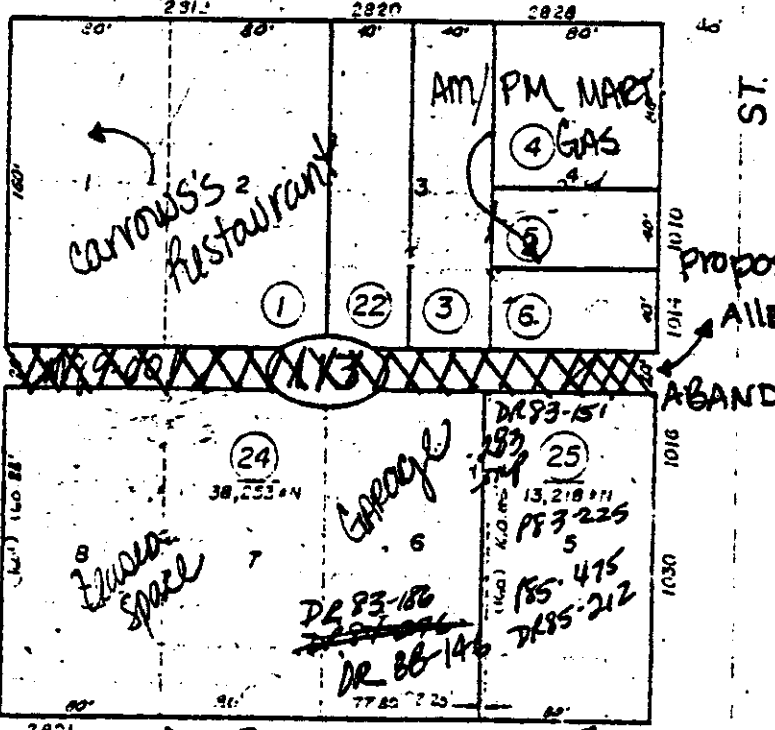
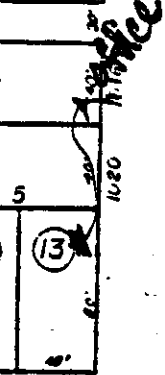
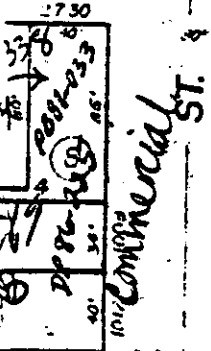
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OLD CITY

Tax Area

04

J St. 80



LAND USE & ZONING MAP

3-23-89

1-12-88

Item # 3

189-001

LEGAL DESCRIPTION
RIGHT OF WAY TO BE ABANDONED**

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

BEING THE ALLEY BOUNDED BY 28TH, 29TH, "J" AND "K" STREET SHOWN ON THE OFFICIAL PLAT OF THE CITY OF SACRAMENTO.

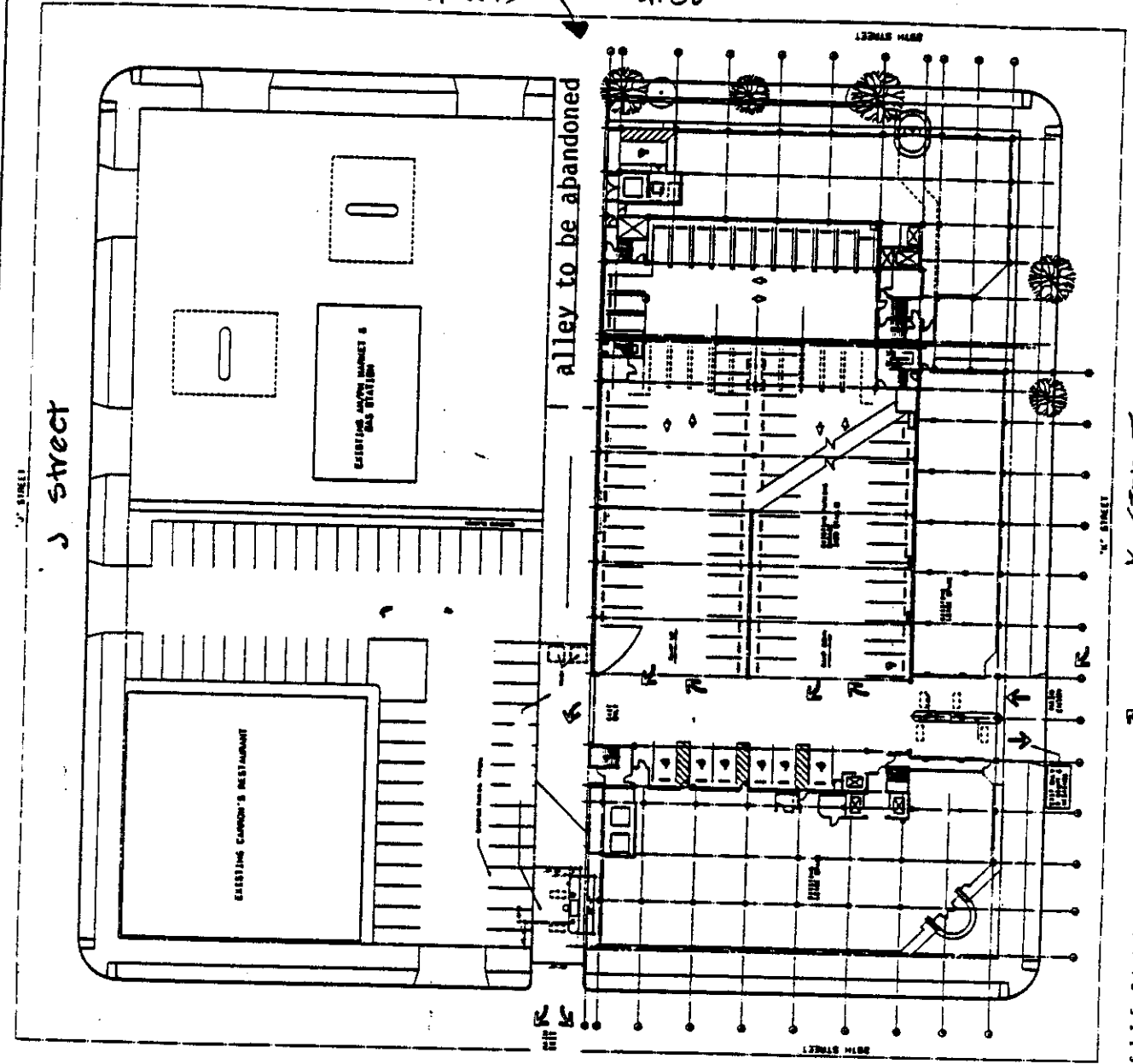
**ALL PUBLIC UTILITY EASEMENTS ARE TO BE RESERVED.

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EXHIBIT B

88-122

Proposed ALLEY ABANDONMENT STREET



RESOLUTION NO. 82-509

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

July 20, 1982

REVIEW GUIDELINES FOR STREET CLOSURES

WHEREAS, the following listing represents review guidelines which the City of Sacramento City Council and staff will consider in evaluating the merits of a proposed street closure;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that the following review guidelines will be applicable to all street closure proposals within the City of Sacramento:

- 1) Designated major and minor streets should not be the subject of a proposed street closure.
- 2) Local streets which provide a through connection between two adjacent, intersecting major or minor streets should not be closed. (Evaluated on a block-by-block basis.)
- 3) Local streets should not be closed merely to provide additional acreage for building development.
- 4) Approval of local street closures should be dependent upon a finding of substantial benefit for the community planning area affected.
- 5) The closure of a local street should be supported by a majority of the property owners and tenants of the uses located along the affected block and within 300 feet from the street being closed.
- 6) When considering local street closures, consideration should be given to the impacts on the following areas:
 - (a) Elimination of public street access for the land uses located along the affected block.
 - (b) Disruption to land use along parallel or intersecting adjacent streets.
 - (c) Elimination or modification of existing bus route patterns.
 - (d) Significant increases in emergency response times for uses along the affected street as well as in the surrounding area.
 - (e) Reduction of the ability to provide fire protection to the affected block(s) and surrounding area.
 - (f) Increases or decreases in the level of parking along adjacent residential streets.
- 7) Local street closures within predominately residential areas should only occur for purposes of creating new landscaped, open space or park facilities.
- 8) Local street closures for parking purposes should be considered only if viable alternatives, including administrative remedies, for providing needed parking supplies are unavailable.
- 9) If local street closures for parking purposes are approved, the design of the abandoned street should incorporate measures to enhance pedestrian and bicycle access and should be landscaped to significantly improve and modify the appearance of the closed street where appropriate.
- 10) If a local street closure is approved, the City should consider, where appropriate, requesting the project proponent to construct public or private improvements reasonably related to community needs created by the street closure. Such improvement project may include utility relocations, construction of a new parallel street, street lighting, landscaping, pedestrian amenities, or other appropriate facilities.

APPROVED
BY THE CITY COUNCIL

MAYOR

JUL 20 1982

ATTEST:

OFFICE OF THE
CITY CLERK

CITY CLERK

MS9-001

3-23-89

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SACRAMENTO CABLE TELEVISION

November 16, 1988

CITY COUNCIL
City of Sacramento
915 "I" Street
Sacramento, CA 95814

NOV 18 1988
CITY OF SACRAMENTO

Honorable Council Members;

This is to inform the Council Members and the City of Sacramento that Sacramento Cable Television has no objection to the abandonment of the alleyway located north of K Street; west of 28th Street; south of J Street; and east of 29th Street (please see attached map).

If it is necessary to relocate any existing facilities affected by this abandonment, the developer must assume all costs.

Sincerely,

SACRAMENTO CABLE TELEVISION

Cary Hanson
Construction Manager

CH:rek

enclosure

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October 24, 1988

City of Sacramento
City Council
915 I Street
Sacramento, CA 95814

RE: Abandonment of the J-K Alley, between 28th and 29th Streets

Honorable Council Members:

The Pacific Bell Company has no objection to the abandonment of the above named alley provided the following language is incorporated in any resolution or ordinance of vacation of same:

"EXCEPTING AND RESERVING THEREFROM PURSUANT TO THE PROVISIONS OF Section 8340 of the Street and Highways Code and for the benefit of Pacific Bell, the permanent easement and the right at any time or from time to time to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduit, cable, wire, poles and other convenient structures, equipment and fixtures for the operation of telegraphic and telephone lines and other communication facilities, including access and the right to keep the property free from inflammable materials and wood growth, and otherwise protect the same from all hazards, in, upon, over and across that portion of said J-K Alley abandoned."

Sincerely,



J. L. Worthington
Public Works Coordinator

JLW:mc

Pacific Gas and Electric Company

Sacramento Division
5555 Florin-Perkins Road
P.O. Box 277444
Sacramento, CA 95826

October 13, 1988

SA-LA 1885
641



Honorable City Council
Sacramento, City Hall
915 I Street
Sacramento, CA 95814

Gentlemen:

You have before you a petition to abandon the alley bounded by 28th Street, 29th Street, "J" Street and "K" Street.

PG&E has gas facilities in the subject area and has no objection to the proposed abandonment provided a Reservation Clause is inserted to protect the existing facilities in the area.

"Reserving, however, to Pacific Gas and Electric Company the right from time to time to install, maintain, repair, operate, replace, remove and renew such underground pipes, fixtures and appurtenances for the operation of gas facilities within said area."

Should you have any questions, please call Michael Gunby at (916) 386-5284.

Sincerely,

D. W. METZLER
Division Support Services Manager

By: Debra L. Canadas
Debra L. Canadas
Land & Property Maintenance
Supervisor

MAG:rjt

1189-001

3-23-89

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SACRAMENTO OLD CITY ASSOCIATION
Post Office Box 1022, Sacramento, CA 95812

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DAVID J. MOGAVERO, Past President

Planning Commission
Members in Session
1231 I Street
Sacramento, CA
95814

CITY OF SACRAMENTO
CITY PLANNING DIVISION

JAN 11 1989

RECEIVED

Dear Commissioners,

Subject: Alley Abandonment 28th/29th/J/K

The Sacramento Old City Association strongly protests the alley closure requested for 28th/29th/J/K for the following reasons:

- 1) A gift of city land should not be made in this case for a poorly designed building.
- 2) Alley abandonments increase property values and the potential for even greater construction for all three parcels. While there currently is a gas station and a restaurant on the two parcels besides the petitioners there are no guarantees that the present use will remain for any foreseeable time into the future. Recent history has shown significant neighborhood opposition to the height, mass, scale and sensitivity of projects proposed in this neighborhood. The increased build-ability of the two parcels as a result of this action could pose a severe and irreparable harm to this neighborhood. Final approval of this action should be (at best) delayed until applications for development are submitted for the two parcels or rejected as it increases the already overcrowded building potential in the Alhambra Corridor.
- 3) Approval of this application clearly sends the wrong message to the development community. For those developers seeking to accumulate adjacent parcels for those massive projects this would send a green light.
- 4) Consider the flip side of this outrageous request. Would the planning commission consider the closure of a street because a group of neighbors wanted private parking for their cars? Could those neighbors then rent out the extra spaces for a little profit during the day?
- 5) What is the value of this land and how is the city to be compensated? If you take the price of a lot a block away (the Burger King lot) it sold for \$125 a sq. foot times the 6,400 sq feet here that would be \$800,000. Does the neighborhood get a park for this gift of our property?

3-23-89

Cherishing Our Heritage - Planning Our Future

Item 3

6) The street closure fails the tests set down by the council in Resolution No 82-509. Specifically it fails the following tests:

a) Test three requires that street closures should not be made to merely provide additional acreage for development. While this is an after the fact land acquisition for a developed parcel the only fact that varies is the date of the request. They built a garage that (their words) "doesn't work." That is the development process.

b) Test four requires the finding of a substantial benefit for the community planning area affected. We can envision no minor benefit for the community let alone the potential for significant harm by this action .

c) There is no evidence that a majority of the owners and tenants within a 300 feet distance of this closure (test 5) support this closure. We request the certified letters from each property owner and tenant be submitted as part of this request.

d) The staff recommendation does not include the landscaping, lighting, pedestrian amenities and other appropriate facilities outlined in the resolution.

7) Since this request falls within the area of the Alhambra Corridor Citizens Advisory Committee, as established by the City Council, it might have been submitted to them for their review and comment.

8) If this abandonment is part of a future commercial development of the gas station or restaurant lots then it should properly require an environmental analysis. The Alhambra Corridor EIR states that all buildings in the corridor can have a qualitative negative affect on the residential neighborhoods.

This request is not appropriate at this time. The rarely used abandonment process should not be considered for this parcel until the neighborhood or community groups can support such development. Currently the community will suffer significant harm if this action is allowed.

SOCA requests that the commission deny this request.

Sincerely Yours,

Mark Whisler

Mark Whisler
President Elect
1/10/89

midtown
BUSINESS ASSOCIATION

PO BOX 151147
SACRAMENTO
CALIFORNIA
95816

RECEIVED

JAN 12 1989
CITY OF SACRAMENTO
CITY PLANNING DIVISION

January 12, 1989

The Honorable Anne Rudin
Sacramento City Council Members
City Hall
915 I Street
Sacramento, CA 95814

Dear Mayor Rudin & City Council Members:

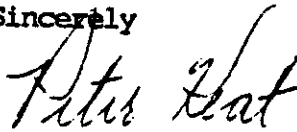
At its January 11th meeting, the Midtown Business Association Board of Directors voted unanimously to oppose the city's abandonment of the alley located between "J", "K", 28th and 29th streets.

The Board did not feel there was a compelling community-wide justification for doing so. Access and egress to the Sutter Medical Clinic should be allowed through the alley, but without abandonment.

The Board agreed that the problem should be solved but without permanently turning city property over to private interest.

Thank you for your consideration.

Sincerely



Peter Keat
President, MBA

PRK/jh

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