



## City Council Report

915 I Street, 1<sup>st</sup> Floor

Sacramento, CA 95814

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**File ID:** 2019-00024

February 5, 2019

**Consent Item 16**

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**Title: Summary Vacation of the Public Utility Easements at 2601 Redding Avenue,  
Within Council District 6 Proceeding No. VAC18-0008**

**Location:** District 6

**Recommendation:** Adopt a Resolution to vacate multiple public utility easements at 2601 Redding Avenue to accommodate new construction of student housing units known at The Retreat at Sacramento.

**Contact:** Jair Bautista, Engineer Technician, (916) 808-7929; Jennifer Johnson, Supervising Engineer, (916) 808-7754; Nader Kamal, Interim Engineering Services Manager, (916) 808-7035, Department of Public Works.

**Presenter:** None

**Attachments:**

1-Description/Analysis

2-Resolution

## Description/Analysis

**Issue Detail:** To facilitate development of new student housing units in the lot at 2601 Redding Ave, LCD Acquisitions, LLC is requesting the vacation of the public utility easements (PUE) that were reserved when the roads were vacated on August 1952 per 2273 O.R. 204. There is a current pending entitlement request with the Planning Entitlement Number P18-063 to construct 223 student housing units along with approximately 525 parking spaces. The proposed vacation will not affect the adjacent curb, sidewalk, and nearby planned bike path.

**Policy Considerations:** The action recommended in this report is consistent with the Sacramento 2035 General Plan and in compliance with the California Streets and Highways Code Sections 8300-8333, particularly Section 8333 (c) in that the easement proposed to be vacated is an excess easement and there are no public facilities located within the easement.

**Economic Impacts:** None

**Environmental Considerations:** The Community Development Department, Environmental Planning Services Division has reviewed this vacation/abandonment of the public utility easements and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15305, Minor Alteration in Land Use Limitation. The project consists of the minor alteration in land use limitations with an average slope of less than 20%, which do not result in any changes in land use or density.

**Sustainability:** Not applicable

**Commission/Committee Action:** None

**Rationale for Recommendation:** Approval of this vacation request will facilitate the construction of new student housing units. City staff, along with various agencies, supports the vacation request.

**Financial Considerations:** The applicant is responsible for all fees required to process this application at no cost to the City.

**Local Business Enterprise (LBE):** Not applicable

## **RESOLUTION NO. 2019-**

Adopted by the Sacramento City Council

February 5, 2019

### **Summary Vacation of the Public Utility Easements at 2601 Redding Avenue, Within Council District 6 Proceeding No. VAC18-0008**

#### **BACKGROUND**

- A. Easements for public roads as depicted in the Map "Brighton Townsite" (8 B.M 6) were vacated with public utility reservations per 2273 O.R. 204.
- B. The vacation of said public utility easements is being requested to facilitate the new construction project of student housing units known as "The Retreat at Sacramento."
- C. LCD Acquisitions, LLC, on behalf of the property owner of 2601 Redding Ave, is requesting the vacation of said public utility easements that are within said lot.
- D. The City of Sacramento's Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 17.912.030 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City of Sacramento's General Plan.

#### **BASED ON THE FACTS SET FORTH IN THE RECITALS, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. The public utility easements within 2601 Redding Avenue, more specifically described in Exhibits A and B of this Resolution, are vacated.
- Section 2. The vacation of the public utility easements, more specifically described in Exhibits A and B, is made pursuant to the State of California Streets and Highways Code, Division 9, Part 3, Chapter 4, Section 8333 (c) which provides the legislative body may summarily vacate an easement that is determined to be excess easement and there are no public facilities located within the easement.
- Section 3. The City Council finds that the vacation has been submitted to and reported on by the City of Sacramento's Planning Director and finds that the vacation is consistent with the City of Sacramento's 2035 General Plan.

Section 4. Once this Resolution has been approved, the City Clerk shall cause a certified copy of this Resolution, attested by City Clerk under seal to be recorded. The vacation shall be effective when the City Clerk records this Resolution in the office of the County Recorder.

Section 5. Exhibits A and B are incorporated into and made part of this resolution.

**Table of Contents:**

Exhibit A - Legal Description of Area to be Vacated

Exhibit B - Plat/Map of Area to be Vacated

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

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**Public Utilities Easement Abandonment**

**LEGAL DESCRIPTION**

All of that certain Public Utilities Easement reserved in Instrument 2273 O.R. 204, lying within Parcel B per 20060126 O.R. 0935, Sacramento County Official Records, California.

*See Exhibit B plat to accompany description, attached hereto and made a part hereof.*

End of Description

PREPARED BY: CUNNINGHAM ENGINEERING CORP.  
SEPTEMBER 2018



