

City Planning Commission
Sacramento, California

Members in Session:

SUBJECT: Section 65402(a) Review for General Plan consistency of the abandonment of the pedestrian easements to Mack Road from Marathon Circle, Oracle Court, and Icarus Court in the Standard Single Family (R-1) zone. (P92-190)

APPLICANT: Arcadian Estates Neighborhood Committee, 19 Oracle Court, Sacramento, CA 95823

SUMMARY: The applicant is requesting to abandon the pedestrian easements connecting Mack Road and the single family residential development in order to construct a new masonry sound wall and increase the safety within the area.

PROJECT INFORMATION:

| | |
|--|--------------------------------------|
| General Plan Designation: | Low Density Residential (4-15 du/na) |
| South Sacramento Community Plan Designation: | Residential (4-8 du/na) |
| Existing Zoning of Site: | R-1 |
| Existing Land Use of Site: | Single Family |

Surrounding Land Use and Zoning:

| | |
|--------|--|
| North: | Townhouses; R-1A |
| South: | Single Family Residential and Vacant; R-1 and R-1A |
| East: | Single Family Residential; R-1 |
| West: | Vacant; R-1A |

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The pedestrian easements are within a single family residential development zoned R-1. The General Plan designates the site Low Density Residential (4-15 du/na). The South Sacramento Community Plan designates the site Residential (4-8 du/na). The surrounding land use and zoning includes townhouses, zoned R-1A, to the north; single family and vacant, zoned R-1 and R-1A, to the south; single family, zoned R-1, to the east; and vacant land, zoned R-1A, to the west.

B. Applicant's Proposal

The applicant is requesting an abandonment of the pedestrian easements for the single family development (Exhibit A). The request is proposed to improve the safety of the neighborhood and

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to construct a sound wall (Exhibit C) along Mack Road. The legal description of the easements to be abandoned is attached Exhibit B.

C. General/Community Plan Consistency

California Government Code, Section 65402(a), requires the City Planning Commission to make a finding of general and community plan consistency with regard to the pedestrian easement abandonments. Staff has reviewed the proposed abandonments for consistency with the City's General Plan and South Sacramento Community Plan. The project is a proposal to close the pedestrian access points in an existing subdivision wall along Mack Road, which is presently served by Regional Transit bus service.

The South Sacramento Community Plan (SSCP) addresses the issue of subdivision walls in the Residential Land Use and Housing Section-Policies and Implementation Measure, (pp. 30-33). Policy 2 "Encourage high quality residential development. Walls between residential subdivisions and major streets are not encouraged. In the event walls are utilized, some mechanisms for on-going maintenance must be established". Also, Policy 7 - "Avoid extensive use of subdivision walls, and improve the appearance of those that are already installed". The intent of these policies is to foster a greater sense of "neighborhood environment" among residents, as well as to avoid the spread of elements of urban blight which may result from a siege mentality "walled enclave". The net result of such policies may be to increase neighborhood communication, and as such to lessen the atmosphere of anonymity which is so conducive to suburban crime, i.e. daylight burglary.

The City General Plan also speaks to encouraging the pedestrian link between residents and transit. The Residential Land Use Element-Policy 6 states "Prohibit the intrusion of incompatible uses into residential neighborhoods, through adequate buffers, screening and zoning practices that do not preclude pedestrian access to arterials that may serve as transit corridors. The Housing Element, Section B, Housing-Jobs-Transportation Link encourages the efficient use of existing transportation infrastructure. It also makes the point that planning which acknowledges the inter-relationships of jobs, housing and transportation is in the long-term best interest of the City. The Circulation Element-Pedestrianways Section puts forth Goal A - Increase the use of the pedestrian mode as a mode of choice for all areas of the city. Policy 1 - Require...safe pedestrian walkways that provide direct links between streets and major destinations such as bus stops, schools, parks, and shopping centers. The intent of these General Plan policies is to influence a change in behavior from automobile orientation towards an increase in the application of the pedestrian mode.

In summation, there is a conflict in General and Community Plan policies between pedestrian access to transit and safety. The General Plan and Community Plan promotes subdivision design which provides safe pedestrian access to transit. The subject subdivision, however, was not designed with safety in mind when the pedestrian accesses were installed. The lots adjacent to the access easement are side-on lots which do not allow adequate surveillance. The homes also have the primary living area in the rear which discourages any viewing of the street.

Public Works, Planning, and Police staff have reviewed other alternatives to the closure of these pedestrian easements. One alternative included continuing the cul-de-sac through to Mack Road. This, however, results in too many intersections within close proximity along Mack Road. Another alternative is to reorient the houses to be in a front-on situation. This, obviously, is also an impractical solution. A third alternative is to provide locked gates at the pedestrian easements which would allow selective access. This alternative is a problem in regards to maintenance of the gates, the ability to control access to the distribution of the key or combination, and it does not adequately attenuate the noise resulting from the busy Mack Road. Even though closing the pedestrian easements are not the ideal solution and in complete compliance with the General Plan, the overriding concern is for safety. Pedestrian connections should be maintained where feasible, and where all the other alternatives have been explored.

There appears to be an emerging trend in the SSCP area to abandon pedestrian easements in response to concerns which focus primarily on crime and safety. Staff is sensitive to such concerns of the community. However, it should be pointed out that there may be long term cumulative negative side effects in the event this trend continues. Among these potential impacts may be an erosion of support for transit service and a lessening of the existing sense of community, as neighborhoods become defined by walls. These two issues may in turn contribute to the deterioration of air quality and increases in crime as neighbors lessen their own interaction.

Staff finds the proposed abandonments consistent with the General Plan and South Sacramento Community Plan. Staff, however, recommends the Planning Commission recommend that Planning staff commence the study of subdivision standards which may be used as design guidelines for future development, and which may be applicable to existing less well designed subdivisions in the City, in order to avoid the exacerbation of this situation.

The goal of such efforts should be to develop new subdivisions with designs that accommodate pedestrian activity and access, without the safety problems which are associated with the subject subdivision. This could include subdivisions with no back-on or side-on lots for major streets. Subdivisions could be designed with wider front-on lots which allow surveillance. There could be alleys behind the front-on lots to alleviate any safety concerns for driveways on a major street. Another option is to have cul-de-sacs in the interior of subdivisions and not abutting the arterials.

E. Agency Comments

The proposed project was reviewed by City Utilities Planning Division, City Electrical Design Engineering, City Traffic Engineering, City Fire Department, City Police Department, Pacific Bell, Pacific Gas and Electric, SMUD, Sacramento Cable Television, and Regional Transit. The following comments were received:

City Utilities Planning Division

No objection to the proposed abandonment.

City Electrical Design Engineering

No objection to the proposed abandonment.

City Traffic Engineering

Abandonment of the pedestrian easements to Mack Road is not consistent with the City's General Plan Goal and Policy on "pedestrianways":

Goal A: Increase the use of the pedestrian mode as a mode of choice for all areas of the City.
Policy 1: Require all subdivisions and planned unit developments to have safe pedestrian walkways that provide direct links between streets and major destinations such as bus stops, schools, parks and shopping centers.

However, pedestrian access to Mack Road is adequate on Archean Way.

City Fire Department

No objection to the proposed abandonment.

City Police Department

No objection to the proposed abandonment. The Police Department supports the closing of these pedestrian easements as a crime prevention measure.

Pacific Bell

Pacific Bell currently maintains underground communication facilities within the existing public utility easement located within Lots 7, 8, 140, and 141. We have no objection to the abandonment of the pedestrian easement as long as the P.U.E. remains for the purpose of maintaining our facilities.

Pacific Gas & Electric Company

PG&E has no facilities within this area and has no objection to the proposed abandonment without reservation.

SMUD

This District is presently occupying said easement with underground electric power facilities.

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However, as long as the public utility easement remains, reserving all rights for the District to construct, reconstruct, operate and maintain electrical facilities, SMUD will not object to the abandonment of the pedestrian easement.

Sacramento Cable Television

Sacramento Cable Television has no objection to the proposed abandonment.

ENVIRONMENTAL DETERMINATION: 65402(a) reviews by the Planning Commission are not discretionary actions, therefore, the California Environmental Quality Act (CEQA) does not apply.

RECOMMENDATION: Staff recommends the Planning Commission approve the staff report and find the abandonment consistent with the General Plan and South Sacramento Community Plan and forward the above agency comments to Public Works for City Council approval.

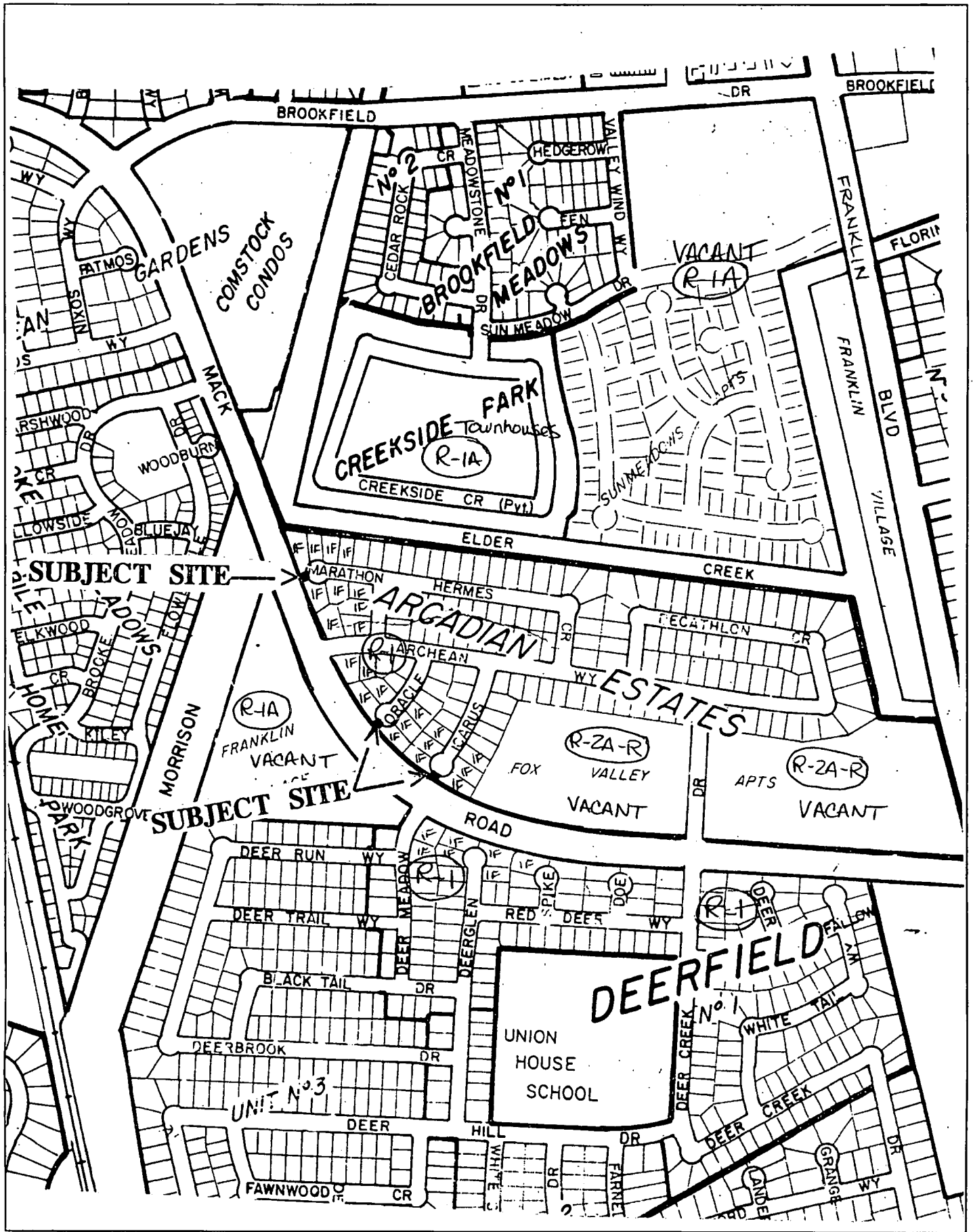
Respectfully Submitted,



Joy Patterson
Senior Planner

Report Prepared By,

Cindy Gnos
Associate Planner



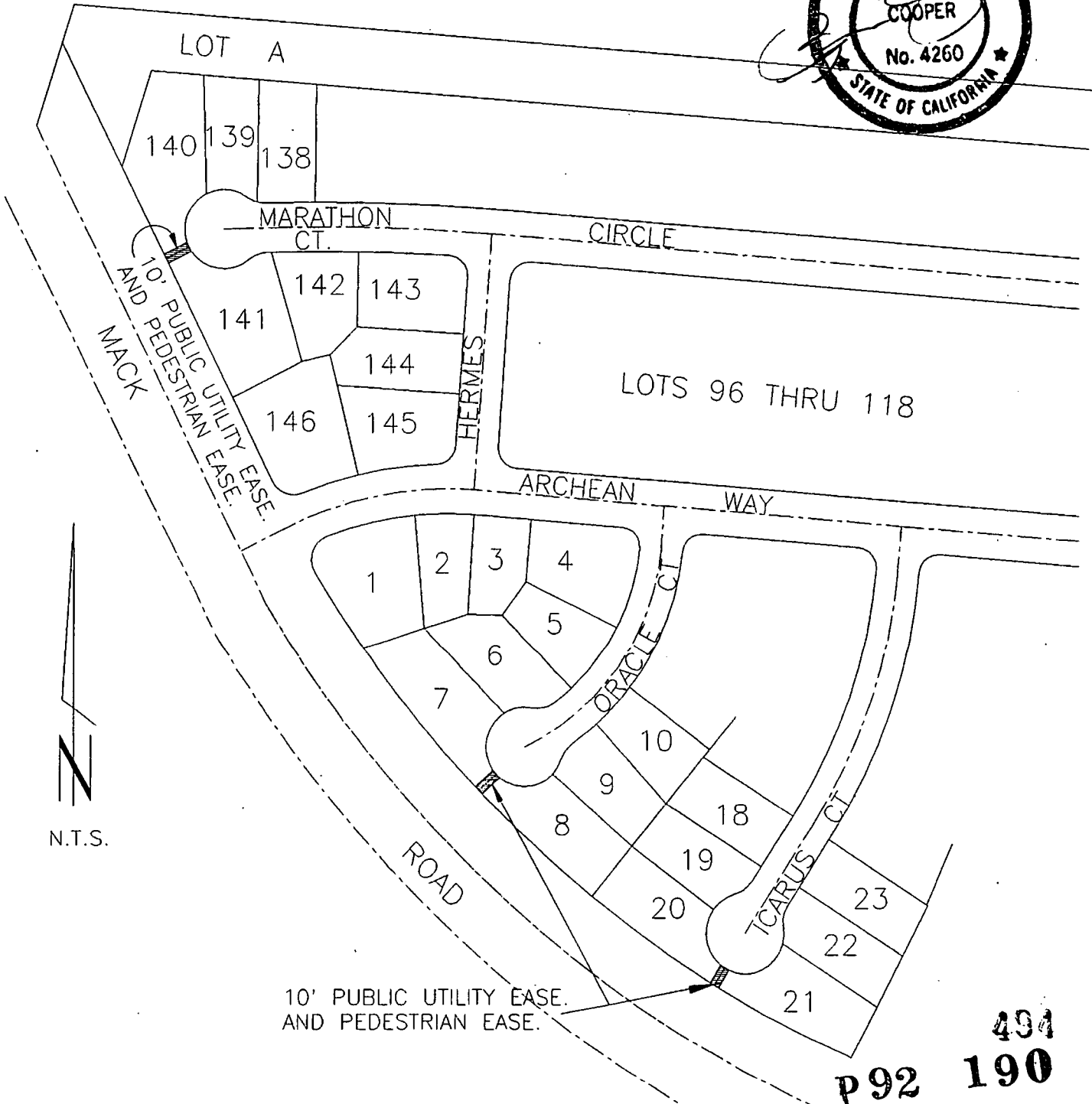
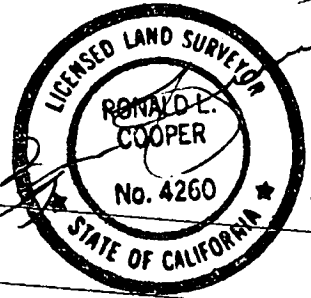
VICINITY, LAND USE & ZONING MAP

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EXHIBIT A

EXHIBIT

TO ACCOMPANY DESCRIPTION TO RELINQUISH
PEDESTRIAN EASEMENT RIGHTS WITHIN THE
AREAS DESIGNATED "10.00' PUBLIC UTILITY
AND PEDESTRIAN EASEMENT" AS SHOWN ON
THE "PLAT OF ARCADIAN ESTATES"



N.T.S.

10' PUBLIC UTILITY EASE.
AND PEDESTRIAN EASE.

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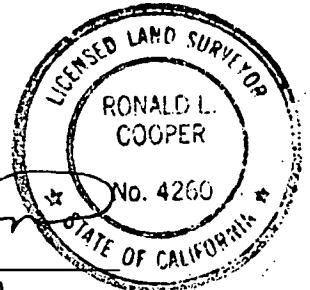
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EXHIBIT B

DESCRIPTION

FOR THE CITY OF SACRAMENTO, STATE OF CALIFORNIA, FOR THE PURPOSE OF RELINQUISHING PEDESTRIAN EASEMENT RIGHTS WITHIN THE AREAS DESIGNATED "10.00' PUBLIC UTILITY EASEMENT AND PEDESTRIAN EASEMENT" AS SHOWN ON "PLAT OF ARCADIAN ESTATES" DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF REAL PROPERTY, WITHIN THE AREAS DESIGNATED "10.00' PUBLIC UTILITY EASEMENT AND PEDESTRIAN EASEMENT" AS SHOWN ON THE PLAT OF "ARCADIAN ESTATES", RECORDED AUGUST 19, 1979, IN BOOK 133 AT PAGE 8 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER, SACRAMENTO COUNTY, STATE OF CALIFORNIA.



Ron Cooper

RON COOPER, PLS, #4260
REGISTRATION EXPIRES 6/30/96

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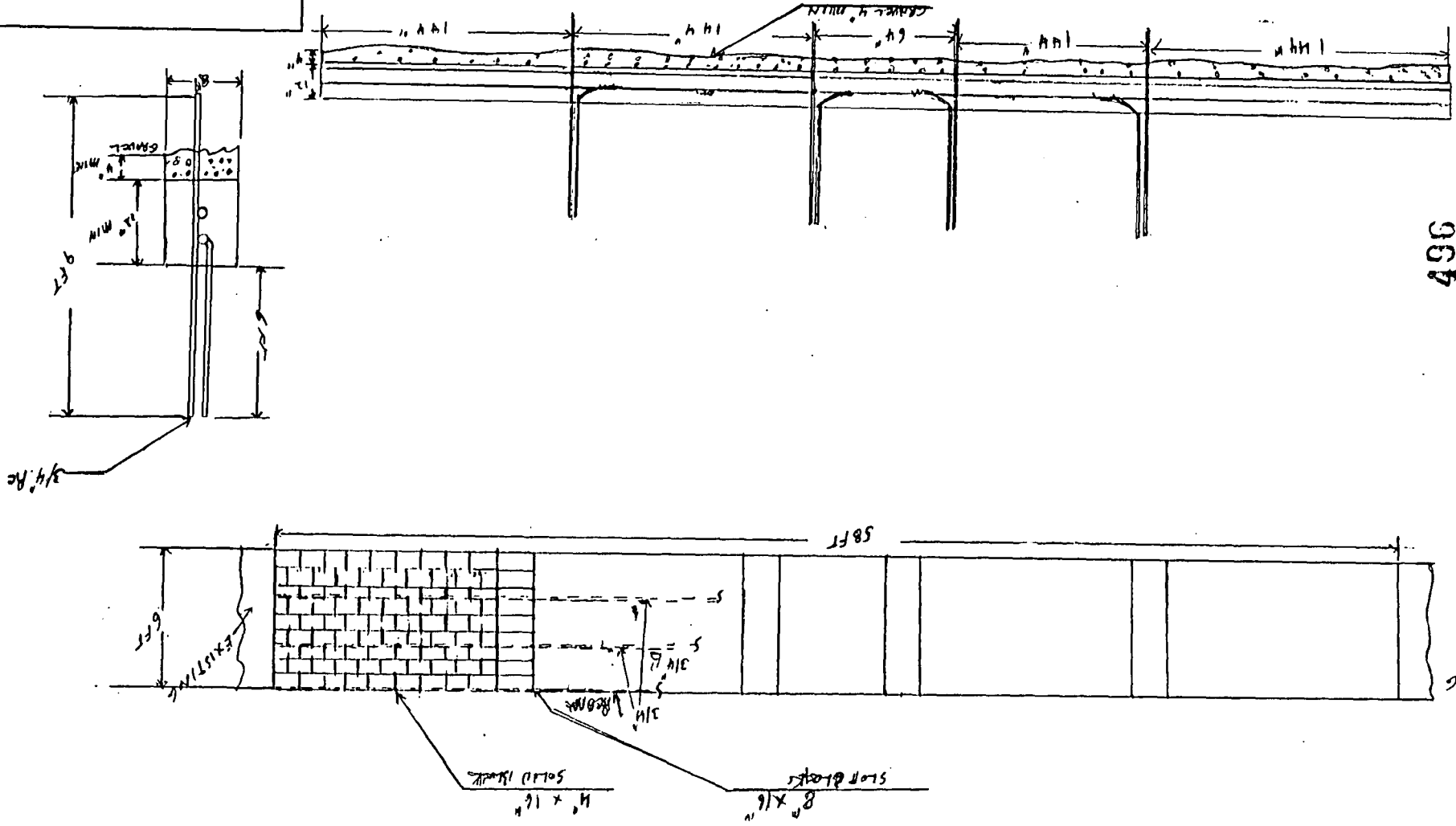
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EXHIBIT C

PROPOSED EXTENSION TO EXISTING SOUND WALL

| | |
|----------|---------|
| DATE | 15-6-92 |
| BY | DN |
| REVISION | |
| NO. | |

NOT TO SCALE



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RECEIVED

APPLICATION AND ENVIRONMENTAL QUESTIONNAIRE
(COMPLETE FIVE COPIES)

JUN 30 1992

This document will assist the Planning Division in evaluating the proposed project and its potential environmental impacts. Complete and accurate information is required for environmental review and will minimize future requests for additional information. Please contact Environmental Services Division, 1231 I Street, Room 300, Sacramento, CA 95814 (916) 449-2037 if there are any questions concerning environmental issues. Contact the Current Planning Section, Room 200, at the address listed above, (916) 449-5604 for zoning interpretations.

SUBDIVISION NAME OR PROPOSED COMMON NAME FOR PROJECT: ARCADIAN WALL

PROPERTY OWNER'S NAME: SEE NEXT PAGE
Mailing Address: _____ Zip Code _____
Telephone: Business () _____ Home () _____

APPLICANT'S/AGENT'S NAME: ARCADIAN ESTATES NEIGHBORHOOD COMMITTEE
Mailing Address: 19 ORACLE CT. SACRAMENTO, CA 95823 Zip Code _____
Telephone: Business () _____ Home (916) 395-0165
Contact Person's Name: JAMES D. RONEY Phone (916) 3950165

PROJECT SITE INFORMATION **LEGAL DESCRIPTION MUST BE ATTACHED**
Property Address or Location EAST SIDE OF MACK ROAD N\$S OF ARCHEAN WAY
Property Assessor Parcel Number(s) 119-0260-016-017-029-030-042-044
Property Dimensions: TEN (10) ft wide easement
Property Area: Square Footage (gross) NA (net) _____
Acreage (gross) NA (net) _____
Land Use: Undeveloped/Vacant _____ Developed (give bldg. sq. ft.) _____
Existing Zoning of Project Site: r-1 Proposed Zoning: R-1

DESCRIBE ADJACENT ZONING AND EXISTING LAND USE WITHIN 300 FEET OF PROJECT SITE:

| ZONE | EXISTING LAND USE (i.e., residential, commercial, industrial) |
|------------------|---|
| North <u>R-1</u> | <u>SINGLE FAMILY</u> |
| South <u>R-1</u> | <u>R-1 VACANT</u> |
| East <u>R-1</u> | <u>SINGLE FAMILY</u> |
| West <u>R-1</u> | <u>SINGLE FAMILY</u> |

FOR OFFICE USE ONLY

P No: P92 190 Date Rec'd: 6-30-92 By: CS

| | |
|--------------------------|--------------------|
| General Plan Design: | Reszone _____ |
| Amend To: _____ | Tent. Map _____ |
| Com. Plan Area: _____ | Spec. Permit _____ |
| Existing Design: _____ | Variance _____ |
| Amend To: _____ | Sub. Mod. _____ |
| Other Plan Design: _____ | LLA _____ |
| Amend To: _____ | Other <u>65422</u> |

Environmental Determination: Exempt: _____; Neg. Dec _____; EIR _____; By: _____, Date _____

APPLICANT'S STATEMENT OF INTENT: This is a 3-part statement to be provided in the spaces below and shall contain the following:

- a. A description of what it is you propose to do. This description should include the entitlements being requested (i.e., rezone, tentative map, special permit, etc.)
- b. Information pertinent to the application, such as the number of units, size of buildings, number of off-street parking spaces, height of fence and any other pertinent information not shown on the submitted plans.
- c. Information and reasoning justifying your request.

STATEMENT OF INTENT: ABANDONMENT OF PUBLIC ACCESS EASEMENTS BETWEEN MACK ROAD AND (ICARUS CT.) (2) ORACLE CT. (3) MARATHON CT.

PROPERTY OWNERS

J. P. WESTOVER 27 MARATHON CT.

MUOI A LU 23 MARATHON CT

MARK V. AND SHIRLEY A. JOHNSON 19 ORACLE CT

David wilson 18 ORACLE CT

HEN AND NANCYSA 30 ICARUS CT

KEVIN D. HAOUCK 31 ICARUS CT.

INTENT

COMITTEE INTENDS TO ABANDON PUBLIC ACCESS EASEMENTS AND CONSTRUCT A SIX FOOT HIGH SOUND WALL COMPATABLE WITH THE EXISTING SOUND WALL ACROSS OPENINGS ON ICARIUS, AND ORACLE CT (WALL ALREADY EXISTS ACROSS MARATHON.

PREVIOUS LAND USE

Explain existing and previous land use(s) of site for last ten years:

S.F. RESIDENTIAL AND VACANT.

PREVIOUS ENVIRONMENTAL DOCUMENTS

If this project is part of a larger project for which a Negative Declaration or Environmental Impact Report has been prepared, reference the document below (include date and project number if applicable):

P. 7905

NO PREVIOUS ENVIRONMENTAL DOCUMENTS

Is this project part of a larger project for which no environmental review has been prepared? _____ yes XXXXXXXXXXXXXXXX _____ no

SITE CHARACTERISTICS

10 ft easements

Are there any Trees/Shrubs on the Project Site? NO NO

Are any to be removed? NO

Are any to be transplanted? NO If so, state location of transplant site.

Plot on Site Plan by Size and Type all trees to be removed and/or transplanted.

Is the site part of an Airport Overlay Zone? Explain: NO

Will the proposed use involve any toxic or hazardous materials or waste? Explain: NO

DEMOLITION OF STRUCTURES

Are there any structures on the project site? NO A WALK EXISTS AT ORACLE

Present Use of Existing Structure(s):

Proposed Use of Existing Structure(s):

Are any Structures Occupied:

Describe the type of occupancy (number of residents, type of use)

NOTE: IF THE PROJECT SITE IS ON OR NEAR A HISTORICAL SITE, ARCHAEOLOGICAL SITE, LANDFILL SITE, RIVER, FLOODPLAIN, FREEWAY, RAILROAD, OR AIRPORT, THEN SPECIFIC TECHNICAL STUDIES MAY BE REQUIRED. APPLICANTS ARE ENCOURAGED TO CONTACT THE ENVIRONMENTAL SECTION AT THE EARLIEST OPPORTUNITY TO DETERMINE THE POSSIBLE NEED AND SCOPE OF SUCH STUDIES.

OTHER PERMITS OR APPROVALS

List any and all other public approvals required for this project. Specify type of permit or approval, agency/department, address, person to contact, and their telephone number.

| <u>Permit or Approval</u> | <u>Agency</u> | <u>Address</u> | <u>Contact Person</u> | <u>Phone Number</u> |
|--|---------------|----------------|-----------------------|---------------------|
| <u>CITY COUNCIL/PUBLIC WORKS APPROVAL OF ABBANDONMENT 927 10 th st</u> | | | | |
| <u>CONTACT BOB JONES 449-8210</u> | | | | |
| | | | | |
| | | | | |

AS THE APPLICANT/AGENT FOR THIS PROPOSAL, I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, THE ABOVE ANSWERS AND STATEMENTS ARE TRUE AND COMPLETE. I CERTIFY THAT THE PROPOSAL DESCRIBED IN THIS APPLICATION IS NOT A PART OF A LARGER PROJECT OR A PHASE OF A LARGER PROJECT.



 Signature of Applicant/Agent

6-30-92

 Date

JAMES D. RONEY PROJECT DIRECTOR

 Name and Title of Applicant/Agent

(916) 395-0165

 Phone

BECAUSE THE TIME REQUIRED FOR ENVIRONMENTAL OR STAFF REVIEW MAY VARY ACCORDING TO THE COMPLEXITY OF THE PROJECT, THE PLANNING DIVISION WILL NOTIFY YOU OF THE SCHEDULED HEARING DATE ON YOUR PROJECT ONCE IT HAS BEEN RELEASED FROM THE ENVIRONMENTAL SERVICES DIVISION.

03/90:dth

EXHIBIT C

LETTER OF AGENCY

Date: JUNE 15, 1992

City of Sacramento
City Department of Real Estate
927 10th Street
Sacramento, CA 95814

Gentlemen:

The undersigned owner of record hereby grants (applicant) _____
James D. Roney, Project Director

permission to apply for a public street or alley abandonment
request(s) located at 3 street locations

The applicant proposes to use the abandoned street or alley right-
of-way as follows: Close off pedestrian easements and construct
a block wall.

Signature of Owner or Record: See back/attached

Authorized Representative: Arcadian Estates Neighborhood Committee

Address: _____

Phone: _____

Applicant's Address: Arcadian Estates Neighborhood Committee
19 Oracle Court

Phone: 395-0165

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| | |
|--|---|
| <p>119 0260 030 Johnson, Mark V./Shirley Anne 19 Oracle Court Sacramento, CA 95823</p> | <p><i>Mark V. Johnson</i> Mark V. Johnson</p> |
| <p>119 0260 029 Wilson, David/Kathleen L. 18 Oracle Court Sacramento, CA 95823</p> | <p><i>Shirley Anne Johnson</i> Shirley Anne Johnson</p> |
| <p>119 0260 044 Houck, Kevin D./Nancy N. 31 Icarus Court c/o 669 Cimmaron Trail Irving, TX 75063</p> | <p>David Wilson <i>if he</i></p> |
| <p>119 0260 042 Sa Hon 30 Icarus Court Sacramento, CA 95823</p> | <p><i>Kathleen L. Wilson</i> Kathleen L. Wilson</p> |
| <p>119 0260 017 Lu Muoi A. 23 Marathon Court Sacramento, CA 95823</p> | <p><i>Kevin D. Houck</i> Kevin D. Houck</p> |
| <p>119 0260 016 Westover, J. P. 27 Marathon Court Sacramento, CA 95823</p> | <p><i>Nancy N. Houck</i> Nancy N. Houck</p> |
| <p>119 0260 016 Westover, J. P. 27 Marathon Court Sacramento, CA 95823</p> | <p>Sa (Hon) HEN <i>HEN</i></p> |
| <p>119 0260 016 Westover, J. P. 27 Marathon Court Sacramento, CA 95823</p> | <p>Lu Muoi A. <i>Zu muoi</i></p> |
| <p>119 0260 016 Westover, J. P. 27 Marathon Court Sacramento, CA 95823</p> | <p>J. P. Westover <i>J.P. Westover</i></p> |
| <p>119 0260 016 Westover, J. P. 27 Marathon Court Sacramento, CA 95823</p> | <p><i>Shaw Bender</i></p> |

(PROOF OF SERVICE BY MAIL - 1013A, 2015 C. C. P.)

STATE OF CALIFORNIA)
) SS.
COUNTY OF SACRAMENTO)

The below signed verily states:

That I am an employee of the Sacramento City Planning Department and that I am a citizen of the United States and a resident of the County aforementioned; that I am over the age of Eighteen years and not a party to the within entitled proceedings; that my business address is 1231 'I' Street, Room 200; Sacramento, CA 95814.

On July 27, 1992, I served the applicant and the property owners whose names appear on the attached list(s) at the addresses shown, Public Notices in said proceedings with postage thereon fully prepaid in the United States Post Office Mail Box at Sacramento, California.

I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

H. Pedersen