



APPROVED
BY THE CITY COUNCIL

JUL 20 1999

OFFICE OF THE
CITY CLERK

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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

DEVELOPMENT SERVICES
1231 I STREET
ROOM 300
SACRAMENTO, CA
95814

TECHNICAL SERVICES DIVISION

July 9, 1999

PH 916-264-7474
FAX 916-264-7480

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: HEARING ON ABANDONMENT OF C STREET BETWEEN 17TH AND 19TH STREETS WITHIN COUNCIL DISTRICT 3; ABANDONMENT PROCEEDING NO. AP99-05

LOCATION AND COUNCIL DISTRICT:

C Street between 17th and 19th Street
Council District 3.

RECOMMENDATION:

This report recommends that, after hearing testimony, the City Council close the hearing and adopt the attached resolution adopting and approving the abandonment of C Street between 17th and 19th Streets. It is recommended that the City Council also authorize the installation of two half-street closures on D Street.

CONTACT PERSON:

Ronald Perry, Engineering Technician III, 264-8298
Theresa Arnold, Associate Engineer, 264-5514

FOR COUNCIL MEETING OF: July 20, 1999

SUMMARY:

The City received a request from Glenn F. Williams Engineering to abandon C Street between 17th and 19th Streets in order to redevelop and modernize Blue Diamond. It is recommended that the abandonment be approved and that authorization be given to allow the installation of two half-street closures on D Street.

COMMITTEE/COMMISSION ACTION:

None required.

City Council
Hearing of Abandonment No. AP99-05
July 9, 1999

BACKGROUND INFORMATION:

Glenn F. Williams Engineering, on behalf of Blue Diamond Growers, the adjoining property owners, has requested the abandonment of C Street between 17th to 19th Streets. The abandonment will allow Blue Diamond to redevelop and modernize its facilities and to improve methods of transporting and handling materials within those facilities. The abandonment of 18th Street, from C to D Street, and the alley bounded by C and D Streets, 17th and 18th Streets was approved by City Council on December 17, 1996 and extended for two years on December 8, 1998.

Based on the results of a 4-week test closure of the portion of C Street proposed for abandonment in conjunction with two half-street closures on D Street, it is recommended that the City Council also authorize the installation of two half-street closures on D Street. These half-street closures would be located eastbound at 20th Street and westbound at 28th Street. Blue Diamond has agreed to install the half-street closures on D Street at no cost to the City as a condition of the proposed abandonment of C Street.

Planning Division has reviewed the proposed abandonment of C Street between 17th and 19th Streets. The application is for abandoning the 80 foot right-of-way between 17th and 19th Streets. The Central City Community Plan designates C Street as a local street. Local streets within the General Plan area are not considered in the circulation pattern. The abandonment of a portion of C Street right-of-way between 17th and 19th Streets will not affect the existing circulation of the area, therefore, the proposed abandonment is consistent with the General Plan.

City departments and the utility companies have reviewed this request for abandonment and have no objections. Letters regarding this abandonment are on file with the Department of Public Works, Development Services. Approval of the request to abandon is recommended subject to conditions including the condition regarding the installation of half-street closures on D Street described above.

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.).

A Resolution of Intention (ROI) was adopted by the City Council on June 29, 1999, which established this date as the hearing for the proposed abandonments. Letters to the property owners and residents adjacent to the abandonment were mailed on July 1, 1999. Notice of the abandonment was posted along the subject right-of-way on July 1, 1999, and the Resolution of Intention was published in the Daily Recorder on July 2, 1999, and July 9, 1999. 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 the street will return to the original property owners based on underlying title.

FINANCIAL CONSIDERATIONS:

The applicant provided all the documentation required for the abandonment, and paid a fee to fund staff time required to process this application. The costs associated with fulfilling the conditions set forth in the attached resolution will be paid by the applicant. There is no expense to the City.

ENVIRONMENTAL CONSIDERATIONS:

A Negative Declaration for the Blue Diamond Growers Improvement Project was adopted by the City Council in February of 1996. This document included analysis of the proposed street abandonments. The Negative Declaration concluded that any impacts associated with the proposed street abandonments were less-than-significant. The current application for the abandonment of C Street between 17th and 19th Streets includes only one of several street segments that were analyzed in this Negative Declaration.

An Addendum to the Negative Declaration has been prepared (see Exhibit B) to evaluate the potential environmental effects of the proposed abandonment, in conjunction with the proposed half-street closures on D Street. This analysis concludes that these proposed actions will not result in new impacts or greater levels of impact than those previously identified in the Negative Declaration and finds that no subsequent environmental review is required.

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. Article IV.A.3.c of the Development Agreement #96-027 between the City of Sacramento and Blue Diamond Growers requires that an irrevocable offer of dedication (I.O.D.) for the abandoned portion of C Street be provided and recorded. The City may accept the I.O.D. in the event that Blue Diamond Growers abandons its current almond processing facility within 99 years.

City Council
Hearing of Abandonment No. AP99-05
July 9, 1999

5. The proposed abandonment is consistent with these policies.

ESBD CONSIDERATIONS:

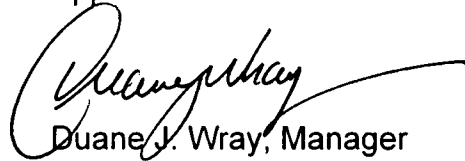
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Theresa Arnold
Associate Engineer

Approved:



Duane J. Wray, Manager
Technical Services Division

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

RP:TA:dt
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ATTACHMENT A

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING
TO ABANDON C STREET BETWEEN 17TH AND 19TH STREET
WITHIN COUNCIL DISTRICT 3 (AP99-05)**

Letter to City Clerk/schedule item on City Council Agenda	May 25, 1999
Resolution of Intention heard by City Council	June 29, 1999
Letters sent to property owners	July 1, 1999
Posting on Alleys/Streets	July 1, 1999
Copy of Resolution Published in Daily Recorder	July 2, 1999 & July 9, 1999
Public Hearing at City Council/Final Approval	July 20, 1999

ADDENDUM TO THE BLUE DIAMOND GROWERS IMPROVEMENT PROJECT NEGATIVE DECLARATION

Introduction

This Addendum evaluates the environmental effects of modifications to the proposed Blue Diamond Growers Improvement Project that was adopted by City Council on February 20, 1996. The purpose of this addendum is to identify any substantial changes to the project that would result in new environmental effects or result in a substantial increase in the severity of previously identified environmental effects; substantial changes in circumstances under which the project is undertaken; or any new information of substantial importance which was not and could not have been known at the time the Blue Diamond Growers Improvement Project Negative Declaration was adopted and which would result in additional environmental effects. The current request proposes to abandon C Street between 17th and 19th Streets and to also install two half-street closures on D Street (eastbound on 20th Street and westbound at 28th Street) (see Figure 1).

Pursuant to the California Environmental Quality Act (Public Resources Code Section 21000) (CEQA) and Section 15164 of the CEQA Guidelines, the City has concluded that the Blue Diamond Growers Improvement Project Negative Declaration adequately describes the environmental effects of the currently proposed project. A copy of the Blue Diamond Growers Improvement Project Negative Declaration and all supportive documentation may be reviewed or obtained at the City of Sacramento, Department of Neighborhoods, Planning and Development Services, Planning Division, 1231 I Street, Room 300, Sacramento, California 95814.

Background

The 1996 Negative Declaration analyzed the potential environmental effects of closing the following six roadways: 1.) C Street between 17th Street and the Union Pacific Railroad (UP) right-of-way, 2.) 18th Street between C and D Streets, 3.) 19th Street between C and D Streets, 4.) North A Street between 16th Street and the UP right-of-way, 5.) North 17th Street between North a and North B Streets, and 6.) North B Street between from west of the extension of 17th street to the UP right-of-way. The 1996 Negative Declaration concluded that the six proposed street closures would result in a less than significant environmental effect on the environment, including the surrounding traffic and transportation infrastructure system. The traffic analysis contained in the 1996 Negative Declaration assumed the implementation of the Neighborhood Preservation Transportation Plan, however, the effects of the two proposed D Street half-street closures were not analyzed. On December 17, 1996, the City of Sacramento approved the abandonment of 18th Street between C and D streets and the alley between C, D, 17th, and 18th Streets.

Updated Impact Analysis

To accurately determine the likely effects of the proposed project, the Department of Public Works conducted a 4-week test closure of C Street, with two half-street closures on D Street (eastbound on 19th Street and westbound on 28th Street). The test closure found increases and decreases in traffic volumes on nearby streets to the proposed C Street closure/abandonment (see

Figure 2). Results from the 4-week test closure of C Street indicate that changes in traffic volumes on surrounding roadways would be similar to those identified in the 1996 Negative Declaration. Although the eastbound half-street test closure was located on D Street at 19th Street while the currently proposed eastbound half-street closure on D Street is at 20th Street, it is anticipated that traffic volumes would remain similar to those of the test closure results.

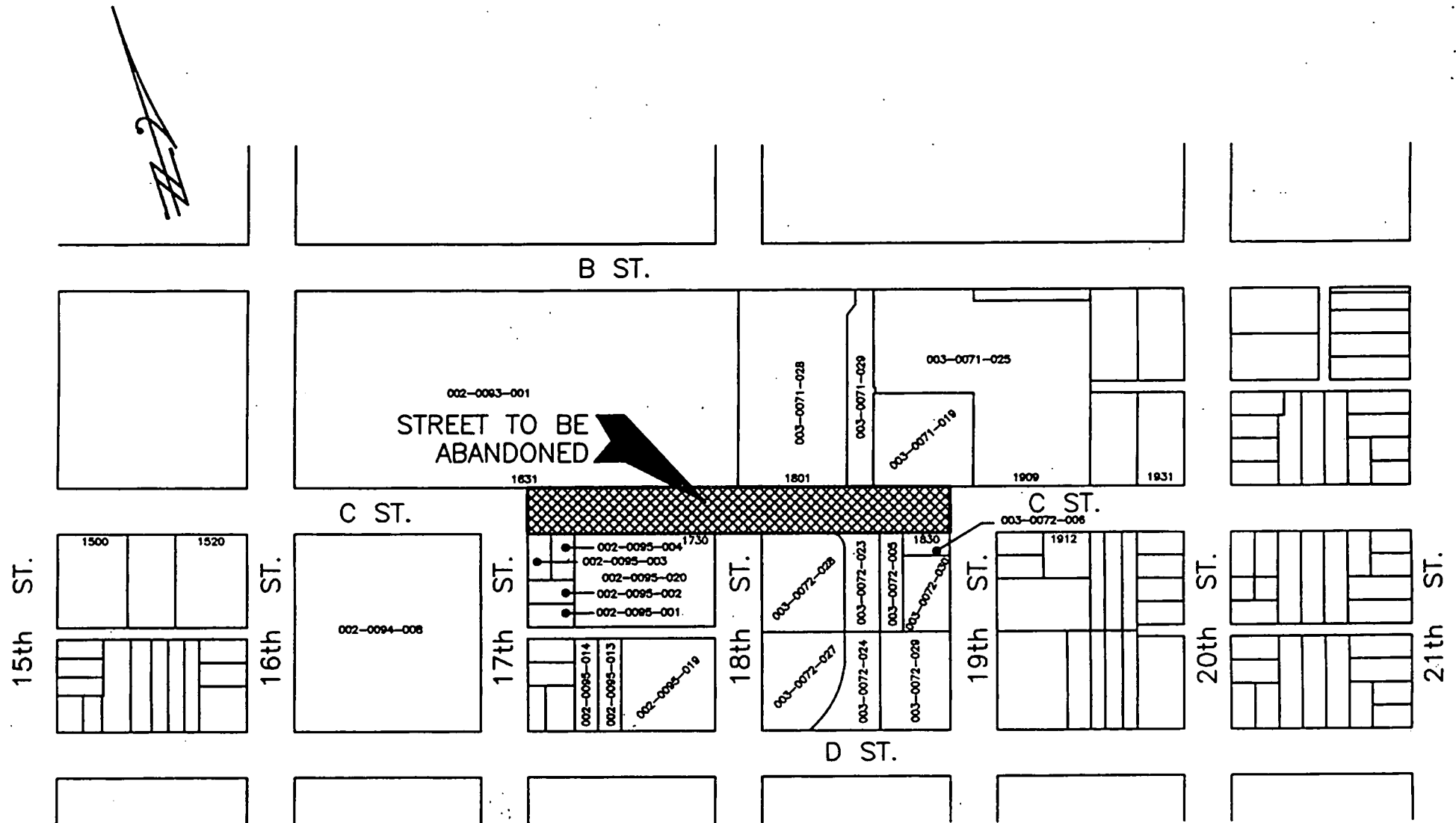
Therefore, it is anticipated that the proposed abandonment of C Street and two half-street closures on D Street would result in similar or improved traffic volumes to those previously identified in the 1996 Negative Declaration and would similarly result in a less than significant impact to the surrounding traffic and transportation infrastructure system. No other new or additional environmental effects beyond those identified in the 1996 Negative Declaration are expected.

Pursuant to CEQA Guidelines, Section 15164 (b), "an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred." The addition of the two half-street closures on D Street at 20th and 28th streets result in minor changes to the Blue Diamond Growers Improvement Project environmental analysis and this addendum to the Blue Diamond Growers Improvement Project Negative Declaration is the appropriate document to satisfy CEQA requirements.

Conclusions of the Analysis

The proposed amendment to the Blue Diamond Growers Improvement Project has been reviewed in accordance with the requirements of CEQA, Section 15162 and 15164. The determination to prepare an Addendum to the 1996 Negative Declaration is based upon the following conclusions:

- 1.) The changes in the project have been reviewed and are determined to result in substantially the same or less environmental impacts than those identified in the 1996 Negative Declaration, nor will the amendments result in new or increased impacts beyond those previously identified.
2. A four-week test closure of C Street and half-street closures of D Street at 19th and 28th Streets was implemented, as recommended by the original approval action for the project. The test results improved conditions on C and D Street with no substantial negative effects.
3. No new information or impacts, that were not previously analyzed or disclosed in the 1996 Negative Declaration, have been identified as a result of the four-week test closure and therefore no additional mitigation measures have been identified or are required for project impacts.

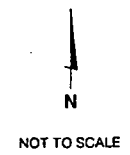
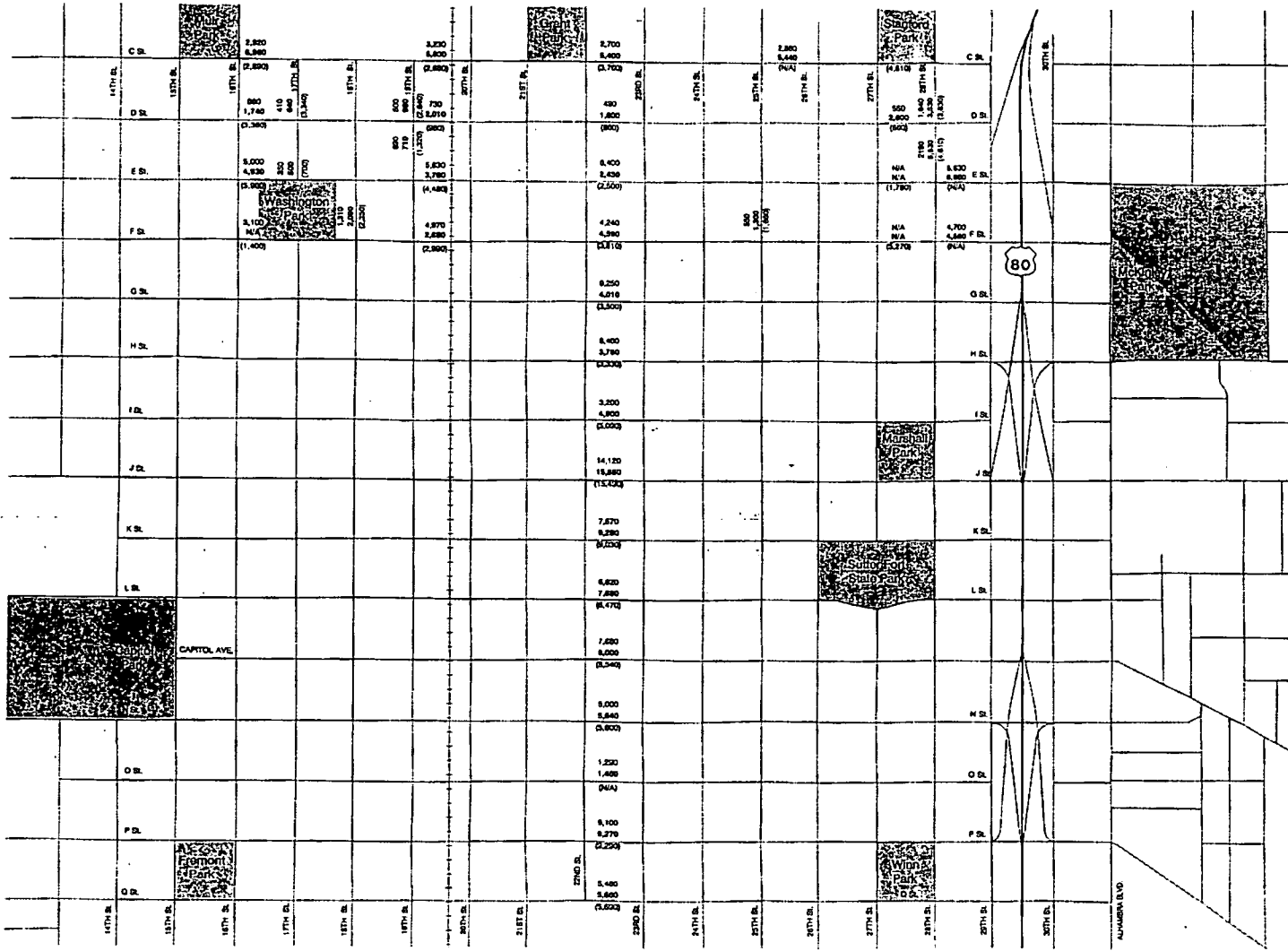


SUBJECT STREET
FOR BLUE DIAMOND GROWERS

Figure 1

LEGEND

- XXX - Before NPTP
- YYY - After NPTP
- (ZZZ) - With Blue Diamond
- N/A - Not Available



NPTP

Figure 2

DAILY VOLUMES RELATED TO BLUE DIAMOND CLOSURES ON C & D STREET

Department of **PUBLICWORKS**
CITY OF SACRAMENTO

RESOLUTION NO. 99-414

ADOPTED BY THE SACRAMENTO CITY COUNCIL

**APPROVED
BY THE CITY COUNCIL**

JUL 20 1999

ON DATE OF _____

**OFFICE OF THE
CITY CLERK**

**RESOLUTION ADOPTING FINDINGS OF FACT AND
APPROVING ABANDONMENT OF C STREET BETWEEN 17TH
AND 19TH STREET AND HALF-STREET CLOSURES ON D
STREET AT 20TH STREET AND 28TH STREET WITHIN COUNCIL
DISTRICT 3**

ABANDONMENT PROCEEDING NO. AP99-05

- A. WHEREAS, the City received a petition to abandon from owners of 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
- D. WHEREAS, City staff has recommended that approval of the proposed abandonment be made subject to specified conditions, and that two half-street closures be installed on D Street, one located on eastbound D Street at 20th Street and one located on westbound D Street at 28th Street (hereafter referred to as the "D Street Half-Street Closures"); and
- E. WHEREAS, an Addendum to the Blue Diamond Grower's Improvement Project Negative Declaration was prepared to evaluate the potential environmental effects of the proposed abandonment in conjunction with the proposed D Street Half-Street Closures. This analysis concluded that these proposed actions will not result in new impacts or greater levels of impact than those previously identified in said Negative Declaration and that no subsequent environmental review is required.

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

- 1. The City Council has considered the Addendum to the Blue Diamond Growers

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RESOLUTION NO: _____

DATE ADOPTED: _____

Improvement Project Negative Declaration and finds that the Blue Diamond Growers Improvement Project Negative Declaration adopted by the City Council in 1996 adequately addresses the impacts of the proposed abandonment and D Street Half-Street Closures, and that no further environmental review is required.

2. The City Council has considered the City staff report, public testimony and other information submitted for this matter, in addition to the information of record for the Midtown Neighborhood Preservation Transportation Plan (NPTP), and finds that installation of the D Street Half-Street Closures, in conjunction with the traffic control measures already authorized as part of the NPTP, will improve traffic conditions and thereby assist in implementing the circulation element of the City's General Plan.
3. The City Council authorizes the installation of the D Street Half-Street Closures. These half-street closures will be located eastbound at 20th Street and westbound at 28th Street.
4. The public street located in the City of Sacramento specifically described below is hereby ordered abandoned:

ALL THAT REAL PROPERTY situated in the City of Sacramento, County of Sacramento, State of California, and being a portion of C Street as shown on the official map or plan thereof. More particularly described as follows:

BEGINNING at the Northwest corner of the block bounded by C Street, 18th Street, D Street and 17th Street; thence along the Northeasterly prolongation of the East right of way line of said 17th Street, Northeasterly 80.00 feet, more or less, to a point on the North line of said C Street; thence along the Northerly right of way line of said C Street, Southeasterly 722.16 feet, more or less, to a point on the Northeasterly prolongation of the West line of 19th Street; thence Southwesterly 80.00 feet to the Northeast corner of the block bounded by C Street, 19th Street, D Street and 18th Street; thence along the South right of way line of said C Street, Northwesterly 722.86 feet, more or less, to the point of beginning.

RESERVING AND EXCEPTING from said abandonment 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.

Total area of abandonment = 1.3275 Acres.

A map or plan of the proposed abandonment is attached as Exhibit A and is on file with the Department of Public of Works, Development Services Section, located at 1231 I Street, Room 300.

5. The City Council finds that the above-described street is not necessary for present or prospective public use in that:
 - a. It is not necessary for through traffic circulation;
 - b. 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;
 - c. The parcels adjacent to the abandoned right-of-way described above have other access and said abandonment will not create any land-locked parcels; and
 - d. The street to be abandoned is not necessary or useful as a non-motorized transportation facility as defined in Section 156 of the Streets and Highways Code.

6. The City Council hereby finds that said abandonment has been submitted to and reported on by the Neighborhoods, Planning and Development Services Department 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 and with the City Council's "Review Guidelines for Street and Alley Closure," adopted May 7, 1996, by Resolution No. 96-176.

7. This abandonment is subject to the following conditions which shall be fulfilled at no cost to the City:
 - a. City Public Works - An Irrevocable Offer of Dedication (I.O.D.) shall be provided and recorded as required by Article IV.A.3.c. of the Development Agreement #96-027 between the City of Sacramento and Blue Diamond Growers.
 - b. City Public Works - Reciprocal ingress and egress easements shall be recorded for all parcels on C Street between 17th Street and 19th Street.
 - c. City Public Works - Remove the existing street lighting system from the City's system to the satisfaction of Public Works. Modify the existing fire alarm system to the satisfaction of Public Works.
 - d. City Public Works - Construct the City's standard curb, gutter and sidewalk along 17th at C Street, and 19th at C Street. Standard driveway permits may be requested pursuant to the City's normal procedures. Obtain an encroachment permit and a building permit to construct a gate within the public service easement.

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RESOLUTION NO: _____

DATE ADOPTED: _____

- e. City Public Works - Install the D Street Half Street Closures to the satisfaction of Public Works.
 - f. City Fire Department - All access gates shall be to the satisfaction of the Fire Department
8. After all the conditions specified in paragraph 7 of this resolution have been fulfilled and all fees have been paid, 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.
9. All conditions specified in paragraph 7 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 and the installation of D Street half-street closures 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: _____

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B ST.

002-0083-001
STREET TO BE
ABANDONED

1831

003-0071-028

003-0071-029

003-0071-025

003-0071-019

1801

1908

1831

C ST.

C ST.

003-0072-008

- 002-0085-004 17.30
- 002-0085-003
- 002-0085-020
- 002-0085-002
- 002-0085-001

15th ST.

16th ST.

17th ST.

18th ST.

19th ST.

20th ST.

21th ST.

002-0084-008

002-0086-014

002-0086-013

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003-0072-028

003-0072-027

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003-0072-024

003-0072-026

003-0072-029

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003-0072-028

1812

SUBJECT STREET
FOR BLUE DIAMOND GROWERS