



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2671
[www. CityofSacramento.org](http://www.CityofSacramento.org)

CONSENT
March 4, 2008

Honorable Mayor and
 Members of the City Council

Title: Summary Vacation of the Portion of Two Alleys Bounded by Beaumont Street, Empress Street, Dixeanne and El Camino Avenue

Location/Council District: The 275 feet of the alley running east to west between Empress Street and Beaumont Street and the most northern 50 feet of alley running north to south between El Camino and Dixieanne Avenues located in Council District 2 (Attachment 2, Page 4).

Recommendation: Adopt a **Resolution** vacating the public alleyway described in Exhibit A and Exhibit B of the Resolution reserving to the City a twenty (20) foot public service easement within both portions of the subject alleys.

Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Thomas Adams, Engineering Technician, (916) 808-7929

Presenters: Not Applicable

Department: Development Services

Division: Development Engineering

Organization No: 4887

Description/Analysis

Issue: Burrell Consulting Group Inc. on behalf of property owner Dino Varlas has requested the vacation of the public alleyway in North Sacramento south of El Camino Avenue for parking and driveway access for the approved Walgreens store.

Policy Considerations: The Council action recommended in this report is consistent with the City's Strategic Plan to promote and support economic vitality and is in compliance with the State of California, Streets and Highways Code, Section 8330-8334 that provides the procedure for the vacation of streets and alleys.

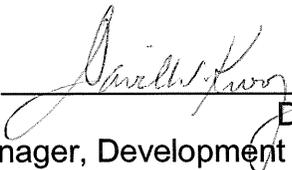
Committee/Commission Action: None

Environmental Considerations: The Development Services Department Environmental Planning Services Division reviewed this project and determined that the activity is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines. Where a project has less than significant effects on the environment and discerns with certainty that this project will not have any significant effects on the environment and is not subject to CEQA; it is exempt.

Rationale for Recommendation: The vacation of this subject portion of alleyways will be utilized as an area for a parking lot and driveway access for the Walgreens store.

Financial Considerations: The applicant is responsible for all fees required to process the vacation application and therefore there is no cost to the City.

Emerging Small Business Development (ESBD): None

Respectfully Submitted by: 
David Kwong
Interim Manager, Development Engineering

Approved by: 
William A. Thomas
Director of Development Services

Recommendation Approved:


RAY KERRIDGE
City Manager

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Background

The Summary Vacation of the Portion of Two Alleys Bounded by Beaumont Street, Empress Street, Dixeanne and El Camino Avenue

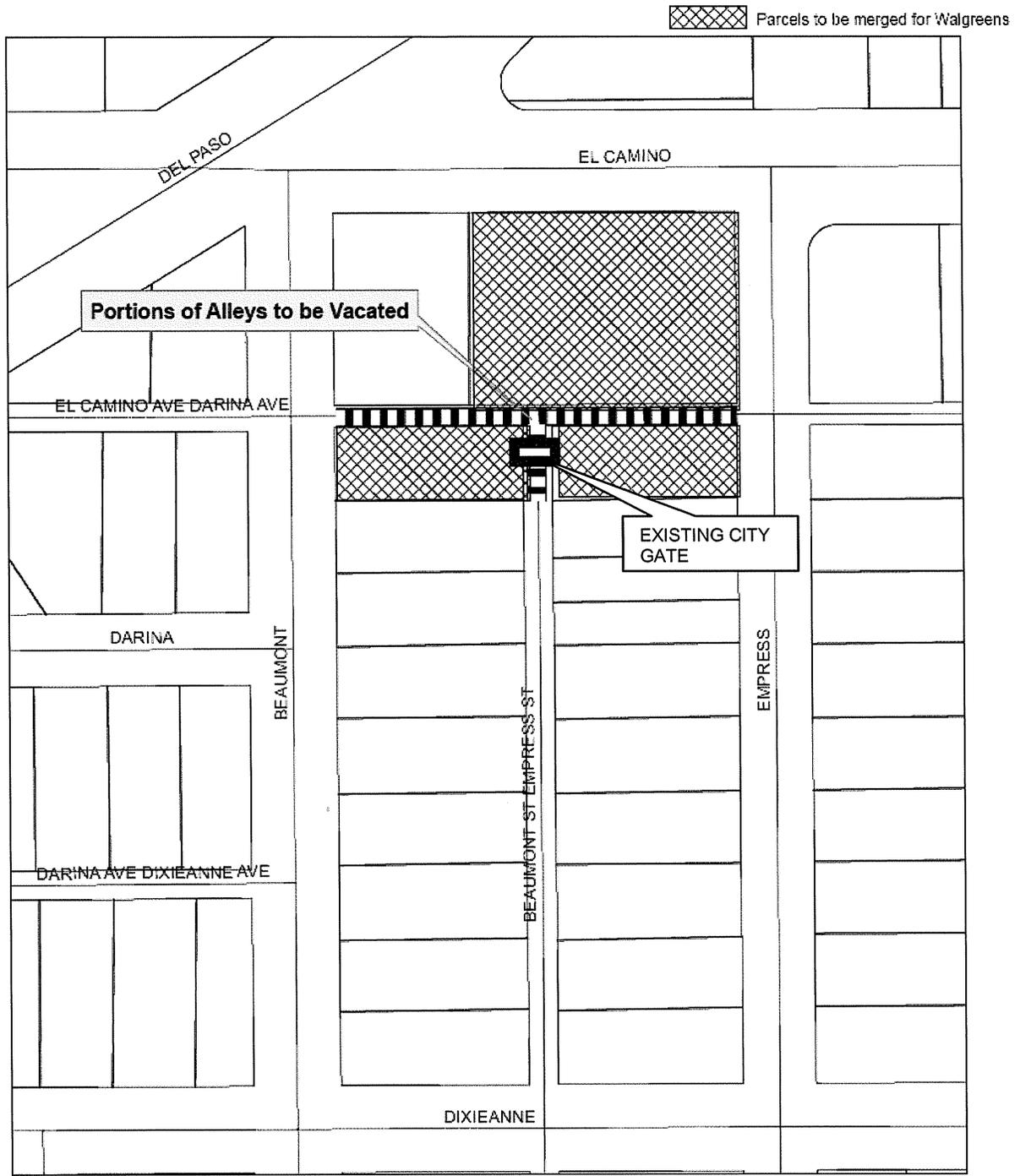
Burrell Consulting Group Inc. has requested the vacation of a portion of two public alleyways located in north Sacramento. This request has been made with the intent to allow parking and driveway access for the approved Walgreens development at 840 El Camino Avenue.

Both of the alleyways are not used for through traffic to major arterial streets within the area. The east to west alley will be utilized as part of a driveway access for the current business and Walgreens. The alley that runs north to south between Empress, Beaumont and Dixieanne has been gated for temporary closure. (Attachment 2, Page 4) The applicant will be placing a fence/wall to prevent access to the remaining portion of the alley. The City's utility department has conditioned this vacation with a reservation of a 20 foot public service easement within both portions of the subject alleys.

Staff finds that this request for vacation is in conformance with the State of California Streets and Highways Code Section 8334(a) because both alleyways are excess right-of-ways not required for street or highway purposes. Various City agencies including traffic engineering, the police and fire departments, and utility companies reviewed and support this vacation. After consideration and review staff recommends that the City Council approve this vacation request.

ATTACHMENT 2

Alley Vacation for Walgreens



 Parcels to be merged for Walgreens

Portions of Alleys to be Vacated

EXISTING CITY GATE

0 25 50 100 150 200 Feet

SUBJECT ALLEYS
Alleys Bound by Beaumont, Empress, Dixianne and El Camino Ave



Attachment 3

RESOLUTION NO.

Adopted by the Sacramento City Council

**THE SUMMARY VACATION OF THE PORTION OF TWO ALLEYS BOUNDED BY
BEAUMONT STREET, EMPRESS STREET, DIXEANNE AND EL CAMINO AVENUE,
WITHIN COUNCIL DISTRICT 2, VACATION PROCEEDING NO. VAC07-020**

BACKGROUND

- A. Representing Dino Varlas of Interra-Vision Development, LLC; the owner of the property with Assessor’s Parcel No. 275-0054-025, Burrell Consulting Group Inc., has requested the vacation of a portion of two alleyways within the City of Sacramento.
- B. The City of Sacramento Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 2.112.080 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City’s General Plan.

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

- Section 1. Subject to the reservation below in Section 2, the public alleyways located south of El Camino Avenue between Empress and Beaumont streets within Council District 2, more specifically described in Exhibit A and Exhibit B of this resolution is hereby ordered vacated.
- Section 2. Pursuant to Streets and Highways Code Section 8306 an 8340, the City of Sacramento reserves a Public Service Easement along the vacated portions of the subject alleys which are more specifically described in Exhibit A and B of this resolution for all the purposes and reasons described in Streets and Highways Code Sections 8306 and 8340 including, but not limited to, the 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 subject property to be vacated.
- Section 3. The vacation of the public alleyway south of 840 El Camino Avenue within Council District 2, more specifically described in Exhibit A and Exhibit B is made pursuant to State of California Streets and Highways Code, Division 9, Part 3, Chapter 4. Pursuant to California Streets and Highways Code Section 8334, the City Council finds that the public alleyways, more specifically described in Exhibit A and Exhibit B are an excess right-of-way

not required for street purposes and pursuant to California Streets and Highways Code Section 892, are not useful as a non-motorized transportation facility.

Section 4. The City Council finds that the said vacation has been submitted to and reported on by the City's Planning Division and finds that the said vacation is consistent with the City's General Plan.

Section 5. The City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded. The vacation shall be effective when the City Clerk records this Resolution with the County Recorder.

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Exhibit A: Legal Description

Exhibit B: Exhibit Plat/Map

EXHIBIT "A"

A Portion of Block 42 as shown on the subdivision map entitled "Plat of North Sacramento Subdivision No. 1" filed December 15, 1910, in Book 11 of Maps at Page 26, in the office of the county recorder of Sacramento County, California.

More Particularly described as follows:

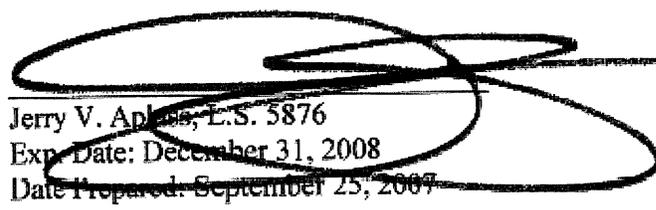
Beginning at the Northwest corner of Lot 7 of Block 42 of the aforesaid subdivision map, thence North 00°23'40" East, 20.00 feet to the Southwest corner of Lot 6 of Block 42 of the aforesaid subdivision map; thence South 89°36'20" East, 275.00 feet to the Southeast corner of Lot 1 of Block 42 of the aforesaid subdivision map; thence South 00°23'40" West, 20.00 feet to the Northeast corner of Lot 24 of Block 42 of aforesaid subdivision map; thence North 89°36'20" West, 127.50 feet to the Northwest corner of said Lot 24; thence South 00°23'40" West, 50.00 feet of to the Southwest corner of said Lot 24; thence North 89°36'20" West, 20.00 feet to the Southeast corner of Lot 7 of Block 42 of the aforesaid subdivision map, thence North 00°23'40" East, 50.00 feet to the Northeast corner of said Lot 7; thence North 89°36'20" West, 127.50 feet to the **Point of Beginning**.

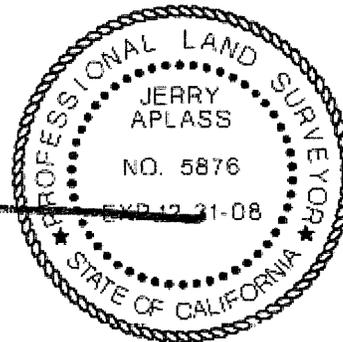
Area Contains:(0.15 Acres) More or Less.

THE LAND DESCRIBED HEREON IS SHOWN ON THE ATTACHED **EXHIBIT "B"** PLAT AND BY REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

This Description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.


Jerry V. Aplass, L.S. 5876
Exp. Date: December 31, 2008
Date Prepared: September 25, 2007



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