

Meeting Date: 6/5/2014

Report Type: Consent

Report ID: 2014-00374

Title: Time Extension to Complete Conditions of the Vacation of the Alley Bounded by Alhambra Boulevard, 30th Street, "F" and "G" Streets

Location: East of Capital City Freeway between 30th and Alhambra Boulevard, District 3

Recommendation: Pass a Resolution extending the time to complete the conditions required by Resolution No. 2012-173 for the vacation of the alley bounded by Alhambra Boulevard, 30th Street, "F" and "G" Streets.

Contact: Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Presenter: None

Department: Public Works Department

Division: Engineering Services Admin

Dept ID: 15001111

Attachments:

1-Description/Analysis

2-Attachment 1 Location Map

3-Attachment 2 Resolution 2012-173

4-Attachment 3 Resolution

City Attorney Review

Approved as to Form

Gerald Hicks

5/19/2014 2:35:00 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 5/16/2014 7:23:03 AM

Description/Analysis

Issue: The Annunciation Greek Orthodox Church (applicant) is requesting a two-year extension to complete the conditions for the alley vacation as listed in Resolution No. 2012-173 (see Attachment 2). Resolution 2012-173 will expire June 8, 2014 if no time extension is granted by the City Council. The vacation area will be utilized for access and as a driveway aisle for the proposed parking areas planned for the new church development. Resolution 2012-173 has several conditions of vacation that must be satisfied within two years of adoption of the resolution (See Attachment 2). Non-compliance or failure to complete the conditions of vacation within two years will void the resolution of vacation. On February 24, 2014, the applicant, through written notification requested a two-year extension to address and satisfy the conditions of the vacation. Staff has reviewed the extension request and recommends granting the two-year extension to complete the conditions required in Resolution No. 2012-173.

Policy Considerations: The Council action recommended in this report is consistent with the 2030 General Plan, and is in compliance with California Streets and Highways Code Sections 8330-8334.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act (CEQA): The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this vacation is exempt under Section 15305 in that the project consists of a minor alteration of land use which does not result in any changes to land use or density.

Sustainability Considerations: None

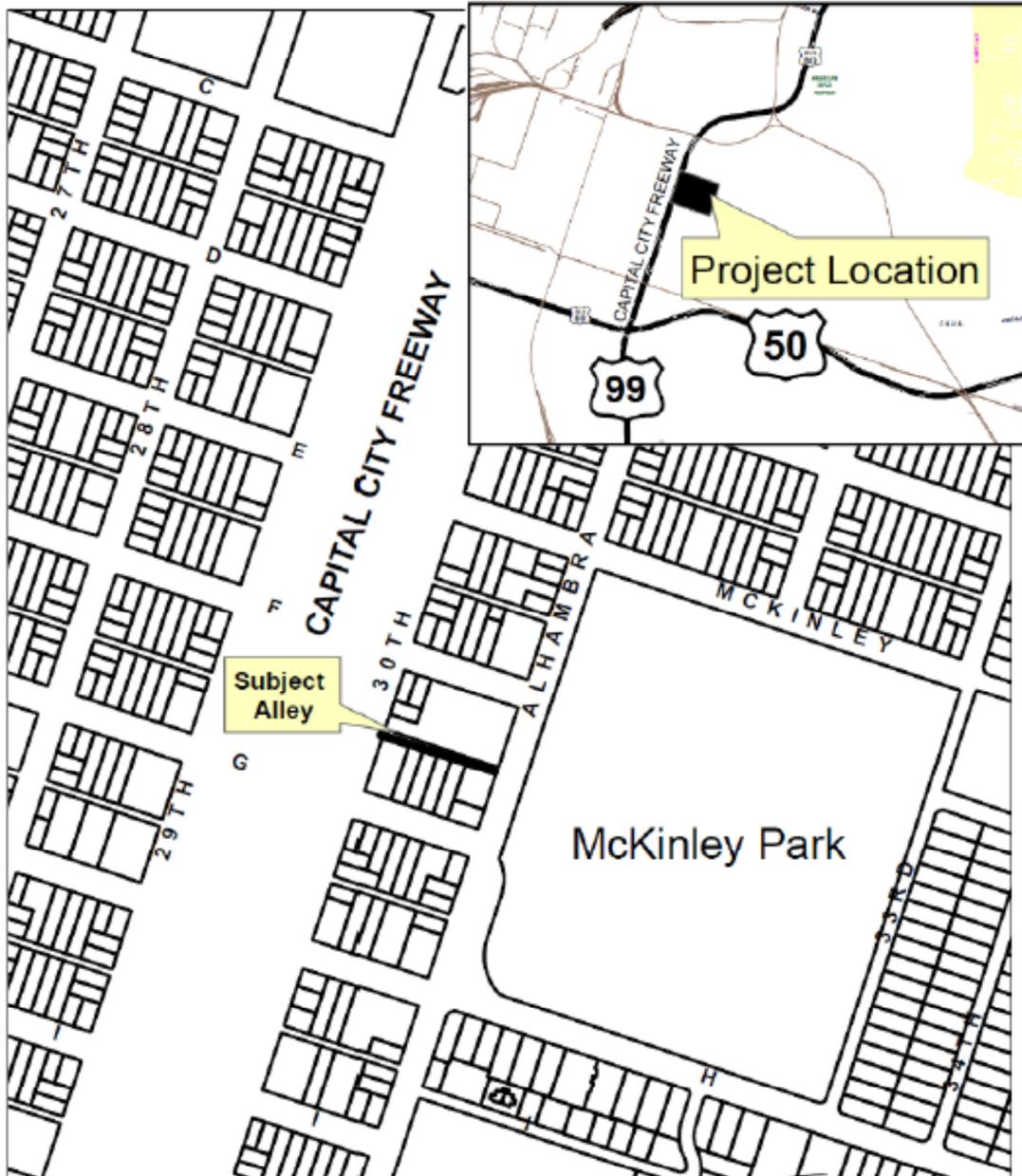
Committee/Commission Action: None

Rationale for Recommendation: The time extension request to complete the conditions of vacation are essential for the applicant to complete the proposed project without adding substantial cost. Staff supports this time extension request.

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

Local Business Enterprise (LBE): Not applicable.

Map Location for Alley Abandonment
30th Street/Alhambra Boulevard/F and G Streets



RESOLUTION NO. 2012-173

Adopted by the Sacramento City Council

June 7, 2012

**VACATION OF THE PUBLIC ALLEY BOUNDED BY ALHAMBRA BOULEVARD, 30TH,
"F" AND "G" STREETS WITHIN COUNCIL DISTRICT 3
VACATION PROCEEDING NO. VAC 11-0003**

BACKGROUND

- A. Greek Orthodox Church of the Annunciation, has requested the vacation of the alley bounded by Alhambra Boulevard, 30th, "F" and "G" Streets.
- B. The City of Sacramento's 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 2030 General Plan.

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

- Section 1. The alley bounded by Alhambra Boulevard, 30th, "F" and "G" Streets within Council District 3, more specifically described in Exhibits A and B of this Resolution is unnecessary for present or prospective public use and is hereby ordered vacated subject to the reservation below in Section 2 and subject to the conditions specified in Section 4.
- Section 2. Pursuant to Streets and Highways Code Section 8306 and 8340, the City of Sacramento reserves a public service easement which is 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 City Council finds that the said vacation has been submitted to and reported on by the City of Sacramento's Planning Director and finds that the said vacation is consistent with the 2030 General Plan.
- Section 4. This vacation is subject to the following conditions:
 - a. A Fire Department approved Knox lock is required on the access gate along with Fire Lane striping along the subject area to the satisfaction of the Fire Department.

b. The City of Sacramento's Department of Utilities requires that all service meters, valves and appurtenances be located outside of the gated area; along with an emergency shut off with a 24 hour contact phone number posted on the gate to meet the satisfaction of the Department of Utilities.

Section 5. The conditions specified in Section 4 of this Resolution must be completed within two years of the date of this Resolution. If the conditions are not completed within the two years specified, this Resolution approving the vacation shall become void, unless the City Council grants one or more time extensions.

Section 6. Once the conditions on Section 4 are met, 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.

Section 7. Exhibits A and B are incorporated into and made part of this resolution.

Table of Contents:

Exhibit A: Legal Description
Exhibit B: Exhibit Plat/Map of Area to be Vacated

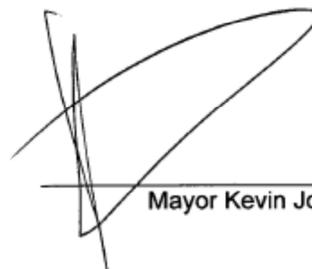
Adopted by the City of Sacramento City Council on June 7, 2012 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

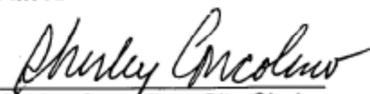
Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk

EXHIBIT 'A'

**Greek Orthodox Church of the Annunciation
Alley Abandonment**

LEGAL DESCRIPTION

A 20 foot wide alley (named FAT ALLEY) connecting Alhambra Boulevard (formerly 31st Street) and 30th Street and located in the block bounded by F Street, G Street, 30th Street and Alhambra Boulevard in the City of Sacramento.

RESERVING, however, a 20 foot wide Public Service Easement.

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

May 30, 2012

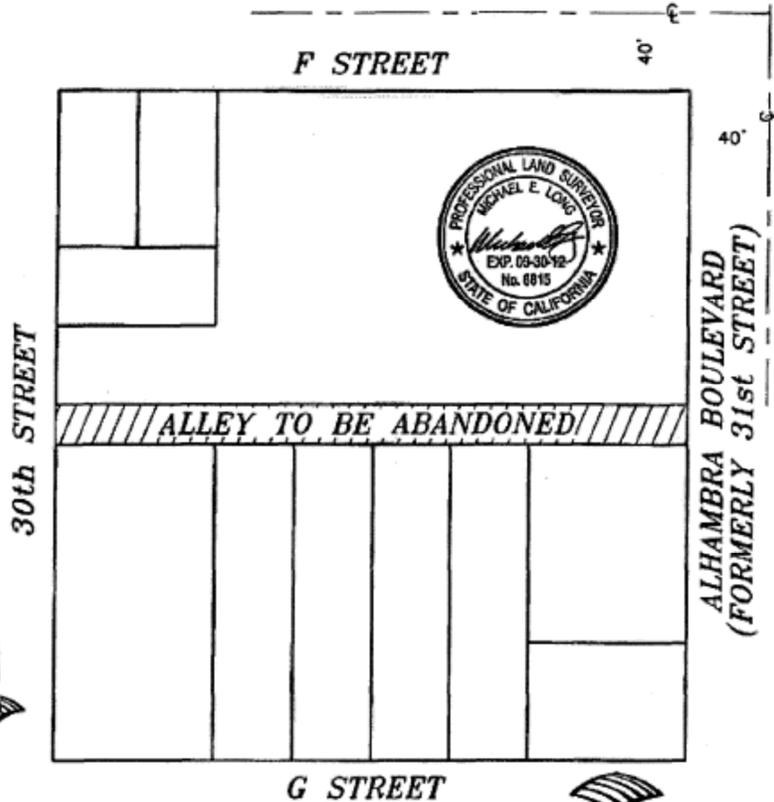
END OF DESCRIPTION



EXHIBIT B

PLAT TO ACCOMPANY
DESCRIPTION

GREEK ORTHODOX CHURCH
OF THE ANNUNCIATION
3022 F STREET
CITY OF SACRAMENTO, COUNTY OF SACRAMENTO
STATE OF CALIFORNIA



SCALE: 1"=60'

SEE DESCRIPTION FOR
COURSE INFORMATION

WOOD RODGERS
DEVELOPING INNOVATIVE DESIGN SOLUTIONS
3301 C St, Bldg. 100-B Tel 916.341.7780
Sacramento, CA 95816 Fax 916.341.7787
APRIL 12, 2011 PBDN.006 SHEET 1 OF 1

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RESOLUTION NO.

Adopted by the Sacramento City Council

**TIME EXTENSION TO COMPLETE CONDITIONS FOR THE VACATION OF THE
ALLEY BOUNDED BY ALHAMBRA BOULEVARD, 30TH STREET, F STREET AND
G STREET
VACATION PROCEEDING NO. VAC14-0005**

BACKGROUND

- A. On June 7, 2012, Resolution 2012-173 was approved vacating 'Fat Alley' east of Alhambra Boulevard. This approval is subject to conditions being satisfied within a two year period from the date of the resolution.
- B. Resolution 2012-173 stipulates that the approval to vacate the alley shall become void if the conditions of the vacation are not satisfied within two years of the date of the approved resolution, unless a time extension to complete the conditions is granted by the City Council.

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

- Section 1. A time extension for completing the conditions for vacation required by Resolution No. 2012-173 is hereby granted and hence Resolution No. 2012-173 will expire on June 8, 2016.