



REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

PUBLIC HEARING
May 30, 2006

Honorable Mayor and
Members of the City Council

Subject: Temporary Closures of Streets and Alleys within Phoenix Park Subdivision and Franklin Villa Estates Unit No.1 Subdivision, Temporary Closure Proceeding No. TSC06-04

Location/Council District:

Street and alleys within Phoenix Park Subdivision and Franklin Villa Estates Unit No.1 Subdivision namely: La Fresa Court, La Pera Court, Phoenix Park Drive, Restoration Court, Creeks Edge Way, Abiding Way and the Alleys within Franklin Boulevard, Creeks Edge Way and Morrison Creek located in Council District 8 (see Attachment "A")

Recommendation:

Adopt the attached Resolution approving the temporary closures of the subject streets and alleys.

Contact: Jerry Lovato, Senior Engineering Technician, (916)808-7918; Cesar Narvaez II, Junior Engineer, (916)808-7873

Presenters: Cesar Narvaez II, Junior Engineer

Department: Development Services Department

Division: Development Engineering and Finance

Organization No: 4815

Summary:

The initial Resolution (2002-109) authorizing the temporary closure of the subject streets and alleys has expired. With this expiration, the neighboring residents and property owners in Council District 8 request that the City re-close the subject streets and alleys for another period of 18 months. Staff recommends approval of these street and alley closures pursuant to Vehicle Code Section 21101.4 and Sacramento City Chapter Code 12.16.

Committee/Commission Action: None.

Background Information:

The subject streets and alleys within Phoenix Park Subdivision and Franklin Villa Estates Unit No.1 Subdivision have been temporarily closed since 1994 through the Temporary Street Closure Proceeding of the City of Sacramento. The temporary closures of these streets and alleys also became part of the Safety and Security Initiative of the Franklin Villa Implementation Strategy adopted by City Council in 2001. Temporary closure means the streets and alleys are only accessible to property owners, residents within the area of closure and their visitors, the City, utility companies, or emergency personnel.

Resolution No. 2002-109 that allows the temporary closure of the subject streets and alleys expired on July 25, 2004. At present, these streets and alleys remain closed. With the expiration of the Resolution, the majority of the property owners and residents have requested that the City continue the temporary closure of these streets and alleys. They believe that keeping the streets and alleys temporarily closed will continue to improve the peace, safety, and security of the area.

Currently the closures are being maintained jointly by the Sacramento Housing and Redevelopment Agency (SHRA) and the homeowners associations of the area. The budget that SHRA has allocated for the existing closures are close to being exhausted. With this, the new proposed street and alley closures will be separately maintained by the homeowners association of the area.

The guard shack that serves as the only entrance to the community is located at Shining Star Drive at Franklin Boulevard and the gates and road spikes that serve only street exit at Creeks Edge Way at Franklin Boulevard will be removed with these new closure requests.

Morrison Creek Estate Homeowners Association will repair and maintain the gate at La Fresa Court. This gate will serve as entrance and exit to the Franklin Villa Estates Unit No.1 Subdivision. At the Phoenix Park Subdivision, the Norwood Avenue Housing Corporation will install and maintain new gates at Phoenix Park Drive at Shining Star (entrance/exit), Phoenix Park Dive at Creeks Edge Way (exit only), Abiding Way at Creeks Edge Way (exit only) and Creeks Edge Way by Morrison Creek (exit only).

Norwood Avenue Housing Corporation ("NAHC") is a 501(a)(3) non-profit public benefit corporation that is the sole and managing general partner of the Phoenix Park I Limited Partners and Phoenix Park II Limited Partners, that will own respectively Phoenix Park I and Phoenix Park II. NAHC has responsibility for the L.P.'s business activities, including all predevelopment, construction, operations, and asset management responsibilities associated with the projects. NAHC was established in 1991 as an affiliate of the Sacramento Housing and Redevelopment Agency ("SHRA"). Its primary purpose is the rehabilitation of low-income housing sponsored by SHRA.

The Police Department recommends the implementation of the temporary closures of the subject streets and alleys. These closures will assist in preventing the occurrence or reoccurrence of crime related activities in the subject streets and alleys. The Police

Department has documented 3,138 calls for services in this area from January 2004 to December 2005 (see Attachment "B").

Verification has been obtained from the Fire Department that the proposed closures will not adversely impact their operation or safety in the surrounding neighborhoods (see Attachment "C").

Verification has been obtained from the Department of Transportation that proposed closures do not include a through highway or an arterial street. The street and alley closures allow adequate and safe traffic circulation on the adjacent streets (see Attachment "D").

Staff recommends the closures of the subject streets and alleys in order to stop or reduce illegal activities in the area. These street and alley closures are not to exceed eighteen (18) months unless the closures are properly extended. Once approved, the closures may be extended for an additional five (5) consecutive periods of not more than eighteen (18) months each. Prior to each extension, City Council must hold a public hearing.

Noticing to the public regarding the temporary closures have been completed prior to City Council meeting in accordance with City Code section 12.16.220.

Financial Considerations:

Norwood Avenue Housing Corporation and Morrison Creek Estate Homeowners Association will be responsible for the cost of installation and maintenance of the gates within their respective subdivision.

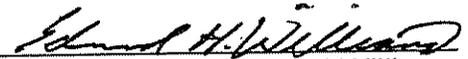
Environmental Considerations:

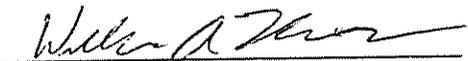
The Environmental Planning Services Division of the Development Services Department has reviewed the temporary closures and determined that the activity is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301(f) of the CEQA Guidelines. These projects consist of the temporary closures of an existing streets and alleys by adding gates to the entrances of the streets and alleys. These temporary closures involve no expansion of use beyond what currently exists. Access to the road will be given to appropriate departments and agencies.

Policy Considerations:

The temporary closures are in furtherance of Vehicle Code Section 21101.4 and Sacramento City Code Chapter 12.16 allowing the temporary closures through streets or alleys. These are consistent with the City's Strategic Plan 3 Year Goals in that it will improve and expand public safety, achieve sustainability and enhance livability. This is in keeping with the City's vision of being the most livable city in America.

Emerging Small Business Development (ESBD): None.

Respectfully Submitted by: 
Edward Williams
Manager, Development Engineering and Finance

Respectfully Submitted by: 
William A. Thomas
Director of Development, Development Services Department

Recommendation Approved:

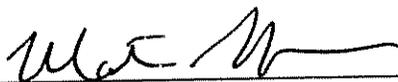
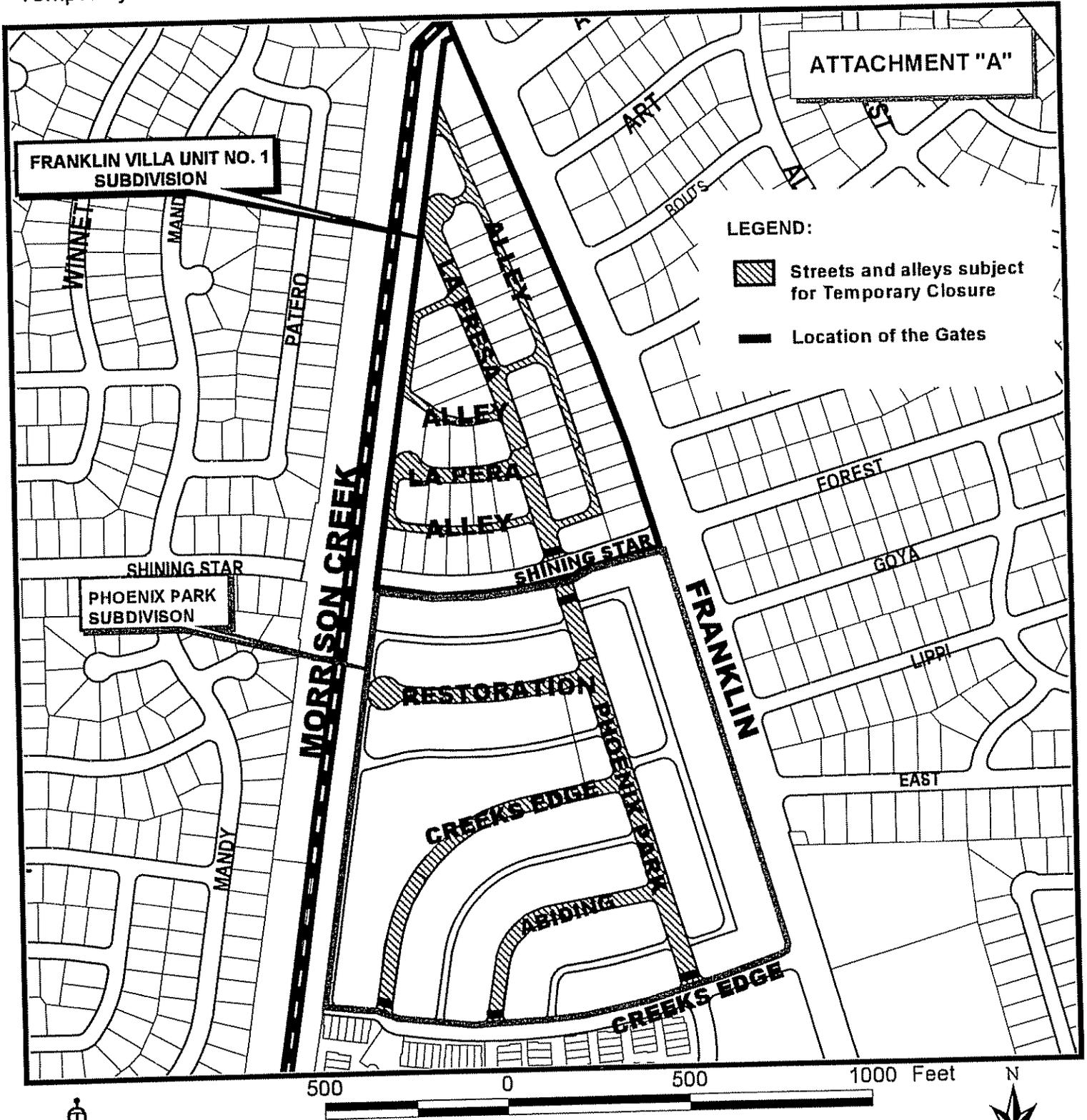

RAY KERRIDGE
City Manager

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TEMPORARY STREET CLOSURE, TSC06-04
Streets and Alleys within Phoenix Park Subdivision
and Franklin Villa Estates Unit No.1 located in
Council District 8



ATTACHMENT B

DEPARTMENT OF
POLICE

ALBERT NÁJERA
CHIEF OF POLICE

STEVE SEGURA
DEPUTY CHIEF OF POLICE

RICK BRAZIEL
DEPUTY CHIEF OF POLICE

CITY OF SACRAMENTO
CALIFORNIA

April 18, 2006

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SACRAMENTO, CA
95822-3516

PH 916-433-0800
FAX 916-433-0818
www.sacpd.org

To: City of Sacramento
Development Services
1231 I Street, Room 200
Sacramento, CA 95814

Subject: Temporary Street Closure of La Fresa Court, La Pera Court, Shining Star Drive, Phoenix Park Drive, Restoration Court, Creeks Edge Way, Abiding, El Mango Way, and all the alleys bound by Franklin Boulevard, Brookfield Avenue, and Morrison Creek

The Sacramento Police Department supports temporary street closure of all streets indicated on the attached map. There has been a history of violent crime and narcotic activity in this neighborhood for over 20 years. At one point, this area of approximately one square mile generated more calls for Police service than any other neighborhood in South Sacramento. Please see attached statistics of calls for service for the last year.

The recent improvements implemented by the Sacramento Housing and Redevelopment Agency, along with the enforcement of the Sacramento Police Department Problem-Oriented Policing Team, have had a significant impact on the overall improvement of this neighborhood.

It is the opinion of the Sacramento Police Department that the temporary street closures are necessary to complete the final phase of this improvement project.

Lieutenant Jacqueline Dowden
Sacramento Police Department
5303 Franklin Boulevard
Sacramento, CA 95820
(916) 277-6001
L.Dowden@pd.cityofsacramento.org

ATTACHMENT B

**SACRAMENTO POLICE DEPARTMENT'S
CALLS FOR SERVICE (CFS) OF
THE PHOENIX PARK AREA
JANUARY 1, 2005-APRIL 1, 2006**

TYPE OF CALL	# OF CFS
Kidnap	2
Robbery	10
Misdemeanor Battery	48
Felony Assault	32
Shoot into Inhabited Dwelling	1
Rape	2
Sex Crime	4
Child Abuse/Neglect	5
Domestic Violence	184
Keep the Peace	11
Disturbance	298
Disturbance w/ Weapon Involved	16
Burglary	31
Forgery	1
Felony Hit & Run	4
Misdemeanor Hit & Run	9

ATTACHMENT B

Vehicle Accident	14
Petty Theft	25
Grand Theft	4
Reckless Driver	5
Stolen Vehicle	23
Recovered Stolen Vehicle	6
Vandalism	29
Abandoned Vehicle	1
Prowler	3
Auto Burglary	4
Drunk Subject	4
Dead Body	2
Suspicious Activity	420
Suspicious Occupied Vehicle	67
Suspicious Unoccupied Vehicle	48
Narcotic Activity	26
Ringing Alarm	43
Silent Alarm	22
Officer Holding Prisoner	1
Medical Aid	12
Arson	2

ATTACHMENT B

Incomplete Phone Call for Police	337
Vehicle Parked in Violation Zone	17
Vehicle Parked Blocking Private Driveway	4
Missing Person	48
Welfare Check	52
Check on Hazard	26
Found Property	4
Possession of Stolen Property	1
Mental Subject	9
Traffic Stop	545
Subject Stop	782
Directed Patrol/Gameplan	164
Attempt to Pick-Up for Warrant	72

- The #s shown only represent *reported* CFS for the following boundaries:
 - G Pkwy/Restoration Ct & Franklin Blvd to the north
 - Brookfield Dr to the south
 - Restoration Ct to the west
 - Franklin Blvd to the east



ATTACHMENT C

FIRE DEPARTMENT

**CITY OF SACRAMENTO
CALIFORNIA**

5770 Freeport Blvd. Room
200
Sacramento CA 95822
Phone (916) 433-1300

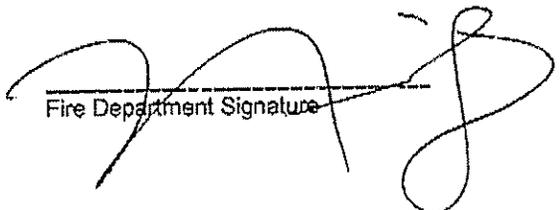
TO: City of Sacramento
Development Services
1231 I Street, Room 200
Sacramento, CA 95814

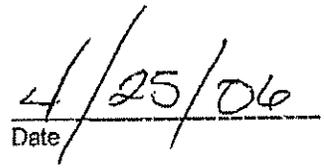
SUBJECT: Clearance for the of Temporary Street Closure of La Fresa Court, La Pera Court, Shining Star Drive, Phoenix Park Drive, Restoration Court, Creek Edge Way, Abiding, El Mango Way and all the alleys bounded by Franklin Boulevard, Brookfield Avenue and Morrison Creek.

I have reviewed the material on the subject streets and alleys proposed for temporary closure. On behalf of the Department, I find that the proposed temporary closure will not adversely impact the operations of the Sacramento Fire Department. The Fire Department supports this temporary closure. Additional comments may follow below

COMMENTS:

All gates are ok as long as they are all Knox accessible.


Fire Department Signature


Date





ATTACHMENT D

DEPARTMENT OF
TRANSPORTATION

CITY OF SACRAMENTO
CALIFORNIA

915 I Street 2nd Floor
Sacramento CA 95814

Phone (916) 808-8307

TO: City of Sacramento
Development Services
1231 I Street, Room 200
Sacramento, CA 95814

SUBJECT: Clearance for the of Temporary Street Closure of La Fresa Court, La Pera Court, Shining Star Drive, Phoenix Park Drive, Restoration Court, Creek Edge Way, Abiding, El Mango Way and all the alleys bounded by Franklin Boulevard, Brookfield Avenue and Morrison Creek.

In reference to the requested temporary closure, I have reviewed the material on the above subject streets and alleys. I find the alley is under the City of Sacramento's jurisdiction and the proposed temporary closure does not include an arterial or a through street. It also appears that the closure will allow adequate traffic circulation on the area. The Department of Transportation supports this temporary closure on the subject streets and alleys. Additional comments may follow below.

COMMENTS:

TRAFFIC ENGINEERING DOES NOT FIND ANY
SAFETY ISSUES WITH THE TEMPORARY
STREET CLOSURES PROPOSED IN THIS DOCUMENT


Traffic Department Signature

4/27/06
Date



RESOLUTION NO.

Adopted by the Sacramento City Council

RESOLUTION APPROVING THE TEMPORARY CLOSURES OF STREETS AND ALLEYS WITHIN PHOENIX PARK SUBDIVISION AND FRANKLIN VILLA ESTATES UNIT NO.1 SUBDIVISION LOCATED IN COUNCIL DISTRICT 8

TEMPORARY CLOSURE PROCEEDING NO. TSC06-04

BACKGROUND

- A. The City received a request from the property owners and residents of Phoenix Park Subdivision and Franklin Villa Estate Unit No.1 Subdivision to temporary close the following streets and alleys to stop the occurrences of crime related activities:

La Fresa Court, La Pera Court, Phoenix Park Drive, Restoration Court, Creeks Edge Way, Abiding Way, and the Alleys within Franklin Boulevard, Creeks Edge Way and Morrison Creek

- B. The Vehicle Code of the State of California Section 21101.4 and the Sacramento City Code Chapter 12.16 authorizes the City Council to temporary close streets and alleys to prevent occurrences of crime related activities.

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

- Section 1. Based upon substantial evidence present in the record of the proceedings regarding this matter, City Council hereby makes the following findings:
- a. There is serious and continual criminal activity in the area of the streets and alleys recommended for closure. This finding is based upon a recommendation of the Police Department.
 - b. The streets and alleys recommended for closures are under the City's jurisdiction and have not been designated as a through highway or arterial street.
 - c. Vehicle or pedestrian traffic in the streets and alleys recommended for closure contribute to the criminal activity that is occurring there.
 - d. The street and alley closures will not substantially adversely affect traffic flow, safety on the streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of the streets and alleys for closure.

Section 2. The Council finds and determines that the subject street and alley closures will substantially alleviate the existing serious and continual criminal activity in that street.

Section 3. City Council grants these street and alley closures with the following conditions:

- a. A gate security device approved by the Sacramento Fire Department will be installed on the gates.
- b. City departments and utility companies will have twenty-four (24) hour access to their facilities within the road.
- c. In the event that the gate security device requires construction by a private entity for improvements in the public right-of-way, a revocable encroachment permit and an excavation permit must be obtained from the Development Services Department. The revocable encroachment permit is to be issued simultaneously with this resolution. The excavation permit, if required, may be issued subsequent to this resolution, but must be obtained prior to the construction of improvements in the public right-of-way. Staff recommends the City Manager waive the fee for this permit.