



REPORT TO COUNCIL

City of Sacramento

13

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

CONSENT
March 21, 2005

Honorable Mayor and
Members of the City Council

Subject: The Summary Vacation of the Alley Bounded by "B" Street, 12th Street, "C" Street and 11th Street, Vacation Proceeding No. VP05-16

Location/Council District:

Alley bounded by "B" Street, 12th Street, "C" Street and 11th Street within Council District 1 (Attachment "A", Page 4)

Recommendation:

Adopt the Resolution approving the Summary Vacation of the alley bounded by "B" Street, 12th Street, "C" Street and 11th Street.

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

Presenters: Not Applicable

Department: Development Services Department

Division: Development Engineering

Organization No: 4815

Summary:

GMA Investors, owner of the Globe Mills property, requested the vacation (abandonment) of the subject alley. The alley will be utilized as part of the Globe Mills Adaptive Reuse Project. Staff finds that the vacation of the subject alley is in conformance with the State of California Streets and Highways Code Section 8333, because this subject alley is an excess right-of-way not required for street and highway purposes. Staff recommends approval of this vacation.

Committee/Commission Action:

The City Planning Division has reviewed the proposed vacation of the alley bounded by "B" Street, 12th Street, "C" Street and 11th Street. The General Plan does not consider

alleys in the circulation plan. Therefore, the vacation of this alley will not affect the existing circulation of the area and the proposed vacation is consistent with the General Plan.

Background Information:

On January 19, 2005, the Zoning Administrator approved the Globe Mills Adaptive Reuse project (Z04-229). This project involves rehabilitation and reuse of structures, some demolition, and construction of two new structures with parking on the historic Globe Mills property. The land used is primarily residential, consisting of senior housing and market rate apartment units, plus a small amount of service and retail use to serve the residents of the complex.

The subject alley is located at the north side of the Globe Mills property (see Attachment "A"). This alley is unimproved and fenced-off at the entrance at 11th Street, and dead ends at 12th Street. This alley is currently not utilized for access by the adjacent properties. The alley, when vacated, will be utilized as a gated private driveway for ingress and egress for the project site. A public utility easement will be retained for maintenance of existing facilities located in the alley.

Staff finds that this request for vacation is in conformance with the State of California Streets and Highways Code (S&HC) Section 8334 because this alley is an excess right-of-way not required for street or highway purposes. Staff recommends that the City Council approve this vacation request.

Following vacation, the title to the subject property is cleared of the public road right-of-way.

Financial Considerations:

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

Environmental Considerations:

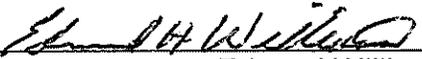
The Development Services Department, Environmental Planning Services Division has reviewed this project and determined that the activity is exempt from the provisions of CEQA (California Environmental Quality Act) under Section 15061(b)(3) of the CEQA Guidelines. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect of the environment, the activity is not subject to CEQA.

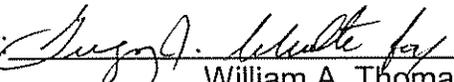
Policy Considerations:

The Council action recommended in this report supports the City's 3 Year Strategic Plan Goal to "promote and support economic vitality". The State of California, Streets and Highways Code, Section 8330-8334.5 allows for the vacation of streets, alleys, and easements.

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:

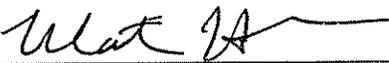
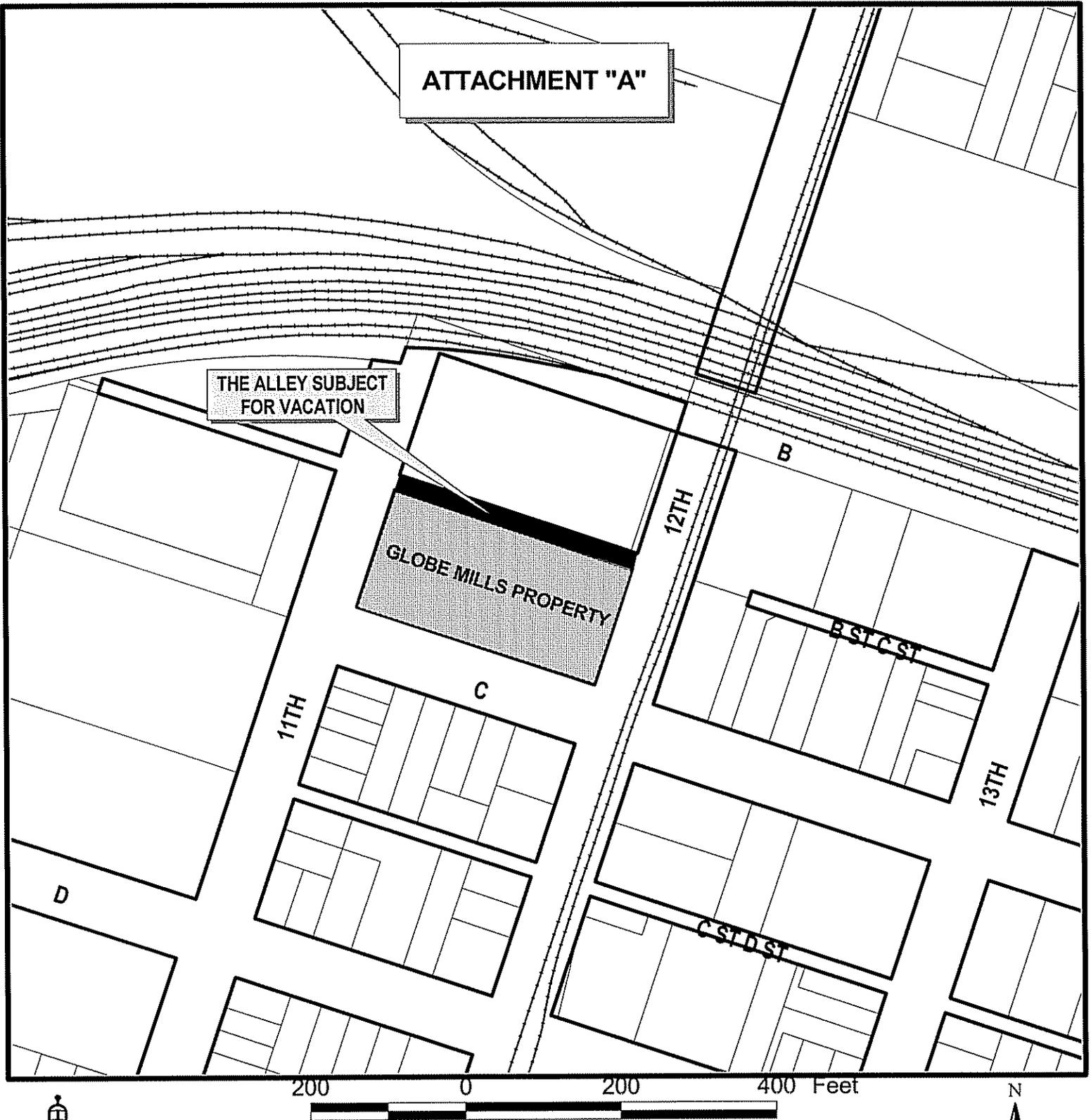

for RAY KERRIDGE
City Manager

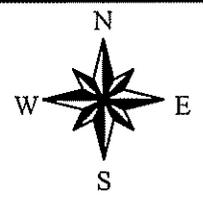
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- Pg 8 Exhibit B, Location Map

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VACATION, VP05-16
Alley Bounded "B" STREET, 12TH STREET,
"C" STREET AND 11TH STREET



RESOLUTION NO.

Adopted by the Sacramento City Council

RESOLUTION APPROVING THE SUMMARY VACATION OF THE ALLEY BOUNDED BY “B” STREET, 12TH STREET, “C” STREET AND 11TH STREET WITHIN COUNCIL DISTRICT 1

VACATION PROCEEDING NO. VP05-16

BACKGROUND

- A. “GMA Investors” requested the City to vacate the subject alley located within the City of Sacramento.
- B. The Sacramento City Council will consider this vacation proceeding in accordance to State of California Streets and Highways Code Section 8330-8334.5.
- C. The City of Sacramento Planning Division reviewed this vacation proceeding pursuant to State of California Government Code Section 65402 and concluded that this vacation is consistent with the City’s General Plan and applicable Community Plan.

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

Section 1. The Alley bounded by “B” Street, 12th Street, “C” Street and 11th Street within Council District 1, specifically described in Exhibit A and Exhibit B of this resolution, is hereby ordered vacated subject to the conditions specified on this resolution.

However reserving the public service easement (as defined in Section 8306 and 8340 of the California Streets and Highways code) and 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 public road/alley right-of-way to be vacated. Including access and the right to keep the property free from inflammable materials and wood growth, and otherwise protect the same from all hazards, in, upon, over and across the portion of the subject alley.

Section 2. The City Council has considered this vacation in accordance to State of California Streets and Highways Code Section 8330-8334.5. The City Council finds that the vacation of the subject alley is in conformance of the State of California Streets and Highways Code Section 8333, because this subject alley is an excess right-of-way not required for street purposes

Section 3. The City Council finds that the said vacation have 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 and applicable Community Plan.

Section 4. This vacation is subject to the following condition:

- a) The applicant shall provide all parcels adjacent to the subject alley adequate space for trash and recycling services to the satisfaction of Department of General Services.
- b) The applicant shall provide reciprocal ingress and egress agreement for the shared use of the alley by the adjacent parcels for fire access and the alley be marked "No Parking Fire Lane" to the satisfaction of the Fire Department.
- c) The applicant shall provide proof of ingress, egress and maneuvering easement/agreement over the vacated portion of the alley that is owned in fee by the property with Assessors parcel Number 002-0074-005 to the satisfaction of Development Services Department-Development engineering Division.

Section 5. The condition specified in Section 4 of this resolution must be completed within two years of the date of this resolution. If all conditions are not completed within the two years specified, this resolution approving the vacation shall become void, unless the City Council grants a time extension.

Section 6. Once the conditions in 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

Table of Contents:

- Exhibit A: Legal Description
- Exhibit B: Exhibit Plat/Map

EXHIBIT "A"

Page 1 of 1

*Legal Description for
ALLEY ABANDONMENT PROPOSAL
1131 "C" Street, Sacramento, California*

ALLEY TO BE ABANDONED:

All that certain property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

The alley in the block bounded by 11th and 12th and B and C streets of the City of Sacramento, as shown on the Official Plat thereof.

End of Legal Description

Prepared by JTS Engineering Consultants, Inc. from Record Data.

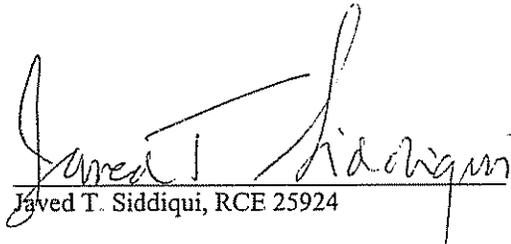
 Date: 11-17-2005
Javed T. Siddiqui, RCE 25924



EXHIBIT "B" ALLEY ABANDONMENT EXHIBIT

ALLEY IN THE BLOCK BOUNDED BY
B, C, 11TH AND 12TH STREETS AS SHOWN ON THE OFFICIAL
PLAT OF THE CITY OF SACRAMENTO.

JTS ENGINEERING
CONSULTANTS, INC.
1808 J STREET
SACRAMENTO CALIFORNIA 95814 (916) 441-6708

APN: 002-0074-005

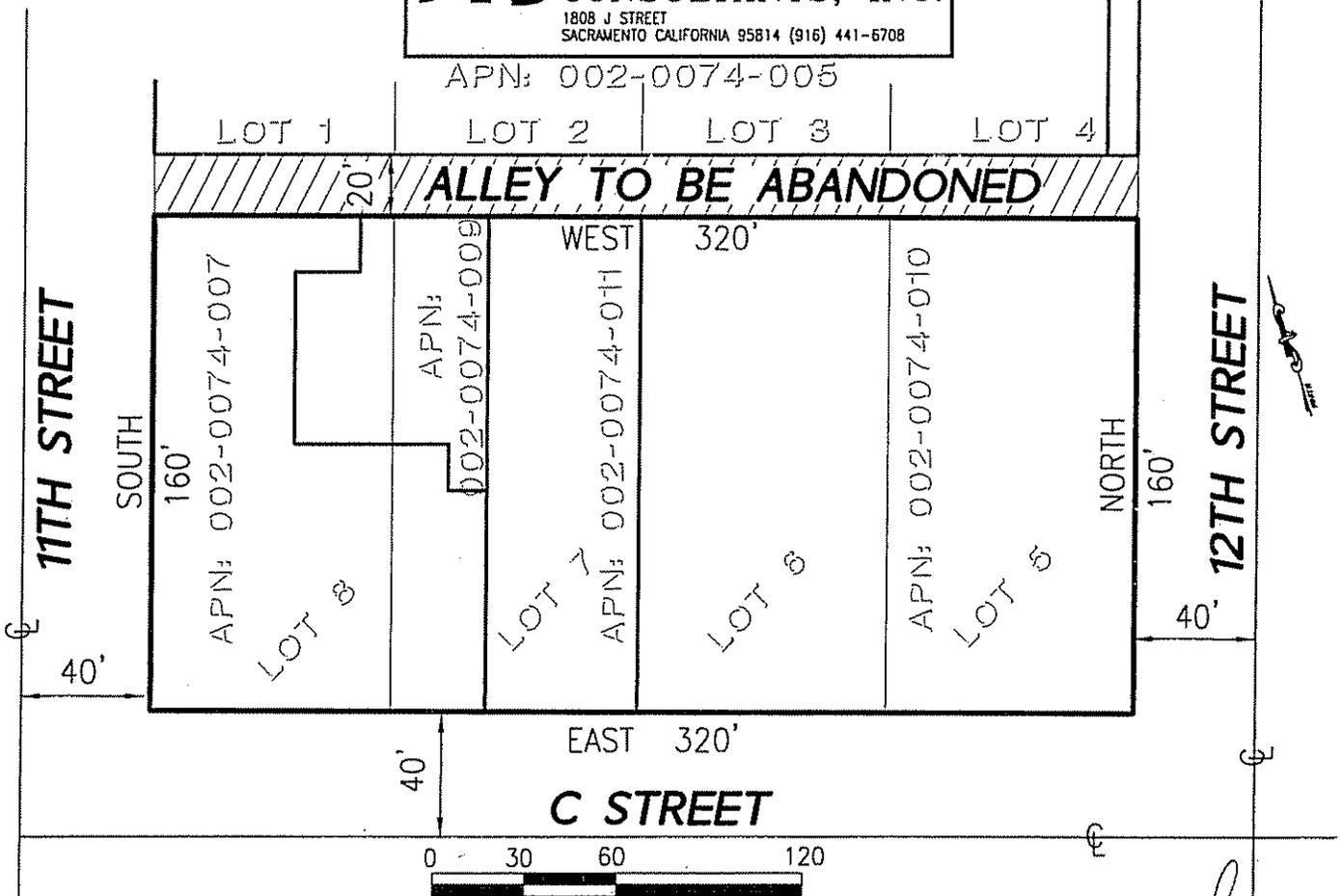
LOT 1

LOT 2

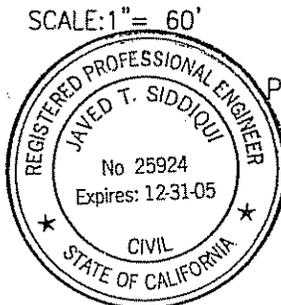
LOT 3

LOT 4

ALLEY TO BE ABANDONED



NOTE:
THIS EXHIBIT IS PREPARED FROM RECORD
DATA. IT IS NOT BASED ON A SURVEY.



PREPARED BY: *Javed T. Siddiqui*
JAVED T. SIDDIQUI RCE 25924

2004-067

