

5.1

June 30, 1992

Redevelopment Agency of the  
City of Sacramento  
Sacramento, California

**FILED**  
JUL 7 1992  
*Withdrawn*  
BY THE CITY COUNCIL  
OFFICE OF THE CITY CLERK

Honorable Members in Session:

**SUBJECT:** RETAIL COURT GALLERIA EASEMENT  
A CAPITOL PLACE BUILDING

**LOCATION AND COUNCIL DISTRICT:** Merged Downtown  
Sacramento Redevelopment Area, District 1

**SUMMARY**

This report recommends the amendment of an existing easement on A Capitol Place project, located at 915 L Street. It is proposed that the existing easement be amended and relocated to the easterly side of the building.

**COMMISSION ACTION**

At its regular meeting of June 17, 1992, the Sacramento Housing and Redevelopment Commission adopted a motion recommending approval of the attached resolution. The votes were as follows:

AYES: Amundson, Inglis, Moose, Simpson, Wooley, Yew

NOES: Simon

ABSTAIN: Diepenbrock

ABSENT: Cespedes, Williams

**STAFF RECOMMENDATION**

The staff recommends adoption of the attached resolution which will authorize the Executive Director to amend the Easement Agreement for the Proposed Retail Galleria, dated February 1, 1988, to substitute the real property described in the attached amendment (Attachment I).



P.O. Box 1834

Sacramento

CA 95812-1834

916-444-9210

CONTINUED  
FROM 6-30-92  
TO 7-7-92

# SACRAMENTO HOUSING & REDEVELOPMENT AGENCY

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## BACKGROUND

The Agency currently holds an easement through the first floor of A Capitol Place, located at 915 L Street. The easement was the result of a condition of a special permit approval for A Capitol Place, to provide access to the proposed Retail Galleria project, also known as the Food Court Galleria.

The Retail Galleria project was first suggested in the 1984 Downtown Sacramento Redevelopment Strategy (Sanger Report). The food court galleria concept is to provide a mid-block retail and food market arcade between 9th and 10th streets, from L to J streets, linking the State Capitol with City Hall. The preliminary concept called for a pedestrian street, designed as a two-level arcade connected by elevators, escalators and stairways with both enclosed and open air sections. The plan made provision for an office tower (A Capitol Place) at L Street over the arcade. Attachment II is an excerpt from the Sanger Report which depicts the location and illustrates the three level design concept. The food court as originally proposed would have included all of the ground-floor retail space within the office building.

During the development and programming of the A Capitol Place building, the Agency had planned to pursue development of the Food Court Galleria. The special permit conditions for the office building were granted at the Agency's request, an easement to allow specific layout of the ground floor to facilitate the Food Court Galleria plan. Implementation of the food court by the Redevelopment Agency was not pursued. The A Capitol Place building is complete. Interior improvements have been made to accommodate tenant needs for retail and office space. Attachment III is a building floor plan from the A Capitol Place with the existing easement superimposed onto it.

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This attachment shows that the current easement does not run in a continuous manner, but turns and jogs throughout the property. The current easement alignment affects a large portion of the ground floor of the building resulting in the disruption of prime leasable first floor space. The building owners report that leasing activities were difficult because potential tenants were wary of committing to the retail space leases with the possibility of being relocated or having the size of their space reduced if the Agency exercised its rights under the existing easement. In addition, the building owners assert that they have experienced difficulty in attracting permanent lenders for the building, since the easement creates various uncertainties regarding the future use of the main floor.

To improve the current condition, the owner has proposed relocation of the easement to an area between L and J streets along the easterly building line, as indicated by the shaded area on Attachment III.

The revised relocation of the pedestrian easement would change the location of the planned escalator for the proposed food court to be within A Capitol Place's adjacent garage. Approval of the realignment of this easement agreement changes the food court concept, moving the pedestrian access to the garage interior, thereby eliminating the ground-level retail space for food services that were proposed to be provided in the office building and reduces the ground-floor visibility of the food court entrance.

Approval of the realignment of this easement will change the nature of the Food Court Galleria concept. However, as originally proposed the galleria was intended to be a destination location that encouraged pedestrian traffic from the Capitol to the K Street Mall and beyond to Plaza Park. Since this project was originally proposed, staff has revisited pedestrian access to K Street Mall and instead, encourages that the linkage of L Street and K Street take place at grade on 10th and L (Cathedral Square area), instead of mid-block at 9th Street. Activities are being proposed to enliven Cathedral Square as an entrance to K Street.

Land acquisition and construction costs for the original Food Court Galleria concept would be prohibitive. Other projects to support the commercial revitalization of downtown (such as the Downtown Plaza renovation, Downtown Revitalization Strategy, Plaza Park, and Streetscape Study) have received higher priority. Staff would not recommend pursuit of the Food Court Galleria at this time.

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The Food Court Galleria requires the installation of an escalator to provide pedestrian access between the first and second floors. This will require that an opening be cut in the post-tensioned floor slab of the garage. The construction can readily be accomplished by a certified structural engineer, thus ensuring the structural integrity of the structure.

## FINANCIAL CONSIDERATIONS

Per the terms of the original easement, all costs related to the escalators and/or stairs are the responsibility of the Agency. The recommended easement agreement does not change this condition regarding the cost of improvements. There are no additional financial impacts related to this amendment.

## POLICY IMPLICATIONS

Although adoption of this revised easement greatly reduces the possibility for a Food Court Galleria on L Street, it does preserve access for pedestrians from L to K streets should the Redevelopment Agency pursue the balance of the food court concept one day.

## ENVIRONMENTAL REVIEW

The proposed minor alteration in land use limitations is exempt from environmental review per CEQA Guidelines Section 15305, and is not a federal undertaking under NEPA.

## M/WBE

M/WBE considerations are not required with this activity.


Respectfully submitted by,

  
JOHN E. MOLLOY  
Executive Director

For Council Meeting of:

June 30, 1992

TRANSMITTED TO COUNCIL BY:

  
WALTER J. SLIPE  
City Manager

Contact Persons: Bina Lefkowitz, Director, Community Development,  
440-1357 or,  
Mary Wray, Program Manager, 264-1509

# RESOLUTION NO.

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF \_\_\_\_\_

## AMENDMENT OF EASEMENT AGREEMENT FOR PROPOSED RETAIL GALLERIA AFFECTING A CAPITOL PLACE (915 L STREET)

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT  
AGENCY OF THE CITY OF SACRAMENTO:

Section 1: The Executive Director is authorized to execute the attached  
Amendment to the Easement Agreement for the Proposed Retail Galleria, amending the  
Easement Agreement for Proposed Retail Galleria dated February 1, 1988, concerning  
property located at 915 L Street, Sacramento California, as shown on Exhibit A to said  
Amendment.

ATTEST:

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

U:\Share\Reso\CapitolP

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**NO FEE DOCUMENT**

Entitled to Free Recording  
per Government Code 6103.

When recorded, return to:

**SACRAMENTO HOUSING AND  
REDEVELOPMENT AGENCY**  
630 I Street  
Sacramento, CA 95814  
Attn: Legal Department

**AMENDMENT TO THE EASEMENT AGREEMENT  
FOR THE PROPOSED RETAIL GALLERIA**

The Easement Agreement for Proposed Retail Galleria ("Agreement"), as recorded in Sacramento County on May 18, 1988, Book 88-05-18, page 1966, between the Redevelopment Agency of the City of Sacramento ("Agency"), a public body, corporate and politic, and Capitol Place Company ("Owner"), a California general partnership comprised of Harold T. Nielsen, John B. Vandenberg, Dan Lahey, William J. Robbins, Jr., and William H. Schuppel, is hereby amended by substituting the following for the existing text of Section 1.3. Easement Location:

The location of the Access Easement is described in full in Exhibit A hereof, but generally runs lengthwise from the south boundary of the property through the Project to the north boundary of the property. Generally, the width of the easement shall vary between 8.17 feet and 15.05 feet, and the height shall begin at the subsurface of the floor on each story and extend to the ceiling on each story of the Project affected by the Access

Easement in the areas so affected, penetrating the floors of the building where so described.

APPROVED AS TO FORM:

REDEVELOPMENT AGENCY OF THE CITY OF  
SACRAMENTO

\_\_\_\_\_  
General Counsel

By \_\_\_\_\_  
JOHN E. MOLLOY  
Executive Director

CAPITOL PLACE COMPANY

By \_\_\_\_\_  
Harold T. Nielsen,  
Joint Venturer

By \_\_\_\_\_  
William H. Schuppel,  
Joint Venturer

By \_\_\_\_\_  
John B. Vandenberg,  
Joint Venturer

By \_\_\_\_\_  
Dan Lahey,  
Joint Venturer

By \_\_\_\_\_  
William J. Robbins,  
Joint Venturer

Agrmts\Galleria

## LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LOT 6 IN THE BLOCK BOUNDED BY "K" AND "L", 9TH AND 10TH STREETS ACCORDING TO THE OFFICIAL PLAT OF THE CITY OF SACRAMENTO, DESCRIBED AS FOLLOWS:

### PARCEL 1

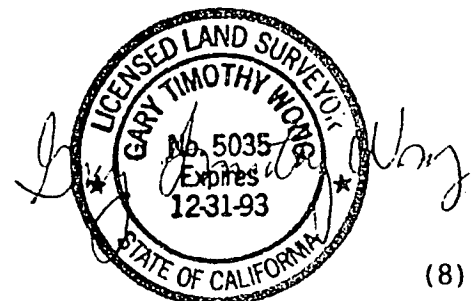
BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 6 AND THE NORTHERLY RIGHT OF WAY LINE OF "L" STREET, AN 80 FOOT WIDE PUBLIC STREET, FROM WHICH THE CENTERLINE INTERSECTION OF "L" AND 9TH STREETS AS SHOWN ON SAID OFFICIAL PLAT BEARS THE FOLLOWING TWO (2) COURSES: 1) SOUTH 18°25'00" WEST 40.00 FEET AND 2) NORTH 71°35'00" WEST 224.74 FEET; THENCE LEAVING SAID POINT OF BEGINNING AND ALONG SAID SOUTHERLY LINE AND NORTHERLY RIGHT OF WAY LINE SOUTH 71°35'00" EAST 8.17 FEET; THENCE LEAVING SAID SOUTHERLY LINE AND NORTHERLY RIGHT OF WAY LINE NORTH 18°22'09" EAST 19.56 FEET; THENCE SOUTH 71°37'51" EAST 6.89 FEET; THENCE NORTH 18°22'09" EAST 30.00 FEET; THENCE NORTH 71°37'51" WEST 15.05 FEET; THENCE SOUTH 18°22'09" WEST 49.56 FEET TO THE POINT OF BEGINNING, CONTAINING 0.0140 OF AN ACRE.

SAID EASEMENT SHALL BE LIMITED TO THE AIRSPACE LYING BETWEEN THE FOOD COURT FLOOR AND THE SECOND LEVEL GARAGE FLOOR AS SAID FLOORS ARE DEFINED ON THE PLANS PREPARED BY WILLIAM SCHUPPEL & ASSOCIATES, ARCHITECTS, SHEET A-16, DATED 3-5-1986.

### PARCEL 2

BEGINNING AT A POINT FROM WHICH THE CENTERLINE INTERSECTION OF "L" AND 9TH STREETS AS SHOWN ON SAID OFFICIAL PLAT BEARS THE FOLLOWING THREE (3) COURSES: 1) SOUTH 18°22'09" WEST 49.56 FEET, 2) SOUTH 18°25'00" WEST 40.00 FEET AND 3) NORTH 71°35'00" WEST 224.74 FEET; THENCE LEAVING SAID POINT OF BEGINNING SOUTH 71°37'51" EAST 15.05 FEET; THENCE NORTH 18°22'09" EAST 110.93 FEET TO THE NORTH LINE OF SAID LOT 6; THENCE ALONG SAID NORTH LINE OF LOT 6 NORTH 71°36'06" WEST 15.05 FEET; THENCE SOUTH 18°22'09" WEST 110.94 FEET TO THE POINT OF BEGINNING CONTAINING 0.0383 OF AN ACRE.

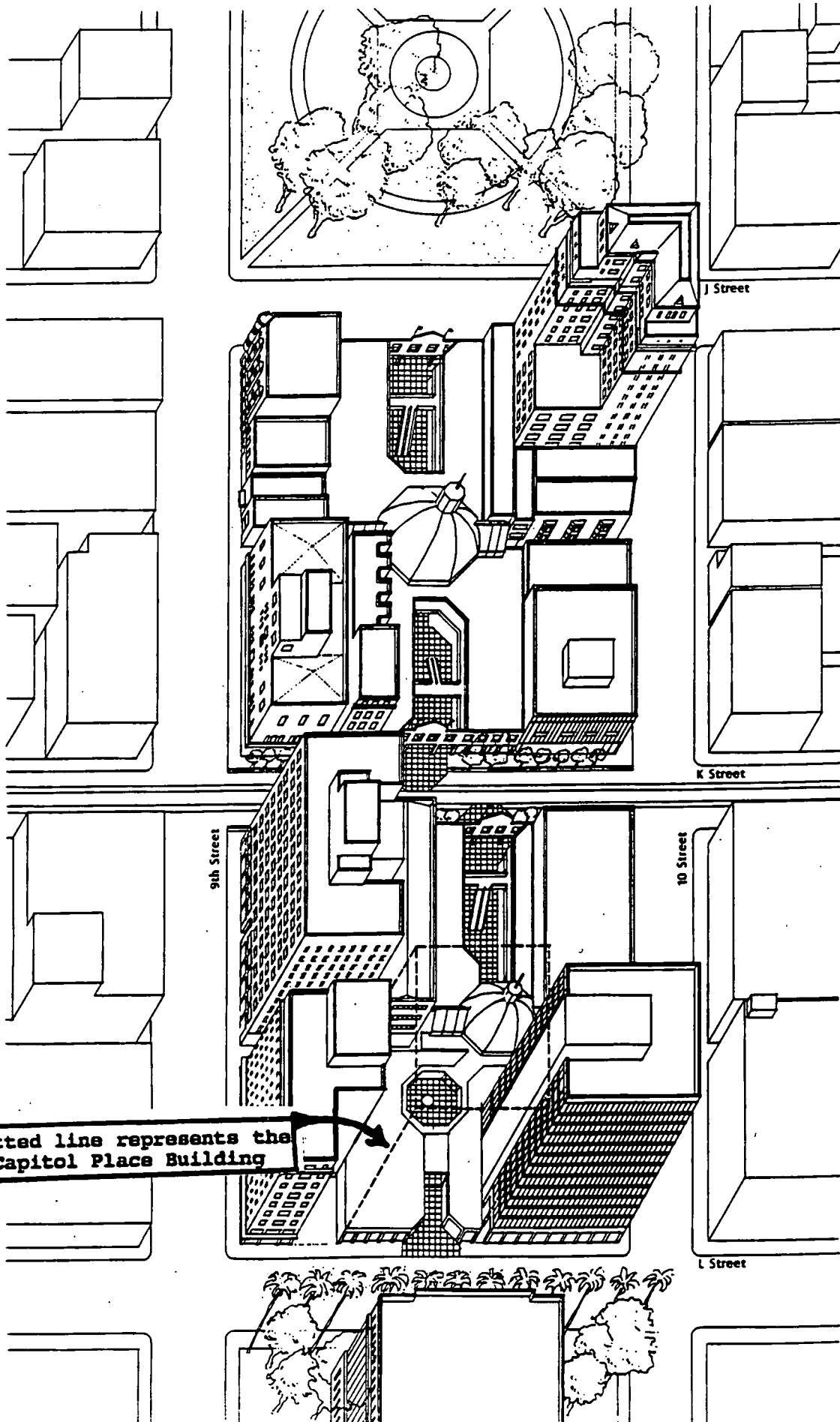
SAID EASEMENT SHALL BE LIMITED TO THE AIRSPACE LYING BETWEEN THE SECOND LEVEL GARAGE FOOD COURT FLOOR AND THE THIRD LEVEL GARAGE FLOOR AS SAID FLOORS ARE DEFINED ON THE PLANS PREPARED BY WILLIAM SCHUPPEL AND ASSOCIATES, ARCHITECTS, SHEET A-16, DATED 3-5-1986.







AERIAL VIEW OF THE PROPOSED  
FOOD COURT GALLERIA CONCEPT



HALCYON LTD.  
1527 Stockton Street  
San Francisco, California 94133  
(415) 397-1999

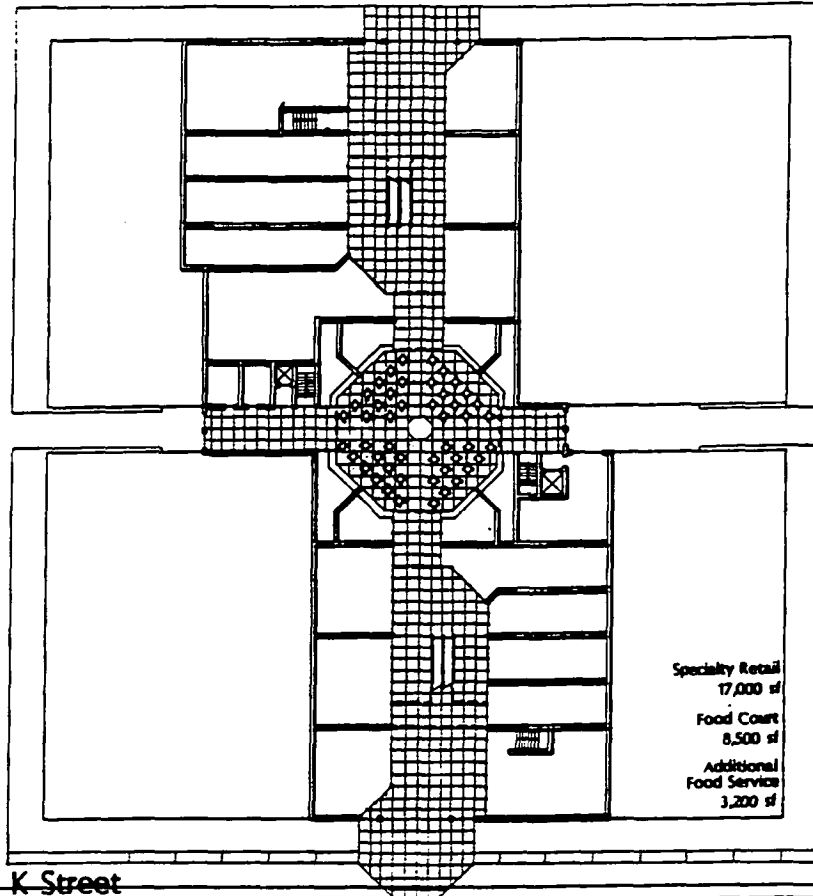


FOOD COURT GALLERIA  
STREET LEVEL FLOOR PLAN

J Street

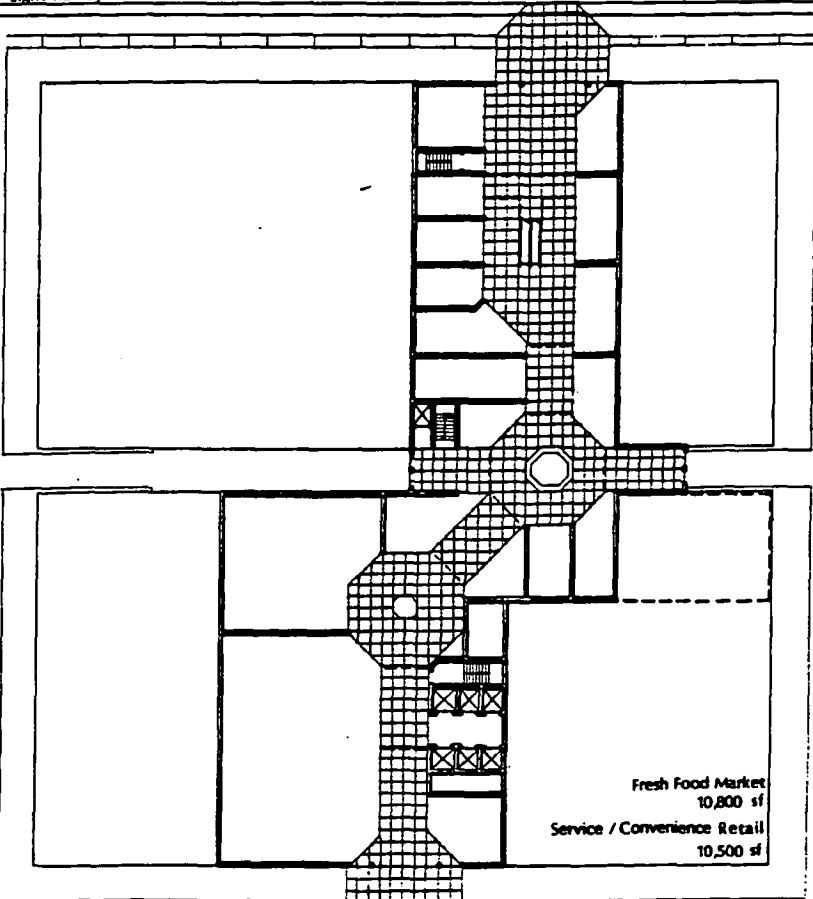
9th Street

10th Street



K Street

Light Rail System



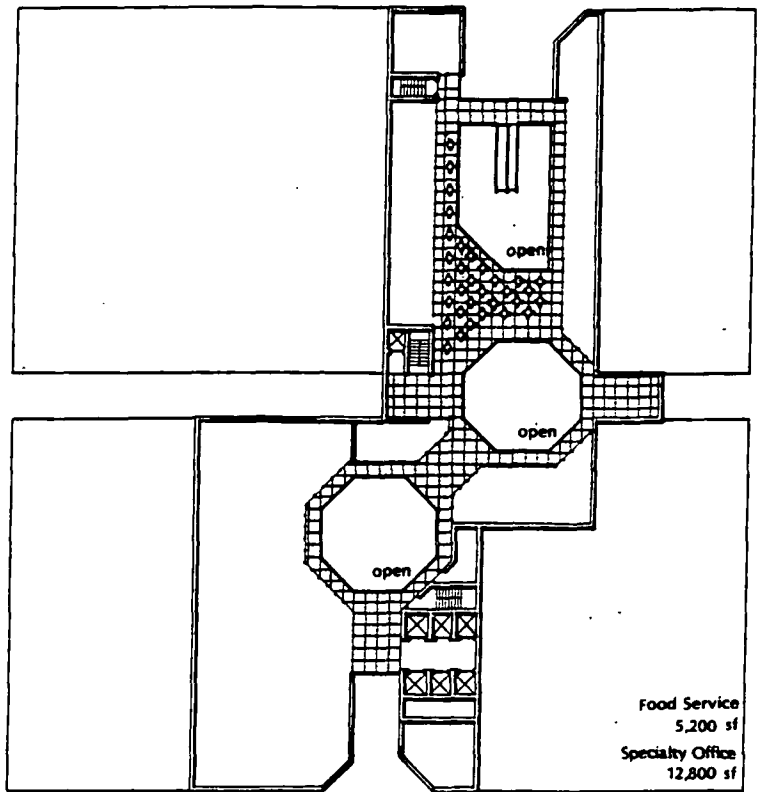
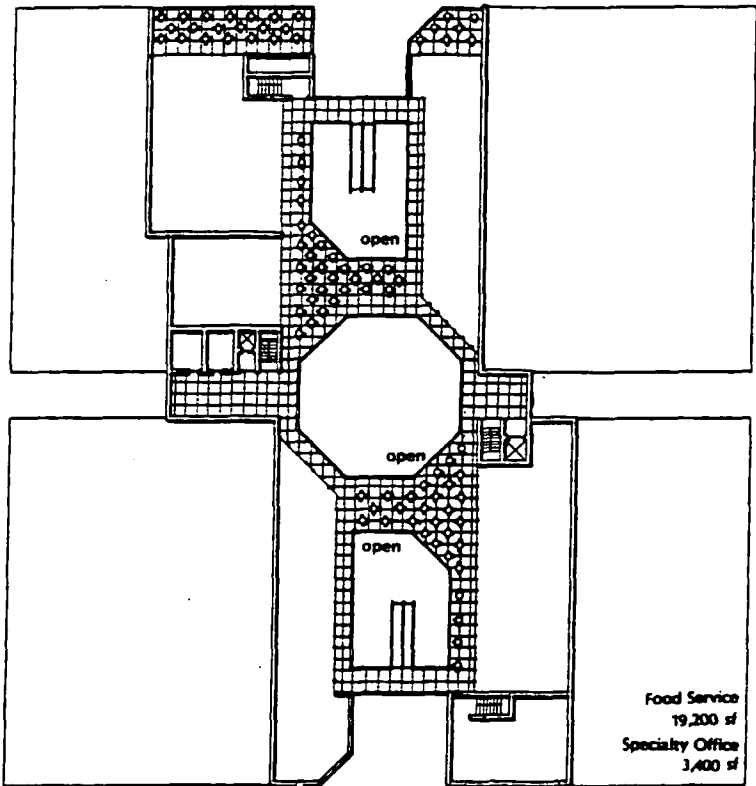
L Street

Street Level

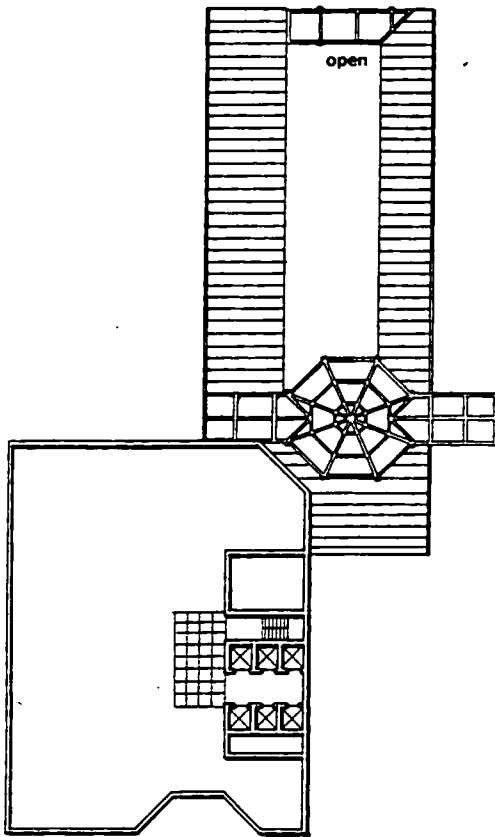
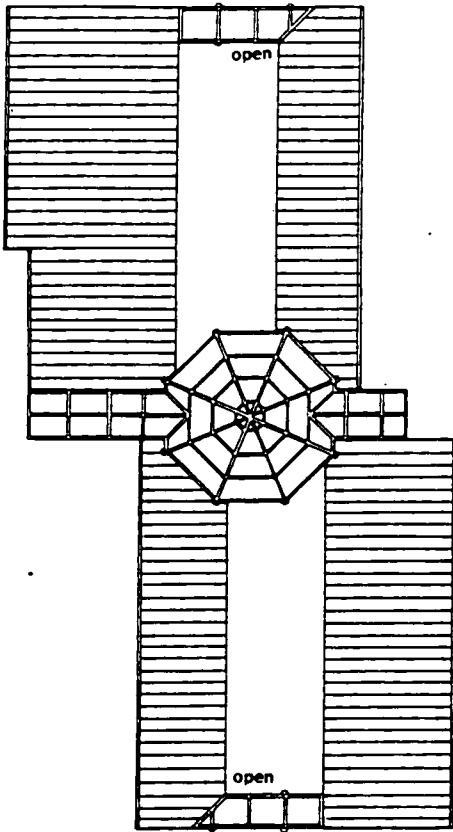
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San Francisco, Calif  
(415) 397-1800



FOOD COURT GALLERIA  
SECOND LEVEL FLOOR PLAN



FOOD COURT GALLERIA  
THIRD LEVEL FLOOR PLAN



Office  
15,800 sf

Third Level  
and Above

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San Francisco, California 94133  
(415) 397-1888



