

**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
ENVIRONMENTAL ASSESSMENT NO. EA-17-033**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY  
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS  
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

**APPLICANT:** Claudia G. Cazares of Granville Homes  
1396 West Herndon Avenue, Suite 101  
Fresno, CA 93711-7126

**PROJECT LOCATION:** On the northeast corner of East Copper and North Millbrook  
Avenues. (See Exhibit B)

**PROJECT DESCRIPTION:** The applicant proposes to vacate a portion of the Public Utility  
Easement and the Public Street Easement areas. Based on a review  
of the proposed project by other City of Fresno Departments and  
outside reviewing agencies, the vacation is approved with conditions  
as noted in Exhibit A.

**This project is exempt under Sections 15301(c)/Class 1 of the California Environmental  
Quality Act (CEQA) Guidelines.**

**EXPLANATION:**

Under the Section 15301(c)/Class 1 exemption, the minor alteration of existing public facilities,  
such as streets, sidewalks, etc., involving no expansion of use beyond that existing at this time, are  
exempt from CEQA requirements. The vacation will remove unneeded easements and return the  
property's usability over to the adjoining private property owners. The proposed vacation of the  
above-described land meets the criteria noted above. No significant effects would occur as a result  
of the proposed project. Therefore, the above described project complies with the conditions  
described in Section 15301/Class 1 of the CEQA Guidelines. None of the exceptions to  
Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project.

Date: October 30, 2017

Prepared By: Jarred Olsen, Planner II

Submitted By:



\_\_\_\_\_  
McKencie Contreras, Supervising Planner  
City of Fresno  
Development and Resource Management Department  
(559) 621-8066

**Attachments:** Feasibility Study and its attachments, dated October 28, 2014, labeled Exhibit A  
Vacation Exhibit, labeled Exhibit B

ENGINEERING SERVICES DIVISION  
2600 Fresno Street RM 4064  
Fresno, California 93721-3615  
(559) 621-8800 • www.ci.fresno.ca.us

Scott L. Mozier, Director

October 28, 2014

Bret Giannetta  
Gary G. Giannetta Civil Engineering & Land Surveying  
1119 S Street  
Fresno, California 93721

**SUBJECT: PROPOSED VACATION OF A PORTION OF STREET EASEMENT AND PUBLIC UTILITY EASEMENT AT THE NORTHEAST CORNER OF COPPER AND MILLBROOK AVENUES**

The vacation feasibility study you requested has been completed. Findings indicate the vacation proposal shall not proceed until you have addressed the following concerns:

Fabian Cano of PG&E states that: The proposed vacation should not proceed, due to some inaccuracies in Giannetta Engineering's vacation exhibit plans. Please review the suggested dimensioning editing (attached), as both vacation exhibits (in which Giannetta will need to revise) are not consistent with the current PUE as shown on Exhibit B of 2009's City of Fresno Resolution No. 2009-138. The markings that I made are only suggestive as I tried, with several assumptions, to comprehend the 13' wide dimension noted on these plans.

With that said, there are also underground electric facilities in this immediate area. 10 foot wide is our standard easement width for an underground electric line that is part of the distribution circuit. Our facilities at this area located northeast of Copper & Millbrook Avenues were built in 2006, 119 feet (+/-) north of the 22' wide PG&E easement that runs East-West straddling the north side of Copper Ave. The 2009 easement reservation is reflective of our easement width standards, it being 10 foot wide above the 55 foot long portion.

Even with Giannetta Engineering's corrections on the vacation exhibits, vacating any of the easement width will not be in the company's best interest. The company can only allow PUE vacation for the portion north of the underground electric box. Looking at it, it may possibly be a 55'x10' northern portion (non-occupied PG&E portion)? Nonetheless this will need to be surveyed by the requestor to determine on how much of that 180 foot total length portion, north of the underground electric box, can be vacated.

Please contact Fabian Cano at [fxcg@pge.com](mailto:fxcg@pge.com) to address PG&E's concerns. The City will need written confirmation (email okay) from Fabian that his concerns have been addressed, that PG&E approves any revisions to the vacation exhibits, and that the vacation can proceed.

Other responses received indicate that the proposed vacation is feasible subject to the following conditions:

1. The Fresno Metropolitan Flood Control District (FMFCD) states that the proposed vacation lies within the District's Drainage Area "DE". The District has existing Master Plan facilities as shown on the Vacation Exhibit. The District requires the Master Plan drainage patterns remain as designed within the proposed vacation area. Any proposed revisions to the

existing District facilities or drainage pattern must be reviewed by the District prior to the implementation. If you have any questions, please contact Neda Shakeri of FMFCD at (559) 456-3292.

2. The City of Fresno Public Works Department's Project Management Division requires that the Multi Purpose Trail easement extend to the new east right-of-way line of North Millbrook Avenue. Reserve what can be reserved from the street (unless you vacate via the map) and dedicate what is necessary to satisfy this requirement. Please see the attached exhibits with the notes about the trail. If you have any questions or concerns please contact Jesus Gonzalez Jr, Project Manager for the Cooper Trail improvements, at 621-8793.

If the vacation is proposed to occur with the final Map of Tract No. 5945 in accordance with the Subdivision Map Act and local ordinances, please coordinate the vacation process with the City staff that is processing the final map and the planning analyst who processed the tentative map approval.

If the vacation is to be done by Council resolution and not with the map, a processing fee in the amount of \$1,555.00 is required by Public Works to cover the cost of administration and legal notices prior to continuing this process for City Council action. We will need: 1) an 8.5" X 11" vicinity map for the City Council Staff Report showing the vacation area relative to the nearest main streets within a half mile with the title of: Attachment 1 Vicinity Map, 2) Exhibits "A" and "B" that describe and show the street easement vacation and reservations, and 3) Exhibits "C" and "D" showing the public utility easement vacation.

Both of the above vacation processes require an environmental assessment (EA) that addresses the vacation. The EA application and fee should be submitted to the City of Fresno Planning and Development Department. Mike Sanchez of the City's Development Department at 621- 8040 can provide you with further information about the environmental assessment. Once the EA has been completed, please provide a copy to us if the vacation is to be by Council action or to the staff that is processing the map if the vacation is to be done with the map.

For your information, the City of Fresno has only an easement interest in the subject area and the City has no legal authority to make a determination as to what portion of the underlying fee title to the vacated area may be added to adjacent properties.

The study done for this proposed vacation will expire in one year. Therefore, please notify this office by October 29, 2015 of your intention regarding the pursuit of this vacation.

Please contact me at 621-8693 or by email at [Alan.James@fresno.gov](mailto:Alan.James@fresno.gov) if you have any questions.

Sincerely,

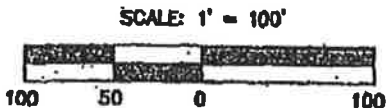


Alan James  
Supervising Engineering Technician

Attachments: PG&E's comments on Vacation Exhibit  
City's comments on Vacation Exhibit

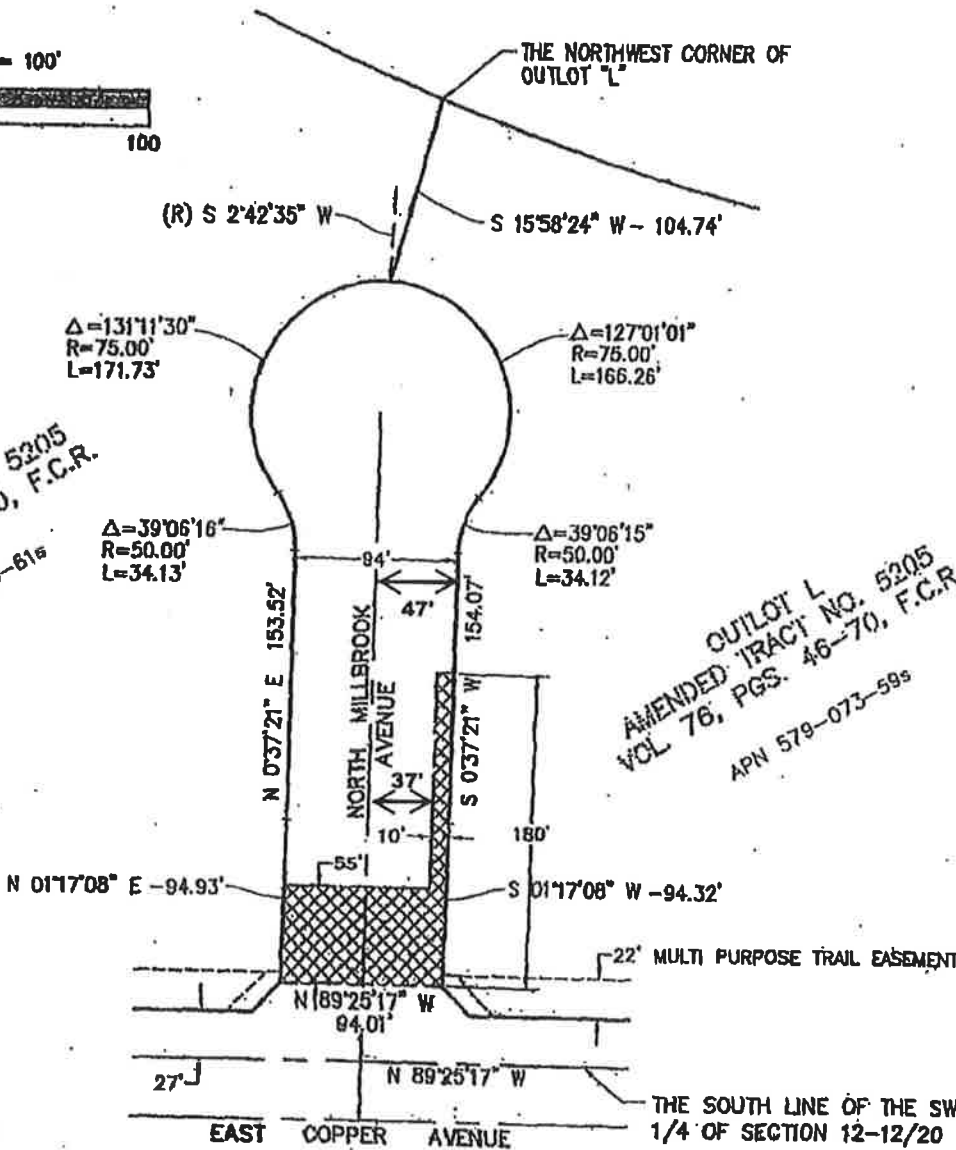
P.W. File No. 11836

# EXHIBIT "B"



**OUTLOT M**  
**AMENDED TRACT NO. 5205**  
**VOL. 76, PGS. 46-70, F.C.R.**  
**APN 579-073-615**

**OUTLOT L**  
**AMENDED TRACT NO. 5205**  
**VOL. 76, PGS. 46-70, F.C.R.**  
**APN 579-073-595**



INDICATES AREA TO BE RESERVED FOR PUBLIC UTILITY EASEMENT PURPOSES.

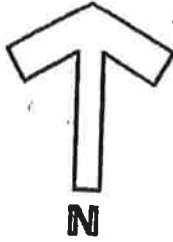
**PREPARED BY:**  
**GARY GIANNETTA**  
**1119 "S" STREET**  
**FRESNO, CA. 93721**  
**(559) 284-3590**

4/20/09

REF. & REV. ACCT NO. FILE NO. TRACT 5205	<b>CITY OF FRESNO</b>		PROJ. NO. _____ FUND NO. _____ ORG. NO. _____
	A PORTION OF SECTION 12, T 12 S, R 20 E, M.D.B. & M.		DR. BY: B. GIANNETTA CH BY: _____ DATE: _____ SCALE: AS NOTED
			SHEET NO. 1 OF 1 SHEET <b>15-A</b>

# VACATION EXHIBIT

SHEET 1 OF 2



SCALE: 1" = 80'



PROPOSED 12" WATER

PROPOSED CURB AND GUTTER

FUTURE ROW

PROPOSED 8" WATER

PROPOSED 8" SEWER



INDICATES PUBLIC UTILITY EASEMENT TO BE VACATED



INDICATES PUBLIC STREET TO BE VACATED AND RESERVED AS A PUBLIC MULTI-PURPOSE TRAIL AND PUBLIC UTILITY EASEMENT

PROPOSED 12" WATER

EX. ROW

OUTLOT M

PROPOSED CURB AND GUTTER

TRACI NO. 5205

OUTLOT L

PREVIOUSLY RESERVED FOR PUBLIC UTILITY PURPOSES PER CITY OF FRESNO COUNCIL RESOLUTION NO. 2009-138 RECORDED JULY 7, 2009 AS DOCUMENT NO. 2009-0091852, FRESNO COUNTY RECORDS

PROPOSED DI

EX. DI TO BE REMOVED

APN 579-090-238

SEE SHEET 2

EX. EDGE OF PAVEMENT

SECTION LINE

EX. MEDIAN (TYP)

MILBROOK AVENUE

MILBROOK NORTH

EX. 24" SD

EAST COPPER AVENUE

EX. 8" SEWER

EX. 14" WATER

PREPARED BY:  
GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA. 93721  
(559) 264-3590

DATE: 9/15/14

50

County: Fresno  
Division: FRESNO



1 inch = 100 feet  
0 100 200 400 Feet

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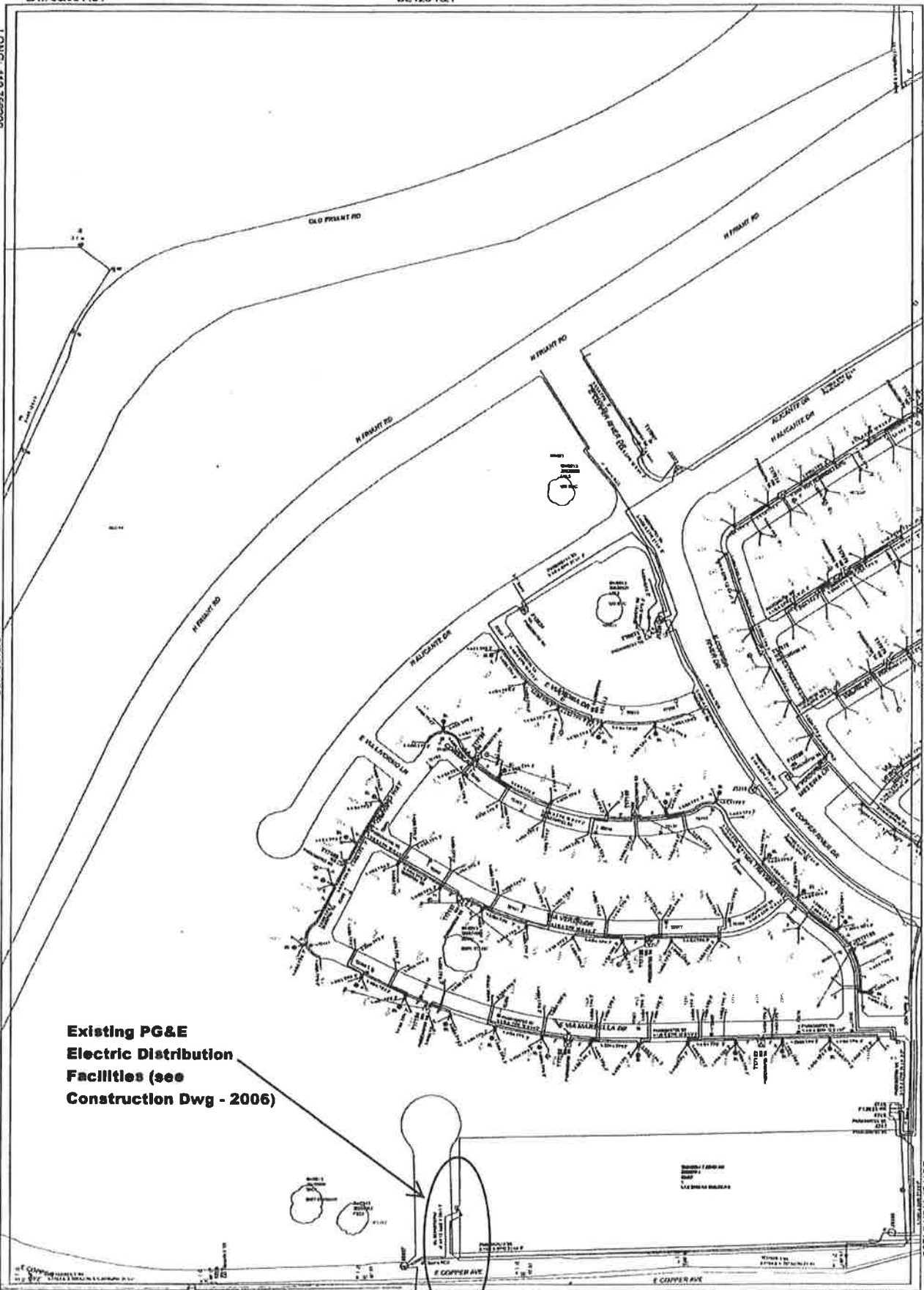
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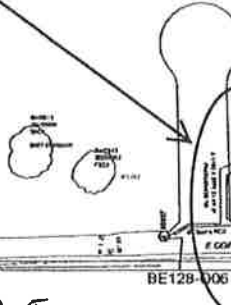
BE128-N05

BE128-O02

LONG: -119.764286



**Existing PG&E  
Electric Distribution  
Facilities (see  
Construction Dwg - 2006)**



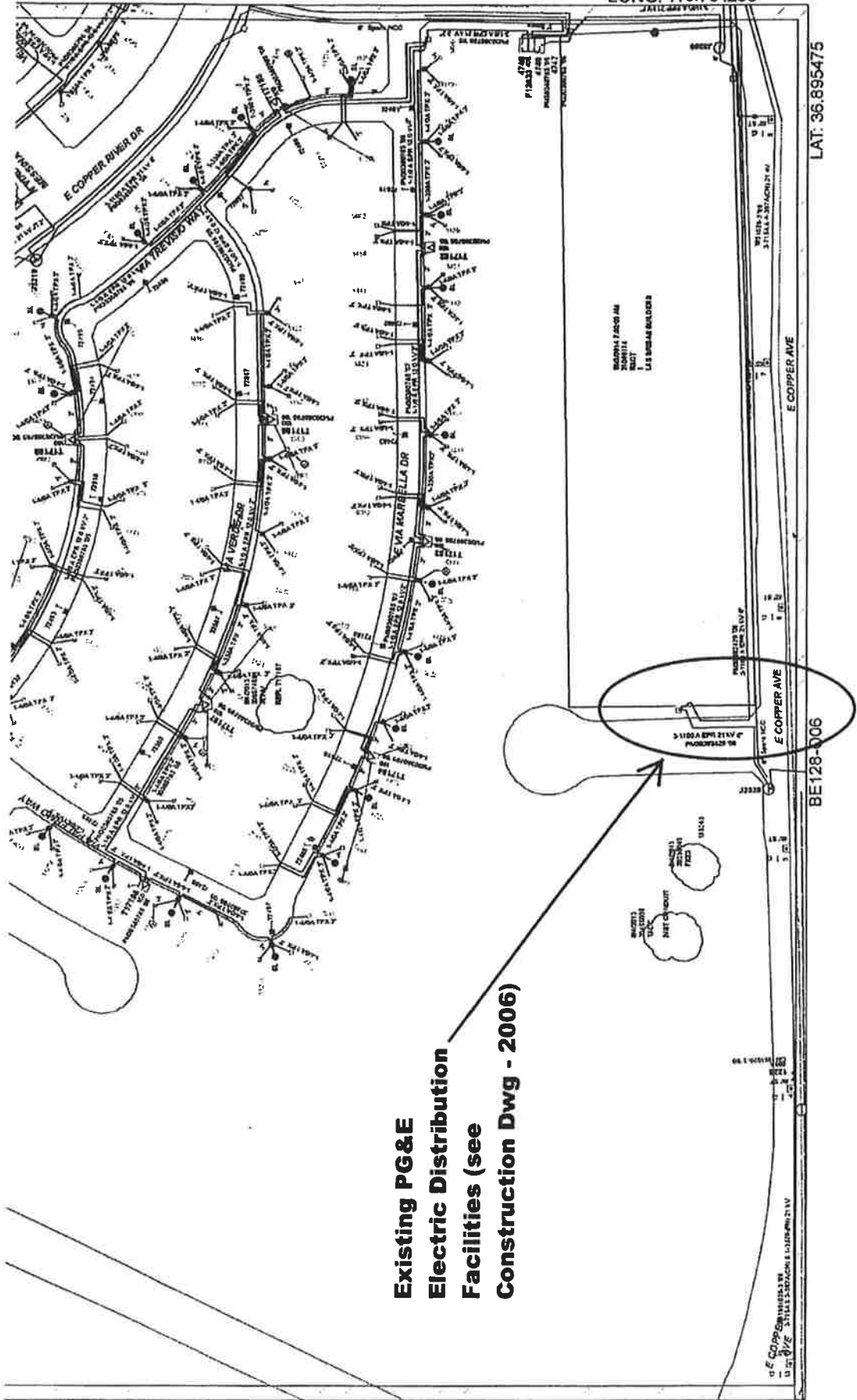
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PG&E

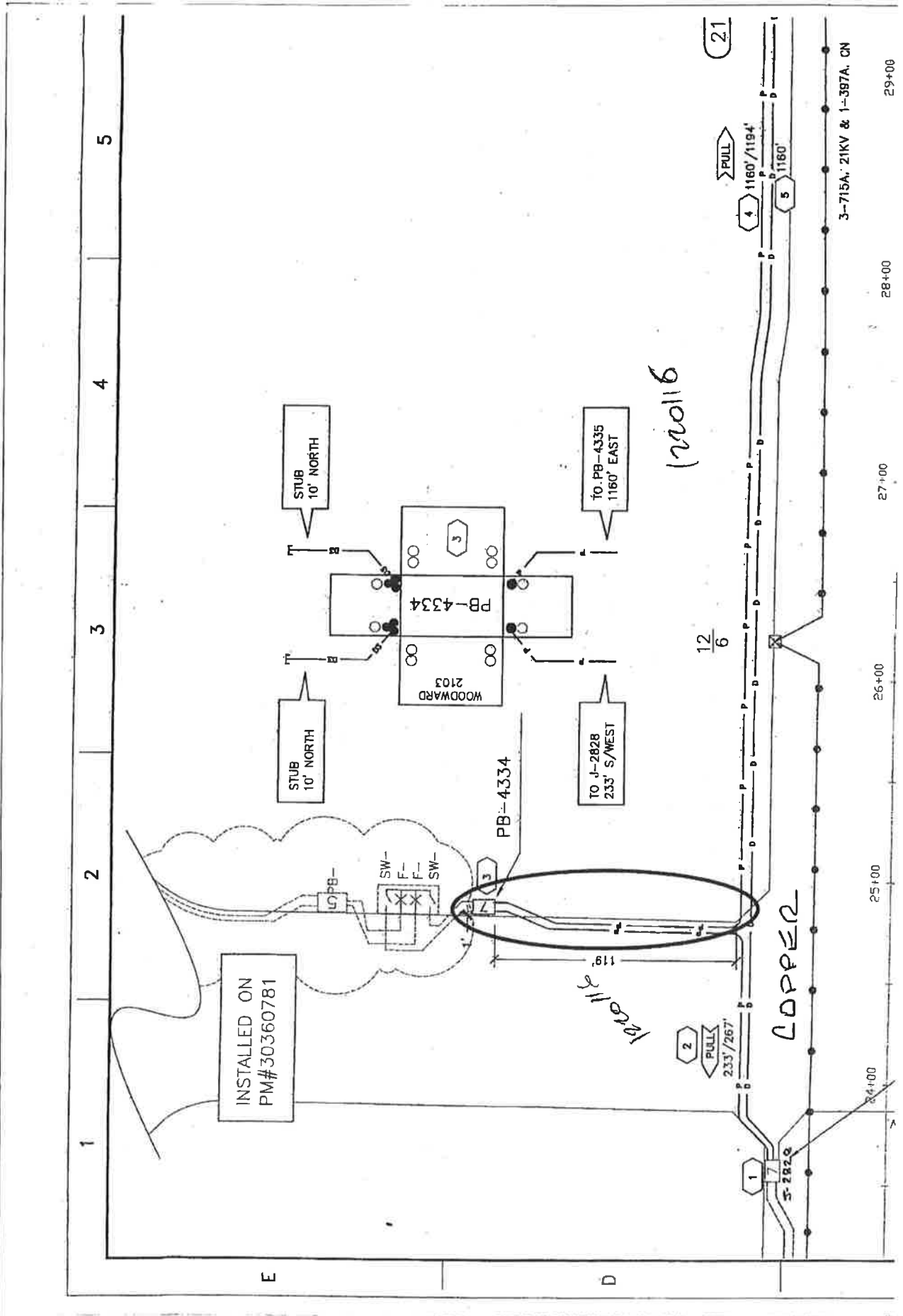
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 Electric Distribution  
 Facilities (see  
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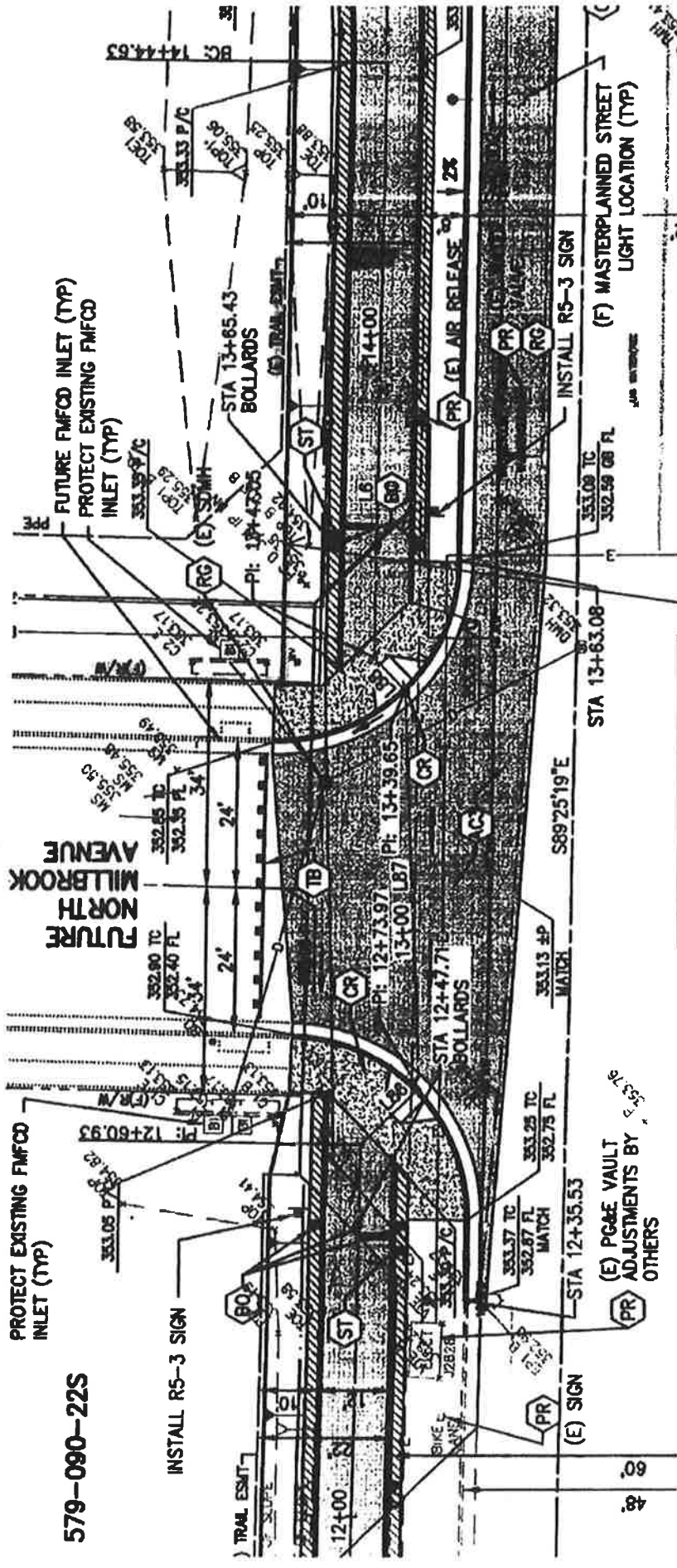
PG & E



PG & E



579-090-22S



Ex. trail easement extends to future RW.

CITY

# VACATION EXHIBIT

SHEET 2 OF 2

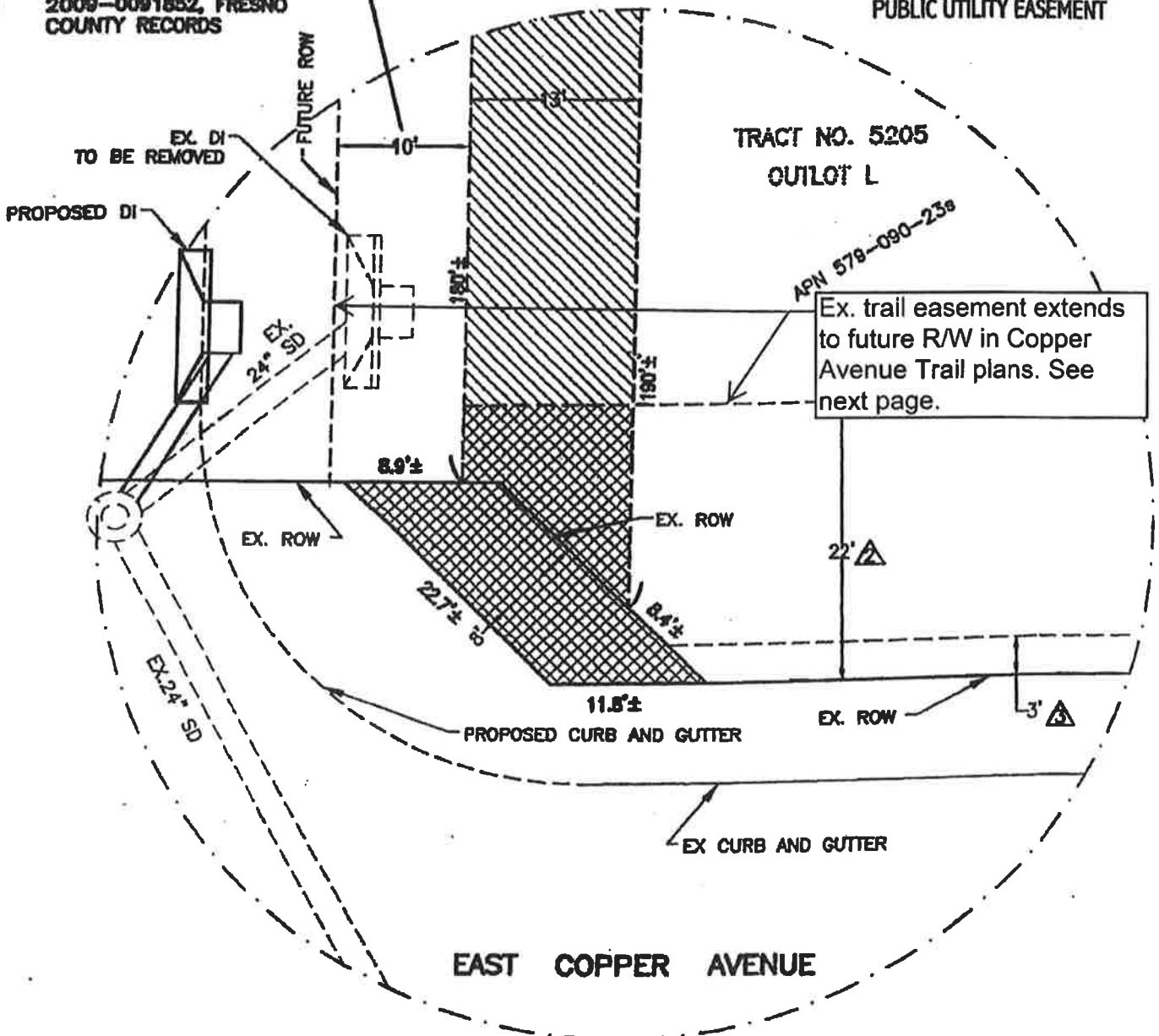


INDICATES PUBLIC UTILITY EASEMENT TO BE VACATED



INDICATES PUBLIC STREET TO BE VACATED AND RESERVED AS A PUBLIC MULTI-PURPOSE TRAIL AND PUBLIC UTILITY EASEMENT

PREVIOUSLY RESERVED FOR PUBLIC UTILITY PURPOSES PER CITY OF FRESNO COUNCIL RESOLUTION NO. 2009-138 RECORDED JULY 7, 2009 AS DOCUMENT NO. 2009-0091852, FRESNO COUNTY RECORDS



▲ PREVIOUSLY DEDICATED FOR MULTI PURPOSE TRAIL EASEMENT PURPOSES, PER AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 76 OF PLATS, AT PAGES 46 THROUGH 70, FRESNO COUNTY RECORDS

▲ PREVIOUSLY DEDICATED FOR PG&E EASEMENT PURPOSES, PER DOCUMENT NO. 2006-0127434 RECORDED JUNE 19, 2006 F.C.R.

▲ PG&E EASEMENT FOR PUBLIC UTILITIES RECORDED AS DOCUMENT NO. 97048897, O.R.F.C.

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 GARY GIANNETTA  
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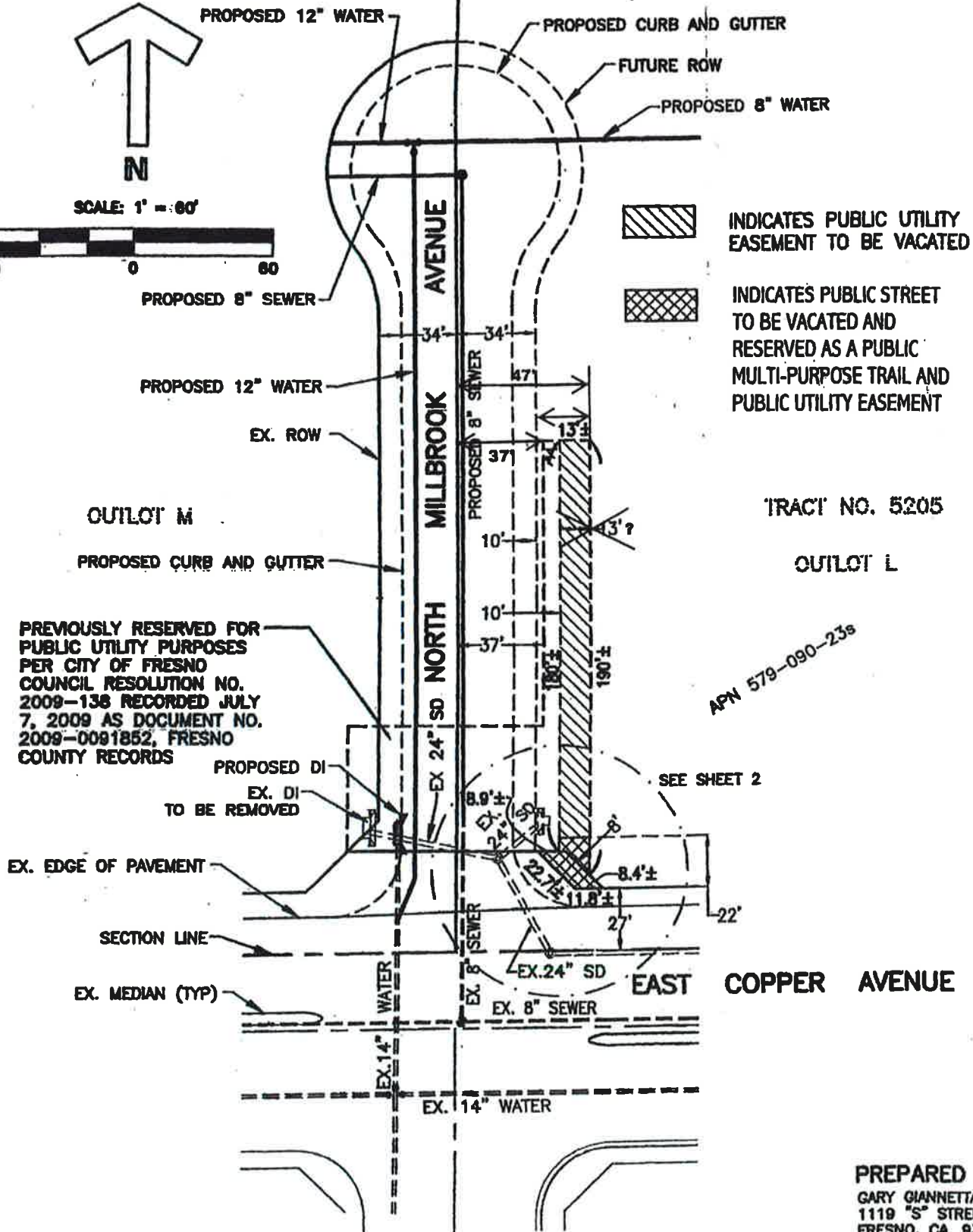
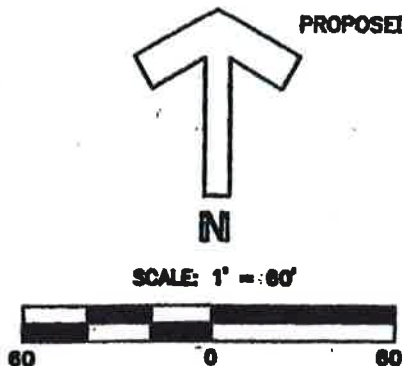
9/15/14

CITY

# VACATION EXHIBIT

**Exhibit B**

SHEET 1 OF 2



**PREPARED BY:**  
 GARY GIANNETTA  
 1119 "S" STREET  
 FRESNO, CA. 93721  
 (559) 264-3590

DATE: 9/15/14

# VACATION EXHIBIT

SHEET 2 OF 2

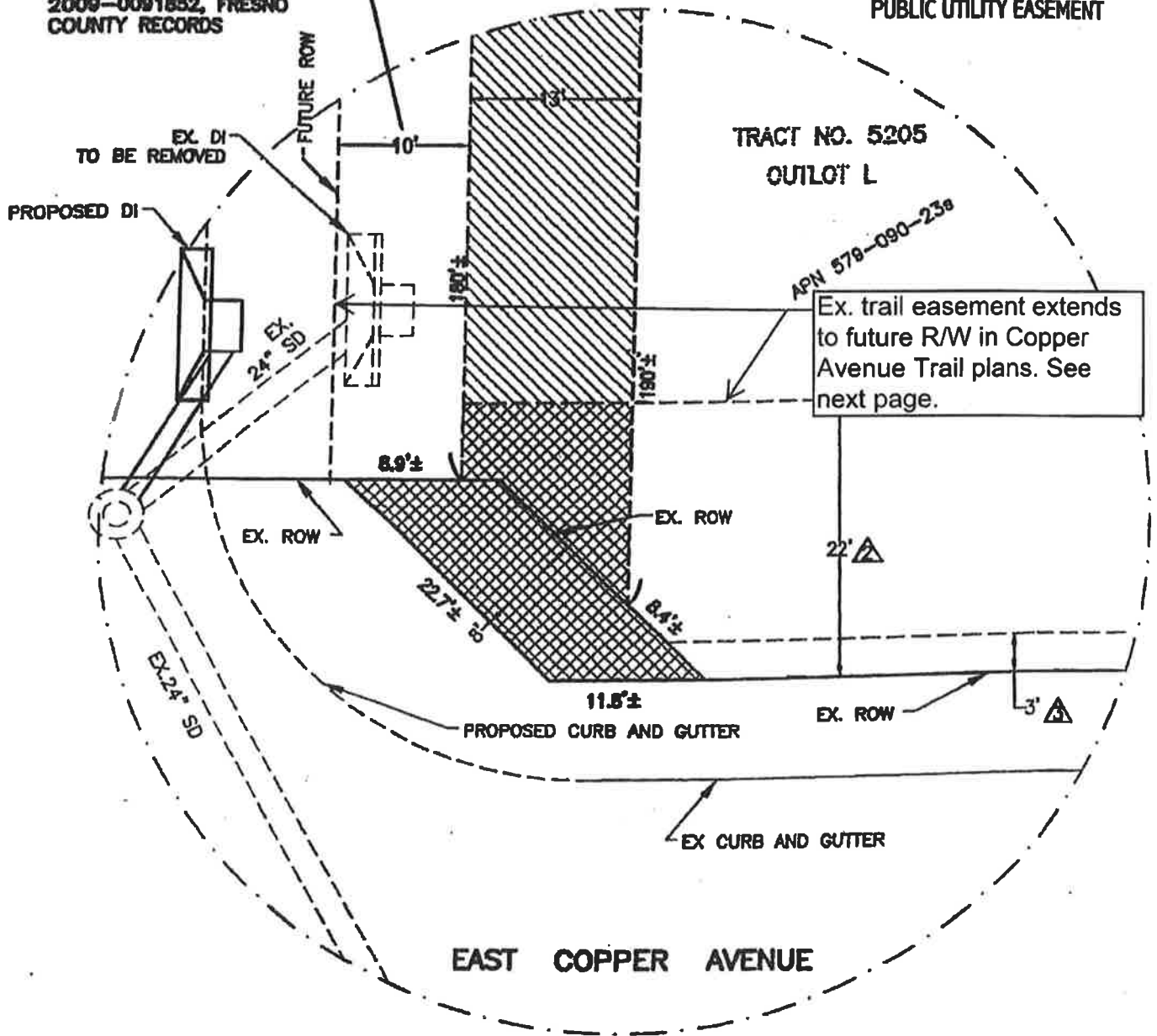


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