

PLEASE POST FOR 30 DAYS

NOTICE OF EXEMPTION

FROM: City of Fresno Planning and Development Department
2600 Fresno Street
Fresno, California 93721-3604

TO: X Fresno County Clerk
2220 Tulare Street – First Floor Lobby
Fresno, California 93721

_____ Office of Planning & Research
P.O. Box 3044, Room 212
Sacramento, California 95812-3044

Project Title: Environmental Assessment No. P23-01378

Project Location: Portion of Lot 336, located at 6493 North Riverside Drive, Suite 102 (APN: 504-092-34S), which is located southwest of North Riverside Drive and West Palo Alto Avenue in Fresno, California (Marketplace at El Paseo Shopping Center). (See attached Exhibits A and B)

Project Location – City: City of Fresno **Project Location- county:** County of Fresno

Description of Nature, Purpose, and Beneficiaries of Project: The scope of work for the proposed project includes the vacation of a segment of the existing water main public utility easement at 6493 North Riverside Drive located generally on the southwest corner of the parcel (APN 509-092-34S). The total area to be vacated is approximately ±1,265 square feet. The vacated space will be a new water main easement with service established. The vacation is approved with no conditions, as noted in the letter from the City of Fresno Public Works Department dated March 30, 2023.

Beneficiaries of the project would be: Millbrook & Nees, LLC
1396 West Herndon Avenue, # 101
Fresno, CA 93711

Name of Public Agency Approving Project: City of Fresno

Name of Person or Agency Carrying Out Project: Brandon Leitze
Rich Development
500 S. Sepulveda Blvd. #304
Manhattan Beach, CA 90266

Exempt Status: (check one)

- Ministerial - PRC § 21080(b)(1); CEQA Guidelines §15268
- Declared Emergency - PRC § 21080(b)(3); CEQA Guidelines §15269(a)
- Emergency Project - PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)
- Categorical Exemption – CEQA Guidelines §15305/Class 5 (Minor Alteration in Land Use Limitations)**
- Statutory Exemption – PRC § _____

Reasons why the project is exempt:

Section 15305 (Class 5/Minor Alteration in Land Use Limitations) of the CEQA Guidelines exempts projects characterized as minor alterations in land use limitations from the provisions of CEQA. The proposed project is consistent with the conditions of Section 15305, as demonstrated in the attached Categorical Exemption Determination for Environmental Assessment Application No. P23-01378.

Lead Agency Contact Person: Brittany Martin, Planner II
City of Fresno Planning and Development Department

Full telephone no.: (559) 621-8059

If filed/signed by the applicant:

Attach certified document of exemption finding (check if attached)

Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  **Date:** 10-31-23

Printed Name and Title: Jose Valenzuela, Supervising Planner
City of Fresno Planning and Development Department

Signed by Lead Agency

Signed by applicant.

Attachments: Feasibility Study Findings Dated March 30, 2023
Exhibits A and B
Categorical Exemption Environmental Assessment No. P23-01378

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. P23-01378**

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

APPLICANT: Brandton Leitze
Rich Development
500 South Sepulveda Boulevard, No.304
Manhattan Beach, CA 90266

PROJECT LOCATION: Portion of Lot 336, located at 6493 North Riverside Drive, Suite 102 (APN: 504-092-34S), which is located southwest of North Riverside Drive and West Palo Alto Avenue in Fresno, California (Marketplace at El Paseo Shopping Center). (See attached Exhibits A and B)

PROJECT DESCRIPTION: The scope of work for the proposed project includes the vacation of a segment of the existing water main public utility easement at 6493 North Riverside Drive located generally on the southwest corner of the parcel (APN: 509-092-34S). The total area to be vacated is approximately $\pm 1,265$ square feet. The vacated space will be a new water main easement with service established. The vacation is approved with no conditions, as noted in the letter from the City of Fresno Public Works Department dated March 30, 2023.

This project is exempt under Section 15305/Class 5 (Minor Alteration in Land Use Limitations) of the California Environmental Quality Act (CEQA) Guidelines. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2, apply to this project.

EXPLANATION: Under Section 15305 (Class 5/Minor Alteration in Land Use Limitations) of the CEQA Guidelines, the proposed project is exempt from CEQA requirements when the project consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to minor lot line adjustments not resulting in the creation of any new parcel.

The proposed vacation of the land referenced above is consistent with the Class 5 Categorical Exemption because the project is requesting to vacate a segment of the existing water main public utility easement. A new water main easement with established service and water main installed will replace the vacated water main easement. The City of Fresno is not aware of any potential projects that may be conducted where the

easement is currently located. The proposed improvement is a minor alteration and does not constitute changes in land use or density. The proposed project involves negligible expansion of the existing use and will have substantially the same purpose.

None of the exceptions to Categorical Exemptions set forth in CEQA Guidelines, Section 15300.2, apply to this project. Therefore, no adverse environmental impacts will occur as a result of the proposed project. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: October 31, 2023

Prepared By: Brittany Martin, Planner II

Submitted By:



Jose Valenzuela
Supervising Planner
City of Fresno
Planning and Development
Department
(559) 621-8070

City Hall
2600 Fresno Street, RM 4016
Fresno, California 93721
Ph. (559) 621-8800
www.fresno.gov

Scott L. Mozier
Public Works Director

March 30, 2023

Brandton K. Leitze
Rich Development
500 South Sepulveda Blvd., Suite 304
Manhattan Beach, CA 90266

SUBJECT: PROPOSED VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT
IN LOT 336 OF J. C. FORKNER FIG GARDENS SUBDIVISION NO. 3

The vacation feasibility study you requested has been completed. Findings indicate the vacation proposal is feasible subject to no conditions. If you choose to move forward with a summary vacation, please see the instructions below.

A processing fee in the amount of \$1,555.00 is required to cover the cost of administration and legal notices prior to continuing this process for City Council action. An Environmental Assessment (EA) for the entire project that accurately addresses the vacation is required to proceed with the vacation. If you do not have one, the EA application and fee should be submitted to the City of Fresno's Planning and Development Department. The planner for the project can provide you with further information about the environmental assessment. Once the EA has been completed, please provide a copy to us.

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 March 30, 2024, of your intention regarding the pursuit of this vacation.

Please contact me at (559) 621-8681 or by email at Jason.Camit@fresno.gov if you have any questions.

Sincerely,

Jason A. Camit, PLS
Chief Surveyor

Attachment: None

P.W. File No. 13225

EXHIBIT A

VACATION OF WATERMAIN (Portion)

APN 504-091-69 (portion)

That portion of that certain parcel granted to the City of Fresno for water main purposes by Grant Deed recorded August 23, 2013 as Document No. 2013-121620, Official Records Fresno County, being in Lot 336 of J.C. Forkner Fig Gardens Subdivision No. 3, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Volume 8 of Plats, Page 79, Fresno County Records, described as follows:

COMMENCING at the most southerly corner of Parcel N of Parcel Map No. 2008-13, recorded in Book 71 of Parcel Maps, Pages 81-89, Fresno County Records; thence North 40° 11' 34" East, along the southeasterly line of said Parcel N, a distance of 60.00 feet; thence South 49° 49' 49" East, along the southwesterly line of said parcel granted to the City of Fresno for water main purposes, a distance of 21.00 feet to the TRUE POINT OF BEGINNING; thence North 40° 11' 34" East, a distance of 22.00 feet; thence South 49° 49' 49" East, along the northeasterly line of said water main easement and its northwesterly prolongation, a distance of 57.50 feet; thence South 40° 11' 34" West, along the southeasterly line of said water main easement, a distance of 22.00 feet; thence North 49° 49' 49" West, along the southwesterly line of said water main easement, a distance of 57.50 feet to the True Point of Beginning.

Contains an area of: 1265 Sq. Ft., more or less.



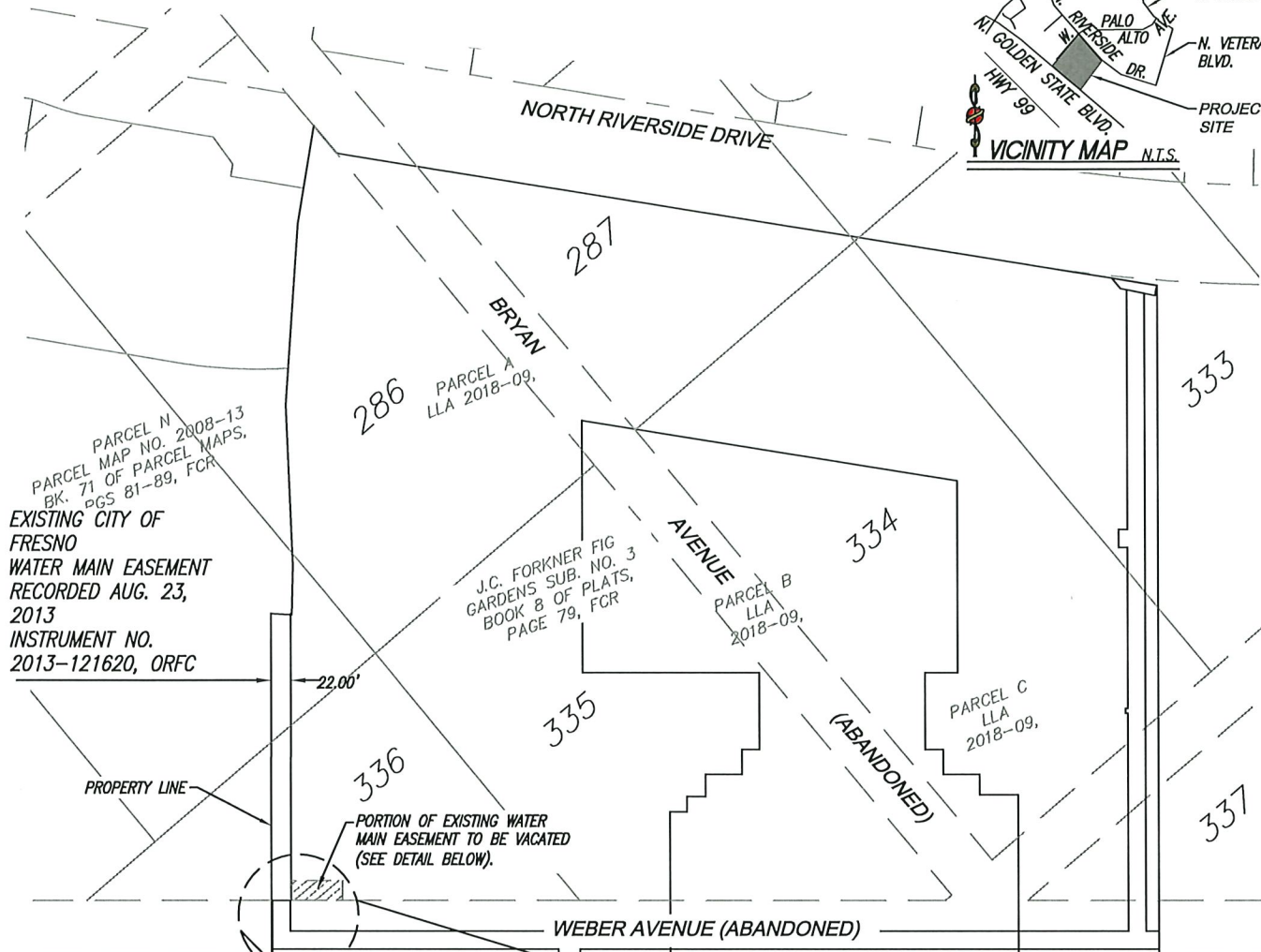
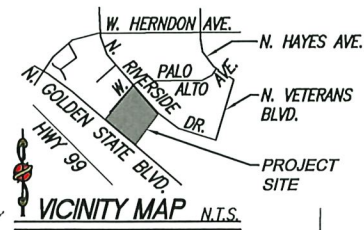
1-20-2023

FILE NO. 13225

PLAT 1342

WATER JOB J5755

EXHIBIT "B"



PROPERTY INFORMATION

APN: 504-091-69S

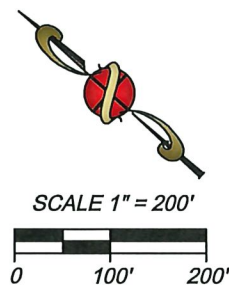
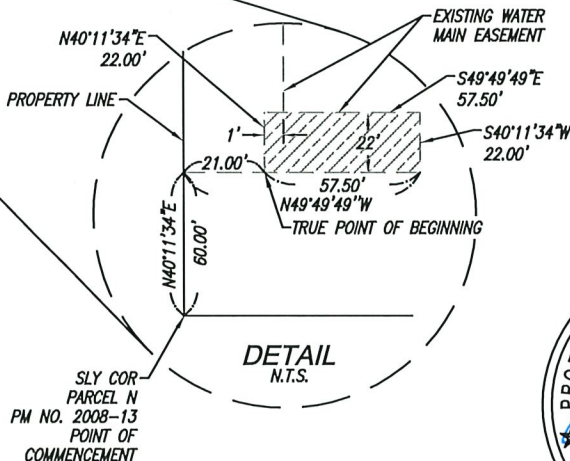
LOCATION:
SOUTH OF NORTH RIVERSIDE DRIVE AND EAST
OF WEST PALO ALTO AVENUE.

LEGEND

EXISTING CITY OF FRESNO
WATER MAIN EASEMENT AREA
TO BE VACATED



AREA: 1,265 SQ. FT. MORE OR LESS



1-20-2023

P:\CIVIL 3D PROJECTS\2022\22-369 SURVEY AND MAPPING\SURVEY EXHIBITS\22-369 WATER VACATION.DWG 1/20/2023 4:00:46 PM

REF. & REV. FILE NO. 13225 PLAT 1342 WATER JOB J5755	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS		PROJ. ID. _____ KRA _____ FUND NO. _____ RES TYPE _____ ORG. NO. _____
	PORTION OF WATER EASEMENT TO BE VACATED		DR. BY _____ IMB _____ CH. BY _____ IMB _____ DATE _____ 01/20/2023 _____ SCALE _____ 1"=200' _____ JOB NO. _____ 23-269 _____
			SHEET NO. _____ 1 _____ OF _____ 1 _____ SHEETS