



Legislation Details (With Text)

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Title: Actions pertaining to Resolution of Intention No. 1107-D to vacate a portion of N. Blythe Avenue, and a portion of a landscape and public utility easement, north of W. Minarets Avenue. (Council District 2)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-017
2. Adopt Resolution of Intention No. 1107-D to vacate a portion of N. Blythe Avenue, and a portion of a landscape and public utility easement, north of W. Minarets Avenue

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. Vicinity Map.pdf, 2. EA-16-017.pdf, 3. 11997 RESO ROI.pdf

Date	Ver.	Action By	Action	Result
8/18/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

August 18, 2016

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

THROUGH: ANDREW J. BENELLI, PE, City Engineer/Assistant Director
Public Works Department, Traffic and Engineering Services Division

JILL GORMLEY, TE, City Traffic Engineer/Division Manager
Public Works Department, Traffic and Engineering Services Division

BY: JASON A. CAMIT, PLS, Chief Surveyor
Public Works Department, Traffic and Engineering Services Division

SUBJECT

Actions pertaining to Resolution of Intention No. 1107-D to vacate a portion of N. Blythe Avenue, and a portion of a landscape and public utility easement, north of W. Minarets Avenue. (Council District 2)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-017

2. Adopt Resolution of Intention No. 1107-D to vacate a portion of N. Blythe Avenue, and a portion of a landscape and public utility easement, north of W. Minarets Avenue

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-017.
2. Adopt Resolution of Intention No. 1107-D for the proposed vacation of a portion of North Blythe Avenue, and portion of a landscape and public utility easement, north of West Minarets Avenue, and set the required hearing at 10:00 a.m. on September 15, 2016.

EXECUTIVE SUMMARY

The adjacent property owners (Jeffrey S. Argyilan, Stan Rosenthal, and J. Todd Armas) to the affected area are requesting the vacation of this portion of North Blythe Avenue. The purpose of this vacation is to remove a sidewalk area within the right-of-way, and vacate a portion of a landscape and public utility easement that is not needed.

BACKGROUND

The adjoining property owners have requested that the City vacate a landscaping buffer and sidewalk on the west side of north Blythe near Sierra Sky Park Airport. This sidewalk terminates onto private property and essentially leads to nowhere to the north. There are storm drainage facilities over the northerly 20 feet of the public utility easement area proposed for vacation that will be reserved as a public utility easement.

The public street right-of-way, landscape and public utility easement being vacated is shown on Exhibit "A" of the attached Resolution of Intention. The right-of-way is described as that portion of the westerly 20-foot wide North Blythe Avenue by Parcel Map 90-14. The landscape and public utility easement is described as a portion that 10-foot wide easement as dedicated by Tract Map No. 4173.

The Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the portion right-of-way and the portion of the landscape and public utility easement proposed for vacation is unnecessary for present or prospective public street and utility purposes as shown in Exhibit "A" of the attached Resolution of Intent, subject to the reservation of a public utility easement over the northerly 20 feet for existing storm drain facilities, as shown on Exhibit "B", and conditions listed in Exhibit "C" of the attached Resolution of Intent.

City Attorney has approved the attached Resolution of Intention as to form.

The vacation, if approved by the Council at the public hearing, will become effective when the vacating resolution is recorded in the office of the Fresno County Recorder, but not until the City Engineer determines that the conditions specified in Exhibit "C" of the attached resolution have been satisfied and accepted by the City.

ENVIRONMENTAL FINDINGS

This project is exempt under Sections 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-017. Under the Section 15301/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 unusable sidewalks and return the property's maintenance 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.

LOCAL PREFERENCE

Not applicable because the vacation of public right-of-way does not involve bidding or contracting.

FISCAL IMPACT

There will be no City funds involved with this vacation. The adjacent property owners have paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachment:
Vicinity Map
EA-16-017
Resolution of Intent No. 1107-D