



Legislation Details (With Text)

**File #:** ID 20-00589    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Agenda Ready  
**File created:** 5/4/2020    **In control:** City Council  
**On agenda:** 5/21/2020    **Final action:** 5/21/2020

**Title:** Actions pertaining to Resolution of Intent Number 1137-D to vacate a portion of Mono Street and a portion of the R Street and S Street alley, east of R Street (Council District 3)  
1. Adopt a finding of Categorical Exemption for Environmental Assessment Number P19-02935 per staffs determination, pursuant to Section 15301/Class 1 and Section 15303/Class 3 of the California Environmental Quality Act (CEQA) Guidelines  
2. Adopt Resolution of Intent Number 1137-D to vacate a portion of Mono Street and a portion of the R-S alley, east of R Street

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-00589 Mono Vacation Vicinity Map, 2. 20-00589 Mono Vacation Environmental Assessment, 3. 20-00589 Mono Vacation Resolution of Intent 1137-D

Date	Ver.	Action By	Action	Result
5/21/2020	1	City Council	approved	

**REPORT TO THE CITY COUNCIL**

**May 21, 2020**

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

**THROUGH:** RANDALL W. MORRISON, PE, Assistant Director  
Public Works Department, Engineering Division

**BY:** JASON A. CAMIT, PLS, Chief Surveyor  
Public Works Department, Engineering Division, Right of Way Section

**SUBJECT**

Actions pertaining to Resolution of Intent Number 1137-D to vacate a portion of Mono Street and a portion of the R Street and S Street alley, east of R Street (Council District 3)

1. Adopt a finding of Categorical Exemption for Environmental Assessment Number P19-02935 per staffs determination, pursuant to Section 15301/Class 1 and Section 15303/Class 3 of the California Environmental Quality Act (CEQA) Guidelines
2. Adopt Resolution of Intent Number 1137-D to vacate a portion of Mono Street and a portion of the R-S alley, east of R Street

**RECOMMENDATIONS**

Staff recommends the City Council adopt a finding of Categorical Exemption for Environmental Assessment Number P19-02935 and adopt Resolution of Intent Number 1137-D for the proposed vacation of a portion of Mono Street and a portion of the R Street and S Street alley, east of R Street, and set the required public hearing at 10:00 a.m. on June 11, 2020.

## **EXECUTIVE SUMMARY**

Moore-Twinning is requesting the vacation of a portion of Mono Street and a portion of the R Street and S Street alley, east of R Street as shown on Exhibit "A" of the attached Resolution of Intent. The purpose of this vacation is to allow the adjacent property owners to secure the area, which has had homeless issues.

## **BACKGROUND**

This portion of Mono Street and that portion of the R Street and S Street alley, east of R Street was originally dedicated by the Plat of the City of Fresno in 1888. The construction of State Route 41 created a dead end street on the east portion of Mono Street, east of R Street. The dead end street created traffic circulation issues in this area. East of this proposed vacation area, a portion of Mono Street and a portion of the R Street and S Street alley, east of R Street were previously vacated by Resolution Number 80-15 recorded January 22, 1980 as Instrument Number 7808, Official Records Fresno County. This previous vacation was executed to accommodate development for the Huntington Park Condominiums. The previous street vacation added to traffic circulation issues by creating an additional dead end alley. In addition to the traffic circulation issues, the dead end street and alleys are now being used for homeless encampments. The applicant would like to vacate the remaining portion of Mono Street and the remaining portion of the R Street and S Street alley, east of R Street to close off the street to help prevent the homeless encampments and help secure the area.

The Public Works Department, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street right of way proposed for vacation is unnecessary for present or prospective public street purposes as shown on Exhibit "A", subject to the conditions of approval as listed in Exhibit "B", said exhibits are included in the attached Resolution of Intent.

The City Attorney's Office 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 listed in the attached resolution have been satisfied and accepted by the City.

## **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this project and determined that it falls within the Categorical Exemption set for in the following Sections of the CEQA Guidelines:

Under Section 15301/Class 1, the proposed project is exempt from CEQA requirements.

Section 15301(Class 1/Existing Facilities) consists of the operation, repair, maintenance, permitting,

leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no Expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized are not intended to be all inclusive of the types of projects which might fall with Class 1. This project consists of vacating a portion of a public street easement to resolve a homeless encampment issue. It does not propose the expansion of any current use of this land.

Under Section 15303/Class 3, the proposed project is exempt from CEQA requirements.

Section 15303 (Class 3/New Construction or Conversion of Small Structures) of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. Examples include but are not limited to: Water main, sewage, electrical, gas and other utility extensions, including street improvements of reasonable length to serve such construction. This project proposes to vacate a public street and construction a fence and minor street improvements to prevent trespassing and resolve a homeless encampment issue. The current use of this land will remain the same.

The proposed project consists of vacation of a dead-end street and alley between abutting Freeway 41 totaling 14,695 square feet. The area being abandoned has a reoccurring homeless encampment with significant vandalism to the neighboring properties. The proposed project is consistent with the Fresno General Plan and the Downtown Plan without negatively impacting the characteristics of the area and complies with all conditions described in Section 15301/Class 1 and 15303/Class 3, California CEQA Guidelines. None- of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Furthermore, the proposed project is not expected to have a significant effect on the environment. Accordingly, as the area is not environmentally sensitive, as noted above, a categorical exemption has been prepare for the project.

## **LOCAL PREFERENCE**

Local preference does not apply because the vacation of a public street easement does not involve bidding or contracting.

## **FISCAL IMPACT**

This project has no impact to the General Fund and is located in Council District 3. Moore-Twinning has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

### Attachments:

Mono Vacation Vicinity Map  
Mono Vacation Environmental Assessment  
Mono Vacation Resolution of Intent 1137-D