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**Title:** HEARING - Regarding the vacation the W. Lansing-W. Dakota Avenue alley between N. Weber Avenue and N. Feland Avenue. (Council District 1.)  
1. RESOLUTION - Ordering the vacation of the W. Lansing-W. Dakota Avenue alley between N. Weber Avenue and N. Feland Avenue.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. vicinity.pdf, 2. 12081 ROV RES.pdf

Date	Ver.	Action By	Action	Result
5/11/2017	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**May 11, 2017**

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**SUBJECT**

HEARING - Regarding the vacation the W. Lansing-W. Dakota Avenue alley between N. Weber Avenue and N. Feland Avenue. (Council District 1.)  
1. RESOLUTION - Ordering the vacation of the W. Lansing-W. Dakota Avenue alley between N. Weber Avenue and N. Feland Avenue.

**RECOMMENDATION**

Staff recommends the City Council conduct the required public hearing and at the close of the hearing, adopt the attached resolution ordering the vacation of the West Lansing-West Dakota

Avenue alley between North Weber Avenue and North Feland Avenue as described in Exhibit “A” and as shown on Exhibit “B” of the attached resolution.

## **EXECUTIVE SUMMARY**

Craig Frantzich, owner of a portion of property adjacent to the area is requesting to vacate the West Lansing-West Dakota Avenue alley between North Weber Avenue and North Feland Avenue as described in Exhibit “A” and as shown on Exhibit “B” of the attached resolution. The purpose of the proposed vacation is to eliminate illegal dumping and allow the adjacent property owners to secure the alley.

## **BACKGROUND**

The residents that own property adjacent to this alley have been experiencing many cases of illegal dumping in the alley proposed for vacation. These residents are burdened with the removal of these items that create a blighted area in the neighborhood. Some of the residents have also been victim of theft and would like to secure the alley to eliminate these issues.

The area proposed for vacation is a 20-foot wide alley. The alley is located south of West Lansing Way and north of West Dakota Avenue, between North Weber Avenue and North Feland Avenue. This alley was dedicated as an easement in Block 2 of map of the Dakota Hi-Way Tract, recorded April 11, 1928 in Book 10 of Plat maps, at Page 91, Fresno County Records.

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 proposed for vacation is unnecessary for present or prospective public street purposes as described in Exhibit “A” and as shown on Exhibit “B” of the attached resolution, subject to the reservation of a public utility easement over the entire area proposed for vacation.

This action is being taken pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code Sections 8300-8363).

On April 13, 2017, the Council adopted Resolution of Intention No. 1115-D, setting the time and place for the public hearing at 10:00 a.m. on May 11, 2017, in the Council Chambers at Fresno City Hall. The public hearing has been duly noticed in accordance with the Public Streets, Highways, and Service Easements Vacation Law.

The City Attorney's Office has approved the attached resolution 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.

## **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this project and has determined this project is exempt under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it involves a vacation of an alley which is not an expansion of use beyond that existing at this time. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project.

## **LOCAL PREFERENCE**

Local preference does not apply 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. Craig Frantzich, the adjacent property owner has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

### Attachments:

Vicinity Map

Resolution