



Legislation Details (With Text)

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Title: RESOLUTION - Adopt Resolution of Intent Number 1140-D to vacate a public utility easement on Lots 78 through 81 of Campus Homesites Tract Number 1552 (Council District 5)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. Campus Homesites Vicinity Map, 2. Campus Homesites EA, 3. Resolution Of Intent 1140-D

Date	Ver.	Action By	Action	Result
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REPORT TO THE CITY COUNCIL

April 8, 2021

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THROUGH: RANDALL W. MORRISON, PE, Assistant Director
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SUBJECT

RESOLUTION - Adopt Resolution of Intent Number 1140-D to vacate a public utility easement on Lots 78 through 81 of Campus Homesites Tract Number 1552 (Council District 5)

RECOMMENDATION

Staff recommends the City Council adopt Resolution of Intent Number 1140-D for the proposed vacation of a public utility easement on Lots 78 through 81 of Campus Homesites Tract Number 1552, and set the required public hearing at 10:00 a.m. on May 13, 2021.

EXECUTIVE SUMMARY

The Fresno Pacific University is requesting the vacation of a public utility easement on Lots 78 through 81 of Campus Homesites Tract Number 1552 as described in Exhibit "A" and as shown on Exhibit "B" of the attached Resolution of Intent. The purpose of this vacation is to accommodate

development associated with Conditional Use Permit No. P19-04666, which consists of the construction of a 26,758 square foot Cultural and Arts Center to serve as a special event center for education, social and cultural events at Fresno Pacific University.

BACKGROUND

This portion of the public utility easement was originally dedicated by the map of Tract Number 1552 Campus Homesites that was recorded August 1, 1956, in Volume 18 of Plats, at Page 76, Fresno County Records. The Fresno Pacific University is proposing to vacate a portion of this public utility easement to accommodate development associated with conditional use permit number P19-04666. This development is the new construction of a 26,758 square foot Cultural and Arts Center which will serve as a special event center for education, social and cultural events on its main Fresno campus.

The Public Works Department, other City departments and utility agencies have reviewed the proposed vacation and determined that the public utility easement proposed for vacation is unnecessary for present or prospective public utility purposes, as described in Exhibit "A" and as shown on Exhibit "B", subject to conditions of approval as listed on Exhibit "C", 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

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. Therefore, the Planning and Development Department has adopted a Negative Declaration EA Number P19-05782 and filed it with the County of Fresno Clerk's office on June 26, 2020, for this project.

With the MEIR mitigations imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

LOCAL PREFERENCE

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

FISCAL IMPACT

This project has no impact to the General Fund and is located in Council District 5. Fresno Pacific University has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Campus Homesites Vicinity Map

Campus Homesites EA

Resolution of Intent 1140-D