



Legislation Details (With Text)

File #: ID#15-043 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 1/8/2015 **In control:** City Council

On agenda: 2/5/2015 **Final action:** 2/5/2015

Title: Actions pertaining to the vacation of a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of E. Church Avenue (Council District 3)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Sections 15304 and 15305 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-14-041
2. RESOLUTION - Ordering the summary vacation of a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of E. Church Avenue

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. VICINTY MAP.pdf, 2. EA-14-041.pdf, 3. Resolution.pdf

Date	Ver.	Action By	Action	Result
2/5/2015	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

February 5, 2015

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, PE, City Traffic Engineer/Division Manager
Public Works Department, Traffic and Engineering Services Division

BY: ALAN JAMES, Supervising Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT

Actions pertaining to the vacation of a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of E. Church Avenue (Council District 3)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Sections 15304

and 15305 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-14-041

2. RESOLUTION - Ordering the summary vacation of a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of E. Church Avenue

RECOMMENDATIONS

Staff recommends the City Council adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15304 (Class 4/Minor Alterations to Land) and Section 15305 (Class 5/Minor Alterations in Land Use Limitations) of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-14-041 and adopt the attached resolution ordering the summary vacation of a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of East Church Avenue.

EXECUTIVE SUMMARY

Lawrence B Stone Properties #24, LLC has requested the vacation of a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of East Church Avenue as shown on Exhibit "A" of the attached resolution. The purpose of the vacation is to allow access to Golden State Boulevard from the property at 2443 Foundry Park Avenue, APN 479-030-74.

BACKGROUND

The relinquishment of direct vehicle access rights along the southwest side of Golden State Boulevard was dedicated by Parcel Map No. 99-01 recorded on October 5, 2001, in Book 61 of Parcel Maps at Pages 44 through 47, Fresno County Records. The subject property is Parcel "G" of said Parcel Map No. 99-01. The portion to be vacated is described as the southeasterly 30.00 feet of the northwesterly 128.00 feet of said Parcel "G", as measured along the northeasterly property line of said Parcel "G", as shown on Exhibit "A" of the attached resolution. Currently the only access to the site is from Foundry Park Avenue. The vacation will allow the construction of a 30 foot wide commercial driveway approach built to the City's Public Works Standards at this described location.

The Traffic and Engineering Services Division reviewed this proposal and determined the relinquishment of direct vehicle access rights is no longer necessary at this location.

The provisions of Chapter 4, commencing with Section 8330 of the California Streets and Highways Code (whose definition of "street" includes restrictions of access or abutters' rights) authorizes the Council to summarily vacate a portion of public street or highway that lies within property under one ownership and that does not continue through such ownership or end touching the property of another. Under these provisions, only one Council action is necessary and a published notice, posting and public hearing are not required.

The vacation, if approved by the Council, will become effective when the vacating resolution is recorded in the office of the Fresno County Recorder.

The City Attorney's Office has reviewed and approved the attached resolution as to form.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment of this project and has determined this project is exempt under Section 15304 (Class 4/Minor Alterations to Land) and Section 15305 (Class 5/Minor Alterations 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.

LOCAL PREFERENCE

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

FISCAL IMPACT

There will be no City funds involved with this vacation. Lawrence B Stone Properties #24, LLC has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments: 1. Vicinity Map
2. EA-14-041
3. Resolution