



## Legislation Details (With Text)

**File #:** ID16-713      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Mayor's Office

**File created:** 6/7/2016      **In control:** City Council

**On agenda:** 6/30/2016      **Final action:** 6/30/2016

**Title:** Actions pertaining to Resolution of Intention No. 1106-D to vacate portions of W. Spruce Avenue (formerly N. Josephine) and W. Elgin Avenue (Council District 2).  
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 through 15303 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-013.  
2. Adopt Resolution of Intention No. 1106-D to vacate portions of W. Spruce Avenue (formerly N. Josephine) and W. Elgin Avenue, and set the required hearing at 10:00 a.m. on July 28, 2016.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity Map.pdf, 2. EA 16-013.pdf, 3. 11655 ROI RESO.pdf

Date	Ver.	Action By	Action	Result
6/30/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**June 30, 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. 1106-D to vacate portions of W. Spruce Avenue (formerly N. Josephine) and W. Elgin Avenue (Council District 2).

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 through 15303 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-013.

2. Adopt Resolution of Intention No. 1106-D to vacate portions of W. Spruce Avenue (formerly N. Josephine) and W. Elgin Avenue, and set the required hearing at 10:00 a.m. on July 28, 2016.

## **RECOMMENDATION**

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 through 15303 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-013.
2. Adopt the attached Resolution of Intention No. 1106-D to vacate portions of West Spruce Avenue (formerly North Josephine) and West Elgin Avenue, and set the required hearing at 10:15 a.m. on July 28, 2016.

## **EXECUTIVE SUMMARY**

UCP Tapestry, LLC, is requesting the proposed vacation. The purpose of the proposed vacation is to accommodate development as proposed by Tentative Tract No. 5595 and Conditional Use Permit (CUP) C-06-272.

## **BACKGROUND**

CUP No. C-06-272 proposes a 97-lot family residential subdivision with public street dedications. This CUP will improve the intersection associated with this vacation to accommodate traffic impacts resulting from this development.

Those portions of West Spruce Avenue (formerly North Josephine) and West Elgin Avenue proposed to be vacated are shown on Exhibit "A" of the attached Resolution of Intention and described as portions of an easement for public street purposes as dedicated by Map of Herndon Park in Volume 12 of Plats at Page 87, Fresno County Records.

The Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the right-of-way proposed for vacation is unnecessary for present or prospective public street purposes subject to the reservation of a public utility easement over a portion of the area being vacated as shown in Exhibit "B" of the attached Resolution of Intention, and the removal of all existing street improvements from the area proposed to be vacated.

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 removal of all existing street improvements from the area proposed to be vacated has been completed.

## **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this project and has determined this project is exempt under Section 15301 through 15303 of the California Environmental Quality Act (CEQA) Guidelines because it involves a vacation of a portion of a street 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**

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

### **FISCAL IMPACT**

There will be no impact to the City's General Fund because the City's Department of Public Utilities Water Division is funding this Council action.

Attachment:

Vicinity Map

Environment Assessment No. EA-16-013

Resolution of Intent No. 1106-D