



## Legislation Details (With Text)

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**Title:** HEARING - Regarding the vacation of a portion of San Benito Street between the "F"- "G" alley and "G" Street, and the "F"- "G" alley between Santa Clara and San Benito Streets. (Council District 3).  
1. \*\*\*RESOLUTION - Ordering the vacation of a portion of San Benito Street between the "F"- "G" alley and "G" Street, and the "F"- "G" alley between Santa Clara and San Benito Streets.  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Vicinity Map.pdf, 2. 11983 ROV RES.pdf

Date	Ver.	Action By	Action	Result
10/13/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**October 13, 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

HEARING - Regarding the vacation of a portion of San Benito Street between the "F"- "G" alley and "G" Street, and the "F"- "G" alley between Santa Clara and San Benito Streets. (Council District 3).  
1. \*\*\*RESOLUTION - Ordering the vacation of a portion of San Benito Street between the "F"- "G" alley and "G" Street, and the "F"- "G" alley between Santa Clara and San Benito Streets.

## 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 a portion of a portion of San Benito Street between the “F”-“G” alley and “G” Street, and the “F”-“G” alley between Santa Clara and San Benito Streets, as described in Exhibit “A” and shown in Exhibit “B” of the attached resolution.

## **EXECUTIVE SUMMARY**

The Fresno Rescue Mission and the Poverello House are requesting the vacation of this a portion of San Benito Street between the “F”-“G” alley and “G” Street, and the “F”-“G” alley between Santa Clara and San Benito Streets. The proposed vacation is to accommodate the future relocation of a portion of the Rescue Mission’s facilities due to High Speed Rail construction. No site plan has been submitted to date.

## **BACKGROUND**

The Fresno Rescue Mission and the Poverello House are requesting the vacation of this portion of San Benito Street between the “F”-“G” alley and “G” Street, and the “F”-“G” alley between Santa Clara and San Benito Streets. The proposed vacation is to accommodate the future relocation of a portion of the Rescue Mission’s facilities due to High Speed Rail construction. No site plan has been submitted to date.

The public street and alley right-of-way easement being vacated is described on Exhibit “A” and as shown in Exhibit “B” of the attached Resolution. The right-of-way is a portion San Benito Street which is 80 foot wide and the 20 foot wide “F”-“G” ally as dedicated by the map of the Town of Fresno in Book 1 of Plats at Page 7, 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 easement 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.

City Attorney 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, 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**

This project is exempt under Sections 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-016. Under the Section 15301/Class 1 exemption, the minor alteration of existing public facilities, such as streets, sidewalks, etc., involving no expansion of use beyond that existing at this time, are exempt from CEQA requirements. The vacation will remove unusable sidewalks and return the property's maintenance over to the adjoining private property owners. The proposed vacation of the above-described land meets the criteria noted above. No significant effects would occur as a result of the proposed project. Therefore, the above described project complies with the conditions described in Section 15301/Class 1 of the 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 public right-of-way does not involve bidding or contracting.

## **FISCAL IMPACT**

There will be no City funds involved with this vacation. The adjacent property owners have paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Vicinity Map

Resolution