



## Legislation Details (With Text)

**File #:** ID16-1188    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Passed  
**File created:** 10/5/2016    **In control:** City Council  
**On agenda:** 11/17/2016    **Final action:** 11/17/2016  
**Title:** HEARING - Regarding the vacation of the "F" - "G" alley between Stanislaus Street and Tuolumne Street and a portion of Tuolumne Street. (Council District 3).  
1. \*\*\*RESOLUTION - Ordering the vacation of the "F" - "G" alley between Stanislaus Street and Tuolumne Street and a portion of Tuolumne Street.  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. VICINITY.pdf, 2. 12014 ROV RES.pdf

Date	Ver.	Action By	Action	Result
11/17/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**November 17, 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 the "F" - "G" alley between Stanislaus Street and Tuolumne Street and a portion of Tuolumne Street. (Council District 3).

1. \*\*\*RESOLUTION - Ordering the vacation of the "F" - "G" alley between Stanislaus Street and Tuolumne Street and a portion of Tuolumne Street.

## 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 vacate the “F” - “G” alley between Stanislaus Street and Tuolumne Street and a portion of Tuolumne Street, as described in Exhibit “A” and shown in Exhibit “B” of the attached resolution.

## **EXECUTIVE SUMMARY**

The Ellis Family Partnership, is requesting the vacation of the “F” - “G” alley between Stanislaus Street and Tuolumne Street and a portion of Tuolumne Street as described in Exhibit “A” and shown in Exhibit “B” of the attached resolution of the attached Resolution of Intention. The proposed vacation will mitigate construction impacts due to High Speed Rail construction.

## **BACKGROUND**

The proposed vacation will mitigate impacts to the adjacent properties northerly of the Tuolumne Street overpass, which is being reconstructed. This reconstruction will eliminate the Tuolumne Street overpass frontage road and also eliminate access to the “F” - “G” alley creating a dead end alley.

The public street and alley right-of-way easement being vacated is described in Exhibit “A” and shown in Exhibit “B” of the attached resolution. The right-of-way is described as that portion a 20 foot “F” - “G” alley in Block 16 of the map of the Town of Fresno in Book 1 of Plats at Page 2, Fresno County Records, and a portion of Tuolumne Street as dedicated per said map.

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 and the conditions listed on Exhibit “C” of the attached Resolution.

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-16-022-HSR. 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