



Legislation Details (With Text)

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Title: HEARING - Regarding the vacation of portions of N. Parkway Drive and N. Lafayette Avenue, north of W. Weldon Avenue Alignment (Council District 3).
1. ***RESOLUTION - Ordering the vacation of portions of N. Parkway Drive and N. Lafayette Avenue, north of W. Weldon Avenue Alignment.
Sponsors: Public Works Department
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Attachments: 1. Vicinity.pdf, 2. 12019 ROV RES.pdf

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REPORT TO THE CITY COUNCIL

December 15, 2016

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Public Works Department

THROUGH: ANDREW J. BENELLI, PE, City Engineer/Assistant Director
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SUBJECT

HEARING - Regarding the vacation of portions of N. Parkway Drive and N. Lafayette Avenue, north of W. Weldon Avenue Alignment (Council District 3).

1. ***RESOLUTION - Ordering the vacation of portions of N. Parkway Drive and N. Lafayette Avenue, north of W. Weldon Avenue Alignment.

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 of portions of North Parkway Drive and

North Lafayette Avenue, north of West Weldon Avenue Alignment, as described in Exhibit “A” and shown in Exhibit “B” of the attached resolution.

EXECUTIVE SUMMARY

The State of California is requesting the vacation of portions of North Parkway Drive and North Lafayette Avenue, north of West Weldon Avenue Alignment as described in Exhibit “A” and shown in Exhibit “B” of the attached resolution. The proposed vacation is needed to accommodate the realignment of State Route 99 due to High Speed Rail construction.

BACKGROUND

The proposed vacation is needed to accommodate the realignment of State Route 99 due to High Speed Rail construction. The public street right-of-way being vacated is described in Exhibit “A” and shown in Exhibit “B” of the attached resolution. The realignment of State Route 99 will encroach onto a portion of existing North Parkway Drive, leaving a remnant portion that can no longer function as a public street. The public street access being eliminated on North Parkway Drive and North Lafayette Avenue will be realigned through North Pleasant Avenue and West Weldon Alignment where it will reconnect into existing Parkway Drive.

The right-of-way is described as that portion a frontage road adjacent westerly to State Route 99 acquired by the State of California in sections in 1936. The entire frontage road was then relinquished to the County of Fresno by Grant Deed recorded October 24, 1956 in Book 3836, Page 268, Official Records of Fresno County. The City of Fresno annexed the area in 1962 and acquired the public streets at that time.

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.

The City Attorney’s Office 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-16-031-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 State of California has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:
Vicinity Map
Resolution