



## Legislation Details (With Text)

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**Title:** Actions pertaining to Resolution of Intention No. 1113-D to vacate a portion of W. Bullard Avenue, west of N. Brawley Avenue (Council District 2).  
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-025.  
2. Adopt Resolution of Intention No. 1113-D to vacate a portion of W. Bullard Avenue, west of N. Brawley Avenue.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity.pdf, 2. EA-16-025 Vacation on Bullard Ave.pdf, 3. 11995 RESO ROI.pdf

Date	Ver.	Action By	Action	Result
12/1/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**December 1, 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. 1113-D to vacate a portion of W. Bullard Avenue, west of N. Brawley Avenue (Council District 2).

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-025.
2. Adopt Resolution of Intention No. 1113-D to vacate a portion of W. Bullard Avenue, west of N.

Brawley Avenue.

## **RECOMMENDATION**

Staff recommends the City of Fresno to adopt Resolution of Intention No. 1113-D for the proposed vacation of a portion of West Bullard Avenue, west of North Brawley Avenue, and set the required hearing at 2:00 p.m. on December 15, 2016.

## **EXECUTIVE SUMMARY**

Jordan Freeman, partner in the 6354 Figarden General Partnership, a California Partnership is requesting the vacation of a portion of West Bullard Avenue west of North Brawley Avenue as shown on the attached exhibit "A", subject to the reservation of a public utility easement, as shown in exhibit "B", and a pedestrian walkway easement, as shown in exhibit "C" over a portion area being vacated. The proposed vacation is needed to satisfy a condition per Conditional Use Permit (CUP) C-07-157.

## **BACKGROUND**

The purpose of the proposed vacation is required as a condition of CUP C-07-157 which proposes the construction of 36,000 square feet of general office buildings and 80,100 square feet of mini warehouse structures with onsite parking, as approved by the Development and Resource Department Director on May 13, 2008. The right-of-way is described is a portion of a 80-foot wide public street dedicated by Figarden Subdivision No. 2 in Volume 9 of Plats, at Page 8, 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 proposed for vacation is unnecessary for present or prospective public street purposes as shown in Exhibit "A" of the attached Resolution of Intent, subject to the reservation of a public utility easement, as shown in exhibit "B", and a pedestrian walkway easement, as shown in exhibit "C" over a portion proposed area being 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 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-16-25. 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**

Not applicable 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 owner has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachment:

Vicinity Map

EA-16-025

Resolution of Intent No. 1113-D