



## Legislation Details (With Text)

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**Title:** HEARING - Regarding the vacation of a portion of W. Bullard Avenue, west of N. Brawley Avenue (Council District 2).  
1. \*\*\*RESOLUTION - Ordering the vacation of a portion of W. Bullard Avenue, west of N. Brawley Avenue.  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Vicinity.pdf, 2. 11995 ROV RES.pdf

Date	Ver.	Action By	Action	Result
12/15/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**December 15, 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

RANDALL MORRISON, PE, Deputy City Engineer  
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 W. Bullard Avenue, west of N. Brawley Avenue (Council District 2).

1. \*\*\*RESOLUTION - Ordering the vacation of a portion of W. Bullard Avenue, west of N. Brawley Avenue.

## 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 a portion of West Bullard Avenue,



west of North Brawley Avenue, as described in Exhibit “A” and shown in Exhibit “B” of the attached resolution.

## **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 described in exhibit “A” and shown on Exhibit “B” of the attached resolution, subject to the reservation of a public utility easement, as described in exhibit “C” and shown on Exhibit “D” of the attached resolution, and a pedestrian walkway easement, as described in Exhibit “E” and shown on Exhibit “F” of the attached resolution 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 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-16-25. 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**



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 owner has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

#### **Attachments:**

Vicinity Map

Resolution