



Legislation Details (With Text)

File #: ID17-655 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 4/27/2017 **In control:** City Council

On agenda: 5/18/2017 **Final action:** 5/18/2017

Title: Actions pertaining to Resolution of Intention No. 1116-D to vacate a portion E. Kings Canyon Road at S. Apricot Avenue. (Council District 5).

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. C-14-057.
2. Adopt Resolution of Intention No. 1116-D to vacate a portion E. Kings Canyon Road at S. Apricot Avenue, and setting the public hearing for June 8, 2017 at 10:00 a.m.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. Vicinity Map.pdf, 2. Categorical ExemptionC-14-057.pdf, 3. 11998 ROI RESO.pdf

Date	Ver.	Action By	Action	Result
5/18/2017	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

May 18, 2017

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

BY: ANDREW J. BENELLI, PE, City Engineer/Assistant Director
Public Works Department, Traffic and Engineering Services Division

RANDALL W. MORRISON, PE, Deputy City Engineer/Division Manager
Public Works Department, Traffic and Engineering Services Division

JASON A. CAMIT, PLS, Chief Surveyor
Public Works Department, Traffic and Engineering Services Division

SUBJECT

Actions pertaining to Resolution of Intention No. 1116-D to vacate a portion E. Kings Canyon Road at S. Apricot Avenue. (Council District 5).

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. C-14-057.
2. Adopt Resolution of Intention No. 1116-D to vacate a portion E. Kings Canyon Road at S. Apricot Avenue, and setting the public hearing for June 8, 2017 at 10:00 a.m.

RECOMMENDATION

Staff recommends the City of Fresno to adopt Resolution of Intention No. 1116-D for the proposed vacation of a portion East Kings Canyon Road at South Apricot Avenue, and set the required hearing at 10:00 a.m., June 8, 2017.

EXECUTIVE SUMMARY

The California Home for the Aged is requesting to vacate a portion East Kings Canyon Road at South Apricot Avenue as shown on Exhibit “A” of the attached Resolution of Intention. The purpose of the proposed vacation is to satisfy a condition required by Condition Use Permit (CUP) C-14-057 to eliminate excess public street right-of-way due to the realignment and construction of State Route 180.

BACKGROUND

The applicant is proposing the expansion of the California Armenian Home Facility. The development consists of the construction and occupancy of a 21,800 square foot memory care building, a 125,000 square foot assisted living/independent living building, as well as the construction of six cottages. This facility is proposed to be a gated community. This project includes the vacation of a narrow strip of right-of-way of East Kings Canyon Road just east of the main entrance.

The area proposed for vacation is a portion of public street right-of-way dedicated by deed of easement recorded July 6, 1999 as Instrument No. 1999-0100550, Official Record Fresno County. A portion of this right-of-way is now determined to be excessive due to the realignment and construction of State Route 180.

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 and pedestrian easement over the entire area proposed for vacation.

The City Attorney’s Office 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

Staff has performed a preliminary environmental assessment of this project and has determined this project is exempt under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it involves a vacation of a portion of a public street which is not an expansion of use beyond that existing at this time. 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 California Home for the Aged, the adjacent property owner has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Vicinity Map

Categorical Exemption C-14-057

Resolution of Intent No. 1116-D