



Legislation Details (With Text)

File #: ID18-0262 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/9/2018 **In control:** City Council

On agenda: 3/1/2018 **Final action:** 3/1/2018

Title: Actions pertaining to Resolution of Intention No. 1122-D to vacate a portion of North Thorne Avenue, south of West Belmont Avenue. (Council District 3)

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-17-016.
2. Adopt Resolution of Intention No. 1122-D to vacate a portion of North Thorne Avenue, south of West Belmont Avenue.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 18-0262 Thorne Ave Vacation_Vicinity.pdf, 2. 18-0262 Thorn Ave Vacation_EA-17-016-HSR.pdf, 3. 18-0262 Resolution of Intent No 1122-D.pdf

Date	Ver.	Action By	Action	Result
3/1/2018	1	City Council	approved	

REPORT TO THE CITY COUNCIL

March 1, 2018

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

BY: RANDALL W. MORRISON, PE, Assistant Director
Public Works Department, Engineering Division

JASON A. CAMIT, PLS, Chief Surveyor
Public Works Department, Chief Surveyor Section

SUBJECT

Actions pertaining to Resolution of Intention No. 1122-D to vacate a portion of North Thorne Avenue, south of West Belmont Avenue. (Council District 3)

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-17-016.
2. Adopt Resolution of Intention No. 1122-D to vacate a portion of North Thorne Avenue, south of West Belmont Avenue.

RECOMMENDATION

Staff recommends the City Council adopt Resolution of Intention No. 1122-D for the proposed vacation of a portion of North Thorne Avenue, south of West Belmont Avenue, and set the required hearing at 10:00 a.m. on March 22, 2018.

EXECUTIVE SUMMARY

Calaveras Materials, Inc. is requesting the vacation of a portion of North Thorne Avenue, south of West Belmont Avenue. The purpose of this vacation is to accommodate ingress and egress to the property, as well as, onsite traffic circulation impacted by the construction of the California High Speed Rail.

BACKGROUND

The proposed vacation of portion of North Thorne Avenue, south of West Belmont Avenue, as described in Exhibit "A" and as shown on Exhibit "B" is a 60 foot wide public street right-of-way dedicated by two separate subdivision maps. The east 30 feet was dedicated by American Addition Tract, filed in Volume 1, of Plats, at page 35, Fresno County Records. The west 30 feet was dedicated by Weihe Home Tract, filed in Book 3, of Record of Surveys, at Page 25, Fresno County Records. A portion of the west 30 feet has been previously vacated by Resolution 94-222, recorded July 29, 2005, as Document No. 2005-0171421, Official Records Fresno County. The purpose of this vacation is to accommodate access to the property adjacent east of North Thorne Avenue. The north portion of North Thorne Avenue at West Belmont Avenue is being closed by street improvements associated with California High Speed Rail construction. It will result in a dead end street for North Thorne Avenue and eliminate an access point from West Belmont Avenue for the adjacent properties. The area proposed for vacation will serve as an access point and be utilized for ingress and egress to the adjacent property.

The Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the portion of public right-of-way for vacation is unnecessary for present or prospective public street as described in "A" and as shown on Exhibit "B" of the attached Resolution of Intent, subject to the entire area proposed for vacation be reserved for a public utility easement, and subject to conditions listed in Exhibit "C".

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

Staff has performed a preliminary environmental assessment EA-17-016-HSR of this project, and is attached hereto. Under the Section 15301 /Class 1 (b, c) Existing Facilities consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no

expansion of use beyond that existing at the time of the lead agency's determination. Example include but are not limited to: Existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services; and, existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).

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 a public street easement does not involve bidding or contracting.

FISCAL IMPACT

There will be no City funds involved with this vacation. Calaveras, Inc., the adjacent property owner, has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments: Thorn Ave Vacation_Vicinity
 Thorn Ave Vacation_EA-17-016-HSR
 Resolution of Intent No. 1122-D