



Legislation Details (With Text)

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Title: Actions pertaining to Resolution of Intention No. 1125-D to vacate a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043; and setting the public hearing for September 20, 2018 at 10:05 a.m. (Council District 1)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 (c)/Class 1 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. P18-00197.
2. Adopt the attached Resolution of Intention No. 1125-D to vacate a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 18-0989 Lot 8 Easement Vacation_Vicinity.pdf, 2. 18-0989 EA_P18-00197.pdf, 3. 18-0989 Resolution of Intent No. 1125-D.pdf

Date	Ver.	Action By	Action	Result
8/30/2018	1	City Council	approved	

REPORT TO THE CITY COUNCIL

August 30, 2018

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

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Public Works Department, Engineering Division

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Public Works Department, Engineering Division - Chief Surveyor Section

SUBJECT

Actions pertaining to Resolution of Intention No. 1125-D to vacate a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043; and setting the public hearing for September 20, 2018 at 10:05 a.m. (Council District 1)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 (c)/Class 1 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. P18-00197.
2. Adopt the attached Resolution of Intention No. 1125-D to vacate a street, pipeline, and utility

easement in Lot 8 of Tract Map No. 4043.

RECOMMENDATION

Staff recommends the City Council adopt Resolution of Intention No. 1125-D for the proposed vacation of a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043, and set the required hearing at 10:05 a.m. on September 20, 2018.

EXECUTIVE SUMMARY

Joseph Pickett is requesting the vacation of a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043 as shown on Exhibit "A" of the attached Resolution of Intent. The purpose of this vacation is to allow construction of a new residence on the subject property.

BACKGROUND

The proposed vacation of a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043 was previously dedicated to the City of Fresno by Final Order of Condemnation as set forth in Instrument No. 86005116, recorded January 14, 1986, Official Records Fresno County. Conditions of Approval for Tract Map No. 4043 recorded in Volume 50 of Plats, at Pages 15 and 16, Fresno County Records provided that a State of Covenants affecting the land development be executed providing temporary street facilities for said Tract Map No. 4043 over the street, pipeline, and utility easement proposed for vacation until such time permanent facilities are available. This Statement of Covenants was recorded March 23, 1990 as Instrument No. 90033140, Official Records Fresno County. A Release of Covenant was recorded on April 8, 2011 as Instrument No. 2011-0049094, Official Records Fresno County releasing the persons and property from said Covenant. The purpose of this vacation is to eliminate this easement and allow for the development of a single family residence on the affected Lot 8 of Tract No. 4043.

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

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

The City of Fresno performed a preliminary Environmental Assessment No. P18-00197 and has determined this project to be Categorically Exempt. Under the Section 15301 (c)/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 unneeded easements and return the property's usability over to the private

property owner. 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 a public street easement does not involve bidding or contracting.

FISCAL IMPACT

There will be no City funds involved with this vacation. Joseph Pickett has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Lot 8 Easement Vacation_Vicinity

EA_P18-00197

Resolution of Intent No. 1125-D