



Legislation Details (With Text)

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Title: Actions pertaining to the summary vacation of a portion of North Van Ness Avenue at the northwest corner of Van Ness Avenue and East Madison Avenue. (Council District 3)

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. P19-00180.
2. **RESOLUTION** - Ordering the summary vacation of North Van Ness Avenue at the northwest corner of Van Ness Avenue and East Madison Avenue.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 19-1312 Vicinity Map Van Ness.pdf, 2. 19-1312 EA - P19-00180.pdf, 3. RESO 1-A ID19-1312.pdf

Date	Ver.	Action By	Action	Result
3/21/2019	1	City Council	adopted	

REPORT TO THE CITY COUNCIL

March 21, 2019

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

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Public Works Department, Engineering Division

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

SUBJECT

Actions pertaining to the summary vacation of a portion of North Van Ness Avenue at the northwest corner of Van Ness Avenue and East Madison Avenue. (Council District 3)

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RECOMMENDATION

Staff recommends the City Council adopt a resolution ordering the summary vacation of a portion of North Van Ness Avenue at the northwest corner of Van Ness Avenue and East Madison Avenue, as described in Exhibit "A" and as shown on Exhibit "B" of the attached resolution.

EXECUTIVE SUMMARY

Beal Developments, LLC is requesting the vacation of North Van Ness Avenue at the northwest corner of Van Ness Avenue and East Madison Avenue. The purpose of the vacation is to eliminate excessive public street right-of-way and accommodate the development of the adjacent property.

BACKGROUND

Beal Developments, LLC is requesting the vacation of North Van Ness Avenue at the northwest corner of Van Ness Avenue and East Madison Avenue, as described in Exhibit "A" and as shown on Exhibit "B" of the attached Resolution. The purpose of the vacation is to eliminate excessive public street right-of-way and accommodate the development of a Johnny Quik convenience store. All of the existing and adjacent street improvements in the area proposed for vacation will be upgraded to current standards by the Johnny Quik development, Site Plan No. 16-033.

The Public Works Department, other City Departments and utility agencies have reviewed this proposal and determined that the street right-of-way proposed for vacation is unnecessary for present or prospective public purposes.

The provisions of Chapter 4, commencing with Section 8330 of the California Streets and Highways Code, authorize the Council to summarily vacate a public street easement that is considered excess right-of-way, is not required for street or highway purposes, and has no public utility facilities within the area to be vacated. Under these provisions, only one Council action is necessary and a published notice, posting and public hearing are not required.

The City Attorney's Office has approved the attached resolution as to form.

The vacation, if approved by the Council, will become effective when the vacating resolution is recorded in the office of the Fresno County Recorder.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary Environmental Assessment No. P19-00180 for this project and has determined it to be categorically exempt and there is no possibility that the proposed vacation may have a significant adverse effect on the environment, and the proposed vacation is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c)/Class1 of the State CEQA guidelines.

LOCAL PREFERENCE

Local preference does not apply because the vacation of public right-of-way does not involve bidding or contracting.

FISCAL IMPACT

Beal Developments, LLC, the adjacent property owner, has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Vicinity Map Van Ness

EA - P19-00180

RES_Summary_Van Ness