



Legislation Details (With Text)

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Title: Actions pertaining to Resolution of Intention No. 1128-D to vacate a portion of West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue (Council District 2)

1. Adopt a finding of Negative Declaration per staff determination, pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines §15177, Master Environmental Impact Report (SCH # 2012111015).
2. Adopt the attached Resolution of Intention No. 1128-D to vacate a portion of West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 19-1336 Spaatz-Doolittle Vacation_Vicinity.pdf, 2. 19-1336 PW-12358 - EA - Complete.pdf, 3. 19-1336 Resolution of Intent No. 1128-D.pdf

Date	Ver.	Action By	Action	Result
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REPORT TO THE CITY COUNCIL

March 21, 2019

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SUBJECT

Actions pertaining to Resolution of Intention No. 1128-D to vacate a portion of West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue (Council District 2)

1. Adopt a finding of Negative Declaration per staff determination, pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines §15177, Master Environmental Impact Report (SCH # 2012111015).
2. Adopt the attached Resolution of Intention No. 1128-D to vacate a portion of West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue.

RECOMMENDATION

Staff recommends the City Council adopt Resolution of Intention No. 1128-D for the proposed vacation of a portion of West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue, and set the required hearing at 10:00 a.m. on April 11, 2019.

EXECUTIVE SUMMARY

Richard Ginder is requesting the vacation of a portion of West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue as shown on Exhibit “A” of the attached Resolution of Intent. The purpose of this vacation is to facilitate ultimate public street right-of-way alignments and widths within the City of Fresno.

BACKGROUND

The proposed vacation of a portion of West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue was previously dedicated by Sierra Sky Park Tract in Volume 13, of Plats at Page 27, Fresno County Records, recorded January 14, 1986. The purpose of this vacation is to eliminate excessive right-of-way on Spaatz Avenue and to vacate a portion of Doolittle Avenue, which is now a dead end street.

The Public Works Department, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street right-of-way proposed for vacation is unnecessary for present or prospective public street purposes as shown on Exhibit “A” of the attached Resolution of Intent, 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 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 has conducted an initial study and proposes to adopt a Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Negative Declaration is tiered from the Master Environmental Impact Report (SCH # 2012111015) prepared for the Fresno General Plan (“MEIR”). A copy of the MEIR may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report (“MEIR”) prepared for the Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource

Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analyses conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are no foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist. The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. There is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. The MEIR mitigation checklist measures will be imposed on this project.

The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. Therefore, the finding is made that the proposed project will not have a significant adverse effect on the environment.

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. The developer has paid all processing fees to cover staff costs in accordance with the Master Fee Schedule.

Attachments:

Spatz-Doolittle Vacation_Vicinity

PW-12358-EA

Resolution of Intent No. 1128-D