



Legislation Details (With Text)

File #: ID 20-001127 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 8/21/2020 **In control:** City Council

On agenda: 9/17/2020 **Final action:**

Title: (CONTINUE TO SEPTEMBER 24, 2020 AT 10:05 A.M.)
CONTINUED HEARING pertaining to Sierra Sky Park (Council District 2):
1. ***BILL NO. B-26 - (Intro. 7/16/2020) (For adoption) - Modifying Sections 1901 and 1905 of Chapter 14 of the Fresno Municipal Code relating to use of aircraft and the parking of aircraft on public streets in Sierra Sky Park (Subject to Mayor's Veto)
2. RESOLUTION - To vacate a portion of West Spaatz Avenue and North Doolittle Drive between North Blythe Avenue and West Herndon Avenue

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 20-00773 Ordinance, 2. 20-00773 Sierra Sky Park Aerial, 3. 20-00809 Spaatz-Doolittle Vacation Vicinity, 4. 20-001013 Resolution to Vacate, 5. 20-00809 Spaatz-Doolittle Vacation Exhibit A.pdf, 6. 20-00809 Spaatz-Doolittle Vacation Exhibit B.pdf

Date	Ver.	Action By	Action	Result
9/17/2020	1	City Council	continued	

REPORT TO THE CITY COUNCIL

August 20, 2020

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

THROUGH: ANDREW J. BENELLI, PE, City Engineer / Assistant Director
Public Works Department, Traffic Operations and Planning Division

BY: JASON A. CAMIT, PLS, Chief Surveyor
Public Works Department, Engineering Division, Right of Way Section

SUBJECT

(CONTINUE TO SEPTEMBER 24, 2020 AT 10:05 A.M.)
CONTINUED HEARING pertaining to Sierra Sky Park (Council District 2):
1. ***BILL NO. B-26 - (Intro. 7/16/2020) (For adoption) - Modifying Sections 1901 and 1905 of Chapter 14 of the Fresno Municipal Code relating to use of aircraft and the parking of aircraft on public streets in Sierra Sky Park (Subject to Mayor's Veto)
2. RESOLUTION - To vacate a portion of West Spaatz Avenue and North Doolittle Drive between North Blythe Avenue and West Herndon Avenue

RECOMMENDATION

It is recommended that the Council conducts a Public Hearing and then adopts the attached Ordinance modifying Sections 1901 and Section 1905, of Chapter 14, of the Fresno Municipal Code (FMC) to prohibit aircraft from taxiing and parking on Spaatz Avenue from Blythe Avenue to a point 200 feet west of Doolittle Drive; and on Doolittle Drive between Spaatz Avenue and a point 100 feet north of Herndon Avenue. Staff further recommends the City Council vacate a portion of West Spaatz Avenue and North Doolittle Drive between North Blythe Avenue and West Herndon Avenue.

EXECUTIVE SUMMARY

Currently, the FMC allows for the taxiing and parking of aircraft on Doolittle Drive south of Spaatz Avenue and along Spaatz Avenue between Blythe and Doolittle. The developer, Ginder Development, has requested that the Municipal Code be amended to prohibit aircraft from taxiing and parking on sections of Spaatz Avenue near the Sierra Sky Park Airport, and has also requested that portions of Doolittle Drive and Spaatz Avenue be vacated. The planned retail development per Tentative Parcel Map No. 2014-06 between Herndon Avenue and Spaatz Avenue will increase vehicular traffic on Spaatz Avenue to a level that is incompatible with aircraft taxiing and parking on this roadway. Richard Ginder is requesting the vacation of a portion of West Spaatz Avenue and North Doolittle Drive between North Blythe Avenue and West Herndon Avenue as shown on Exhibit "A" of the attached Resolution. The purpose of this ordinance change and street vacation is to reduce the limits of where aircraft can park and taxi, improve safety, eliminate excessive right-of-way on Spaatz Avenue and to vacate Doolittle Drive which is now a dead end street.

BACKGROUND

Ginder Development submitted an application to the City to vacate sections of Spaatz Avenue and Doolittle Avenue in the area west of the Sierra Sky Park Airport Runway. Both Spaatz and Doolittle have very wide right-of-ways to accommodate taxiing and parking of aircraft. These 150-foot rights-of-way are wider than Herndon Avenue, while most local streets have between 50 and 60 feet of right-of-way. As part of the proposed street vacation agenda item, the developer is requesting to reduce the right-of-way on Spaatz from the current 150 feet down to 109 feet, so as to vacate 41 feet of City street right-of-way. The County side of Spaatz Avenue will be unaffected, as the City limits follow the centerline of Spaatz and all of the right-of-way north of the center of Spaatz is outside of the City. Spaatz Avenue will remain open to traffic for City and County constituents; the change will be the elimination of aircraft taxiing and parking within the City limits on Spaatz Avenue.

The proposed vacation of a portion of West Spaatz Avenue and North Doolittle Drive 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 Engineering Services Division, 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 conditions of approval as listed in Exhibit "B" of the attached Resolution of Intent.

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.

Staff recommends prohibiting aircraft from taxiing on Spaatz Avenue in order to provide safety. There is an existing hanger on Spaatz that is located on the second parcel west of Doolittle (see attached exhibit). There are no other hangers or aircraft-related uses west of the second parcel. Staff is recommending allowing aircraft to taxi on Spaatz to provide access to the existing hanger. The driveway for the new commercial development will be west of the hanger, so the shopping center traffic will not use the section of Spaatz that will allow aircraft. Most of the Sierra Sky Park residential neighborhood is outside of the City, in Fresno County. However, the runway and main taxiway are within the City. There are two streets that parallel the runway further north from the subject vacation and ordinance amendment. McCampbell Drive and Doolittle Drive are half in the City and half in the County, with the centerline being the dividing line between the City and the County. The code changes that are being recommended will not modify where the aircraft are currently allowed to taxi on these two streets. The current code prohibits aircraft on Herndon and Blythe. Aircraft will still be allowed to taxi on the northeast 200 feet of Spaatz. The County allows aircraft to taxi on the other streets within the Sierra Sky Park development.

The developer is also requesting to vacate all of Doolittle Drive, south of the Spaatz intersection. Doolittle Drive no longer connects to Herndon Avenue, as the Council vacated the first 100 feet north of Herndon Avenue in 2017 as part of a Public Works project to complete the Herndon Avenue expressway and multi-purpose trail. The developer proposes to incorporate the vacated Doolittle street right-of-way into the retail shopping center, which will maximize use of the property and take an unnecessary street off the City maintenance backlog. With the proposed vacation of Doolittle Drive, it is appropriate to remove Doolittle from the list of streets near Sierra Sky Park where taxiing and parking of aircraft would be allowed.

Chapter 14, Article 1901 of the Fresno Municipal Code, designates that vehicles and aircraft can concurrently use the streets within Sierra Sky Park. The Code allows aircraft on all of the streets except for that portion of the following:

- (a) Herndon Avenue.
- (b) Blythe Avenue.
- (c) Brawley Avenue heretofore named on said map as Braley Avenue.
- (d) Doolittle Drive from Herndon Avenue to a point 100 feet northerly thereof.
- (e) McCampbell Drive, save and except the following portions of said street wherein the point use by vehicles and aircraft are permitted:
 - (i) That portion within the intersections of Fallon, Kelly and Alluvial Avenues, and that portion fronting on Lots 48, 49, 50 and 114;
 - (ii) An area 60 feet in width fronting on Lots 78 and 106 to be specifically determined at such time as the improvements are developed thereon.

All aircraft permitted on streets within Sierra Sky Park Subdivision shall be used solely for the purpose of taxing of aircraft thereon between the airport and the place where such aircraft are hangared down.

City staff is recommending the following modification to the Code:

- (a) Herndon Avenue.
- (b) Blythe Avenue.
- (c) Brawley Avenue heretofore named on said map as Braley Avenue.
- ~~(d) Doolittle Drive from Herndon Avenue to a point 100 feet northerly thereof.~~
- (d) [Spaatz Avenue, from Blythe Avenue to a point 200 feet west of Doolittle Avenue.]
- (e) McCampbell Drive, save and except the following portions of said street wherein the point use by vehicles and aircraft are permitted:
 - (i) That portion within the intersections of Fallon, Kelly and Alluvial Avenues, and that portion fronting on Lots 48, 49, 50 and 114;
 - (ii) An area 60 feet in width fronting on Lots 78 and 106 to be specifically determined at such time as the improvements are developed thereon.

Chapter 14, Section 1905 of the Fresno Municipal Code, prohibits parking of aircraft and vehicles on public streets within Sierra Sky Park. Staff is recommending the following modification to the code:

Aircraft and vehicles shall not park on any public street herein designated for their joint use[.], e

- ~~(a) Spaatz Avenue between Blythe and Doolittle Avenues;~~
- ~~(b) Doolittle Avenue between Spaatz and a point 100 feet north of Herndon Avenue.~~

These changes will modify the code to match the street vacation and will improve traffic safety on Spaatz Avenue due to the increased traffic volumes.

The City Attorney's Office has approved the attached Ordinance and Resolution of Intention as to form.

ENVIRONMENTAL FINDINGS

The City Council adopted 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), on July 16, 2020.

LOCAL PREFERENCE

Local preference was not implemented because this item is not an award of a construction or services contract.

FISCAL IMPACT

This project has no impact to the General Fund and is located in Council District 2. Richard Ginder has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Ordinance

Aerial Photograph of Development Area

Vicinity Map Proposed Vacation

Resolution to Vacate No.1128-D

Spatz-Doolittle Vacation Exhibit A and Exhibit B