



Legislation Details (With Text)

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Title: HEARING to consider the vacation of a portion of Stanislaus Street and L Street adjacent to Block 89 of the Town (now City) of Fresno, and a portion of an alley in Block 89 of the Town (now City) of Fresno (Council District 3)
1. ***RESOLUTION - Ordering the vacation of a portion of Stanislaus Street and L Street adjacent to Block 89 of the Town (now City) of Fresno, and a portion of an alley in Block 89 of the Town (now City) of Fresno (Subject to Mayor's Veto)

Sponsors: Public Works Department

Indexes:

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Attachments: 1. 22-236 Stanislaus_L VacationVicinityMap, 2. 22-236 Stanislaus_L VacationEA, 3. 22-236 Resolution to Vacate Stanislaus_L

Date	Ver.	Action By	Action	Result
2/10/2022	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

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SUBJECT

HEARING to consider the vacation of a portion of Stanislaus Street and L Street adjacent to Block 89 of the Town (now City) of Fresno, and a portion of an alley in Block 89 of the Town (now City) of Fresno (Council District 3)

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RECOMMENDATIONS

Staff recommends the City Council conduct the required public hearing and at the close of the hearing, adopt the attached resolution ordering the vacation of a portion of Stanislaus Street and L Street adjacent to Block 89 of the Town (now City) of Fresno, and a portion of an alley in Block 89 of the City of Fresno.

EXECUTIVE SUMMARY

Teter Architects and Engineers, Inc. are proposing to vacate a portion of Stanislaus Street and L Street adjacent to Block 89 of the City of Fresno, and a portion of an alley in Block 89 of the City of Fresno. The purpose of this vacation is to accommodate Development Permit Application Number P21-01805 which will include construction of a drive aisle for on-site circulation and the development of a dog park for tenants.

BACKGROUND

Stanislaus Street and L Street adjacent to Block 89, and the alley in Block 89 were originally dedicated by Map of Town (now City) of Fresno recorded in Volume 1 of Plat, at Page 2, Fresno County Records. The proposed public street vacation will vacate the northwesterly 4 feet of Stanislaus Street, the Southwesterly 4 feet of L Street, and Southeasterly 304 feet of the 20 foot wide alley of Block 89 of the Map of the Town (now City) of Fresno. The Planned Development Permit Application No. P21-01805 proposes to vacate portions of Stanislaus Street, L Street and a portion of an existing alley located perpendicular to Calaveras and Stanislaus Streets. The vacation of the alley would allow the construction of a drive aisle for on-site circulation and the development of a dog park for tenants.

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 described in Exhibit "A" and as shown on Exhibit "B", subject to conditions of approval as listed in Exhibit "C", said exhibits are included in the attached Resolution to Vacate.

The City is not disposing of any land and therefore the Surplus Land Act is not applicable.

City Attorney's Office has approved the attached Resolution to Vacate 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

On January 13, 2022, the City Council of the City of Fresno adopted a Categorical Exemption per Environmental Assessment Number P21-02255/P21-01805 under Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines. Section 15332/Class 32 (Class 32/In-Fill Development Projects) of the CEQA Guidelines exempts from the provisions of CEQA, projects characterized as in-fill development, which meet the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

Pursuant to Table 15-1502 of the FMC, a mixed-use development consisting of multi-family and retail uses is permitted "by-right" with approval of a development permit. The

development is consistent to the DTN (Downtown Neighborhood) zone district regulations which will create lively, walkable, mixed-use urban neighborhoods surrounding the Downtown Core.

The existing DTN (Downtown Neighborhood) zone district is consistent with the Downtown Neighborhood planned land use designation approved for this site by the Fresno General Plan, Fulton Corridor Specific Plan, Downtown Neighborhoods Community Plan, and the Fresno County Airport Land Use Compatibility Plan.

Given the conditions of approval, the proposed project will meet all the provisions of the FMC and all applicable design guidelines and development standards for Downtown Districts including but not limited to Sections 15-1503 (Density, Intensity, and Massing Standards), 15-1504 (Site Design Development Standards), and 15-1504 (Façade Design Development Standards) of the FMC. Therefore, development in accordance with the subject application is consistent with the planned land use and allowable density for the subject property and will be consistent with design and massing of other existing buildings and similar developments within the vicinity.

- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The proposed project (multi-family and general retail) is located within the city limits, occurs on a vacant site of approximately 1.67 acres, which is less than the five-acre maximum, and is surrounded by retail, residential and office uses. Existing multi-unit and commercial mixed-use development is located to the west. Existing commercial office and the Fresno Scottish Rite are located to the south. Valley Public Television, surface parking lots, funeral homes, and offices are located to the north and east.

- c) The project has no value as habitat for endangered, rare or threatened species.

The project site contains previously disturbed land and is currently vacant. The Fresno Program Environmental Impact Report (PEIR) did not identify this site as habitat for rare or threatened species. Surrounding developments consists of existing commercial stores, offices, and multi-family development; therefore, it has no value as habitat for endangered, rare, or threatened species.

- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The proposed project was routed to the San Joaquin Air Pollution Control District, the City of Fresno Public Utilities Department-Water Division, Fresno Metropolitan Flood Control District, and no significant effects were identified relating to traffic, noise, air quality, or water quality.

Traffic

Staff conducted a search using the Fresno Council of Governments (COG) Vehicle Miles Traveled (VMT) Screening Tool to determine the VMT for this mixed-use project. The City of Fresno's adopted VMT thresholds, effective on July 1, 2020, for development projects

correspond to the regional thresholds set by the Fresno COG. The project proposes 53 dwelling units on approximately 72,745 square-feet of building area and 4,000 square feet of local-serving retail.

The VMT Screening Tool provided the following results:

High Quality Transit Area: Yes

Average VMT/Capita for the parcel: 6.699

Average VMT/Capita for City: 13.10

Residential VMT Generator Type: LOW - This means the parcel average VMT/capita is more than 13% lower than the regional average.

The project is also eligible to screen out because it includes local serving retail space of less than 50,000 square feet; here there is approximately 4,000 square feet of commercial retail space.

As such, approval of the project will not have significant impacts for traffic.

Noise

The project is predominantly a multi-family development with some ground floor commercial spaces for expected retail/commercial and office uses. The site is adjacent to other similar commercial, residential and office uses and is not located adjacent to or near open space, and public institutional uses. Therefore, the project will not result in a significant amount of noise compared to the other adjacent uses.

Air Quality

The project is conditioned to comply with any applicable regulations and conditions from the San Joaquin Valley Air Pollution Control District and the project is subject to review by the agency regarding air quality during construction and operation.

Water Quality

The project is conditioned to comply with any applicable conditions from Public Works or the Utilities Department to ensure the project will not have an effect on water quality.

- e) The site can be adequately served by all utilities and public services.

The project has been reviewed and conditioned by the Fresno Irrigation District, Fresno Metropolitan Flood Control District, Fresno County Public Health, City of Fresno Public Works, City of Fresno Police, City of Fresno Public Utilities, and the City of Fresno Fire Departments. In addition, given the surrounding properties and neighborhoods have been substantially developed and utilities and public services already exist in the area, the site can be adequately served by all required utilities, including sewer, water, and solid waste, as well as public services.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project. Furthermore, the proposed project is not expected to have a significant effect on

the environment. The proposed project is not located on a hazardous waste site, a historical resource, or adjacent to a scenic highway. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

LOCAL PREFERENCE

Local preference does not apply because the vacation of a public street easement does not involve bidding or contracting.

FISCAL IMPACT

The proposed vacation is located in Council District 3 and it will have no impact to the General Fund. Teter Architects and Engineers, Inc. has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Stanislaus_L VacationVicinityMap

Stanislaus_L VacationEA

Resolution to Vacate Stanislaus_L