



## Legislation Details (With Text)

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**File created:** 1/27/2022      **In control:** City Council  
**On agenda:** 3/10/2022      **Final action:** 3/10/2022  
**Title:** HEARING to consider the vacation of a portion of East Kaviland Avenue at South Rose Avenue (Council District 3):  
1. \*\*\*RESOLUTION - Ordering the vacation of a portion of East Kaviland Avenue at South Rose Avenue (Subject to Mayor's Veto)  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**

**Attachments:** 1. 22-232 Kaviland Vaction Vicinity Map, 2. 22-232 Resolution to Vacate Kaviland, 3. Resolution to Vacate Kaviland V.2

Date	Ver.	Action By	Action	Result
3/10/2022	1	City Council	ADOPTED	Pass

## REPORT TO THE CITY COUNCIL

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## SUBJECT

HEARING to consider the vacation of a portion of East Kaviland Avenue at South Rose Avenue (Council District 3):

1. \*\*\*RESOLUTION - Ordering the vacation of a portion of East Kaviland Avenue at South Rose Avenue (Subject to Mayor's Veto)

## 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 East Kaviland Avenue at South Rose Avenue.

## EXECUTIVE SUMMARY

Crosspoint Repair, Inc. is proposing to vacate a portion of East Kaviland Avenue at South Rose Avenue. The purpose of this vacation is to accommodate Development Permit Application Number

P21-00192. This development permit is for the proposed construction of an automotive repair shop adjacent and south of East Kaviland Avenue. This development proposes public street improvements, which includes sidewalk improvement on the south side of East Kaviland Avenue. This public street vacation will dispose of excess public street right of way created by this proposed development.

## **BACKGROUND**

This portion of East Kaviland Avenue was originally dedicated by the Edison Manor - Tract No.1027, recorded February 25, 1948 in Volume 13 of Plats, at Page 97, Fresno County Records. It is located at the intersection of South Rose Avenue near East Jensen Avenue and State Route 41. The purpose of this vacation is to accommodate Development Permit Application Number P21-00192 and dispose of excess public street right of way.

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 February 10, 2022 City Council adopted a finding of Categorical Exemption per Environmental Assessment Number P21-00192 per staff determination, pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines. Staff has confirmed that there are no changes to the Project since the Council adoption of the findings.

## **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 and it is located in Council District 3. Crosspoint Repair, Inc. has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Kaviland Vacation Vicinity Map  
Resolution to Vacate Kaviland

