

PLEASE POST FOR 30 DAYS

NOTICE OF EXEMPTION

E202410000045

FROM: City of Fresno Planning and Development Department
2600 Fresno Street
Fresno, California 93721-3604

TO: X Fresno County Clerk
2220 Tulare Street – First Floor Lobby
Fresno, California 93721

Office of Planning & Research
P.O. Box 3044, Room 212
Sacramento, California 95812-3044

FILED
FEB 13 2024 TIME 10:23 am
By _____ FRESNO COUNTY CLERK DEPUTY

Project Title: Environmental Assessment No. P23-01378

Project Location: Portion of Lot 336, on the southwest corner of 6493 North Riverside Drive Suite 102 (APN 504-092-34S), which is located on the southwest of North Riverside Drive and West Palo Alto Avenue in Fresno, California (Marketplace at El Paseo Shopping Center). (See attached Exhibits A and B)

Project Location – City: City of Fresno **Project Location- county:** County of Fresno

Description of Nature, Purpose, and Beneficiaries of Project: The scope of work for the proposed project includes the vacation of a segment of the existing water main public utility easement at 6493 North Riverside Drive on the southwest corner of the parcel (APN: 509-092-34S). The total area to be vacated is approximately ±1,265 square feet. There will not be any changes in land use or density. The existing structure shall remain unchanged, and only the easement is set to be vacated as it is no longer necessary. The former water main which supported the easement was relocated and accepted by the city during the construction of the now existing Hobby Lobby. The vacation is approved with no conditions, as noted in the letter from the City of Fresno Public Works Department dated March 30, 2023.

Beneficiaries of the project would be: Millbrook & Nees, LLC
1396 West Herndon Avenue, # 101
Fresno, CA 93711

Name of Public Agency Approving Project: City of Fresno

Name of Person or Agency Carrying Out Project: Brandon Leitze
Rich Development
500 South Sepulveda Blvd. #304
Manhattan Beach, CA 90266

Exempt Status: (check one)

- Ministerial - PRC § 21080(b)(1); CEQA Guidelines §15268
- Declared Emergency - PRC § 21080(b)(3); CEQA Guidelines §15269(a)
- Emergency Project - PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)

E202410000045

- Categorical Exemption – CEQA Guidelines §15305/Class 5 (Minor Alteration in Land Use Limitations)**
 Statutory Exemption – PRC §_____

Reasons why the project is exempt:

Section 15305 (Class 5/Minor Alteration in Land Use Limitations) of the CEQA Guidelines exempts projects characterized as minor alterations in land use limitations from the provisions of CEQA. The proposed project is consistent with the conditions of Section 15305, as demonstrated in the attached Categorical Exemption Determination for Environmental Assessment Application No. P23-01378.

Lead Agency Contact Person: Brittany Martin, Planner II
City of Fresno Planning and Development Department

Full telephone no.: (559) 621-8059

If filed/signed by the applicant:

Attach certified document of exemption finding (check if attached)

Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Erik Young **Date:** January 29, 2024

Printed Name and Title: Erik Young, Supervising Planner
City of Fresno Planning and Development Department

Signed by Lead Agency **Signed by applicant**

Attachments: Feasibility Study Findings Dated March 30, 2023
Exhibits A and B
Categorical Exemption Environmental Assessment No. P23-01378

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. P23-01378**

E202410000045

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
ACCORDING TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

APPLICANT: Brandton Leitze
Rich Development
500 South Sepulveda Blvd. #304
Manhattan Beach, CA 90266

PROJECT LOCATION: Portion of Lot 336, on the southwest corner of 6493 North Riverside Drive Suite 102 (APN 504-092-34S), which is located on the southwest of North Riverside Drive and West Palo Alto Avenue in Fresno, California (Marketplace at El Paseo Shopping Center). (See attached Exhibits A and B)

PROJECT DESCRIPTION: The scope of work for the proposed project includes the vacation of a segment of the existing water main public utility easement at 6493 North Riverside Drive on the southwest corner of the parcel (APN 509-092-34S). The total area to be vacated is approximately $\pm 1,265$ square feet. There will not be any changes in land use or density. The existing structure shall remain unchanged, and only the easement is set to be vacated as it is no longer necessary. The former water main which supported the easement was relocated and accepted by the city during the construction of the now existing Hobby Lobby. The vacation is approved with no conditions, as noted in the letter from the City of Fresno Public Works Department dated March 30, 2023.

This project is exempt under Section 15305/Class 5 (Minor Alteration in Land Use Limitations) of the California Environmental Quality Act (CEQA) Guidelines. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2, apply to this project.

EXPLANATION: Under Section 15305 (Class 5/Minor Alteration in Land Use Limitations) of the CEQA Guidelines, the proposed project is exempt from CEQA requirements when the project consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to minor lot line adjustments not resulting in the creation of any new parcel.

The proposed vacation of the land referenced above is consistent with the Class 5 Categorical Exemption because there will not be any changes in the land use or density. The existing structure shall remain unchanged, and only the easement is set to be vacated as it is no longer necessary. The former water main which supported the easement was relocated and accepted by the city during the

E202410000045

construction of the now existing Hobby Lobby.

The City of Fresno is not aware of any potential projects that may be conducted where the easement is currently located. The proposed project involves negligible expansion of the existing use and will have substantially the same purpose. None of the exceptions to Categorical Exemptions set forth in CEQA Guidelines, Section 15300.2, apply to this project. Therefore, no adverse environmental impacts will occur as a result of the proposed project. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: January 29, 2024

Prepared By: Brittany Martin, Planner II

Submitted By: *Erik Young*

Erik Young
Supervising Planner
City of Fresno
Planning and Development
Department
(559) 621-8070



City Hall
2600 Fresno Street, RM 4016
Fresno, California 93721
Ph. (559) 621-8800
www.fresno.gov

E202410000045
PUBLIC WORKS DEPARTMENT

Scott L. Mozier
Public Works Director

March 30, 2023

Brandton K. Leitze
Rich Development
500 South Sepulveda Blvd., Suite 304
Manhattan Beach, CA 90266

SUBJECT: PROPOSED VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT
IN LOT 336 OF J. C. FORKNER FIG GARDENS SUBDIVISION NO. 3

The vacation feasibility study you requested has been completed. Findings indicate the vacation proposal is feasible subject to no conditions. If you choose to move forward with a summary vacation, please see the instructions below.

A processing fee in the amount of \$1,555.00 is required to cover the cost of administration and legal notices prior to continuing this process for City Council action. An Environmental Assessment (EA) for the entire project that accurately addresses the vacation is required to proceed with the vacation. If you do not have one, the EA application and fee should be submitted to the City of Fresno's Planning and Development Department. The planner for the project can provide you with further information about the environmental assessment. Once the EA has been completed, please provide a copy to us.

For your information, the City of Fresno has only an easement interest in the subject area and the City has no legal authority to make a determination as to what portion of the underlying fee title to the vacated area may be added to adjacent properties.

The study done for this proposed vacation will expire in one year. Therefore, please notify this office by March 30, 2024, of your intention regarding the pursuit of this vacation.

Please contact me at (559) 621-8681 or by email at Jason.Camit@fresno.gov if you have any questions.

Sincerely,

Jason A. Camit, PLS
Chief Surveyor

Attachment: None

P.W. File No. 13225

EXHIBIT A

E202410000045

VACATION OF WATERMAIN (Portion)

APN 504-091-69 (portion)

That portion of that certain parcel granted to the City of Fresno for water main purposes by Grant Deed recorded August 23, 2013 as Document No. 2013-121620, Official Records Fresno County, being in Lot 336 of J.C. Forkner Fig Gardens Subdivision No. 3, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Volume 8 of Plats, Page 79, Fresno County Records, described as follows:

COMMENCING at the most southerly corner of Parcel N of Parcel Map No. 2008-13, recorded in Book 71 of Parcel Maps, Pages 81-89, Fresno County Records; thence North 40° 11' 34" East, along the southeasterly line of said Parcel N, a distance of 60.00 feet; thence South 49° 49' 49" East, along the southwesterly line of said parcel granted to the City of Fresno for water main purposes, a distance of 21.00 feet to the TRUE POINT OF BEGINNING; thence North 40° 11' 34" East, a distance of 22.00 feet; thence South 49° 49' 49" East, along the northeasterly line of said water main easement and its northwesterly prolongation, a distance of 57.50 feet; thence South 40° 11' 34" West, along the southeasterly line of said water main easement, a distance of 22.00 feet; thence North 49° 49' 49" West, along the southwesterly line of said water main easement, a distance of 57.50 feet to the True Point of Beginning.

Contains an area of: 1265 Sq. Ft., more or less.



1-20-2023

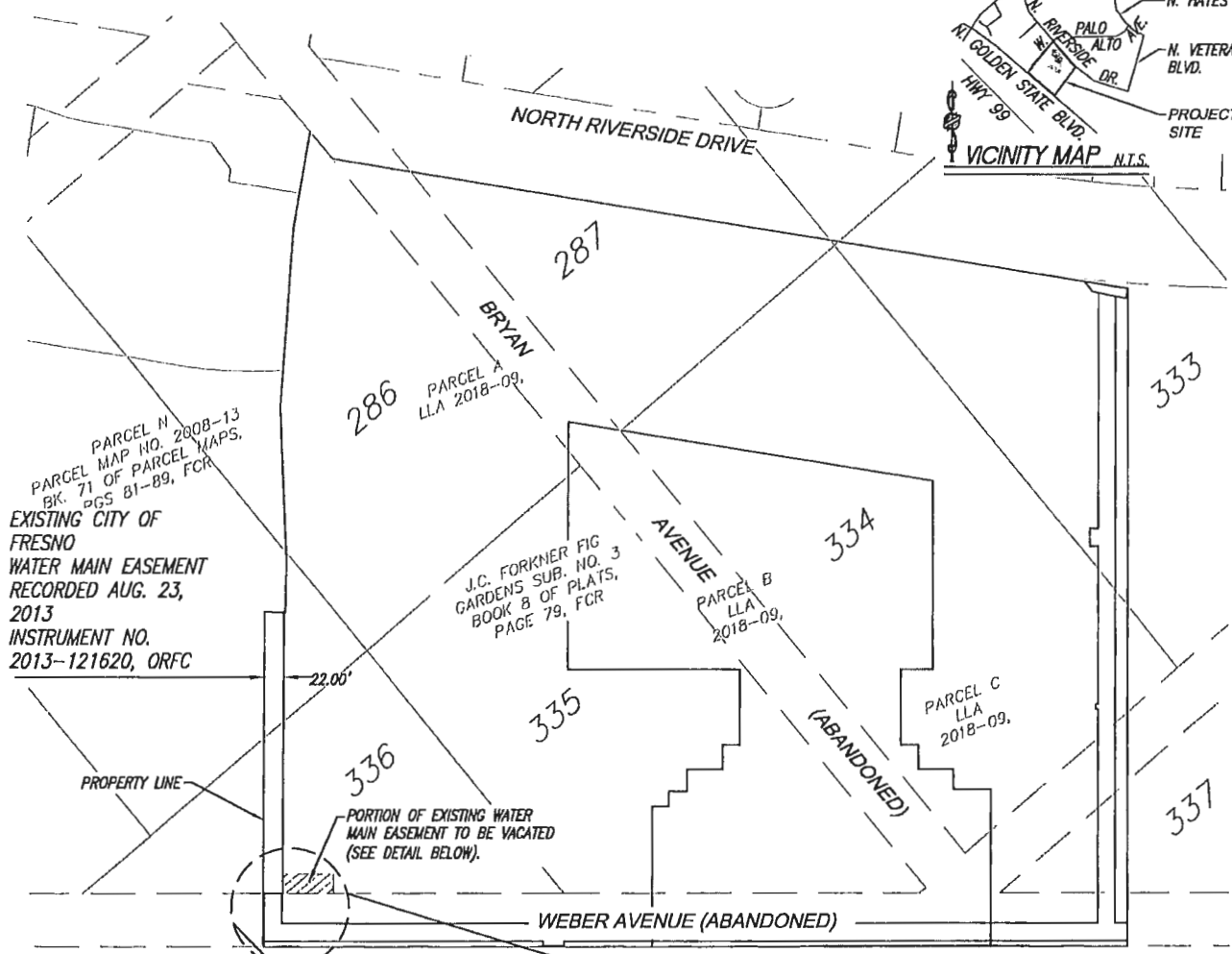
FILE NO. 13225

PLAT 1342

WATER JOB J5755

E202410000045

EXHIBIT "B"



PARCEL N
PARCEL MAP NO. 2008-13
BK. 71 OF PARCEL MAPS,
PGS 81-89, FCR
EXISTING CITY OF
FRESNO
WATER MAIN EASEMENT
RECORDED AUG. 23,
2013
INSTRUMENT NO.
2013-121620, ORFC


J.C. FORKNER FIG
GARDENS SUB. NO. 3
BOOK 8 OF PLATS,
PAGE 79, FCR

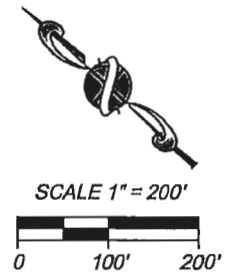
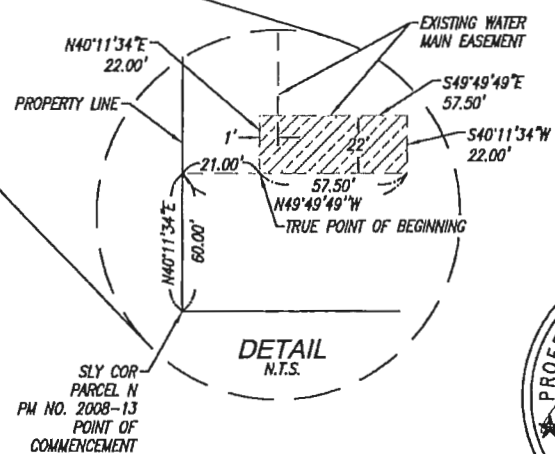
PARCEL C
LLA 2018-09,

PROPERTY INFORMATION

APH: 504-091-695
LOCATION:
SOUTH OF NORTH RIVERSIDE DRIVE AND EAST
OF WEST PALO ALTO AVENUE.

LEGEND

EXISTING CITY OF FRESNO
WATER MAIN EASEMENT AREA
TO BE VACATED 
AREA: 1,265 SQ. FT. MORE OR LESS



1-20-2023

F:\CIVIL 3D PROJECTS\2022\22-369 SURVEY AND MAPPING\SURVEY EXHIBITS\22-369 WATER VACATION.DWG 1/20/2023 4:00:45 PM

REF. & REV. FILE NO. 13225 PLAT 1342 WATER JOB J5755	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS		PROJ. ID. _____ KRA _____ FUND NO. _____ RES TYPE _____ ORG. NO. _____
	PORTION OF WATER EASEMENT TO BE VACATED		DR. BY <u>IMB</u> CH. BY <u>IMB</u> DATE <u>01/20/2023</u> SCALE <u>1"=200'</u> JOB NO. <u>23-269</u>
			SHEET NO. <u>1</u> OF <u>1</u> SHEETS