

AGENDA ITEM NO.

COUNCIL MEETING

APPROVED BY

DEPARTMENT DIRECTOR

CITY MANAGER

March 27, 2007

FROM: JON R. RUIZ, Interim Director  
Public Works Department

BY: SCOTT L. MOZIER, PE, Assistant Director  
Public Works Department, Engineering Division

SUBJECT: APPROVE THE ACQUISITION OF STREET EASEMENTS FROM LAND OWNED BY STORELLI LAND COMPANY, LLC, AT THE NORTHWEST CORNER OF NORTH FRESNO STREET AND EAST SIERRA AVENUE FOR THE CONSTRUCTION OF TRAFFIC SIGNAL AND INTERSECTION IMPROVEMENTS

#### KEY RESULT AREA

One Fresno

#### RECOMMENDATION

Staff recommends that the City Council:

1. Approve the acquisition of a street easement of 427.76 square feet for the relocation of a traffic signal, and the purchase of street easements totaling 5,626 square feet from APN 408-050-34. Allocation of the right of way cost is \$3,640 for the traffic signal facility and \$47,860 for the street easement.
2. Authorize the Public Works Director or Assistant Director to execute the Agreement for Purchase and Sale of Real Property and Escrow Instructions, to sign the acceptance for the Deeds of Easement, and to direct staff to conclude the transaction through a third party escrow.

#### EXECUTIVE SUMMARY

Because of increasing traffic volumes and accidents, protected left turn phasing and additional turn lanes are needed at the intersection of North Fresno Street and East Sierra Avenue. To install the traffic signal poles at their ultimate location, additional street right of way is needed from the vacant 23.89 acre parcel at the northwest corner of the intersection. Traffic Signal Mitigation Impact fees are available for the traffic signal which requires an area of 427.76 square feet as depicted on Exhibit "A". Design engineers also determined that a right turn lane should be added to the west side of Fresno Street north of Sierra Avenue and that a second westbound lane is needed on Sierra Avenue, west of Fresno Street, entailing the purchase of 5,626 square feet as depicted on Exhibit "B". The property owner, Storelli Land Company, LLC, has agreed to provide the easements for the negotiated amount of \$51,500.

## **KEY OBJECTIVE BALANCE**

Customer Satisfaction is realized by the property owner through the conclusion of a voluntary agreement. Employee Satisfaction results from the acquisition of land in a timely manner. Financial Management goals are achieved by completing the right of way acquisition without significant legal and staff expenses that would be incurred if eminent domain were pursued.

## **BACKGROUND**

The North Fresno Street and East Sierra Avenue intersection is currently without left turn phasing capacity. Consequently, there is congestion as traffic increases on Sierra Avenue between Fresno Street and Blackstone Avenue. There have also been 13 accidents in the last 3 years that would be correctable with left turn phasing. Plans are now being completed for the upgrade of the intersection with left turn phasing with dual left turn lanes for traffic proceeding north on Fresno Street from eastbound Sierra Avenue and dual left turn lanes for vehicles turning left on Sierra Avenue from northbound Fresno Street. A right turn lane onto Sierra from southbound Fresno Street will also be developed. Curb and gutter improvements will also be extended along the new right of way at the northwest corner of the intersection. Traffic Signal Mitigation Impact fees will cover the cost of the traffic signal upgrade and relocation and Federal Regional Surface Transportation Program grant funds are proposed to be used for the street improvement costs.

An appraisal for the street easements was obtained October 31, 2006, and the written offer was transmitted to the property owner on November 13, 2006. An attorney representing the owner informed the City that his client believes the value of the property is much greater than the \$7.00 per square foot figure which resulted in a value of \$42,379 for the easements. To avoid further appraisal costs and possible legal expenses, the owner's attorney offered to sell the easements for the compromise amount of \$51,500.

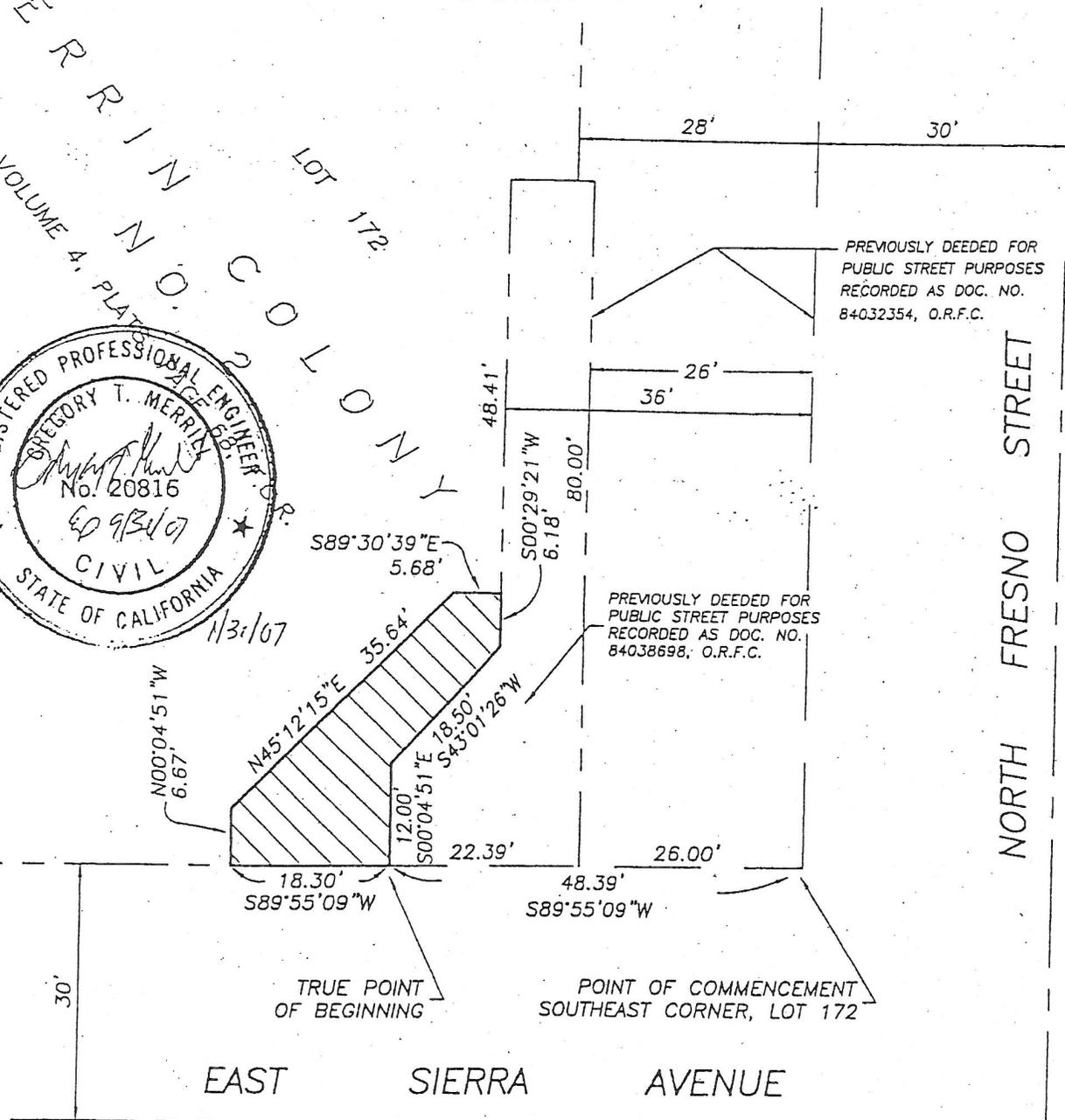
The executed Agreement for Purchase and Sale of Real Property and Escrow Instructions and two deeds of easement have been reviewed and approved as to form by the City Attorney's Office.

## **FISCAL IMPACT**

The cost of the right of way will be about \$53,000 and the total project cost is budgeted at \$905,000. Funds for the signal are held within PW00156, Fund 31578; and funds for the street work are contained in PW00156 Fund 20102.

EXHIBIT "A"

PERRIN COLONY  
 VOLUME 4, PLAT 1356  
 LOT 172



PREVIOUSLY DEEDED FOR PUBLIC STREET PURPOSES RECORDED AS DOC. NO. 84032354, O.R.F.C.

PREVIOUSLY DEEDED FOR PUBLIC STREET PURPOSES RECORDED AS DOC. NO. 84038698, O.R.F.C.



INDICATES AREA TO BE DEEDED FOR PUBLIC STREET PURPOSES

CENTER CORNER SECTION 3, 13/20

AREA = 427.76 SQ. FT.

A.P.N. 408-050-34

PREPARED BY:  
 RABE ENGINEERING, INC.  
 2021 N. GATEWAY BLVD.  
 FRESNO, CA., 93727  
 (559) 252-7223

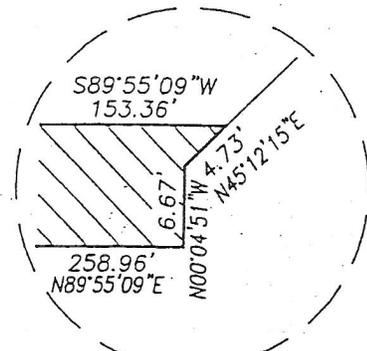
OWNER:  
 STORELLI LAND COMPANY, LLC,  
 A CALIFORNIA LIMITED LIABILITY COMPANY



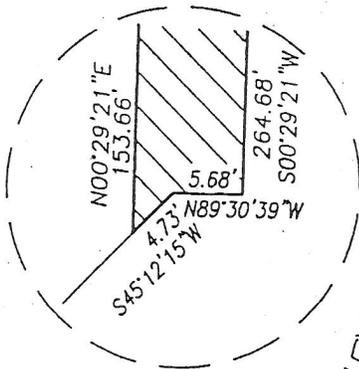
SCALE: 1"=20'

REF & REV. 2002-097 PLAT 1356 PWF-10822	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. NO. PW00156 FUND NO. 31578 ORD. NO. 189904
	THAT PORTION OF LOT 172, PERRIN COLONY NO. 2 FOR PUBLIC STREET EASEMENT TO THE CITY OF FRESNO	DR. BY L.A.P. CH. BY DATE 1-9-06 SCALE 1"=20'

EXHIBIT "B"



DETAIL "A"  
NOT TO SCALE



DETAIL "B"  
NOT TO SCALE

LINE TABLE		
NO.	BEARING	DISTANCE
①	N89°30'39"W	36.00'
②	N89°30'39"W	8.00'
③	S00°29'21"W	48.41'

PERRIN COLONY NO. 2  
VOLUME 4, PLATS, PAGE 68, F.C.R.  
LOT 172

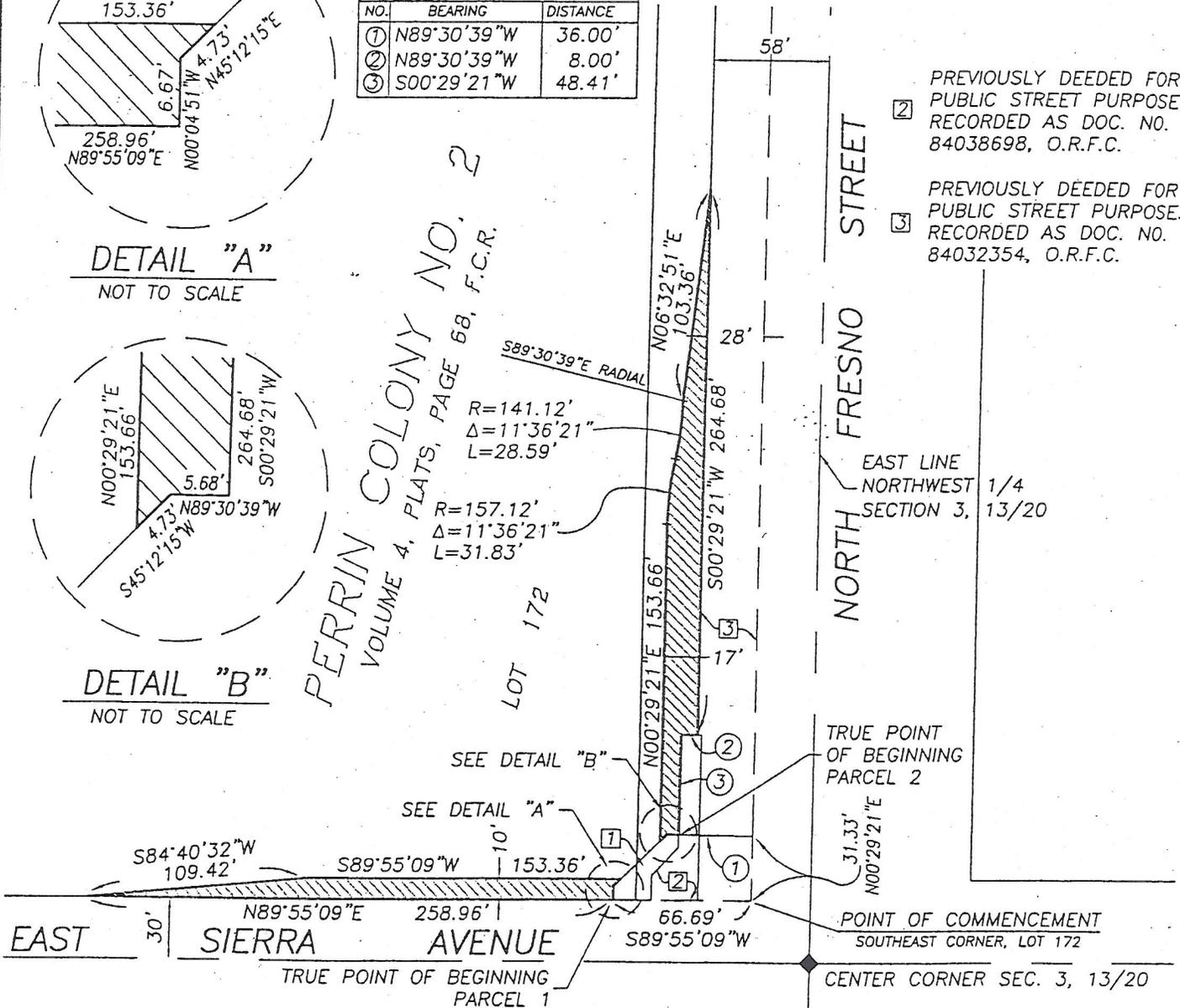
①

②

③

PREVIOUSLY DEEDED FOR PUBLIC STREET PURPOSES RECORDED AS DOC. NO. 84038698, O.R.F.C.

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EAST LINE NORTHWEST SECTION 3, 1/4 13/20

TRUE POINT OF BEGINNING PARCEL 2

POINT OF COMMENCEMENT SOUTHEAST CORNER, LOT 172  
CENTER CORNER SEC. 3, 13/20

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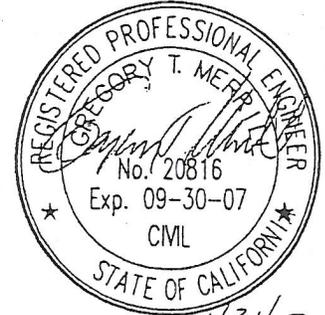


INDICATES AREA TO BE DEEDED FOR PUBLIC STREET PURPOSES

SCALE: 1"=80' PARCEL 1=2,050± SQ. FT. PARCEL 2=3,576± SQ. FT.

OWNER:  
STORELLI LAND COMPANY, LLC,  
A CALIFORNIA LIMITED LIABILITY COMPANY

A.P.N. 408-050-34



1/31/07

REF & REV. 2006-004 PLAT -1356 PWF-10822	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. PW00156 FUND NO. 20102 ORC. NO. 189904
	STREET EASEMENT EAST SIERRA AVENUE/NORTH FRESNO STREET CITY OF FRESNO	DR. BY L.A.P. CH. BY DATE 7-18-06 SCALE 1"=80'
		SHEET NO. 1 OF 1 SHEETS 15-A-8194