

AGENDA ITEM NO.	1D
COUNCIL MEETING	11/08/12
APPROVED BY	
	
DEPARTMENT DIRECTOR	
	
CITY MANAGER	

November 8, 2012

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

BY: SCOTT L. MOZIER, PE, City Engineer / Assistant Director
Public Works Department


CRAIG L. HANSEN, Supervising Real Estate Agent
Public Works Department, Real Estate Services Section

SUBJECT: APPROVE THE SALE OF A PORTION OF THE FORMER BARTON AVENUE RIGHT OF WAY (0.35 ACRES) LOCATED JUST EAST OF GRANITE PARK AND SOUTH OF EAST HAMPTON WAY TO DERREL'S MINI STORAGE AND TO ACCEPT A PORTION OF LAND FROM DERREL'S MINI STORAGE AT THE NORTHEAST CORNER OF THE FORMER BARTON AND PONTIAC INTERSECTION (0.09 ACRES) PLUS A CASH DIFFERENTIAL OF \$4,500 (DISTRICT 4)

RECOMMENDATION

Staff recommends the Council approve the sale of a portion of the former Barton Avenue alignment (0.35 acres) to Derrel's Mini Storage and to accept a portion of land at the northeast corner of the former Barton and Pontiac intersection (0.09 acres) from Derrel's Mini Storage, plus \$4,500.00 in the form of a cash differential; and to authorize the City Manager or his designee to execute a Lot Line Adjustment between the City and Derrel's Mini-Storage.

EXECUTIVE SUMMARY

Derrel's Mini-Storage has proposed an exchange of property with the City of Fresno within the Barton Avenue alignment near the Granite Park property. The land swap, as illustrated in Exhibit "A", will result in the acquisition by Derrel's Mini-Storage of 0.35 acres of former Barton Avenue alignment from the City, in exchange for the City receiving 0.09 acres of the former Pontiac Avenue and Barton Avenue from Derrel's, along with a cash payment of \$4,500 for the differential in property values. Derrel's will utilize the 0.35 acres of property to expand the storage area for their facility at 4530 East Ashlan Avenue. Due to the existence of subsurface utilities within the former right-of-way, Derrel's usage of the property will be generally limited to temporary storage containers and no new buildings. The developer has obtained the necessary entitlements through the Development and Resource Management Department for this expansion. The 0.09 acres being received by the City is contiguous with the Granite Park property and would provide some benefit to the City. Approval of the recommended action by the Council will provide authorization to the City Manager to execute a Lot Line Adjustment to complete the transaction.

BACKGROUND

Derrel's Mini Storage owns and operates a facility located south of Ashlan Avenue, between the Granite Park property and State Route 168. Derrel's Mini-Storage approached the City over a year ago about

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Approve portion of Barton Street with Derrel's Mini Storage

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vacating a portion of the former Barton Avenue alignment south of East Hampton Way and on the east side of Granite Park. Presently, the Barton Avenue right-of-way is 72 feet in width but is only a "paper street". However, the easterly 30 feet of the right of way is currently an easement with Derrel's Mini Storage being the fee simple owner of the land. The City's abandonment would automatically extinguish the easement and return full ownership rights to Derrel's. Of the remaining 42 feet of the Barton alignment, the City owns that portion in fee simple as a result of its ownership takeover of Granite Park. Derrel's would like to purchase 22 feet of the remaining 42 feet in a strip that runs from East Hampton Way, 760 feet south, which terminates 40 feet north of the intersection at what used to be Barton and East Pontiac Way. The City will maintain ownership of the westerly 20 feet of Barton which presently abuts one of the baseball fields. Barton has not been used as a street for many years and there is no intention or reason on behalf of the City to ever make Barton an active street in the future. Derrel's Mini-Storage plans to expand its operation with the addition of shipping containers and other portable type storage uses. The City is retaining an underground easement along the Barton alignment as several utilities are located beneath the former street. Simultaneously, Derrel's is deeding a portion of the Northeast corner of the former Pontiac Way and Barton Avenue, plus writing a check to the City for the difference in the transaction.

The former right of way within Barton and Pontiac have virtually no commercial value as a standalone parcel. Essentially the only significant value would be to an adjoining land owner who wishes to increase the size of an existing parcel. Therefore, the Real Estate Staff has placed a value of \$0.40 cents per square foot which has been agreed to by Derrel's. The area which Derrel's Mini Storage would purchase from the City is a strip of land approximately 760 feet in length and 20 feet in width for a total of 15,186 square feet, or 0.35 acres. At forty cents per square foot the fair market value would be \$6,074.00. The area at Barton and Pontiac that Derrel's would be giving to the City is approximately 100 feet by 40 feet and totals 3,931 square feet, or 0.09 acres. At forty cents per square foot the value of the property is \$1,572.00. Derrel's will be paying the City \$4,500.00 for the difference in the two properties. The City will benefit by the area received by Derrel's as it can be combined with an adjoining property already owned by the City, making this a win-win situation for both parties. Exhibit "A" illustrates the areas to be exchanged.

The land transaction will be accomplished by a Lot Line Adjustment between the City and Derrel's Mini-Storage. Council approval of the staff recommendation will provide the necessary authorizations for the transactions to be completed.

ENVIRONMENTAL FINDING

An environmental assessment was completed by Derrel's Mini Storage as a condition of Voluntary Parcel Merger No. 2008-06. Furthermore, CEQA applies only to projects which have the potential for causing a significant effect on the environment. This particular land transaction has been reviewed by the Planning Division staff from the Development and Resource Management Department, resulting in "A Finding of No Possibility" concerning any environmental impacts from the land exchange.

FISCAL IMPACT

There will be no General Fund dollars required for this transaction. Any required funds have been paid for by Derrel's Mini Storage.

Attachments:

- Vicinity Map
- Exhibit "A"
- No Finding

Vicinity Map North Barton Avenue

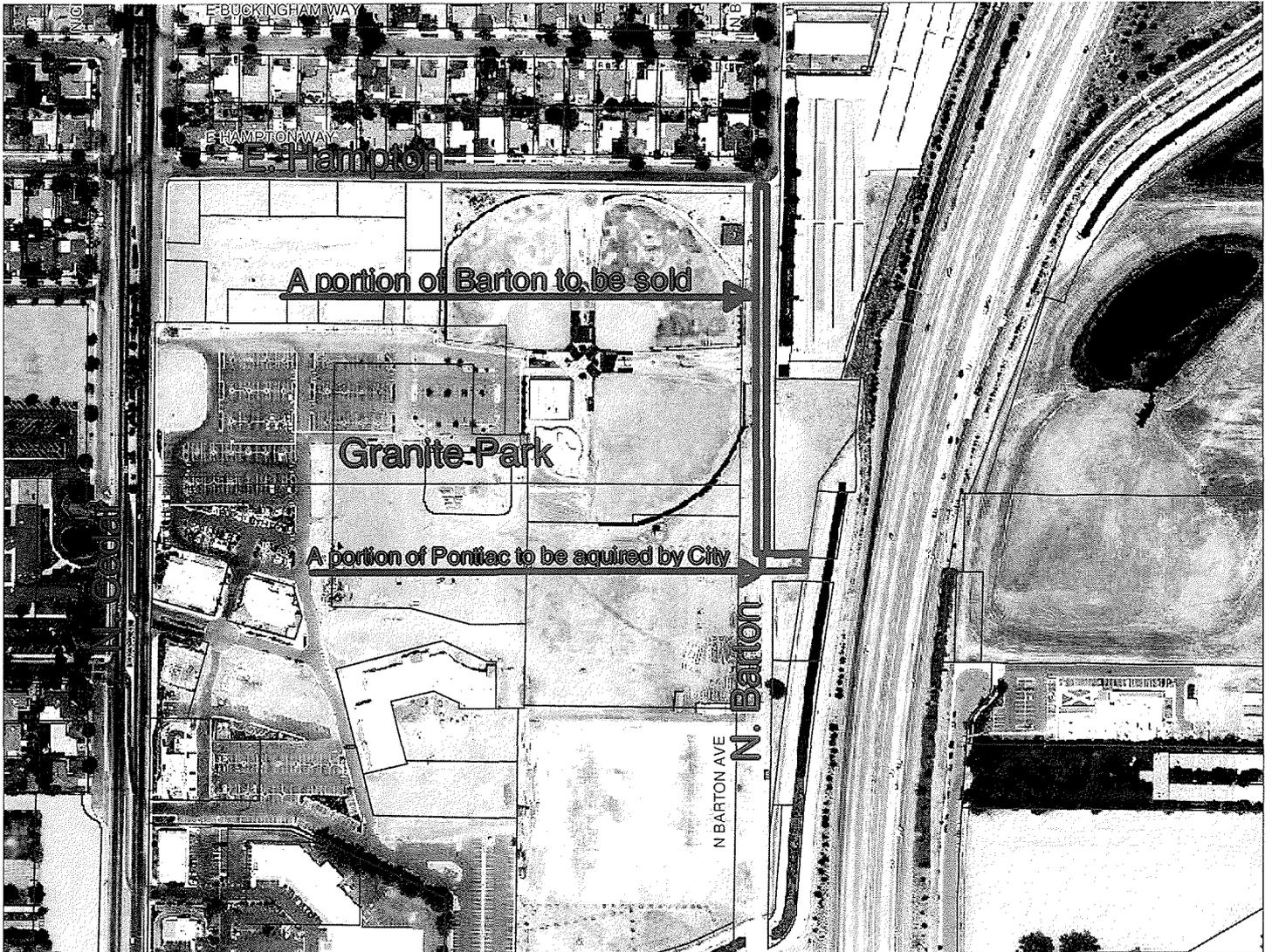
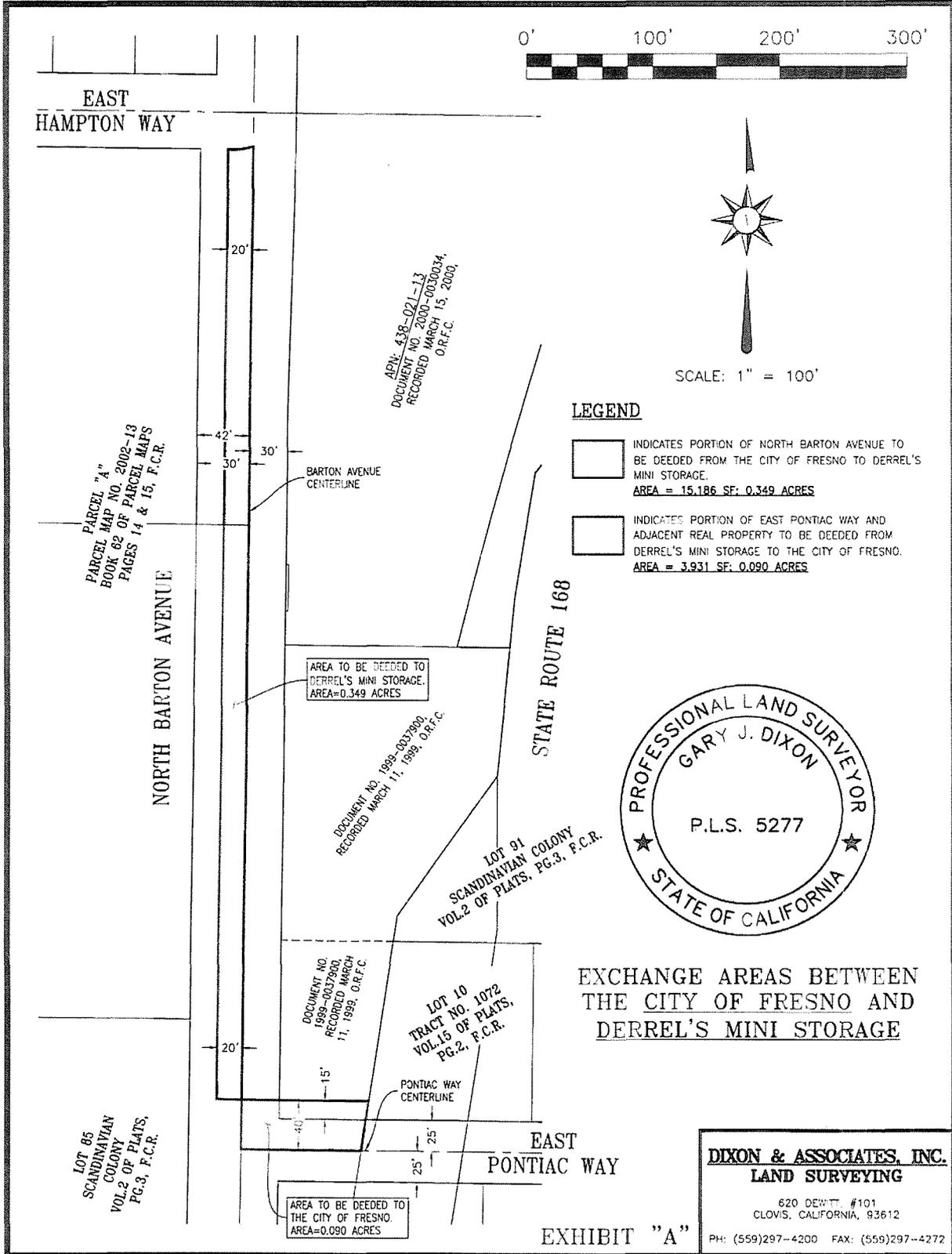


EXHIBIT "A"



**CITY OF FRESNO
ENVIRONMENTAL FINDING OF NO POSSIBILITY OF SIGNIFICANT EFFECT
ENVIRONMENTAL ASSESSMENT NO. EA-12-016**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO HAVE NO
SIGNIFICANT EFFECT ON THE ENVIRONMENT PURSUANT TO ARTICLE 5 OF THE
STATE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

APPLICANT: Craig Hansen
Public Works Department – Traffic and Engineering Services
2600 Fresno Street #4064N
Fresno, CA 93721-3623

PROJECT LOCATION: The intersection of the North Barton Avenue and East Pontiac Way street alignments within the City and County of Fresno.

PROJECT DESCRIPTION: Environmental Assessment No. EA-12-016 pertains to a property exchange between the City of Fresno and Darrell's Mini Storage involving rights of way for Barton Avenue and East Pontiac Way, located within the Granite park Development. The City is proposing to exchange 15,186 square feet of right of way for Barton Avenue between East Pontiac Way and East Hampton Way to Darrell's Mini Storage. In exchange, the City will receive 3,931 square feet which is within the Pontiac way alignment with a small portion of private property included in the exchange.

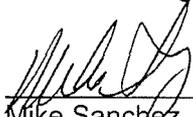
This project is exempt under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

EXPLANATION: CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The property that is being received by Darrell's mini storage has been previously environmentally assessed as part of an expansion of an existing mini storage facility, through EA No. A-08-28/R-08-38/S-08-120 and adopted by Council on April 30, 2009. There is no proposed project at this time for the property being received by the City (Pontiac Way). Any future development that may include this property will require further environmental review. Therefore, staff has determined that a no possibility of significant effect is appropriate for the proposed project.

Date: October 25, 2012

Prepared By: Mike Sanchez
Planner Manager

Submitted By: 
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Development and Resource Management Department
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