

AGENDA ITEM NO.	IC
COUNCIL MEETING	05/01/14
APPROVED BY	
DEPARTMENT DIRECTOR	
CITY MANAGER	

May 1, 2014

for

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**BY:** SCOTT TYLER, PE, City Traffic Engineer/Interim Assistant Director  
Public Works Department, Traffic and Engineering Services Division

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



**SUBJECT:** Actions pertaining to the Herndon Avenue right turn lane extension project of Blackstone Avenue (Council District 6)

1. Adopt a finding of a Categorical Exemption pursuant to Class 1 of the California Environmental Quality Act (CEQA) Guideline Section 15301(c) (Existing Facilities) for extension of a right turn lane at Herndon Avenue and Blackstone Avenue
2. Approve the acquisition of a public street easement and a temporary construction easement at the Northwest corner of Herndon Avenue and Blackstone Avenue (APN 303-170-54) of property owned by Chong's Plaza, LLC, a California Limited Liability Company

## RECOMMENDATIONS

Staff recommends the City Council:

1. Adopt a finding of a Categorical Exemption pursuant to Class 1 of the California Environmental Quality Act (CEQA) Guideline Section 15301(c) (Existing Facilities) for extension of a right turn lane at Herndon Avenue and Blackstone Avenue.
2. Approve the acquisition of a public street easement and a temporary construction easement (See Exhibit "A" and "B"), which is necessary for the extension of a right turn pocket from 100 feet to 400 feet for the appraised amount of \$13,200.

## REPORT TO THE CITY COUNCIL

Approve Partial Acquisition – Northwest corner of Herndon and Blackstone Avenues/Chongs Plaza LLC

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### **EXECUTIVE SUMMARY**

This transaction includes purchasing small amounts of right-of-way behind three commercial driveways and a temporary construction easement behind each of those three driveways near the Denny's Restaurant and Colorado Bar and Grill. The appraisal for the permanent easements and the temporary construction easements was appraised at \$13,200 which the owner has accepted. Utility relocation within the existing right-of-way are anticipated to be completed by mid-year and the project for the turn lane should go out to bid by September 2014. Completion is expected within six months. Adding 300 additional feet to the right hand turn lane is expected to significantly reduce westbound traffic congestion.

### **BACKGROUND**

The overall transaction includes three small acquisitions along the frontage road north of Herndon Avenue. At each location is a driveway which accesses the shopping center. As depicted in the exhibits, Parcel 1 is 149 square feet, Parcel 2 is 93 square feet and Parcel 3 is 149 square feet for a total permanent easement of 391 square feet. In addition, there will be a temporary construction easement behind each of the parcel acquisitions in order to construct a smooth transition in and out of the property. The three temporary construction easements consist of Parcel 1 at 522 square feet, Parcel 2 at 226 square feet and Parcel 3 at 848 square feet for a total of 1,596 square feet. The temporary easements shall expire at the conclusion of construction.

Due to the shallow right hand turn lane at the Northwest corner of Blackstone and Herndon Avenues, only four to five cars can be accommodated. This leads to congestion in the number three lane as traffic stacks up waiting to make a right hand turn northbound onto Blackstone Avenue. With the turn lane extended to 400-feet, as many as twenty vehicles can enter the turn lane which should improve westbound traffic flow on Herndon Avenue.

### **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Class 1 Categorical Exemptions as set forth in the CEQA Guidelines Section 15301(c) which exempts the repair, maintenance or minor alteration of existing facilities. In this particular case, a right hand turn lane is being extended within the existing right-of-way with only minor work at various sidewalk locations. Thus under the above referenced Code section, the repair, maintenance, permitting or minor alterations of existing streets, sidewalks, gutters and other public facilities (including road grading for the purposes of public safety) that involve negligible or no expansion beyond current use are exempt from CEQA requirements.

### **LOCAL PREFERENCE**

Local preference is not applicable to this item.

REPORT TO THE CITY COUNCIL

Approve Partial Acquisition – Northwest corner of Herndon and Blackstone Avenues/Chongs Plaza LLC

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**FISCAL IMPACT**

There will be no General Fund dollars required to acquire the necessary right-of-way. Funds for this acquisition for the Herndon Avenue turn lane improvement project are coming from a federal grant covering 88.53% of the total costs and State Proposition 111 funds which are responsible for the remaining 11.47% of the overall project outlay.

2014-01-30 Chongs Plaza LLC Herndon/Blackstone Acquisition

Attachments:

- Vicinity Map
- Exhibit "A"
- Exhibit "B"

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Vicinity Map

APN 303-170-34

Northwest corner of Blackstone Avenue  
& Herndon Avenue



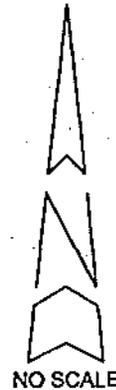
# EXHIBIT "A"

APN 303-170-53

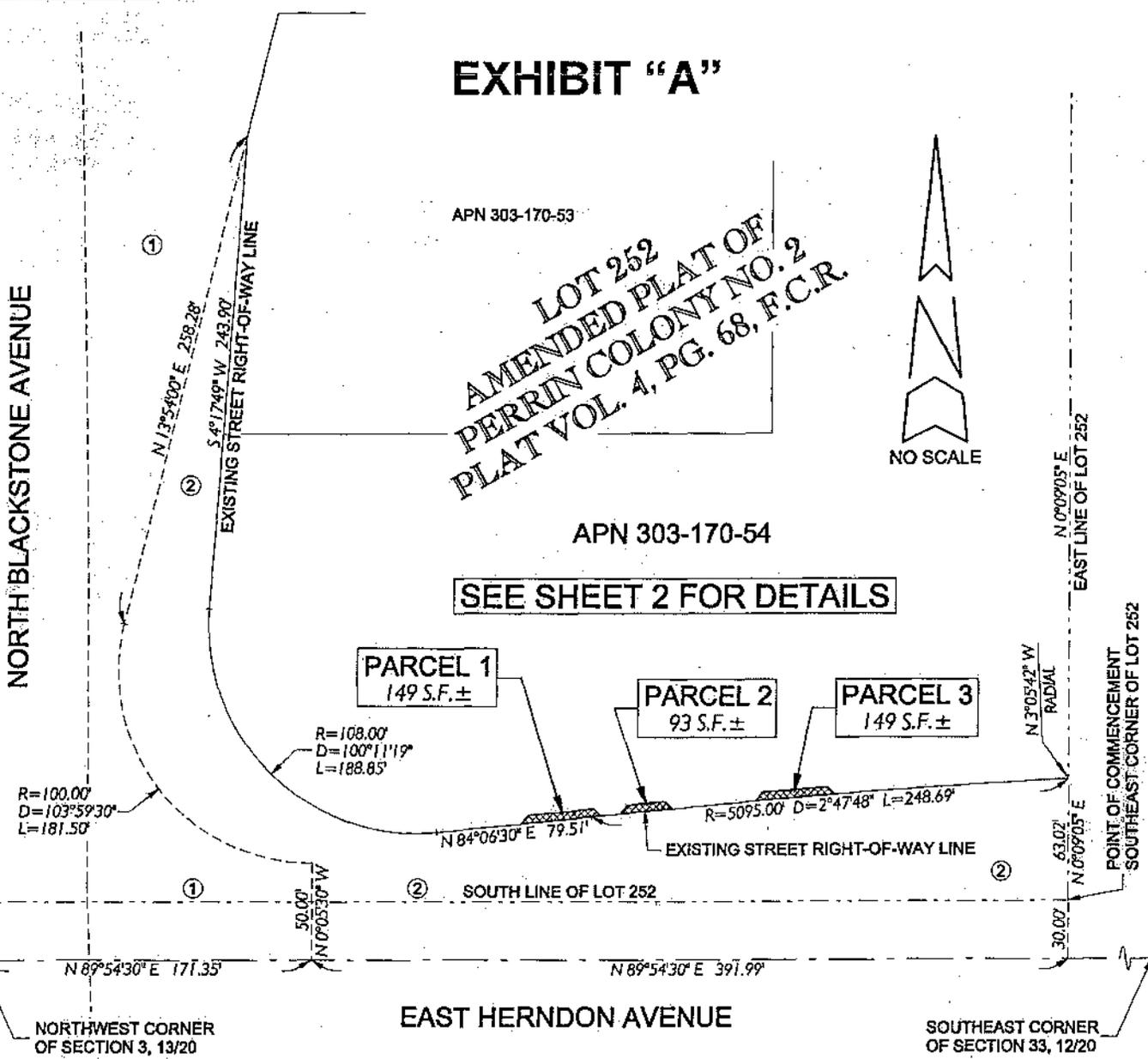
LOT 252  
 AMENDED PLAT OF  
 PERRIN COLONY NO. 2  
 PLAT VOL. 4, PG. 68, F.C.R.

APN 303-170-54

SEE SHEET 2 FOR DETAILS



NORTH BLACKSTONE AVENUE



PARCEL 1  
 149 S.F. ±

PARCEL 2  
 93 S.F. ±

PARCEL 3  
 149 S.F. ±

R=108.00'  
 D=100°11'19"  
 L=188.85'

R=100.00'  
 D=103°59'30"  
 L=181.50'

R=5095.00' D=2°47'48" L=248.69'

N 84°06'30" E 79.51'

N 89°54'30" E 171.35'

N 89°54'30" E 391.99'

NORTHWEST CORNER  
 OF SECTION 3, 13/20

EAST HERNDON AVENUE

SOUTHEAST CORNER  
 OF SECTION 33, 12/20

① = PARCEL 1 OF STATE OF CALIFORNIA RELINQUISHMENT NO. 73361  
 RECORDED OCTOBER 2, 1973 IN BOOK 8220 AT PAGE 143, O.R.F.C.  
 AND SHOWN ON RELINQUISHMENT MAP, REL. REQ. NO. 73361  
 RECORDED IN STATE HIGHWAY MAP BOOK 2 AT PAGES 36 & 37, F.C.R.

② = ACQUIRED BY THE COUNTY OF FRESNO BY THAT DEED RECORDED  
 SEPTEMBER 20, 1963 IN BOOK 4908 AT PAGE 735, O.R.F.C.

DATA DERIVED FROM THE ABOVE CITED RELINQUISHMENT MAP AND DEED

INDICATES AREA TO BE DEDICATED



REF. & REV. 2012-067 PWF 11700 PLAT 1256	<b>CITY OF FRESNO</b> DEPARTMENT OF PUBLIC WORKS		PROJ. ID. PW00584 FUND NO. 22048 ORG. NO. 189901
	PARCELS TO BE DEDICATED TO THE CITY OF FRESNO AS EASEMENTS AND RIGHTS-OF-WAY FOR PUBLIC PEDESTRIAN WALKWAY PURPOSES		DR. BY. AJ CH. BY. R.A.W. DATE DEC. 20, 2012 SCALE NO SCALE
			SHEET NO. 1 OF 2 SHEETS <b>15-A-8906</b>

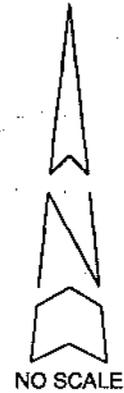
# EXHIBIT "B"

## SHEET 1 OF 2

NORTH BLACKSTONE AVENUE

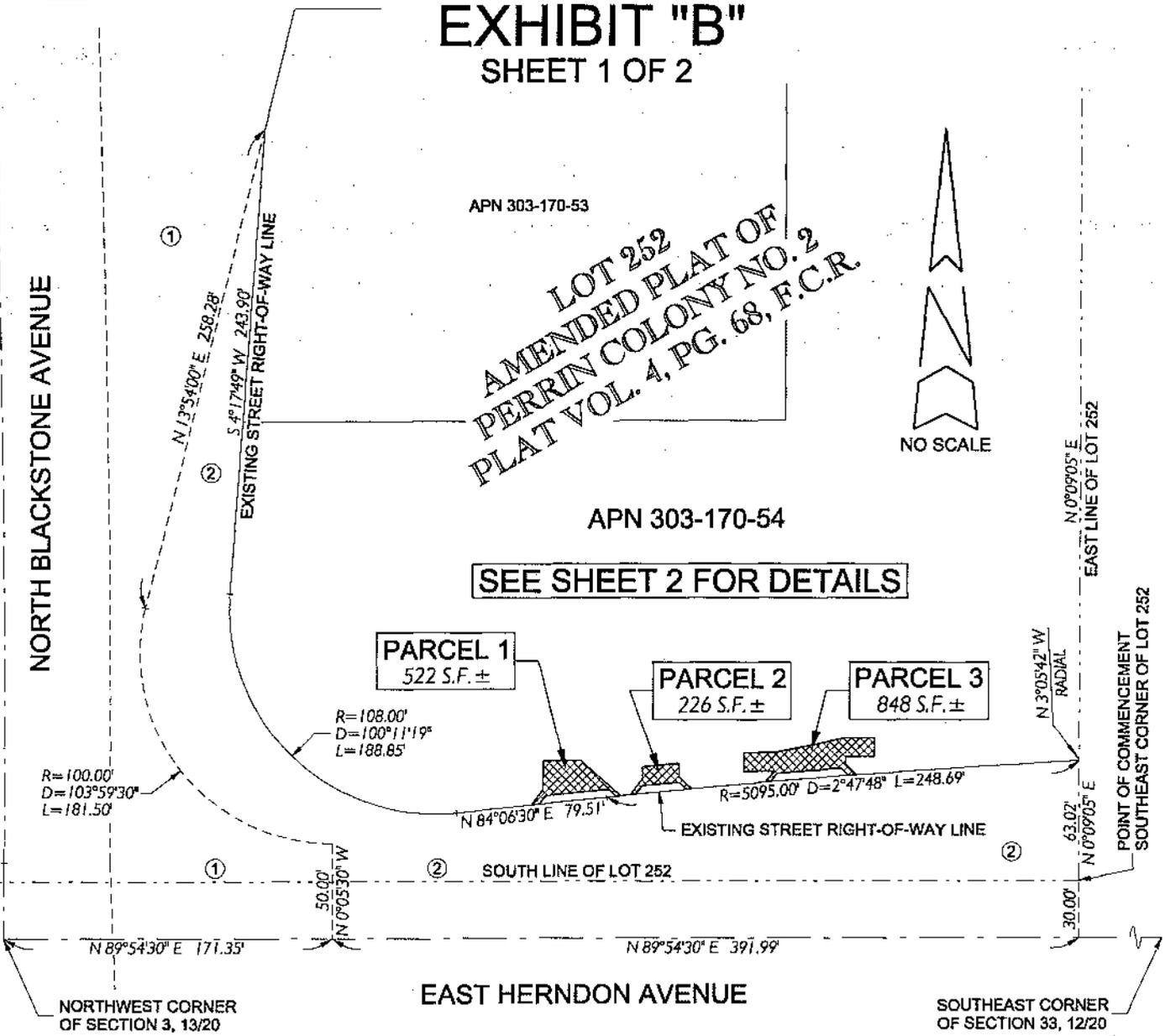
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LOT 252  
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<p><b>PARCELS TO BE DEDICATED TO THE CITY OF FRESNO</b></p> <p><b>AS TEMPORARY CONSTRUCTION EASEMENTS</b></p>		<p>DR. BY <u>AJ</u></p> <p>CH. BY <u>RA.W.</u></p> <p>DATE <u>MAR. 18, 2012</u></p> <p>SCALE <u>NO SCALE</u></p>	<p><b>15-A-8906T</b></p>

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