



# Board Agenda Item 46

DATE: March 7, 2017

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Request by City of Fresno to Obtain Road Easements in the County

## RECOMMENDED ACTION:

**Approve City of Fresno's request to acquire a road easement without eminent domain action from two parcels adjacent to existing County road right-of-way in unincorporated areas of the County as needed in conjunction with the City's approval of a land use application for the expansion of the Armenian Home facility located on Kings Canyon Boulevard between Armstrong and Temperance Avenues.**

Approval of the recommended action will facilitate the City's request to acquire additional road easement along the northerly side of Kings Canyon Boulevard at its intersection with Apricot Avenue. (See Vicinity Map and attached Exhibit A for the right-of-way acquisition area). The City has been advised that the Board's approval of this item will not include approval to undertake eminent domain proceedings. The City is proposing to construct road improvements along Kings Canyon Boulevard for the ultimate build-out of the Armenian Home site.

## ALTERNATIVE ACTION:

There is no alternative that is viable for this action. Denial of this action will result in the inability of the City to construct the road improvements as required for the development of the Armenian Home facility.

## FISCAL IMPACT:

There will be no Net County Cost for this recommended action. The City has initiated this request per letter (see attached Exhibit B) and paid \$320 for processing of this request in accordance with the Master Schedule of Fees. The City will acquire an easement for road right-of-way from private property owners. The City, through the developer and its contractor, will construct the road improvements with no fiscal impact to the County. Construction management of the work will be performed by the City, and County personnel will provide oversight inspection of the improvements through application of an encroachment permit for the work. Maintenance of the road improvements within the acquired area will be provided by the City's Department of Public Works.

## DISCUSSION:

The City approved a land development through their Condition Use Permit process via application C-14-057. The Armenian Home development will consist of a three-story 125,000 square foot (SF) assisted and independent living facility, a 21,800 SF memory care facility, and 12 independent living duplex cottages to serve the senior population of Fresno.

As part of the road improvements, the City will be widening Kings Canyon Boulevard to a four-lane facility, tapering back to a two-lane road at the eastern end of the project site. The existing facility is currently accessed

via an asphalt driveway at the eastern end of the project site. The road improvements will tie back into this existing driveway, but limit turning movements for this easterly driveway to right-in, right-out only.

This limitation for the easterly driveway will be accomplished by constructing a median island in Kings Canyon Boulevard. Currently the median island in Kings Canyon Boulevard extends approximately half way across the project site. The median island improvements will be modified by constructing a turn lane into the middle of the project site, while extending the closed median to the eastern project site limits.

In order to provide an adequate line of sight for patrons exiting the site via this easterly driveway, it is necessary to acquire additional road easement area. Two parcels are impacted by this proposed right-of-way acquisition. An area of 1,025 SF is proposed for acquisition from the adjacent parcel, and an area of 154 SF is proposed for acquisition from the next parcel. Both parcels are under the same ownership. Within this acquired area, various ornamental landscape and split rail wood fencing improvements will have to be removed. The acquisition of the road easement area will enable the applicant to clear this area and improve the line of sight for patrons exiting the facility.

Section 1810 of the Streets and Highways Code provides the basis for the City to request this action by the Board of Supervisors. The newly acquired road right-of-way will be maintained by the City in accordance with the code section.

The proposed right-of-way acquisition is consistent with the project improvement plans provided by the City. County Department of Public Works and Planning staff has reviewed the plans for the street improvements, and any work within the County road right-of-way will be processed through an encroachment permit.

OTHER REVIEWING AGENCIES:

This item has been initiated at the written request of the City of Fresno (See Exhibit B). A copy of this Agenda Item has been provided to the City per their request.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Vicinity Map  
Exhibit A  
Exhibit B

CAO ANALYST:

John Hays