



Legislation Details (With Text)

File #: ID 22-234 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 1/27/2022 **In control:** City Council

On agenda: 2/10/2022 **Final action:**

Title: Actions pertaining to Resolution of Intention Number 1146-D to vacate the most northerly corner cut-off of M Street and Inyo Street (Council District 3)

1. Adopt a finding of Categorical Exemption per Environmental Assessment Number P21-04415 per staff determination, pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. RESOLUTION - Adopt the attached Resolution of Intention Number 1146-D to vacate the most northerly corner cut-off of M street and Inyo Street

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 22-81 M_InyoVacationVicinityMap, 2. 22-81 M_InyoVacationEA, 3. 22-81 Resolution of Intent No. 1146-D

Date	Ver.	Action By	Action	Result
2/10/2022	1	City Council	TABLED	

REPORT TO THE CITY COUNCIL

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

BY: RANDALL W. MORRISON, PE, Assistant Director
Public Works Department, Engineering Division

JASON A. CAMIT, PLS, Chief Surveyor
Public Works Department, Engineering Division, Right of Way Section

SUBJECT

Actions pertaining to Resolution of Intention Number 1146-D to vacate the most northerly corner cut-off of M Street and Inyo Street (Council District 3)

1. Adopt a finding of Categorical Exemption per Environmental Assessment Number P21-04415 per staff determination, pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. RESOLUTION - Adopt the attached Resolution of Intention Number 1146-D to vacate the most northerly corner cut-off of M street and Inyo Street

RECOMMENDATIONS

Staff recommends the City Council adopt a finding of Categorical Exemption per Environmental Assessment Number P21-04415, pursuant to Section 15301/Class 1 of the California Environmental

Quality Act (CEQA) Guidelines and adopt Resolution of Intention No. 1146-D for the proposed vacation of the most northerly corner cut-off of M Street and Inyo Street and set the required hearing at 10:05 a.m. on March 10, 2022.

EXECUTIVE SUMMARY

Metro Hospitality Services, Inc. is proposing to vacate the most northerly corner cut-off of M Street and Inyo Street. The purpose of this vacation is to accommodate Development Permit Application Number P21-01109, which is for the construction of a five story Marriott hotel.

BACKGROUND

The most northerly corner cut-off at M Street and Inyo Street was originally dedicated by Deed of Easement recorded February 27, 1986, Official Records Fresno County. It is located at the most southerly corner of Lot 17 of the Map of the Town (now City) of Fresno, in Volume 1 of Plats, at Page 2, Fresno County Records. The vacation will return approximately 11 square feet back to useable space by the owner. The purpose of this vacation is to accommodate Development Permit Application Number P21-01109, which is for the construction of a five story Marriott hotel.

The Public Works Department, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street easement proposed for vacation is unnecessary for present or prospective public street purposes, as described in Exhibit "A" and as shown on Exhibit "B", subject to conditions of approval as listed in Exhibit "C", said exhibits are included in the attached Resolution of Intent.

The City is not disposing of any land and therefore the Surplus Land Act is not applicable.

City Attorney's Office has approved the attached Resolution to Vacate as to form.

The vacation, if approved by the Council at the public hearing, will become effective when the vacating resolution is recorded in the office of the Fresno County Recorder, but not until the City Engineer determines that the conditions listed in the attached resolution have been satisfied and accepted by the City.

ENVIRONMENTAL FINDINGS

This project is exempt under Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines as follows:

Under Section 15301/Class 1, the proposed project is exempt from CEQA requirements when the project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

The vacation is proposed within existing improved public sidewalks. The vacation will remove approximately 11 square feet of easement and right-of way for public street purposes and return the property's usability over to the private property owner. No significant effects would occur as a result of the proposed project.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project. Furthermore, the proposed project is not expected to have a significant effect on the environment. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

LOCAL PREFERENCE

Local preference does not apply because the vacation of a public street easement does not involve bidding or contracting.

FISCAL IMPACT

The proposed vacation is located in Council District 3 and will have no impact to the General Fund. Metro Hospitality Services, Inc. has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

M_InyoVacationVicinityMap

M_InyoVacationEA

Resolution of Intent No. 1146-D