



Legislation Details (With Text)

File #: 23-152 **Version:** 1 **Name:**
Type: Consent Item **Status:** Passed
File created: 2/2/2023 **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency
On agenda: 2/21/2023 **Final action:** 2/21/2023
Title: SUBJECT: Adoption of a Resolution Setting a Public Hearing for Monday, March 20, 2023, to Vacate the 60-Foot-Wide Right-of-Way for Streets within the Paseo Subdivision, Generally Located at the Northwest Corner of G Street and Bellevue Road (Vacation #22-04)

REPORT IN BRIEF

Considers adopting a Resolution to set a public hearing for March 20, 2023, to vacate the 60-Foot-Wide Right-of-Way for Streets within the Paseo Subdivision, generally located at the northwest corner of G Street and Bellevue Road.

RECOMMENDATION

City Council - Adopt a motion adopting Resolution 2023-11, A Resolution of The City Council of The City of Merced, California, declaring its Intention to Vacate the 60-Foot-Wide Right-Of-Way Dedicated for Streets within Portico Drive, Montage Drive, Promenade Avenue, Countryside Avenue, Mosaic Avenue, and Savannah Avenue within the Paseo Subdivision generally located at the Northwest Corner of G Street and Bellevue Road (Vacation #22-04) and setting a time and place for a Public Hearing.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan of Gated Entrance, 3. Map of Vacation Area, 4. City Council Resolution 2023-11

Date	Ver.	Action By	Action	Result
2/21/2023	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

Report Prepared by: Julie Nelson, Senior Planner, Development Services Department

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ALTERNATIVES

1. Approve as recommended by staff; or,
2. Approve, subject to modifications by the City Council; or,
3. Deny; or,
4. Refer back to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in motion).

AUTHORITY

Government Code Section 66477.5 (c) specifies the procedures for vacating land previously dedicated for public use, such as for parks and other public facilities. The City of Merced Administrative Policies and Procedures No. A-6 provides direction to staff for processing vacation requests, and City Council Resolution No. 86-90 establishes a policy concerning costs associated with the vacation.

CITY COUNCIL PRIORITIES

Not applicable.

DISCUSSION

The Paseo subdivision is located at the northwest corner of G Street and Bellevue Road (Attachment 1). The developer is converting the subdivision to a private, gated community. Therefore, the roads within the subdivision would no longer be public roads. On November 10, 2022, the Site Plan Review Committee approved Site Plan Review Permit #504 for the installation of a gate at the entrance to the subdivision off of Barclay Way (Attachment 2). As a condition of approval, the right-of-way was required to be vacated and an easement granted to the City for all utilities that remain in the vacated right-of-way area, as well as for vehicular access for public safety, public works repair vehicles, and refuse. The streets to be vacated include Portico Drive, Montage Drive, Promenade Avenue, Countryside Avenue, Mosaic Avenue, and Savannah Avenue. The vacation area is shown on the map at Attachment 3.

A Homeowner's Association has been formed to be responsible for the streets, including maintenance of the streets, streetlights, and other improvements within the existing right-of-way.

Staff is requesting the City Council adopt the resolution at Attachment 4 setting the public hearing for Vacation #22-04 for Monday, March 20, 2023.

IMPACT ON CITY RESOURCES

There would be no impact on City resources as a result of this action.

ATTACHMENTS

1. Location Map

2. Site Plan of Gated Entrance
3. Map of Vacation Area
4. City Council Resolution 2023-11