



CITY OF SAN MATEO

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Agenda Report

Agenda Number: {{item.number}} Section Name: {{section.name}} File ID: {{item.tracking_number}}

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Public Works Department
MEETING DATE: July 20, 2020

SUBJECT:
Bay Meadows Station Block 1 - Emergency Vehicle Access Easement Summary Vacation

RECOMMENDATION:
Adopt a Resolution to vacate the Emergency Vehicle Access Easement for Bay Meadows Station Block 1, in substantially the form presented.

BACKGROUND:
On January 7, 2013 City Council approved the Bay Meadows Phase II No. 4 Final Map as shown in Attachment 2. The owner, Bay Meadows Track Investors, LLC, dedicated an Emergency Vehicle Access Easement (EVAE) and Public Service Easement (PSE) within Block 14 (Station Block 1) to the City of San Mateo. The Final Map was recorded on March 20, 2013 at the San Mateo County Recorder's Office.

City Council originally approved a commercial development for Station Block 1 on April 21, 2008. During 2017, the owner applied for a Planning Application (PA) Modification, which was approved by the Planning Commission on September 25, 2018. One of the conditions of approval specified abandonment of the EVAE contingent on the grant of an Alternate Means and Methods Request (AMMR) by the Fire Department. The plat and legal description of the EVAE to be abandoned are described in Attachment 1, Exhibits A & B.

The applicant submitted the AMMR in August 2019, which was reviewed by the Fire Marshal and granted on May 29, 2020 with the following conditions: (1) provide two permanent staircases with roof access, (2) maintain the PSE, and (3) provide a gate with suitable Fire Department access to the PSE (Attachment 3).

Pursuant to the authority contained in the Streets and Highways Code Section 8333(c) of the State of California, the legislative body may vacate an easement if the easement is determined excess by the easement holder and there are no other public facilities located within the easements. The EVAE on Station Block 1 has been determined by the City to be excess because the granted AMMR provides the functional equivalent and because the PSE will remain for existing public facilities. The EVAE within Station Block 1's private property is not required for current or prospective public use. Therefore, the developer has met the requirements to vacate the EVAE.

Public Works and the City's contracted Licensed Surveyor determined that the plat and legal description are correct. Therefore, staff recommends Council adopt a resolution to vacate the EVAE.

BUDGET IMPACT:
The project applicant provided project accounts (Account #467609-rSTA1-pw06 and #467604-sSTA1-pw01) for staff review of the map and associated materials.

ENVIRONMENTAL DETERMINATION:

The City Council exercised its independent judgment certifying the Final EIR for the San Mateo Rail Corridor Plan & Bay Meadow Specific Plan Amendment on April 18, 2005 (with respect to the Corridor Plan) and November 7, 2005 (with respect to the Bay Meadows Specific Plan Amendment), and has adopted appropriate CEQA findings related to the Project Approvals. On September 25, 2018, the Planning Commission adopted Addendum #5 to that Final EIR for the Bay Meadows Station Blocks 1 and 5 Planning Application Modification (PA17-074). Approval by the City Council for the summary vacation is in accordance with California Streets and Highway Code section 8335. These actions are ministerial acts in accordance with CEQA guidelines section 15268 as they fall within the scope of the Project Approvals and CEQA findings previously made by the City Council and Planning Commission.

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – Proposed Resolution

Exhibit A – Legal Description of the EVAE to be Vacated

Exhibit B – Plat of the EVAE to be Vacated

Att 2 – Bay Meadows Final Map Phase II No. 4

Att 3 – Granted Alternate Means and Methods Request

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