

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #20-14

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: June 17, 2020

PREPARED BY: Francisco Mendoza-Gonzalez,
Associate Planner

CITY COUNCIL
MEETING DATE: July 6, 2020
(Tentative)

SUBJECT: **Vacation #20-03**, initiated by Mohammed Jawad, to vacate a 315-square-foot easement within the vacant parcel at 1001 W. 16th Street, generally located at the northwest corner of 16th Street and Q Street.

ACTION: Finding:

- 1) The proposed Vacation is consistent with the General Plan.

BACKGROUND AND RECOMMENDATION

The subject site is a vacant 0.33-acre vacant parcel zoned Central Commercial (C-C) located at the northwest corner of 16th Street and Q Street. The vacant parcel includes a City easement that is 63 feet wide by 5 feet long, located near the northeast portion of the parcel adjacent to an alleyway. The applicant is requesting the vacation of this easement so that they may develop a gas station on this site. This proposed gas station would require Site Plan Review (an administrative process) to ensure the project meets City standards, and provides adequate access.

The City's Engineering Department reviewed this proposal, and could not determine the original purpose of this easement or find any specific project that it was reserved for. The City's Engineering Department further determined that this easement would not be needed for any future City-related projects. The City's Engineering Department recommends vacating this easement to give the property owner full rights to develop their land. If the City needs additional easements on this property, they can be requested when the property owner submits land use applications to develop this site.

After contacting all utility companies in the area, it was determined that no utilities were located within this easement, and there are no plans to use this easement in the future. Therefore, this easement is no longer needed and should be abandoned to give the property owners full use of their property.

The General Plan does not address such routine items as vacating easements or parcels, so there is little guidance provided for such a vacation. Because such matters are not addressed, the proposed Vacation is not inconsistent with any of the General Plan's goals or policies. Therefore, the proposed Abandonment is consistent with the General Plan and a Finding of Consistency is

recommended. Planning staff recommends the Planning Commission adopt a Finding showing that the proposed Vacation is consistent with the General Plan.

Attachments:

- A) Location Map
- B) Legal Description
- C) Parcel Map



EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 031-114-009-000

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MERCED, COUNTY OF MERCED, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 15 AND 16 IN BLOCK 182, ACCORDING TO MAP ENTITLED, "SUPPLEMENTAL MAP OF TOWN OF MERCED", RECORDED MARCH 4, 1889 IN BOOK 1 OF MAPS, PAGE 12, AND NOW APPEARING IN VOL. 2 OF MAPS, PAGE 12, MERCED COUNTY RECORDS.

EXCEPTING THAT PORTION GRANTED TO THE CITY OF MERCED BY DEED RECORDED FEBRUARY 27, 1995, BOOK 3328, OFFICIAL RECORDS, PAGE 289, MERCED COUNTY RECORDS, (5335-95) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LOT 16 OF BLOCK 182 AS SHOWN ON MAP OF TOWN OF MERCED, RECORDED IN VOLUME 2 OF RECORDED MAPS AT PAGE 12, MERCED COUNTY RECORDS, SAID AREA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT THAT IS THE INTERSECTION OF THE WEST LINE OF Q STREET AND THE NORTH LINE OF WEST 16TH STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE THE FOLLOWING COURSES AND DISTANCES:

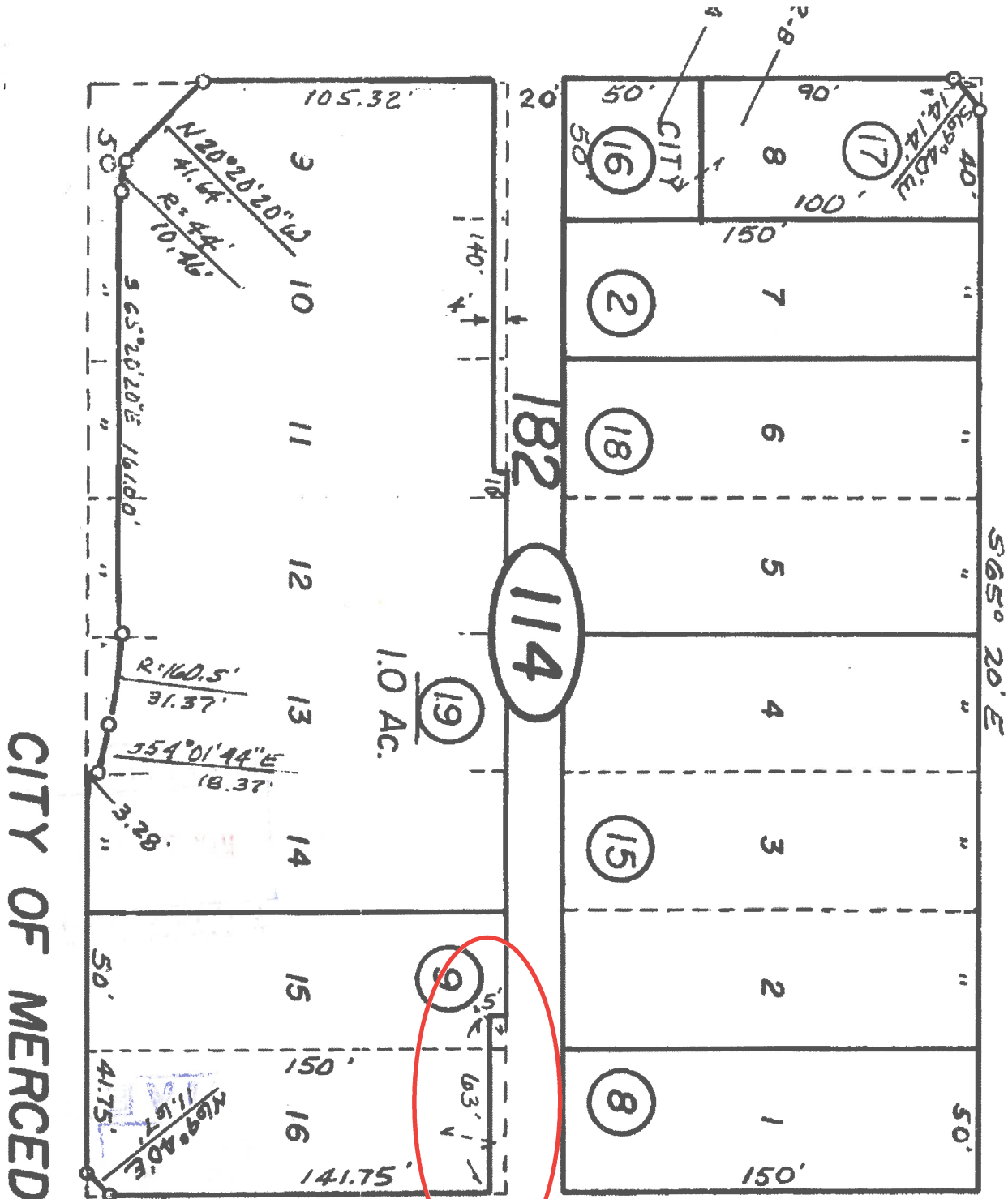
NORTH 65°20'00" WEST, 8.25 FEET; NORTH 69°40'00" EAST, 11.67 FEET; SOUTH 24°40'00" WEST, 8.25 FEET;

ALSO EXCEPTING THEREFROM THAT PORTION GRANTED TO THE CITY OF MERCED BY DEED RECORDED APRIL 28, 1998, INSTRUMENT NO. 14564, BOOK 3714, PAGE 685 OF OFFICIAL RECORDS, SAID AREA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOTS 15 AND 14 IN BLOCK 182 AS SHOWN ON "SUPPLEMENTAL MAP TO TOWN OF MERCED", RECORDED IN VOLUME 2 OF OFFICIAL PLATS AT PAGE 12, MERCED COUNTY RECORDS, LYING IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 13 EAST, M.D.B.&M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEASTERLY 5.00 FEET OF SAID LOT 16 ALSO THE SOUTHEASTERLY 13.00 FEET OF THE NORTHEASTERLY 5.00 FEET OF SAID LOT 15.

Parcel Map Enlarged



CITY OF MERCED

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