
City of Merced
MEMORANDUM

DATE: June 5, 2023
TO: Planning Commission
FROM: Julie Nelson, Senior Planner
SUBJECT: Vacation #23-01 and #23-02

Subsequent to the Planning Commission Agenda being published, staff realized the attachments for Agenda Item E.2 (Planning Commission Staff Report #23-472 for Vacations #23-01 and #23-02) were incorrect. Please find attached the staff report and correct attachments.

Attachments

Staff Report #23-472 with updated attachments



ADMINISTRATIVE REPORT

File #: 23-472

Meeting Date: 6/7/2023

Planning Commission Staff Report

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

SUBJECT: Vacation #23-01 and #23-02 - initiated by Rhino Holdings, LLC, to abandon a portion of right-of-way on the south side of Main Street, between R Street and T Street.

ACTION FINDING:

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

SUMMARY

This request is to vacate a portion of right-of-way on the south side of Main Street between R Street and T Street. In addition to typical right-of-way improvements, this section of right-of-way also includes parking spaces that serve the Westgate Shopping Center. The City would reserve an easement for all public improvements.

RECOMMENDATION

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

DISCUSSION

Project Description

The property owner of the property located at 1136, 1158, 1230, and 1240 West Main Street has requested the vacation of the City right-of-way on Main Street adjacent to their property (Attachment A). Currently, there are parking stalls within the dedicated right-of-way. The owner wishes to have those parking stalls part of their land and under their control, rather than being in the City's right-of-way. This configuration was part of the redevelopment of this area when the Westgate Shopping Center was redeveloped. At that time, the City reserved extra right-of-way to widen Main Street. The request is being considered as two separate vacations due to the vacation area expanding across two separate parcels. Vacation #23-01 is for the vacation in front of 1136 to 1230 West Main Street and Vacation #23-02 is for the vacation in front of 1240 West Main Street (refer to the Location Map at Attachment A and the Overall Site Plan at Attachment B).

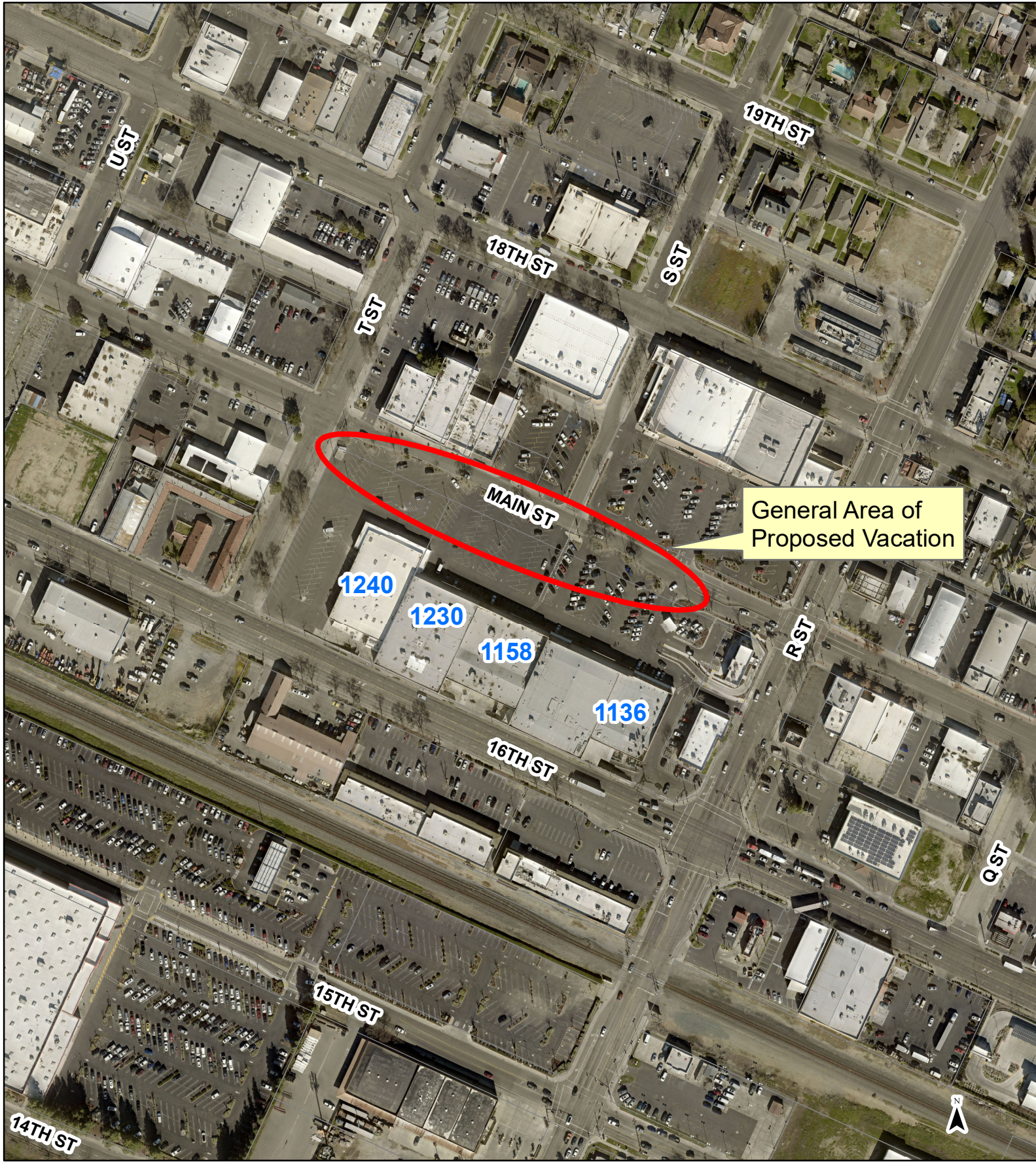
The City Surveyor, Deputy City Manager, and Planning Staff reviewed the vacation request. The City Surveyor and Deputy City Manager originally considered entering into a right-of-way agreement for the area and preserving the City's right-of-way. However, after further consideration and determining that Main Street would not be widened in that area, it was determined that vacating the right-of-way and reserving an easement for the City's facilities (streetlights, utilities, sidewalks, etc.) was the better

course of action.

The General Plan does not address such routine issues as abandoning streets and rights-of-way. Therefore, the abandonments would not conflict with any goals, policies, or action in the General Plan, and the proposed vacation is consistent with the General Plan.

ATTACHMENTS

- A) Location Map
- B) Overall Site Plan
- C) Legal Description and Site Plan for Vacation #23-01
- D) Legal Description and Site Plan for Vacation #23-02



General Area of Proposed Vacation

Disclaimer: This document was prepared for general inquiries only. The City of Merced is not liable for errors or omissions that might occur. Official information concerning specific parcels should be obtained from recorded or adopted City documents.

Vacation #23-01 and #23-02
Rhino Holdings, LLC



ATTACHMENT A

EXHIBIT "A"

ENCROACHMENT EASEMENT

That portion of Main Street (formerly 17th Street), in the City of Merced, County of Merced, State of California, lying northeasterly of and adjacent to the northeasterly line of Blocks 180 and 181 of Mondo Addition, according to the map thereof recorded October 27, 1947 in Book 11 of Maps, Page 35, Merced County Records, described as follows:

BEGINNING at the most northerly corner of said Block 180; thence South 65° 20' 50" East, along the northeasterly line of said Block 180, a distance of 219.98 feet to the most northerly corner of Parcel A as shown on that certain map entitled Parcel Map for Rhino Holdings I, LLC, filed on October 26, 2020 as Instrument No. 2020039062 in Book 119 of Parcel Maps, at Page 5 through 6 inclusive, Merced County Records, said corner being the TRUE POINT OF BEGINNING; thence

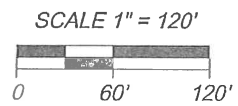
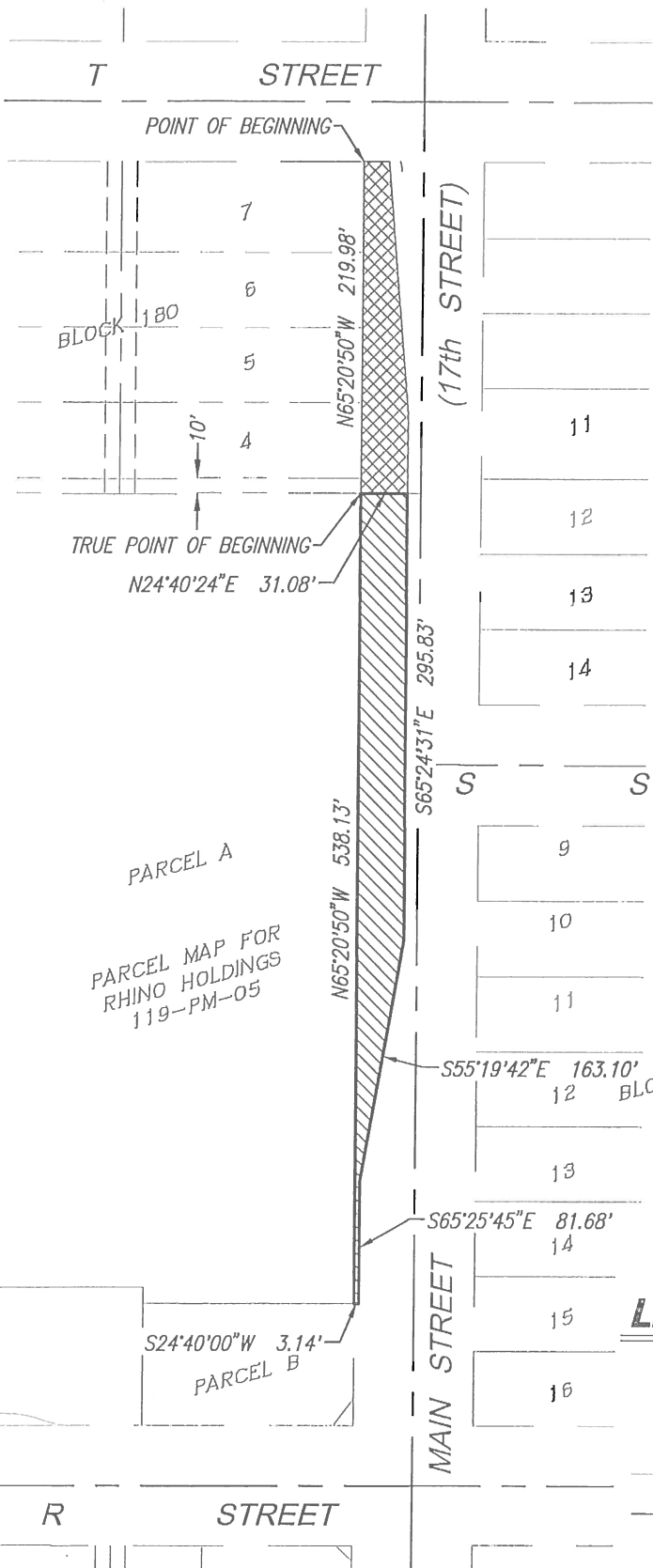
- 1) North 24° 40' 24" East, along the northeasterly prolongation of the northwesterly line of said Parcel A, a distance of 31.08 feet; thence
- 2) South 65° 24' 31" East, a distance of 295.83 feet; thence
- 3) South 55° 19' 42" East, a distance of 163.10 feet; thence
- 4) South 65° 25' 45" East, a distance of 81.68 feet; thence
- 5) South 24° 40' 00" West, a distance of 3.14 feet to the northeast corner of said Parcel A; thence
- 6) North 65° 20' 50" West, along the northeasterly line of said Parcel A, a distance of 538.13 feet to the TRUE POINT OF BEGINNING.

Contains an area of: 12,255 Sq. Ft., more or less.



5-4-2023

EXHIBIT 'B'



5-4-2023

LEGEND

- ENCROACHMENT PER THIS DOCUMENT
- ENCROACHMENT PER SEPARATE DOCUMENT
- PROPERTY LINE
- SECTION LINE



EXHIBIT MAP
 DESCRIPTION:
 BEING A PORTION OF MAIN STREET LYING ADJACENT
 TO BLOCKS 180 AND 181

PROJECT NAME:
 1140 MAIN STREET
 03-10-2023 23-095

SHEET
 1 OF 1

EXHIBIT "A"

ENCROACHMENT EASEMENT

That portion of Main Street (formerly 17th Street), in the City of Merced, County of Merced, State of California, lying northeasterly of and adjacent to the northeasterly line of Block 180 of Mondo Addition, according to the map thereof recorded October 27, 1947 in Book 11 of Maps, Page 35, Merced County Records, described as follows:

BEGINNING at the most northerly corner of said Block 180; thence

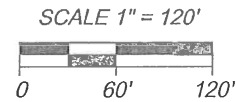
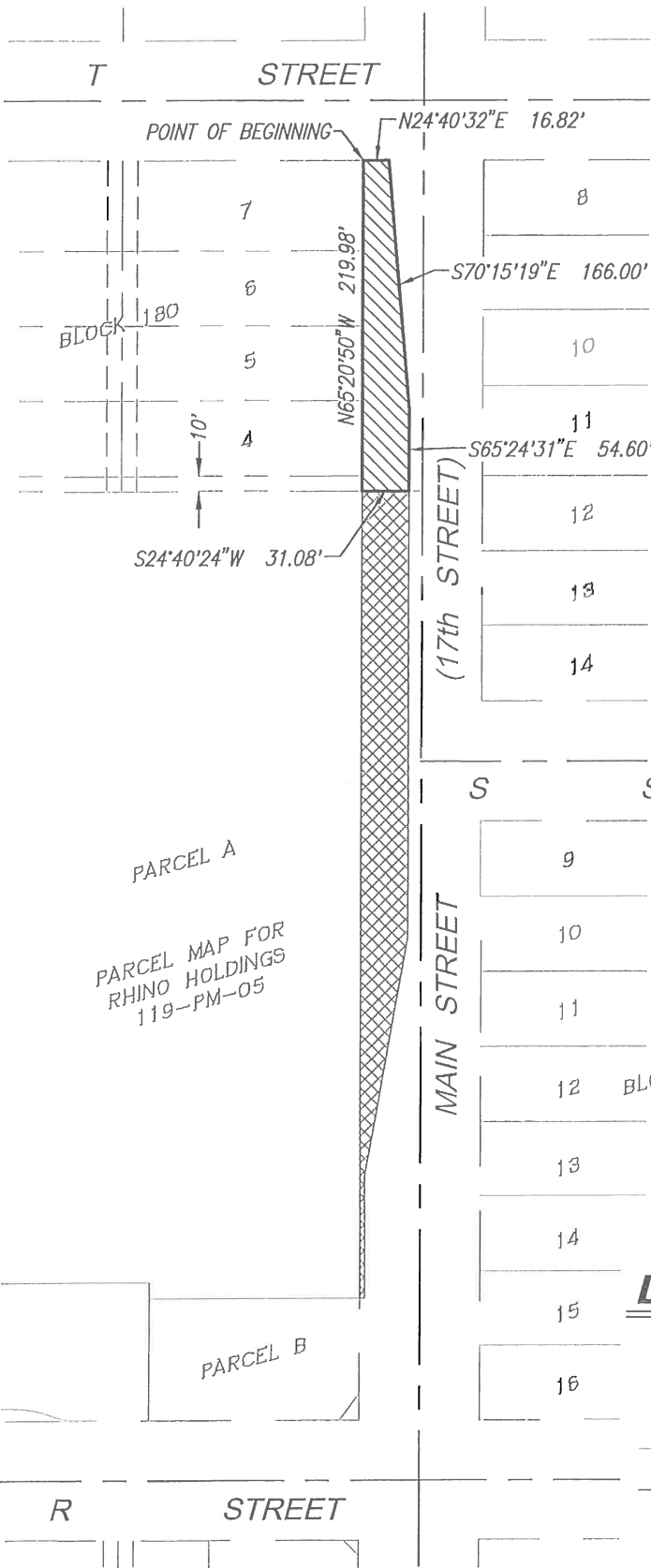
- 1) North 24° 40' 32" East, along the northeasterly prolongation of the northwesterly line of said Block 180, a distance of 16.82 feet; thence
- 2) South 70° 15' 19" East, a distance of 166.00 feet; thence
- 3) South 65° 24' 31" East, a distance of 54.60 feet; thence
- 4) South 24° 40' 24" West, a distance of 31.08 feet; thence
- 5) North 65° 20' 50" West, along the northeasterly line of said Block 180, a distance of 219.98 feet to the POINT OF BEGINNING.

Contains an area of: 5,651 Sq. Ft., more or less.



S-4-2023

EXHIBIT 'B'



PARCEL A
 PARCEL MAP FOR
 RHINO HOLDINGS
 119-PM-05

PARCEL B



5-4-2023

LEGEND



ENCROACHMENT PER THIS DOCUMENT



ENCROACHMENT PER SEPARATE DOCUMENT

PROPERTY LINE

SECTION LINE



EXHIBIT MAP

PROJECT NAME:

SHEET

DESCRIPTION:

1140 MAIN STREET

1 OF 1

BEING A PORTION OF MAIN STREET LYING ADJACENT
 TO BLOCKS 180 AND 181

03-10-2023

23-095

ATTACHMENT G

Vacation #22-01 & #22-02

1136 to 1240 West Main Street



General Area of Proposed Vacation

MAIN ST

1240

1230

1158

1136

16TH ST

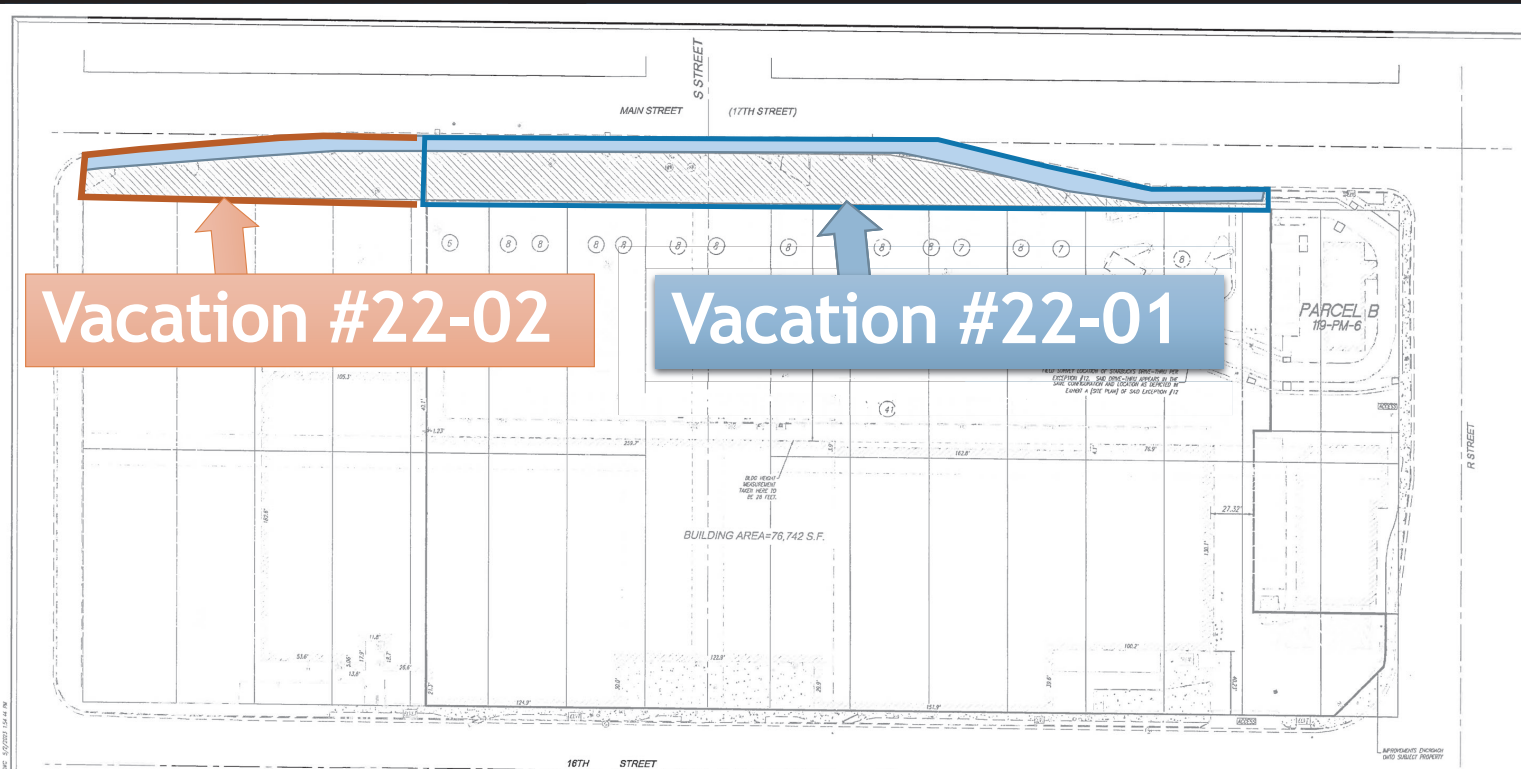
R ST

Q ST

2

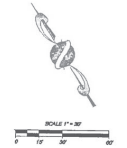
Vacation #22-02

Vacation #22-01



LEGEND

□	EXISTING AREA LIGHT	○	EXISTING STREET MARKING	▨	EXISTING CURB AND GUTTER
—	EXISTING SHOWLOW PRESERVE	—	EXISTING SIGN	▩	EXISTING CONCRETE
#	EXISTING ISOLAND	—	EXISTING SIGN DOWN CURB WALK	▩	EXISTING TRUCKED ZONES
ES	EXISTING COMMANCHOR PALLETS	—	EXISTING SIGN DOWN WALK	▩	PORTION OF PROPERTY TO BE ADDED PER SEPARATE DOCUMENT
EE	EXISTING ELECTRIC PALLETS	○	EXISTING SIGN MARKER	▩	IF DOCUMENT FOR FUTURE LANDSCAPING AND SIDEWALK
EF	EXISTING FIRE DEPARTMENT CONNECTION	○	EXISTING STREET LIGHT		
EF	EXISTING FIRE SIGNAL	—	EXISTING STREET LIGHT		
EW	EXISTING GAS WATER	—	EXISTING TRAFFIC SIGNAL BOX		
EP	EXISTING OVERSLOP PARKING STALL	—	EXISTING TRAFFIC SIGNAL LIGHT		
EW	EXISTING WALK BE	○	EXISTING TREE		
EW	EXISTING WALK BE	○	EXISTING SIGN		
EW	EXISTING WALKING WELL	○	EXISTING WATER METER		
EW	EXISTING SIGN ELEMENT	○	EXISTING WATER METER		



Easement Area Reserved by City for Sidewalk & Landscaping

PLANNING & ENGINEERING & CIVIL ENGINEERING
1934 O STREET, PLEASANTON, CALIFORNIA 94553
TEL: 925.462.1000
WWW.PRECISION-INC.COM



PROJECT NO. 1706, 1708 & 1709 W. MAIN STREET
SHEET PREPARATION: TOPOGRAPHIC SURVEY
DATE: 01/20/23
CITY OF MERCED

DESIGNED BY: SAUL BRIDGEMAN
DRAWN BY: SAUL BRIDGEMAN
CHECKED BY: SAUL BRIDGEMAN
DATE: 01/20/23
CITY OF MERCED, CALIFORNIA

REVISIONS
DATE: 01/20/23
REVISION: 1, 2023
REVISION: 21, 2023

DATE: 01/20/23



SHEET NUMBER
1 OF 3
JOB NUMBER
23-024

Background

The right-of-way was obtained with the redevelopment of the Westgate Shopping Center to allow for widening of Main Street.

Parking stalls serving the Westgate Shopping Center are located within the right-of-way.

The owner wants the parking stalls to be under their control rather than the City's.

The additional right-of-way is no longer needed.

The General Plan does not address the vacation of right-of-way.

Planning Commission Action

- **Make a Finding of Consistency with the General Plan**

Questions...