CITY OF MERCED
Planning & Permitting Division

STAFF REPORT:	**#12-17**	**AGENDA ITEM:**	**4.2**
FROM:	Kim Espinosa, Planning Manager	**PLANNING COMMISSION MEETING DATE:**	**Oct. 17, 2012**
PREPARED BY:	Julie Nelson, Planner	**CITY COUNCIL MEETING DATE:**	**Nov. 19, 2012 (Tentative)**

SUBJECT: **Zone Change #414**, initiated by the City of Merced as a regulatory agency. This application involves a request to change the zoning on five parcels from a Central Commercial (C-C) zone to a Public Parking District (P-PK) zone; said properties are located at: 1) 622 W. Main Street, 2) 333 W. 16th Street, 3) 335 W. 16th Street, 4) 1801 M Street, and 5) 606 W. 19th Street.*PUBLIC HEARING*

ACTION: PLANNING COMMISSION:

Recommendation to City Council

1) Environmental Review #12-24 (Categorical Exemption)
2) Zone Change #414

CITY COUNCIL:

Approve/Disapprove/Modify

1) Environmental Review #12-24 (Categorical Exemption)
2) Zone Change #414

SUMMARY

The proposed zone change will change the zoning for five parcels located within the downtown area (Attachment A) from Central Commercial (C-C) to Public Parking District (P-PK). The Public Parking District was created to provide a zoning designation for parking lots that are available for free use by the public for specified periods of time. Three of the parcels involved in the Zone Change are currently vacant, but have been designated for public parking or other public-type use by the former Redevelopment Agency. The other two parcels are occupied by the Merced Center Parking Garage at the northwest corner of 18th and M Streets. In order to ensure the zoning for these parcels remains consistent with the City's intended use of the parcels, the City has initiated this Zone Change.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of Environmental Review #12-24 (Categorical Exemption) and Zone Change #414 (including the adoption of the Resolution at *Attachment* C) subject to the following conditions:

*1) The proposed project shall be constructed/designed as shown on Exhibit 1 (location map) -- Attachment A, except as modified by the conditions.

*2) All future proposed projects shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.

*3) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.

(*) Denotes non-discretionary conditions.

PROJECT DESCRIPTION

There are five parcels affected by this zone change. They all lie within the downtown area. Two of the parcels are occupied by the Merced Center Parking Garage. The other three are currently vacant. Please refer to the map at Attachment A for the specific location of the parcels. All the parcels are surrounded by commercial uses within a Central Commercial (C-C) zone.

BACKGROUND

On August 22, 2012, the Planning Commission recommended approval of Zoning Ordinance Amendment #12-01, which would create the Public Parking District (P-PK), as well as make other changes to the Zoning Ordinance. On October 1, 2012, the City Council approved this amendment. The ordinance will be effective on November 1, 2012.

The parcels subject to the Zone Change were identified through previous plans as sites to be used for public parking or other public purpose like a walk-way, etc. The parcels located at the corner of 18th and M Streets are currently occupied by the Merced Center Parking Garage. The other parcels are currently vacant.

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

A) The proposed project complies with the General Plan designation of Regional/Community Commercial (RC) and the zoning designation of Public Parking District (P-PK) if the Zone Change is approved.

Traffic/Circulation

B) This Zone Change will not cause any traffic generation or affect the circulation of the existing traffic in the area. As the vacant parcels are developed, there may be an increase in the traffic volume in the immediate area surrounding these sites.

Public Improvements/City Services

C) No public improvements are required with the approval of this Zone Change. However, when the vacant parcels are developed, all missing public improvements shall be constructed. All the required public improvements currently exist for the Merced Center Parking Garage at 18th and M Streets.

Site Design

D) There are no specific designs proposed with this application. Any future development will be reviewed prior to construction.

Neighborhood Impact/Interface

E) There is no neighborhood impact/interface anticipated as a result of this Zone Change. At the time of development, consideration will be given to the impacts any future project might have on the surrounding area.

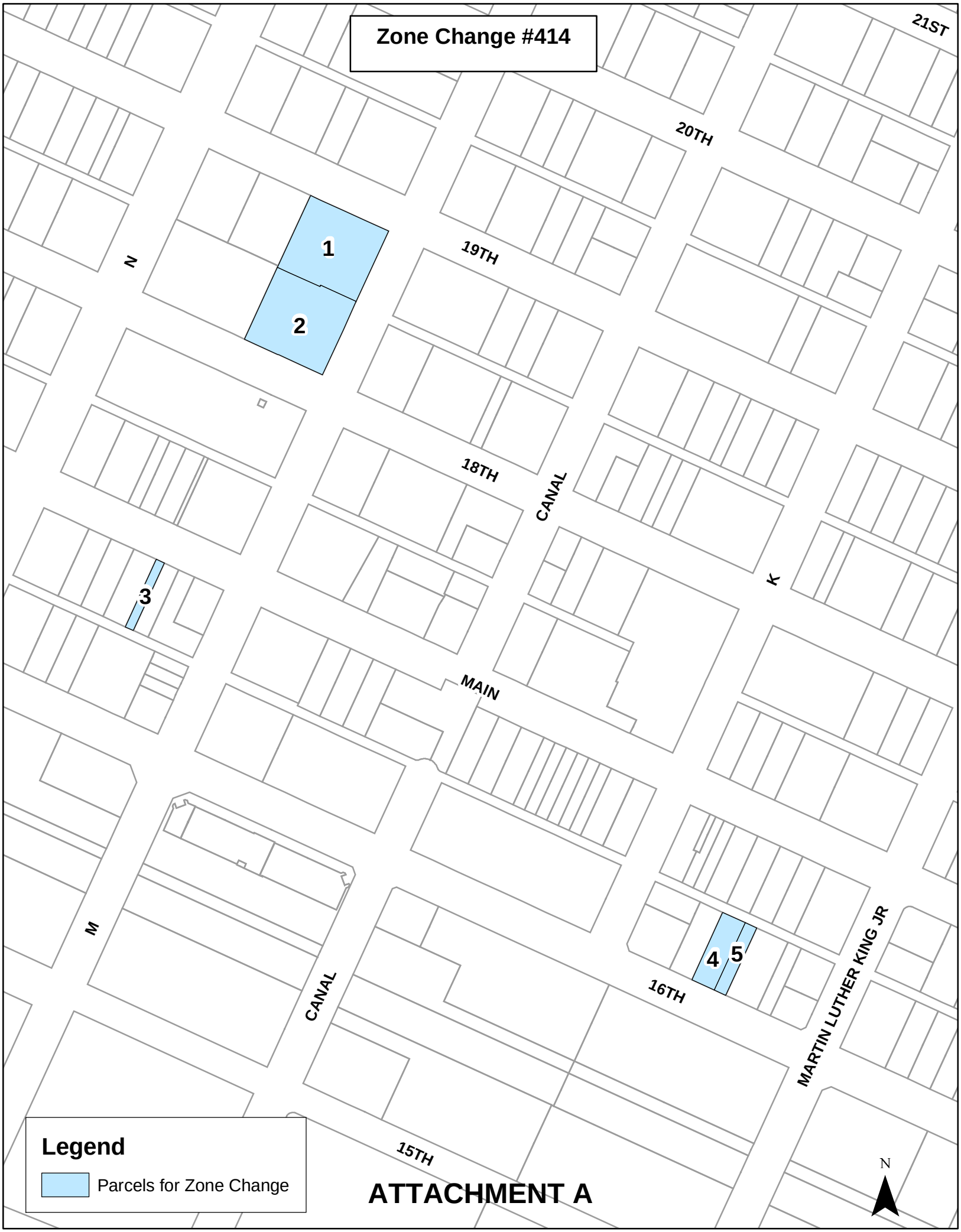
Environmental Clearance

F) The Planning staff has conducted an environmental review (Environmental Review # 12-24) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption is being recommended (see Attachment B).

Attachments:

A) Location Map
B) Categorical Exemption
C) Draft Planning Commission Resolution

Ref: *N:shared/planning/staffreports/SR#12-17(City Parking Lots)*



ATTACHMENT A

NOTICE OF EXEMPTION

To: ____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044
Merced, CA 95340
_X_ County Clerk
County of Merced
2222 M Street
Merced, CA 95340

From: (Public Agency)
City of Merced
678 West 18th St.

Project Title: Zone Change #414

Project Applicant: City of Merced

Project Location (Specific): 622 W Main St., 333 & 335 W. 16th St., 1801 M St., 606 W. 19th St.

APN: 031-134-025, 031-152-014, 031-152-015, 031-054-027, 031-054-026

Project Location - City: Merced **Project Location - County:** Merced

Description of Nature, Purpose, and Beneficiaries of Project:

The project involves changing the zoning for the properties from Central Commercial (C-C) to Public Parking District (P-PK).

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: City of Merced

Exempt Status: (check one)
___ Ministerial (Sec. 21080(b)(1); 15268);
___ Declared Emergency (Sec. 21080(b)(3); 15269(a));
___ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
_X_ Categorical Exemption. State Type and Section Number: Section 1533
___ Statutory Exemptions. State Code Number: _____.
___ General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: Project is considered an in-fill development project. The project locations are within the City Limits, are all on parcels less than 5-acres in size, and are surrounded by urban uses. All the sites can be served by all required utilities and public services, and the project sites have no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

Lead Agency: City of Merced
Contact Person: Julie Nelson, Planner **Area Code/Telephone:**(209) 385-6858

Signature: _____ **Date:** 9-24-12 **Title:** Planner

_X_ Signed by Lead Agency Date Received for Filing at OPR:_____
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code

ATTACHMENT B

CITY OF MERCED
Planning Commission

Resolution #_____

WHEREAS, the Merced City Planning Commission at its regular meeting of October 17, 2012, held a public hearing and considered **Zone Change #414,** initiated by the City of Merced as a regulatory agency. This application involves a request to change the zoning on five parcels from a Central Commercial (C-C) zone to a Public Parking District (P-PK) zone; said properties are located at: 1) 622 W. Main Street, 2) 333 W. 16th Street, 3) 335 W. 16th Street, 4) 1801 M Street, and 5) 606 W. 19th Street; also known as Assessor's Parcel Numbers 031-134-025, 031-152-014, 031-152-015, 031-054-027, and 031-054-026; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through F of Staff Report #12-17; and,

NOW THEREFORE, after reviewing the City's Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend to City Council adoption of a Categorical Exemption regarding Environmental Review #12-24, and approval of Zone Change #414, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

Upon motion by Commissioner _____, seconded by Commissioner _____, and carried by the following vote:

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)
ABSTAIN: Commissioner(s)

ATTACHMENT C

Adopted this 17th day of October 2012

_____
Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

_____
Secretary

Attachment:
Exhibit A – Conditions of Approval

n:shared:planning:PC Resolutions:ZC#414 Parking Lots

Conditions of Approval
Planning Commission Resolution #_____
Zone Change #414

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (location map) -- Attachment A of Staff Report #12-17, except as modified by the conditions.
2. All future proposed projects shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
3. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.

n:shared:planning:PC Resolutions:ZC#414 Exhibit A