

RESOLUTION NO. 2016-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DENYING A NEGATIVE DECLARATION FOR
GENERAL PLAN AMENDMENT #16-01 AND
ZONE CHANGE #423 AND DENYING
GENERAL PLAN AMENDMENT #16-01
REQUESTING TO CHANGE THE GENERAL
PLAN DESIGNATION FROM
THOROUGHFARE COMMERCIAL (CT) TO
HIGH DENSITY RESIDENTIAL (HD) FOR AN
APPROXIMATELY 1.1 ACRE PARCEL
LOCATED ON THE NORTH SIDE OF EAST
16TH STREET, APPROXIMATELY 245 FEET
EAST OF G STREET (205 EAST 16TH STREET)**

WHEREAS, the City is processing an application for a project that involved a proposed General Plan Amendment, changing the General Plan designation from Thoroughfare Commercial (CT) to High Density Residential (HD), a proposed Zone Change changing the zoning designation from Thoroughfare Commercial (C-T) to R-4 and an Environmental Review (Negative Declaration) for a parcel located on the north side of East 16th Street, approximately 245 feet east of G Street (205 East 16th Street), more particularly described in Exhibit "A" and shown on the map at Exhibit "B"; and

WHEREAS, the Planning Commission of the City of Merced held a noticed public hearing on May 4, 2016, at which time all those interested in the matter were provided the opportunity to speak or provide written or oral testimony regarding the application; and

WHEREAS, after hearing all of the evidence and testimony, the Planning Commission adopted Resolution #3066, attached hereto as Exhibit "C," and incorporated herein by reference, recommending that the City Council deny General Plan Amendment #16-01, Zone Change #423, and Environmental Review #16-09 (Negative Declaration); and

WHEREAS, the City Council held a noticed public hearing on June 6, 2016, at which time all those interested in the matter were provided the opportunity to speak or to provide written or oral testimony regarding the application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MERCED AS FOLLOWS:

SECTION 1. Based upon the evidence and testimony in the record at the City Council public hearing, the City Council exercising its independent judgment and review, hereby denies a Negative Declaration pursuant to the provisions of the California Environmental Quality Act for Initial Study #16-09 and General Plan Amendment #16-01.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2016, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Ka Ryed 5/18/16
City Attorney Date

EXHIBIT "A"
LEGAL DESCRIPTION

Lot B as shown on the map entitled "Ritchey's Addition to Merced," recorded in Book 6, Page 9 of Merced County Records; also known as Assessor's Parcel Number (APN): 034-204-002.

General Plan Amendment #16-01
254 East 16th Street

MAIN

E

SUBJECT SITE
APN: 034-204-002

Change General Plan Designation
from
Thoroughfare Commercial (CT)
to
High Density Residential (HD)

99

16TH

16TH

99

99

N

EXHIBIT B

CITY OF MERCED
Planning Commission

Resolution #3066

WHEREAS, the Merced City Planning Commission at its regular meeting of May 4, 2016, held a public hearing and considered **General Plan Amendment #16-01 and Zone Change #423**, initiated by Eddie Laplante and Daniel Kazakos, on behalf of Landmark Hill Investments, LLC, property owner. This application is a request to change the General Plan and Zoning designations for an approximately 1.1 acre parcel, located on the north side of East 16th Street, approximately 245 feet east of G Street. The requested change is to amend the General Plan designation from Thoroughfare Commercial (CT) to High Density Residential (HD) and to change the Zoning designation from Thoroughfare Commercial (C-T) to High Density Residential (R-4) to allow the conversion of an existing 37-unit motel to a 41-unit supportive housing complex with an on-site manager's residence; also known as Assessor's Parcel Number (APN): 034-204-002; and,

WHEREAS, the Merced City Planning Commission hereby adopts Findings K through M as follows:

FINDINGS FOR DENIAL OF GPA #16-01/ZC #423

- K) On May 4, 2016, the Planning Commission held a public hearing on the proposed General Plan Amendment #16-01/Zone Change #423 and heard testimony from four individuals, including the applicant.
- L) Although the Planning Commission felt that the applicant's goals for the project and desire to help the homeless problem in the community were worthy, the Planning Commission agreed that the location was not ideal due to its close proximity to Downtown, which already houses a number of homeless service programs, and the safety of pedestrian and bicycle traffic and disabled access in such close proximity to the Highway 99 off-ramp and high speed traffic.
- M) The Planning Commission was concerned about the lack of requirements for the tenants to sign a "sober living agreement" and the lack of a structured treatment program for alcohol and substance abuse issues and mental health issues. The Commission was also concerned about the lack of incentives in the program for tenants to resolve their

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issues and move onto other housing and employment options as well as the lack of information provided regarding the success rate of similar programs.

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 denial of a Negative Declaration regarding Environmental Review #16-09, and denial of General Plan Amendment #16-01 and Zone Change #423.

Upon motion by Chairperson Colby, seconded by Commissioner Smoot, and carried by the following vote:

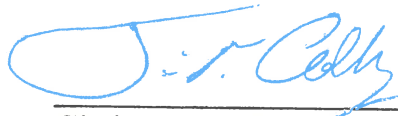
AYES: Commissioners Dylina, McLeod, Smith, Smoot, and
Chairperson Colby

NOES: Commissioner Baker

ABSENT: None

ABSTAIN: Commissioner Padilla

Adopted this 4th day of May 2016



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:


Secretary