



## Legislation Details (With Text)

<b>File #:</b>	17-177	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Public Hearing Item	<b>Status:</b>		Passed	
<b>File created:</b>	4/3/2017	<b>In control:</b>		City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	
<b>On agenda:</b>	5/15/2017	<b>Final action:</b>		5/15/2017	
<b>Title:</b>	SUBJECT: Public Hearing - General Plan Amendment #17-01/Site Utilization Plan Revision #2 to Planned Development (P-D) #72 for the Northwest Corner of Yosemite Avenue and Mansionette Drive				

### REPORT IN BRIEF

The is a request to amend the General Plan designation and the Site Utilization Plan designation for Planned Development (P-D) #72 from "Police Station" to Neighborhood Commercial (CN) for a 4.54 acre parcel located at the northwest corner of Yosemite Avenue and Mansionette Drive and to amend the text of the Merced Vision 2030 General Plan to reflect the above change.

### RECOMMENDATION

City Council - Adopt a motion

A. Adopting Resolution 2017-28, a Resolution of the City Council of the City of Merced, California, for General Plan Amendment #17-01 to amend the land use designation from High-Medium Density Residential (HMD) to Neighborhood Commercial (CN) for a 4.54 acre parcel generally located at the northwest corner of Yosemite Avenue and Mansionette Drive and to amend the Public Services and Facilities Element to reflect a change to the text on Page 5-6 and the Map at Figure 5.2 on Page 5-5 of the Merced Vision 2030 General Plan related to the location of the Central Police Station; and,

B. Introducing Ordinance No 2475, an Ordinance of the City Council of the City of Merced, California, Approving Site Utilization Plan Revision #2 to Planned Development (P-D) #72 changing the land use designation from "Police Station" to "Neighborhood Commercial" for a 4.54 acre parcel generally located at the northwest corner of Yosemite Avenue and Mansionette Drive.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Location Map.pdf, 2. Map for P-D #72.pdf, 3. Proposed Land Use Changes.pdf, 4. C-N Zoning.pdf, 5. Interface Regulations.pdf, 6. Proposed Text - Pg 5-6.pdf, 7. Res #3081 GPA #17-01\_SUP REV#2 to PD #72 (Mansionette\_Yosemite).pdf, 8. Draft Planning Commission Min Excerpt.pdf, 9. Planning Commission Staff Report.pdf, 10. Draft CC Res.pdf, 11. Ordinance.pdf

Date	Ver.	Action By	Action	Result
5/15/2017	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Julie Nelson, Associate Planner, Planning Department*

**SUBJECT: Public Hearing - General Plan Amendment #17-01/Site Utilization Plan Revision #2 to Planned Development (P-D) #72 for the Northwest Corner of Yosemite Avenue and Mansionette**

## Drive

### REPORT IN BRIEF

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### RECOMMENDATION

**City Council** - Adopt a motion

A. Adopting **Resolution 2017-28**, a Resolution of the City Council of the City of Merced, California, for General Plan Amendment #17-01 to amend the land use designation from High-Medium Density Residential (HMD) to Neighborhood Commercial (CN) for a 4.54 acre parcel generally located at the northwest corner of Yosemite Avenue and Mansionette Drive and to amend the Public Services and Facilities Element to reflect a change to the text on Page 5-6 and the Map at Figure 5.2 on Page 5-5 of the *Merced Vision 2030 General Plan* related to the location of the Central Police Station; and,

B. Introducing **Ordinance No 2475**, an Ordinance of the City Council of the City of Merced, California, Approving Site Utilization Plan Revision #2 to Planned Development (P-D) #72 changing the land use designation from “Police Station” to “Neighborhood Commercial” for a 4.54 acre parcel generally located at the northwest corner of Yosemite Avenue and Mansionette Drive.

### ALTERNATIVES

1. Approve the request as recommended by the Planning Commission and staff; or,
2. Approve subject to modifications as conditioned by the City Council; or,
3. Deny the request; or,
4. Refer back to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in the motion).

### AUTHORITY

California Government Code Section 65358(a) grants authority to amend all or part of an adopted General Plan. Merced Municipal Code Section 20.20.020 (N) grants the City Council authority to approve revisions to a Planned Development.

### CITY COUNCIL PRIORITIES

The proposed change is in response to City Council direction to change the land use designation to allow the property to be sold for commercial use.

### DISCUSSION

The subject site is located at the northwest corner of Yosemite Avenue and Mansionette Drive (Attachment 1) within Planned Development (P-D) #72. The 4.54-acre site was originally designated for High-Medium Density Residential (HMD); but in 2010, when Planned Development (P-D) #72 was established, it was designated for a future Police Station (Attachment 2). Recently, the City Council reconsidered the location of the future police station and determined this was not the appropriate location for the station. Therefore, City Council directed staff to process a change to the General Plan to amend the land use designation from High-Medium Density Residential (HMD) to

Neighborhood Commercial (CN) and to amend the Site Utilization Plan for Planned Development (P-D) #72 changing the designation for the site from “Police Station” to Neighborhood Commercial (CN) as shown on the map at Attachment 3.

No specific commercial project has been proposed for the site. The proposed change to the land use designation would make it possible for a future commercial development to occupy this site. If the General Plan Land Use Designation and Site Utilization Designation are changed to “Neighborhood Commercial,” the uses allowed on this site would be those allowed in a Neighborhood Commercial (C-N) zone. For a list of permitted and conditional uses allowed within a Neighborhood Commercial zone, please refer to the table at Attachment 4.

Because the site is located across the street from a developed parcel within an R-1-6 zone, all development on the site would be subject to the Interface Regulations found in Chapter 20.32 of the Zoning Ordinance (Attachment 5). Interface regulations are intended to protect existing residential neighborhoods and to ensure that new development is designed in a manner to minimize negative impacts on nearby uses to the greatest extent possible. For a full explanation of the Interface Regulations, please refer to Attachment 5.

In addition to changing the designation for the subject site, a text amendment is required for the General Plan document. Section 5.2.2 *Police Protection* of the *Merced Vision 2030 General Plan* states: “The Central Station will be relocated in the future to a site in North Merced near Mansionette Drive and Yosemite Avenue.” Because the Central Police Station will no longer be located at this site, the text should be modified as follows: “The Central Station will be relocated in the future to a site in North Merced.” Refer to Attachment 6 for the specific text proposed to be changed. A new map of the Police Districts (included with Attachment 6) will also be substituted at Figure 5.2 on page 5-5.

If the General Plan Amendment (including the change in the land use designation and the text amendment) and the Site Utilization Plan Revision are approved by City Council, the Council would take a subsequent action to declare the site “surplus property.” Once that is done, the site could be marketed for sale.

### **Background**

The project site was annexed into the City in 1990. At that time, the site was given a General Plan designation of High-Medium Density Residential and a corresponding zoning designation of R-3-2. These designations would allow for multi-family development. This area was also incorporated into the Northeast Yosemite Specific Plan and designated for residential development.

In 2008-09, the City went through the process of selecting a site for the new Central Police Station and acquired the property at Yosemite Avenue and Mansionette Drive.

In 2010, the City approved General Plan Amendment #10-02, Zone Change #410, and the Establishment of Planned Development (P-D) #72. At that time, the site was designated as “Future Police Station” (Attachment 2).

On April 19, 2017, the Planning Commission considered this request at a duly noticed public hearing. No one spoke in support of or in opposition to the proposed changes. Commissioner Smith questioned why the Council wanted to make the change and if the change would allow the property to be sold at a higher price than would be possible with the current designation. However, the other

Commission Members were supportive of the change. The Planning Commission recommended by a vote of 6 ayes and 1 no, to recommend approval of this request to the City Council. A copy of the Planning Commission Resolution is found at Attachment 7. The Planning Commission draft minutes excerpt and staff report are found at Attachments 8 and 9 respectively.

### **Traffic/Circulation**

Commercial uses on this site would most likely have a driveway entrance on the future east-west road to be constructed between the subject site and the drainage basin (Attachment 2). However, traffic would still have to travel on either Mansionette Drive or the future Sandpiper Drive on the west side of the site to access the east-west road. Therefore, there is potential for additional traffic to be generated on Mansionette Drive. Given the fact there is a traffic signal at the intersection of Yosemite Avenue and Mansionette Drive, it is likely Mansionette Drive would see the largest increase in traffic. Sandpiper Drive would only allow right turns onto Yosemite Avenue. Both Mansionette Drive and the future Sandpiper Drive would have access to Mercy Avenue to the north.

Traffic impacts for the previous land use designation were evaluated with the environmental review for the General Plan. Although uses under the proposed Neighborhood Commercial designation may increase the traffic slightly, it is not anticipated that the increase would be significant. Additionally, due to the fact that permitted uses on the site would be subject to Interface Regulations (Condition #6 of Planning Commission Resolution #3081 - Attachment #7), traffic impacts would be reviewed at the Site Plan Review stage for permitted uses or the Conditional Use Permit stage for conditional uses.

### **Neighborhood Impact/Interface**

The subject site is located at the corner of Yosemite Avenue and Mansionette Drive. Mansionette Drive is the main access to the Mansionette subdivision north of the site. This subdivision consists of 114 existing homes and an additional 20 homes which will be under construction within the next year. Across Mansionette Drive to the east of the site is the St. Patrick's Catholic Church. To the west across future Sandpiper Drive, a commercial office development is proposed which would include a pharmacy, a hotel, restaurant, bank, and other office uses. Across Yosemite Avenue is a commercial center which includes Raleys, restaurants, a gas station, and other retail and office uses. Refer to the map at Attachment 1 for the location of the surrounding uses.

Possible impacts to the neighborhood resulting from the proposed change would include noise and traffic-related impacts. These impacts would be evaluated at the development stage through the Site Plan Review process (in compliance with Interface Regulations) or Conditional Use Permit process.

### **City Council Action**

In order to approve General Plan Amendment #17-01 and Site Utilization Plan Revision #2 to Planned Development (P-D) #72, the City Council should adopt the Resolution at Attachment 10 and introduce the Ordinance at Attachment 11.

### **Environmental Review**

Pursuant to the California Environmental Quality Act (CEQA) the project was reviewed and an Addendum to the Environmental Impact Report for the *Merced Vision 2030 General Plan* SCH#2008071069 (Attachment G of Planning Commission Staff Report #17-09 at Attachment #9) was prepared and administratively approved in accordance with the requirements of CEQA. The Planning Commission is not required to take any action on the Environmental Review.

## **IMPACT ON CITY RESOURCES**

The proposed changes would not have an impact on City resources.

## **ATTACHMENTS**

1. Location map
2. P-D Map
3. Map Showing Proposed Changes
4. CN Zoning
5. Chapter 20.32 - Interface Regulations
6. General Plan Text Amendment
7. Planning Commission Resolution #3081
8. Draft Planning Commission Minutes Excerpt
9. Planning Commission Staff Report
10. Draft City Council Resolution
11. Draft Ordinance