



## Legislation Details (With Text)

**File #:** 18-275      **Version:** 1      **Name:**  
**Type:** Public Hearing Item      **Status:** Passed  
**File created:** 5/17/2018      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency  
**On agenda:** 6/4/2018      **Final action:** 6/4/2018  
**Title:** SUBJECT: Public Hearing - Zone Change #425 to Amend the Zoning for 3345 and 3351 East Gerard Avenue from Agricultural to Business Park

### REPORT IN BRIEF

The City Council will consider a request to change the zoning designation from Agricultural (A-1-20) to Business Park (B-P) for two parcels totaling approximately 71.135 acres located at approximately 3345 and 3351 Gerard Avenue.

### RECOMMENDATION

City Council - Adopt a motion:

A. Approving a determination that Environmental Review #18-11 is a second tier environmental document, consistent with the current general plan and provisions of CEQA Guidelines, Section 15162; and,

B. Introducing Ordinance 2488, an Ordinance of the City Council of the City of Merced, California, amending the official zoning map by rezoning two parcels totaling approximately 71.135 acres located approximately 1,300 feet east of Coffee Drive along the north and south sides of Campus Parkway to approximately 264 feet west of the intersection of Gerard Avenue and Campus Parkway, between Gerard Avenue and Mission Drive from Agricultural (A-1-20) to Business Park (B-P); and,

C. Authorizing the City Manager or Assistant City Manager to execute the legislative action agreement.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Location Map.pdf, 2. Planning Commission Minutes Excerpt (5-9-18), 3. Planning Commission Resolution #3093.pdf, 4. Staff Report 18-07 Second Addendum.pdf, 5. Ordinance 2488.pdf, 6. Legislative Action Agreement Approved as to Form.pdf

Date	Ver.	Action By	Action	Result
6/4/2018	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Michael Hren, AICP, Principal Planner, Planning Department*

**SUBJECT: Public Hearing - Zone Change #425 to Amend the Zoning for 3345 and 3351 East Gerard Avenue from Agricultural to Business Park**

## REPORT IN BRIEF

The City Council will consider a request to change the zoning designation from Agricultural (A-1-20) to Business Park (B-P) for two parcels totaling approximately 71.135 acres located at approximately 3345 and 3351 Gerard Avenue.

## RECOMMENDATION

**City Council** - Adopt a motion:

- A. Approving a determination that Environmental Review #18-11 is a second tier environmental document, consistent with the current general plan and provisions of CEQA Guidelines, Section 15162; and,
- B. Introducing **Ordinance 2488**, an Ordinance of the City Council of the City of Merced, California, amending the official zoning map by rezoning two parcels totaling approximately 71.135 acres located approximately 1,300 feet east of Coffee Drive along the north and south sides of Campus Parkway to approximately 264 feet west of the intersection of Gerard Avenue and Campus Parkway, between Gerard Avenue and Mission Drive from Agricultural (A-1-20) to Business Park (B-P); and,
- C. Authorizing the City Manager or Assistant City Manager to execute the legislative action agreement.

## ALTERNATIVES

- 1. Approve the request as recommended by the Planning Commission; or,
- 2. Deny the request; or,
- 3. Approve, subject to other than the Findings and Conditions of Approval included in the Administrative Report (identify specific findings and/or conditions amended in City Council motion); or,
- 4. Refer back to staff for reconsideration of specific items (specific items to be addressed in City Council motion); or,
- 5. Continue to a future City Council meeting (date and time to be specified in City Council motion).

## AUTHORITY

Title 19 of the Merced Municipal Code outlines environmental review procedures, and the legislative body may amend zoning pursuant to California Government Code Section 65583.

## CITY COUNCIL PRIORITIES

Not Applicable.

## DISCUSSION

### Zone Change

The site currently has a zoning designation of Agricultural (A-1-20). While there is no specific project outlined on the site at this time, the proposal to change the designation to Business Park (B-P) brings the site into compliance with the existing general plan designation. To ensure that the environmental review of the site remains consistent with that of the General Plan, staff is recommending changing the zoning to Business Park (B-P). One of the conditions is the requirement that the site may not add additional curb cuts onto Campus Parkway and that the Campus Parkway access be limited to Pluim

Drive. Any proposal for further access onto Campus Parkway from this site would need to include a new Environmental Impact Report and Traffic Study that supported such changes, subject to the review and approval of the City of Merced (See Attachment 3 for the Planning Commission Resolution).

#### Neighborhood Impact/Interface

Since there is no specific project at this time, the zoning change does not create any specific impacts to adjacent properties. Because the site is located across the street from a developed parcel within an R-1-5 zone, all development on the site would be subject to the Interface Regulations of Chapter 20.32 of the City's Zoning Ordinance. Therefore, all permitted uses on lots of the site that are across Gerard Avenue from homes in the R-1-5 Zone would be subject to Site Plan Review. 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.

#### Planning Commission Action

On May 9, 2018, the Planning Commission held a public hearing on the proposed zone change. No one besides the applicant spoke in favor of or against the zone change. The Planning Commission voted 4-0 (4 ayes, 0 noes, 2 absent, 1 vacancy) to recommend approval of the zone change to the City Council. The Planning Commission Minutes excerpt and Resolution can be found at Attachments 2 and 3.

### **IMPACT ON CITY RESOURCES**

No appropriation of funds is needed.

### **ATTACHMENTS**

1. Location Map
2. Planning Commission Minutes Excerpt
3. Planning Commission Resolution
4. Staff Report #18-07 2nd Addendum
5. Draft Ordinance
6. Legislative Action Agreement