



## Legislation Details (With Text)

<b>File #:</b>	18-405	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Public Hearing Item	<b>Status:</b>	Passed		
<b>File created:</b>	8/8/2018	<b>In control:</b>	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency		
<b>On agenda:</b>	9/17/2018	<b>Final action:</b>	9/17/2018		
<b>Title:</b>	SUBJECT: Public Hearing - General Plan Amendment #18-01 and Site Utilization Plan Revision #13 to Planned Development (P-D) #42 to Relocate a Park Site and Single-Family Residential Land within Bellevue Ranch West				

### REPORT IN BRIEF

Considers a proposal to relocate a park site and single-family residential land within Bellevue Ranch West.

### RECOMMENDATION

City Council - Adopt a motion:

A. Approving Resolution 2018-59, a Resolution of the City Council of the City of Merced, California, approving Environmental Review #18-44 (CEQA Section 15162 Findings) for General Plan Amendment #18-01 to amend the land use designation from Open Space/Park (OS) to Low-Medium Density Residential (LMD) for approximately 5.88 acres of land generally located at the southwest corner of M Street and Arrow Wood Drive (extended) and amend the land use designation from Low-Medium Density Residential (LMD) to Open Space/Park(OS) for approximately 5.0 acres of land generally located at the southeast corner of the future Catherine A. Hostetler Boulevard and Freemark Avenue (extended); and,

B. Introducing Ordinance 2493, an Ordinance of the City Council of the City of Merced, California, approving Site Utilization Plan Revision #13 to Planned Development (P-D) #42 changing the land use designation from Park to Single-Family Residential for approximately 5.88 acres of land generally located at the southwest corner of M Street and Arrow Wood Drive (extended) and changing the Land Use designation from Single-Family Residential to Park for approximately 5.0 acres of land generally located at the southeast corner of the future Catherine A. Hostetler Boulevard and Freemark Avenue (extended); and,

C. Authorizing the City Manager or Assistant City Manager to execute the Legislative Action Agreement.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Location Map, 2. Proposed General Plan Land Use Designations, 3. Proposed Changes to Site Utilization Plan, 4. VTSM #1307 - Lot A, 5. TSM for BRW V 12, 6. Location Map for Village 17 and Future School Site, 7. BRMDP Area, 8. TSM #1213 for BR, 9. Table 6.1 of BRMDP, 10. CEQA Section 15162 Findings, 11. Planning Commission Resolution #3098 for GPA #18-01 and SUP Revision, 12. Planning Commission Resolution #3099 for VTSM #1307, 13. Planning Commission Staff Report, 14. PC Min Excerpt.pdf, 15. Draft City Council Resolution Approving GPA #18-01, 16. Draft Ordinance Approving SUP Revision #13 to P-D #42, 17. Legislative Action Agreement - Baxter Ranches.pdf, 18. Legislative Action Agreement - Stonefield Home.pdf

Date	Ver.	Action By	Action	Result
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9/17/2018	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass
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*Report Prepared by: Julie Nelson, Associate Planner, Planning Department*

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## 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

Title 19 of the Merced Municipal Code outlines environmental review procedures and California

government Code Section 65358 (a) grants authority to amend all or part of an adopted General Plan. The legislative body may amend the zoning pursuant to California Government Code Section 65583.

## DISCUSSION

### Project Description

This application involves two project sites located within the Bellevue Ranch Master Development Plan (BRMDP) area - 1) the southwest corner of M Street and Arrow Wood Drive (extended); and 2) the southeast corner of Freemark Drive (extended) and the future Catherine A. Hostetler Boulevard (Attachment 1). Site #1 (Lot A) is currently designated as Open Space/Park (OS) on the General Plan Land Use Map and Site #2 is currently designated as Low-Medium Density Residential (LMD). The property owner is requesting to swap the land use designations for the properties. That is, the land use designation for Lot A would be changed to Low-Medium Density Residential (LMD) and the designation for Site #2 would be changed to Open Space/Park (OS) (Attachment 2). The same changes are proposed for the Site Utilization Plan (SUP) for Planned Development (P-D) #42 which would change the designation for Site #1 (Lot A) from Park to Single Family Residential and the designation for Site #2 would be changed from Single Family Residential to Park (Attachment 3). Site #1 (Lot A) is approximately 5.88 acres and Site #2 is approximately 5.0 acres. The new location for the park would place it adjacent to the designated school site (Attachment 2) instead of across the street from the school site.

The change in the land use would allow the subdivision of Lot A into 43 single-family lots (see Vesting Tentative Map #1307 at Attachment 4). This subdivision would be adjacent to Village 12 within Bellevue Ranch West which is currently under construction. The City Council has approved four Final Maps for this Village and will be reviewing three more Final Maps in the near future (refer to Attachment 5). The Planning Commission approved Vesting Tentative Map #1307 subject to the approval of this General Plan Amendment and Site Utilization Plan Revision.

The proposed land use change would also allow the park to be adjacent to the school site on the north side of Arrow Wood Drive (extended) (Attachment 2). The property owner is currently in discussions with the Merced City School District on the purchase of the property directly adjacent to Site #2 which is proposed to be the park site. Having the park site adjacent to the school is in keeping with the following General Plan Implementing Actions:

- 3.1.d - Continue to encourage joint use agreements between the City and local school districts to combine the design and use of park and school facilities when feasible.
- 3.1.e - Use the City's Park Dedication Ordinance to develop the City's park system.
  - b) Parks should be located adjacent to schools as much as feasible.

### Background

The Bellevue Ranch Master Development Plan (BRMDP) was approved by the City Council in 1995. The BRMDP provided a vision and standards for the development of a 1,385-acre area that would include commercial, transit, and low and high density residential uses (Attachment 7). In 1996, Tentative Subdivision Map (TSM) #1213 (Attachment 8) was approved, subdividing approximately 801 acres within the Bellevue Ranch MDP area into 2,063 individual parcels (including the project sites). Subsequently, Final Subdivision Maps were recorded for all of the lots east of M Street (Bellevue Ranch East) and a portion of the lots west of M Street (Bellevue Ranch West). However, in

2006, the Tentative Map expired, requiring a new map to be approved for any area that had not obtained Final Map approval.

*Existing Development in Bellevue Ranch:* There are approximately 1,016 single family lots in Bellevue Ranch East and approximately 469 single-family lots currently in Bellevue Ranch West, with another 242 approved with Village 12 in 2016. Of the existing lots in Bellevue Ranch East and West, approximately 932 lots (roughly 54%) have houses on them or are currently under construction.

As mentioned above, in 2016, the Planning Commission approved Village 12 in Bellevue Ranch West (Attachment 5). Lot A as shown on the map for Village 12 was dedicated to the City as a Park with the recordation of the Final Map for Bellevue Ranch West, Village 12, Phase 1.

*Off-Site Infrastructure:* The BRMDP includes a Minor Phasing Plan that lists off-site infrastructure such as bridges, roads, and traffic signals to be installed with different phases. Lot A is located within Minor Phase 12 (commonly referred to as “Village 12”). Site #2 is located within Minor Phase 17 (Village 17). The BRMDP requires certain improvements to be done with each phase of development. The minor phasing plan (referred to as Table 6.1, Attachment 9) adopted as part of the BRMDP area calls for infrastructure to be installed in sequential order of the phases of development. The infrastructure required with the previous phases of development has been installed. Staff is currently working with the owner/developer on the construction of the remaining infrastructure. It is likely that changes to Table 6.1 will be brought before the Council for approval in the future.

#### Traffic/Circulation

Lot A (Site #1) is located at the southwest corner of M Street and Arrow Wood Drive. The internal streets proposed with the subdivision of Lot A would be accessed from the local roads constructed as part of the Village 12 subdivision. The subdivision of Lot A would include extending and connecting roads that were previously approved with Village 12.

Site #2, the proposed Park site, would have access from the future Catherine A Hostetler Boulevard and Freemark Avenue. When Village 17 is subdivided and developed, a local road would front the park on the southwest side of the site. The roadway improvements for the park would be installed by the developer as part of the improvements for Bellevue Ranch West, Village 17 (Attachment 6).

#### Public Improvements/City Services

*Lot A Subdivision:* Development of Lot A (as proposed with Vesting Tentative Subdivision Map #1307) would include the installation of all internal streets, sidewalks, utilities, etc. The construction of Arrow Wood and M Street were required with the approval of Village 12. Additionally, all other infrastructure required by the BRMDP was required as part of the development of Village 12. Therefore, Lot A has no additional requirements other than to pay a fee toward the cost of the Fahrens Creek bridge on Bellevue Road unless another financing mechanism is in place prior to building permits being issued for this subdivision (refer to Condition #13 of Planning Commission Resolution #3099 for VTSM #1307 at Attachment 12).

*Park Site:* As mentioned above, the street improvements for the park would be installed with the development of Village 17. The City is in discussions with the owner/developer regarding other park improvements.

*Bellevue Bridge at Fahrens Creek:* Staff has determined that each remaining development within the Bellevue Ranch area south of Bellevue Road has a financial obligation towards the construction of the Bellevue Road Bridge over Fahrens Creek. This improvement is planned to be installed with Village 21, the commercial property on the south side of Bellevue Road. Staff determined the fair-share fee is \$861.00 per dwelling unit. However, staff is currently working with the developer to develop an alternate plan to fund the bridge and other large infrastructure items. If an alternate plan is developed and approved by the City Council, this per lot fee would no longer be required (Condition #13 of Planning Commission Resolution #3099 for VTSM #1307 at Attachment 12).

### Park/School

The developer is currently working with the Merced City School District on the acquisition of the designated school site on the north side of Arrow Wood Drive at M Street (attachment 6). The relocation of the park site from the south side of Arrow Wood Drive to north of Arrow Wood Drive, adjacent to the school would achieve the policies and implementing actions previously described. Ideally, the City prefers to have parks and schools adjacent to each other. Although the proposed park site is approximately somewhat smaller than the existing park site, being able to have a joint use facility with the school would help make up that difference. Additionally, the better location adjacent to the school helps to offset the slight difference in size.

### Neighborhood Impact/Interface

Public hearing notices were sent out to all property owners within 300 feet of both sites. As of the writing of this report, staff had one phone call inquiring about the development, but no opposition to the development has been voiced.

### Environmental Clearance

The Planning staff has conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and concluded that Environmental Review #16-02 is a second tier environmental document, based upon the City's determination that the proposed development remains consistent with the current General Plan and provisions of CEQA Guidelines, Section 15162 [Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH #9212055)]. A copy of the Section 15162 Findings can be found at Attachment 10.

### Planning Commission Action

The Planning Commission held a duly noticed public hearing on this matter on August 8, 2018. At the meeting, the project proponent spoke in favor of the project and no one spoke in opposition. The Planning Commission voted 6 ayes, 0 noes, and 1 abstention to recommend approval of Environmental Review #18-44, General Plan Amendment #18-01, and Site Utilization Plan Revision #13 to Planned Development (P-D) #42. At this same meeting, the Planning Commission approved Vesting Tentative Subdivision Map #1307 for Lot A, subject to approval of the General Plan Amendment and Site Utilization Plan Revision by City Council. The Planning Commission Resolutions approving these items are found at Attachments 11 and 12. The Planning Commission Staff Report is available at Attachment 13 and a minutes excerpt from the Planning Commission meeting is available at Attachment 14.

## City Council Action

The Planning Commission and Planning Staff recommend approval of Environmental Review #18-44, General Plan Amendment #18-01, and Site Utilization Plan Revision #13 to Planned Development (P-D) #42. In order for the Council to approve these items, a motion should be made to adopt the Resolution at Attachment 15, introduce the Ordinance at Attachment 16, and authorize the City Manager or Assistant City Manager to execute the Legislative Action Agreements (one for each property owner) at Attachments 17 and 18.

## **IMPACT ON CITY RESOURCES**

The Bellevue Ranch West area is currently annexed to the City's Community Facilities District (CFD) for Services. Once building permits are issued for construction of homes and other development within this area, the City would begin collecting funds to cover the costs of Police and Fire protection, landscape maintenance, storm drain maintenance, and the costs for street lights.

## **ATTACHMENTS**

1. Location Map
2. Proposed General Plan Land Use Designations
3. Proposed Changes to Site Utilization Plan
4. VTSM #1307 - Lot A
5. TSM for BRW V 12
6. Location Map for Village 17 and Future School Site
7. BRMDP Area
8. TSM #1213 for BR
9. Table 6.1 of BRMDP
10. CEQA Section 15162 Findings
11. Planning Commission Resolution #3098 for GPA #18-01 and SUP Revision
12. Planning Commission Resolution #3099 for VTSM #1307
13. Planning Commission Staff Report
14. Planning Commission Minutes Excerpt
15. Draft City Council Resolution Approving GPA #18-01
16. Draft Ordinance Approving SUP Revision #13 to P-D #42
17. Legislative Action Agreement - Baxter Ranches, LLC
18. Legislative Action Agreement - Stonefield Home, Inc.