CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

Legislation Details (With Text)

File #:	19-168	**Version:**	1	**Name:**	
Type:	Public Hearing Item			**Status:**	Passed
File created:	3/25/2019			**In control:**	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency
On agenda:	5/20/2019			**Final action:**	5/20/2019

Title: SUBJECT: Adoption of Resolution Approving General Plan Amendment #19-01 to Amend the Merced Vision 2030 General Plan Transportation and Circulation Element to Eliminate a Portion of Mission Avenue, Between S. Coffee Street and State Highway 99, Includes Adopting a CEQA Categorical Exemption Pursuant to Section 15061(b)(3) of the CEQA Guidelines and Adoption of Resolution Declaring the Intent to Abandon the Same Parcel and Setting a Public Hearing on June 17, 2019, for the Vacation Process (Vacation #18-01)

REPORT IN BRIEF
Considers adopting a resolution to amend the Merced Vision 2030 General Plan Transportation and Circulation Element to eliminate the portion of Mission Avenue, between S. Coffee Street and State Highway 99 and adopting a CEQA Categorical Exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines. In addition, the Council will consider adopting a resolution declaring the intent to vacate this area (Mission Avenue, between S. Coffee Street and Highway 99) and Setting a Public Hearing on June 17, 2019, for the vacation process.

RECOMMENDATION
City Council - Adopt a motion:

A. Adopting Resolution 2019-25, a Resolution of the City Council of the City of Merced, California, for General Plan Amendment #19-01 to amend the Merced General Plan Transportation and Circulation Element, which would modify the City of Merced Circulation Plan (Figures 4.1 and 4.2) and all associated maps and descriptions throughout the General Plan, to eliminate Mission Avenue, between Coffee Street and State Highway 99 and adopting a CEQA Categorical Exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines; and,

B. Adopting Resolution 2019-24, a Resolution of the City Council of the City of Merced, California, declaring its intention to abandon a portion of Mission Avenue, between Coffee Street and State Highway 99 [approximately 400 feet long] (Vacation #18-01) and setting time and place for public hearing.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map.pdf, 2. Legal Description.pdf, 3. Vacation Map.pdf, 4. City of Merced Circulation Plan (Figure 4.1).pdf, 5. City of Merced Major Regional Route (Figure 4.2).pdf, 6. Proposed Adjacent Development.pdf, 7. Categorical Exemption.pdf, 8. Planning Commission Resolution.pdf, 9. Draft City Council Resolution for General Plan Amendment #19-01.pdf, 10. Draft City Council Resolution for Vacation #18-01.pdf, 11. Presentation.pdf

Date	Ver.	Action By	Action	Result
5/20/2019	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the	approved	Pass

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Redevelopment Agency

Report Prepared by: Francisco Mendoza-Gonzalez, Associate Planner, Development Services Department

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RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2019-25,** a Resolution of the City Council of the City of Merced, California, for General Plan Amendment #19-01 to amend the Merced General Plan Transportation and Circulation Element, which would modify the City of Merced Circulation Plan (Figures 4.1 and 4.2) and all associated maps and descriptions throughout the General Plan, to eliminate Mission Avenue, between Coffee Street and State Highway 99 and adopting a CEQA Categorical Exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines; and,

B. Adopting **Resolution 2019-24,** a Resolution of the City Council of the City of Merced, California, declaring its intention to abandon a portion of Mission Avenue, between Coffee Street and State Highway 99 [approximately 400 feet long] (Vacation #18-01) and setting time and place for public hearing.

ALTERNATIVES

1. Approve as recommended by the Planning Commission and staff; or,
2. Approve, subject to modifications by the City Council; or,
3. Deny; 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 motion).

AUTHORITY

Under California Government Code Section 65358(a), a legislative body may amend, after a public hearing, all or part of an adopted General Plan if the body deems the amendment to be in the public's interest.

Part 3, Chapter 3 of the Streets and Highways Code of the State of California authorizes the City Council to vacate a right-of-way or easement. The vacation shall be made by adoption of a

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resolution setting a public hearing pursuant to Section 8320 of the Streets and Highways Code, and shall be recorded pursuant to Section 8325. The City of Merced Administrative Policies and Procedures No. A-6 provides direction to staff for processing vacation requests, and City Resolution 86-80 establishes a policy concerning costs associated with the vacation.

CITY COUNCIL PRIORITIES

Not applicable.

DISCUSSION

Mission Avenue is a 6-mile stretch of road on the southernmost boundary of the City limits that goes between City and County jurisdictions, and in certain areas, is solely located within County jurisdiction (Attachment 4). Mission Avenue is oriented to facilitate traffic traveling east and west, from S. Tower Road to S. West Avenue. Mission Avenue traffic flow was disrupted around 2011, when Caltrans completed the Mission Avenue/Campus Parkway interchange. This new interchange prevented traffic on Mission Avenue from traveling directly across Highway 99.

The portion of Mission Avenue that the City is proposing to vacate (described at Attachment 2 and shown at Attachment 3) was highly impacted by the realignment of Highway 99, and the creation of the Mission Avenue/Campus Parkway interchange. The subject site is a mostly undeveloped 400-foot portion of Mission Avenue with limited public improvements that spans between S. Coffee Street and Highway 99. If this portion of Mission Avenue were to be constructed, it would come to a terminus along the N. Highway 99 off-ramp. This portion of Mission Avenue can no longer facilitate traffic over Highway 99 like originally intended. Instead, drivers wanting to travel over Highway 99 can use the nearby Campus Parkway/Mission Avenue overpass (shown at Attachment 1) to drive to the other side of Mission Avenue. City staff, including the Engineering Department, have reviewed this request and have concluded that this portion of Mission Avenue is no longer needed to help facilitate traffic or significantly improve the Level of Service/Vehicle Miles Traveled in this area when the surrounding parcels are eventually fully developed with commercial projects. Vacating the subject site would give the City the added fiscal benefit of having less roads to maintain.

Vacating a Portion of Mission Avenue

If the street vacation is to be approved by the City Council, the portion of Mission Avenue, between S. Coffee Street and Highway 99 would be transferred to the parcel to the north. The property owner of this site is Shemoil Moradzadeh and he intends to use his adjacent 7.5-acre site to develop a commercial center. Mr. Moradzadeh is currently in the process of submitting plans for his commercial center. Attachment 6 shows Mr. Moradzadeh's draft proposal which includes a 5-story hotel (with 134 rooms) directly adjacent to the vacation site. The commercial center would also include 3 fast food restaurants, 2 sit-down restaurants, and one gas station at the corner of Campus Parkway and S. Coffee Street. The commercial center would have 3 driveways from S. Coffee Street, including one from the vacation site. The applicant would like to utilize the vacated portion of Mission Avenue to provide more parking for his commercial center. Mr. Moradzadeh believes that the added parking stalls can be of significant value to his development given that the hotel is expected to have grand ball rooms for parking intensive events such as conferences, weddings, quinceaneras, family reunions, and other functions.

Mr. Moradzadeh's proposal would be consistent with the site's Zoning Classification and General Plan designation, which is Thoroughfare Commercial (CT). The CT designation allows uses that are

commonly seen along highways. Because of the development's consistency with land use, it is likely that this proposal can go before the City's Site Plan Review Committee for review. However, before submitting plans, Mr. Moradzadeh and his architect would like to know if they can include the vacation area on their site plan for official consideration. The developer would like to begin this project as soon as possible. Certain other elements of Mr. Moradzadeh's commercial center might be brought to the Planning Commission or City Council in the future for special land use approvals, such as alcohol sales for off-site consumption and a large freeway freestanding sign.

Planning Commission Action

On April 3, 2019, the Planning Commission considered the General Plan Amendment and Vacation. After the public hearing on the General Plan Amendment, the Planning Commission voted 6-0-1 (6 ayes, 1 absent) to recommend approval of General Plan Amendment #19-01 and made a finding of General Plan consistency (contingent on Council approval of GPA). The Planning Commission Resolution and minute excerpts can be found at Attachment 8.

Environmental Clearance

Planning staff conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption is being recommended (Attachment 7).

Amendments to the *Merced Vision 2030 General Plan*

The adoption of the Resolution found at Attachment 9 would modify the Merced Vision 2030 General Plan Figure 4.1 ("City of Merced Circulation Plan") and Figure 4.2 ("Major Regional Routes), as shown at Attachments 4 and 5. These figures would be amended to eliminate the portion of Mission Avenue, between S. Coffee Street and State Highway 99.

Vacation

The adoption of the Resolution found at Attachment 10 would set a public hearing for Vacation #18-01 on June 17, 2019.

Environmental Clearance

Planning staff conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption is being recommended (Attachment 7).

IMPACT ON CITY RESOURCES

There would be no impact on City resources with this action.

ATTACHMENTS

1. Location Map
2. Legal Description
3. Vacation Map
4. City of Merced Circulation Plan (Figure 4.1)

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5. City of Merced Major Regional Route (Figure 4.2)
6. Proposed Adjacent Development
7. Categorical Exemption
8. Planning Commission Resolution and Minute Excerpts
9. Draft City Council Resolution for General Plan Amendment #19-01
10. Draft City Council Resolution for Vacation #18-01
11. Presentation