



## Legislation Text

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File #: 22-972, Version: 1

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**SUBJECT:** Public Hearing to Consider Potential Introduction of an Ordinance to Approve Zone Change #431, Initiated By Sam Sahota, Property Owner; this Application is a Request for a Zone Change from an Urban Transition (U-T) Zone to a Low Density Residential (R-1-5) Zone at 385 S. Coffee Street to Develop a Future Subdivision with 45 Single-Family Home Lots at 385 S. Coffee Street; and, the Approximate 9.91-Acre Subject Site is Generally Located at the West Side of S. Coffee Street, 300 Feet North of E. Gerard Avenue

### REPORT IN BRIEF

Request for City Council approval for a Zone Change from Urban Transition (U-T) to Low Density Residential (R-1-5) for one approximate 9.91-acre parcel located at 385 S. Coffee Street.

### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Approving Environmental Review #22-32 (Negative Declaration); and,
- B. Introducing **Ordinance 2546**, An Ordinance of the City Council of the City of Merced, California, amending the official Zoning Map by rezoning approximately 9.91 acres of land at 385 South Coffee Street, generally located on the west side of South Coffee Street, 300 feet North of East Gerard Avenue, from Urban Transition (U-T) to Low-Density Residential (R-1-5); and,
- C. Approving the First Amended and Restated Legislative Action Agreement and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

### ALTERNATIVES

1. Approve, as recommended by the Planning Commission and staff; or,
2. Approve subject to modifications as conditioned by City Council (to be specific in the motion); or,
3. Deny; or,
4. Refer back to staff for reconsideration of 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

Merced Municipal Code Chapter 20.80 covers Zoning Ordinance Amendments.

### CITY COUNCIL PRIORITIES

Infill Development is listed as a part of FY 2021-22 Council Goals and Priorities as part of Element 5, Future Planning. Although this is not an official infill lot as there is one home on this property, it is considered underdeveloped as the existing home is on a 10-acre parcel.

## DISCUSSION

The subject site is a mostly undeveloped 10-acre lot located in Southeast Merced at 385 S. Coffee Street. The subject site is generally located on the west side of Coffee Street, 300 feet north of Gerard Avenue. The subject site is between two developed subdivisions directly to the east and west, and has access to infrastructure including roads, the City's water system, and sewer system. The applicant would like to change the site's current Zoning designation of Urban Transition (U-T) to Low Density Residential (R-1-5). The applicant would also like to subdivide the subject site into 45 independent parcels for single-family homes (with two additional parcels reserved for a tot lot and a basin). The residential lots would range in size from 6,000 square feet to 8,691 square feet. The proposed density of approximately 4.5 dwelling units per acre would be within the existing allowed General Plan designation of Low Density Residential (LDR) which allows between 2 to 6 dwelling units per acre.

### Historic Background

The subject site (approximately 10 acres) was annexed into the City in 2007, as part of the Coffee Street Annexation which incorporated over 110 acres into the City limits. During the annexation process, the subject site was annexed with the Zoning classification of Urban Transition (U-T). The purpose of the U-T zoning district is to allow the lawful continuation of County land uses on land that is annexed to the City, but is not prepared for immediate urban development. However, the subject site was also given a General Plan designation of Low Density Residential for the eventual development of single-family homes. Approval of the proposed Zone Change would bring the subject site into compliance with the General Plan designation that was adopted for this site when it was annexed into City limits. The proposed 4.5 dwelling units per acre would be within the allowed density of 2 to 6 dwelling units per acre for the existing General Plan designation of Low-Density Residential.

There are developed subdivisions to the east and west of the subject site, with large Urban Transitions parcels in the middle creating a gap of missing infrastructure. Developing a residential subdivision would connect missing infrastructure to the east and west, via extending the existing collector road of Capella Drive. This would extend the street network in the area and improve vehicle access and emergency response time for police and fire personnel.

### Affordability Requirements

In April 2022, the City Council approved Resolution No. 2022-15 regarding the requirement for 12.5% affordable housing for new single-family residential subdivisions and multifamily residential projects. This requirement is triggered by two qualifiers that need to be met; entitlement type and number of units created. For single-family residential developments, the affordability requirement is triggered for Zone Changes (and annexations or site utilization plan revisions) for projects with over 60 or more single-family residential homes. Projects under 60 single-family residential homes are not required to provide affordable units. The proposed 45-unit subdivision is exempt from having to provide affordable units, as even though the proposal does require a Zone Change since it contains less than the 60 units that trigger the affordability requirement per the policy.

### Planning Commission Review and Recommendation

The Planning Commission held a public hearing, reviewed and recommended approval of Zone Change #431 on December 7, 2022. As part of that review process, the Planning Commission approved other entitlements for this project, such as the tentative subdivision map to subdivide the 9.91-acre subject site into forty-seven lots (two being for a tot lot and basin). The approval of the tentative subdivision map is contingent upon approval of City Council approving Zone Change #431.

### Public Comments

Staff received a few public comments for this proposal prior to the Planning Commission Meeting of December 7, 2022 (see Attachment 5). The neighbors from 2784 E. Gerard Avenue (south of the subject site) have concerns about traffic, noise, and capacity impacts to nearby Pioneer Elementary School. There were some testimonies during the public hearing. A neighbor noted that they support the proposal, but would like Coffee Street to connect from E. Gerard Avenue to Parsons Avenue to alleviate traffic. Another neighbor did not support the project as they believe that it is not compatible with the neighborhood and would generate more traffic.

### Findings/Considerations

Please refer to Exhibit B of the Planning Commission Resolution at Attachment 4 for findings and detailed information about the project.

### City Council Action

After the public hearing, it is recommended that the City Council approve Environmental Review #22-32 (Negative Declaration) per Attachment 4; the City Council Ordinance approving the Zone Change (Attachment 6); and the first amendment to the Legislative Action Agreement (Attachment 7) authorizing the City Manager or designee to execute the necessary documents.

## **IMPACT ON CITY RESOURCES**

No appropriation of funds is needed

## **ATTACHMENTS**

1. Location Map
2. Vesting Tentative Subdivision Map #1323
3. Planning Commission Resolutions #4098 and #4102
4. Negative Declaration
5. Public Comments
6. Ordinance 2546
7. Legislative Action Agreement
8. Presentation