
City of Merced

MEMORANDUM

DATE: April 23, 2009

TO: Site Plan Review Committee

FROM: Kim Espinosa, Planning Manager

SUBJECT: **Site Plan Application #260**, submitted by Carter & Burgess, Inc., agent for Wal-Mart Stores East, LP, property owner. The application would allow for the construction of a regional distribution center (approximately 1.1 million square feet, operating 24 hours per day, and employing approximately 1,200 employees) and associated facilities on approximately 230 acres, generally located at the northwest corner of Gerard Avenue and Tower Road.

RECOMMENDED ACTION: Refer the application to the Planning Commission for a hearing and decision per MMC 20.68.040 (B).

SUMMARY

The applicants have submitted a Site Plan Application to allow for the construction of a regional distribution center on approximately 230 acres in Southeast Merced. Since the project was announced, significant public discussion regarding the project has already been generated prior to any public hearings on the project being scheduled, resulting in “special interest to surrounding property owners and the Planning Commission.” Other City development applications, such as a general plan amendment, EIR, and abandonment application, are required of the project and require public hearings before the Planning Commission and City Council. Therefore, staff is recommending that the Site Plan Review Committee take no action on the project except to refer Site Plan Application #260 to the Planning Commission for a hearing and decision per MMC 20.68.040 (B).

RECOMMENDING FINDINGS

- A) Merced Municipal Code Section 20.68.040 (B) reads as follows: “In the event the site plan committee is of the opinion that a request is of such magnitude to be a significant policy interpretation and/or of special interest to surrounding property owners and the planning commission, the site plan committee shall refer the request to the planning commission for a hearing and decision.”
- B) Since the proposed Wal-Mart Distribution Center project was announced in 2006, significant public discussion has taken place prior to any public hearings on the project being scheduled. The City has received large amounts of correspondence regarding the project as well as numerous public records requests regarding the project. All the above indicates a “special interest to surrounding property owners” per MMC 20.68.040 (B), and therefore, the Site Plan Committee is referring the request to the Planning Commission for a hearing and decision.

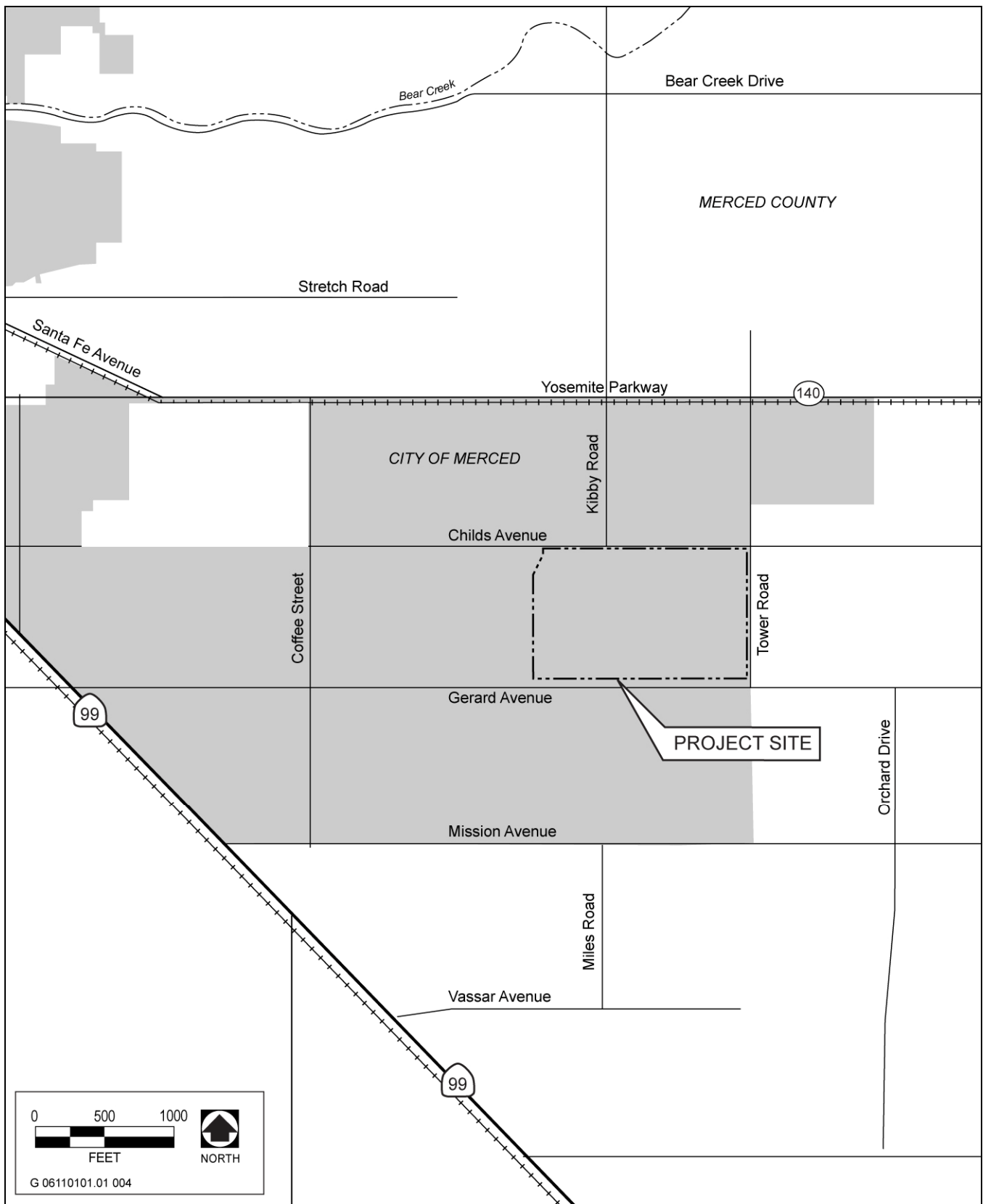
- C) In addition to Site Plan Application #260, the project requires the approval of other City development applications before construction could proceed. These applications include General Plan Amendment #06-01 and Vacation/Abandonment Application #06-01 for a change in the General Plan Circulation Element and the abandonment of the right-of-way for Kibby Road (a designated collector) between Childs and Gerard Avenues, as well as the certification of an Environmental Impact Report (EIR #06-01). All of the above applications require public hearings before the Planning Commission and City Council. Therefore, the Site Plan Committee finds that it is appropriate for all applications, including Site Plan Application #260, regarding the proposed project to be set forth for public hearings before the Planning Commission and City Council.
- D) Per CEQA section 15025(c), since the Site Plan Review Committee, an advisory body, is NOT making a recommendation on the project to a decision making body, but is merely referring the project to the decision making body for a public hearing and decision, the Site Plan Review Committee is NOT required to review the Environmental Impact Report in draft or final form.

RECOMMENDED ACTION

Per the Findings above, the Site Plan Review Committee should refer Site Plan Application #260 to the Planning Commission for a hearing and decision per MMC 20.68.040 (B).

Attachments

- 1) Location Map



Source: Compiled by EDAW in 2006

Local Vicinity Map

Exhibit 3-2