

APPEAL OF PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT #25-0006

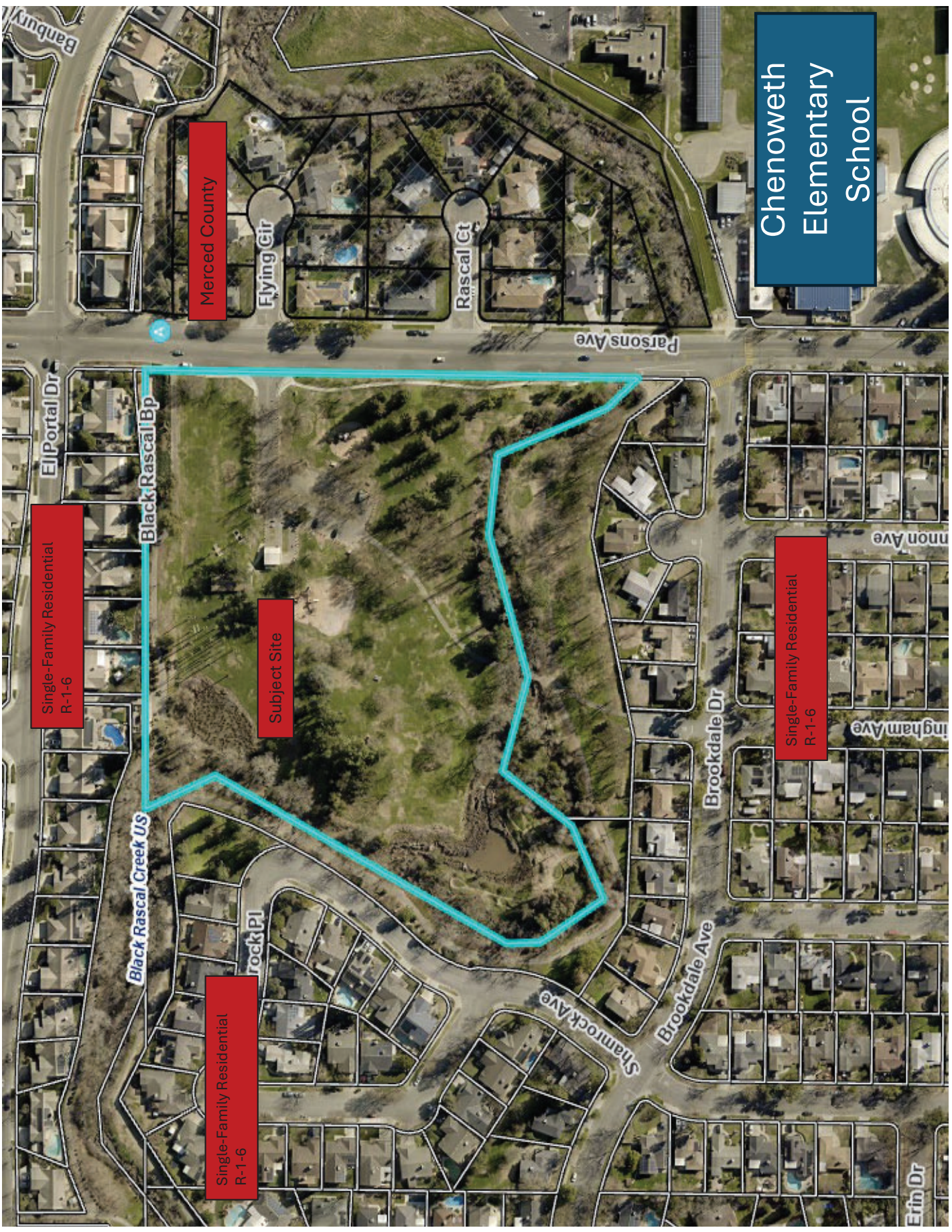
Submitted by Brenda Morgun
55-foot-tall stealth mono-palm
3400 Parsons Ave

ATTACHMENT 11



Background

- Project originally went to the Site Plan Review Committee Meeting on 4/3/2025.
- Due to interface review, a Public Hearing was held; where 5 speakers spoke against this project.
- Due to community interest, the Site Plan Review Committee voted to refer this item to the Planning Commission (per MMC 20.68.050(C)(2))
- The Planning Commission considered this matter at the public hearing of May 7, 2025, and by a unanimous vote, approved CUP #25-0006 and ERC #25-0002



Merced County

Chenoweth
Elementary
School

Single-Family Residential
R-1-6

Subject Site

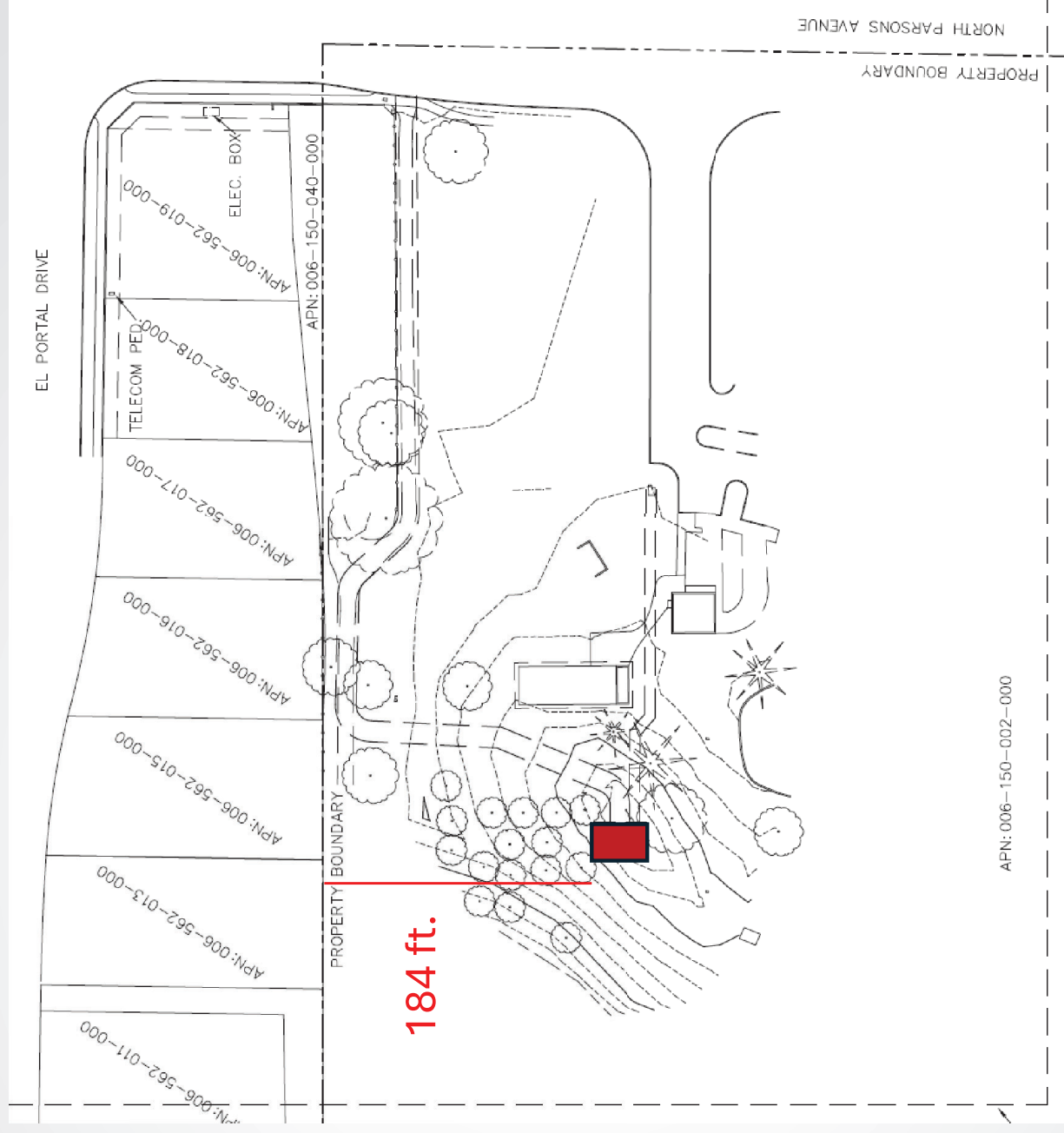
Single-Family Residential
R-1-6

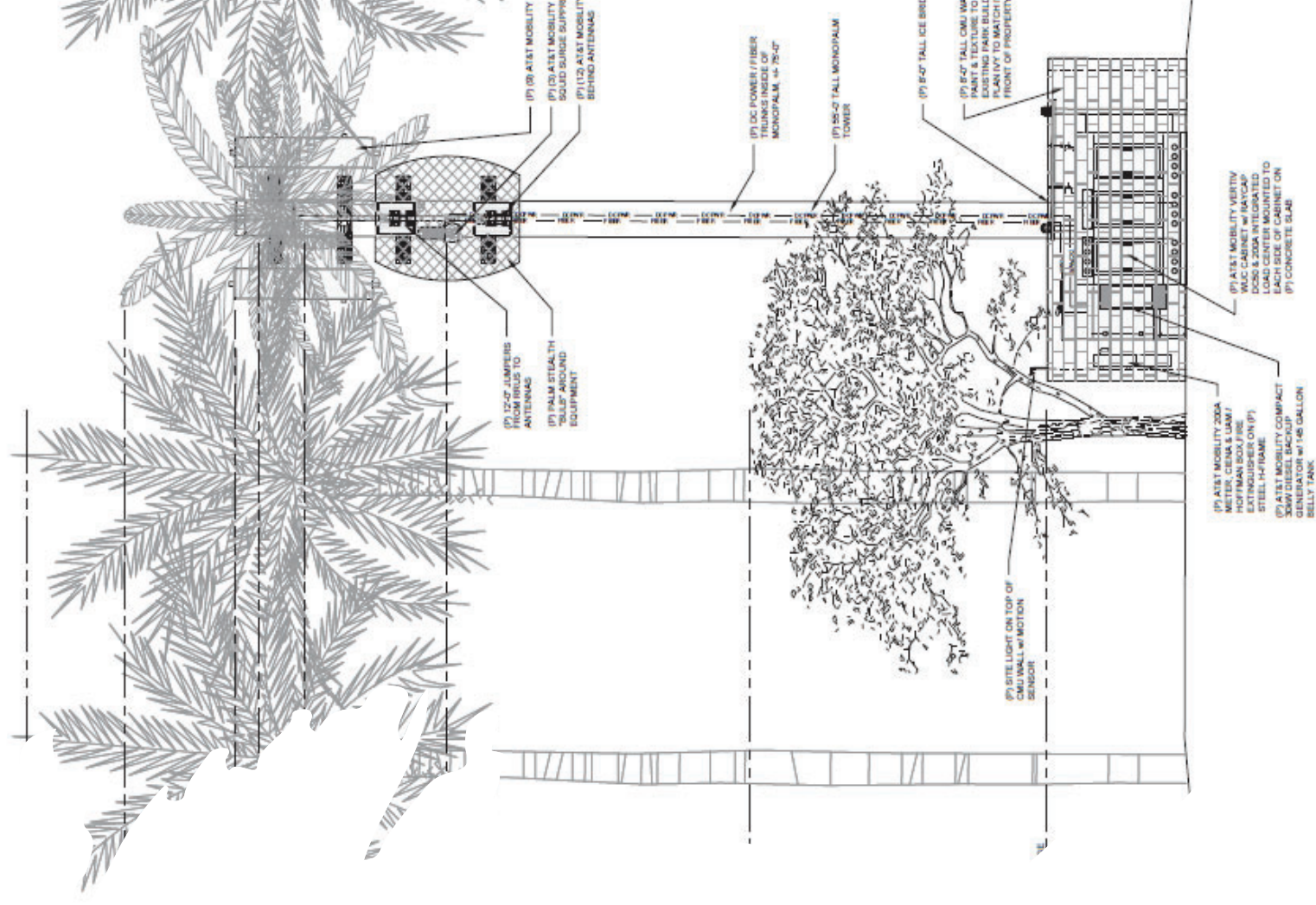
Single-Family Residential
R-1-6

SITE PLAN

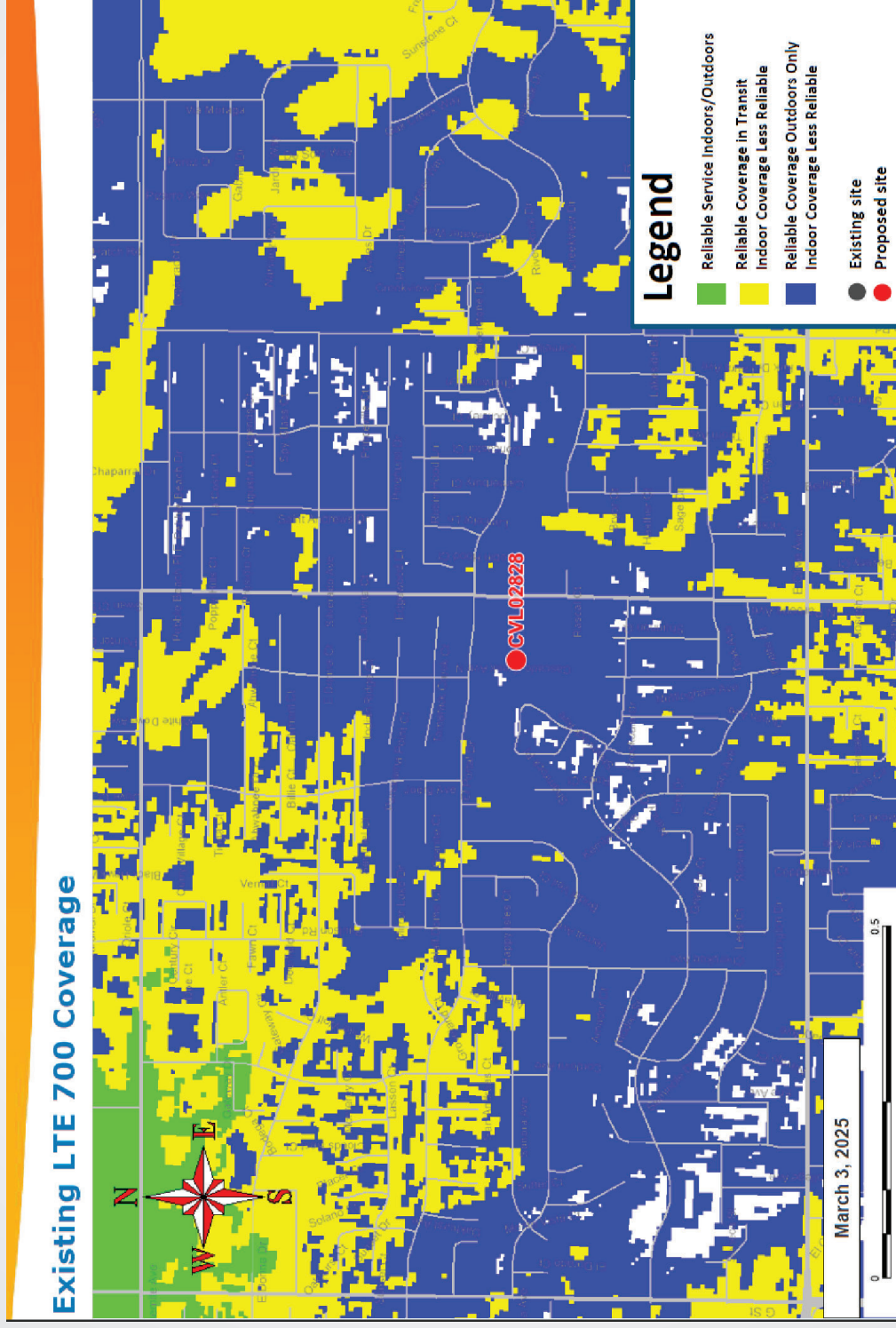
➡ Proposed Tower to be located on ground level, on the northwest quadrant of the subject site

➡ Tower Equipment to be located inside an 8-foot tall CMU block wall.





Reason for Request

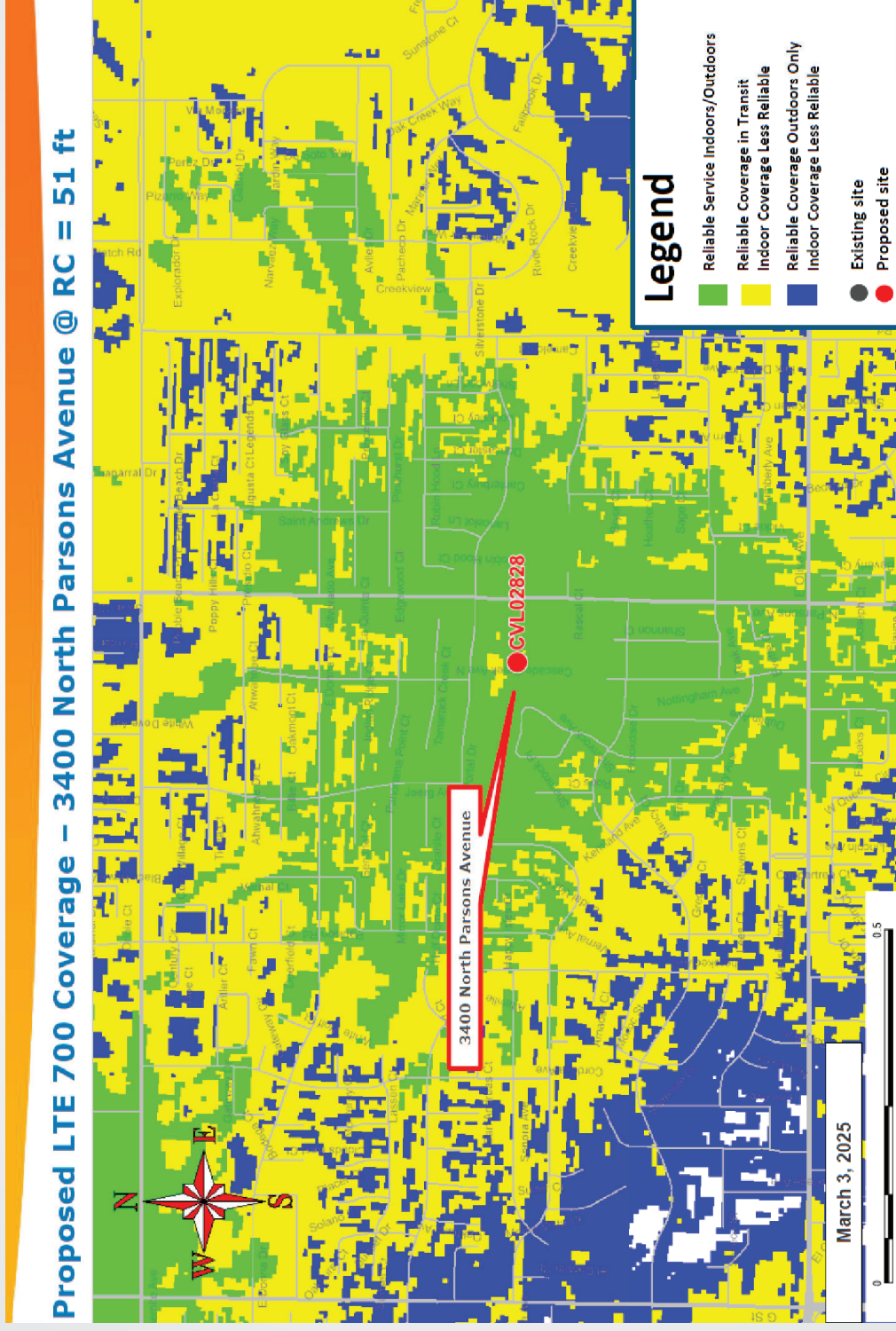


Green – reliable service indoor/outdoor

Yellow – reliable coverage in transit. Indoor coverage less reliable

Blue – reliable coverage outdoors only. Indoor coverage less reliable

Reason for Request



Green – reliable service indoor/outdoor
Yellow – reliable coverage in transit. Indoor coverage less reliable
Blue – reliable coverage outdoors only. Indoor coverage less reliable

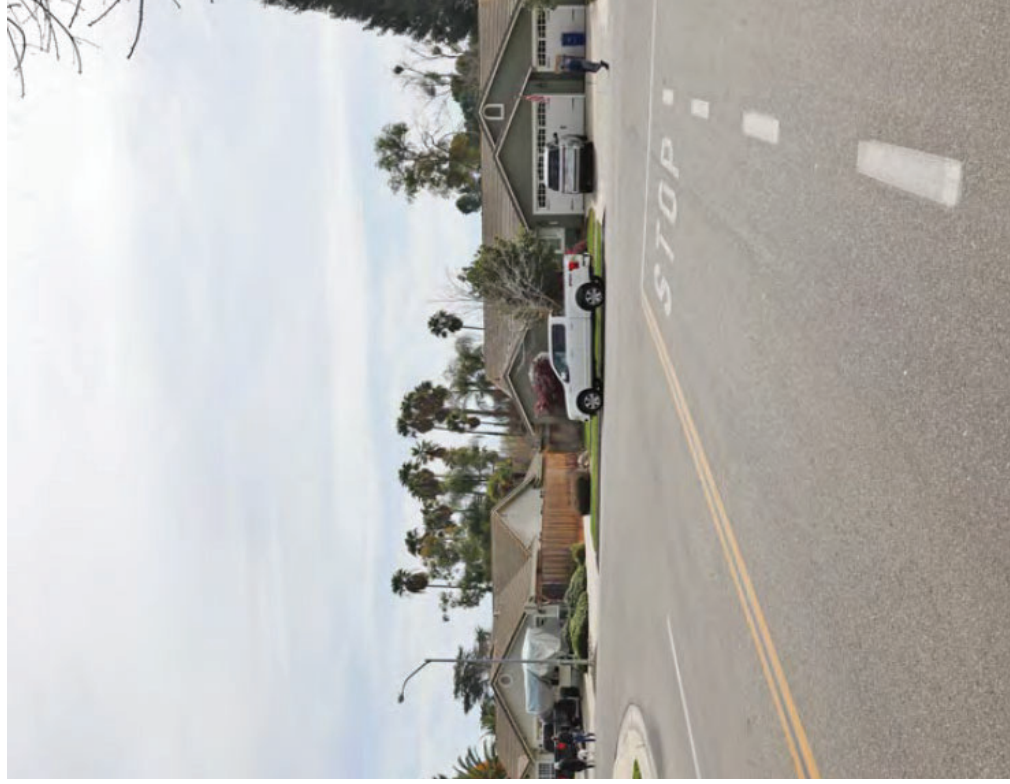
View from Shamrock Place



View from Nottingham Ave.



View from Cascade Creek Ave.



View from Parsons Ave.



View from Rahilly Park looking northeast at Site



Mandatory Findings

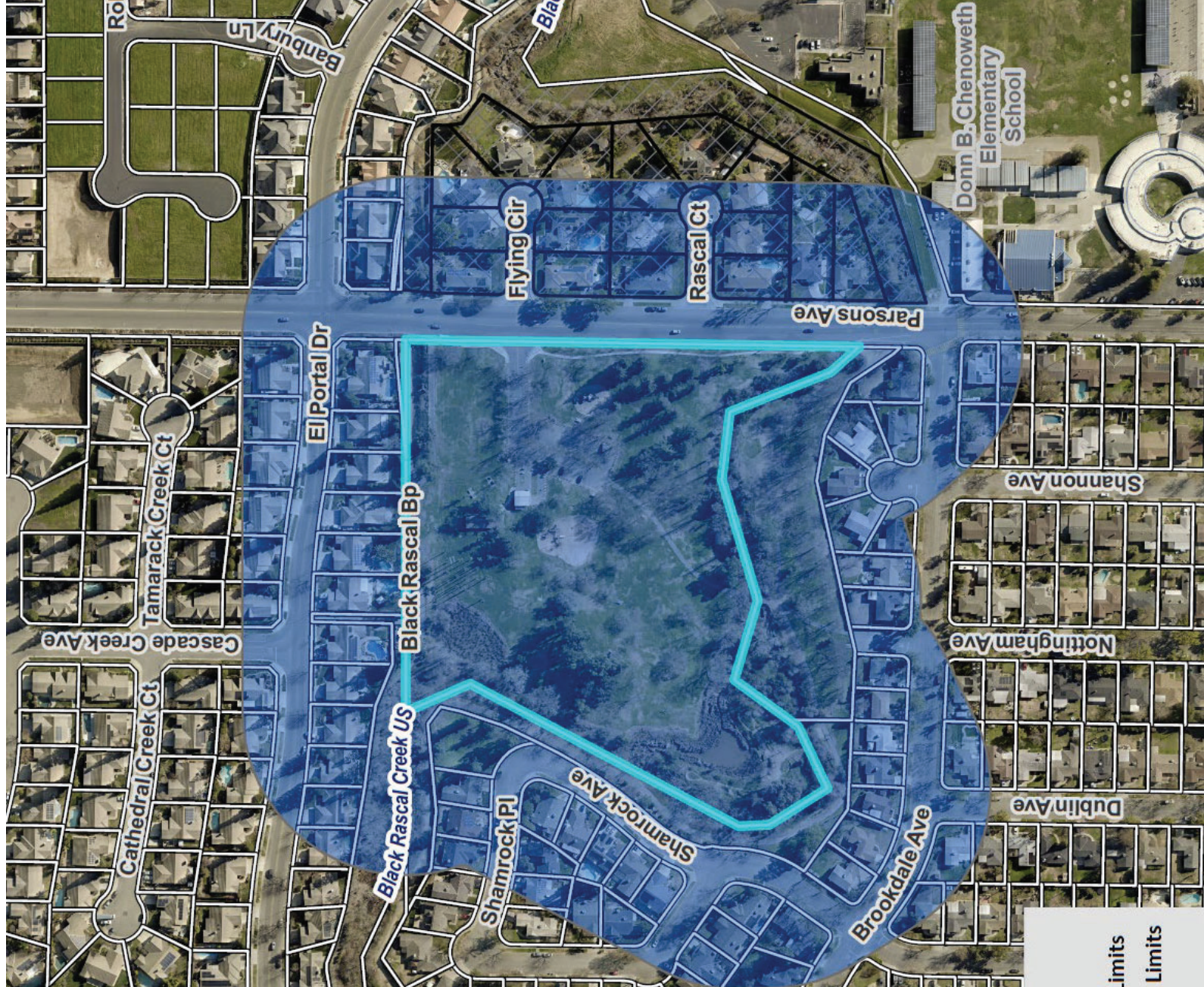
- Development Standards MMC 20.92.060 (Finding H, Exhibit B) Attachment #4
- Mandatory Findings for Conditional Use Permit MMC 20.68.020 (Finding J, Exhibit B) Attachment #4
- Wireless Communication Facilities Findings MCC 20.68 (Finding K, Exhibit B) Attachment #4

CEQA

- Categorical Exemption 15303(d) –New constructions or conversion of small structures.
- Categorical Exemption 15332-In-fill development projects

Public Hearing Notice

- Per MMC 20.68.050(E) SPR for interface review required notifying only property owners directly adjacent to the subject site.
- For the May 7, 2025, public hearing, a notice was mailed out to all property owners within the 300-foot radius of the subject site.
- For the July 21, 2025, City Council Meeting, a notice was mailed out to all property owners within the 300-foot radius of the subject site.



Public Comments

Site Plan Review – Staff received 3 emails in opposition of the project.

At the meeting, there were 5 speakers in opposition to the project.

Planning Commission meeting of May 7, 2024, Staff has received 7 emails, 1 petition with 51 signatures in opposition to the project and 3 emails in support.

There were 7 speakers in opposition and 1 speaker in support to the project.

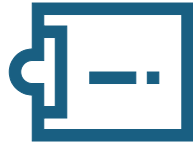


Public Comments



City Council meeting
of July 21, 2025, Staff
received 2 emails in
opposition of the
project.





City Council Action

To Deny Project

Adopt a resolution to grant Brenda Morgun's appeal, thus denying CUP #25-0006 and ERC #25-0002; or,

To Approve Project

Adopt a resolution to deny Brenda Morgun's appeal, thus upholding the Planning Commission's action to approve CUP #25-0006 and ERC #25-0002; or

To Continue Project

This matter may be continued for good cause

