



CITY OF MERCED

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

Minutes Planning Commission

Wednesday, January 22, 2025

6:00 PM

A. CALL TO ORDER

Chairperson GONZALEZ called the meeting to order at 6:00 PM.

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Vice Chair GREGGAINS led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: The Planning Commission has 1 vacancy at this time.

Present: 6 - Member Jose Delgadillo, Chair Anthony Gonzalez, Member Yang Pao Thao, Member Walter Smith, Member Emanuelle Ochoa, and Vice Chair Jeremiah Greggains

Absent: 0

C. PUBLIC COMMENT

There were no public comments.

D. CONSENT CALENDAR

D.1 **SUBJECT:** Planning Commission Minutes of January 8, 2025

ACTION:

Approving and filing the Planning Commission Minutes of January 8, 2025

A motion was made by Vice Chair Greggains, seconded by Member Ochoa and carried by the following vote, to approve the Consent Agenda.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1

SUBJECT: Vesting Tentative Subdivision Map #1334, initiated by Stonefield Homes Inc., property owner. This application involves a request to subdivide approximately 9.9 acres of land into forty-eight (48), residential lots ranging in size from 6,000 square feet to 14,995 square feet. This property is generally located at the southwest corner of Campus Parkway and East Childs Avenue and has a General Plan designation of High to Medium Density Residential (HMD) and a Zoning designation of Medium Density Residential (R-3-2). **PUBLIC HEARING**

ACTION: Approve/Disapprove/Modify
1) Environmental Review #24-39 (CEQA Section 15162 Findings)
2) Vesting Tentative Subdivision Map #1334

SUMMARY

The applicant is proposing a tentative map for forty-eight (48) single-family residential lots, south of East Childs Avenue, west of Campus Parkway (Attachment B). The proposed subdivision would subdivide approximately 9.9 acres of land into forty-eight (48) residential single-family lots ranging in size from 6,000 square feet to 14,995 square feet, with no lot being smaller than 6,000 square feet. Planning staff, along with other City staff, have reviewed the project and recommend approval subject to conditions.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #24-39 (CEQA Section 15162 Findings) and Vesting Tentative Subdivision Map #1334 (including the adoption of the Draft Resolution) subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of Draft Resolution #4147 at Attachment A.

Senior Planner MENDOZA-GONZALEZ reviewed the report on this item for Associate Planner RENTERIA. For further information, refer to Staff Report #25-030.

Public Testimony was opened at 6:14 PM.

Speakers from Audience in Favor

MATTHEW RODGERS, Engineer for the Applicant, Benchmark

Engineering, Modesto, CA

RICK MUMMERT, Engineer for the Applicant, Benchmark Engineering, Modesto, CA

Speakers from Audience in Opposition

JEAN OKUYE, Valley Land Alliance, Livingston, CA

ASHLEY MARIE SUAREZ, Leadership Counsel for Justice and Accountability, Merced, CA

Public Testimony was closed at 6:23 PM.

A motion was made by Member Ochoa, seconded by Member Delgadillo, and carried by the following vote, to adopt a CEQA Section 15162 Findings regarding Environmental Review #24-39 and approve Vesting Tentative Subdivision Map #1334, subject to the Findings and forty (40) Conditions set forth in Staff Report #25-030 (RESOLUTION #4146).

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 0

E.2

SUBJECT: Study Session on the Rezones for the Housing Element to meet the Requirements for the Regional Housing Needs Allocation (RHNA)

ACTION

For information and discussion.

SUMMARY

Study Session on Rezoning Required to meet the needs of RHNA.

ATTACHMENTS

- 1. Presentation

Principal Planner LAN reviewed the report on this item. For further information, refer to Staff Report #25-003.

Public Testimony was opened at 6:52 PM.

Speaker from the Audience (Neutral)

ASHLEY MARIE SUAREZ, Leadership Counsel for Justice and Accountability, Merced, CA

Public Testimony was closed at 6:56 PM.

F. INFORMATION ITEMS

F.1 **SUBJECT:** Report by Temporary Director of Development Services of Upcoming Agenda Items

ACTION

Information only.

Temporary Director of Development Services ESPINOSA went over the items for the next several Planning Commission meetings.

F.2 **SUBJECT:** Calendar of Meetings/Events

Jan.	21	City Council, 6:00 p.m. (Tuesday)
	22	Planning Commission, 6:00 p.m.
Feb.	3	City Council, 6:00 p.m.
	5	Planning Commission, 6:00 p.m.
	18	City Council, 6:00 p.m. (Tuesday)
	19	Planning Commission, 6:00 p.m.
	25	Bicycle and Pedestrian Advisory Committee, 4:00 p.m.
Mar.	3	City Council, 6:00 p.m.
	5	Planning Commission, 6:00 p.m. (To Be Cancelled)
	17	City Council, 6:00 p.m.
	19	Planning Commission, 6:00 p.m.

G. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 7:02 PM.

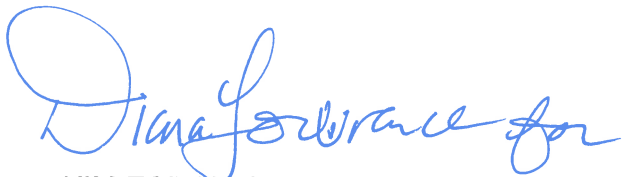
A motion was made by Vice Chair Greggains, seconded by Member Ochoa and carried by the following vote, to adjourn the Regular Meeting.

Aye: 6 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

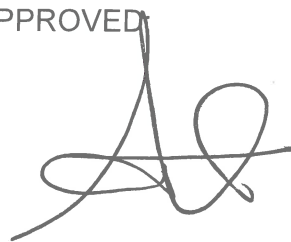
Absent: 0

BY:



KIM ESPINOSA, SECRETARY
MERCED CITY PLANNING COMMISSION

APPROVED:



ANTHONY GONZALEZ, CHAIRPERSON
MERCED CITY PLANNING COMMISSION

CITY OF MERCED
Planning Commission

Resolution #4146

WHEREAS, the Merced City Planning Commission at its regular meeting of, January 22, 2025, held a public hearing and considered **Vesting Tentative Subdivision Map #1334**, initiated by Stonefield Homes Inc., property owner. This application involves the subdivision of approximately 9.9 acres into 48 single-family lots ranging in size generally between 6,000 square feet and 14,995 square feet. This property is generally located on the southwest corner of Campus Parkway and East Childs Avenue, within an R-3-2 (Medium Density Residential) Zone with a High to Medium Density Residential (HMD) General Plan Designation; also known as Assessor's Parcel Number 061-710-001; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through K of Staff Report #25-030; and,

NOW THEREFORE, after reviewing the City's Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a California Environmental Quality Act Section 15162 Findings regarding Environmental Review #24-39, and approve Tentative Subdivision Map #1334, subject to the Conditions set forth in Exhibit A, and the Findings set forth in Exhibit B, attached hereto and incorporated herein by this reference.

Upon motion by Commissioner Ochoa, seconded by Commissioner Delgadillo, and carried by the following vote:

AYES: Commissioners Greggains, Thao, Smith, Ochoa, Delgadillo,
and Chairperson Gonzalez

NOES: None

ABSENT: None (one vacancy)

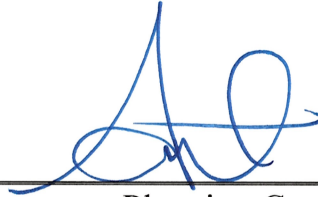
ABSTAIN: None

PLANNING COMMISSION RESOLUTION #4146

Page 2

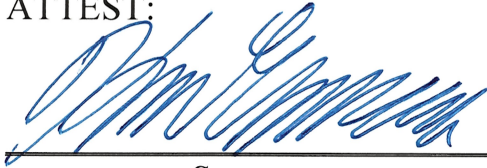
January 22, 2025

Adopted this 22nd day of January 2025



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary

Attachments:

Exhibit A – Conditions of Approval

Exhibit B – Findings and Considerations

Conditions of Approval
Planning Commission Resolution #4146
Vesting Tentative Subdivision Map # 1334

1. The proposed project shall be constructed/designed as shown on (Proposed Vesting Tentative Subdivision Map) - Attachment C of Staff Report #25-030, subject to conditioned changes.
2. All conditions contained in Resolution #1175-Amended ("Standard Tentative Subdivision Map Conditions") shall apply.
3. The proposed project shall comply with all standard Municipal Code, Fire Code and Subdivision Map Act requirements as applied by the City Engineering and Fire Departments.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
5. Community Facilities District (CFD) annexation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, streetlights, parks and open space. CFD procedures shall be initiated before final map approval. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
6. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits,

proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, suits, or proceeding. Developer/applicant shall be responsible to immediately prefund the litigation cost of the City including, but not limited to, City's attorney's fees and costs. If any claim, action, suits, or proceeding is filed challenging this approval, the developer/applicant shall be required to execute a separate and formal defense, indemnification, and deposit agreement that meets the approval of the City Attorney and to provide all required deposits to fully fund the City's defense immediately but in no event later than five (5) days from that date of a demand to do so from City. In addition, the developer/applicant shall be required to satisfy any monetary obligations imposed on City by any order or judgment.

7. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
8. All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
9. Fire hydrants shall be installed along street frontages to provide fire protection to the area. The hydrants shall meet all City of Merced standards and shall comply with all requirements of the City of Merced Fire Department. Final location of the fire hydrants shall be determined by the Fire Department.
10. The project shall comply with all requirements of the Merced Irrigation District (MID). The developer shall contact and work with MID to ensure all requirements are satisfactorily met.
11. Street names to be approved by City Engineer or designee.
12. The applicant or developer shall dedicate all necessary street right-of-way and easements as needed for irrigation, utilities, drainage, landscaping, and open space during the Final Map stage as required by the City Engineer or designee.

13. The tentative map shows no surface storage of storm water. Storm water must be managed per the City of Merced and State of California Storm Water Quality Laws and Standards. Developer must work with the City of Merced Engineering Department to address this issue.
14. The developer shall place a total of 5 stop signs for the subdivision as a request from the Police Department. One in the intersection of A Lane with Soda Creek Rd, one in B court with Soda creek Road, two at the north and south of the intersection of Soda Creek Road with Cozy Lane, and one at Soda Creek and Albert Drive.
15. At the Final Map and Improvement Plan stage, all lots shall comply with Merced Zoning Ordinance Table 20.08-3 Development Standards for Multi-Family Residential Zoning Districts for the R-3-2 Zone.
16. Plans shall meet current codes at the time of building permit application submittal. Building permit applications shall comply with the newest enacted California Building Codes. Plans shall be drawn by a licensed California design professional.
17. At the building permit stage, the site plans for each lot shall include a minimum 3-foot by 6-foot concrete pad located in the side yard or backyard for the storage of 3 refuse containers.
18. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
19. Each lot shall provide 200 square feet of on-site parking for each unit.
20. All mechanical equipment shall be screened from public view.
21. Each lot within the subdivision shall be provided with one driveway. No residential driveways shall front on any arterial or collector street.
22. The project shall meet all standards required to comply with state and local requirements for connecting to the City's Municipal Storm Sewer System.
23. The applicant shall provide a minimum 36 inches of coverage between the top of the sewer line and the surface of the street, or as otherwise required by the City Engineer or designee.
24. The applicant shall work with the City's Water and Engineering Divisions to provide a plan showing how City water lines would be extended to serve the subdivision. If required, the water service lines may

- include a redundant water looped system. Details to be reviewed and approved by the City Engineer or designee.
25. All landscaping within the public right-of-way shall comply with state and local requirements for water conservation. All irrigation provided to street trees or other landscaping shall be provided with a drip irrigation or micro-spray system and shall comply with the City's Water Efficient Landscape Ordinance (MMC Section 20.36.030).
 26. All undeveloped areas shall be maintained free of weeds and debris.
 27. Prior to final inspection of any home, all front yards and side yards exposed to public view shall be provided with landscaping to include ground cover, trees, shrubs, and irrigation in accordance with Merced Municipal Code Section 20.36.050. Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State's Emergency Regulation for Statewide Urban Water Conservation or any other state or City mandated water regulations dealing with the current drought conditions. All landscaping shall comply with the City's Water Efficient Landscape Ordinance (MMC Section 20.36.030) and any adopted amendments.
 28. Sewer manholes shall be installed as required by the Engineering Department (if needed).
 29. Traffic control signs, street markings, and striping shall be as directed by the City Engineer or designee.
 30. The developer shall install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer or designee.
 31. Additional right-of-way improvements, such as road widening beyond the City standard, would not be eligible for Public Facilities Impact Fee reimbursement.
 32. Dedication of all necessary easements will be made as shown on Vesting Tentative Subdivision Map #1334 or by Final Map if any changes are required by the City Engineer or designee.
 33. The developer shall provide all utility services to each lot, including sanitary sewer, water, electric power, gas, telephone, and cable television. All new utilities are to be undergrounded.

34. Full public improvements shall be installed/repaired if the permit value of the project exceeds \$100,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.
35. All public improvements shall be provided as required by the City Engineer. All improvements shall meet City Standards.
36. The developer shall provide construction plans and calculations for all landscaping and public maintenance improvements. All such plans shall conform to City standards and meet approval of the City Engineer or designee.
37. Minor modifications to the development standards (as determined by the Director of Development Services), may be reviewed and approved through a Minor Use Permit.
38. Grading and construction activity shall be limited to daylight hours (between 7:00 A.M. and 7 P.M.).
39. The M.I.D. well on lot 45 shall be properly abandoned and destroyed prior to the elimination of the easement and the recording the Final Map.
40. The project shall comply with all the Post construction Standards required to comply with State requirements for the City's Phase II MS-IV Permit (Municipal Separate Sewer System).

Findings and Considerations
Planning Commission Resolution #4146
Vesting Tentative Subdivision Map #1334

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of High to Medium Density Residential (HMD). The proposed project density is about 14.5 units per acre, which is in the mid-range of the General Plan density range of 14 to 24 units per acre.
- B) The proposed Tentative Subdivision Map, with conditions of approval, will help achieve the following General Plan land use policies:
- L-1.5 Protect existing neighborhoods from incompatible developments.*
 - L-1.6 Continue to pursue quality single-family residential development.*
 - L-1.8 Create livable and identifiable residential neighborhoods.*

Traffic/Circulation

- C) It is anticipated that the project as proposed would generate approximately 459.36 Average Daily Trips (ADT) based on an average daily rate of 9.57 trips per dwelling unit. The primary access point into the subdivision would be from East Childs Avenue (one access point), Albert Drive (one access point), and Soda Creek (three access points). The traffic generated by this subdivision should not exceed the current and projected capacity for the surrounding street system as the area was designed to accommodate a higher density of residential units.

The interior roads within the subdivision include two east/west roads and three north/south roads. As shown at Attachment C of Planning Commission Staff Report #25-030, the five streets shown as Soda Creek Road, A Court, A Lane, B Court, and Cozy Lane would be designed to Local Street standards with 59 feet of right-of-way, which includes street, curb, gutter, park strip, sidewalk, and a public utility easement.

Public Improvements/City Services

D) The developer would be required to install all streets, utilities, and other improvements within the subdivision and around the subdivision to be up to City Standards (Condition #29 and #30).

Each lot would be required to pay fees for sewer and water connections at the building permit stage. In addition, each lot within the subdivision would be required to meet the City’s storm drainage and run-off requirements for the City’s MS-IV permit (Condition #40).

Building Design

E) The developer has not submitted building designs at this time. The homes shall be required to comply with the City’s minimum design standards for single-family homes as required under Merced Municipal Code Section 20.46.020 Design Standards for Single-Family Dwellings and Mobile Homes.

Site Design

F) The design of the project is well integrated into the surrounding neighborhood. The design works well with the surrounding area and integrates the existing dwelling into the design (Attachment B of Planning Commission Staff Report #25-030).

G) The lot standards shall comply with Merced Zoning Ordinance Table 20.08-3 Development Standards for Multi-Family Residential Zoning Districts for the R-3-2 Zoning District.

The table below shows the mixture of lot sizes in the subdivision.

Number of Lots	Lot Size (S.F)
38	6,000 – 7,163
8	7,500 – 9,852
2	13,008 – 14,995

Landscaping

H) Each lot within the subdivision shall be provided with front yard landscaping in compliance with Zoning Ordinance Section 20.36 – Landscaping. Section 20.36.050 requires all exterior setback areas, excluding areas required for access to the property to be landscaped (Condition #25 and #27).

For any landscaping within public right-of-way, the developer shall be reviewed by the City prior to installation (Condition #27). The landscaping within this area would be maintained by the Community Facilities District (Condition #5).

Neighborhood Impact/Interface

- I) The proposed subdivision would add additional homes to the area, but the use is consistent with the General Plan and Zoning classification. There is single-family development to the north and an undeveloped, industrial zoned land to the east. In addition, a tentative map (VTSM #1263) was approved for south and west of the site in 2004, which has started development.

Public hearing notices were published in a qualifying newspaper and mailed to property owners within 300 feet of the subject site

Staff did not receive public comments from property owners at the time this report was prepared.

Land Use/Density Issues

- J) The proposed subdivision would provide a density of about 14.5 units per acre based on the gross acreage of the site. This density is well within the allowable density for the Low Density Residential General Plan designation that allows between 12 and 24 units per acre.

Environmental Clearance

- K) Planning staff has conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA) and prepared a CEQA Section 15162 Findings. (see Attachment F).