

CITY OF MERCED
Planning Commission

Resolution #4153

WHEREAS, the Merced City Planning Commission at its regular meeting of April 9, 2025, held a public hearing and considered **Vesting Tentative Subdivision Map #1332, Site Plan Review Permit #551 and Minor Use Permit #24-13** initiated by Eric Gonsalves, on behalf of Yosemite 1380 LLC, property owner for the property located at 1380 E Yosemite Avenue and 3595 Parsons Avenue. The Minor Use Permit was for interface review to allow commercial development adjacent to Low Density Residential (R-1-6) Zone. The Site Plan Review Permit was to allow the development of a self-storage facility with approximately 500 storage units. The Vesting Tentative Subdivision Map was to divide the self-storage from the residential lots and create 41, single-family, residential lots. The approximate 8.05-acre subject site is generally located on the southwest corner of E. Yosemite Ave and Parsons Ave. The property being more particularly described as Lots “A” and “B”, as shown on the certain map entitled “Oakmount Village Unit No. 5”, recorded in Volume 46, page 38 of Merced County Records; also known as Assessor’s Parcel Number (APN) 006-050-068 and 006-050-072; and,

WHEREAS, the Merced City Planning Commission held a public hearing regarding this matter on March 19th 2025. At this meeting the commission voted to continue this matter to the Planning Commission meeting of April 9, 2025, to allow for additional time to review the project and documents. At their meeting on April 9, 2025, the Merced City Planning Commission adopted a motion of intent to deny Vesting Tentative Subdivision Map #1332, Site Plan Review Permit #551 and Minor Use Permit #24-13, and directed staff to prepare Findings for Denial; and,

WHEREAS, the Merced City Planning Commission based its decision to deny Vesting Tentative Subdivision Map #1332, Site Plan Review Permit #551 and Minor Use Permit #24-13 on the following Findings:

Minor Use Permit Findings

1. *The proposed use is consistent with the purpose and standards of zoning district, the general plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

The Planning Commission finds the proposed project to be inconsistent with the General Plan land use designations in the area.

2. *The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.*

The Planning Commission finds that the location, size, design, and operating characteristics of the proposal would not be compatible with existing and future land uses in the vicinity. Specifically, the Planning Commission finds the number of

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single-family residential lots and the layout of the proposed residential portion of the project to be incompatible with the existing single-family residential development to the south.

3. *The proposed use will not be detrimental to the public health, safety, and welfare of the city.*

The Planning Commission finds that the proposal would adversely affect the public health, safety, and welfare of the City by allowing a Business Park (BP) land use in an area that has historically be designated for Commercial Office (CO).

4. *The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure.*

The Planning Commission finds that although the project could be adequately served by existing services such as sewer connections, water connection, and other utilities, the proposed development is not properly located within the City as the area has been historically been designated for Commercial Office (CO).

Site Plan Review Findings

1. *The proposed project is consistent with the General Plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

The Planning Commission finds the proposed project inconsistent with the General Plan. Specifically, the Planning Commission found the proposed General Plan Amendment land use designation change from Commercial Office (CO) to Business Park (BP) and the proposed change from Commercial Office (CO) to High Medium Density (HMD) to be inconsistent with the General Plan for the area.

2. *The proposed project complies with all applicable provisions of the Zoning Ordinance and Municipal Code.*

The Planning Commission finds that the proposed project, namely the single-family portion not in compliance with the zoning ordinance as the project sought to create it's own standards via a Planned Development zone.

3. *The design and layout of the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.*

The Planning Commission finds that the design and layout of the proposed project, specifically the residential portion of the project, would The Planning Commission finds the the design and layout of the proposed project would interfere with the enjoyment of the existing and future land uses in the vicinity.

4. *The proposed architectural design makes use of appropriate materials, texture, and color, and will remain aesthetically appealing and appropriately maintained.*

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The Planning Commission does not mention if the proposed architectural design makes use of appropriate material, texture and color, and will remain aesthetically appealing and appropriately maintained.

5. *Any proposed landscaping design, including color, location, size, texture, type, and coverage of plan materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.*

The Planning Commission did not address if the proposed landscaping design, including color, location, size, texture, type, and coverage of plan materials, as well as provisions for irrigation, maintenance , and protection of landscaping elements, will complement structures and provide an attractive environment.

6. *The proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.*

The Planning Commission finds that the proposed self-storage facility and residential subdivision is not compatible with the surrounding residential uses in the vicinity or the City's vision for that area. The medium-high density of the residential subdivision would not be compatible with the low density residential. The design of the subdivision would not be compatible with surrounding subdivisions. Additionally, the Planning Commission finds that the location, size, design, and operating characteristics of the proposed Self-storage would not be compatible with the existing and future land uses in the vicinity. Therefore, the proposed project would interfere with the enjoyment of the existing and future land uses in the vicinity.

NOW THEREFORE, after reviewing the City's Initial Study and Draft Environmental Determination, the proposed project, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby not adopt a Negative Declaration (Environmental Review #24-25), disapproves Vesting Tentative Subdivision Map #1332, disapproves Site Plan Review Permit #551, and disapproves Minor Use Permit #24-13.

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

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Adopted this 7th day of May, 2025

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary