



CITY OF MERCED

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

Minutes Planning Commission

Wednesday, January 19, 2022

7:00 PM

A. CALL TO ORDER

Chairperson HARRIS called the Regular Meeting to order at 7:05 PM

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner DEANDA led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: Commissioners Camper and Dylina were absent, excused.

Present: 5 - Chairperson Michael Harris, Member Dorothea White, Member Jose Delgadillo, Member Jeremiah Greggains, and Member Ronnie DeAnda

Absent: 2 - Member Robert Dylina, and Vice Chair Mary Camper

C. ORAL COMMUNICATIONS

There were no public comments.

D. CONSENT CALENDAR

A motion was made by Member Delgadillo, seconded by Member White, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Chairperson Harris
Member White
Member Delgadillo
Member Greggains
Member DeAnda

No: 0

Absent: 2 - Member Dylina
Vice Chair Camper

D.1 **SUBJECT:** Planning Commission Minutes of December 8, 2021

ACTION:

Approving and filing the Planning Commission Minutes of December 8, 2021

ATTACHMENTS

1. Draft Minutes of December 8, 2021

This Consent Item was approved.

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1

SUBJECT: Conditional Use Permit Application #1262, initiated by Merced County Office of Education for Merced County Superintendent of Schools, property owner. This application involves a request to develop a new Charter School and Pre-School at 350 W. Yosemite Avenue. The subject site is generally located on the south side of West Yosemite Avenue, approximately 100 feet east of Beals Avenue, within a Low Density Residential (R-1-6) Zone with a Low Density Residential (LD) General Plan designation. *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify
 1) Environmental Review #21-40 (Categorical Exemption)
 2) Conditional Use Permit #1262

SUMMARY

Merced County Office of Education is requesting approval to operate a new elementary Charter School (Yosemite Education Center) and Pre-School at 350 W. Yosemite Avenue. Per Merced Municipal Code Land Use Table 20.08-1 -Permitted Land Uses in the Residential Zoning Districts, schools (public or private) are allowed in the Low Density Residential (R-1-6) Zone with conditional use permit approval from the Planning Commission. The 5.5-acre subject site is located in North Merced, south of Merced College. The subject site is partially developed, operated, and owned by Merced County Office of Education. Buildings and a new driveway would be added to the site to accommodate the new educational facilities. City staff have reviewed this request and are recommending approval with conditions.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve

Environmental Review #21-40 (Categorical Exemption), and Conditional Use Permit #1262 including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

Associate Planner MENDOZA-GONZALEZ reviewed the report on this item. For further information, refer to Staff Report #22-024.

Public testimony was opened at 7:18 PM

Speaker From Audience in Favor:

STEVE TEITJEN, County Superintendent of Schools, Merced

There were no speakers in opposition to the project.

Public testimony was closed at 7:23 PM

(Note: Strikethrough deleted language, underline added language.)
" 13. The design of a future fence shall match or complement the design, color, and materials used for the exterior of the building; and in consultation with the neighbors regarding their preferences, should be either wrought iron or block."

A motion was made by Member Delgadillo, seconded by Member Greggains, to adopt a Categorical Exemption regarding Environmental Review #21-40, and approve Conditional Use Permit #1262, subject to the Findings and nineteen (19) Conditions, with a modification to Condition #13 as shown above (RESOLUTION #4084). The motion carried by the following vote:

- Aye:** 5 - Chairperson Harris
Member White
Member Delgadillo
Member Greggains
Member DeAnda

No: 0

- Absent:** 2 - Member Dylina
Vice Chair Camper

E.2

SUBJECT: Amendment to Vesting Tentative Subdivision Map #1314 for Yosemite & G, LLC., property owners; to subdivide Approximately 21.5 Acres of Land into 14 Lots; the Property has a Neighborhood Commercial (CN) General Plan designation, is Zoned Planned Development (P-D) #72, and is Generally Located at the Northeast Corner of Yosemite Avenue and G Street **PUBLIC HEARING**

ACTION: Approve/Disapprove/Modify
1) Environmental Review #21-44(CEQA Section

15162 Findings)

2) Modifications to Vesting Tentative Subdivision Map #1314

SUMMARY

The project site is located at the northeast corner of Yosemite Avenue and G Street. The details of the proposed mixed-use development have changed through various actions of the developer and the City since Vesting Tentative Subdivision Map #1314 was approved, and this action seeks to update it to reflect those changes. The site of approximately 21.5 acres of land is proposed to be subdivided into 14 lots (Attachment 3).

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #21-44 (CEQA Section 15162 Findings) and the modifications to Vesting Tentative Subdivision Map #1314 (Yosemite Crossing), including the adoption of the Draft Resolution, subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of Draft Resolution #4083 at Attachment A.

Principal Planner HREN reviewed the report on this item. For further information, refer to Staff Report #22-003.

Public testimony was opened at 7:36 PM

Speaker Via Teleconference in Favor

NEIL ANGELILLO, Applicants, Fresno

There were no speakers in opposition to the project.

Public testimony was closed at 7:37 PM

A motion was made by Member White, seconded by Member Greggains, to hereby find that the previous environmental review (Initial Study #19-28 for General Plan Amendment #19-03 and Site Utilization Plan Revision #3 to Planned Development #72) remains sufficient and no further documentation is required (CEQA Section 15162 Findings), and approve the Amendments to Vesting Tentative Subdivision Map #1314, subject to the Conditions set forth in Exhibit A (RESOLUTION #4083). The motion carried by the following vote:

- Aye:** 5 - Chairperson Harris
 Member White
 Member Delgadillo
 Member Greggains
 Member DeAnda

No: 0

Absent: 2 - Member Dylina
Vice Chair Camper

F. INFORMATION ITEMS

F.1 **SUBJECT: Report by Planning Manager of Upcoming Agenda Items**

ACTION

Information only.

Planning Manager ESPINOSA went over items for the next several Planning Commission meetings.

Principal Planner HREN informed the Commission that the application period for the available Commercial Cannabis Business Retail Permit will be closing on January 31, 2022.

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

- Jan. 18 City Council, 6:00 p.m. **(Tuesday)**
- 19 Planning Commission, 7:00 p.m.
- Feb. 7 City Council, 6:00 p.m.
- 9 Planning Commission, 7:00 p.m.
- 22 City Council, 6:00 p.m.
- 22 Bicycle/Pedestrian Advisory Commission, 4:00 p.m. *(To be Rescheduled)*
- 23 Planning Commission, 7:00 p.m.
- March 7 City Council, 6:00 p.m.
- 9 Planning Commission, 7:00 p.m.
- 21 City Council, 6:00 p.m.
- 23 Planning Commission, 7:00 p.m.

G. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 7:42 PM

A motion was made by Member Delgadillo, seconded by Member Greggains , to adjourn the Regular Meeting. The motion carried by the following vote:

Aye: 5 - Chairperson Harris
Member White
Member Delgadillo
Member Greggains
Member DeAnda

No: 0

Absent: 2 - Member Dylina
Vice Chair Camper