



CITY OF MERCED

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

Minutes Planning Commission

Wednesday, September 17, 2025

6:00 PM

A. CALL TO ORDER

Vice Chair GREGGAINS called the meeting to order at 6:00 PM.

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner SMITH led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: Chairperson GONZALEZ and Commissioner THAO were absent, excused.

Present: 5 - Member Walter Smith, Member Emanuelle Ochoa, Vice Chair Jeremiah Greggains, Member Jerry Vue, and Member Conchita Swiggart

Absent: 2 - Chair Anthony Gonzalez, and Member Yang Pao Thao

C. PUBLIC COMMENT

There were no public comments.

D. CONSENT CALENDAR

D.1

SUBJECT: Planning Commission Minutes of August 6, 2025

ACTION:

Approving and filing the Planning Commission Minutes of August 6, 2025

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

Aye: 5 - Member Smith
Member Ochoa
Vice Chair Greggains
Member Vue
Member Swiggart

No: 0

Absent: 2 - Chair Gonzalez
Member Pao Thao

E. PUBLIC HEARINGS

E.1

SUBJECT: Vesting Tentative Subdivision Map #25-0003, initiated by Paramjit Singh and Jaswinder Kaur, property owners. This application involves a request to subdivide approximately 3.38 acres of land at 2500 E Childs Avenue, into 17 residential lots generally ranging in size between 6,200 square feet and 14,579 square feet. This subject site is generally located south of East Childs Avenue, approximately 500 feet east of Brimmer Road, with a General Plan designation of Low Density Residential (LD), and a Zoning classification of Low Density Residential (R-1-5). **PUBLIC HEARING**

ACTION: Approve/Disapprove/Modify
1) Environmental Review #25-0022 (Categorical Exemption)
2) Vesting Tentative Subdivision Map #25-0003

SUMMARY

The applicant is proposing a vesting tentative subdivision map for 17 low density residential lots at 2500 E. Childs Avenue. The subject site is generally located, south of East Childs Avenue, approximately 500 feet east of Brimmer Road (Attachment B). The proposed subdivision would subdivide approximately 3.38 acres of land into 17 residential single-family lots generally ranging in size from 6,200 square feet to 14,579 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 #25-0022 (Categorical Exemption) and Vesting Tentative Subdivision Map #25-0003 (including the adoption of the Draft Resolution) subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of Draft Resolution #4165 at Attachment A.

Assistant Planner LIVINGSTON reviewed the report on this item. For further information, refer to Staff Report #25-654.

Public Testimony was opened at 6:11 PM.

Staff received 3 emails from ARIEL MANN, MID, and ROBERT RUYBE. The emails were provided to the Planning Commission via email prior to

the meeting and posted on the City's website.

Speaker from the Audience in Favor

CESAR PEREZ, Applicant, Golden Valley Engineering, Merced, CA

Speakers from the Audience in Opposition

ROBERT RUYBE, Resident, Merced, CA

DEBORAH CAMPBELL, Resident, Merced, CA

AMY VALENCIA, Resident, Merced, CA

PATRICIA GONZALEZ, Resident, Merced, CA

Speaker from the Audience (Neutral)

JEFF DINNOW, Resident, Merced, CA

Public Testimony was closed at 6:25 PM.

The application was withdrawn by the applicant. No motion was made.

E.2

SUBJECT: Conditional Use Permit #25-0015, submitted by Malek Mosleh, on behalf of Chanana Sham & Meenu Trustee, property owners. This application involves a request for tobacco sales (for off-site consumption) for a new convenience market at 1277 V Street, Suite B. The subject site is generally located at the southwest corner of V Street and McSwain Road (turns into 13th Street going east), with a General Plan Designation of Thoroughfare Commercial (CT) and a Zoning classification of Thoroughfare Commercial (C-T). *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

1) Environmental Review #25-0021 (*Categorical Exemption*)

2) Conditional Use Permit #25-0015

SUMMARY

Malek Mosleh is requesting approval to operate a convenience market with tobacco sales for off-site consumption at 1277 V Street, Suite B. The convenience market would be located within an approximate 950-square-foot commercial suite. A conditional use permit is required for

“tobacco sales” for off-site consumption for sites within 600 feet of a “youth center” per Merced Municipal Code Section 20.44.160 - Tobacco Sales Prohibited Near Schools. The youth center located near the convenience market is Dennis Chavez Memorial Park. The primary use of a convenience market is principally permitted within the site’s Zoning classification of Thoroughfare Commercial (C-T), and General Plan designation of Thoroughfare Commercial (CT), but tobacco sales for off-site consumption requires conditional use permit approval from the Planning Commission. Staff is recommending approval of this application subject to conditions.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #25-0021 (Categorical Exemption) including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

Assistant Planner LIVINGSTON reviewed the report on this item. For further information, refer to Staff Report #25-789.

Public Testimony was opened at 6:49 PM.

Staff received 1 email from MID. The email was provided to the Planning Commission via email prior to the meeting and posted on the City's website.

There was no one present wishing to speak regarding the project; therefore, public testimony was closed at 6:50 PM.

A motion was made by Member Ochoa, seconded by Member Swiggart and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #25-0021, and approve Conditional Use Permit #25-0015, subject to the Findings and nineteen (19) Conditions as set forth in Staff Report #25-789 (RESOLUTION #4166).

Aye: 5 - Member Smith
Member Ochoa
Vice Chair Greggains
Member Vue
Member Swiggart

No: 0

Absent: 2 - Chair Gonzalez
Member Pao Thao

E.3

SUBJECT: General Plan Amendment #24-02/ Site Utilization Plan Revision #3 to Planned Development #20/ Vesting Tentative Subdivision Map #1332/ Site Plan Review Permit #551/ Minor Use Permit #24-13, initiated by Eric Gonsalves, on behalf of Yosemite 1380

LLC, property owner. The General Plan Amendment would change the General Plan land use designation from Commercial Office (CO) to Business Park (BP) for 3.02 acres and from Commercial Office (CO) to Low Medium Density (LMD) residential for the remaining 4.85 acres. The Site Utilization Plan Revision would change the land use designation within P-D #20 from Commercial Office to Self-Storage for 3.02 acres and to Residential for the remaining 4.85 acres. The Minor Use Permit would be for interface review to allow commercial development adjacent to or across from a Low Density Residential (R-1-6) Zone. The Site Plan Review Permit would allow the development a self-storage facility (approximately 500 storage units). The vesting tentative subdivision map would divide the self-storage from the residential lots and create the 28 residential lots. *PUBLIC HEARING*

ACTION:**PLANNING COMMISSION:**

Recommendation to City Council:

- 1) Environmental Review #24-25 (*Negative Declaration*)
- 2) General Plan Amendment #24-02
- 3) Site Utilization Plan Revision #3 to Planned Development #20

Approve/Disapprove/Modify:

- 1) Environmental Review #24-25 (*Negative Declaration*)
- 2) Vesting Tentative Subdivision Map #1332
- 3) Site Plan Review Permit #551
- 4) Minor Use Permit #24-13
[subject to City Council approval of General Plan Amendment #24-02, and Site Utilization Plan Revision #3 to Planned Development #20]

SUMMARY

The Project site consists of two parcels that total approximately 8.05 acres located at 1380 Yosemite Avenue (APN: 006-050-068) and 3595 Parsons Avenue (APN: 006-050-072) (Attachment C). The subject site has a General Plan designation of Commercial Office (CO) and a Zoning classification of Planned Development(P-D) #20. The subject site is surrounded by a variety of uses which include residential to the east, south, and west, a religious institution to the north and University Surgery Center adjacent northeast of the project site.

The applicant is requesting approval to develop 28 single-family homes and a self-storage facility. Of the 28 residential lots, lots 1-15 would be

single story homes and lots 16-28 would be a mix of single- and two-story homes. The proposed residential lots would range in size between 4,365 square feet and 8,930 square feet. These lots would be located within the southern portion of the subject site on approximately 4.85 acres. The remaining 3.02 acres would be used to establish a self-storage facility with 500 storage units. The applicant has provided a site plan, floor plan, and elevations (Attachments E and F) for this proposal.

RECOMMENDATION

General Plan Amendment and Site Utilization Plan Revision to Planned Development

Planning staff recommends that the Planning Commission make a recommendation to the City Council of Environmental Review #24-25 (Negative Declaration), General Plan Amendment #24-02, and Site Utilization Plan Revision #3 to Planned Development #20 (including the adoption of the Draft Resolution at Attachment A) subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of the Draft Resolution.

Vesting Tentative Subdivision Map, Site Plan Review Permit, and Minor Use Permit

Planning staff recommends that the Planning Commission approves Vesting Tentative Subdivision Map #1332, Site Plan Review Permit #551 and Minor Use Permit #24-13 (including the adoption of the Draft Resolution at Attachment B) subject to the conditions in Exhibit A, the findings/considerations in Exhibit B of the Draft Resolution, and contingent upon City Council approval of General Plan Amendment #24-02 and Site Utilization Plan Revision #3 to Planned Development (P-D) #20.

Acting Planning Manager LAN reviewed the report on this item for Associate Planner RENTERIA. For further information, refer to Staff Report #25-835.

Public Testimony was opened at 7:13 PM.

Staff received 3 emails from CAROL DINUZZO, ROBERT DINUZZO, and TOM CLENDININ. The emails were provided to the Planning Commission via email prior to the meeting and posted on the City's website.

Speaker from the Audience in Favor

TODD BENDER, Applicant, Merced, CA

Speakers from the Audience in Opposition

TOM CLENDENIN, Leader of Opposition, Resident, Merced, CA

ROBERT DINUZZO, Resident, Merced, CA

CAROL DINUZZO, Resident, Merced, CA

LEE BOESE, Resident, Merced, CA

Public Testimony was closed at 7:43 PM.

A motion was made by Vice Chair Greggains, seconded by Commissioner Ochoa to approve Vesting Tentative Subdivision Map #1332, Site Plan Review Permit #551, and Minor Use Permit #24-13. The motion to approve failed. Therefore, the items were denied per the Merced Municipal Code.

Aye: 3 - Member Ochoa
Member Vue
Member Swiggart

No: 2 - Member Smith
Vice Chair Greggains

Absent: 2 - Chair Gonzalez
Member Pao Thao

A motion was made by Member Ochoa, seconded by Member Swiggart to recommend to the City Council the denial of General Plan Amendment #24-02 and Site Utilization Plan #3 to Planned Development (P-D) #20. The motion failed, and the items were denied per the Merced Municipal Code.

Aye: 3 - Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 2 - Member Smith
Member Vue

Absent: 2 - Chair Gonzalez
Member Pao Thao

F. ACTION ITEMS

F.1

SUBJECT: Cancellation of October 8, 2025, Planning Commission Meeting due to a lack of items

ACTION:

Cancel the Planning Commission Meeting of October 8, 2025

A motion was made by Member Ochoa, seconded by Member Swiggart and carried by the following vote, to cancel the Planning Commission Meeting of October 8, 2025, due to a lack of items.

Aye: 5 - Member Smith
Member Ochoa
Vice Chair Greggains
Member Vue
Member Swiggart

No: 0

Absent: 2 - Chair Gonzalez
Member Pao Thao

G. INFORMATION ITEMS

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

ACTION

Information only.

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

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

Sept.	15	City Council, 6:00 p.m.
	17	Planning Commission, 6:00 p.m.
Oct.	6	City Council, 6:00 p.m.
	8	Planning Commission, 6:00 p.m. (To be cancelled)
	20	City Council, 6:00 p.m.
	22	Planning Commission, 6:00 p.m.
Nov.	3	City Council, 6:00 p.m.
	5	Planning Commission, 6:00 p.m.
	17	City Council, 6:00 p.m.
	19	Planning Commission, 6:00 p.m. (May be cancelled)

H. ADJOURNMENT

Acting Director of Development Services QUINTERO introduced Chief Deputy City Attorney RONDA LUCAS to the Commission.

Clerk's Note: The Regular Meeting adjourned at 8:20 PM.

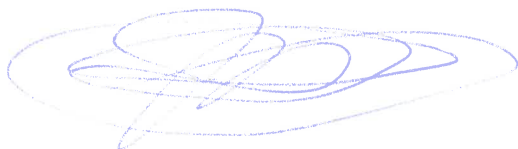
A motion was made by Member Ochoa, seconded by Member Swiggart and carried by the following vote, to adjourn the Regular Meeting.

Aye: 5 - Member Smith
Member Ochoa
Vice Chair Greggains
Member Vue
Member Swiggart

No: 0

Absent: 2 - Chair Gonzalez
Member Pao Thao

BY:



JONNIE LAN, SECRETARY
MERCED CITY PLANNING COMMISSION

APPROVED:



ANTHONY GONZALEZ, CHAIRPERSON
MERCED CITY PLANNING COMMISSION