



CITY OF MERCED

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

Minutes Planning Commission

Wednesday, August 3, 2022

7:00 PM

A. CALL TO ORDER

Chairperson HARRIS called the Regular Meeting to order at 7:00 PM

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Member DYLINA led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Present: 7 - Chairperson Michael Harris, Member Dorothea White, Member Jose Delgadillo, Vice Chair Mary Camper, Member Jeremiah Greggains, Member Ronnie DeAnda, and Member Robert Dylina

Absent: 0

C. ORAL COMMUNICATIONS

There were no public comments.

D. CONSENT CALENDAR

D.1 **SUBJECT:** Planning Commission Minutes of July 6, 2022

ACTION:

Approving and filing the Planning Commission Minutes of July 6, 2022

ATTACHMENTS

1. Draft Minutes of July 6, 2022

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

Aye: 7 - Chairperson Harris
Member White
Member Delgadillo
Vice Chair Camper
Member Greggains
Member DeAnda
Member Dylina

No: 0

Absent: 0

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1

SUBJECT: Commercial Cannabis Business Permit #21-05, initiated by Oktay Senvardarli (Oak Senvar) for Moak, Inc., on behalf of Moak, Inc., property owner. This application is to permit the construction and operation of a facility for indoor cultivation of medicinal cannabis and medicinal cannabis-based products on a 43,045 square-foot-vacant lot at 847 Beechcraft Ave. The property is zoned Light Industrial (I-L), with a General Plan designation of Manufacturing Industrial (IND).
PUBLIC HEARING

ACTION: Approve/Disapprove/Modify
 1) Environmental Review #21-31 (*Categorical Exemption*)
 2) Commercial Cannabis Business Permit #21-05

SUMMARY

This application is for a permit to utilize the property at 847 Beechcraft Avenue, for cannabis-related business activities. The permit seeks to allow Moak, Inc. to operate an indoor cultivation facility for medicinal cannabis and medicinal cannabis-related products. The project proposes to construct a new facility on an existing vacant lot. Staff is recommending approval with conditions.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #21-31 (*Categorical Exemption*), and Commercial Cannabis Business Permit (CCBP) #21-05, subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

Development Services Technician II DAVIS reviewed the report on this item. For further information, refer to Staff Report #22-432.

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:14 PM.

A motion was made by Member Dylina, seconded by Member Greggains, to adopt a Categorical Exemption regarding Environmental Review #21-31 and approve Commercial Cannabis Business Permit #21-05, subject to the Conditions set forth in Exhibit A (RESOLUTION #4095). The motion carried by the following vote:

Aye: 7 - Chairperson Harris
 Member White
 Member Delgadillo
 Vice Chair Camper
 Member Greggains
 Member DeAnda
 Member Dylina

No: 0

Absent: 0

E.2

SUBJECT: Vesting Tentative Subdivision Map #1321 for the Long Property Subdivision, initiated by Precision Engineering, on behalf of Long and Seng Thao, property owners. This application involves a request to subdivide 41.6 acres of land into 148 single-family lots. This property is generally located south of Cardella Road (extended), west of Fahrens Creek and has a General Plan designation of Low Density (LD Residential and a Zoning designation of Planned Development (P-D) #50. **PUBLIC HEARING**

ACTION: Continue the item to the August 17, 2022, Planning Commission Meeting

SUMMARY

The project site is located on the south side of Cardella Road (extended), west of Fahrens Creek. The proposed subdivision would subdivide 41.6 acres of land into 148 single-family lots. In order to allow more time to resolve some design issues with this tentative map, staff is recommending this item be continued to the Planning Commission meeting of August 17, 2022.

RECOMMENDATION

Planning staff recommends that the Planning Commission continue this matter to the August 17, 2022, Planning Commission meeting.

Commissioner DYLINA recused himself and left the dais regarding this item due to the proximity to his residence.

Senior Planner NELSON reviewed the report on this item. For further information, refer to Staff Report #22-544.

There was no one present wishing to speak regarding the project; therefore, public testimony was opened and closed at 7:15 PM.

A motion was made by Member White, seconded by Member Dylina, to continue Vesting Tentative Map #1321 to the Planning Commission Meeting of August 17,

2022. The motion carried by the following vote:

Aye: 6 - Chairperson Harris
Member White
Member Delgadillo
Vice Chair Camper
Member Greggains
Member DeAnda

No: 0

Absent: 0

Recused: 1 - Member Dylina

E.3

SUBJECT: Appeal the Site Plan Review Committee's approval of a one-year extension for Vesting Tentative Subdivision Map (VTSM) #1291 for Bright Development which would allow for the subdivision of approximately 39.8 acres of land into 161 single-family lots, generally located on the east side of G Street at Merrill Place (extended).
****PUBLIC HEARING****

ACTION: Grant/Deny
1) Appeal of the one-year extension granted for VTSM #1291 (Bright Development).

SUMMARY

On June 16, 2022, the Site Plan Review Committee granted a one-year extension to Vesting Tentative Subdivision Map (VTSM) #1291, extending the expiration date to July 16, 2023. On June 22, 2022, an appeal of this decision was filed by Rick Telegan on behalf of Regency Court II, LLC.

RECOMMENDATION

Planning staff recommends that the Planning Commission Deny the appeal of the Site Plan Review Committee's approval of a one-year extension for Vesting Tentative Subdivision Map #1291.

At 7:15 p.m, Commissioner DYLINEA returned to the dais.

Clerk's Note: The Planning Commission meeting recessed from 7:17 p.m to 7:23 p.m.

Senior Planner NELSON reviewed the report on this item. For further information, refer to Staff Report #22-545.

Staff received one email from GINGER BANDONI, requesting an update to the Initial Study for the project. The email was provided to the Planning Commission prior to the meeting.

Public testimony was opened at 7:40 PM.

Speaker in Favor

RICK TELEGAN, Appellant, Fresno, CA

Speaker in Opposition

DAVE BUTZ, Applicant, Bright Development

Public testimony was closed at 7:58 PM.

A motion was made by Member Dylina, seconded by Member Delgadillo, to continue the Appeal of the 1-year extension of Vesting Tentative Map #1291 to the Planning Commission Meeting of August 17, 2022. The motion carried by the following vote:

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

No: 2 - Vice Chair Camper
 Member Greggains

Absent: 0

E.4

SUBJECT: Density Bonus #22-02, initiated by Custom Containers 915 and Merced Rescue Mission, on behalf of the Housing Successor Agency, property owner. This application involves a request to permit an increase in density, and provides for waivers and concessions to development standards and ordinance regulations. The proposal includes the construction of 4 affordable permanent supportive housing structures, a laundry room, and manager’s unit, within two two-story duplexes and a future accessory dwelling unit on a 0.46-acre parcel at 73 S. R Street. The subject site is generally located on the west side of R Street, approximately 225 feet south of Childs Avenue. The site has a Zoning Classification of Low Density Residential (R-1-6) with a General Plan Designation of Low Density Residential (LDR).

ACTION: PLANNING COMMISSION:
 Recommendation to City Council
 1) Environmental Review #22-26 (Categorical Exemption)
 2) Density Bonus Application #22-02

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #22-26 (Categorical Exemption)
- 2) Density Bonus Application #22-02

SUMMARY

This is a request to consider Density Bonus #22-02 which permits an increase in density and provides for concessions and waivers of development standards/zoning regulations to allow the construction of 4 affordable permanent supportive housing structures which shall service 21 individuals, a manager unit, a laundry room, and future accessory dwelling unit on a 0.46-acre parcel, generally located on the west side of R Street, approximately 225 feet south of Childs Avenue. The residential complex is primarily intended to house unsheltered veterans that may have extremely low incomes, around 60% of the County's Average Median Income (AMI). On-site management would be provided 24 hours per day, 7 days a week, by the Merced County Rescue Mission. Staff is recommending the Planning Commission recommend approval to the City Council. No public hearing is required per State statutes and local ordinances.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #22-26 (Categorical Exemption) and Density Bonus #22-02 (including the adoption of the Draft Resolution at Attachment A) subject to the findings/considerations in Exhibit A of the Draft Resolution.

A motion was made by Member Dylina, seconded by Member Camper, to recommend to City Council adoption of a Categorical Exemption regarding Environmental Review #22-26 and approval of Density Bonus #22-02, subject to the Findings set forth in Exhibit A (RESOLUTION #4093). The motion carried by the following vote:

- Aye:** 7 - Chairperson Harris
 Member White
 Member Delgadillo
 Vice Chair Camper
 Member Greggains
 Member DeAnda
 Member Dylina

No: 0

Absent: 0

F. INFORMATION ITEMS

