



CITY OF MERCED

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

Minutes Planning Commission

Wednesday, July 7, 2021

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

Commissioner DYLINE led the Pledge of Allegiance to the Flag.

ROLL CALL

Commissioner WHITE was absent, unexcused.

The Planning Commission has two vacancies at this time.

Present: 4 - Chairperson Michael Harris, Member Robert Dylina, Member Jose Delgadillo, and Vice Chair Mary Camper

Absent: 1 - Member Dorothea White

C. ORAL COMMUNICATIONS

There were no public comments.

D. CONSENT CALENDAR

SUBJECT: Planning Commission Minutes of June 9, 2021

ACTION:

Approving and filing the Planning Commission Minutes of June 9, 2021

A motion was made by Member Delgadillo, seconded by Vice Chair Camper, to approve the Consent Agenda. The motion carried unanimously.

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1

SUBJECT: Conditional Use Permit #1255 and Site Plan Review #476, initiated by Mavericks, LLC, property owner. The application involves a request to add four residential units at 111 R Street. This request

requires interface approval as the subject site is located within a Neighborhood Commercial (C-N) Zone that is adjacent to a Low-Density Residential (R-1-6) Zone. The subject site is generally located on the west side of R Street, approximately 135 feet north of Childs Avenue. *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #21-11 (*Categorical Exemption*)
- 2) Conditional Use Permit #1255
- 3) Site Plan Review #476

SUMMARY

The subject site consists of 0.34 acres located in south central Merced at 111 R Street (Attachment B). The applicant, Mavericks, LLC, is requesting approval to add 4 residential units to this site and retain an existing single-family home on the western portion of the parcel. This subject site is within a Neighborhood Commercial (C-N) Zone, which requires a conditional use permit for residential dwellings per the land use table at Merced Municipal Code 20.10.020 - Land Use Regulations for Commercial Zoning Districts. The subject site also requires a Site Plan Review Permit for Interface Review, as required for high impact projects adjacent to, or across from, low impact zones (Merced Municipal Code Section 20.32 - Interface Regulations). In this case, Interface Review is required as the developer is proposing to develop on a Neighborhood Commercial Zone that is adjacent to a Low-Density Residential Zone west of the subject site. Planning staff has reviewed the proposal and is recommending approval subject to the conditions found within this report.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve 1) Environmental Review #21-11 (*Categorical Exemption*); 2) Conditional Use Permit #1255, and 3) Site Plan Review #476 (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.

Associate Planner MENDOZA-GONZALEZ reviewed the report on this item. For further information, refer to Staff Report #21-517.

Public testimony was opened at 7:16 PM

Speaker from the Audience in Favor:

Steve Morgan, Merced

There were no speakers in opposition to the project.

Public testimony was closed at 7:19 PM

(Note: Strikethrough deleted language, underline added language.)

"12. A ~~7-foot-tall~~ 6-foot-tall fence shall be installed along the western property line to provide additional screening between the subject site and adjacent Low Density Residential Zone. This area shall also be landscaped with fast growing trees, shrubs, and vines that provide further screening. Details to be finalized with the Planning Department during the Building Permit stage."

A motion was made by Vice Chair Camper, seconded by Member Delgadillo, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #21-01, and approve Conditional Use Permit #1255 and Site Plan Review #476, subject to the Findings and twenty (20) Conditions set forth in Staff Report #21-517, amending Condition #12 as shown above (RESOLUTION #4065):

Aye: 4 - Chairperson Harris
Member Dylina
Member Delgadillo
Vice Chair Camper

No: 0

Absent: 1 - Member White

E.2

SUBJECT: General Plan Amendment #20-01 and Site Utilization Plan Revision #23 to Planned Development (P-D) #16 for approximately 6.39 acres of land, generally located on the south side of Devonwood Drive, east of Wal-Mart. The General Plan Amendment would change the General Plan designation from Low-Medium Density Residential (LMD) to High Density Residential (HD). The Site Utilization Plan Revision would change the Site Utilization Plan designation from Single Family Residential to Multi-Family Residential and establish development standards for this property. These changes would allow the future development of a 156-unit apartment complex. **PUBLIC HEARING**

ACTION

PLANNING COMMISSION:

Recommendation to City Council

- 1) Environmental Review #20-32 - Revised
(Mitigated Negative Declaration)
- 2) General Plan Amendment #20-01

- 3) Site Utilization Plan Revision #23 to Planned Development (P-D) #16

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #20-32 -Revised (*Mitigated Negative Declaration*)
- 2) General Plan Amendment #20-01

- 3) Site Utilization Plan Revision #23 to Planned Development (P-D) #16

SUMMARY

This is a request to amend the General Plan Designation from Low-Medium Density (LMD) Residential to High Density (HD) Residential for a 6.39-acre site generally located on Devonwood Drive between Loughborough Drive and Austin Avenue. Additionally, the request includes Site Utilization Plan (SUP) Revision #23 to Planned Development (P-D) #16 to change the SUP designation from single-family to multi-family and establish development standards for this site. These changes, if approved, would allow the construction of a 156-unit apartment complex, with a club house/office, and associated parking within a gated community.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #20-32 -Revised (Mitigated Negative Declaration) and recommend approval of General Plan Amendment #20-01 and Site Utilization Plan Revision #23 to Planned Development (P-D) #16 (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.

Senior Planner NELSON reviewed the report on this item. For further information, refer to Staff Report #21-148.

Public testimony was opened at 7:45 PM

Speaker via Teleconference in Favor:

Craig Potter, Applicant, Huntington Beach

Speakers from the Audience in Favor:

Mal Montoya, BSB Design, Orangevale

Allison Levy, Meta Housing Corporation, Santa Ana

There were no speakers in opposition to the project.

Public testimony was closed at 7:49 PM

(Note: Strikethrough deleted language, underline added language.)

"37. The project shall be designed with a variety of colors and/or textures on the exterior elevations."

A motion was made by Member Dylina, seconded by Member Delgadillo, to recommend to the City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program regarding Environmental Review #20-32, and recommend approval of General Plan Amendment #20-01 and Site Utilization Plan Revision #23 to Planned Development (P-D) #16, subject to the Findings and thirty-six (36) Conditions set forth in Staff Report #21-148, with the addition of Condition #37 as shown above (RESOLUTION #4059) . The motion carried by the following vote:

Aye: 4 - Chairperson Harris
Member Dylina
Member Delgadillo
Vice Chair Camper

No: 0

Absent: 1 - Member White

E.3

SUBJECT: Election of Chairperson and Vice-Chairperson

ACTION

Election of Chairperson and Vice-Chairperson

Planning Manager ESPINOSA informed the Commission that they could either vote for a new chair and vice-chair or delay the election until vacancies were filled.

A motion was made by Member Delgadillo that this agenda item be tabled. The motion failed due to a lack of second.

Vice Chair CAMPER nominated Chairperson HARRIS to continue to be Chairperson. Commissioner DYлина nominated Vice Chair CAMPER to continue to be Vice Chair. Both Chairperson HARRIS and Vice Chair CAMPER accepted the nominations. There were no other nominations for Chairperson or Vice Chairperson.

A motion was made by Vice Chair Camper, seconded by Member Dylina, that this agenda item be approved. The motion carried by the following vote:

Aye: 4 - Chairperson Harris
Member Dylina
Member Delgadillo
Vice Chair Camper

No: 0

Absent: 1 - Member White

F. INFORMATION ITEMS

Commissioner DYLINEA requested that an item be placed on the next agenda to allow the Commission to make a recommendation to the City Council regarding updates to the Boards and Commission Attendance Policy.

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.

F.2

SUBJECT: Calendar of Meetings/Events

July 6	City Council, 6:00 p.m. (Tuesday)
7	Planning Commission, 7:00 p.m.
19	City Council, 6:00 p.m.
21	Planning Commission, 7:00 p.m.
Aug. 2	City Council, 6:00 p.m.
4	Planning Commission, 7:00 p.m.
16	City Council, 6:00 p.m.
18	Planning Commission, 7:00 p.m.
24	Bicycle/Pedestrian Advisory Commission, 4:00 p.m.

G. ADJOURNMENT

The Regular Meeting adjourned at 8:07 PM

A motion was made by Vice Chair Camper, seconded by Member Dylina, to adjourn the Regular Meeting. The motion carried unanimously.