



CITY OF MERCED

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

Minutes Planning Commission

Wednesday, April 9, 2025

6:00 PM

A. CALL TO ORDER

Chairperson GONZALEZ called the meeting to order at 6:00 PM.

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner SWIGGART led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: Deputy City Attorney TANIGUCHI attended the meeting via Microsoft Teams.

Present: 7 - Member Jose Delgadillo, Chair Anthony Gonzalez, Member Yang Pao Thao, Member Walter Smith, Member Emanuelle Ochoa, Vice Chair Jeremiah Greggains, and Member Conchita Swiggart

Absent: 0

C. PUBLIC COMMENT

There were no public comments.

D. CONSENT CALENDAR

D.1

SUBJECT: Planning Commission Minutes of March 19, 2025

ACTION:

Approving and filing the Planning Commission Minutes of March 19, 2025

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

Aye: 7 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 0

Absent: 0

D.2 **SUBJECT:** Planning Commission Annual Attendance Report

ACTION

Reviewing and approving the Annual Attendance Report.

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1 **SUBJECT:** Conditional Use Permit #1286, initiated by Veronica Perez, on behalf of Cencal Land and Cattle Company LLC, property owners. This application involves a request to operate a food truck within the parking lot at 850 West Main Street, generally located on the southeast corner of West Main Street and P Street, within a Central Commercial (C-C) Zone. *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify
 1) Environmental Review #25-05 (*Categorical Exemption*)
 2) Conditional Use Permit #1286

SUMMARY

Veronica Perez is requesting conditional use permit approval to operate a food truck within the parking lot located at 850 West Main Street (Attachment B). Mobile Food Vendors are considered a conditional use within a Central Commercial (C-C) Zone. The proposed food truck would be located within a parking lot near the southern corner portion of the parcel (Attachment C). The Planning Commission will be reviewing this proposal to ensure that the new site plan is designed in a manner that minimizes negative impacts to the existing site and promotes compatible and orderly development. Staff is recommending approval of this request subject to conditions.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #25-05 (Categorical Exemption) and Conditional Use Permit #1286 (including the adoption of the Resolution at Attachment A).

Assistant Planner LIVINGSTON reviewed the report on this item. For further information, refer to Staff Report #25-148.

There was no one present wishing to speak regarding the project;

therefore, Public Testimony was opened and closed at 6:10 PM.

A motion was made by Member Ochoa, seconded by Vice Chair Greggains and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #25-05 and approve Conditional Use Permit #1286, subject to the Findings and thirty-nine (39) Conditions set forth in Staff Report #25-148 (RESOLUTION #4150).

Aye: 7 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 0

Absent: 0

E.2

SUBJECT: General Plan Amendment #25-0001, Zone Change #25-0002, and Environmental Review #25-0006, initiated by Stonefield Home, Inc., applicant on behalf of TRS Enterprises, Inc., property owner. The General Plan Amendment would amend the General Plan Land Use designation from Neighborhood Commercial (CN) to Low Density Residential (LD) and the Zone Change would change the Zoning designation from Neighborhood Commercial (C-N) to Low Density Residential (R-1-5) for a five (5) acre portion of a larger site to allow for the development of twenty-seven (27) single-family lots, previously approved for this site, by Tentative Subdivision Map #1263 ("Crossing at River Oaks"). The subject site is generally located on the south side of E. Childs Avenue approximately 780 feet east of the intersection of E. Childs Avenue and Coffee Street. *PUBLIC HEARING*

ACTION:

PLANNING COMMISSION:

Recommendation to City Council

- 1) Environmental Review #25-0006 (*Categorical Exemption*)
- 2) General Plan Amendment #25-0001
- 3) Zone Change #25-0002

CITY COUNCIL:

Approve/Disapprove/Modify

- Exemption)
- 1) Environmental Review #25-0006 (*Categorical Exemption*)
 - 2) General Plan Amendment #25-0001
 - 3) Zone Change #25-0002

SUMMARY

The proposed General Plan Amendment would amend the General Plan Land Use designation from Neighborhood Commercial (CN) to Low Density Residential (LD) and the Zone Change would change the Zoning from Neighborhood Commercial (C-N) to Low Density Residential (R-1-5) for a 5-acre site to allow for the development of 27 single-family lots, previously approved for this site, by Tentative Subdivision Map #1263 ("Crossing at River Oaks"). Staff is recommending approval with conditions.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #25-0006 (Categorical Exemption), General Plan Amendment #25-0001, and Zone Change #25-0002 subject to the conditions contained in Draft Planning Commission Resolution #4154 (Attachment A) and Planning Commission Resolution #2792 (Attachment D) and the findings/considerations in Exhibit B of the Draft Resolution.

Deputy Director of Development Services LOWRANCE reviewed the report on this item. For further information, refer to Staff Report #25-257.

Public Testimony was opened at 6:14 PM.

Speaker from the Audience in Favor

MATTHEW RODGERS, Engineer for the Applicant, Benchmark Engineering, Modesto, CA

Speaker from the Audience in Opposition

ASHLEY MARIE SUAREZ, Leadership Counsel for Justice and Accountability, Merced, CA

Public Testimony was closed at 6:18 PM.

A motion was made by Vice Chair Greggains, seconded by Member Ochoa and carried by the following vote, to recommend to the City Council the adoption of a Categorical Exemption regarding Environmental Review #25-0006, and approval of General Plan Amendment #25-0001 and Zone Change #25-0002, subject to the Findings set forth in Staff Report #25-257 (RESOLUTION #5154).

Aye: 7 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 0

Absent: 0

E.3

SUBJECT: Vesting Tentative Subdivision Map #1335 ("Bellevue Ranch North Village 24") initiated by Benchmark Engineering, applicant for Hostetler Investments, LLC, property owner. This application involves a request to subdivide approximately 17.90 acres into 55 single-family lots within a gated community. The lots would range in size from approximately 8,000 square feet to approximately 18,000 square feet. The subject site is generally located on the west side of G Street, south of E. Old Lake Road, within Planned Development (P-D) #42, with a General Plan designation of Low Density Residential (LD); *PUBLIC HEARING*.

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #24-41 (CEQA 15162 Findings)
- 2) Vesting Tentative Subdivision Map #1335

SUMMARY

Planning Commission Meeting of March 19, 2025

During the Planning Commission Meeting of March 19, 2025, the Planning Commission voted to continue this item to the Planning Commission Meeting of April 9, 2025.

Information regarding the Public Hearing Notice process can be found at Attachment A (Draft Planning Commission Resolution #4148) under Finding J - Tentative Subdivision Map Requirements/Public Comments Received.

Reasons for Vesting Tentative Subdivision Map Denial

Title 18 of the Merced Municipal Code outlines the conditions under which a Tentative Subdivision Map (TSM) may be denied. Below are the relevant

provisions:

Reasons for Disapproval of a TSM, as outlined in Title 18:

- **18.12.130 - Length of Block:**

A Tentative Subdivision Map may be disapproved if it includes blocks longer than 600 feet or cul-de-sacs exceeding 300 feet in length.

(Ord. 1342 § 2 (part), 1980; prior code § 25.24 (part)).

- **18.18.030 - Consistency:**

No land shall be subdivided or developed under a vesting tentative map for any purpose that is inconsistent with the general plan, applicable specific plans, or other provisions of Title 20 or this code.

(Ord. 1604 § 1 (part), 1986).

In this case, the applicant's proposal does not contain any blocks exceeding 600 feet in length or cul-de-sacs longer than 300 feet. Furthermore, the proposal is consistent with the General Plan designation, zoning classification, and the Bellevue Ranch Master Plan Development, which governs this site.

The Subdivision Map Act further notes that a map could be denied based on public health and safety concerns, as outlined below:

Public Health and Safety Concerns:

- **Section 66474(b):** This section allows for denial if the proposed subdivision design or improvements are determined to be detrimental to public health, safety, or welfare, including concerns regarding inadequate infrastructure or unsafe conditions.

As part of the development review process, the City's Police and Fire Departments reviewed this proposed Tentative Subdivision Map and did not express any concerns related to public health or safety. Both departments noted they could adequately serve this site with the conditions included in the draft Planning Commission Resolution #4148.

Project Summary

The subject site is located west of G Street, south of E. Old Lake Road, as shown at Attachment B. The proposed subdivision would subdivide

approximately 17.90 acres of land into 55 single-family lots within a gated community (Attachment C). The lots would generally range in size between 8,000 square feet and 18,000 square feet, with most of the lots being approximately 10,000 square feet.

This subject site is part of the Bellevue Ranch Master Development Plan and is commonly referred to as Village 24 (Attachment E). This subdivision would be the second phase of a gated community. The first phase of the gated community was approved in 2019 by the Planning Commission (Village 23 - 58 single-family lots on 23.20 acres) and is currently pending construction. Together Villages 23 and 24 would total 113 single-family lots within this gated community.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #24-41 (CEQA Section 15162 Findings) and Vesting Tentative Subdivision Map #1335 - "Bellevue Ranch North Village 24" (including the adoption of the Draft Resolution) subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of Draft Resolution #4148 at Attachment A of Planning Commission Staff Report #25-077.

Senior Planner MENDOZA-GONZALEZ reviewed the report on this item. For further information, refer to Staff Report #25-270.

Public Testimony was opened at 6:37 PM.

Speaker from the Audience in Favor

MATTHEW RODGERS, Engineer for the Applicant, Benchmark Engineering, Modesto, CA

Speaker from the Audience in Opposition

ASHLEY MARIE SUAREZ, Leadership Counsel for Justice and Accountability, Merced, CA

Public Testimony was closed at 6:41 PM.

A motion was made by Vice Chair Greggains, seconded by Member Delgadillo and carried by the following vote, to adopt CEQA Section 15162 Findings regarding Environmental Review #24-41 and approve Vesting Tentative Subdivision Map #1335, subject to the Findings and forty-six (46) Conditions set forth in Staff Report #25-270 (RESOLUTION #4148)

Aye: 7 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 0

Absent: 0

E.4

SUBJECT:

General Plan Amendment #24-02/ Site Utilization Plan Revision #3 to Planned Development #20/ Vesting Tentative Subdivision Map #1332 / Site Plan #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 2.72 acres and from Commercial Office (CO) to High Medium Density (HMD) residential for the remaining 4.48 acres. The Site Utilization Plan Revision would change the land use designation within P-D #20 from Commercial Office to Self-Storage for 2.72 acres and to Residential for the remaining 4.48 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 41 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]

CITY COUNCIL:

Approve/Disapprove/Modify:

- 1) Environmental Review #24-25 (*Negative Declaration*)
- 2) General Plan Amendment #24-02
- 3) 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 A). The subject site has a General Plan designation of Commercial Office (CO) and a Zoning classification of Planned Development #20. The subject site is surrounded by a variety of uses which include residential to the east, south, and west, Episcopal Church of the Resurrection to the north and University Surgery Center immediately to the northeast vicinity of the project site.

The applicant is requesting approval to develop 41 single-family homes and a self-storage facility. 17 of the 41 of the residential lots would be single story single-family homes and the remaining 24 would be two-story single-family homes. The proposed residential lots would range in size between 2,160 square feet and 5,374 square feet. These lots would be located within the southern portion of the subject site and would total approximately 4.48 acres. The remainder 2.72 acres would be used to establish a self-storage facility. The northern portion of the parcel along E. Yosemite Avenue, would be reserved for the self-storage with approximately 500 storage units. The applicant has provided a site plan floor plans, and elevations (Attachment E) for this proposal.

RECOMMENDATIONGeneral Plan Amendment Site Utilization Plan Revision to Planned Development

Planning staff recommends that the Planning Commission recommend approval 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, and Minor Use Permit

Planning staff recommends that the Planning Commission approve Vesting Tentative Subdivision Map #1332, Site Plan #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, and the Mitigation Monitoring Program in Exhibit C 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 #20.

Associate Planner RENTERIA reviewed the report on this item. For further information, refer to Staff Report #25-263.

Public Testimony was opened at 6:55 PM.

Staff received 6 emails from JESSICA DUFFY, KELLI MAXEY, LEIGH BERNACCHI, ROBERT DINUZZO, STEVE MAXEY, AND TRACY PROIETTI. The emails were provided to the Planning Commission via email prior to the meeting and posted on the City's website. Staff also received a petition at the meeting.

Speaker from the Audience in Favor

ERIC GONSALVES, Applicant, Merced, CA

Speakers from the Audience in Opposition

TOM CLENDENIN, Leader of Opposition, Merced, CA

ROBERT, DINUZZO, Resident, Merced, CA

CAROL DINUZZO, Resident, Merced, CA

JESSICA DUFFY, Resident, Merced, CA

KELLI MAXEY, Resident, Merced, CA

STEVEN MAXEY, Resident, Merced, CA

MICHELLE PORRAS, Resident, Merced, CA

LEE BOESE, Resident, Merced, CA

Public Testimony was closed at 7:38 PM.

A motion was made by Chairperson Gonzalez, seconded by Vice Chair

Greggains and carried by the following vote, to recommend to the City Council the denial of General Plan Amendment #24-02 and Site Utilization Plan Revision #3 to Planned Development #20.

Aye: 5 - Chair Gonzalez
Member Pao Thao
Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 2 - Member Delgadillo
Member Smith

Absent: 0

A motion was made by Chairperson Gonzalez, seconded by Member Ochoa and carried by the following vote, to deny the adoption of a Negative Declaration regarding Environmental Review #24-25 and deny approval of Vesting Tentative Subdivision Map #1332, Site Plan Review Permit #551, and Minor Use Permit #24-13.

Aye: 7 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 0

Absent: 0

E.5

SUBJECT: Cancellation of April 23, 2025, Planning Commission Meeting due to a lack of items

ACTION:

Cancel the Planning Commission Meeting of April 23, 2025

A motion was made by Member Thao, seconded by Member Swiggart and carried by the following vote, to cancel the Planning Commission meeting of April 23, 2025, due to a lack of items.

Aye: 7 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 0

Absent: 0

F. INFORMATION ITEMS

F.1 **SUBJECT:** Report by Deputy Director of Development Services of Upcoming Agenda Items

ACTION

Information only.

Deputy Director of Development Services LOWRANCE went over the items for the next several Planning Commission meetings.

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

Apr.	7	City Council, 6:00 p.m.
	9	Planning Commission, 6:00 p.m.
	21	City Council, 6:00 p.m.
	22	Bicycle and Pedestrian Advisory Committee, 4:00 p.m.
	23	Planning Commission, 6:00 p.m. (May Be Cancelled)
May	5	City Council, 6:00 p.m.
	7	Planning Commission, 6:00 p.m.
	19	City Council, 6:00 p.m.
	21	Planning Commission, 6:00 p.m.

G. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 7:54 PM.

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

Aye: 7 - Member Delgadillo
Chair Gonzalez
Member Pao Thao
Member Smith
Member Ochoa
Vice Chair Greggains
Member Swiggart

No: 0

Absent: 0

BY:



DIANA LOWRANCE, SECRETARY
MERCED CITY PLANNING COMMISSION

APPROVED:



ANTHONY GONZALEZ, CHAIRPERSON
MERCED CITY PLANNING COMMISSION