



CITY OF MERCED

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

Minutes Planning Commission

Wednesday, January 3, 2024

6:00 PM

A. CALL TO ORDER

Chairperson HARRIS called the Regular Meeting to order at 6:00 PM.

B. ROLL CALL

Present: 7 - Chairperson Michael Harris, Member Jose Delgadillo, Vice Chair Mary Camper, Member Anthony Gonzalez, Member Yang Pao Thao, Member Walter Smith, and Member Emanuelle Ochoa

Absent: 0

C. ORAL COMMUNICATIONS

Speakers from the Audience

LAURA TIPTON, Resident, Merced, CA

RICK WENDLING, Resident, Merced, CA

D. CONSENT CALENDAR

D.1 **SUBJECT:** Planning Commission Minutes of December 20, 2023

ACTION:

Approving and filing the Planning Commission Minutes of December 20, 2023

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

Aye: 7 - Chairperson Harris
Member Delgadillo
Vice Chair Camper
Member Gonzalez
Member Pao Thao
Member Smith
Member Ochoa

No: 0

Absent: 0

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1

SUBJECT: Consideration and Recommendation regarding a Pre-Annexation and Development Agreement by and Between the City of Merced and Virginia Smith Trust (VST) Relating to Annexation and Pre-zoning Application #23-03, General Plan Amendment #23-04, the adoption of the VST Specific Plan, the Establishment of Planned Development (P-D) #80 , and with the City of Merced acting as the Responsible Agency, consideration and recommendation regarding the Final Focused Subsequent Environmental Impact Report (FSEIR), State Clearinghouse No. (SCH) #2001021056; (2) The Findings Required By CEQA Guidelines Section 15091; (3) The Proposed Mitigation Monitoring And Reporting Program; and, (4) the Statement of Overriding Considerations Pursuant to the California Environmental Quality Act (CEQA) for the Pre-Annexation And Development Agreement described above. The Pre-Annexation Development Agreement and FSEIR are related to approximately 654 acres of land located at 4600 Lake Road, generally bounded by the University of California, Merced, Campus to the north, agriculturally zoned land in Merced County to the south, agriculturally zoned land in Merced County to the east, and Lake and Cardella Roads to the west
PUBLIC HEARING

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ACTION

PLANNING COMMISSION:

Recommendation to City Council

- 1) Environmental Review #23-44 (Acting as a Responsible Agency):
 - (a) the Final FSEIR, State Clearinghouse No. SCH #2001021056
 - (b) the Findings Required by CEQA Guidelines Section 15091
 - (c) The Proposed Mitigation Monitoring and Reporting Program
 - (d) Statement of Overriding Considerations

- 2) Pre-Annexation Development Agreement by and between the City of Merced and Virginia Smith Trust (VST)

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #23-44 (Acting as a Responsible Agency):
 - (a) the Final FSEIR, State Clearinghouse No. Sch# 2001021056
 - (b) the Findings Required by CEQA Guidelines Section 15091
 - (c) The Proposed Mitigation Monitoring and Reporting Program
 - (d) Statement of Overriding Considerations

- 2) Pre-Annexation Development Agreement by and between the

City of Merced and Virginia Smith Trust (VST)

SUMMARY

The Planning Commission is being asked to make a recommendation regarding the adoption of the Pre-Annexation Development Agreement for Annexation and Pre-zoning Application #23-03, General Plan Amendment #23-04, Establishment of Planned Development (P-D) #80, adoption of the Virginia Smith Trust Specific Plan and Environmental Review #23-44 which adopts the FSEIR including the Findings required by CEQA Section 15091, the Mitigation and Monitoring Program, and a Statement of Overriding Considerations.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #23-44 and the Pre-Annexation Development Agreement for Annexation and Pre-zoning Application #23-03, General Plan Amendment #23-04, Adoption of the VST Specific Plan, and the Establishment of Planned Development (P-D) #80 (including the adoption of the Draft Resolution at Attachment A), subject to the conditions in Exhibit A and findings/considerations in Exhibit B, and the Mitigation Measures in Exhibit C, of the Draft Resolution at Attachment A.

Principal Planner LAN reviewed the report on this item. For further information, refer to the Staff Report #24-031.

Public Testimony was opened at 6:20 PM.

Speaker from the Audience in Favor

STEPHEN PECK, Applicant, Morro Bay, CA

Speaker from the Audience in Opposition

ASHLEY MARIE SUAREZ, Leadership Counsel, Merced, CA

Public Testimony was closed at 6:24 PM.

A motion was made by Member Gonzalez, seconded by Member Delgadillo and carried by the following vote, to recommend to City Council the adoption of the Focus Subsequent Environmental Impact Report SCH No 2001021056 (certified 10/17/2023), including the Findings required by CEQA Guidelines Section 15091, the Mitigation Monitoring Program, a Statement of Overriding Considerations, and the approval of the Pre-Annexation Development Agreement regarding Pending Annexation and Prezoning Applications #23-03, General Plan Amendment #23-04, Establishment of Planned Development (P-D) #80, and Adoption of the Virginia Smith Trust Specific Plan, subject to the Findings and

three (3) Conditions set forth in Staff Report #24-031 (RESOLUTION #4128).

Aye: 7 - Chairperson Harris
Member Delgadillo
Vice Chair Camper
Member Gonzalez
Member Pao Thao
Member Smith
Member Ochoa

No: 0

Absent: 0

F. INFORMATION ITEMS

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

ACTION

Information only.

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

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

- Jan. 2 City Council, 6:00 p.m. **(Tuesday)**
- 3 Planning Commission, 6:00 p.m.
- 16 City Council, 6:00 p.m. **(Tuesday)**
- 17 Planning Commission, 6:00 p.m.
- Feb. 5 City Council, 6:00 p.m.
- 7 Planning Commission, 6:00 p.m.
- 20 City Council, 6:00 p.m. **(Tuesday)**
- 21 Planning Commission, 6:00 p.m.
- 29 Bicycle and Pedestrian Advisory Committee, 4:00 p.m

G. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 6:32 PM.

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

Aye: 7 - Chairperson Harris
Member Delgadillo
Vice Chair Camper
Member Gonzalez
Member Pao Thao
Member Smith
Member Ochoa

No: 0

Absent: 0

BY:



SCOTT MCBRIDE, SECRETARY
MERCED CITY PLANNING COMMISSION

APPROVED:



MICHAEL HARRIS, CHAIRPERSON
MERCED CITY PLANNING COMMISSION