



CITY OF MERCED

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

Minutes Planning Commission

Wednesday, May 8, 2024

6:00 PM

A. CALL TO ORDER

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

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner DELGADILLO led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: Vice Chair CAMPER and Commissioner GONZALEZ were absent, excused.

Present: 5 - Chairperson Michael Harris, Member Jose Delgadillo, Member Yang Pao Thao, Member Walter Smith, and Member Emanuelle Ochoa

Absent: 2 - Vice Chair Mary Camper, and Member Anthony Gonzalez

C. ORAL COMMUNICATIONS

There were no public comments.

D. CONSENT CALENDAR

D.1 **SUBJECT:** Planning Commission Minutes of April 17, 2024

ACTION:

Approving and filing the Planning Commission Minutes of April 17, 2024

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

Aye: 5 - Chairperson Harris
Member Delgadillo
Member Pao Thao
Member Smith
Member Ochoa

No: 0

Absent: 2 - Vice Chair Camper
Member Gonzalez

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1

SUBJECT: Commercial Cannabis Business Permits #24-01 and #24-02, initiated by Oktay Senvardarli, on behalf of Moak, Inc., property owner. This application is to permit the manufacturing and distribution of cannabis 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 #24-06 (*Categorical Exemption*)
 - 2) Commercial Cannabis Business Permits #24-01 (Manufacturing)
 - 3) Commercial Cannabis Business Permits #24-02 (Distribution)

SUMMARY

This application is for two permits to utilize the property at 847 Beechcraft Avenue, for cannabis-related business activities. The permits seek to allow Moak, Inc. to operate a manufacturing and distribution facility for 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 #24-06 (*Categorical Exemption*), and Commercial Cannabis Business Permits (CCBP) #24-01 and #24-02, per the Draft Resolution at Attachment A and subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

Principal Planner LAN reviewed the report on this item. For further information, refer to Staff Report #24-384.

Public Testimony was opened at 6:10 PM.

Speaker from the Audience in Favor

RICK ROWLAND, Engineer for the Applicant, Golden Valley Engineering, Merced, CA

Speakers from the Audience in Opposition

LORETTA VASQUEZ, Resident, Merced, CA

KEITH ENSMINGER, Resident, Merced, CA

Public Testimony was closed at 6:17 PM.

Staff requested a change to Condition #20 as follows:

(Note: Strikethrough deleted language, underline added language)

"20. The developer and operator shall use proper dust and odor abatement procedures, equipment and systems during site development and business operations to mitigate odors caused by cannabis and in accordance with the San Joaquin Valley Air Pollution Control District rules."

A motion was made by Member Ochoa, seconded by Member Thao and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #24-06 and approve Commercial Cannabis Business Permits #24-01 and #24-02, subject to the Findings and twenty-nine (29) Conditions set forth in Staff Report #24-384 (RESOLUTION #4135) with a change to Condition #20 as recommended by staff (as shown above).

Aye: 5 - Chairperson Harris
Member Delgadillo
Member Pao Thao
Member Smith
Member Ochoa

No: 0

Absent: 2 - Vice Chair Camper
Member Gonzalez

E.2

SUBJECT: Vesting Tentative Subdivision Map #1330 ("Bellevue Ranch West Village 18-22") initiated by Benchmark Engineering, applicant for Baxter Ranches, LLC, and Stonefield Home, Inc., property owners. This application involves a request to subdivide approximately 35 acres into 215 single-family lots ranging in size from approximately 2,200 square feet to approximately 13,000 square feet. The subject site is generally located at the southwest corner of M Street and Bellevue Road, within Planned Development (P-D) #42, with a General Plan designation of Low to Medium Density Residential (LMD); *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify
1) Environmental Review #24-08 (CEQA 15162

Findings and CEQA 15183 Exemption)
2) Vesting Tentative Subdivision Map #1330

SUMMARY

The subject site is located at the southwest corner of M Street and Bellevue Road, as shown at Attachments B and C. The proposed subdivision would subdivide 35 acres of land into 215 single-family lots (Attachment C). The lots would generally range in size between 2,250 square feet and 13,000 square feet. This site is part of the Bellevue Ranch Master Development Plan and is commonly referred to as portions of Villages 18 B, 21-A&B, and 22-A of Bellevue Ranch West (Attachment D).

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #24-08 (CEQA Section 15162 Findings and 15183 Exemption) and Vesting Tentative Subdivision Map #1330 - "Bellevue Ranch West Village 18-22" (including the adoption of the Draft Resolution) subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of Draft Resolution #4134 at Attachment A of Planning Commission Staff Report #24-349.

Senior Planner MENDOZA-GONZALEZ reviewed the report on this item. Staff noted a memo provided to the Commission prior to the meeting with modifications to several conditions. For further information, refer to Staff Report #24-349.

Public Testimony was opened at 6:42 PM.

Speaker from the Audience in Favor

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

There were no speakers in opposition to the project.

Public Testimony was closed at 6:49 PM.

Based on staff recommendation, the following conditions were modified or added:

(Note: Strikethrough deleted language, underline added language)

"9. Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, street lights, parks and open space, CFD

procedures shall be initiated before Final Map approval. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the Development Services Director to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received. The developer has satisfied this requirement as the subject site was annexed into the City's CFD (CFD #2003-2 Services) under CFD Annexation #2/Improvement Area #7 for Bellevue Ranch West.

"20. Each lot within the subdivision shall be provided with one driveway. ~~No residential driveways shall front on any arterial or collector street.~~

"27. A 76-foot-tall masonry wall shall be installed along M Street/M Circle, Freemark Avenue, Stephanie Drive, and Street G (to be officially named at Final Map stage). The wall include anti-graffiti coating, Graffiti shall be removed within 7 days or as determined to be a reasonable timeframe by the Director of Development Services. Design details to be worked out with staff for the wall along the creek.

"36. As required by Merced Municipal Code Section 17.04.050 and 17.07.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$100,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.

"42. The applicant shall work with a traffic engineer to determine the appropriate striping plan/traffic control system for M Circle. Details to be reviewed and approved by the City Engineer. The City Engineer may eliminate this requirement if an alternative plan can be agreed upon between the applicant and the City Engineer or this design has been addressed through another project approved by the City Engineer."

A motion was made by Member Ochoa, seconded by Member Thao and carried by the following vote, to adopt CEQA Section 15162 Findings and a CEQA Section 15183 Exemption regarding Environmental Review #24-08 and approve Vesting Tentative Subdivision Map #1330, subject to the Findings and forty-two (42) Conditions set forth in Staff Report #24-349 (RESOLUTION #4134) with changes to Conditions #9, #20, #27, and #36 and the addition of Condition #42 as recommended by staff (as shown above).

Aye: 5 - Chairperson Harris
 Member Delgadillo
 Member Pao Thao
 Member Smith
 Member Ochoa

No: 0

Absent: 2 - Vice Chair Camper
Member Gonzalez

F. INFORMATION ITEMS

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

ACTION

Information only.

Temporary Director of Development Services ESPINOSA went over items for the next several Planning Commission meetings.

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

May	6	City Council, 6:00 p.m.
	8	Planning Commission, 6:00 p.m.
	20	City Council, 6:00 p.m.
	22	Planning Commission, 6:00 p.m.
Jun.	3	City Council, 6:00 p.m.
	5	Planning Commission, 6:00 p.m.
	17	City Council, 6:00 p.m.
	20	Planning Commission, 6:00 p.m. (Thurs.) (To be Cancelled)
	25	Bicycle and Pedestrian Advisory Committee, 4:00 p.m.

G. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 7:06 PM.

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

Aye: 5 - Chairperson Harris
Member Delgadillo
Member Pao Thao
Member Smith
Member Ochoa

No: 0

Absent: 2 - Vice Chair Camper
Member Gonzalez

BY:



KIM ESPINOSA, SECRETARY
MERCED CITY PLANNING COMMISSION

APPROVED:



MICHAEL HARRIS, CHAIRPERSON
MERCED CITY PLANNING COMMISSION