



CITY OF MERCED

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

Meeting Agenda

Planning Commission

Wednesday, October 4, 2023

6:00 PM

City Council Chamber, 2nd Floor, Merced Civic
Center, 678 W. 18th Street, Merced, CA 95340

NOTICE TO PUBLIC

WELCOME TO THE MEETING OF THE MERCED PLANNING COMMISSION

At least 72 hours prior to each regular Planning Commission meeting, a complete agenda packet is available for review on the City's website at www.cityofmerced.org or at the Planning Division Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Commission will be available for public inspection at the Planning Division Office during regular business hours. The Planning Commission also serves as the Board of Zoning Adjustment and the Design Review/Historic Preservation Commission.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CLERK

Members of the audience who wish to address the Planning Commission are requested to complete a speaker card available at the podium at the back of the Council Chamber. Please submit the completed card to the Clerk before the item is called, preferably before the meeting begins. Speakers will be called up, 3 to 5 at a time, in the order in which the forms are received. Please use the microphone and state your name and city of residence for the record. For permits, licenses, and other entitlements, the applicant will be allowed 15 minutes (including rebuttal), the appellant/leader of the opposition will be allowed 15 minutes (including rebuttal), and all other speakers shall have 5 minutes each, unless the number of speakers is over 3, which in that case, comments shall be limited to 3 minutes each. For all other issues, for 3 or less speakers, 5 minutes each and for over 3 speakers, 3 minutes each shall be allotted. A timer clock is located above the City Council dais illuminating the remaining time. Once the buzzer sounds, please be courteous and conclude your remarks.

Material may be emailed to planningweb@cityofmerced.org and should be limited to 300 words or less. Please specify which portion of the agenda you are commenting on, for example, Item # or Oral Communications. Your comments will be presented to the Planning Commission at the appropriate time. Any correspondence received after 1 PM will be distributed to the Planning Commission and retained for the official record.

You may provide telephonic comments via voicemail by calling (209) 388-7390 by no later than 1 PM on the day of the meeting to be added to the public comment. Voicemails will be limited to a time limit of one (1) minute. Please specify which portion of the agenda you are commenting on, for example, Item #, Consent item #, or Oral Communications. Your comments will be played during the Planning Commission meeting at the appropriate time.

INDIVIDUALS WITH DISABILITIES

Accommodation for individuals with disabilities may be arranged by contacting the Planning Division at (209) 385-6858. Assisted hearing devices are available for meetings held in the Council Chamber.

A. CALL TO ORDER

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

B. ROLL CALL

C. ORAL COMMUNICATIONS

Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 5 minutes. The Chairperson may, at their discretion, reduce the time to 3 minutes if there are more than 3 speakers, in order to accommodate as many speakers as possible. State law prohibits the Planning Commission from acting at this meeting on any matter raised during the public comment period. Members of the public who wish to speak on a matter that is listed on the agenda will be called upon to speak during discussion of that item. Please submit a Request to Speak card prior to the item being called.

D. CONSENT CALENDAR

Adoption of the Consent Calendar may be made with one motion of the Planning Commission provided that any Planning Commission member, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately. With Consent items, there is generally no staff presentation but staff is available for questions.

D.1 [23-866](#) **SUBJECT:** Planning Commission Minutes of September 6, 2023

ACTION:

Approving and filing the Planning Commission Minutes of September 6, 2023

E. PUBLIC HEARINGS AND ACTION ITEMS

Members of the public who wish to speak on public hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Commission for discussion and action. Further comment will not be received unless requested by the Commission.

E.1 [23-837](#) **SUBJECT:** Vacation #23-03 - initiated by the Richman Group on behalf of Devonwood 64, LP, property owner, to abandon a 64-foot-wide Public Utilities Easement (PUE) on the south side of Devonwood Drive, west of Bannon Lane.

ACTION FINDING:

- 1) The proposed Vacation is consistent with the General Plan.

SUMMARY

This request is to vacate a 64-foot-wide Public Utilities Easement (PUE) on the south side of Devonwood Drive, west of Bannon Lane. The applicant would grant a new 40-foot-wide PUE to accommodate the existing utilities in the area.

RECOMMENDATION

Planning staff recommends that the Planning Commission adopt a Finding that the proposed Vacation is consistent with the General Plan.

E.2 [23-839](#) **SUBJECT:** Vacation #23-04 - initiated by the Merced City School District, property owner, to abandon a 15-foot-wide Public Utilities Easement (PUE) on their property located at 2111 Wardrobe Avenue.

ACTION FINDING:

- 1) The proposed Vacation is consistent with the General Plan.

SUMMARY

This request is to vacate a 15-foot-wide Public Utilities Easement (PUE) that generally runs north and south through the property at 2111 Wardrobe Avenue. The applicant would grant a new 15-foot-wide PUE to accommodate the existing utilities in the area.

RECOMMENDATION

Planning staff recommends that the Planning Commission adopt a Finding that the proposed Vacation is consistent with the General Plan.

E.3 [23-824](#) **SUBJECT:** Density Bonus #23-02, initiated by the Richman Group, on

behalf of Devonwood 64, LP, property owner. This application involves a request to reduce the minimum parking requirements and concessions for relief from certain Design Standards for Multi-family Dwellings. The reduction in parking requirements and granting of concessions would allow the construction of a 156-unit affordable apartment complex on approximately 5.9 acres of land, generally located on the south side of Devonwood Drive between Loughborough Drive and Austin Avenue.

ACTION:**PLANNING COMMISSION:**

Recommendation to City Council

- 1) Environmental Review #23-30 (Categorical Exemption)
- 2) Density Bonus Application #23-02

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #23-30 (Categorical Exemption)
- 2) Density Bonus Application #23-02

SUMMARY

This is a request to consider Density Bonus #23-02 which would allow a reduction to the minimum parking requirements and concessions for relief from certain Design Standards for Multi-family Dwellings. Approval of the Density Bonus would allow the construction of a 100% affordable apartment complex with 156 units on the south side of Devonwood Drive, between Loughborough Drive and Austin Avenue. 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 #23-30 (Categorical Exemption) and Density Bonus #23-02 (including the adoption of the Draft Resolution at Attachment A) subject to the findings/considerations in Exhibit A of the Draft Resolution.

E.4 [23-102](#)

SUBJECT: Annexation and Rezoning Application #22-01, initiated by the City of Merced, on behalf of the Regents of the University of California, property owners. The application would involve the annexation of the University of California, Merced Main Campus as described in the University of California, Merced 2020 Long-Range Development Plan (dated March 2020) consisting of approximately 1,125 acres to the City of Merced and rezoning of the property to

“Public Facility” (P-F) as well as the annexation of the 2-mile long section of Bellevue Road right-of-way from the current Merced City Limits at G Street to Lake Road (approximately 14 acres) for a total of 1,139 acres, as allowed by Assembly Bill 3312 (enacted in 2020) for a total annexation area of 1,139 acres. The UC Campus is generally located at the northeast and southeast corners of Bellevue and Lake Roads with a General Plan designation of “School.”**PUBLIC HEARING**

ACTION PLANNING COMMISSION:

Recommendation to City Council

- 1) Environmental Review #22-15 (*Addendum to Merced Vision 2030 General Plan EIR*)
- 2) Annexation #22-01
- 3) Rezoning #22-01

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #22-15 (*Addendum to Merced Vision 2030 General Plan EIR*)
- 2) Annexation #22-01
- 3) Rezoning #22-01

SUMMARY

The application includes the annexation of the approximately 1,125-acre University of California Merced Long Range Development Plan (LRDP) area as well as the 2-mile-long right-of-way for Bellevue Road from G Street to Lake Road (approximately 14 acres) (Attachment B). The UC Campus land would be rezoned “Public Facility” (P-F). The UC and the City are in agreement on this annexation. Staff is recommending the Planning Commission recommend approval of this annexation to the City Council.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #22-15 [*Addendum to the Merced Vision 2030 General Plan Environmental Impact Report*] and Annexation and Rezoning Applications #22-01 (including the adoption of the Draft Resolution at Attachment A) subject to the findings/considerations in Exhibit A of the Draft Resolution at Attachment A.

E.5 [23-823](#)

SUBJECT: Continued Election of Chairperson and Vice-Chairperson

ACTION

Election of Chairperson and Vice-Chairperson

F. INFORMATION ITEMS

F.1 [23-867](#) **SUBJECT:** Report by Director of Development Services of Upcoming Agenda Items

ACTION
Information only.

F.2 [23-868](#) **SUBJECT:** Calendar of Meetings/Events

Oct	2	City Council, 6:00 p.m.
	4	Planning Commission, 6:00 p.m.
	16	City Council, 6:00 p.m.
	18	Planning Commission, 6:00 p.m.
	24	Bicycle and Pedestrian Advisory Commission, 4:00 p.m.
Nov	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.

G. ADJOURNMENT