



CITY OF MERCED

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

Meeting Agenda

Planning Commission

Wednesday, January 3, 2024

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

Moment of Silence

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 [24-041](#) **SUBJECT:** Planning Commission Minutes of December 20, 2023

ACTION:

Approving and filing the Planning Commission Minutes of December 20, 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 [24-031](#)

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.

F. INFORMATION ITEMS

F.1 [24-042](#) **SUBJECT:** Report by City Manager of Upcoming Agenda Items

ACTION

Information only.

F.2 [24-043](#) **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