

CITY OF MERCED
Planning Commission

Resolution #4026

WHEREAS, the Merced City Planning Commission at its regular meeting of August 21, 2019, held a public hearing and considered **Conditional Use Permit #1231**, initiated by Merced Holdings, LP, property owner. is a request to allow the construction of 428 Efficiency Dwelling Units and 18,000 square feet of retail on 5.94 acres of land with a General Plan designation of Neighborhood Commercial (CN) and Zoning designation of Neighborhood Commercial (C-N) generally located at the southeast corner of Yosemite Avenue and McKee Road; also known as Assessor's Parcel Number (APN) 008-310-038; and,

WHEREAS, the Merced City Planning Commission concurs with the following Finding:

M. After conducting a public hearing, considering all the public testimony, and the information in Staff Report #19-22, the Planning Commission voted to deny Conditional Use Permit #1231 for the following reasons: 1) traffic in the vicinity of the project is already problematic with high traffic volumes, constrained rights-of-way that make turning movements difficult, and congestion at various times of the day, so the traffic study from the previous commercial project approved on the site in 2015 should be updated to address the traffic impacts and possible mitigation for the current mixed-use project; 2) the sewer line in Yosemite Avenue is constricted and would require an alternative means of discharging wastewater from the site during peak flow times through the use of an on-site wastewater storage system, which could cause impacts on the existing wastewater infrastructure in the area; 3) the people/acre density and parking calculations that show compliance with City plans and codes rely on the requirement that the efficiency units be limited to one occupant, raising fair housing concerns in regards to married people and others, which might make this requirement unenforceable.

NOW THEREFORE, after reviewing the City's Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to adopt a Mitigated Negative Declaration regarding Environmental Review #19-18, and to deny Conditional Use Permit #1231.

Upon motion by Commissioner HARRIS, seconded by Commissioner PADILLA, and carried by the following vote:

AYES: Commissioner Camper, Dylina, Harris, and Padilla

NOES: Chairperson Drexel

ABSENT: Commissioner Rashe (one vacancy)

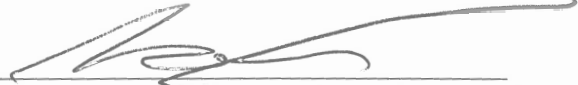
ABSTAIN: None

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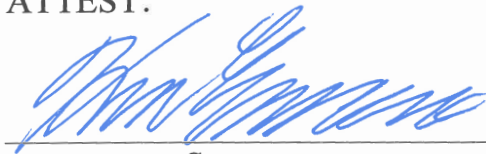
August 21, 2019

Adopted this 21st day of August 2019.



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary