



PLANNING COMMISSION MEMBERS

Fernando Aguilera District 1
Robert Acheson District 2 (Vice Chairperson)
Jack Mobley District 3
Kurt Spycher District 4
Mark Erreca District 5 (Chairperson)

Mark Hendrickson, Secretary
www.co.merced.ca.us

AGENDA PLANNING COMMISSION

Regular Meeting of Wednesday, January 9, 2019 - 9:00 a.m.

Merced County Administration Building
Board Chambers, Third Floor
2222 M Street
Merced, California 95340
Phone: 209.385.7654 Fax: 209.726.1710

The Planning Commission welcomes you and encourages your participation.

CITIZEN COMMUNICATIONS: If you wish to speak on a matter that does NOT appear on the agenda, you may do so during the citizen communications period. Please state your name and address for the record. Each speaker will be limited to five (5) minutes.

PUBLIC COMMENT: If you would like to address the Planning Commission on any item on the agenda, please pick up a speaker card in the foyer; fill it out with your name, street address, phone number, email address and the item number you wish to speak on. Please hand the speaker card to the staff member to the left of the podium once the Commission Chairman opens the public hearing for the agenda item. Each speaker will be limited to five (5) minutes.

AGENDAS and MINUTES: Planning Commission agendas, minutes, and copies of items to be considered are published on the County's Website no later than the Friday, but generally on the Wednesday, preceding each Commission meeting and may be viewed at www.co.merced.ca.us/planning/plancomarchive.html. All proposed agenda items with supportive documents are available for viewing at the Merced County Planning and Community Development Department between the hours of 8:30am and 4:30pm, Monday - Friday (except holidays). This is the same packet that the Planning Commissioners will review and discuss at the Commission meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the Department and copies will be provided for the direct cost of duplication or emailed at no cost.

PUBLIC RECORDS: As required by Government Code Section 54957.5, any public record distributed to the Planning Commission less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the Merced County Administration Building, 2222 M Street, Merced, CA 95340. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the Planning and Community Development Department.

AUDIO/VIDEO BROADCAST: All Planning Commission meetings are normally broadcast live and replayed on local cable television. In addition, a live audio/video broadcast of this meeting may be heard/viewed at: www.co.merced.ca.us/planning/index.html, via live audio or live video. All meetings are archived for audio/video replay following the meeting.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act (ADA), the Merced County Planning Commission meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Planning Commission Secretary at (209) 385-7654. Notification 48 hours prior to the scheduled meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting.

COMMISSION QUORUM AND ACTION: A Quorum of the Planning Commission shall consist of three (3) members. Actions by the Commission shall require a majority vote (three votes or more) of the total membership of the Commission. When an action by the Planning Commission results in a tie vote the action shall be deemed denied. In the case of a tie vote, the applicant may request that the application be reconsidered at another meeting of the Commission.

APPEAL NOTICE: Any person aggrieved by the decision of the Planning Commission may appeal the decision within five (5) calendar days after the day the action is made. [Within ten (10) calendar days after the day the action is made on subdivisions]. The deadline for appeals of Planning Commission actions, excluding subdivisions, is 5:00 p.m. on the Monday following the Planning Commission meeting, and for subdivisions, the deadline is the following Monday at 5:00 pm. Please note that appeals may not be submitted on days that the County is officially closed. Appeals of Planning Commission actions may be filed with the Clerk of the Board of Supervisors. Appeals must state appellant's name, action appealed and reasons for the appeal. A filing fee set by Resolution of the Board of Supervisors must be submitted to the Board Clerk with the written appeal.

Members of the public are advised that a 2-hour time limit for customer parking in designated areas is strictly enforced by the City of Merced. You can request a one-day parking pass from County Administration prior to the Commission meeting, which must be displayed on the dashboard of your vehicle.

Please turn off all pagers, cellular telephones and any other communication devices.



PLANNING COMMISSION MEMBERS

Fernando Aguilera District 1
Robert Acheson District 2 (Vice Chairperson)
Jack Mobley District 3
Kurt Spycher District 4
Mark Erreca District 5 (Chairperson)

Mark Hendrickson, Secretary
www.co.merced.ca.us

AGENDA
PLANNING COMMISSION

Regular Meeting
Wednesday, January 9, 2019 - 9:00 a.m.

Merced County Administration Building
Board Chambers, Third Floor
2222 M Street
Merced, California 95340
Phone: 209.385.7654 Fax: 209.726.1710

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL OF COMMISSIONERS**
- IV. **APPROVAL OF MINUTES**
- V. **CITIZEN COMMUNICATIONS**

Public opportunity to address the Planning Commission on any item of interest over which the Planning Commission has jurisdiction that is not on the agenda.

VI. **PUBLIC HEARING(S)**

- A. **ADMINISTRATIVE APPLICATION No. AA18-035 – Juan Gutierrez Alcaraz / Alicia Oliva** - A request to operate a semi-mobile food vendor with outdoor seating, adjacent to an existing convenience mart. The project site is located on the north side of West Plaza Drive, 230 feet west of South Hwy 33 in the Santa Nella area, identified as APN 070-260-017. The property is designated Santa Nella Urban Community - Commercial land use in the General Plan and zoned Special Zoning Area (SPZ). Staff recommends that the Planning Commission find the project exempt from environmental review pursuant to Section 15311(c) of the CEQA Guidelines – “Accessory Structures”. **JO**

RECOMMENDATION(S):

- 1) Open/close the public hearing;
- 2) Determine the project can be found exempt from environmental review pursuant to Section 15311(c) – “Accessory Structures” of the CEQA Guidelines; and,
- 3) Approve Administrative Application No. AA18-035 based on the findings identified in the Staff Report and subject to the proposed conditions of approval.

- B. MINOR SUBDIVISION APPLICATION No. MS18-017 – W&B Spycher Properties, LP** - A request to subdivide an 80 acre parcel into four 20 acre parcels. The property is located on the northeast corner of West Sycamore Street and North Harding Road in the Turlock area, identified as Assessor's Parcel Number (APN) 041-130-062. The property is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). CEQA: Staff recommends that the Planning Commission find that no further environmental review is required pursuant to Section 15162 of the CEQA Guidelines - "Subsequent EIRs and Negative Declarations." **BP**

RECOMMENDATION(S):

- 1) Open/close the public hearing;
- 2) Determine no further environmental review is required pursuant to Section 15162 - "Subsequent EIRs and Negative Declarations" of the CEQA Guidelines; and,
- 3) Approve Minor Subdivision Application No. MS18-017 based on the findings identified in the Staff Report and subject to the proposed conditions of approval.

- C. MINOR SUBDIVISION APPLICATION No. MS18-021 – Jim Gudgel** - A request to subdivide a 312.3 acre parcel into two parcels, resulting in parcel sizes of: Parcel 1 = 58.49 acres and a 253.81 acre Remainder Parcel. The project site is located on the south side of West Rahilly Road, 2.5 miles west of South Highway 59 in the Merced area, identified as Assessor's Parcel Number (APN) 065-130-062. The property is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). CEQA: Staff recommends that the Planning Commission find that no further environmental review is required pursuant to Section 15162 of the CEQA Guidelines - "Subsequent EIRs and Negative Declarations." **BP**

RECOMMENDATION(S):

- 1) Open/close the public hearing;
- 2) Determine no further environmental review is required pursuant to Section 15162 - "Subsequent EIRs and Negative Declarations" of the CEQA Guidelines; and,
- 3) Approve Minor Subdivision Application No. MS18-021 based on the findings identified in the Staff Report and subject to the proposed conditions of approval.

- D. MINOR SUBDIVISION APPLICATION MS18-018 – Michael Soloman** - A request to subdivide a 10.06 acre parcel into two 5.03 acre parcels. The project site is located on the northeast side of N. Pinewood Street, approximately 800 feet north of W. Collier Road in the Hilmar area, identified as Assessor's Parcel Number (APN) 046-220-035. The property is designated Highway Interchange Center in the General Plan and zoned H-I-C (Highway Interchange Center). CEQA: Staff recommends that the Planning Commission find the project exempt from environmental review pursuant to Section 15315 of the CEQA Guidelines – "Minor Land Divisions." **PN**

RECOMMENDATION(S):

- 1) Open/close public hearing;
- 2) Determine the project can be found exempt from environmental review pursuant to Section 15315 - "Minor Land Divisions" of the CEQA Guidelines; and,
- 3) Approve Minor Subdivision application no. MS18-018 based on the findings identified in the Staff Report and subject to the proposed conditions of approval.

- E. MINOR SUBDIVISION APPLICATION No. MS18-020 – Jon Kahl** - A request to subdivide an 84 acre parcel into four parcels: Parcel 1 = 21.76 acres, Parcel 2 = 21.13 acres, Parcel 3 = 20.60 acres and Parcel 4 = 20.51 acres. The project site is located on the south side of Mariposa Way, 0.25 miles west of Plainsburg Road in the Merced area, identified as Assessor's Parcel Number (APN) 067-050-007. The property is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). CEQA: Staff recommends that the Planning Commission find that no further environmental review is required pursuant to Section 15162 of the CEQA Guidelines - "Subsequent EIRs and Negative Declarations." **PN**

RECOMMENDATION(S):

- 1) Open/Close the public hearing;
- 2) Determine that no further environmental review is required pursuant to Section 15162- "Subsequent EIRs and Negative Declarations" of the CEQA Guidelines; and,
- 3) Approve Minor Subdivision Application No. MS18-020 based on the findings identified in the Staff Report and subject to the proposed conditions of approval.

- F. CONDITIONAL USE PERMIT No. CUP18-001 – Cesar Cisneros** - A request to bring into conformance an existing agricultural trucking business with a maximum of 20 trucks and to construct a 4,800 square foot shop building (including a new septic system). The project site is located on the southeast corner of the intersection of Hyde Street and Burchell Avenue in the Planada area, identified as Assessor's Parcel Number (APN) 053-290-010. The property is designated Agricultural land use in the General Plan and zoned A-1 (General Agricultural). CEQA: A Negative Declaration is proposed. **DL**

RECOMMENDATION(S):

- 1) Open/Close the public hearing;
- 2) Determine that the project will not have a significant effect on the environment and adopt a Negative Declaration pursuant to CEQA Section 15070 - "Decision to Prepare a Negative or Mitigated Negative Declaration"; and,
- 3) Approve Conditional Use Permit CUP18-001 based on the findings identified in the staff report and subject to the conditions of approval.

- G. MINOR SUBDIVISION No. MS18-019 – Equity Trust Co. – Hai Ding/Ping Zhou** – A request to divide a 2.2 Acre parcel into two parcels resulting in parcel sizes of: Parcel 1 = 1.21 Acres and Parcel 2 = 1 Acre. The property is located on the north side of East Dunn Road, 225 feet west of North Lake Road, identified as Assessor's Parcel Number (APN) 060-670-012. The property is designated Merced Rural Residential Center land use in the General Plan and is zoned A-R (Agricultural Residential). CEQA: Staff recommends that the Planning Commission find the project exempt from environmental review pursuant to Section 15315 of the CEQA Guidelines - "Minor Land Divisions." **BG**

RECOMMENDATION(S):

- 1) Open/close the public hearing;
- 2) Determine the project can be found exempt from environmental review pursuant to Section 15315- "Minor Land Divisions" of the CEQA guidelines; and,
- 3) Approve MS18-019 based on the findings identified in the staff report and subject to the recommended conditions of approval.

- H. **1st EXTENSION No. EXT18-042 to MINOR SUBDIVISION No. MS16-010 - Karen Montano** – A request to extend the expiration date of the approved tentative map for Minor Subdivision MS16-010 for one year From: Oct. 17, 2018 To: Oct. 17, 2019, on property located on the south side of East Stretch Road, 125 feet west of North Piedmont Drive, identified as Assessor’s Parcel Number (APN) 061-320-014. The property is designated Merced Rural Residential Center land use in the General Plan and zoned A-R (Agricultural-Residential). CEQA: Staff recommends that the Planning Commission find the project exempt from environmental review pursuant to Section 15315 of the CEQA Guidelines - "Minor Land Divisions." **BG**

RECOMMENDATION(S):

- 1) Open/close the public hearing;
- 2) Determine the project can be found exempt from environmental review pursuant to Section 15315 – “Minor Land Divisions” of the CEQA guidelines; and,
- 3) Approve Extension No. EXT18-042 based on the findings identified in the staff report and subject to the recommended conditions of approval.

- I. **CONDITIONAL USE PERMIT No. CUP14-006 - Federico Higareda** - A request to bring into conformance a vehicle wrecking and storage yard. The property is located at the southwest corner of Childs Avenue and Highway 99, in the Merced area, identified as Assessor’s Parcel No. 259-150-014. The property is designated Merced Urban Community – Regional Commercial land use in the General Plan and zoned M-2 (General Manufacturing). CEQA: Staff recommends that the Planning Commission find the project exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines – “Existing Facilities”. **BG**

RECOMMENDATION(S):

- 1) Open/Close the public hearing;
- 2) Determine the project can be found exempt from environmental review pursuant to Section 15301 “Existing Facilities” of the CEQA guidelines; and,
- 3) Approve Conditional Use Permit No. CUP14-006 based on the project findings identified in the staff report and subject to the proposed conditions of approval.

VII. **COMMISSION ACTION ITEM(s)**

VIII. **DIRECTOR’S REPORT**

IX. **COMMISSIONER’S COMMENT**

X. **ADJOURNMENT**