

City of Merced
PLANNING COMMISSION
Agenda

REGULAR MEETING

*This meeting will be conducted in person. In-person Commission Meetings will have strict social distancing practices in place and **the use of face coverings is now mandated by orders of the Governor.** Seating in the Council Chamber will be limited and an overflow room (Sam Pipes Room) will be available with the same social distancing practices in place.*

MODIFIED PUBLIC COMMENT INSTRUCTIONS

Members of the audience who wish to address the Planning Commission are requested to complete a speaker card available at the podium against the right-hand side of the Council Chamber. Please submit the completed card to the Clerk before the item is called, preferably before the meeting begins. Individuals in the Sam Pipes Room will need to come upstairs to address the Commission.

For at risk individuals or those not wanting to attend an in-person meeting during the current Covid-19 pandemic, please submit your public comment to the Planning Commission electronically no later than 3 PM on the day of the meeting. Comments received before the deadline will be read as part of the record. Material may be emailed to planningweb@cityofmerced.org and should be limited to 500 words or less. Please specify which portion of the agenda you are commenting on, i.e. item # or Oral Communications. Your comments will be read to Planning Commission at the appropriate time. Any correspondence received during or after the meeting 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 3:00 PM on the day of the meeting to be added to the public comment. Voicemails will be limited to a time limit of three (3) minutes. Please specify which portion of the agenda you are commenting on, i.e. item # or Oral Communications. Your comments will be read to the Planning Commission at the appropriate time. Due to technical limitations, any voice mails received after 3 PM may or may not be made available to the Planning Commission.

CALL TO ORDER

City Council Chambers
678 W. 18th St., Merced
Wednesday, July 22, 2020
7:00 p.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

S P E A K E R S

Please be brief and to the point - preferably 3 to 5 minutes.

Max Time Limit prior to Agendized items: 15 minutes. Once the maximum has been reached, remaining speakers will be asked to wait until the end of the meeting to make their comments.

Members of the public who wish to speak on any matter not listed on the agenda may provide email or voicemail comments during this portion of the meeting and should follow the guidelines posted above in the **MODIFIED PUBLIC COMMENT INSTRUCTIONS** to do so.

PUBLIC HEARINGS/REPORTS:

Permits, license, and other entitlements:

Applicant's Representative – 15 minutes (including rebuttal)

Appellant's Representative – 15 minutes (including rebuttal)

All other speakers will have 5 minutes each.

All other issues:

3 or less speakers: 5 minutes each

Over 3 speakers: Maximum of 3 minutes each

A timer clock is located directly across from the podium, illuminating the speaker's remaining time. Once the time is exhausted, a buzzer sounds. Please be courteous and conclude your discussion promptly.

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GENERAL INFORMATION

The Planning staff can assist you with other planning questions on matters such as annexation to the city, land subdivision, downtown Merced projects, home occupation permits, zoning, population and housing. (Phone 385-6858) 678 West 18th Street, Merced, CA 95340. Prior to each regular Commission Meeting, a complete agenda packet is available for review in the Planning Department at 678 West 18th Street, Merced, and on the City's website at www.cityofmerced.org. Any documents provided to a majority of the Commissioners after this agenda is posted will be available for public inspection in the Planning Department during normal business hours.

THE PLANNING COMMISSION

The citizens of Merced elect the members of the City Council. They in turn appoint seven advisors, the Planning Commission, to make recommendations on planning matters. The Commissioners are civic-minded citizens who serve an average of 35 meetings a year with no pay. Meetings are normally held at 7:00 p.m. on the Wednesday nights following the first and third Mondays of the month, in addition to special meetings as called.

The staff assists the Commission but does not vote. The City Attorney provides legal assistance and assists the Commission on procedural matters; the Planning Director and staff prepare the agenda, provide reports, etc. Other City staff members such as the Civil Engineer also serve as advisors to the Commission.

PLANNING COMMISSION MEETINGS

The Commissioners are interested in your views and want to hear them. Information on a proposed action is publicized before it is brought before the Planning Commission. For example, on a proposed zoning action, mailers are sent to all property owners within a 300-foot radius and a notice appears in the legal advertisement section of the Merced Sun-Star. Important pending items will also often be mentioned in pre-meeting references in the local newspaper.

Consent Items

Items noted as “(CONSENT)” are considered routine and will normally be approved without a staff presentation or discussion by the Planning Commission unless a Commissioner or member of the audience has a question(s) or wishes to make a statement or discuss an item. If so, please approach the microphone at the time the particular item is reached.

Public Hearings

The Commission will ask those who are for* or against** a proposal to speak at all public hearings. The sequence of events is:

1. Staff report of facts and a recommendation.
2. Applicant's statement.
3. Proponents* of the proposal.
4. Opponents** of the proposal.
- (5. If necessary, a summary statement or rebuttal from the applicant.)

If you decide to speak, please submit a “Request to Speak” form prior to the start of the public hearing. You will be called up to speak at the appropriate time by the Recording Secretary. Please start by giving your name and city of residence, then tell the Commissioners your concern. We want your views; don't worry about how to say them. If several people have spoken, try not to be repetitious. If there are several in your area with concerns, why not appoint a spokesman. The Commission is particularly interested in the specific reasons you are for or against a proposal because their decision has to be based on specific reasons.

A Commission denial of a request or proposal is final in the case of Conditional Use Permit Applications (unless appealed to City Council within five business days) and Tentative Subdivision Maps (unless appealed to City Council within 10 business days). On many other items, the Commission RECOMMENDS ACTION to the Council. If your item is passed on to the City Council, be sure to follow up by attending the Council hearings and expressing your point of view.

You may also find that the Commission may not get to your item - set for 7:00 p.m. public hearing - until 10:00 p.m. for instance. We regret you having to wait. Experience has shown that setting hearings 1/2 - 1 hour apart is unwise, however. Sometimes matters are withdrawn or are resolved quickly leaving the Commission and public in a position of waiting for an appointed time to arrive.

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1. APPROVAL OF AGENDA

2. MINUTES: June 17 and 24, 2020

3. COMMUNICATIONS

Members of the public who wish to speak on any matter not listed on the agenda may provide in person, email or voicemail comments during this portion of the meeting and should follow the guidelines posted above in the **MODIFIED PUBLIC COMMENT INSTRUCTIONS** to do so

4. ITEMS

Any matters listed as (“CONSENT”) in the descriptions below are considered routine by the Planning Commission and will be adopted by one action of the Commission unless any citizen requests to comment on the item per the Modified Public Comment Instructions or a Commission member has any question or wishes to make a statement or discuss an item. In that event, the Chairperson will remove that item from the Consent Calendar and place it for separate consideration.

4.1 Modification to the Pre-annexation Development Agreement for the Absolute-Bright Annexation, initiated by Rick Telegan on behalf of Exposition Properties, LLC, and Leeco, LLC, property owners. This application involves a request to modify Exhibits “D” and “G” of the Pre-Annexation Development Agreement. The requested modification of Exhibit “D” would remove the requirement that development within the annexation area be done from south to north, thus allowing any of the property owners to develop without being delayed by the development of the other property, and the requested modification of Exhibit “G” would modify Condition #7 of Planning Commission Resolution #2871 removing the requirement that all infrastructure on G Street be completed in one construction project, and not be divided by ownership or tentative maps. The affected property consists of approximately 85 acres, generally located on the east side of G Street, north of Merrill Place (extended). The property has General Plan designations of Low Density Residential (LD), Village Residential (VR), and Open Space/Park Recreation (OS-PK); and is zoned R-1-5 and Residential Planned Development (P-D) #61. *PUBLIC HEARING*

ACTION: Recommendation to City Council or Continue the Public Hearing to August 19, 2020

1. Environmental Review #20-15 (Categorical Exemption)
2. Modification of Pre-Annexation Development Agreement

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4.2 Election of Chairperson and Vice Chairperson

ACTION: Elect Chairperson and Vice Chairperson

4.3 Cancellation of August 5, 2020, Planning Commission Meeting due to a lack of items

ACTION: Cancel the Planning Commission Meeting of August 5, 2020

5. INFORMATION ITEMS

5.1 Calendar of Meetings/Events (see below)

6. ADJOURNMENT (Traditionally no later than 11:00 p.m.)

CALENDAR OF MEETINGS/EVENTS

July	20	City Council, 6:00 p.m.
	22	Planning Commission, 7:00 p.m.
Aug.	3	City Council, Meeting, 6:00 p.m.
	5	Planning Commission, 7:00 p.m. <i>(To Be Cancelled)</i>
	17	City Council, Meeting, 6:00 p.m.
	19	Planning Commission, 7:00 p.m. <i>(May be by Teleconference)</i>
	25	Bicycle/Pedestrian Advisory Commission, 4:00 p.m.
Sep.	8	City Council, 6:00 p.m. <i>(Tuesday)</i>
	9	Planning Commission, 7:00 p.m. <i>(May be by Teleconference)</i>
	21	City Council, 6:00 p.m.
	23	Planning Commission, 7:00 p.m. <i>(May be by Teleconference)</i>