

**City of Merced**  
**PLANNING COMMISSION**  
**Agenda**

REGULAR MEETING BY TELECONFERENCE

*Pursuant to Governor Newsom's Executive Order N-29-20, this meeting will be conducted by teleconference and there will be no in-person public access to the meeting location.*

**MODIFIED PUBLIC COMMENT INSTRUCTIONS FOR TELECONFERENCE MEETINGS**

*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](mailto: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. If you wish to leave a name and phone number and email address prior to 3 PM, technology permitting, you may be called at the time of the Public Hearing to provide your comments to the Planning Commission in real time. Due to technical limitations, any voice mails received after 3 PM may or may not be made available to the Planning Commission.*

*To listen to the Planning Commission meeting live, go to Facebook Live, or Comcast Public Access Channel 96).*

CALL TO ORDER

Via Teleconference  
Wednesday, August 19, 2020  
7:00 p.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

1. APPROVAL OF AGENDA
2. MINUTES:                      July 22, 2020

## **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.

# PLANNING COMMISSION AGENDA

Page 3

August 19, 2020

## 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 18<sup>th</sup> Street, Merced, and on the City's website at [www.cityofmerced.org](http://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.

3. COMMUNICATIONS

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 INTRUCTIONS** 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 submits a “Request to Speak” form or 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: Continue the Planning Commission public hearing to Wednesday, September 23, 2020, at 7:00 p.m.

**4.2 Vesting Tentative Subdivision Map #1313 and Conditional Use Permit #1244 (“Sage Creek”)**, initiated by Lamplight Capital & Asset Management, LLC, property owner. This application involves a request to subdivide one parcel (approximately 16 acres) into 103 single-family lots ranging in size from 4,600 square feet to 5,100 square feet, generally located on the north side of Monaco Drive, between El Redondo Drive and Horizons Avenue, within Planned Development (P-D) #50, with a General Plan designation of Village Residential (VR). \*PUBLIC HEARING\* (Continued from July 22, 2020)

PLANNING COMMISSION AGENDA

Page 5

August 19, 2020

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #20-11 (CEQA Section 15162 Findings)
- 2) Vesting Tentative Subdivision Map #1313
- 3) Conditional Use Permit #1244

**4.3 Direction from Planning Commission on Future Meetings Via Teleconference and Update on Conversion to Digital Agenda System (Granicus/Legistar) and Subsequent Changes to Agenda and Staff Report Formats**

ACTION: Provide Staff with Direction on Future Meetings and Accept for Information Only Granicus Conversion Update

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

Aug.	17	City Council, 6:00 p.m. <i>(Via Teleconference)</i>
	19	Planning Commission, 7:00 p.m. <i>(Via Teleconference)</i>
	25	Bicycle/Pedestrian Advisory Commission, 4:00 p.m. <i>(Via Teleconference)</i>
Sept.	8	City Council, 6:00 p.m. <i>(Tuesday, May be by Teleconference)</i>
	9	Planning Commission, 7:00 p.m. <i>(May be by Teleconference)</i>
	21	City Council, 6:00 p.m. <i>(May be by Teleconference)</i>
	23	Planning Commission, 7:00 p.m. <i>(May be by Teleconference)</i>
Oct.	5	City Council, 6:00 p.m. <i>(May be by Teleconference)</i>
	7	Planning Commission, 7:00 p.m. <i>(May be by Teleconference)</i>
	19	City Council, 6:00 p.m. <i>(May be by Teleconference)</i>
	21	Planning Commission, 7:00 p.m. <i>(May be by Teleconference)</i>
	27	Bicycle/Pedestrian Advisory Commission, 4:00 p.m. <i>(May be by Teleconference)</i>