

## **AGENDA**

### **PLANNING COMMISSION**

#### **Regular Meeting**

**Wednesday, May 22, 2019 - 9:00 a.m**

Merced County Administration Building

Board Room, Third Floor 2222 M Street

Merced, California 95340

Phone: 209.385.7654 Fax: 209.726.1710

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF COMMISSIONERS
4. APPROVAL OF MINUTES
  - 4.I. DRAFT PC MINUTES 5-08-19

Documents:

[DRAFT PC MINUTES 5-8-19.PDF](#)

5. CITIZEN COMMUNICATIONS
6. PUBLIC HEARING(S)
  - 6.I. MINOR SUBDIVISION APPLICATION No. MS19-006

**Vivian Soares** - A request to subdivide a 48.18 acre parcel into two parcels, resulting in parcel sizes of: Parcel 1 = 24.89 acres and Parcel 2 = 23.29 acres. The project site is located at the southeast corner of West White Road and North Goulart Road in the Turlock area, identified as Assessor's Parcel Number (APN) 045-100-066. 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. MS19-006 based on the findings identified in the Staff Report and subject to the proposed conditions of approval.

Documents:

[ITEM A. MS19-006 - VIVIAN SOARES.PDF](#)

- 6.II. 10th EXTENSION APPLICATION NO. EXT19-003, TO MAJOR SUBDIVISION APPLICATION NO. MAS03-013

**Soernsen Estates** - A request to extend the expiration date of the tentative map for Major Subdivision No. MAS03-013 for a period of 1 year FROM: March 24, 2019 TO: March 24, 2020. The project site is located at the northwest corner of North Golf Road

& East Farmland Avenue, one mile east of the City of Merced, and identified as Assessor's Parcel Number (APN) 052-352-004. The property is designated Merced Rural Residential Center and zoned A-R (Agricultural-Residential). CEQA: Staff recommends that the Planning Commission determine that the project can be found exempt from further environmental review under CEQA Section 15162 – "Subsequent EIRS and Negative Declarations". **TH**

**RECOMMENDATION(S):**

- 1) Open/close public hearing;
- 2) Determine the project can be found exempt from further environmental review under CEQA Section 15162 – "Subsequent EIRS and Negative Declarations" of the CEQA Guidelines; and,
- 3) Approve Extension Application No. EXT19-003 based on the findings included in the staff report and subject to the proposed conditions of approval.

Documents:

[ITEM B. 10TH EXT19-003 TO MAS03-013 - SOERNSSEN ESTATES.PDF](#)

6.III. MINOR SUBDIVISION APPLICATION No. MS19-005

**Amarjit Kandola** - To divide a 75.67 acre parcel into 2 parcels, resulting in parcel sizes of: Parcel 1 = 37.97 acres and Parcel 2 = 37.7 acres, on property located at the northeast corner of North Lincoln Boulevard and West Atwater-Jordan Road in the Livingston area, identified as APN 049-060-027. The property is designated Agricultural land use in the General Plan and is zoned A-1 (General Agricultural). CEQA: Staff recommends that no further environmental review is required pursuant to Section 15162 of the CEQA Guidelines - "Subsequent EIRs and Negative Declarations." **BG**

**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. MS19-005 based on the findings identified in the Staff Report and subject to the proposed conditions of approval.

Documents:

[ITEM C. MS19-005 - AMARJIT KANDOLA.PDF](#)

6.IV. CONDITIONAL USE PERMIT No. CUP19-007

**AT&T Wireless** – A request to construct a new unmanned telecommunications tower with a height of 150 feet with a 29 foot faux windmill atop which will bring the total tower height to 179 feet. The project will include ancillary equipment consisting of an 8x8 walk-in equipment closet and a standby backup generator. The project site is located on the south side of East Mariposa Way, 1300 feet west of South 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 the project may be found exempt pursuant to Section 15303 of the CEQA Guidelines – "New Construction or Conversion of Small Structures". **JO**

**RECOMMENDATION(S):**

- 1) Open/close the public hearing;

- 2) Determine the project can be found exempt from environmental review pursuant to Section 15303 "New Construction or Conversion of Small Structures" of the CEQA guidelines; and,
- 3) Approve Conditional Use Permit No. CUP19-007 based on the findings included in the staff report and subject to the conditions of approval.

Documents:

[ITEM D. CUP19-007 - ATT WIRELESS.PDF](#)

6.V. MINOR SUBDIVISION APPLICATION MS19-004

**James and Karen Barstow/Robert and Jana Nairn** - A request to create a homesite parcel by removing a 5 acre portion of two lots totaling 37 acres, and combining the remaining portion to create a 30.30 acre parcel. The project site is located on the south side of W. Sunny Acres Avenue, approximately 670 feet west of N. Pepper Street in the Turlock area, identified as Assessor's Parcel Numbers (APNs): 041- 120-013. The property is designated Agricultural land use in the General Plan and is zoned A-1 (General Agricultural). CEQA: Staff recommends that the Planning Commission determine no further environmental review is required pursuant to Section 15162 of CEQA Guidelines – "Subsequent EIRs and Negative Declarations".  
**PN**

**RECOMMENDATION(S):**

- 1) Open/close the public hearing;
- 2) Determine that no subsequent environmental review is required for the project in pursuant to Section 15162 – "Subsequent EIRs and Negative Declarations" of the CEQA Guidelines based upon the analysis in the 2030 Merced County General Plan Program Environmental Impact Report and the attached CEQA Section 15162 Findings and Analysis (Exhibit C); and,
- 3) Approve Minor Subdivision Application No. MS19-004 based on the findings included in the staff report and subject to the proposed conditions of approval.

Documents:

[ITEM E. MS19-004 - BARSTOW - NAIRN.PDF](#)

6.VI. VESTED RIGHTS HEARING/DETERMINATION

**Kelsey Ranch LP** - A request for determination of vested mining rights on approximately 810 acres of land, generally located on the north side of Merced Falls Road, 2.5 miles east of La Grange Road in the Snelling area, identified as APN's: 043-150-001, 043-150- 004, 043-010-007 and 043-160-028. The project site is designated Foothill Pasture in the General Plan and zoned A-2 (Exclusive Agricultural). CEQA: Vested Rights Determinations are not considered a project as defined by Section 15378 of the CEQA Guidelines. **BG**

**RECOMMENDATION(S):**

- 1) Open/close the public hearing; and,
- 2) Consider evidence provided in the entire documentary record referenced in the staff report, and evidence presented at the public hearing, in order to make a determination in favor of, or against, the vested rights interest of the Applicant.

Documents:

[ITEM F. KELSEY VESTED RIGHTS.PDF](#)  
[PC MEMO ATTACHMENT.PDF](#)

7. COMMISSION ACTION ITEM(S)

8. DIRECTOR'S REPORT
9. COMMISSIONER'S COMMENT
10. ADJOURNMENT
11. PRINTABLE (PDF) AGENDA
- 11.I. PLANNING COMMISSION AGENDA 05-22-19

Documents:

[PLANNING COMMISSION AGENDA 5-22-19.PDF](#)