

**MERCED COUNTY PLANNING COMMISSION**  
**MINUTES FOR MEETING OF JULY 27, 2022**

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The agenda, original minutes, video, and all supporting documentation (for reference purposes only) of the Merced County Planning Commission meeting of July 27, 2022 are available online at <https://www.countyofmerced.com/411/Planning-Commission>.

**I. CALL MEETING TO ORDER**

The regularly scheduled meeting of the Merced County Planning Commission was called to order at 9:00 a.m., on July 27, 2022, in the Board Chambers located at 2222 "M" Street, Third Floor, Merced, California.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL OF COMMISSIONERS**

Commissioners Present:      Commissioner Robert Acheson (Chairman)  
   Commissioner Mark Erreca (Vice Chairman)  
   Commissioner Fernando Aguilera  
   Commissioner Kurt Spycher  
   Commissioner Jack Mobley

Staff Present:                      Mark Hendrickson, Director  
   Tiffany Ho, Planner III  
   Valeria Renteria, Recording Secretary

Legal Staff:                        Jeff Grant, County Counsel

Commissioners Absent:        None

**IV. APPROVAL OF MINUTES**

Approval of minutes from the July 13, 2022 meeting.

**MOTION: M/S SPYCHER- MOBLEY AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVE MINUTES FROM THE JULY 13, 2022 MEETING.**

**V. CITIZEN COMMUNICATIONS**

None

**VI. PUBLIC HEARINGS**

**A. MAJOR SUBDIVISION APPLICATION No. MAS21-004 "HILLCREST ESTATES" – FOREBAY FARMS, LLC - A request to subdivide an 11.91-acre parcel into 10 one-acre lots and a detention basin. The project site is located at the southwest corner of East Old Lake Road and North Hillcrest Drive in the Merced area, identified as Assessor's Parcel Number (APN) 170-110-006.**

The land is designated Merced City Planning Area - Agricultural Residential land use in the General Plan and is zoned R-R (Rural Residential). CEQA: Staff recommends that the Planning Commission find that the project requires no further environmental review pursuant to Section 15183 (“Projects Consistent with Community Plan and Zoning”) of the CEQA Guidelines. **TSH**

**RECOMMENDATION(S):**

- 1) Open/close the public hearing;
- 2) Determine that the project requires no further environmental review pursuant to Section 15183 (“Projects Consistent with Community Plan and Zoning”) of the CEQA Guidelines based on the Environmental Analysis; and,
- 3) Approve Major Subdivision Application No. MAS21-004 based on the findings listed in the Staff Report and subject to the recommended conditions of approval.

Planner Tiffany Ho presented the Staff Report and recommendations for approval with conditions.

The public hearing opened at 9:06 am.

Mr. Norman Allinder from Fagundes Dairy spoke in support of the project thanked Staff.

The public hearing closed at 9:08 am.

**MOTION: M/S SPYCHER- MOBLEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION DETERMINE THE PROJECT REQUIRES NO FURTHER ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15183 (“PROJECTS CONSISTENT WITH COMMUNITY PLAN AND ZONING”) OF THE CEQA GUIDELINES BASED ON THE ENVIRONMENTAL ANALYSIS; AND**

**MOTION: M/S SPYCHER- MOBLEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATIONS DATED JULY 13, 2022 AND MAKES THE PROJECT FINDINGS SET FORTH IN THE STAFF REPORT AND APPROVES MAJOR SUBDIVISION APPLICATION No. MAS21-004 BASED ON THE FINDINGS LISTED IN THE STAFF REPORT AND SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL.**

Commissioner Mark Erreca arrived and joined the Planning Commission meeting as a voting member.

- B. EXTENSION APPLICATION No. EXT22-005 PARKWAY SOUTH INC., AKT SANTA NELLA INVESTORS, LLC, RCI-SN PARKWAY 348, LLC – A request to extend the Term of the Development Agreement No. DA19-001 by twelve (12) months, from August 28, 2022 to August 28, 2023, pursuant to**

Section 1.4.2.4. The project site is located between South State Highway 33 and South Hilldale Avenue, north of the California Aqueduct, including approximately 458 acres north of the Delta Mendota Canal and the California Aqueduct. The project site is designated as Low Density Residential in the Santa Nella Community Specific Plan and zoned R-1-5000 (Single Family Residential 5,000 square foot minimum). CEQA: Staff recommends that the Planning Commission find that no further environmental review is required pursuant to Section 15182 (“Residential Projects Pursuant to a Specific Plan”) of the CEQA Guidelines. **TSH**

**RECOMMENDATION(S):**

- 1) Open/close the public hearing;
- 2) Determine that no further environmental review is required pursuant to Section 15182 (“Residential Projects Pursuant to a Specific Plan”) of the CEQA Guidelines; and,
- 3) Adopt the Resolution recommending the Board of Supervisors adopt the Ordinance to amend Development Agreement No. DA19-001 and approve Extension Application No. EXT22-005 based on the findings listed in the Staff Report.

Planner Tiffany Ho presented the Staff Report and recommendations for approval with conditions.

County Counsel, Jeff Grant clarified that the CEQA Guideline was a recommendation and not a determination.

The public hearing opened at 9:15 am.

Mr. John Palmer, a representative of Parkway South Inc, AKT Santa Nella Investors, spoke to the commission and explained why the extension is being requested. He also thanked Staff and Counsel for their help.

Commissioner Spycher asked how long it would take to get the water agreement and move forward with the project.

Mr. Palmer stated that a Board hearing is scheduled for August 14<sup>th</sup> and once the project can get approval they anticipate construction getting underway.

The public hearing closed at 9:19 am.

**MOTION: M/S ERRECA- MOBLEY, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION DETERMINES THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO SECTION 15182 (“RESIDENTIAL PROJECTS PURUSANT TO A SPECIFIC PLAN”) OF THE CEQA GUIDELINES; AND,**

**MOTION: M/S ERRECA- MOBLEY, AND CARRIED BY A VOTE OF 5 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATIONS DATED JULY 13, 2022 AND ADOPT THE**

**RESOLUTION RECOMMENDING THE BOARD OF SUPERVISORS ADOPT  
THE ORDINANCE TO AMEND DEVELOPMENT AGREEMENT No. DA19-  
001 AND APPROVE EXTENSION APPLICATION No. EXT22-005 BASED  
ON THE FINDINGS LISTED IN THE STAFF REPORT.**

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

None

**VIII. DIRECTOR'S REPORT**

Director Mark Hendrickson welcomed and introduced Secretary Valeria Renteria to the Commission. Ms. Renteria is one of the Planning Department's newest Permit Technicians.

**IX. COMMISSIONERS COMMENTS**

None

**X. ADJOURNMENT**

There being no further business, the meeting adjourned at 9:21 a.m.