



CITY OF MERCED

City Council Chamber
Merced Civic Center
678 W. 18th Street
Merced, CA 95340

Minutes Planning Commission

Wednesday, March 19, 2025

6:00 PM

A. CALL TO ORDER

Vice Chair GREGGAINS called the meeting to order at 6:00 PM.

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner OCHOA led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: The Planning Commission has 1 vacancy at this time.

Commissioner Thao and Chairperson Gonzalez were absent, excused.

Present: 4 - Member Jose Delgadillo, Member Walter Smith, Member Emanuelle Ochoa, and Vice Chair Jeremiah Greggains

Absent: 2 - Chair Anthony Gonzalez, and Member Yang Pao Thao

C. PUBLIC COMMENT

There were no public comments.

D. CONSENT CALENDAR

D.1

SUBJECT: Planning Commission Minutes of February 5, 2025

ACTION:

Approving and filing the Planning Commission Minutes of February 5, 2025

A motion was made by Member Ochoa, seconded by Member Delgadillo and carried by the following vote, to approve the Consent Agenda.

Aye: 4 - Member Delgadillo
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 2 - Chair Gonzalez
Member Pao Thao

E. PUBLIC HEARINGS AND ACTION ITEMS**E.1**

SUBJECT: Vesting Tentative Subdivision Map #1335 (“Bellevue Ranch North Village 24”) initiated by Benchmark Engineering, applicant for Hostetler Investments, LLC, property owner. This application involves a request to subdivide approximately 17.90 acres into 55 single-family lots within a gated community. The lots would range in size from approximately 8,000 square feet to approximately 18,000 square feet. The subject site is generally located on the west side of G Street, south of E. Old Lake Road, within Planned Development (P-D) #42, with a General Plan designation of Low Density Residential (LD); *PUBLIC HEARING*.

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #24-41 (CEQA 15162 Findings)
- 2) Vesting Tentative Subdivision Map #1335

SUMMARY

The subject site is located west of G Street, south of E. Old Lake Road, as shown at Attachment B. The proposed subdivision would subdivide approximately 17.90 acres of land into 55 single-family lots within a gated community (Attachment C). The lots would generally range in size between 8,000 square feet and 18,000 square feet, with most of the lots being approximately 10,000 square feet.

This subject site is part of the Bellevue Ranch Master Development Plan and is commonly referred to as Village 24 (Attachment E). This subdivision would be the second phase of a gated community. The first phase of the gated community was approved in 2019 by the Planning Commission (Village 23 - 58 single-family lots on 23.20 acres) and is currently pending construction. Together Villages 23 and 24 would total 113 single-family lots within this gated community.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #24-41 (CEQA Section 15162 Findings) and Vesting Tentative Subdivision Map #1335 - “Bellevue Ranch North Village 24” (including the adoption of the Draft Resolution) subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of Draft Resolution #4148 at Attachment A of Planning Commission Staff Report

#25-077.

Senior Planner MENDOZA-GONZALEZ reviewed the report on this item.
For further information, refer to Staff Report #25-077.

Public Testimony was opened at 6:17 PM.

Speaker from the Audience in Favor

MATTHEW RODGERS, Engineer for Applicant, Benchmark Engineering,
Modesto, CA

There were no speakers in opposition to the project.

Public Testimony was closed at 6:18 PM.

A motion was made by Member Ochoa, seconded by Vice Chair Greggains to find that the previous environmental review [Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH #9212055)] remains sufficient and no further documentation is required (CEQA Section 15162 Findings), and approve Vesting Tentative Subdivision Map #1335, subject to the Findings and forty-six (46) Conditions set forth in Staff Report #25-077 (RESOLUTION #4148). The motion failed.

Aye: 3 - Member Delgadillo
Member Ochoa
Vice Chair Greggains

No: 1 - Member Smith

Absent: 2 - Chair Gonzalez
Member Pao Thao

A motion was made by Member Ochoa, seconded by Member Delgadillo to find that the previous environmental review [Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH #9212055)] remains sufficient and no further documentation is required (CEQA Section 15162 Findings), and approve Vesting Tentative Subdivision Map #1335, subject to the Findings and forty-six (46) Conditions set forth in Staff Report #25-077 (RESOLUTION #4148). The motion failed.

Aye: 3 - Member Delgadillo
Member Ochoa
Vice Chair Greggains

No: 1 - Member Smith

Absent: 2 - Chair Gonzalez
Member Pao Thao

Public Testimony was continued to the Planning Commission meeting of April 9, 2025.

A motion was made by Member Ochoa, seconded by Member Delgadillo and carried by the following vote, to continue the public hearing to the Planning Commission Meeting of April 9, 2025.

Aye: 4 - Member Delgadillo
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 2 - Chair Gonzalez
Member Pao Thao

E.2

SUBJECT: Conditional Use Permit #1284, initiated by Merced City School District, property owner. This application involves a request to build an off-campus education center at 2600 K Street. The subject site is generally located on the east side of K Street, approximately 75 feet north of West 26th Street. The subject site has a General Plan designation of Public/ General Use (PG) and a zoning classification of Low Density Residential, (R-1-6). **PUBLIC HEARING**

ACTION: Approve/Disapprove/Modify
1) Environmental Review #24-40 (*Categorical Exemption*)
2) Conditional Use Permit #1284

SUMMARY

Merced City School District is requesting conditional use permit approval to build an off-campus education center. The subject site currently has a steel building which would be demolished with approval of this conditional use permit, located on a 0.69-acre parcel on the east side of K Street, approximately 75 feet north of West 26th Street. Community Assembly uses are considered a conditional use within a Low Density Residential (R-1-6) Zone. The Planning Commission will be reviewing this proposal to ensure that the site plan is designed in a manner that minimizes negative impacts to the existing site and promotes compatible and orderly development with the surrounding uses. Staff is recommending approval with conditions.

RECOMMENDATION

Planning staff has reviewed this request and recommends that the Planning Commission approve Environmental Review #24-40 (Categorical Exemption) and Conditional Use Permit #1284, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

Assistant Planner LIVINGSTON reviewed the report on this item. For further information, refer to Staff Report #25-158.

Public testimony was opened at 6:36 PM.

Speaker from the Audience in Favor

BRIAN BEHN, Applicant, Merced County School District, Merced, CA

There were no speakers in opposition to the project.

Public Testimony was closed at 6:38.

A motion was made by Member Ochoa, seconded by Member Delgadillo and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #24-40, and approve Conditional Use Permit #1284, subject to the Findings and thirty-eight (38) Conditions set forth in Staff Report #25-158 (RESOLUTION #4151).

Aye: 4 - Member Delgadillo
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 2 - Chair Gonzalez
Member Pao Thao

E.3**SUBJECT:**

General Plan Amendment #24-02/ Site Utilization Plan Revision #3 to Planned Development #20/ Vesting Tentative Subdivision Map #1332 / Site Plan #551/ Minor Use Permit #24-13, initiated by Eric Gonsalves, on behalf of Yosemite 1380 LLC, property owner. The General Plan Amendment would change the General Plan land use designation from Commercial Office (CO) to Business Park (BP) for 2.72 acres and from Commercial Office (CO) to High Medium Density (HMD) residential for the remaining 4.48 acres. The Site Utilization Plan Revision would change the land use designation within P-D #20 from Commercial Office to Self-Storage for 2.72 acres and to Single-Family Residential (Gated Community) for the remaining 4.48 acres. The

Minor Use Permit would be for interface review to allow commercial development adjacent to or across from a Low Density Residential (R-1-6) Zone. The Site Plan Review Permit would allow the development a self-storage facility (approximately 500 storage units). The vesting tentative subdivision map would divide the self-storage from the residential lots and create the 41 residential lots. *PUBLIC HEARING*

ACTION:**PLANNING COMMISSION:**

Recommendation to City Council:

- 1) Environmental Review #24-25 (*Negative Declaration*)
- 2) General Plan Amendment #24-02
- 3) Site Utilization Plan Revision #3 to Planned Development #20

Approve/Disapprove/Modify:

- 1) Environmental Review #24-25 (*Negative Declaration*)
- 2) Vesting Tentative Subdivision Map #1332
- 3) Site Plan Review Permit #551
- 4) Minor Use Permit #24-13
[subject to City Council approval of General Plan Amendment #24-02, and Site Utilization Plan Revision #3 to Planned Development #20]

CITY COUNCIL:

Approve/Disapprove/Modify:

- 1) Environmental Review #24-25 (*Negative Declaration*)
- 2) General Plan Amendment #24-02
- 4) Site Utilization Plan Revision #3 to Planned Development #20

SUMMARY

The Project site consists of two parcels that total approximately 8.05 acres located at 1380 Yosemite Avenue (APN: 006-050-068) and 3595 Parsons Avenue (APN: 006-050-072) (Attachment C). The subject site has a General Plan designation of Commercial Office (CO) and a Zoning classification of Planned Development #20. The subject site is surrounded by a variety of uses which include residential to the east, south, and west, Episcopal Church of the Resurrection to the north and University Surgery Center immediately to the northeast vicinity of the project site.

The applicant is requesting approval to develop a gated community (41 single-family homes) and a self-storage facility. 17 of the 41 of the residential lots would be single story single-family homes and the remaining 24 would be two-story single-family homes. The proposed residential lots would range in size between 2,160 square feet and 5,374 square feet. These lots would be located within the southern portion of the subject site and would total approximately 4.48 acres. The remainder 2.72 acres would be used to establish a self-storage facility. The northern portion of the parcel along E. Yosemite Avenue, would be reserved for the self-storage with approximately 500 storage units. The applicant has provided a site plan floor plans, and elevations (Attachment E) for this proposal.

RECOMMENDATION

General Plan Amendment Site Utilization Plan Revision to Planned Development

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #24-25 (Negative Declaration), General Plan Amendment #24-02, and Site Utilization Plan Revision #3 to Planned Development #20 (including the adoption of the Draft Resolution at Attachment A) subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of the Draft Resolution.

Vesting Tentative Subdivision Map, Site Plan Review, and Minor Use Permit

Planning staff recommends that the Planning Commission approve Vesting Tentative Subdivision Map #1332, Site Plan #551 and Minor Use Permit #24-13 (including the adoption of the Draft Resolution at Attachment B) subject to the conditions in Exhibit A, the findings/considerations in Exhibit B, and the Mitigation Monitoring Program in Exhibit C of the Draft Resolution, and contingent upon City Council approval of General Plan Amendment #24-02 and Site Utilization Plan Revision #3 to Planned Development #20.

Associate Planner RENTERIA reviewed the report on this item. For further information, refer to Staff Report #25-184.

Public Testimony was opened at 6:55 PM.

Staff received 9 emails from DAVID MILLER, JANET WAINWRIGHT, LADISLAO and KELLY RODRIGUEZ, LINDA SCHUTT, LORETTA STOUT, ROBERT and CAROL DINUZZO, STEVE STOUT, TOM and DEBBIE CLENDENIN, and TREVOR and LINDA HIRST. Staff also received 1 petition from Oakmont Estates Residents. The emails and petition were provided to the Planning Commission via email prior to the

meeting and posted on the City's website.

Speaker from the Audience in Favor

ERIC GONSALVES, Applicant, Yosemite 1380 LLC, Merced, CA

Speakers from the Audience in Opposition

ROBERT DINUZZO, Resident, Merced, CA

TOM CLENDENIN, Resident, Merced, CA

PHILLIP HAMM PH.D., Resident, Merced, CA

LEE R. BOESE, Resident, Merced, CA

STEVE STOUT, Resident, Atwater, CA

Public Testimony was closed at 7:13 PM.

Public Testimony was reopened at 7:16 PM.

Speaker from Audience in Opposition

TOM CLENDENIN, Resident, Merced, CA

Public Testimony was closed at 7:19 PM

A motion was made by Member Delgadillo, seconded by Member Ochoa and carried by the following vote, to continue the public hearing to the Planning Commission Meeting of April 9, 2025.

Aye: 4 - Member Delgadillo
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

Absent: 2 - Chair Gonzalez
Member Pao Thao

F. INFORMATION ITEMS

F.1

SUBJECT: Report by Temporary Director of Development Services of Upcoming Agenda Items

ACTION

Information only.

Temporary Director of Development Services ESPINOSA went over items for the next several Planning Commission meetings.

F.2**SUBJECT: Calendar of Meetings/Events**

Mar.	17	City Council, 6:00 p.m.
	19	Planning Commission, 6:00 p.m.
Apr.	7	City Council, 6:00 p.m.
	9	Planning Commission, 6:00 p.m.
	21	City Council, 6:00 p.m.
	22	Bicycle and Pedestrian Advisory Committee, 4:00 p.m.
	23	Planning Commission, 6:00 p.m. (May Be Cancelled)
May	5	City Council, 6:00 p.m.
	7	Planning Commission, 6:00 p.m.
	19	City Council, 6:00 p.m.
	21	Planning Commission, 6:00 p.m.

G. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 7:26 PM.

A motion was made by Member Ochoa, seconded by Member Delgadillo and carried by the following vote, to adjourn the Regular Meeting.

Aye: 4 - Member Delgadillo
Member Smith
Member Ochoa
Vice Chair Greggains

No: 0

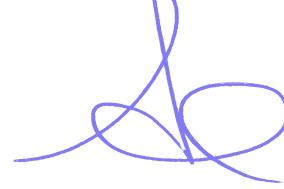
Absent: 2 - Chair Gonzalez
Member Pao Thao

BY:



KIM ESPINOSA, SECRETARY
MERCED CITY PLANNING COMMISSION

APPROVED:



ANTHONY GONZALEZ, CHAIRPERSON
MERCED CITY PLANNING COMMISSION

CITY OF MERCED
Planning Commission

Resolution #4151

WHEREAS, the Merced City Planning Commission at its regular meeting of March 19, 2025, held a public hearing and considered Conditional Use Permit #1284, initiated by Merced City School District, property owner. This application involves a request to construct an off-campus education center at 2600 K Street, approximately 40 feet north of West 26th Street. The subject site has a General Plan designation of Public/ General Use (PG) and a zoning classification of Low Density Residential (R-1-6); Assessor's Parcel Number (APN) 030-022-008.

WHEREAS, the Merced City Planning Commission concurs with Findings/Considerations A through I of Staff Report #25-158; and,

WHEREAS, the Merced City Planning Commission concurs with the Findings for Conditional Use Permits in Merced Municipal Code Section 20.68.020 (E), and other Considerations as outlined in Exhibit B; and,

NOW THEREFORE, after reviewing the City's Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #24-40, and approve Conditional Use Permit #1284, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by reference.

Upon motion by Commissioner Ochoa seconded by Commissioner Delgadillo, and carried by the following vote:

AYES: Commissioners Ochoa, Delgadillo, Smith, and Vice Chair Greggains

NOES: None

ABSENT: Commissioner Thao and Chairperson Gonzalez

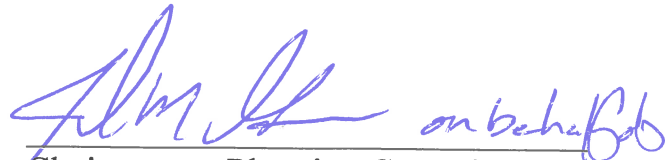
ABSTAIN: None

PLANNING COMMISSION RESOLUTION #4151

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March 19, 2025

Adopted this 19th Day of March 2025

A handwritten signature in blue ink, appearing to read "Alm" followed by "on behalf of".

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

A handwritten signature in blue ink, appearing to read "D. J. Davis".
Secretary

Attachments:

Exhibit A - Conditions of Approval

Exhibit B - Findings

Conditions of Approval
Planning Commission Resolution #4151
Conditional Use Permit #1284

1. The proposed project shall be constructed/designed/operated as shown on the Site Plan (Attachment C of Staff Report #25-158), except as modified by the conditions.
2. All conditions contained in Resolution #1283-Amended (“Standard Conditional Use Permit Conditions”)
3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
5. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant’s project is subject to that other governmental entity’s approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, suits, or proceeding. Developer/applicant shall be responsible to immediately prefund the litigation cost of the City including, but not limited to, City’s attorney’s fees and costs. If any claim, action, suits, or proceeding is filed challenging this approval, the developer/applicant shall be required to execute a separate and formal defense, indemnification, and deposit agreement that meets the approval of the City Attorney and to provide all required deposits to fully fund the City’s defense immediately but in no event later than five (5) days from that date

of a demand to do so from City. In addition, the developer/applicant shall be required to satisfy any monetary obligations imposed on City by any order or judgment.

6. The developer/applicant shall demolish, construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
7. An encroachment permit shall be obtained for all work in the public right-of-way and a building permit shall be obtained for on-site work (as required by the Building Department).
8. The property owner shall contact the Merced Irrigation District (MID) and enter into all necessary agreements for all crossings over or under any MID facilities including utilities, bridges, driveways, and pipelines and for all work associated with MID facilities, if any are required.
9. All future landscaping on the site shall be in compliance with the City's Water Efficient Landscaping and Irrigation Ordinance (Merced Municipal Code Section 17.60) and all state-mandated conservation and drought restrictions as well as the City's Zoning Ordinance Section 20.36 – Landscaping.
10. All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
11. The applicant shall comply with all City of Merced business licensing requirements and with all requirements of the Merced County Environmental Health Department.
12. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
13. The project shall comply with all requirements of the Uniform Fire Codes including, but not limited to, a fire suppression (sprinkler) system and on-site fire hydrant(s). All required Fire Permits shall be obtained from the City of Merced Fire Department. Some of these permits will depend on the operations or functions conducted at the building and may be required after obtaining the certificate of occupancy for this development.

14. The applicant shall work with the Fire Department to provide work details for the required fire control room for the sprinkler risers.
15. Fire protection systems shall be monitored by fire alarm systems, or as otherwise required by the Fire Department.
16. If the business owners wish to extend the business hours in the future, they must obtain approval from the Development Services Director or designee, or if deemed necessary by the Development Services Director or designee, be referred to the Planning Commission for action.
17. If problems arise as a result of this business that may require excessive Police Department service calls, in the opinion of the Police Chief, to the site or within the immediate area including, but not limited to, excessive harassment, malicious property damage, lewd and/or disorderly conduct, this approval may be subject to review and revocation by the City of Merced.
18. Business signage and minor exterior changes to the building shall be reviewed with a staff level design review permit. Signage shall comply with Merced Municipal Code Section 20.62 – Signs.
19. The applicant must obtain applicable building permits when completing tenant improvements, if required by the City of Merced Inspection Services Division.
20. Noise levels generated by the business shall not create a public nuisance to the surrounding business establishments and immediate area. If noise-related complaints are received by the City of Merced, the conditional use permit may be subject to review and possible revocation by the City of Merced per the procedures in the Merced Municipal Code.
21. Any music played shall be kept to a minimum noise level so as not to travel outside the immediate area around the building. Additional noise attenuation measures may be required if music can be heard outside the immediate area around the building. Details to be worked out with Planning and Building staff.
22. To prevent noise from carrying throughout the area, the doors shall be kept closed except as patrons enter and exit. The doors shall not be propped open during business hours.
23. Sufficient lighting shall be provided throughout the exterior of the building.
24. All parking lot and other exterior lighting shall be oriented in such a way so that it does not spill over onto adjacent properties. The parking lot shall

include ample lighting for occupants.

25. All mechanical equipment shall be screened from public view (details to be worked out with staff during the building permit stage).
26. There must be a minimum 22-foot-wide clearance for emergency vehicles to pass through when the gate is opened. If the gate requires manual operation, the applicant shall provide a Knox padlock. If the gate requires electronic operation, the applicant shall provide a Knox override switch with "Click-to-Enter."
27. The design of a future fence shall match or complement the design, color, and materials used for the exterior of the building; and in consultation with the neighbors regarding their preferences, should be either wrought iron or block.
28. Minor modifications to the design, or layout of this proposal may be approved by the Director of Development Services or be referred to the Planning Commission if deemed necessary by the Director of Development Services.
29. The Engineering Department may require the applicant to make additional public improvements during the building permit stage (such as repairing damaged sidewalk), for projects exceeding valuation of \$100,000.00.
30. Future expansions may be reviewed through the Minor Use Permit process or Site Plan Review Permit process, as deemed necessary by the Director of Development Services. If proposed expansions are deemed substantial by the Director of Development Services, the proposal may be referred to the Planning Commission for their review.
31. If needed, the applicant shall obtain proper permits from the Division of the State Architect and comply with their requirements.
32. The applicant will be required to comply with the City Engineering department on construction and implementation of the entrances and exits to the site from West 26th Street and K Street.
33. All refuse container locations shall be approved by the City of Merced Refuse Department at the building permit stage. All refuse containers shall be located within a refuse enclosure constructed per City Standards. The refuse enclosure shall be designed to meet the City's Engineering Standards for refuse enclosures. The refuse enclosure shall be covered from above to prevent direct access to refuse. The applicant shall not install any posts in front of the refuse enclosure. A side gate shall be provided with pedestrian

EXHIBIT A

OF PLANNING COMMISSION RESOLUTION #4151

access, as required by the City Engineering Division.

34. The premises shall always remain clean and free of debris. The exterior of the building shall be appropriately maintained and maintain an aesthetically appealing appearance. All graffiti shall be removed within 48 hours.
35. The project shall comply with all City Standards for storm drainage. The developer shall work with the City Engineer to determine the requirements for storm drainage on the site. The developer shall provide all necessary documentation for the City Engineer to evaluate the storm drain system. All storm drain systems shall be installed to meet City Standards and State regulations.
36. All plans and supporting documents submitted for building permits shall meet or exceed the Building Codes in effect at the time of building permit application submittal. The plans shall identify the flood zone for the property and address all requirements of the flood zone. Plans shall be drawn by a licensed design professional. The construction work shall be performed by an appropriately licensed Contractor (B-Contractor).
37. If culinary activities take place at the site, the applicant shall comply with the Water Quality Control Division's (WQCD) Best Management Practices regarding the disposal of cooking grease and proper cleaning of kitchen equipment, as shown on Attachment D of Staff Report #25-158, or as otherwise required by the WQCD.
38. Disposal of waste products shall be limited to a Merced County Environmental Health Department approved commissary or an alternatively approved facility.

**Findings and Considerations
Planning Commission Resolution #4151
Conditional Use Permit #1284**

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed Project complies with the General Plan designation of Public/ General Use (PG) and the zoning classification of Low Density Residential (R-1-6), with approval of this Conditional Use Permit.

Traffic/Circulation

- B) The applicant is proposing to locate the education center at the northeast corner of K Street and West 26th Street. The education center would be oriented in a way to not affect the flow of traffic and parking in this lot, and to provide space for customers to park and easily enter/ exit the parking lot. The property has entrances on West 26th Street and K Street. There is also an alley to the north of the property.

Parking

- C) This location falls within the High-Quality Transit area and qualifies for a parking reduction, therefore, the parking provided onsite has been deemed to be adequate.

Public Improvements/City Services

- D) The subject site currently has a vacant bus depot on it. With approval of this Conditional Use Permit, the applicants would be demolishing the current building, and building their site plan. The applicants will be required to follow all applicable City of Merced rules, codes, and regulations during the demolition phase and building phase of this project (Condition #6)

Site Design

The subject site is located on the northeast corner of K Street and West 26th Street. The subject site is a 0.69-acre lot. Currently, there is an abandoned bus depot sitting on the lot. This will be demolished with approval of this application. There will then be two buildings placed on the lot. One will be for storage, and the other will be the actual education center. The education center will be two stories, and 7,000 square feet. The storage building will be 1,500

square feet. Both buildings will be pre-manufactured. The site also includes a large parking lot with 38 total parking spaces. Both entrances and exits to this site will have an electric rolling gate. There will be refuse containers at the north of the site which will be accessible to the City's refuse department from the alley. Exact placement and details will be worked out with City staff at the building permit stage. The landscaping will include turf, existing and new trees, as well as some areas where the landscaping material has not been determined yet. The applicants will be required to follow the City's rules and regulations regarding landscaping.

Neighborhood Impact/Interference

- E) The subject site is located at the corner of K Street and West 26th Street. Adjacent to the north of this property is the Restorative Justice League and Educational Consulting. To the east and west, there are homes. To the south of the site is John Muir Elementary School. Given the nearby school and mix of commercial and residential uses near this site, staff does not anticipate that the proposed project would alter the character of the neighborhood.

Signage

- F) The submitted site plan only indicated one do not enter sign in the parking lot, to prevent customers from driving the wrong direction in a one way. Any other signage that the applicants would want to add would need to follow the Merced Municipal Code Section 20.62 – Signs.

Operations

- G) The proposed project would serve as an office/ administrative center for the After School Program during the day. It would also operate as a family resource center for members of the public to get translation services, learn about community resources available to them, and provide family literacy education to residents.

The proposed project would also provide Merced City School District students with the opportunity to learn about several different topics. These topics include photography, sculpting, painting, sketching, coding, engineering, and culinary arts. The site will also have a stage for students to use for performing arts. Drama and music shows would not be a weekly occurrence and would only be used for special performances as not all the schools in the district have a stage.

Conditional Use Permit Findings

- H) A Conditional Use Permit is required for this project as it is within the Low Density Residential Zone per Merced Municipal Code (MMC) Table 20.08.020 Permitted Land Uses in the Residential Zoning Districts. In order for the Planning Commission to approve or deny a conditional use permit, they must consider the following criteria and make findings to support or deny each criteria per MMC 20.68.020 (E) "Findings for Approval for Conditional Use Permits."

MMC 20.68.020 (E) Findings for Approval.

- 1. The proposed use is consistent with the purpose and standards of the zoning district, the general plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

The proposed project complies with the General Plan designation of Public/ General Use (PG) and the zoning classification of Low Density Residential (R-1-6) with approval of this Conditional Use Permit.

- 2. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.*

This project shall be required to comply with all relevant standards and requirements from the Merced Municipal Code. Said standards and requirements regarding hours of operation, parking, access, maintenance, and licenses required.

- 3. The proposed use will not be detrimental to the public health, safety, and welfare of the City.*

Staff does not believe this project will be detrimental to the health and welfare of the City.

- 4. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.*

The proposed project is located within the City and can be adequately accessed through existing roads. The project has adequate access to the required infrastructure.

Environmental Clearance

- I) Planning staff has conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption (i.e., no further environmental review is needed) is being recommended (Attachment D of Staff Report #25-158).