



CITY OF MERCED

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

Meeting Agenda

Planning Commission

Wednesday, January 8, 2025

6:00 PM

City Council Chamber, 2nd Floor, Merced Civic
Center, 678 W. 18th Street, Merced, CA 95340

NOTICE TO PUBLIC

WELCOME TO THE MEETING OF THE MERCED PLANNING COMMISSION

At least 72 hours prior to each regular Planning Commission meeting, a complete agenda packet is available for review on the City's website at www.cityofmerced.org or at the Planning Division Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Commission will be available for public inspection at the Planning Division Office during regular business hours. The Planning Commission also serves as the Board of Zoning Adjustment and the Design Review/Historic Preservation Commission. Assisted hearing devices are available for meetings held in the Council Chamber.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CLERK

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. Speakers will be called up, 3 to 5 at a time, in the order in which the forms are received. Please use the microphone and state your name and city of residence for the record. For permits, licenses, and other entitlements, the applicant will be allowed 15 minutes (including rebuttal), the appellant/leader of the opposition will be allowed 15 minutes (including rebuttal), and all other speakers shall have 3 minutes each, unless the number of speakers is over 10, which in that case, comments shall be limited to 2 minutes each. For all other issues, for 3 or less speakers, 3 minutes each and for over 10 speakers, 2 minutes each shall be allotted. A timer clock is located above the City Council dais illuminating the remaining time. Once the buzzer sounds, please be courteous and conclude your remarks.

Material may be emailed to planningweb@cityofmerced.org no later than 1 PM on the day of the meeting. Please specify which portion of the agenda you are commenting on, for example, Item # or Oral Communications. Your comments will be presented to the Planning Commission at the appropriate time. Any correspondence received after 1 PM will be distributed to the Planning Commission and retained for the official record.

A. CALL TO ORDER

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

B. ROLL CALL

C. PUBLIC COMMENT

Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 3 minutes. The Chairperson may, at their discretion, reduce the time to 2 minutes if there are more than 10 speakers, in order to accommodate as many speakers as possible. State law prohibits the Planning Commission from acting at this meeting on any matter raised during the public comment period. Members of the public who wish to speak on a matter that is listed on the agenda will be called upon to speak during discussion of that item. Please submit a Request to Speak card prior to the item being called.

D. CONSENT CALENDAR

Adoption of the Consent Calendar may be made with one motion of the Planning Commission provided that any Planning Commission member, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately. With Consent items, there is generally no staff presentation but staff is available for questions.

D.1 [25-027](#) **SUBJECT:** Planning Commission Minutes of December 4, 2024

ACTION:

Approving and filing the Planning Commission Minutes of December 4, 2024

E. PUBLIC HEARINGS AND ACTION ITEMS

Members of the public who wish to speak on public hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Commission for discussion and action. Further comment will not be received unless requested by the Commission.

E.1 [24-1205](#) **SUBJECT:** Conditional Use Permit #1283, initiated by Edwardo Beltran, property owner. This application involves a request to expand an existing restaurant into an unused portion of the building to host live events and entertainment. The subject site is generally located on the north side of West Main Street, approximately 200 feet west of Martin Luther King Jr Way. The subject site has a General Plan designation of Regional Commercial, (RC) and a zoning classification of Central Commercial, (C-C). **PUBLIC HEARING**

ACTION Approve/Disapprove/Modify

- 1) Environmental Review #24-29 (*Categorical Exemption*)
- 2) Conditional Use Permit #1283

SUMMARY

Edwardo Beltran is requesting conditional use permit approval to expand his current business, Joystiq, into an unused part of his building. This new usable space would be used for live entertainment events. Hosting live entertainment events requires a conditional use permit. 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 #24-29 (Categorical Exemption) and Conditional Use Permit #1283, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

E.2 [24-1229](#)

SUBJECT: Conditional Use Permit #1285, initiated by Chick-fil-A, on behalf of Dignity Health, property owner. This application involves a request to operate a food truck within the parking lot located at 120 Mercy Avenue. The subject site is generally located at the southeast corner of G Street and Mercy Avenue, within an Office Commercial (C-O) Zone. *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #24-38 (*Categorical Exemption*)
- 2) Conditional Use Permit #1285

SUMMARY

Chick-fil-A is requesting conditional use permit approval to operate a food truck within the parking lot located at 120 Mercy Avenue (Attachment B). Mobile Food Vendors are considered a conditional use within an Office Commercial (C-O) Zone. The proposed food truck would be located within a parking lot on the northeast portion of the parcel (Attachment C). The Planning Commission will be reviewing this proposal to ensure that the

proposed site plan is designed in a manner that minimizes negative impacts to the existing site and promotes compatible and orderly development. Staff is recommending approval of this request subject to conditions.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #24-38 (Categorical Exemption) and Conditional Use Permit #1285 (including the adoption of the Resolution at Attachment A).

E.3 [24-1183](#) **SUBJECT:** Election of Chairperson and Vice-Chairperson

ACTION

Election of Chairperson and Vice-Chairperson

F. INFORMATION ITEMS

F.1 [25-028](#) **SUBJECT:** Report by Temporary Director of Development Services of Upcoming Agenda Items

ACTION

Information only.

F.2 [25-029](#) **SUBJECT:** Calendar of Meetings/Events

Jan.	6	City Council, 6:00 p.m.
	8	Planning Commission, 6:00 p.m.
	21	City Council, 6:00 p.m. (Tuesday)
	22	Planning Commission, 6:00 p.m.
Feb.	3	City Council, 6:00 p.m.
	5	Planning Commission, 6:00 p.m.
	18	City Council, 6:00 p.m. (Tuesday)
	19	Planning Commission, 6:00 p.m.
	25	Bicycle and Pedestrian Advisory Committee, 4:00 p.m.

G. ADJOURNMENT