



CITY OF MERCED

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

Meeting Agenda

Planning Commission

Wednesday, September 18, 2024

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 [24-917](#) **SUBJECT:** Planning Commission Minutes of August 21, 2024

ACTION:

Approving and filing the Planning Commission Minutes of August 21, 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 [24-783](#) **SUBJECT:** Conditional Use Permit #1277, initiated by AT&T Mobility, on behalf of The Church of the Nazarene of Merced, California, property owner. This application involves a request to construct a 55-foot-tall wireless communication tower in the form of a stealth mono-pine tree at 1717 E. Olive Avenue, generally located at the northeast corner of E. Olive Avenue and Parsons Avenue, with a General Plan designation of Low Density Residential (LD), and a Zoning classification of (R-1-6) *PUBLIC HEARING*

- ACTION:** Approve/Disapprove/Modify
- 1) Environmental Review #24-10 (*Categorical Exemption*)
 - 2) Conditional Use Permit #1277

SUMMARY

AT&T Mobility is requesting approval to construct a 55-foot-tall wireless communication tower in the form of a stealth mono-pine tree at 1717 E. Olive Avenue (Attachment D) within a Low Density Residential (R-1-6) Zone. The project is located at the northeast corner of E. Olive Avenue and Parsons Avenue within a developed lot occupied by the Bear Creek Community Church of the Nazarene. Per Merced Municipal Code Land Use Table 20.58-2 - Review Procedures for Support Towers for Wireless Communication Facilities, a site plan review is required for stealth facilities within an R-1 Zone that are over 140% of the maximum height allowed within this zone. However, as described in the background section of this report, because the Site Plan Review Committee is referring this request to the Planning Commission, the land use permit required is now a conditional use permit. On July 3, 2024, the Planning Commission considered this matter and voted to continue the public hearing to August 7, 2024. On August 7, 2024, the Planning Commission considered this matter and continued the public hearing to the Planning Commission meeting of September 18, 2024. Staff is recommending approval of this application subject to the conditions contained in the Staff Report. Staff is recommending approval of this application subject to the conditions contained in the Staff Report.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #24-10 (*Categorical Exemption*), and Conditional Use Permit #1277, 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 [24-838](#)

SUBJECT: Conditional Use Permit #1280, initiated by Aulakh Properties II, LLC, property owner. This application involves a request to operate a food truck parking area for multiple food trucks on a vacant lot (approximately 1.70-acres). The subject site is generally located on the east side of Highway 59, approximately 250 feet north of Olive Avenue. The subject site has a General Plan designation of Business Park (BP) and a zoning classification of Planned Development, (P-D) #12. **PUBLIC HEARING**

- ACTION:** Approve/Disapprove/Modify

- 1) Environmental Review #24-23 (*Categorical Exemption*)
- 2) Conditional Use Permit #1280

SUMMARY

Aulakh Properties II, LLC, is requesting conditional use permit approval to establish a food truck parking area to allow multiple food truck vendors and outdoor seating. The subject site is an undeveloped 1.70-acre parcel located on the east side of Highway 59, 250 feet north of Olive Avenue (north of the 7-Eleven at 1995 W Olive Avenue. Food truck parking lots are considered a conditional use within a Business Park (BP) 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 #24-23 (Categorical Exemption) and Conditional Use Permit #1280, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

F. INFORMATION ITEMS

F.1 [24-918](#) **SUBJECT:** Report by Temporary Director of Development Services of Upcoming Agenda Items

ACTION

Information only.

F.2 [24-919](#) **SUBJECT:** Calendar of Meetings/Events

- Sept. 16 City Council, 6:00 p.m.
- 18 Planning Commission, 6:00 p.m.
- Oct. 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.
- Nov. 4 City Council, 6:00 p.m.
- 6 Planning Commission, 6:00 p.m.
- 18 City Council, 6:00 p.m.
- 20 Planning Commission, 6:00 p.m. **(To be Cancelled)**

G. ADJOURNMENT