

From: [Jarhett Blonien](#)
To: [Nelson, Julie](#)
Subject: Re: Resolution and Standard Conditions Regarding Conditional Use Permit #1216 of Planning Commission Meeting of Wednesday, February 22, 2017
Date: Wednesday, March 01, 2017 4:48:06 PM
Attachments: [image001.png](#)

Julie,

On behalf of the Merced Poker room I would like to request an appeal of items 8 and 17 regarding the number of tables permitted within the building.

Best Regards,

Jarhett Blonien

Sent from my iPhone

Blonien & Associates Inc.
1121 L St., Suite 105
Sacramento, Ca 95814
916-441-4242

March 8, 2017

Received via e-mail
3/8/17

Ms. Kim Espinosa
Planning Manager
City of Merced
678 W. 18th St.
Merced, CA 95340

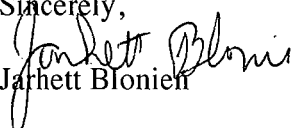
RE: Appeal of Agenda Item 4.3 From Agenda Item 4.3 From February 22, Planning
Commission Meeting.

Dear Ms. Espinosa,

On February 22, 2017, the Merced Planning Commission approved agenda item 4.3, regarding the Conditional Use Permit (#1216) for the Merced Poker Room. The Merced Poker Room would like to appeal the portion of this approval regarding items 8 and 17¹ of the Conditional Use Permit regarding the number of tables allowed to be present within the facility. Although we are aware that there is a limit on the number of tables that will be operated within a facility, generally there is not a limit on the number of tables that can be present within a facility.² This is supported by regulations of the California Gambling Control Commission which acknowledges that tables not in operation do not count against the cap on the number of tables.

The Merced Poker room is a 5,000-square foot facility and needs to have more tables than they are licensed for to have operation flexibility to support customer demand. Different approved controlled games require different types of tables, and therefore the Merced Poker room needs to have the flexibility to open and close tables to support different customer needs. For example, a poker table is different than a table which would be used for a pit game like black jack.

Therefore, to reach operational efficiency, the Merced Poker Room needs to have around 15 tables present within the facility. This is consistent with the Merced Poker Room's current operations, and the operations of neighboring jurisdictions. Consequently, we respectfully request that the city council reconsider these requirements, and allow the Merced Poker Room to have additional tables present within the facility.

Sincerely,

Jarrett Blonien

¹ 8) The maximum number of tables allowed for this card room is limited to the number allowed under this Conditional Use Permit and is limited to 8 tables.

17) The maximum number of tables allowed for this card room is limited to the number allowed under this Conditional Use Permit and is limited to 8 tables.

² California Code of Regulations Title 4 Division 18, Chapter 7, Article 3, Section 12391(a)(3)