



# CITY OF MERCED

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

## Meeting Agenda

### Planning Commission

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Wednesday, January 18, 2023

7:00 PM

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

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#### 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](http://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.

##### 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 5 minutes each, unless the number of speakers is over 3, which in that case, comments shall be limited to 3 minutes each. For all other issues, for 3 or less speakers, 5 minutes each and for over 3 speakers, 3 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.org](mailto:planningweb.org) and should be limited to 300 words or less. 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.

You may provide telephonic comments via voicemail by calling (209) 388-7390 by no later than 1 PM on the day of the meeting to be added to the public comment. Voicemails will be limited to a time limit of one (1) minute. Please specify which portion of the agenda you are commenting on, for example, Item #, Consent item #, or Oral Communications. Your comments will be played during the Planning Commission meeting at the appropriate time.

## INDIVIDUALS WITH DISABILITIES

Accommodation for individuals with disabilities may be arranged by contacting the Planning Division at (209) 385-6858. Assisted hearing devices are available for meetings held in the Council Chamber.

### A. CALL TO ORDER

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

### B. ROLL CALL

### C. ORAL COMMUNICATIONS

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 5 minutes. The Chairperson may, at their discretion, reduce the time to 3 minutes if there are more than 3 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     [23-093](#)     **SUBJECT:** Planning Commission Minutes of December 7, 2022

**ACTION:**

Approving and filing the Planning Commission Minutes of December 7, 2022

### 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**     [23-034](#)

**SUBJECT:** Conditional Use Permit #1269, initiated by Robert Dylina, on behalf of Golden State Realty Association, Inc., property owner. This application involves a request for a master sign program with a double-sided changeable copy sign (63 inches by 137.5 inches) for Auto Resources at 1500 W. 16th Street, generally located at the southwest corner of V Street and 16th Street, within a Zoning classification of General Commercial (C-G), with a General Plan Designation of General Commercial (CG). \*PUBLIC HEARING\*

**ACTION:**            Approve/Disapprove/Modify

- 1)            Environmental    Review    #22-46 (*Categorical Exemption*)
- 2) Conditional Use Permit #1269

**SUMMARY**

Robert Dylina is requesting approval for a master sign program that includes a double-sided changeable copy sign at 1500 W. 16th Street. The subject site is an existing used automotive dealership and will remain an automotive dealership. The automotive dealership is considered a principally permitted use within the General Commercial (C-G) Zone; however, a changeable copy sign for an automotive dealership requires approval of a master sign program from the Planning Commission, per Merced Municipal Code 17.36.072 - Changeable Copy Sign. The proposed changeable copy sign (63 inches by 137.5 inches) would be installed on the existing freeway pylon sign for this site (without adding additional height). Staff is recommending approval of this application subject to conditions.

**RECOMMENDATION**

Planning staff recommends that the Planning Commission approve Environmental Review #22-46 [*Categorical Exemption*] 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**     [23-035](#)

**SUBJECT:** Conditional Use Permit #1268 and Site Plan Review #506, initiated by Circle K Stores, Inc., on behalf of Ashley Investments,

LLC, property owner. This application involves a request to construct a new gas station/convenience market with tobacco sales, and beer and wine sales for off-site consumption at the southwest corner of R Street and Loughborough Drive. The subject site is located within Planned Development (PD) #8 with a General Plan designation of Regional/Community Commercial (RC). \*PUBLIC HEARING\*

**ACTION:** Approve/Disapprove/Modify

- 1) Environmental Review #22-45 (*Categorical Exemption*)
- 2) Conditional Use Permit #1268
- 3) Site Plan Review #506

### SUMMARY

Circle K Stores, Inc., is requesting approval to construct an approximate 3,700-square-foot gas station/mini-market (with tobacco sales and alcohol sales for off-site consumption), and an approximate 2,592-square-foot fuel pump canopy (8 pumps) on a pending outparcel located at the southwest corner of R Street and Loughborough Drive (Attachment B). A site plan review permit is required for new developments within this Planned Development, and for gas stations with a land use designation of Regional/Community Commercial (RC). The RC designation also requires a conditional use permit for the sale of tobacco products/paraphernalia within 600 feet of a public park, and alcohol for off-site consumption (for buildings under 20,000 square feet) per MMC 20.10.020. A Finding of Public Convenience or Necessity (adopted by City Council) is also required for alcohol sales because Merced is listed under Moratorium City for Type 20 alcohol licenses by the Department of Alcoholic Beverage Control. The Police Department has determined that they would support the sale of alcohol for off-site consumption if specific conditions are included to reduce the potential for alcohol-related incidents. Staff is recommending approval of this application subject to the conditions.

### RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #22-45 [*Categorical Exemption*], Conditional Use Permit #1268, and Site Plan Review Permit #506, 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.3 [22-922](#)

**SUBJECT:** General Plan Amendment #22-03, initiated by Eric Pluim on behalf of Gateway Park Development Partners, LLC, property owners. This application involves a request to change the General Plan roadway classification from Divided Arterial to Collector for a portion of

Mission Avenue from Coffee Street to the east side of Pluim Drive  
(extended). **\*\*PUBLIC HEARING\*\***

**ACTION:** PLANNING COMMISSION:  
Recommendation to City Council  
1) Environmental Review #22-25 (*Addendum to General Plan EIR*)  
2) General Plan Amendment #22-03  
CITY COUNCIL:  
Approve/Disapprove/Modify  
1) Environmental Review #22-25 (*Addendum to General Plan EIR*)  
2) General Plan Amendment #22-03

**SUMMARY**

This is a request to amend the General Plan Circulation Element by changing the roadway classification from Divided Arterial to Collector for a portion of Mission Avenue from Coffee Street to the east side of Pluim Drive (extended). This change is requested to improve the circulation for future development in the area. Staff is recommending approval.

**RECOMMENDATION**

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #22-25 (*Addendum to the General Plan EIR*) and General Plan Amendment #22-03 (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.

**F. INFORMATION ITEMS**

F.1 [23-094](#) **SUBJECT:** Report by Planning Manager of Upcoming Agenda Items

**ACTION**

Information only.

F.2 [23-092](#) **SUBJECT:** Calendar of Meetings/Events

Jan.	17	City Council, 6:00 p.m. ( <b>Tuesday</b> )
	18	Planning Commission, 7:00 p.m.
Feb.	6	City Council, 6:00 p.m.
	8	Planning Commission, 7:00 p.m.
	21	City Council, 6:00 p.m. ( <b>Tuesday</b> )
	22	Planning Commission, 7:00 p.m. ( <b>May be Cancelled</b> )

	28	Bicycle and Pedestrian Advisory Commission, 4:00 p.m.
Mar.	6	City Council, 6:00 p.m.
	8	Planning Commission, 7:00 p.m.
	20	City Council, 6:00 p.m.
	22	Planning Commission, 7:00 p.m.

**G. ADJOURNMENT**