



# 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, June 21, 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@cityofmerced.org](mailto:planningweb@cityofmerced.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 [23-519](#)      **SUBJECT:** Planning Commission Minutes of June 7, 2023

**ACTION:**

Approving and filing the Planning Commission Minutes of June 7, 2023

### 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 [23-490](#)

**SUBJECT:** Design Review #23-01 and Conditional Use Permit #1271, initiated by Jasmeet, LLC, on behalf of Gurdial Singh and Balbir Kaur, property owners. This application involves a request for a proposed remodel and expansion of a gas station (6 pump fuel island) and convenience market (3,800 square feet), and a request for alcohol sales (beer and wine) for off-site consumption at 1480 W. 16th Street, generally located at the southeast corner of V Street and 16th Street, within a Zoning classification of Thoroughfare Commercial (C-T), with a General Plan designation of Thoroughfare Commercial (CT)  
\*PUBLIC HEARING\*

**ACTION:** Approve/Disapprove/Modify  
1) Environmental Review #23-11 (*Categorical Exemption*)  
2) Design Review Permit #23-01  
3) Conditional Use Permit #1271

**SUMMARY**

Jasmeet, LLC, is requesting approval to remodel and expand a gas station (6 pump fuel island) and a convenience market (3,800 square feet) with a request for alcohol sales (beer and wine) for off-site consumption at 1480 W. 16th Street (Attachment B). The subject site is within the City's Design Review District and requires design review approval for the remodel/expansion per Merced Municipal Code 20.68.030 - Design Review Permit. A conditional use permit is required to approve the sale of alcohol for off-site consumption (for buildings under 20,000 square feet) per Merced Municipal Code Section 20.44.070 - Gas and Service Stations. 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 #23-11 (*Categorical Exemption*), Design Review Permit #23-01, and Conditional Use Permit #1271, 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 [23-499](#)

**SUBJECT:** Conditional Use Permit #1273 initiated by Raj Joshi, on behalf of Merced Holdings, LP, property owner. This application involves a request to allow the on-site consumption of alcoholic beverages including beer, wine, and spirits within a restaurant to be generally located at the southeast corner of Yosemite Avenue and McKee Road (2272 E. Yosemite Avenue). The site has a General Plan designation of Neighborhood Commercial (CN) and is zoned Neighborhood Commercial (C-N) **\*\*PUBLIC HEARING\*\***

**ACTION:** Approve/Disapprove/Modify  
 1) Environmental Review #23-20 (*Categorical Exemption*)  
 2) Conditional Use Permit #1273

**SUMMARY**

A new restaurant is proposed at 2272 East Yosemite Avenue within the Hub Development at the southeast corner of Yosemite Avenue and McKee Road. The proposed restaurant (the Wet Whistle) would be a full-service restaurant with a British Pub setting serving beer, wine, and liquor for on-site consumption. The Conditions of Approval for the Hub development requires restaurants selling alcohol for on-site consumption obtain a Conditional Use Permit prior to selling alcohol.

**RECOMMENDATION**

Planning staff recommends that the Planning Commission approve Environmental Review #23-20 (*Categorical Exemption - 15162 Findings*) and Conditional Use Permit #1273, 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 at Attachment A.

**F. INFORMATION ITEMS**

F.1 [23-520](#) **SUBJECT:** Report by Director of Development Services of Upcoming Agenda Items

**ACTION**  
 Information only.

F.2 [23-521](#) **SUBJECT:** Calendar of Meetings/Events

June	20	City Council, 6:00 p.m. <b>(Tuesday)</b>
	21	Planning Commission, 7:00 p.m.
	27	Bicycle and Pedestrian Advisory Commission, 4:00
		p.m.
July	3	City Council, 6:00 p.m.
	5	Planning Commission, 7:00 p.m.
	17	City Council, 6:00 p.m.
	19	Planning Commission, 7:00 p.m.
August	7	City Council, 6:00 p.m.
	9	Planning Commission, 7:00 p.m.
	21	City Council, 6:00 p.m.
	22	Bicycle and Pedestrian Advisory Commission, 4:00

p.m.

23 Planning Commission, 7:00 p.m.

**G. ADJOURNMENT**