

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, December 7, 2017

Acting Chairperson ESPINOSA called the meeting to order at 1:34 p.m.

ROLL CALL

Committee Members Present: Planning Manager Espinosa (for Director of Development Services McBride), Land Surveyor Cardoso (for Acting City Engineer Son), and Acting Assistant Chief Building Official Frazier

Committee Members Absent: None

Staff Present: Principle Planner Hren and Planner/Recording Secretary Mendoza-Gonzalez

1. **MINUTES**

M/S CARDOSO - FRAZIER, and carried by unanimous voice vote, to approve the Minutes of November 16, 2017, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

- 4.1 Site Plan Application #416, submitted by University Industrial Park/Clendenin Bros., Inc., on behalf of Lyons Investments, Partnership, property owner, to construct a 480-square-foot fire booster pump building within a developed site at 1700 Kibby Road, within a Heavy Industrial (I-H) Zone.

Planner MENDOZA-GONZALEZ reviewed the application for this item. For further information, refer to Draft Site Plan Review Committee

Resolution #416. The applicant, TOM CLENDENIN, and his associates were in attendance to answer questions from the Committee.

The applicant noted that Conditions #12 and #13 should not be required, because their business equipment will be stored inside the existing warehouses and not outdoors. Staff concurred and agreed that those conditions would not be necessary and could be eliminated.

Committee Member CARDOSO noted that Condition #11 should be modified to specify that the City Engineer would determine the scope of public improvements required for this project.

M/S CARDOSO - FRAZIER, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #17-19, and approve Site Plan Application #416, subject to the Findings and twenty one (21) conditions set forth in the Draft Resolution #416 with a modification to Condition #11 and the elimination of Conditions #12 and #13 as follows:

(Note: ~~Strikethrough~~ deleted language, underline added language.)

“11) As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$85,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations, at the discretion of the City Engineer.

12) ~~All mechanical equipment shall be screened from public view.~~

13) ~~Any outdoor storage shall be screened from the public view with either a chain-link fence with privacy slats or a non-transparent fence.”~~

AYES: Committee Members Frazier, Cardoso, and Acting Chairperson Espinosa

NOES: None

ABSENT: None

December 7, 2017

5. **INFORMATION ITEMS**

5.1 **Calendar of Meetings/Events**

There was no discussion regarding the calendar of meetings/events.

6. **ADJOURNMENT**

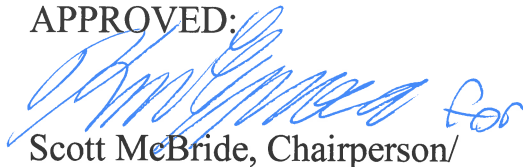
There being no further business, Acting Chairperson ESPINOSA adjourned the meeting at 2:02 p.m.

Respectfully submitted,



Francisco Mendoza-Gonzalez, Secretary
Merced City Site Plan Review Committee

APPROVED:



Scott McBride, Chairperson/
Director of Development Services,
Merced City Site Plan Review Committee

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #416

<u>University Industrial Park/Clendenin Bros., Inc.</u>	<u>Construct a new 480-s.f. Fire Booster Pump Building for the University Industrial Park.</u>
APPLICANT	PROJECT
<u>121 Heron Way</u>	<u>1700 Kibby Road</u>
ADDRESS	PROJECT SITE
<u>Merced, CA 95341</u>	<u>061-033-024</u>
CITY/STATE/ZIP	APN
<u>(209) 769-9271</u>	<u>Heavy Industrial (I-H)</u>
PHONE	ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and administratively approved Site Plan Application #416 on December 7, 2017, submitted by University Industrial Park/Clendenin Bros., Inc., on behalf of Lyons Investments, Partnership, property owner, to construct a 480-square-foot fire booster pump building within a developed site at 1700 Kibby Road, within a Heavy Industrial (I-H) Zone. Said property being more particularly described as portions of Lots 4, 5, and 6 as shown on the map entitled "Map of Grimes' Subdivision No.1," recorded in Volume 9, Page 19 of Merced County Records; also known as Assessor's Parcel Number (APN) 061-033-024.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15301 (a) (Exhibit D); and,

WHEREAS, the Merced City Site Plan Review Committee makes the following Findings:

- A) The proposal complies with the General Plan designation of Industrial (IND) and the Zoning classification of Heavy Industrial (I-H).
- B) The proposed fire booster pump building is considered an accessory structure with a water system that would be used to provide high-pressure water to increase firefighting capacity for the buildings located within the University Industrial Park.
- C) As shown on Exhibit B, the 480-square-foot fire booster pump building (20 feet x 24 feet) would be located within the southwest corner of the parcel, approximately 50 feet from the western property line along Kibby Road. The proposed metal building includes a roll-up door on the east elevation and an entry door on the west elevation (with a knox box).

- D) As shown on Exhibit B under the “Site and Demolition Keynotes,” the applicant is proposing to remove an existing 10-inch fire line after the new 10-inch fire line has been tested and approved. This proposal also includes a request to install a 10-inch double check back flow preventer, a 4-inch water line, a 10-inch water line tee, a Fire Department connection, and a water line valve box.
- E) The property to the west of the subject site (across Kibby Road) is the former General Electric Kendall Plant and is undergoing a TCE solvent cleanup in groundwater. Pumping water within this area may affect the existing groundwater treatment system to the west.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #416 subject to the following conditions:

- 1) The subject site shall be constructed as shown on Exhibit B (site plan) and Exhibit C (elevations/floor plan), except as modified by the conditions of approval within this resolution.
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan Review Application”) shall apply.
- 3) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes.
- 4) The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant’s project is subject to that other governmental entity’s approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents..
- 5) The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in

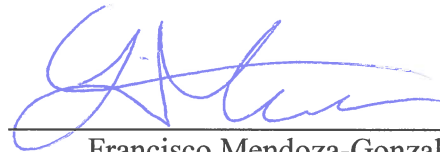
- compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
- 6) Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
 - 7) All plans and supporting documents submitted for Building Permits shall meet or exceed the building codes in effect at the time of building permit application submittal.
 - 8) All required Fire Permits shall be obtained from the City of Merced Fire Department during the building permit stage.
 - 9) If the subject site is to be gated, there must be a minimum 22-foot-wide clearance for emergency vehicles to pass through when the gate is opened. Any locking devices used on the gates shall be approved by the Fire Department prior to installation.
 - 10) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
 - 11) As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$85,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations, at the discretion of the City Engineer.
 - 12) The premises shall remain clean and free of debris and graffiti at all times.
 - 13) A backflow prevention device shall be provided for all water services (i.e., domestic, irrigation, and fire) per Merced Municipal Code.
 - 14) All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
 - 15) All portions of the property not occupied by paving or building shall be maintained to acceptable standards for health, fire safety, and aesthetic reasons. Grasses and weeds shall be kept to a maximum of six inches (however, the use of xeriscape is acceptable), or as otherwise required by the Fire Department and Merced County Health Department.
 - 16) The fire booster pump shall be reviewed and approved by the City Engineer to ensure that the City's water system is not negatively impacted by the booster pump and to ensure that the pump shuts off automatically when the supply side drops below 21-psi (or as otherwise required by the City Engineer).
 - 17) Ductile iron pipes shall be used for any piping within the City's right-of-way that is over 8 inches in diameter and for any piping dedicated to fire mains. Under these

- circumstances, the ductile iron pipes shall be installed from the valve at the main connection to the customer side down-leg of the backflow.
- 18) The applicant shall dedicate a 7-foot-wide road easement and a 7-foot-wide public utilities easement along Kibby Road to the boundary limits outlined by the City Engineer.
- 19) The Project shall have a separate Irrigation, Fire, and Domestic water service line going from the water main to the property line.

If there are any questions concerning these conditions and recommendations, please contact Francisco Mendoza-Gonzalez at (209) 385-6858.

12-7-17

DATE



Francisco Mendoza-Gonzalez

Planner

TITLE

Exhibits

- A) Location Map
- B) Site Plan
- C) Elevations/Floor Plan
- D) Categorical Exemption

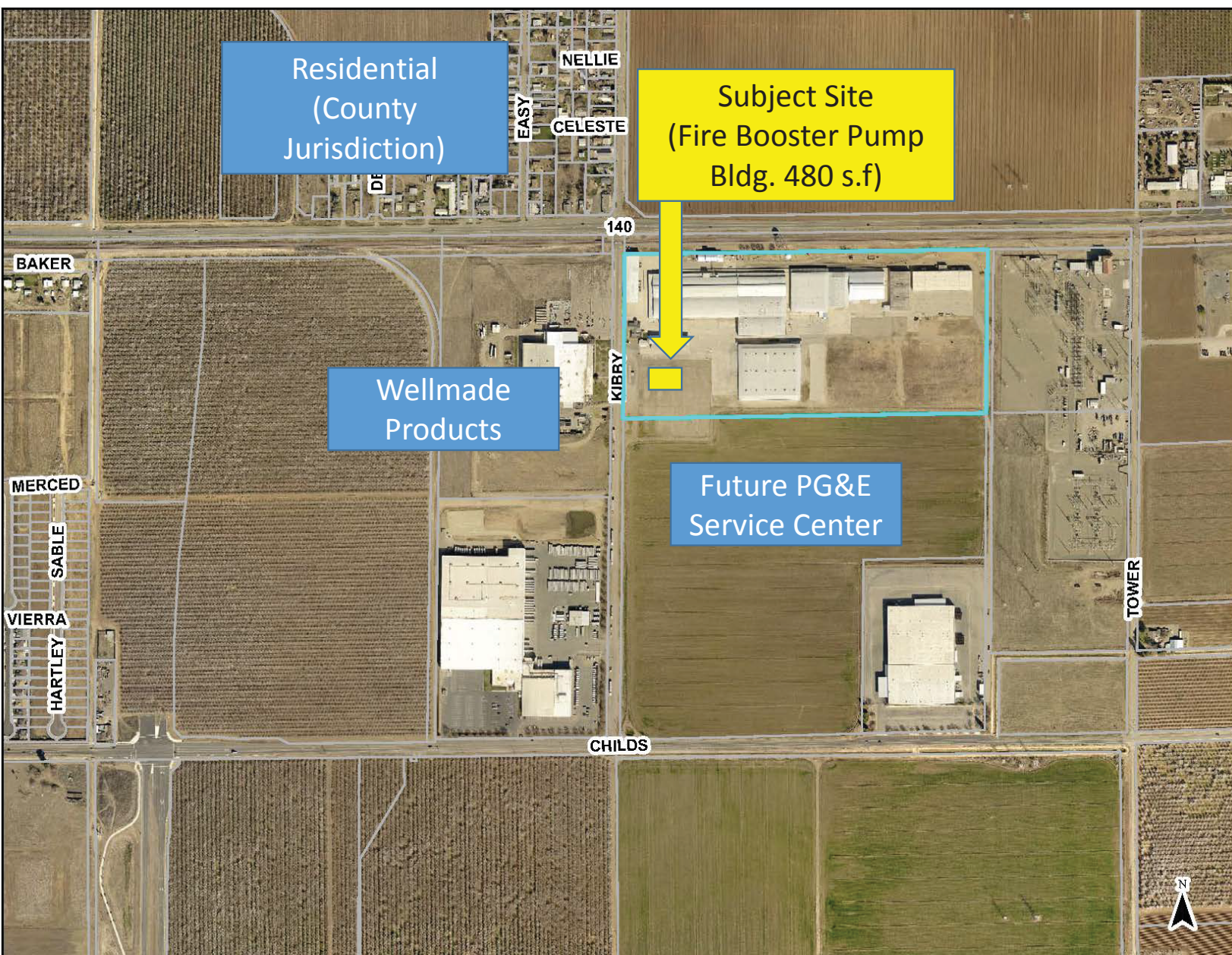


EXHIBIT A

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: SP #416 (Environmental Review #17-19)

Project Applicant: University Industrial Park for Lyons Investments (property owner)

Project Location (Specific): 1700 Kibby Road **APN:** 061-033-024

Project Location - City: Merced **Project Location - County:** Merced

Description of Nature, Purpose, and Beneficiaries of Project: New accessory building

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: University Industrial Park for Lyons
Investments (property owner)

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ X Categorical Exemption. State Type and Section Number: 15301 (a)
☐ Statutory Exemptions. State Code Number: _____
☐ General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: As defined under the above referenced Section, the proposed project consists of minor interior/exterior alterations, such as constructing a new 480-square-foot fire booster pump building within a developed lot, which are considered to be exempt under the CEQA Guidelines per Section 15301 (a).

Lead Agency: City of Merced

Contact Person: Francisco Mendoza-Gonzalez **Area Code/Telephone:** (209) 385-6858

Signature:  **Date:** 11-15-2017 **Title:** Planner

X Signed by Lead Agency

Date Received for Filing at OPR: _____
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code

EXHIBIT D