

**CITY OF MERCED**  
**Site Plan Review Committee**

**MINUTES**

Planning Conference Room  
2<sup>nd</sup> Floor Civic Center  
Thursday, Dec. 15, 2022

Acting Chairperson ESPINOSA called the meeting to order at 1:30 p.m.

1. **ROLL CALL**

Committee Members Present: Chief Building Official Frazier, City Engineer Beltran, and Planning Manager Espinosa (for Director of Development Services McBride)

Committee Members Absent: Director of Development Services McBride, (excused)

Staff Present: Fire Chief Parker, Associate Planner Mendoza, Development Services Technician II Davis, and Senior Planner Nelson

2. **MINUTES**

M/S BELTRAN FRAZIER, and carried by unanimous voice vote, to approve the Minutes of November 10, 2022, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

- 4.1 **Site Plan Application #505**, submitted by CR Consulting Group, Inc., for California Retail Builders, Incorporated, property owner. The applicant is requesting approval to construct an apartment complex (24 units) on a vacant 1.33-acre lot at 3351 R Street. The subject site is generally located on the west side of R Street, approximately 170 feet north of Loughborough Drive, within

Planned Development (P-D) #8 with a General Plan designation of Office Commercial (CO).

Associate Planner MENDOZA-GONZALEZ reviewed the application for this item. Refer to Draft Site Plan Review Resolution #505 for further information.

Janson Andrade and Cesar Rodriguez were in attendance representing the applicant.

Committee Member FRAZIER noted that Condition #34 should be expanded to note that fire lines underground shall also require a permit.

Committee Member BELTRAN noted that if Condition #39 is being adopted to eliminate the proposed northernmost driveway, then Condition #43 would need to be modified to clarify that the median along R Street be extended another 25 feet.

City Engineer BELTRAN recommended adding Condition #44, indicating that if the developer does road work along R Street, it may trigger additional paving if done within the next few years.

M/S BELTRAN-FRAZIER, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #22-44, and approve Site Plan Review #505, subject to the Findings and forty-three (43) conditions set forth in Draft Resolution #505, with the modifications to Condition #34, and #43, and the addition of Condition #44 as follows:

(underlined text is added text, ~~strikethrough~~ text is deleted text):

- 34) Plans shall be drawn by a licensed California design professional, meeting current codes at the time of building permit application submittal. Building permit applications submitted after December 31, 2022, shall comply with 2022 California Building Codes. Along with fire sprinkler submittals and permits, on-site underground fire lines shall also require plan submittal and a permit.

- 43) The existing median fronting the project site along R Street shall be extended ~~another 25 feet north, or as required by the City Engineer during the building permit stage~~ as shown on the site plan at Attachment B.
- 44) If road work is performed on R Street within the 5-year moratorium after City repaving (beginning February 9, 2021), additional paving would need to be performed. Details would be worked out with Engineering staff.

AYES: Committee Members Beltran, Frazier, and Acting Chairperson Espinosa  
NOES: None  
ABSENT: None

4.2 Site Plan Application #507, submitted by Jose Figueroa, applicant for Balbir Kaur and Gurdial Singh, property owners, to allow a food truck in the parking lot of Smiley's, the gas station and used car lot, located at 1480 W. 16th Street, within a Thoroughfare Commercial (C-T) Zone with a General Plan designation of Thoroughfare Commercial (CT).

Development Services Technician II DAVIS reviewed the application for this item. Refer to Draft Site Plan Review Resolution #507 for further information.

The applicant was not in attendance for this meeting.

Acting Chairperson ESPINOSA requested clarification on the hours of operation for Smiley's Gas Station and proposed a modification to Condition #17 to ensure the proposed truck will have access to restrooms during all their hours of operation, even if the gas station is closed.

M/S FRAZIER-BELTRAN, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #22-47, and approve Site Plan Review #507, subject to the Findings

and nineteen (19) conditions set forth in Draft Resolution #507, with the modification of Condition #17 as follows:

(underlined text is added text, ~~strikethrough~~ text is deleted text):

17) The applicant shall provide restroom facilities for their employees during all operating hours. These restrooms shall be available in a permanent building that meets the Health Department's requirements for distance from the business operation. Portable toilets shall not be allowed.

AYES: Committee Members Beltran, Frazier, and Acting  
Chairperson Espinosa  
NOES: None  
ABSENT: None

4.2 Site Plan Application #504, submitted by Golden Valley Engineering on behalf of MG Star, LLC, property owners, to allow the construction of a gated entrance on Portico Drive, east of Barclay Way, for the Paseo subdivision, making the subdivision a gated, private subdivision. The Paseo subdivision consists of 136 single-family lots, generally located at the northwest corner of G Street and Bellevue Road, with the entrance to the subdivision being off Barclay Way and Portico Drive. The site is zoned Residential Planned Development (RP-D) #63 with a General Plan designation of Low-Medium Density (LMD).

Senior Planner NELSON reviewed the application for this item. Refer to Draft Site Plan Review Resolution #504, dated December 15, 2022, for further information.

Also in attendance were the following members of the applicant's team:

Mubarek Geham, MG Star, LLC  
Stephanie Stine, MG Star, LLC  
Jim Xu, Golden Valley Engineering  
Zach Janz, Golden Valley Engineering

Senior Planner NELSON explained that this matter had been considered at the Site Plan Committee meeting of November 10, 2022, and was tabled at the time to allow staff to work with the applicant on the details of the vacation process for the streets.

Ms. Nelson went over the changes that were made to the Draft Site Plan Resolution which included changes to the Findings and Conditions. It was determined that the Draft Resolution included in the Site Plan Committees Agenda Packet was the resolution from the previous meeting and didn't include the changes Ms. NELSON had detailed in her presentation.

The Committee had a brief discussion regarding the proposed changes and Committee Member FRAZIER requested an additional condition be added to address the vacation of the streets if any homes were sold prior to the vacation process being completed. The applicant was in agreement with adding the condition.

M/S BELTRAN-FRAZIER, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #22-40, and approve Site Plan Review #504, subject to the Findings and fourteen (14) conditions set forth in Draft Site Plan Resolution #502, subject to the addition of Findings M and N and the modification of Conditions #6, and #7, and the addition of Conditions #15 and #16 as follows (underlined text is added text, ~~strikethrough~~ text is deleted text):

- M) The roadways would be vacated (subject to City Council approval) and be reverted back to the individual lots. An easement for City utilities and access would be retained (Condition #7). The developer has formed a Homeowner's Association (HOA) which will assume the responsibility of the roadways (including park strips) from each individual lot and indemnify the owner of each individual lot. At the time of sale, the buyer will be provided with documents regarding the responsibilities of the HOA.
- N) The Site Plan Committee considered this request on November 10, 2022. However, due to questions related to the

vacation of the streets, the item was tabled until the issues could be resolved. On November 28, 2022, the developer met with Mike Beltran, City Engineer, and Julie Nelson, Senior Planner, and it was determined that the streets could be vacated and have the HOA take over the responsibility of the streets as described in Finding M.

- 6) The owner shall ~~work with the City Surveyor to determine the most efficient process for vacating the streets and any other necessary right-of-way within the gated subdivision~~ submit an application for vacation of the streets, including sidewalks and park strips. The vacation shall include all areas within the subdivision, including the area at the entrance to the subdivision, outside of the gate, adjacent to Barclay Way.
- 7) An easement shall be provided ~~for all utilities that remain in the vacated right-of-way area~~ to the City for all utilities that remain in the vacated right-of-way area, as well as for vehicular access for public safety, public works repair vehicles, and refuse.
- 15) For purposes of determining setbacks for the individual lots within the subdivision, the property line shown on the recorded map for the Paseo Subdivision recorded in Volume 76 at Pages 39 through 44 shall be used as if the vacation of the right-of-way had not taken place.
- 16) If any homes are sold prior to the vacation of the streets being finalized, the developer shall include conditions in any sales contract to advise the new owner of the fact that the streets would be private streets in the future.

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

NOES: None

ABSENT: None

5. **INFORMATION ITEMS**

5.1 **Calendar of Meetings/Events**

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

6. **ADJOURNMENT**

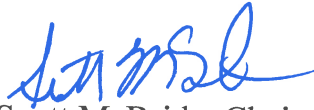
There being no further business, Acting Chairperson ESPINOSA adjourned the meeting at 2:14 p.m.

Respectfully submitted,



Kim Espinosa, Secretary  
Merced City Site Plan Review Committee

APPROVED:



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