

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, November 17, 2016

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

ROLL CALL

Committee Members Present: Principal Planner King (for Director of Development Services Gonzalves) and Plan Examiner England (for Assistant Chief Building Official Graves)

Committee Members Absent: Engineering Department Representative

Staff Present: Planner/Recording Secretary Mendoza-Gonzalez

1. **MINUTES**

M/S ENGLAND - KING, and carried by unanimous voice vote (Engineering Department representative absent), to approve the Minutes of October 13, 2016, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

- 4.1 Site Plan Application #405, by Lourdes Mendez, on behalf of Christine Lim, on behalf of ACT Property Acquisition Partnership, property owner(s), to construct a 9,800-square-foot building with two tenant spaces [one tenant space to be occupied by ACT Environmental Services (a medical waste facility) and the other tenant to be determined] and a future 12,000-square-foot building at 271 Riggs Avenue, within a Light Industrial (I-L) Zone.

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Planner MENDOZA-GONZALEZ reviewed the application for this item. For further information, refer to Draft Site Plan Review Committee Resolution #405.

Applicant Lim explained that Finding B should be revised to show that the drainage basin will be constructed in Phase I (even though it is shown as part of Phase II on the site plan at Exhibit B). Committee Member ENGLAND noted that Condition #31 should be added to show that a fire sprinkler system shall be required for buildings of 5,000 square feet or more, as required by the Merced Municipal Code. Condition #21 was modified to show that a double trash enclosure shall be required for Phase I, as requested by Refuse Department staff prior to this meeting.

M/S ENGLAND - KING, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #16-31, and approve Site Plan Application #405, subject to the Findings and thirty (30) conditions set forth in the Draft Resolution #405 with modifications to Finding B, Condition #21, and the addition of Condition #31 as follows:

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

- “B. This Project will be developed in two phases. Phase One includes a 9,800-square-foot building (with two tenant spaces), 13 parking stalls, ~~and~~ a trash enclosure, and a drainage basin (even though it’s shown in Phase II of the site plan at Exhibit B). The size of the drainage basin may be impacted by the development of Phase II and/or the Post Construction Standards. One tenant space (4,900 square feet) will be occupied by ACT Environmental Services (a medical waste facility) and the other tenant has yet to be determined. Phase Two includes the construction of a 12,000-square-foot-building and 10 parking stalls. Construction of Phase One is expected to begin around 2017 and construction of Phase Two is expected to begin around 2019.
- “21. The applicant shall work with the City’s Refuse Department to determine the best location for the refuse enclosure and to determine if a recycling container would be required. A double trash enclosure shall be required.

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- “31. Fire sprinklers shall be required for buildings over 5,000 square feet, as required by the Merced Municipal Code.”

AYES: Committee Members England and Acting Chairperson King

NOES: None

ABSENT: Engineering Department Staff

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 KING adjourned the meeting at 1:55 p.m.

Respectfully submitted,



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

APPROVED:



BILL KING, Acting Chairperson/
Principal Planner King
Merced City Site Plan Review Committee

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #405

<u>Christine Lim</u> APPLICANT	<u>Construct a 9,800-square-foot building with two tenant spaces (one tenant space to be occupied by ACT Environmental Services and the other tenant has yet to be determined) and a future 12,000-square-foot building.</u> PROJECT
<u>405 W. 19 St.</u> ADDRESS	<u>271 Riggs Avenue</u> PROJECT SITE
<u>Merced, CA 95340</u> CITY/STATE/ZIP	<u>059-420-074</u> APN
<u>209-722-3200</u> PHONE	<u>Light Industrial (I-L)</u> 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 #405 on November 17, 2016, submitted by Christine Lim, on behalf of ACT Property Acquisition Partnership, property owner(s), to construct a 9,800-square-foot building with two tenant spaces [one tenant space to be occupied by ACT Environmental Services (a medical waste facility) and the other tenant to be determined] and a future 12,000-square-foot building at 271 Riggs Avenue, within a Light Industrial (I-L) zone. Said property being described as Parcel 1 according to map entitled “Minor Subdivision Application #01-07 Parcel Map for City of Merced,” recorded in Volume 89, Page 26, Sheets 3 of 3, Merced County Records; also known as Assessor’s Parcel Number (APN) 059-420-074.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15332 (Exhibit F); and,

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

- A) The proposal complies with the General Plan designation of Industrial and the Zoning classification of Light Industrial (I-L).
- B) This Project will be developed in two phases. Phase One includes a 9,800-square-foot building (with two tenant spaces), 13 parking stalls, a trash enclosure, and a drainage basin (even though it’s shown in Phase II of the site plan at Exhibit B). The size of the drainage basin may be impacted by the development of Phase II and/or the Post Construction Standards. One tenant space (4,900 square feet) will be occupied by ACT Environmental Services (a

medical waste facility) and the other tenant has yet to be determined. Phase Two includes the construction of a 12,000-square-foot-building and 10 parking stalls. Construction of Phase One is expected to begin around 2017 and construction of Phase Two is expected to begin around 2019.

- C) ACT Environmental Services has a hazardous materials transportation center at 251 Riggs Avenue (approved by the Site Plan Review Committee in 2008). This facility is located directly north of the subject site.
- D) The proposed medical waste facility would employ approximately 8 people. The largest shift would have 4 employees.
- E) The parking requirements for a processing facility is 1 parking stall per 1,000 square feet of floor area. Phase 1 of this Project provides 13 parking stalls. Based on the proposed 4,900-square-foot medical waste facility, the subject site is required to have a minimum of 5 parking stalls. The subject site has adequate parking for this use. However, additional parking stalls may be required for future uses within this building if more parking-intensive uses are proposed. Future land uses may be limited by parking availability.
- F) Approval of this use shall be subject to approval from the Airport Land Use Commission or its staff designee (see Condition #27). City Council may override the Commission's determination.
- G) As shown on Exhibit D, according to the applicant, the California Department of Public Health has approved ACT's Medical Microwave Disinfection System to treat the following medical waste types: blood and blood products, dialysis waste, human tissues and body parts, needles, cultures, research waste, packaging materials, etc. Waste types not originally reviewed and approved with this application may require additional permits from the California Department of Public Health, Merced County Health Department, City of Merced Fire Department, City of Merced Water Quality Control Division, Airport Land Use Commission or other regulatory agencies (see Condition #28).
- H) Parking lot trees are not required, but are encouraged to be installed per the City's Parking Lot Landscape Standards. Trees shall be a minimum of 15-gallons, and be of a type that provides a 30-foot minimum canopy at maturity (trees shall be selected from the City's approved tree list). Trees shall be installed at a ratio of at least one tree for each six parking spaces. Street trees shall be planted as required by City Standards. Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State's Emergency Regulation for Statewide Urban Water Conservation or any other state or City mandated water regulations.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #405 subject to the following conditions:

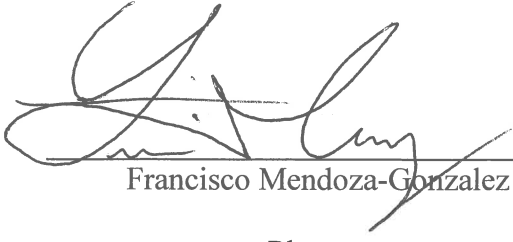
- 1) The subject site shall be constructed as shown on Exhibit B (site plan), Exhibit C (floor plan), and Exhibit D (elevations), except as modified by the conditions of approval within this resolution.
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan 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. New codes are in effect January 1, 2017.

- 8) Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
- 9) All required Fire Permits shall be obtained from the City of Merced Fire Department during the building permit stage.
- 10) Building Commissioning, as required by the California Green Code, is required for buildings over 10,000 square feet in size (including those constructed during Phase Two).
- 11) Bicycle racks shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces.
- 12) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- 13) 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.
- 14) All mechanical equipment shall be screened from public view.
- 15) The premises shall remain clean and free of debris and graffiti at all times.
- 16) A backflow prevention device shall be provided for all water services (i.e., domestic, irrigation, and fire).
- 17) The developer shall work with the City Engineer to determine the requirements for storm drainage on the site. The developer shall provide all necessary documentation for the City Engineer to evaluate the storm drain system. All storm drain systems shall be installed to meet City Standards and state regulations.
- 18) The project shall comply with all the Post Construction Standards required to comply with state requirements for the City's Phase II MS-4 Permit (Municipal Separate Storm Sewer System).
- 19) The operator of the facility shall obtain an Industrial Storm Water Permit from the California State Water Board and shall comply with all state and local requirements for storm water.
- 20) All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
- 21) The applicant shall work with the City's Refuse Department to determine the best location for the refuse enclosure and to determine if a recycling container would be required.
- 22) The applicant shall contact the California Department of Public Health and the Merced County Health Department and comply with all requirements for this type of business prior to obtaining a business license or building permit.

- 23) The applicant shall submit an Industrial User Survey to the City's Water Quality Control Division during the building permit stage.
- 24) The applicant shall contact the City's Water Quality Control Division and comply with all requirements for this type of business and obtain all proper permits prior to opening for business. Said requirements may include, but are not limited to, ensuring that the storage area (for waste) does not contain drains and ensuring that all items are stored in secondary containments.
- 25) Storage waste inside the building shall be stored and removed as required by State and/or Federal law.
- 26) The business owner and their successors-in-interest shall be fully responsible for any Project-related contamination that may be found on the site, away from the site, and for any necessary clean-up of such contamination. This includes all types of hazardous materials or other contaminants. The site plan permit may be subject to review and revocation by the City of Merced per the procedures in the Merced Municipal Code.
- 27) Approval of this application is subject to approval and/or recommendation by the Airport Land Use Commission, or its staff designee, to determine that the project is consistent with the Airport Land Use Compatibility Plan.
- 28) Waste types not originally approved with this request may require additional permits from the California Department of Public Health, Merced County Health Department, City of Merced Fire Department, or the City of Merced Water Quality Control Division. The applicant shall be responsible for contacting all pertinent regulatory agencies and informing them of any changes in waste storage types stored in this facility and obtaining proper permits.
- 29) 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.
- 30) Parking lot and building lighting shall be shielded or oriented in a way that does not allow "spill-over" onto adjacent lots in compliance with the California Energy Code requirements. Any lighting on the building shall be oriented to shine downward and not spill-over onto adjacent properties.
- 31) Fire sprinklers shall be required for buildings over 5,000 square feet, as required by the Merced Municipal Code.

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

11-17-16
DATE



Francisco Mendoza-Gonzalez
Planner
TITLE

Exhibits

- A) Location Map
- B) Site Plan
- C) Floor Plan
- D) Elevations
- E) Business Operation Information
- F) Categorical Exemption



FALCON
CONDOR

Riggs Ambulance
Service

RIGGS

Subject Site

WEST

Residential
(County Jurisdiction)

R

Merced Regional Airport

GERARD

EXHIBIT A



These drawings are the property of ACT Environmental Services, Inc. and are not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of ACT Environmental Services, Inc. The drawings are prepared by ACT Environmental Services, Inc. and are not to be used for any other purpose without the prior written permission of ACT Environmental Services, Inc.

REVISIONS:

GOLDEN VALLEY
405 W. 19th Street • P.O. Box 349 • Merced, CA 95340
Phone (209) 722-9200 • Fax (209) 722-9254

ACT ENVIRONMENTAL SERVICES
NEW BUILDING FOR
A.P.N. 059-042-074 (PHASE D)
CALIFORNIA

MERCED

PREPARED FOR:
WALT SINGER
1210 ELKO DR.
GOLDEN VALLEY, CA 94609
PHONE (415) 548-5555

SHEET NO.: 15-079
• Floor Plan

DESIGNED BY: C.V.E.S.
DRAWN BY: CHRISTINE
CHECKED: JAU
DATE: MAY 2016
JOB NO.: 15-079

SHEET
A1

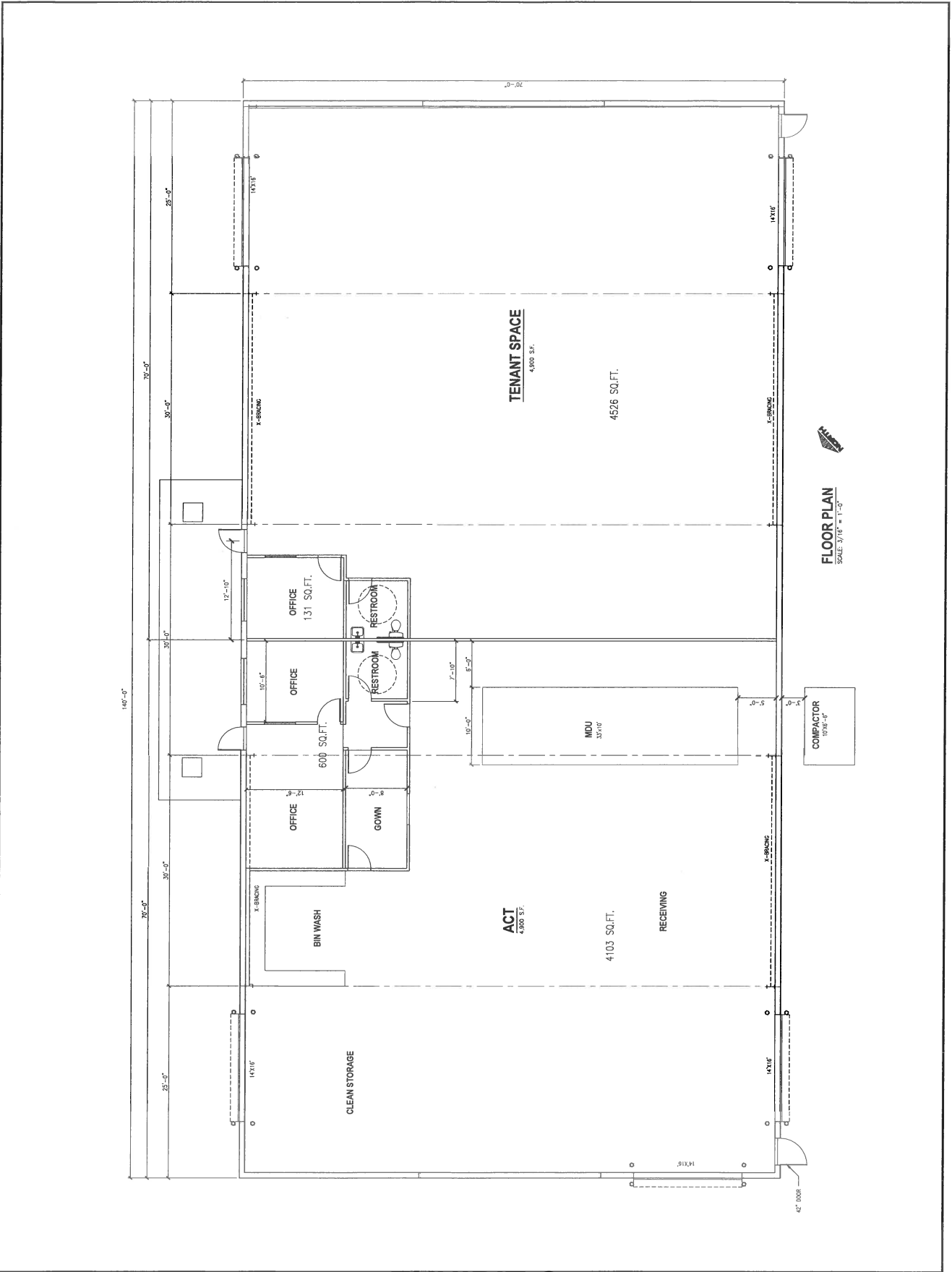
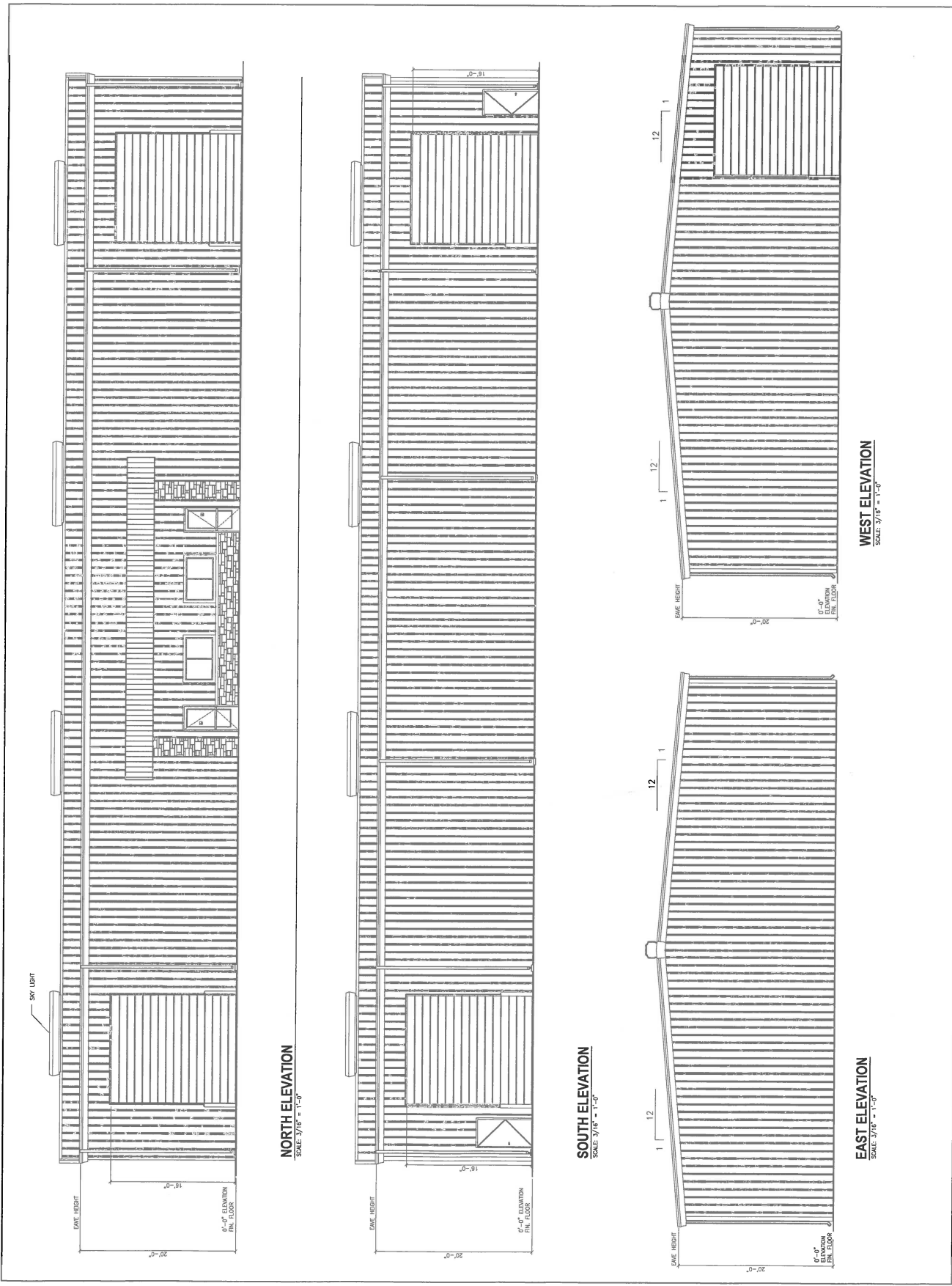


EXHIBIT C



NORTH ELEVATION
SCALE: 1/16" = 1'-0"

SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

EAST ELEVATION
SCALE: 1/16" = 1'-0"

WEST ELEVATION
SCALE: 1/16" = 1'-0"

ACT ENVIRONMENTAL SERVICES
NEW BUILDING FOR
A.P.N. 059-042-074 (PHASE II)
CALIFORNIA

GOLDEN VALLEY
405 W. 15th Street • P.O. Box 349 • Merced, CA 95340
Phone: (209) 722-3200 • Fax: (209) 722-3254

DESIGNED BY:
WALT SINGER
1210 ELKO DR.
SUNNYVALE, CA 94089
PHONE: (408) 548-5550

SHEET CONTENTS:
- Elevations

REVISIONS:
REVISION BY: CHRISTINE
CHECKED: JUI
DATE: MAY 2016
JOB NO.: 16-079

A2
SHEET

REVISIONS:
1. 05/10/16: Initial Design
2. 05/10/16: Final Design
3. 05/10/16: Final Design
4. 05/10/16: Final Design
5. 05/10/16: Final Design
6. 05/10/16: Final Design
7. 05/10/16: Final Design
8. 05/10/16: Final Design
9. 05/10/16: Final Design
10. 05/10/16: Final Design

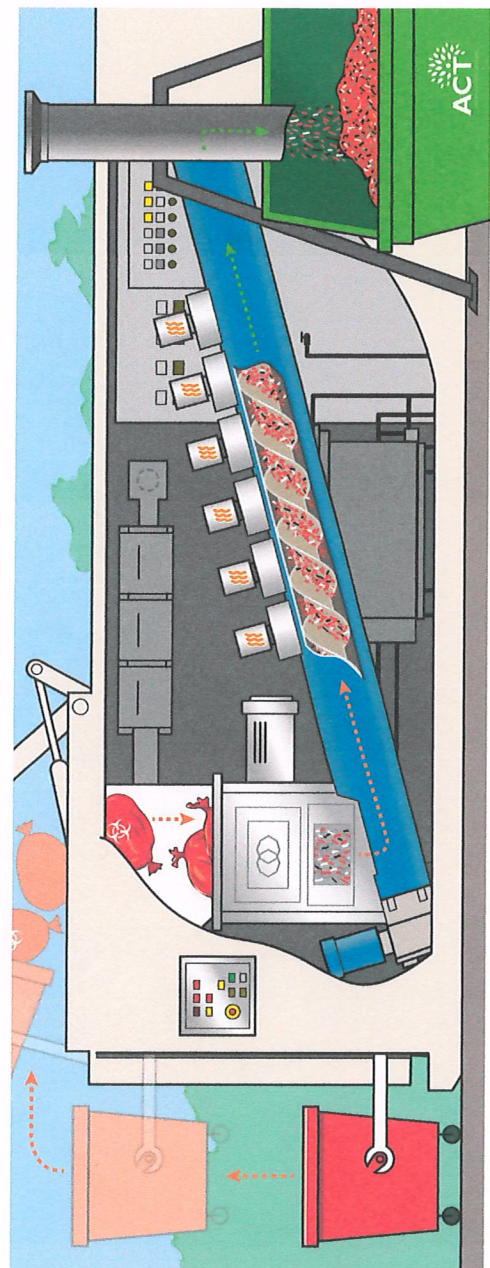


Processed wastes are thoroughly disinfected, rendered unrecognizable via shredding and reduced in volume by approximately 80% (saving valuable landfill space and reducing hauling requirements and costs).

If you choose our waste-to-energy option, 1 ton of your treated waste can power the average American home for over 2 weeks.

(per U.S. Department of Energy 2014 statistics)

EXHIBIT E



ACT Medical is reshaping the way in which regulated medical waste is disposed of with our innovative Microwave Disinfection System, which combines proven microwave disinfection technology with precise computer controls to deliver a superior waste processing system.

At ACT Medical, we understand that between highly-variable disposal costs, ever-evolving regulatory controls and an increased focus on sustainability, today's healthcare and life sciences providers face more waste disposal challenges than ever before. While you have many choices for the safe disposal of regulated medical waste, we at ACT Medical believe the breadth of our offerings allows us to tailor the perfect solution for you.

Once treated through our ACT Medical systems, the regulated medical waste types listed to the right can be disposed of as non-regulated solid waste in landfills or used as feed stock for waste-to-energy facilities, helping companies reach their sustainability goals (see stats at left).



ACT Medical's Microwave Disinfection System is permitted by the California Department of Public Health (CDPH) as an "Approved Alternate Technology" for regulated medical waste, including the following:

- Blood and Blood Products
- Dialysis Waste
- Animal and Human Tissues, Body Parts and Carcasses
- Needles, Syringes and Other Sharps
- Research Waste
- Laboratory Specimens
- Surgery Waste
- Pathology and Histology Samples
- Isolation Waste
- Cultures, Slides and Well Plates
- Intravenous Bags, Blood Bags and Associated Tubing
- Animal Bedding
- Packaging Materials
- Gloves and Gowns Associated with Waste Collection

ACT Medical can also provide incineration or other processing options for chemotherapy waste, pharmaceuticals and other materials where microwave disinfection is not appropriate.

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: Site Plan Review #405 (Environmental Review #16-31)

Project Applicant: Christine Lim

Project Location (Specific): 271 Riggs Avenue APN: 059-420-074

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

Description of Nature, Purpose, and Beneficiaries of Project:

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Christine Lim

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));
☒ Categorical Exemption. State Type and Section Number: 15332
☐ 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 is considered an in-fill project. The project location is within the City limits on an approximately 2.0-acre parcel surrounded by urban uses. The site can be served by all required utilities and public services, and the project site has no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from the construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

Lead Agency: City of Merced

Contact Person: Francisco Mendoza-Gonzalez

Area Code/Telephone: (209) 385-6858

Signature:  **Date:** 11-08-2016 **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 F