

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, November 16, 2017

Acting Chairperson ESPINOSA called the meeting to order at 1:35 p.m.

ROLL CALL

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

Committee Members Absent: None

Staff Present: Planner/Recording Secretary Mendoza-Gonzalez and Engineering Technician Flores

1. **MINUTES**

M/S SON - BROWN, and carried by unanimous voice vote, to approve the Minutes October 26, 2017, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

- 4.1 Site Plan Application #415, submitted by Ice House America, applicant for Hamid Yahya, property owner, to install a 136-square-foot ice kiosk within the Choice Food Market parking lot located at 836 T Street, within a Neighborhood Commercial (C-N) Zone.

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

November 16, 2017

Resolution #415. The applicant, DEBRA PERRY, and her engineering staff were in attendance to answer questions from the Committee.

M/S BROWN - SON, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #17-17, and approve Site Plan Application #415, subject to the Findings and seventeen (17) conditions set forth in the Draft Resolution #415:

AYES: Committee Members Brown, Son, 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 2:05 p.m.

Respectfully submitted,



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

APPROVED:



Kim Espinosa, Acting Chairperson/
Planning Manager
Merced City Site Plan Review Committee

CITY OF MERCED
SITE PLAN REVIEW APPLICATION
RESOLUTION #415

<u>Ice House America</u> APPLICANT	<u>Install a 136-square-foot outdoor ice kiosk.</u> PROJECT
<u>2268 Camino Ramon</u> ADDRESS	<u>836 T Street</u> PROJECT SITE
<u>San Ramon, CA 94583</u> CITY/STATE/ZIP	<u>032-121-002</u> APN
<u>(973) 534-3940</u> PHONE	<u>Neighborhood Commercial (C-N) Zone</u> ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Merced City Site Plan Review Committee considered and administratively approved Site Plan Review Application #415 on November 16, 2017, submitted by Ice House America, applicant for Hamid Yahya, property owner, to install a 136-square-foot ice kiosk within the Choice Food Market parking lot located at 836 T Street, within a Neighborhood Commercial (C-N) Zone. Said property being more particularly described as Lots 7 and 8 from Block 347 as shown on the map entitled "Map of Resubdivision of Part of Adjoining Acreage Property in City of Merced" recorded in Volume 10, Page 26 of Merced County Records; also known as Assessor's Parcel Number (APN) 032-121-002.

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 City of Merced General Plan designation of Neighborhood Commercial (CN) and the Zoning classification of Neighborhood Commercial (C-N).
- B) The subject site has conditional use permit approval to operate as a convenience market with alcohol sales for offsite consumption (CUP #1170). The proposed outdoor ice kiosk is considered an ancillary use to the convenience market.
- C) As shown on Exhibit B, the ice kiosk (6'8" x 19') would be located within the northeast quadrant of the parcel, about 5 feet from the eastern property line.
- D) The proposed location of the ice kiosk would not block any driving aisles, fire lanes, fire hydrants, or building exits.
- E) The applicant is proposing to provide water services, sewer services, and electric utilities to the ice kiosk (Condition #8).

- F) The parking spaces to the west of the ice kiosk would be redesigned to meet the City's Engineering Parking Lot Standards and ADA requirements (Condition #13).
- G) A Public Hearing Notice was circulated in the newspaper and mailed to adjacent residential property owners at least 10 days before the public hearing, in accordance with MMC Section 20.68.050.E and MMC Chapter 20.70. Staff did not receive any public comments for this project, as of the time that this report was prepared (11/8/2017).
- H) No modifications are being proposed for the interior or exterior of the convenience market building. Such modifications could require building permit approval.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Review Application #415, subject to the following conditions:

- 1) The proposed project shall be constructed/designed as shown on Exhibit B (site plan), Exhibit C (conceptual rendering), and 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) The Project shall comply with all relevant conditions set forth in Planning Commission Resolution #2113 for Conditional Use Permit #779 and Planning Commission Resolution #3004 for Conditional Use Permit #1170 (including Condition #10 regarding installing “No Loitering” signs and Condition #11 regarding alcohol advertisements) previously approved for this site.
- 4) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply including, but not limited to, accessibility compliance.
- 5) 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.
- 6) 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.
 - 7) The premises shall remain clean and free of debris and graffiti at all times. Any damaged materials to the kiosk shall be replaced by matching materials and paint colors.
 - 8) Any proposed sewer and water utilities for the kiosk shall connect to the existing domestic utility lines on this site.
 - 9) A licensed architect or engineer shall submit a building permit application for the installation of the kiosk and all related improvements on this site. Detailed plans shall be submitted that depict power and water supply connections, as well as drainage line locations and connections.
 - 10) The applicant shall submit an official signage plan and colored elevations for the kiosk during the building permit stage. These plans are subject to approval from the Planning Department. Signage used for the ice kiosk shall count towards the maximum amount of signage allowed for the Choice Food Market.
 - 11) The applicant shall provide outdoor lighting with a minimum 15-foot radius of illumination around the ice kiosk. Lighting may be placed on either the building wall, ice kiosk, or a parking lot light post. Details to be worked out with Planning staff during the building permit stage.
 - 12) All parking spaces located within this parcel shall be re-painted with a fresh coat of paint.
 - 13) The parking lot layout shall comply with all applicable City Engineering Standards and ADA requirements. Any missing parking lot trees shall be provided at a ratio of one tree for every six parking spaces within this parcel (APN 032-121-002). These trees shall be installed per the City's Parking Lot Landscape Standards, 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).

November 16, 2017

- 14) A temporary sign permit shall be obtained prior to installing any temporary banners. Temporary freestanding signs (i.e. A-frame signs, feathered signs, or sandwich boards) are not allowed.
- 15) The proprietor and/or successors in interest and management shall be prohibited from advertising or promoting beer & wine and/or distilled spirits on the ice kiosk.
- 16) Any existing beer and wine advertisements on the Choice Food Market building walls or windows are prohibited per CUP #1170, and shall be removed prior to issuance of a building permit for the ice kiosk.
- 17) The applicant shall comply with all City of Merced business licensing requirements and all requirements of the Merced County Health Department.

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

November 16, 2017

DATE



SIGNATURE

Planner

TITLE

Exhibits:

- A) Location Map
- B) Site Plan
- C) Conceptual Rendering
- D) Categorical Exemption

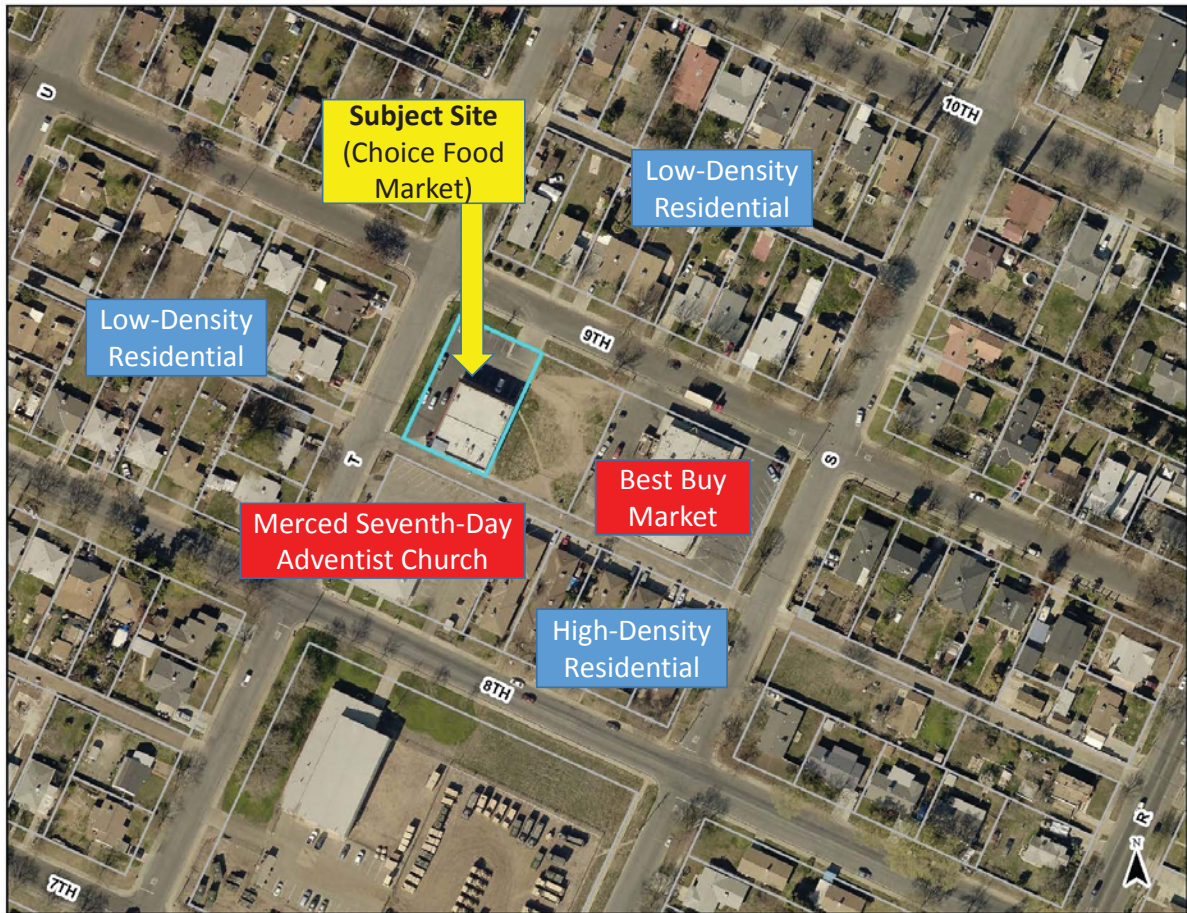


EXHIBIT A



[illegible][illegible]

BITE COORDINATES:		
LATITUDE	31.21108	
LONGITUDE	-120.30009	
SEISMIC ITEM#	VALUE	2016 CSC REFERENCE
SITE CLASS	D	
SOIL BEARING CAPACITY	1800 PSF	APPENDIX 106.1 / TABLE 106-2.4
SEISMIC IMPORTANCE FACTOR	1	CSC 106-3.1
SITE CATEGORY, Pa	0	TABLE 106-3.5 (I)
Se	0.094	FIGURE 106-3.5 (I)
Ss	0.094	SECTION 106-3.5 SON. 106-3.1
S _{ds}	0.394	TABLE 106-3.5 (I)
SITE CATEGORY, Pv		TABLE 106-3.5 (I)
S _i	0.378	TABLE 106-3.5 (I)
S _{u1}	0.504	SECTION 106-3.5 SON. 106-3.6
S _{u2}	0.394	TABLE 106-3.5 (I)

LEGEND

	- STEEL		- NATIVE SOIL
	- MASONRY		- ENGINEER'S FILL
	- AGGREGATE		- A.C. PAVING
	- DEDICATION		- CONCRETE
	- TRUNCATED DORIES		- LANDSCAPE

DESIGN SPECIFICATIONS:	
OCCUPANCY TYPE:	F3
CONSTRUCTION TYPE:	V8 NON-SPRINKLERED
GOVERNING CODE:	2016 CBC
SEISING DESIGN CATEGORY:	D
FRESH AIR AND LAND	13 MPH EXPOSURE B
ALLOWABLE SOIL BEARING PRESSURE:	N/A
COMPRESSIVE STRENGTH OF CONC. # 25 DAYS	N/A
LIVE LOADS:	
ROOF:	N/A **
FLOOR:	N/A
DEAD LOADS:	
ROOF (1-8 LB/GS/LF)	N/A **
ROOF (FRESH GELINE)	N/A **
PALL:	N/A **

VICINITY MAP

The map shows a grid of streets. The project site is a shaded rectangular area located at the intersection of R. 4TH ST. and R. 5TH ST. The site is situated on the east side of R. 4TH ST. and south of R. 5TH ST. Other streets shown include R. 10TH ST. to the north and R. 6TH ST. to the south. A north arrow is located in the bottom right corner of the map.

OWNER DATA:

YANHA HANID
888 T ST.
MERCED, CA 95341
PHONE:
CONTACT: YANHA

TENANT OWNER:

IMILGO PROPERTIES, INC.
3288 CAMINO RANCHO
SAN RAMON, CA 94565
CONTACT: JESSIE BOUGHARD OR DESIRA PERRY
PHONE:
409-114-2010 OR 415-354-3440

FIMLICO PROPERTIES, INC.
2268 CAMINO RAMON
SAN RAMON, CA 94505
CONTACT: JUSTIN BOUCHARD OR DEBRA PERRY
PHONE: 925-714-2010 OR 925-554-3440

BUILDING DEPARTMENT:
CITY OF MERCED
615 WEST 16TH STREET
MERCED, CA 95340
CONTACT: DEVELOPMENT DEPARTMENT
PHONE: (209) 386-1000

HEALTH DEPARTMENT
MERGED COUNTY HEALTH DEPARTMENT
360 E. 15TH STREET
MERGED, GA 30341

ENGINEER OF RECORD:
RICARDO LEAL, P.E.
CENTRAL VALLEY ENGINEERING AND SURVEYING, INC.
2182 HIGH STREET
SELMA, CA 95662
PHONE: 559-881-2881
EMAIL: rleal@csvee.com

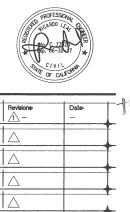
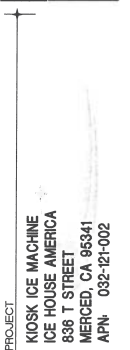
PROJECT DATA:	
EXISTING USE:	BUSINESS
APRN.	092-13-002
SITE ADDRESS:	818 N. OLIVERA T STREET MERCED, CA 95364
ZONE:	"
CONSTRUCTION TYPE:	VB NON-SPRINKLERED - EXISTING
OCCUPANCY:	F-2
FIRE SPRINKLER SYSTEM:	N/A
FIRE ALARM SYSTEM:	N/A

SITE DATA:			
SITE AREA:	15,000 SF	0.34 ACRES	
ALLOWABLE BUILDING AREA ANALYSIS:	F-2 2 X 15,000	26,000 SF	1.70 ACRES
	M 8 X 7,000	21,000 SF	1.37 ACRES
NEIGH. EXIST. MACHINE:		106.7 SF	
EX. BLDG. 1:	506.5 SF	106.4 SF	
TOTAL BLDG. GROUND AREA:	516.5 SF	106.0 SF	0.07 ACRES
ACTUAL GROUND LOT COVERAGE:	0.34	2.33	
EXISTING PARKING STALL:		13	
EXISTING PARKING STALL TO BE REMOVED:		2	
EX. ADA PARKING STALL:		1	
NEW PARKING STALL:		0	
NEW ADA PARKING STALL NEAR MACHINE:		1	
TOTAL PARKING STALL:		13	

SHEET INDEX:

ARCHITECTURAL	
A1.0	COVER SHEET, SITE AND PROJECT DATA
A1.1	VICINITY MAP
A1.2	OVERALL SITE PLAN
A1.3	PROPOSED SITE PLAN
A1.4	SITE DETAILS
A1.5	CITY STANDARDS AND UTILITY DETAILS
A2.0	KIOSK FLOOR PLAN AND ELEVATIONS
B0	ELECTRICAL, NOTES, SCHEDULES, AND DETAILS
ICE HOUSE SPECIFICATION PLANS	
IHS1	ICE HOUSE SPECIFICATIONS - CIVIL
IHS2	ICE HOUSE SPECIFICATIONS - FLOOR/STRUCTURAL/PLUMBING
IHS3	ICE HOUSE SPECIFICATIONS - ELECTRICAL

SCOPE OF WORK:	
1.	INSTALL AN ICE HOUSE ON THE PREMISE ALONG WITH UTILITIES (WATER, SEWER, AND ELECTRIC) FOR THE UNIT.



PROJECT AND OWNER
DATA, VICINITY MAP, AND
SHEET INDEX

CVEAS JOB #:	15156
DATE:	10-19-2017
PLANNING SUBMITTAL #:	XX-XXXX
PLAN CHECK SUBMITTAL #:	XX-XXXX
DRAWN BY:	XX
CHECKED BY:	FL
SCALE:	AS NOTED

A1.0

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 #415 (Environmental Review #17-17)

Project Applicant: Ice House America for Hamid Yahya (property owner)

Project Location (Specific): 836 T Street **APN:** 032-121-002

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: Ice House America for Hamid Yahya (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 installing an outdoor ice kiosk within a developed commercial site, 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:** 10-27-2017 **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