

**RESOLUTION NO. 2026-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
APPROVING SITE PLAN REVIEW PERMIT #26-  
0018, MINOR USE PERMIT #26-0030, AND  
ENVIRONMENTAL REVIEW #26-0050 FOR A  
PROJECT APPROXIMATELY 3.19 ACRES IN  
SIZE LOCATED ON THE SOUTHWEST CORNER  
OF EAST YOSEMITE AVENUE AND PARSONS  
AVENUE FOR THE CONSTRUCTION OF A SELF-  
STORAGE FACILITY.**

WHEREAS, on January 19, 2026, Yosemite 1380 LLC (“Applicant”) applied for a Site Plan Review Permit #26-0018, Minor Use Permit #26-0030, and Environmental Review #26-0050; and

WHEREAS, the subject site is generally located on the southwest corner of East Yosemite Avenue and Parsons Avenue, particularly described in Exhibit “A” and shown on the map at Exhibit “B”, both of which are attached hereto and incorporated herein by reference. The subject site is also known as Merced’s County Assessor’s parcel Number (APN) 006-050-068 and 006-050-072; and

WHEREAS, the subject site has a General Plan designation of Business Park (BP) and a Zoning classification of Planned Development (P-D) #20, and permissible land use includes “Self Storage,” allowing for self-storage facilities under the City Zoning Ordinance with approval of a Site Plan Review Permit; and

WHEREAS, the applicant provided “Heat Sink” analysis with their Site Plan Application #26-0018, as directed by City Council pursuant to City Council Resolution Number 2025-70, which concludes the proposed self-storage facility’s roofing would be constructed with the appropriate slope and material as required per 2022 California Green Building Standards Code, Title 24, Part 11; and

WHEREAS, the applicant provided updated landscaping plans with their application for Site Plan Review Permit #26-0018, as directed by City Council pursuant to City Council Resolution Number 2025-70, which includes landscaping through the west, north and east perimeter of the site that would serve as an enhanced natural barrier from the surrounding uses; and

WHEREAS, on May 18, 2026, the City Council lacked a quorum to consider this matter thereby postponing the duly noticed public hearing to June 15, 2026; and

WHEREAS, on June 15, 2026, the City Council held a duly noticed public hearing to consider Site Plan Review Permit #26-0018, Minor Use Permit #26-0030, and Environmental Review #26-0050, at which time all those interested in the matter were provided opportunity to speak or to provide written or oral testimony regarding the application.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. That the City Council of the City of Merced adopts Environmental Review #26-0050 (Categorical Exemption), pursuant to the provisions of the California Environmental Quality Act.

SECTION 2. FINDINGS. In view of all the record evidence including, but not limited to, the administrative reports and attachments thereto, presentations, comments, written and oral testimony, and other information and evidence presented during this Public Hearing, the City Council, exercising its independent judgment and making its own decision finds, in its discretion that the proposed project meets all applicable provisions of the Merced Municipal Code.

SECTION 3. SITE PLAN REVIEW PERMIT. The City Council hereby approves the Site Plan Review Permit #26-0018 based upon the findings set forth above, Conditions of Approval set forth in Exhibit "C" and Findings of Consideration set forth in Exhibit "D," and both specifically incorporated herein by this reference.

SECTION 4. MINOR USE PERMIT. The City Council hereby approves the Minor Use Permit #26-0030 based upon the findings set forth above, Conditions of Approval set forth in Exhibit "C" and Findings of Consideration set forth in Exhibit "D," and both specifically incorporated herein by this reference.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_ 202\_, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:  
MATTHEW SERRATTO, MAYOR

\_\_\_\_\_  
Mayor

ATTEST:  
D. SCOTT MCBRIDE, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:  
CRAIG J. CORNWELL, CITY ATTORNEY

  
\_\_\_\_\_  
City Attorney                      Date

### LEGAL DESCRIPTION

Real property in the City of Merced, County of Merced, State of California, described as follows:

PARCEL 2, AS SHOWN ON "PARCEL MAP FOR WAINWRIGHT TRUSTS", RECORDED JANUARY 26, 2001 IN VOLUME 87 OF PARCEL MAPS, PAGES 45 AND 46 AND BEING A DIVISION OF REMAINDERS A AND B AS SHOWN ON "OAKMONT VILLAGE UNIT NO. 5", RECORDED IN VOLUME 46 OF OFFICIAL PLATS AT PAGES 37 THROUGH 39, MERCED COUNTY RECORDS.

EXCEPTING THEREFROM,

BEING A PORTION OF PARCEL 2 AS SHOWN ON "PARCEL MAP FOR WAINWRIGHT TRUSTS", RECORDED IN VOLUME 87 OF PARCEL MAPS, AT PAGES 45 AND 46, MERCED COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE S. 00 DEG. 52'42" W. 10.00 FEET ALONG THE EAST LINE OF SAID PARCEL 2, THENCE S. 89 DEG. 56'07" W. 155.37 FEET, THENCE N. 77 DEG. 48'29" W. 47.11 FEET TO THE NORTH LINE OF SAID PARCEL 2, THENCE N. 89 DEG. 56'07" E. 201.56 FEET ALONG SAID NORTH LINE TO POINT OF BEGINNING, AS GRANTED TO THE CITY OF MERCED, A MUNICIPAL CORPORATION BY DEED RECORDED AUGUST 22, 2001 IN VOLUME 4251 OFFICIAL RECORDS, PAGE 317, MERCED COUNTY.

APN: 006-050-068-000

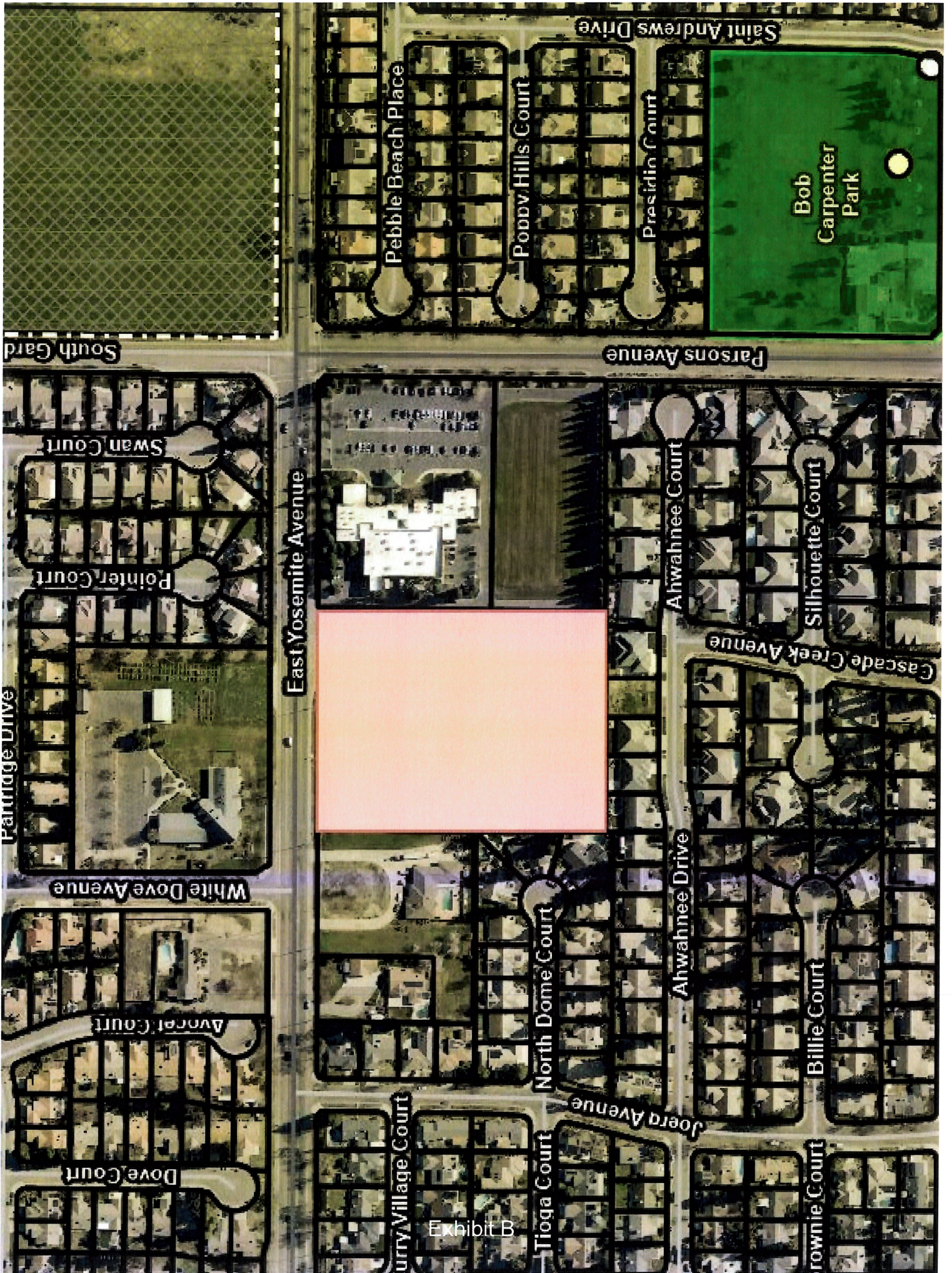


Exhibit B

**Conditions of Approval**  
**Site Plan Review Permit #26-0018**  
**Minor Use Permit #26-0030**

1. The proposed project shall be constructed/designed as shown on Attachment 2 of Planning Commission Staff Report #26-506 (Site Plan, Floor Plans and Elevation at), and as modified by the conditions of approval within this resolution.
2. The Project shall comply with all applicable conditions set forth in the resolutions for Annexation No. 137 (Southwest Yosemite and Parsons Annexation) and General Plan Amendment #24-02 previously approved for this site.
3. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
4. The developer/owner is required to finance the annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, streetlights, parks and open space, which may include a financing mechanism such as a Community Facilities District (CFD) or, assessment district. Procedures for financing these services and on-going maintenance shall be initiated before final map approval or issuance of a certificate of occupancy for any building, whichever comes first. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
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, suits, or proceeding.

Developer/applicant shall be responsible to immediately prefund the litigation cost of the City including, but not limited to, City's attorney's fees and costs. If any claim, action, suits, or proceeding is filed challenging this approval, the developer/applicant shall be required to execute a separate and formal defense, indemnification, and deposit agreement that meets the approval of the City Attorney and to provide all required deposits to fully fund the City's defense immediately but in no event later than five (5) days from that date of a demand to do so from City. In addition, the developer/applicant shall be required to satisfy any monetary obligations imposed on City by any order or judgment.

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 project shall comply with all requirements of the California Building Code and all flood requirements of the Federal Emergency Management Agency (FEMA), as well as the requirements for the California Urban Level of Flood Protection (CA 200-year flood).
8. All landscaping in the public right-of-way shall comply with State Water Resources Control Board Resolution No. 2015-0032 "To Adopt an Emergency Regulation for Statewide Urban Water Conservation" and the City's Water Conservation Ordinance (Merced Municipal Code Section 15.42). Xeriscape or artificial turf shall be used in place of natural sod or other living ground cover. If turf is proposed to be installed in park-strips or on-site, high quality artificial turf (approved by the City Engineer and Development Services Director) shall be installed. All irrigation provided to street trees, parking lot trees, or other landscaping shall be provided with a drip irrigation or micro-spray system. All landscaping shall comply with the City's Water Efficient Landscape Ordinance (MMC Section 20.36.030).
9. All landscaping shall be kept healthy and maintained in good condition and any damaged or missing landscaping shall be replaced immediately.
10. Trees and or fast-growing vines or other plants shall be planted on or near the block wall along E Yosemite Avenue to soften the visibility of the site as proposed in Attachment 3 of Planning Commission Staff Report #26-506.
11. Full public improvements shall be installed/repared if the permit value of the project exceeds \$100,000.00. 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.

12. Any missing or damaged improvements along the property frontage shall be installed/repared to meet City Standards. Any improvements that don't meet current City Standards shall be replaced to meet all applicable standards.
13. The applicant shall work with the City's Refuse Department to determine the proper location for a trash enclosure at the self-storage facility and if a recycling container will be required to comply with AB 341. The container(s) shall be enclosed within a refuse enclosure built to City Standards.
14. All mechanical equipment shall be screened from public view.
15. The parking lot layout shall comply with all applicable City Standards. Parking lot trees shall be provided at a ratio of one tree for every six parking spaces provided for customers (this does not apply to the long-term parking spaces). 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).
16. The driving aisles of the self-storage facility shall be paved with an impervious surface, as approved by the City Engineer.
17. The driving aisles in the self-storage facility and internal streets in the residential subdivision shall be designed to meet all City of Merced Engineering and Fire Department requirements, including those pertaining to turning radius, unless otherwise approved by the city engineer.
18. All vehicular gates shall be provided with a "click-to-enter" access and remote controls shall be provided to the City of Merced Police, Fire, and Public Works Departments. The device used shall be approved by the City prior to installation.
19. All gates shall be provided with a Knox box, as required by the Fire Department.
20. All service drives including the access and egress gates shall be posted as Fire Lanes. All signs and markings shall be as required by the Fire Department.
21. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
22. Parking lot lights and building lights shall be shielded or oriented in a way that does not allow "spill-over" onto adjacent lots or be a nuisance to adjacent

residential properties. This shall be done 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 parcels.

23. 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).
24. The self-storage facility may operate daily between 7:00 a.m. and 7:00 p.m. Hours of operation may be adjusted at the discretion of the Director of Development Services.
25. Dwellings within the storage units are prohibited.
26. Minor modifications to the site plan, floor plan, or elevations may be reviewed and approved by the Director of Development Services as allowed by Merced Municipal Code Section 20.20.020 (O).
27. The applicant shall dedicate all necessary street right-of-way and easements as needed for irrigation, utilities, drainage, landscaping, and open space during the Final Map stage as required by the City Engineer.
28. Plans shall meet current codes at the time of building permit application submittal. Building permit applications shall comply with the newest enacted California Building Codes. Plans shall be drawn by a licensed California design professional.
29. All undeveloped areas shall be maintained free of weeds and debris.
30. Sewer manholes shall be installed as required by the Engineering Department (if needed).

**Findings and Considerations**  
**Site Plan Review Permit #26-0018**  
**Minor Use Permit #26-0030**

**FINDINGS/CONSIDERATIONS:**

**Minor Use Permit Findings**

A) In order for the Planning Commission to approve or deny a conditional use permit or minor use permit, they must consider the following criteria and make findings to support or deny each criteria per MMC 20.68.020 (E) – Findings for Approval.

1. The proposed use is consistent with the purpose and standards of zoning district, the general plan, and any adopted area or neighborhood plan, specific plan, or community plan.

The proposed project would comply with the General Plan land use designation of Business Park (BP) which allows self-storage facilities with a site plan review permit. The project would also comply with the Zoning classification of Planned Development (P-D) #20.

2. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.

Staff has determined that the location, size, design, and operating characteristics of the proposal would be compatible with existing and future land uses in the vicinity. The proposed operation is relatively quiet and generates low traffic counts. In addition, Condition #24 limits the business hours of operation between 7 a.m. and 7 p.m. daily for the self-storage facility.

3. The proposed use will not be detrimental to the public health, safety, and welfare of the city.

This proposal will require building permits compliance with the California Building Code. During plan check, staff will review the proposal for matters concerning health and safety. With approval of the conditions within this resolution, staff does not anticipate that the approval of this request would adversely affect the public health, safety, and welfare of the City.

4. The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure.

The proposed development is considered in-fill development which is properly located within the City and adequately served by existing services and infrastructure such as street access, sewer connections, water connections, and other utilities.

### **Site Plan Review Findings**

A) A Site Plan Review Permit is required for the proposed self-storage for two reasons: 1) to develop a project within a Planned Development Zone; and, 2) because a public/mini storage is listed as a use that requires site plan review under the Land Use Table 20.10-1 – Permitted Land Uses in the Commercial Zoning Districts. This section applies to Planned Development Zones with General Plan designations of Business Park, unless specific land uses are identified by the Site Utilization Plan. Therefore, in order for the Planning Commission to approve or deny a site plan review permit, they must consider the following criteria and make findings to support or deny each criteria. The Findings required by MMC Section 20.68.050 (F) “Findings for Approval for Site Plan Review Permits” are provided below, along with recommended reasons to support each finding.

1. The proposed project is consistent with the General Plan, and any adopted area or neighborhood plan, specific plan, or community plan.

The project meets the requirements of the General Plan for this development is approved. There is no other area, specific, or neighborhood plans for this area.

2. The proposed project complies with all applicable provisions of the Zoning Ordinance and Municipal Code.

Approval of the proposed Site Plan Review #26-0018, and Minor Use Permit #26-0030 would bring the project into compliance with the applicable provisions of the Zoning Ordinance and Municipal Code.

3. The design and layout of the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.

There may be some temporary impacts such as vibration, noise, and dust during construction, but staff believes that the location, size, design, and operating characteristics of the proposal would be compatible with the existing and future land uses in the vicinity.

Therefore, with the implementation of the conditions of approval, the proposed project would not interfere with the enjoyment of the existing and future land uses in the vicinity.

4. *The proposed architectural design makes use of appropriate materials, texture, and color, and will remain aesthetically appealing and appropriately maintained.*

The applicant is proposing a typical design for a mini storage with a mixture of materials, colors, and textures. The building exterior would consist of a stucco finish with stone veneers. Landscaping and a wrought iron perimeter fence would be installed along the north elevation (E. Yosemite Avenue). The landscaping would be consistent with the landscaping placed at the neighboring medical offices. All structures onsite would generally consist of a uniform design and aesthetic. Staff believes that the proposed architectural design makes use of appropriate materials, texture, and color.

5. *Any proposed landscaping design, including color, location, size, texture, type, and coverage of plan materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.*

The proposal includes a landscape plan available at Planning Commission Staff Report #26-506 Attachment 3, that satisfies and exceeds City landscaping standards. Trees would be planted throughout the parking lot and along street frontages (if required by Public Works). Parking lot trees would have to conform with minimum City Standards regarding quantity (1 tree per 6 required parking stalls), gallon size (15 gallons), and branch width (30-foot canopy). Parking lot trees shall be from the City's list of approved tree species found within City Engineering Standards. Street trees shall be reviewed by the Engineering and Public Works Departments to ensure conformance with City Standards in regard to species type, irrigation plan, and tree spacing. All landscaping must comply with local regulations and State regulations regarding water conservation, as found under Merced Municipal Code Section 20.36 – Landscaping, and affiliated sections found under the WELO Act (MMC 17.60).

6. *The proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.*

The proposed project does not include any uses that would be detrimental to the public health, safety, and welfare of the City with implementation of the conditions of approval for the Site Plan Review Permit, and Minor Use Permit. Implementation of the conditions of approval and adherence to all Building and Fire Codes, and City Standards would prevent the project from having any detrimental effect on the health safety, and welfare of the City.