

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, June 13, 2019

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

1. ROLL CALL

Committee Members Present: Chief Building Official Frazier, Acting City Engineer Beltran, and Director of Development Services McBride

Committee Members Absent: None

Staff Present: Associate Planner/Recording Secretary
Mendoza-Gonzalez

2. MINUTES

M/S BELTRAN - FRAZIER, and carried by unanimous voice vote, to approve the Minutes of May 16, 2019, as submitted.

3. COMMUNICATIONS

None.

4. ITEMS

- 4.1 Site Plan Application #438, submitted by Tom E. Lawler, property owner, to construct an 8,400-square foot shell warehouse at 2266 Cessna Way, within a Light Industrial (I-L) Zone.

Planner MENDOZA-GONZALEZ reviewed the application. Refer to Draft Site Plan Resolution #438 for further information.

The applicant's engineer was attendance to answer questions from the Committee.

M/S FRAZIER - BELTRAN, and carried by the following vote to adopt a Categorical Exemption regarding Environmental Review #19-12, and approve Site Plan Application #438, subject to the Findings and thirty-seven (37) conditions set forth in Draft Resolution #438:

AYES: Committee Members Beltran, Frazier, and Chairperson
McBride

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**

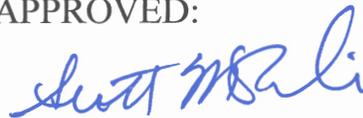
There being no further business, Chairperson McBRIDE adjourned the meeting at 1:45 p.m.

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 APPLICATION
 RESOLUTION #438

Lawler Excavation & Pipeline	Construct an 8,400-s.f. shell warehouse on a vacant lot.
APPLICANT	PROJECT
1791 Gibbs Avenue	2266 Cessna Way.
ADDRESS	PROJECT SITE
Atwater, CA 95301	059-640-007
CITY/STATE/ZIP	APN
(209) 384-7174	Light Industrial (I-L)
PHONE	ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and approved Site Plan Application #438 on June 13, 2019, submitted by Tom E. Lawler, property owner, to construct an 8,400-square foot shell warehouse at 2266 Cessna Way, within a Light Industrial (I-L) Zone. Said property being more particularly described as Parcel 5 as shown on that certain map entitled “Parcel Map for Skyview Industrial Park Phase 1” recorded in Volume 94, Page 16 of Merced County Records; also known as Assessor’s Parcel Number (APN) 059-640-007.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15332 (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 Light Industrial (I-L).
- B) Approval of this use shall be subject to approval from the Airport Land Use Commission or its staff designee (see Condition #27). The City Council may override the Commission’s determination.
- C) The subject site is a 0.56-acre vacant lot located within a partially developed industrial park with surrounding industrial uses. This Project includes two driveway approaches from Cessna Way into a parking lot with 9 parking stalls on the eastern portion of the parcel. The shell warehouse would be 8,400-square-foot large, 20-feet-tall, include 2 access doors and 3 roll-up garage doors on the north elevation, and 1 access door on the east elevation. The building

design includes a metal panel exterior with stone veneers, metal canopies, and skylights. The applicant has yet to find a tenant for the warehouse.

- D) The parking requirement for a warehouse is 1 parking space per 2,000 square feet of floor area or 1 space per 2 employees working during the largest shift, whichever is greater. The warehouse tenant has not been identified, so at this moment it is not possible to calculate parking requirements based on the number of employees working during the largest shift. However, the 8,400-square-foot building would require a minimum of 5 parking spaces (see Condition #29) based on the size of the building. This site exceeds parking requirements by having a total of 9 parking stalls.
- E) Parking lot trees are not required, but are encouraged to be installed per the City's Parking Lot Landscape Standards. Trees should be a minimum of 15 gallons and be of a type that provides a 30-foot minimum canopy at maturity (trees should be selected from the City's approved tree list). Trees should be installed at a ratio of at least one tree for every 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 #438, subject to the following conditions:

1. All conditions contained in Site Plan Approval Resolution #79-1 ("Standard Conditions of Site Plan Approval") shall apply.
2. The proposed project shall be constructed as shown on Exhibit B (site plan), and Exhibit C (elevations).
3. 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.
4. 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. This may include adding a hydrant, as required by the Fire Department.
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. 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. Plans shall be drawn by a licensed design professional. The construction work shall be performed by an appropriately licensed Contractor (B-Contractor).
8. Any damaged or missing curb and gutter shall be repaired.
9. An encroachment permit shall be obtained for all work in the public right-of-way and a building permit shall be obtained for all on-site work.
10. All property not occupied by paving or landscaping (i.e., the rear portion of the site) 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 in height or as otherwise required by the Fire Department and County Health Department.
11. The employee parking area shall not be used for storage purposes.
12. All signing for the site shall be approved and a building permit issued prior to installation. No free-standing "A-frame" or "sandwich board" signs shall be allowed.
13. The site shall be maintained free of graffiti. Any graffiti shall be removed immediately and painted over with a color that matches the existing surface color.
14. Appropriate turning radii shall be provided within the parking areas to allow for both fire engine and refuse truck access.

15. All required Fire Permits shall be obtained from the City of Merced Fire Department. Some of these permits will depend on the operations or functions conducted inside the warehouse, and may be required after obtaining the certificate of occupancy for this development.
16. If the 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. If the gate requires manual operation, the applicant shall provide a Knox padlock. If the gate requires electronic operation, the applicant shall provide a Knox override switch with "Click-to-Enter."
17. Both short-term and long-term bicycle racks shall be provided at a minimum ratio equal to 8% of the vehicular parking spaces, as required by Merced Municipal Code Table 20.38-4 Required Bicycle Parking Spaces.
18. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
19. 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 \$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.
20. All mechanical equipment shall be screened from public view.
21. The applicant shall contact the City's Water Quality Control Division and comply with all requirements for this type of business and obtain all pertinent permits prior to issuance of certificate of occupancy. Said requirements may include, but may not be limited to, utilizing secondary containers and providing spill kits for leaks or spills.
22. A backflow prevention device shall be provided for all water services (i.e., domestic, irrigation, and fire) per Merced Municipal Code.
23. The developer shall work with the City's Engineering Division to determine the requirements for storm drainage on the site. The developer shall provide all necessary documentation for the City's Engineering Division to evaluate the storm drain system. All storm drain systems shall be installed to meet City Standards and State regulations.
24. All landscaping shall be kept healthy and maintained; any damaged or missing landscaping shall be replaced immediately.
25. The applicant shall submit an Industrial User Survey to the City's Water Quality Control Division during the building permit stage.
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 or away

from the site and for any necessary clean-up of such contamination. This includes all types of hazardous materials. 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. 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.
29. A change in use or increase in number of employees working during the largest shift may require additional parking in the future.
30. The Project may have a separate Irrigation and Domestic water service line going from the water main to the property line.
31. During the building permit stage, the applicant shall provide a site plan with a note indicating who will be installing landscaping for this site.
32. The refuse enclosure shall be designed to meet the City’s Engineering Standards for refuse enclosures (R-4). The applicant shall not install any posts in front of the refuse enclosure. A side gate shall be provided with pedestrian access, as required by the City’s Engineering Division.
33. 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. This may include placing the refuse enclosure further from the street to allow the refuse truck to turn around within the subject site instead of out to the street.
34. The Project shall comply with the City’s Performance Standards for developments within Industrial Zones as outlined under Merced Municipal Code Section 20.12.030 (C) – Development Standards for Industrial Zoning Districts – Performance Standards (e.g. noise, air quality, odor, etc.).
35. The new buildings shall include a fire sprinkler system and fire alarm system.
36. A Fire Department Connection shall be provided to allow fire fighters the ability to connect hose lines to supplement the fire sprinkler’s water supply.
37. Fire apparatus and emergency equipment access shall be provided within 150 feet of all portions of the building.

Site Plan Approval #438

Page 6

June 13, 2019

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

6-13-2019

DATE



SIGNATURE

Associate Planner

TITLE

Exhibits

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



EXHIBIT A

KEYNOTE:

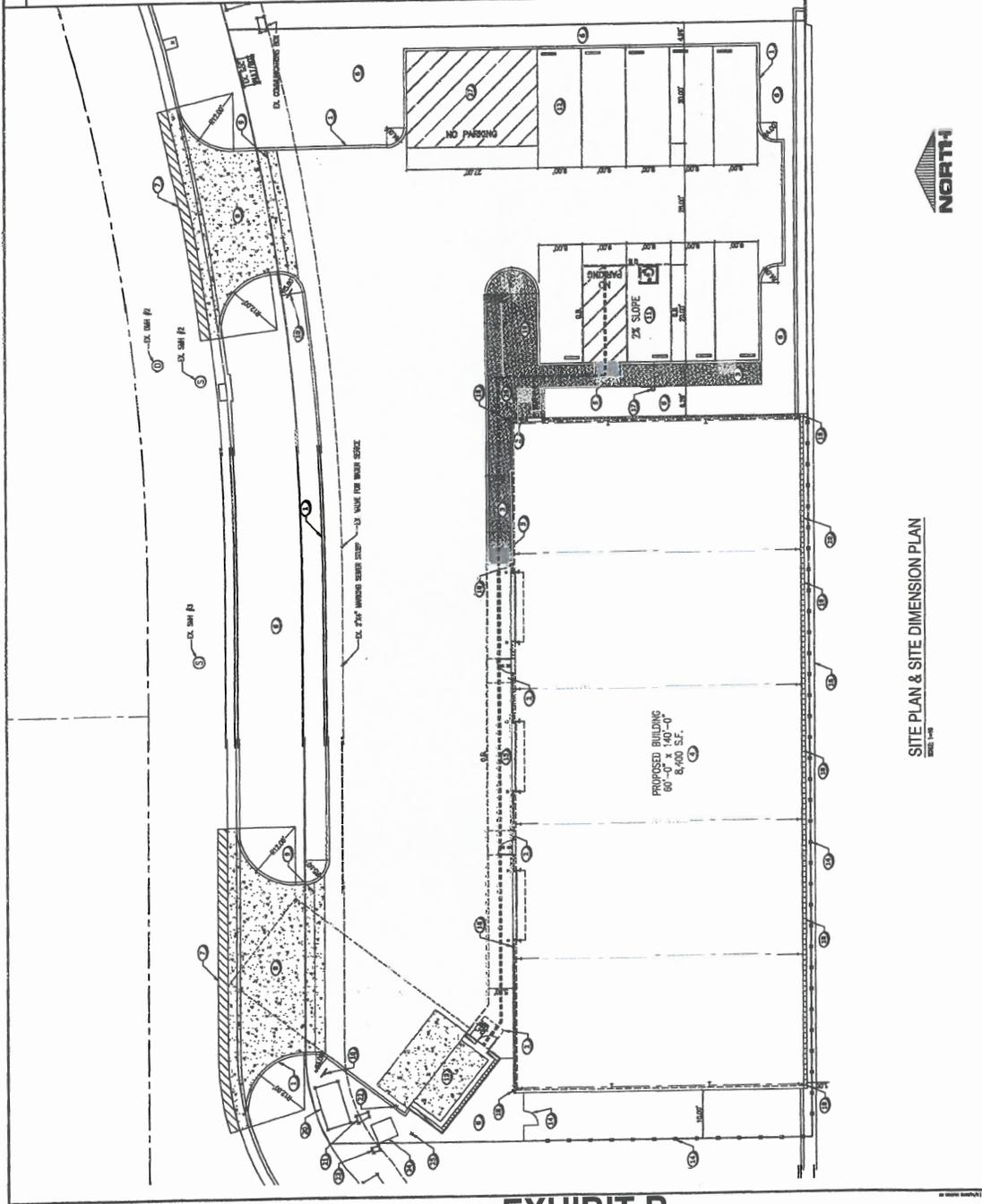
- 1. CONCRETE CURB FOR CITY OF MERCED SIDE, SEE DETAIL 13 ON SHEET C-04.
- 2. MINIMUM 5/8" DIA. CONCRETE LANDING WITH MAXIMUM 2% SLOPE AND 36" MINIMUM CLEAR FROM LANDING SIDE OF DOOR.
- 3. IF WALKWAY IS TO BE ACCESSIBLE FROM SIDE OF TRAILER, WALKWAY SHALL BE 48" WIDE AND 18" HIGH. WALKWAY SHALL BE MADE OF CONCRETE OR METAL GRATING.
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NOTES:

1. PROTECT ALL MONUMENTS DURING CONSTRUCTION. IF ANY DISTURBED, A LICENSED SURVEYOR SHALL RESTORE MONUMENTS AND FILE PROPER DOCUMENTS WITH THE COUNTY OF MERCED.
2. REPAIR ANY DAMAGED OR MISSING CURB & GUTTER ADJACENT TO THE PROPERTY.

ADA LEGEND AND NOTES

- ***** ACCESSIBLE ROUTE *****
- ACCESSIBILITY NOTES:**
1. ACCESSIBLE ROUTE SHALL HAVE A MIN. WIDTH OF 48".
 2. ACCESSIBLE ROUTE SHALL HAVE A MAX. 2% CROSS SLOPE AND MAX. 0.5% SLOPE IN THE DIRECTION OF TRAVEL.
 3. ACCESSIBLE ROUTE SHALL BE MADE OF CONCRETE OR METAL GRATING AND 1/4" DEEP.
 4. ACCESSIBLE ROUTE SHALL HAVE ELEVATION CHANGE NO GREATER THAN 1/4" VERTICAL. ELEVATION CHANGE BETWEEN 1/4" - 1/2" SHALL HAVE A 2:1 SLOPE.



SITE PLAN & SITE DIMENSION PLAN
SCALE: 1/8" = 1'-0"

EXHIBIT B

GOLDEN VALLEY
LANDSCAPE ARCHITECTURE & PLANNING
2125 N. 3RD ST.
SUITE 200
MERCED, CA 95374
TEL: (209) 732-2200
FAX: (209) 732-2254

TOM E. LAWLER PHASE 2
SHELL BUILDING FOR
CESSNA WAY
A.P.N.: 059-640-007
CITY OF MERCED

PROJECT NO.: 2023-001
DATE: 10/20/23

SCALE: 1/8" = 1'-0"

PROJECT: SHELL BUILDING FOR TOM E. LAWLER PHASE 2
CLIENT: CITY OF MERCED
DESIGNED BY: GOLDEN VALLEY LANDSCAPE ARCHITECTURE & PLANNING
DATE: 10/20/23

C3.0

GOLDEN VALLEY
CONCRETE BUILDING
 405 W. 1st Street, Suite 100
 Merced, CA 95341
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 www.goldenvalleyconcrete.com

CALIFORNIA

TOM E. LAWLER PHASE 2
 SHELL BUILDING FOR
 CESSNA WAY
 A.P.N.: 059-640-007

CITY OF MERCED



TOM E. LAWLER
 837 PHOENIX CT.
 MERCED, CA 95341
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 PROFESSIONAL
 No. SAC220215
 Created By: CHRISTINE L.
 Drawn By: CEDAR P.
 Job No.: 13-105
 SHEET NAME:

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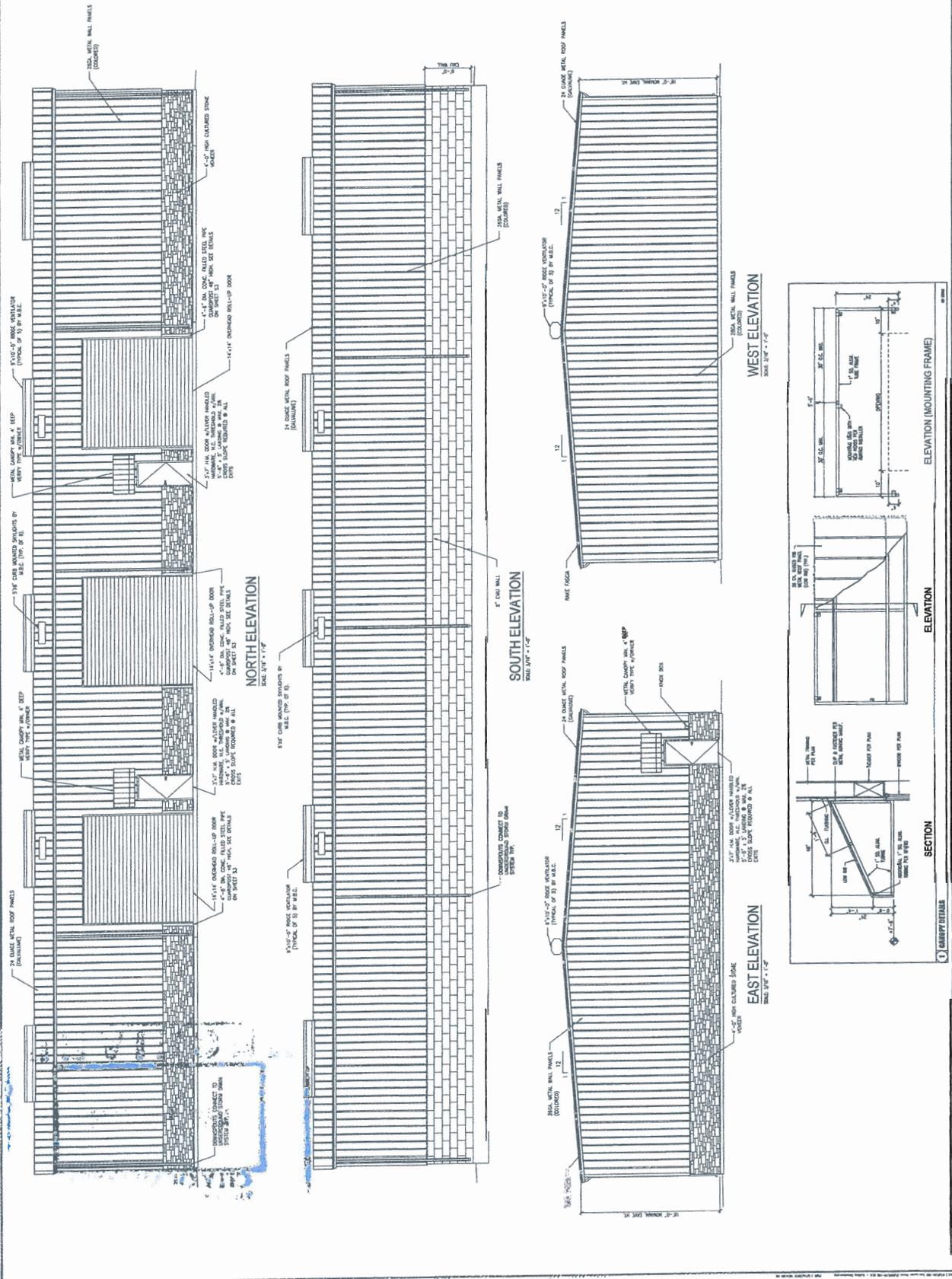


EXHIBIT C

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 #438 (Environmental Review #19-12)

Project Applicant: Lawler Excavation & Pipeline

Project Location (Specific): 2266 Cessna Way. APN: 059-640-007

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

Description of Nature, Purpose, and Beneficiaries of Project: 8,400-s.f. warehouse

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Lawler Excavation & Pipeline

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: 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 0.56-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:** 6-3-2019 **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