



CITY OF MERCED

City Council Chamber
Merced Civic Center
678 W. 18th Street
Merced, CA 95340

Meeting Agenda

Planning Commission

Wednesday, July 5, 2023

7:00 PM

City Council Chamber, 2nd Floor, Merced Civic
Center, 678 W. 18th Street, Merced, CA 95340

NOTICE TO PUBLIC

WELCOME TO THE MEETING OF THE MERCED PLANNING COMMISSION

At least 72 hours prior to each regular Planning Commission meeting, a complete agenda packet is available for review on the City's website at www.cityofmerced.org or at the Planning Division Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Commission will be available for public inspection at the Planning Division Office during regular business hours. The Planning Commission also serves as the Board of Zoning Adjustment and the Design Review/Historic Preservation Commission.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CLERK

Members of the audience who wish to address the Planning Commission are requested to complete a speaker card available at the podium at the back of the Council Chamber. Please submit the completed card to the Clerk before the item is called, preferably before the meeting begins. Speakers will be called up, 3 to 5 at a time, in the order in which the forms are received. Please use the microphone and state your name and city of residence for the record. For permits, licenses, and other entitlements, the applicant will be allowed 15 minutes (including rebuttal), the appellant/leader of the opposition will be allowed 15 minutes (including rebuttal), and all other speakers shall have 5 minutes each, unless the number of speakers is over 3, which in that case, comments shall be limited to 3 minutes each. For all other issues, for 3 or less speakers, 5 minutes each and for over 3 speakers, 3 minutes each shall be allotted. A timer clock is located above the City Council dais illuminating the remaining time. Once the buzzer sounds, please be courteous and conclude your remarks.

Material may be emailed to planningweb@cityofmerced.org and should be limited to 300 words or less. Please specify which portion of the agenda you are commenting on, for example, Item # or Oral Communications. Your comments will be presented to the Planning Commission at the appropriate time. Any correspondence received after 1 PM will be distributed to the Planning Commission and retained for the official record.

You may provide telephonic comments via voicemail by calling (209) 388-7390 by no later than 1 PM on the day of the meeting to be added to the public comment. Voicemails will be limited to a time limit of one (1) minute. Please specify which portion of the agenda you are commenting on, for example, Item #, Consent item #, or Oral Communications. Your comments will be played during the Planning Commission meeting at the appropriate time.

INDIVIDUALS WITH DISABILITIES

Accommodation for individuals with disabilities may be arranged by contacting the Planning Division at (209) 385-6858. Assisted hearing devices are available for meetings held in the Council Chamber.

A. CALL TO ORDER

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

B. ROLL CALL

C. ORAL COMMUNICATIONS

Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 5 minutes. The Chairperson may, at their discretion, reduce the time to 3 minutes if there are more than 3 speakers, in order to accommodate as many speakers as possible. State law prohibits the Planning Commission from acting at this meeting on any matter raised during the public comment period. Members of the public who wish to speak on a matter that is listed on the agenda will be called upon to speak during discussion of that item. Please submit a Request to Speak card prior to the item being called.

D. CONSENT CALENDAR

Adoption of the Consent Calendar may be made with one motion of the Planning Commission provided that any Planning Commission member, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately. With Consent items, there is generally no staff presentation but staff is available for questions.

D.1 [23-582](#) **SUBJECT:** Planning Commission Minutes of June 21, 2023

ACTION:

Approving and filing the Planning Commission Minutes of June 21, 2023

E. PUBLIC HEARINGS AND ACTION ITEMS

Members of the public who wish to speak on public hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Commission for discussion and action. Further comment will not be received unless requested by the Commission.

E.1 [23-515](#)

SUBJECT: Conditional Use Permit #1272, initiated by Paramjeet Singh, on behalf of Encina Investment Group Mainplace Merced, LLC, property owner. This application involves a request for alcohol sales (beer, wine, and distilled spirits) for off-site consumption for a new convenience market at 429 W. Main Street, generally located on the north side of Main Street, approximately 75 feet east of Canal Street, with a General Plan designation of Regional/Community Commercial (RC), and a Zoning classification of Central Commercial (C-C)
PUBLIC HEARING

ACTION: Approve/Disapprove/Modify
1) Environmental Review #23-18 (*Categorical Exemption*)
2) Conditional Use Permit #1272

SUMMARY

Paramjeet Singh is requesting approval to sell beer, wine, and distilled spirits for off-site consumption (Type 21 Alcoholic Beverage Control License) for a new convenience market located at 429 W. Main Street. A conditional use permit is required to approve the sale of alcohol for off-site consumption for buildings under 20,000 square feet per Merced Municipal Code Section 20.44.010 - Alcoholic Beverage Sales for Off-Premises Consumption. Staff is recommending approval of this application subject to the conditions contained in the Staff Report.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #23-18 (*Categorical Exemption*), and Conditional Use Permit #1272, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

E.2 [23-534](#)

SUBJECT: General Plan Amendment #23-02, Site Utilization Plan Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review Permit #516 initiated by Merced Security Storage, LLC, on behalf of REM Land Group, LLC, property owner. The General Plan Amendment would change the General Plan

land use designation from Commercial Office (CO) to Business Park (BP). The Site Utilization Plan Revision would change the land use designation within P-D #12 from Commercial Office to Self-Storage. The Site Plan Review Permit would allow the development of a self-storage facility (approximately 440 storage units) with long-term boat and recreational vehicle parking spaces (approximately 171 parking spaces). The Conditional Use Permit would allow a live/work unit for an onsite manager for the self-storage facility. The approximate 6-acre subject site is generally located on the north side of Olive Avenue, approximately 725 feet east of Highway 59. *PUBLIC HEARING*

ACTION:**PLANNING COMMISSION:**

Recommendation to City Council

- 1) Environmental Review #23-08 (*Mitigated Negative Declaration*)
- 2) General Plan Amendment #23-02
- 3) Site Utilization Plan Revision #3 to Planned Development (P-D) #12

Approve/Disapprove/Modify

- 1) Environmental Review #23-08 (*Mitigated Negative Declaration*)
- 2) Conditional Use Permit #1274
- 3) Site Plan Review Permit #516
[subject to City Council approval of General Plan Amendment #23-02, and Site Utilization Plan Revision #3 to Planned Development (P-D) #12]

CITY COUNCIL:

Approve/Disapprove/Modify:

- 1) Environmental Review #23-08 (*Mitigated Negative Declaration*)
- 2) General Plan Amendment #23-02
- 3) Site Utilization Plan Revision #3 to Planned Development (P-D) #12

SUMMARY

The subject site consists of a vacant 6.02-acre parcel located in northwest Merced at 1965 W. Olive Avenue. The subject site is generally located on the north side of Olive Avenue, 725 feet east of Highway 59. The General Plan Amendment would change the General Plan land use designation

from Commercial Office (CO) to Business Park (BP). The Site Utilization Plan Revision would change the land use designation within P-D #12 from Commercial Office to Self-Storage (Attachment D). The Site Plan Review Permit would allow the development of a self-storage facility with approximately 440 storage units, and a long-term boat and recreational vehicle parking facility with approximately 171 spaces. The Conditional Use Permit would allow a live/work unit for an onsite manager for the self-storage facility.

RECOMMENDATION

General Plan Amendment and Site Utilization Plan (SUP) Revision

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #23-08 (Mitigated Negative Declaration), General Plan Amendment #23-02, and Site Utilization Plan Revision #3 to Planned Development (P-D) #12 (including the adoption of the Draft Resolution at Attachment A) subject to the conditions in Exhibit A, the findings/considerations in Exhibit B, and the Mitigation Monitoring Program in Exhibit C of the Draft Resolution.

Conditional Use Permit and Site Plan Review

Planning staff recommends that the Planning Commission approve Conditional Use Permit #1274 and Site Plan Review #516 (including the adoption of the Draft Resolution at Attachment B) subject to the conditions in Exhibit A, the findings/considerations in Exhibit B, and the Mitigation Monitoring Program in Exhibit C of the Draft Resolution., and contingent upon City Council approval of the General Plan Amendment and SUP Revision above.

E.3 [23-585](#)

SUBJECT: Cancellation of July 19, 2023, Planning Commission Meeting due to lack of items

ACTION:

Cancel the Planning Commission Meeting of July 19, 2023

F. INFORMATION ITEMS

F.1 [23-583](#)

SUBJECT: Report by Director of Development Services of Upcoming Agenda Items

ACTION

Information only.

F.2 [23-584](#)

SUBJECT: Calendar of Meetings/Events

July 3 City Council, 6:00 p.m.

	5	Planning Commission, 7:00 p.m.
	17	City Council, 6:00 p.m.
	19	Planning Commission, 7:00 p.m. (To be cancelled)
August	7	City Council, 6:00 p.m.
	9	Planning Commission, 7:00 p.m.
	21	City Council, 6:00 p.m.
	22	Bicycle and Pedestrian Advisory Commission, 4:00 p.m.
	23	Planning Commission, 7:00 p.m.

G. ADJOURNMENT



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

File #: 23-582

Meeting Date: 7/5/2023

Report Prepared by: Kayla Abarca, Administrative Assistant I, Planning Division

SUBJECT: Planning Commission Minutes of June 21, 2023

ACTION:

Approving and filing the Planning Commission Minutes of June 21, 2023



CITY OF MERCED

City Council Chamber
Merced Civic Center
678 W. 18th Street
Merced, CA 95340

Minutes Planning Commission

Wednesday, June 21, 2023

7:00 PM

A. CALL TO ORDER

Chairperson HARRIS called the Regular Meeting to order at 7:00 PM.

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner GREGGAINS led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: Commissioner GONZALEZ and Vice Chair CAMPER were absent, excused. The Planning Commission has 1 vacancy at this time.

Present: 4 - Chairperson Michael Harris, Member Dorothea White, Member Jose Delgadillo, and Member Jeremiah Greggains

Absent: 2 - Vice Chair Mary Camper, and Member Anthony Gonzalez

C. ORAL COMMUNICATIONS

There were no public comments.

D. CONSENT CALENDAR

D.1 **SUBJECT:** Planning Commission Minutes of June 7, 2023

ACTION:

Approving and filing the Planning Commission Minutes of June 7, 2023

A motion was made by Member Greggains, seconded by Member Delgadillo and carried by the following vote, to approve the Consent Agenda.

Aye: 4 - Chairperson Harris
Member White
Member Delgadillo
Member Greggains

No: 0

Absent: 2 - Vice Chair Camper
Member Gonzalez

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1

SUBJECT: Design Review #23-01 and Conditional Use Permit #1271, initiated by Jasmeet, LLC, on behalf of Gurdial Singh and Balbir Kaur, property owners. This application involves a request for a proposed remodel and expansion of a gas station (6 pump fuel island) and convenience market (3,800 square feet), and a request for alcohol sales (beer and wine) for off-site consumption at 1480 W. 16th Street, generally located at the southeast corner of V Street and 16th Street, within a Zoning classification of Thoroughfare Commercial (C-T), with a General Plan designation of Thoroughfare Commercial (CT)
PUBLIC HEARING

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #23-11 (*Categorical Exemption*)
- 2) Design Review Permit #23-01
- 3) Conditional Use Permit #1271

SUMMARY

Jasmeet, LLC, is requesting approval to remodel and expand a gas station (6 pump fuel island) and a convenience market (3,800 square feet) with a request for alcohol sales (beer and wine) for off-site consumption at 1480 W. 16th Street (Attachment B). The subject site is within the City's Design Review District and requires design review approval for the remodel/expansion per Merced Municipal Code 20.68.030 - Design Review Permit. A conditional use permit is required to approve the sale of alcohol for off-site consumption (for buildings under 20,000 square feet) per Merced Municipal Code Section 20.44.070 - Gas and Service Stations. Staff is recommending approval of this application subject to the conditions contained in the Staff Report.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #23-11 (*Categorical Exemption*), Design Review Permit #23-01, and Conditional Use Permit #1271, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

Associate Planner MENDOZA-GONZALEZ reviewed the report on this item. For further information, refer to Staff Report #23-490.

Public Testimony was opened at 7:20 PM.

Speaker from the Audience in Favor

RICHARD MARCHINI, On behalf of the Applicant, Merced, CA

There were no speakers in opposition to the project.

Public Testimony was closed at 7:22 PM.

A motion was made by Member Greggains, seconded by Member White and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #23-11, and approve Design Review #23-01 and Conditional Use Permit #1271, subject to the Findings and thirty-eight (38) Conditions set forth in Staff Report #23-490 (RESOLUTION #4115).

Aye: 4 - Chairperson Harris
Member White
Member Delgadillo
Member Greggains

No: 0

Absent: 2 - Vice Chair Camper
Member Gonzalez

E.2

SUBJECT: Conditional Use Permit #1273 initiated by Raj Joshi, on behalf of Merced Holdings, LP, property owner. This application involves a request to allow the on-site consumption of alcoholic beverages including beer, wine, and spirits within a restaurant to be generally located at the southeast corner of Yosemite Avenue and McKee Road (2272 E. Yosemite Avenue). The site has a General Plan designation of Neighborhood Commercial (CN) and is zoned Neighborhood Commercial (C-N) **PUBLIC HEARING**

ACTION: Approve/Disapprove/Modify
1) Environmental Review #23-20 (*Categorical Exemption*)
2) Conditional Use Permit #1273

SUMMARY

A new restaurant is proposed at 2272 East Yosemite Avenue within the Hub Development at the southeast corner of Yosemite Avenue and McKee Road. The proposed restaurant (the Wet Whistle) would be a full-service restaurant with a British Pub setting serving beer, wine, and liquor for on-site consumption. The Conditions of Approval for the Hub development requires restaurants selling alcohol for on-site consumption obtain a Conditional Use Permit prior to selling alcohol.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #23-20 (*Categorical Exemption - 15162 Findings*) and Conditional Use Permit #1273, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B of the Draft Resolution at Attachment A.

Senior Planner NELSON reviewed the report on this item. For further information, refer to Staff Report #23-499.

Public Testimony was opened at 7:37 PM.

Staff received 5 emails in favor from ATHENA HENRI, ERIK EKIZIAN, KEVIN PHAM, STITONA DHILLON, and TERRY RUSCOE. Staff also received 1 neutral email from DAN HICKS. These emails were provided to the Planning Commission via email prior to the meeting and posted to the City's website. Members of the public were given the opportunity to leave voice mail messages prior to the meeting. One voice mail was received by DELIA NEAR and was played for the Commission at the meeting.

Speakers from the Audience in Favor

RAJ JOSHI, Applicant, Los Angeles, CA

ROBERT DYLINE, Resident, Merced, CA

There were no speakers in opposition to the project.

Public Testimony was closed at 7:50 PM.

A motion was made by Chairperson Harris, seconded by Member Greggains and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #23-20 and approve Conditional Use Permit #1273, subject to the Findings and fourteen (14) Conditions set forth in Staff Report #23-499 (RESOLUTION #4116).

Aye: 4 - Chairperson Harris
Member White
Member Delgadillo
Member Greggains

No: 0

Absent: 2 - Vice Chair Camper
Member Gonzalez

F. INFORMATION ITEMS

F.1 **SUBJECT:** Report by Director of Development Services of Upcoming Agenda Items

ACTION

Information only.

Director of Development Services MCBRIDE went over items for the next several Planning Commission meetings.

F.2 **SUBJECT:** Calendar of Meetings/Events

June	20	City Council, 6:00 p.m. (Tuesday)
	21	Planning Commission, 7:00 p.m.
	27	Bicycle and Pedestrian Advisory Commission, 4:00 p.m.
July	3	City Council, 6:00 p.m.
	5	Planning Commission, 7:00 p.m.
	17	City Council, 6:00 p.m.
	19	Planning Commission, 7:00 p.m.
August	7	City Council, 6:00 p.m.
	9	Planning Commission, 7:00 p.m.
	21	City Council, 6:00 p.m.
	22	Bicycle and Pedestrian Advisory Commission, 4:00 p.m.
	23	Planning Commission, 7:00 p.m.

G. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 7:56 PM.

A motion was made by Member Greggains, seconded by Member White and carried by the following vote, to adjourn the Regular Meeting.

Aye: 4 - Chairperson Harris
Member White
Member Delgadillo
Member Greggains

No: 0

Absent: 2 - Vice Chair Camper
Member Gonzalez

BY:

A handwritten signature in blue ink, appearing to read "Scott McBride".

SCOTT MCBRIDE, SECRETARY
MERCED CITY PLANNING COMMISSION

APPROVED:

MICHAEL HARRIS, CHAIRPERSON
MERCED CITY PLANNING COMMISSION

CITY OF MERCED
Planning Commission

Resolution #4115

WHEREAS, the Merced City Planning Commission at its regular meeting of June 21, 2023, held a public hearing and considered **Design Review #23-01 and Conditional Use Permit #1271**, initiated by Jasmeet, LLC, on behalf of Gurdial Singh and Balbir Kaur, property owners. This application involves a request for a proposed remodel and expansion of a gas station (6 pump fuel island) and convenience market (3,800 square feet), and a request for alcohol sales (beer and wine) for off-site consumption at 1480 W. 16th Street, generally located at the southeast corner of V Street and 16th Street, within a Zoning classification of Thoroughfare Commercial (C-T), with a General Plan designation of Thoroughfare Commercial (CT). The subject site is more particularly described as a portion of Lot 1 on Recorded Map entitled “Town of Merced,” recorded in Volume 2, Page 12, in Merced County Records; also known as a portion of Assessor’s Parcel Number (APN) 031-172-001; and,

WHEREAS, the Merced City Planning Commission concurs with Findings/Considerations A through O (Exhibit B) of Staff Report #23-490; and,

WHEREAS, the Merced City Planning Commission concurs with the Findings for Conditional Use Permits in Merced Municipal Code Section 20.68.020 (E) and Design Review Permits in Merced Municipal Code Section 20.68.030 (H), and other Considerations as outlined in Exhibit B; and,

NOW THEREFORE, after reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #23-11, and approve Design Review #23-01, and Conditional Use Permit #1271, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by reference.

Upon motion by Commissioner Greggains, seconded by Commissioner White, and carried by the following vote:

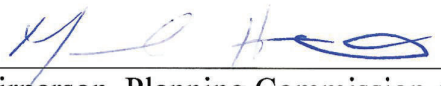
AYES: Commissioners Greggains, Delgadillo, White, and Chairperson Harris
NOES: None
ABSENT: Commissioners Camper and Gonzalez
ABSTAIN: None

PLANNING COMMISSION RESOLUTION #4115

Page 2

June 21, 2023

Adopted this 21st day of June 2023



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary

Attachments:

Exhibit A - Conditions of Approval

Exhibit B - Findings

Conditions of Approval
Planning Commission Resolution #4115
Design Review Permit #23-01, Conditional Use Permit #1271

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (site plan/floor plan/elevations) -- Attachment C of Staff Report #23-490 except as modified by the conditions.
2. All conditions contained in Resolution #1249-Amended (“Standard Conditional Use Permit Conditions”—except for Condition #16 which has been superseded by Code) shall apply.
3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including the Post Construction Standards for Storm Water that became effective July 1, 2015.
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

EXHIBIT A
OF PLANNING COMMISSION RESOLUTION #4115

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. Appropriate turning radii shall be provided within the parking areas to allow for Fire engine and refuse truck access.
8. 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.
9. Merced Municipal Code Section 20.38.080 -Bicycle Parking identifies Gas and Service Stations as being exempt from installing short term and long-term bicycle parking. However, bicycle parking spaces may still be required per the California Green Code during the building permit stage.
10. A grease interceptor may be required. This will be determined at the building permit stage based on the type of food prepared and served and waste generated.
11. Any missing or damaged improvements along the property frontage shall be installed/repaired to meet City Standards. Any improvements that don't meet current City Standards shall be replaced to meet all applicable standards.
12. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
13. The applicant shall work with the City's Refuse Department to determine the proper location for a trash enclosure 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. Sufficient lighting shall be provided throughout the site to provide a safe environment for employees and patrons of the business.
15. All mechanical equipment shall be screened from public view.
16. 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, installing traffic calming measures, 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.
17. The western driveway along 16th Street shall be eliminated. The eastern driveway along 16th Street may be retained and widened, as allowed by City Engineering standards. Details to be worked out with the City Engineer or their designee.
18. 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. 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).
19. 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.
20. All landscaping shall be kept healthy and maintained in good condition and any damaged or missing landscaping shall be replaced immediately.

21. All on-site landscaping shall comply with the 16th Street Design Guidelines. Detailed landscape plans, including irrigation plans, shall be submitted at the building permit stage.
22. The proposal shall comply with the City's 16th Street Design Guidelines shown at Attachment F of Planning Commission Staff Report #23-490.
23. It is recommended that the exterior building walls be treated with an anti-graffiti coating to make graffiti removal easier. In any case, graffiti removal shall take place within 24 hours of appearing and shall be painted over with a paint color that matches the existing color of the building wall.
24. A temporary banner permit shall be obtained prior to installing any temporary signs. Free-standing temporary signs (i.e., sandwich boards, A-frame signs, etc.) are prohibited.
25. All signs shall comply with the City's Sign Ordinance. Freestanding signs shall be located outside of the 10-foot visual corner at the driveway entrances on V Street and 16th Street and shall maintain a minimum 3-foot setback from all property lines
26. Future signage (including gas price signs), 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.
27. Business signage and the design of the fuel island shall be reviewed with a staff level design review permit. Signage shall comply with Merced Municipal Code Section 17.36 (Article IV) – Regulations for Downtown.
28. No beer or wine shall be displayed or stored outside of the cooler areas.
29. The proprietor and/or successors in interest and management shall be prohibited from advertising or promoting beer & wine and/or distilled spirits on the motor fuel islands and no self-illuminated advertising for beer or wine shall be located on the building or in the windows.
30. No sale of alcoholic beverages shall be made from a drive-in window.
31. No display or sale of beer or wine shall be made from an ice tub.
32. Employees on duty between the hours of 10 p.m. and 2 a.m. shall be at least 21 years of age to sell beer and wine.

EXHIBIT A
OF PLANNING COMMISSION RESOLUTION #4115

33. The proprietor and/or successors in interest and management shall comply with all Municipal Codes relating to loitering, open container laws and other nuisance-related issues.
34. The area within the convenience market dedicated to the display and sale of alcoholic beverages (beer and wine) shall not be more than 550 square feet as shown in the floor plan at Attachment C of Staff Report #23-490.
35. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) arise as determined by the Police Chief including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the conditional use permit may be subject to review and revocation by the City of Merced after a public hearing and in conformance with the procedures outlined in the Merced Municipal Code.
36. No single-serving containers shall be sold separately unless authorized by the City of Merced Police Department. All single-serving beer and wine containers shall be sold as part of a pack or carton, except for wine bottles at or over 750 ml.
37. Approval of CUP #1271 is contingent upon the City Council approval of a Finding of Public Convenience or Necessity. Prior to obtaining a license from the Alcoholic Beverage Control to sell alcohol, the business (for the convenience market) shall obtain approval for a Finding of Public Convenience or Necessity from the Merced City Council.
38. This approval is subject to the business owner being in good standing with all laws of the State of California, including the Alcohol Beverage Control (ABC), City of Merced, and other regulatory agencies.

Findings and Considerations
Planning Commission Resolution #4115
Design Review Permit #23-01 and Conditional Use Permit #1271

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of Thoroughfare Commercial (CT) and the zoning designation of Thoroughfare Commercial (C-T) with approval of a Conditional Use Permit and Design Review Permit. Gas Stations with alcohol sales for off-site consumption require a conditional use permit per MMC 20.44.070 - Gas and Service Stations. A Design Review Permit is required as the site is within the City's Design Review Boundary per Merced Municipal Code (MMC) 20.68.030 - Design Review Permit.

Design Review Considerations

- B) The Zoning Ordinance does not contain any specific design review standards requiring particular architectural styles, materials, or colors. Proposals are assessed on a project basis to confirm the proposed design is of high architectural quality. Design elements to consider are outlined under MMC Section 20.68.030 (F) Design Review Permit – Features to Consider are shown at Attachment G of Planning Commission Staff Report #23-490. Said elements to consider include design compatibility with surrounding uses, design of circulation, colors, architecture style, etc. In addition, MMC 20.68.030 – Design Review Principles (Attachment G of Planning Commission Staff Report #23-490, outlines various design review principles to consider. Because the project site fronts 16th Street it is also required to comply with the City's 16th Street Design Guidelines shown at Attachment F of Planning Commission Staff Report #23-490 which has standards regarding setbacks, landscaping, exterior color palettes (light Mediterranean required, which this proposal complies with), etc.

Traffic/Circulation

- C) The subject site is located at the southeast corner of V Street and 16th Street. Vehicle access is currently available from multiple locations - 1 driveway from V Street and 2 driveways from 16th Street. 16th Street is a 4-lane arterial road, traversing along an east/west axis. Arterial roads are intended to carry large volumes of traffic and are considered primary

EXHIBIT B
OF PLANNING COMMISSION RESOLUTION #4115

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corridors that carry vehicles across the community. Arterial roads generally intersect with other arterial roads, or second tier streets known as collector roads, such as V Street, that help alleviate traffic congestion and eventually branch out to local roads that lead to residential subdivisions and other low density uses with lower traffic counts. The site has historically been used for a gas station so having a larger convenience market and an additional 2 fuel pumps would have minimal impact on traffic patterns in this area. As such, staff anticipates that the existing City streets and traffic system can adequately serve this Project.

To improve vehicle safety and vehicle circulation between this site and City roads, staff is including Conditions #17 of Planning Commission Staff Report #23-490 to eliminate the westerly driveway along 16th Street. There is another driveway along 16th Street, on the eastern side of the parcel, further from the intersection along 16th Street and V Street that could possibly be widened to provide more space for vehicles entering and existing the subject site.

Public Improvements/City Services

- D) Any damaged or missing public improvements shall be repaired if the permit value of the project exceeds \$100,000.00. The need for repairs or replacement of any missing improvements would be evaluated at the building permit stage by the City's Engineering Department (Condition #16 of Staff Report #23-490).

Parking

- E) The parking requirement for a gas station convenience market is 3 parking spaces plus 1 parking space for every 250 square feet of sales floor area. The proposed convenience market is 3,800 square feet, but as shown on the floor plan at Attachment C Planning Commission Staff Report #23-490, the subject site would have 1,750 square of retail sales space. Based on the sales floor area the subject site would be required to have at least 10 parking stalls. The proposed parking exceeds the required parking plan of 10 stalls, by providing 12 parking stalls (along the northern and western elevations of the convenience market).

Site Design

- F) The subject site is located at the southeast corner of 16th Street and V Street at 1480 W. 16th Street. The subject site is a rectangular 0.69-acre parcel that has been used as a gas station (Smiley's Gas & Snacks) and used car dealership (Smiley's Used Cars) for several decades. The site plan would be updated to include a new fuel island (6 pumps), 3,800-square-foot convenience market, and new parking stalls (12 parking stalls). The fuel island would be located on the northern portion of the parcel, the convenience market would be located near the southeast corner of the parcel, and parking (12 stalls) would be located along the northern and western elevations of the convenience market. The refuse enclosure would be located near the northwest corner of the convenience market.

Although the site currently has three driveways into the site (1 on V Street and 2 on 16th Street), Condition #17 requires that the western driveway be closed. Refer to Finding C for additional information on the driveways.

Building Elevations

- G) The proposed 3,800-square-foot building (for the convenience market) has a contemporary design with a stucco finish and storefront windows along the northern elevation (refer to the elevations at Attachment C of Planning Commission Staff Report #23-490). There are three towers over 20 feet tall at the center and edges of the building, creating architectural focal points. Stone veneers would be placed below storefront windows and along the tower columns to add architectural interest. There is no maximum building height in the C-T Zone, unless a site is adjacent to a residential zone which is not the case in this situation. Due to this there are no zoning conflicts with the proposed maximum building height at 23 feet. The surrounding buildings are all approximately 20 feet tall. The proposed building heights would not be of an unusual scale to the neighborhood.

Floor Plan

- H) The floor plan (Attachment C of Planning Commission Staff Report #23-490) shows the proposed layout for the building which includes main access from the north elevation, and an additional exit on the south

elevation through the employee storage room. The floor plan features open space for snacks and goods, a kitchen, walk-in coolers, restrooms, a storage room, and a cashier area. The beer selection would be stocked within the beer cave (191 s.f.), a refrigerator (248 s.f.), and the wine selection would be displayed within racks (100 s.f.) located near the beer within the southeast quadrant of the building, as shown on the floor plan at Attachment C of Planning Commission Staff Report #23-490.

Neighborhood Impact

- I) The subject site is surrounded by light and heavy commercial uses with the nearest residential zone being over 1,000 feet north at the intersection of V Street and W. 19th Street. However, across 16th Street there are several active motels. Although this development provides many conveniences for these residents and is consistent with the General Plan and Zoning designations for the site (refer to Finding A), some conditions are being included to reduce potential impacts regarding lighting.

Lighting-related impacts may be reduced by requiring that parking lot lighting/signage be shielded or oriented in a way that does not spill-over to adjacent parcels (Condition #26 of Staff Report #23-490) and by prohibiting internal illumination on signs facing the motels (indirect illumination may be allowed), unless documentation is submitting showing illumination would not be intense enough to impact the nearby hotels. A Public Hearing Notice was circulated in the Merced County Times and mailed to property owners within 300 feet of the subject site three weeks prior to this public hearing. As of the date that this report was prepared, staff has not received any comments or concerns from the public about this request.

Signage

- J) The applicant has yet to determine the official locations of signs, and type of signs they would install on either the convenience market or fuel pump canopy. The elevations at Attachment C of Planning Commission Staff Report #23-490 show the conceptual location of signage for the convenience market, which are proposed on the tower's north elevation facing 16th Street. Staff will review signs during the building permit stage to ensure compliance with the City's Sign Ordinance, Building Codes, and to ensure that signage facing residential properties is non-illuminated

(except with indirect illumination or direct lighting with documentation provided showing illuminated signs would not impact motel occupants across 16th Street – Condition #26). The convenience market shall be prohibited from advertising or promoting alcohol on the motor fuel island and from using illuminated signs (promoting alcohol) on building elevations or windows (Condition #29 of Staff Report #23-490). A digital LED gas price sign may be allowed, but shall be designed, located, and illuminated in a way that does not significantly impact the nearby motels

Landscaping

- K) The proposal does not include an official landscape plan, but landscaping for mulch, shrubs, turf, or trees should be drought tolerant and all irrigation systems must comply with the latest requirements for water conservation (Condition #19 of Staff Report #23-490). In addition, parking lot trees shall be installed as required by the City's Parking Lot Landscape Standards at a minimum ratio of one tree for every six parking spaces. Parking lot trees shall be selected from the City's approved tree list, providing a 30-foot minimum canopy at maturity (Condition #18 of Staff Report #23-490). Street trees shall also be installed along V Street and 16th Street as required by City standards. All trees shall be planted away from the City's 10-foot visual corner triangle area. All on-site landscaping is required to comply with the 16th Street Design Guidelines (Condition #21) (refer to Attachment F of Planning Commission Staff Report #23-490).

Mandatory Findings – Design Review Permit

- L) Per Merced Municipal Code Section 20.68.030 (H) Design Review Permit, the review authority may approve an application for a Design Review Permit application only if all of the following findings can be made:
- a. The proposed project is consistent with the General Plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

As shown under Finding A, the proposed project is consistent with the General Plan designation, and Zoning classification for this site.

EXHIBIT B OF PLANNING COMMISSION RESOLUTION #4115

With the approval of the conditions found within this resolution, the project would comply with the 16th Street Design Guidelines (Attachment F of Planning Commission Staff Report #23-490).

- b. The proposed project complies with all applicable provisions of the zoning ordinance and Municipal Code.*

With approval of the conditions found within this resolution, the proposal would comply with all applicable provisions of the Zoning Ordinance and Municipal Code.

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

With approval of the conditions found within this resolution, the building design and layout described under Findings F, G, and H, and shown at Attachment C of Planning Commission Staff Report #23-490 would not interfere with the enjoyment of existing and future neighboring properties and structures.

- d. 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 proposal meets City standards with approval of this permit and the conditions found within this resolution. The proposed project would 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.

Alcohol Sales

- M) The Merced Municipal Code requires a Conditional Use Permit for alcohol sales for gas station convenience markets under 20,000 square feet [(MMC 20.44.070 (B))]. In addition, alcohol sales shall require a Finding of Public Convenience or Necessity from City Council, because Merced is listed as a Moratorium City for Type 20 alcohol licenses by the Department of Alcoholic Beverage Control. In addition, the census tract in which the site is located is considered to be overconcentrated with licenses for off-site consumption.

In order for the Planning Commission to approve or deny a request for the sale of alcoholic beverages for off-site consumption, they must consider the following criteria and make findings to support or deny each criteria per MMC 20.44.010:

Criteria #1

The proposed use will not result in an "undue concentration" of establishments dispensing alcoholic beverages as defined by Section 23958 and 23958.4 of the California Business and Professional Code and giving consideration to the California Department of Alcoholic Beverage Control's guidelines related to number and proximity of such establishments within a 1,000-foot radius of the site.

Finding #1

The subject site is located within Alcoholic Beverage Control Census Tract 13.01. In checking with the State of California Alcoholic Beverage Control District, this census tract is overconcentrated with alcohol licenses. In addition, Merced is listed as a Moratorium City for Type 20 alcohol licenses by the Department of Alcoholic Beverage Control. Due to this the applicant would need a Finding of Public Convenience or Necessity which the City of Merced requires be approved by the City Council. Approval of CUP #1271 is contingent upon City Council approval of a Finding of Public Convenience or Necessity (refer to Condition #37)

Criteria #2

The proposed use will not adversely affect the economic and societal welfare of the pertinent community or residentially zoned community in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools,

hospitals, public playgrounds, and other similar uses; and other establishments dispensing, for sale or other considerations, alcoholic beverages including beer and wine.

Finding #2:

Residential zones are not located within 1,000 feet of the subject site. There are a few motels located directly across 16th Street, however these sites are zoned Thoroughfare Commercial (C-T). The nearest residential zone is located approximately 1,100 feet north at the intersection of V Street and 19th Street. The nearest parks are the Dennis Chavez Park at 11th and W Streets and the Stephan Gray Park on West North Bear Creek Drive near SR Hwy 59. Both parks are approximately 1,840 feet from the subject site. The nearest schools to the site are John C. Fremont Elementary School located at the northwest corner of R Street and W. 20th Street and Gracey Elementary School on West Avenue, near Lopes Avenue. Both schools are over 2,000 feet from the subject site.

Criteria #3

The crime rate in the area of the proposed site. Particular attention shall be given to those crimes involving public drunkenness, the illegal sale of narcotics, disturbing the peace, and disorderly conduct.

Finding #3:

Between May 1, 2022, and May 26, 2023, the Merced Police Department recorded 437 incidents within a 500-foot radius of the subject site. The table on the next page shows the number of incidents within that area involving public intoxication, assaults, MMC violations, and narcotics violations (totaling 20 incidents during the 12-month period). As shown on the attached Incident Map (Attachment E of Staff Report #23-490), the majority of those incidents were traffic-related incidents at the intersection of V Street and 16th Street, and the rest were spread out within residential zones. The number of incidents reported City-wide for the same time period was approximately 80,000. Based on the total number of calls within the City, the 437 calls to this area equals 0.54% of the overall calls for service within the City. As shown on the attached Crime Hot Spot Map for the City of Merced (Attachment D of Staff Report #23-490), crime rates in this area are considered moderate compared to the rest of the City. However, most of the incidents surrounding the site were not related to alcohol. Alcohol sales for off-site

consumption should not have a significant impact on Police Department resources.

Incidents and Cases Reported (May 1, 2022 – May 26, 2023)

Incident/Case Type	Number of Incidents
Public Intoxication	0
Disturbance (assaults)	9
MMC*	11
Narcotics violations	0

*Municipal Code Violations regarding open containers, drinking in public, etc.

Planning staff consulted with the Merced Police Department regarding alcohol sales at this location. The Police Department did not have significant concerns with this request and is not requiring any conditions of approval not normally associated with alcohol sales for off-site consumption. Based on the information provided by the Police Department, staff does not anticipate that the approval of this request would adversely affect the economic and social welfare of the surrounding area.

Conditional Use Permit Findings

N) In order for the Planning Commission to approve or deny a conditional 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.*

As shown under Finding A, the proposed project complies with the General Plan designation of Thoroughfare Commercial (CT) and the zoning classification of Thoroughfare Commercial (C-T) with approval of this conditional use permit and design review permit.

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.*

EXHIBIT B

OF PLANNING COMMISSION RESOLUTION #4115

As shown under Finding F – Site Design , Finding G – Building Elevation, and Finding I -Neighborhood Impact, staff believes that the location, size, design, and operating characteristics of the proposal would be compatible existing and future land uses in the vicinity.

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

As shown under Finding M– Alcohol Sales, staff does not anticipate that this proposal would be detrimental to the public health, safety, and welfare of the City. Planning staff consulted with the Merced Police Department regarding alcohol sales at this location; the Police Department did not have any significant concerns with this request and is not requiring any conditions of approval not normally associated with alcohol sales for off-site consumption. Based on the information provided by the Police Department, 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 properly located within the City and adequately served by existing or planned services and infrastructure such was street access, sewer connections, water connections, and other utilities.

Environmental Clearance

- O) Planning staff conducted an environmental review (Environmental Review #23-11) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption (no further environmental review is required) is being recommended (Attachment H of Staff Report #23-490).

CITY OF MERCED
Planning Commission

Resolution #4116

WHEREAS, the Merced City Planning Commission at its regular meeting of June 21, 2023, held a public hearing and considered **Conditional Use Permit #1273**, initiated by Raj Joshi, on behalf of Merced Holdings, LP, property owner. This application involves a request to allow the on-site consumption of alcoholic beverages including beer, wine, and spirits within a restaurant to be generally located at the southeast corner of Yosemite Avenue and McKee Road (2272 E. Yosemite Avenue). The site has a General Plan designation of Neighborhood Commercial (CN) and is zoned Neighborhood Commercial (C-N) Designation. The site is more particularly described as “New Parcel” as shown on the Certificate of Compliance for Voluntary Merger of Lots for Lot Combination #22-02, recorded as Document Number 2022-041271 in Merced County Records; also known as Assessor’s Parcel Number (APN): 008-520-020.

WHEREAS, the Merced City Planning Commission concurs with Findings/Considerations A through G of Staff Report #23-499 (Exhibit B); and,

WHEREAS, the Merced City Planning Commission concurs with the Findings for Conditional Use Permits in Merced Municipal Code Section 20.68.020 (E), and other Considerations as outlined in Exhibit B; and,

NOW THEREFORE, after reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #23-20, and approve Conditional Use Permit #1273, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

Upon motion by Chairperson Harris, seconded by Commissioner Greggains, and carried by the following vote:

AYES: Commissioner Greggains, Delgadillo, White, and Chairperson Harris
NOES: None
ABSENT: Commissioners Camper and Gonzalez
ABSTAIN: None

PLANNING COMMISSION RESOLUTION #4116

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June 21, 2023

Adopted this 21st day of June 2023



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary

Attachments:

Exhibit A – Conditions of Approval

Exhibit B - Findings

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Conditions of Approval
Planning Commission Resolution #4116
Conditional Use Permit #1273

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (site plan) and Exhibit 2 (floor plan) - Attachments B and C of Staff Report #23-499.
2. All conditions contained in Resolution #1249 (“Standard Conditional Use Permit Conditions”) shall apply.
3. All previously approved conditions for Conditional Use Permit #1238 and Site Plan Review #455, including all mitigation measures for Environmental Review #19-37 shall apply.
4. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
5. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
6. 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

EXHIBIT A
OF PLANNING COMMISSION RESOLUTION #4116

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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. 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 restaurant shall meet all applicable Merced County Health Department requirements.
8. The restaurant shall meet all applicable Alcoholic Beverage Control requirements.
9. Alcoholic beverages shall not be allowed outside the building, unless otherwise approved by the California Department of Alcoholic Beverage Control and the City of Merced Site Plan Review Committee.
10. This approval is for alcohol sales as an ancillary use to the primary restaurant only.
11. A nightclub, bar, or similar use is expressly prohibited by the Conditions of approval for CUP #1238.
12. The City reserves the right to periodically review the area for potential problems. Should excessive calls for service or violation of these conditions of approval occur, the City may consider revocation of the Conditional Use Permit (CUP) after a public hearing and following the procedures outlined in the Merced Municipal Code.
13. Alcohol sales shall cease at 11:00 p.m. Monday through Thursday and Sunday, and at 1:00 a.m. on Friday and Saturdays, regardless of the business hours for the restaurant.
14. All employees serving alcoholic beverages shall be a minimum of 21 years old.

**Findings and Considerations
Planning Commission Resolution #4116
Conditional Use Permit #1273**

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The project site has a General Plan designation of Neighborhood Commercial (CN). The proposed restaurant complies with this designation. A Conditional Use Permit is required to allow alcohol sales for on-site consumption. The Neighborhood Commercial designation is intended to provide for retail shopping areas, including eating and drinking establishments, commercial recreation and other similar uses to serve the neighborhood. With the approval of this Conditional Use Permit, the project would comply with the CN designation.

Mandatory Findings for Conditional Use Permits

- B) Merced Municipal Code (MMC) Section 20.68.020 requires that the following findings be made by the Planning Commission in order to approve a Conditional Use Permit:

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

As described in Finding A, the proposed land use is consistent with the General Plan designation of Neighborhood Commercial (CN). The Zoning Ordinance was updated in 2022, to allow restaurants selling alcoholic beverages for on-site consumption within a Neighborhood Commercial (C-N) zone to obtain a Site Plan Review Permit rather than a Conditional Use Permit. However, the conditions of approval for the Hub Project (Condition #33 of City Council Resolution #2020-63 – Attachment E of Planning Commission Staff Report #23-499) requires a Conditional Use Permit (CUP) for restaurants selling alcoholic beverages for on-site consumption. Therefore, it was determined by the City Attorney, that this request would be subject to that condition and must obtain a CUP rather than a Site Plan Review Permit.

If the CUP is approved, the project would comply with the Zoning district. There are no other adopted plans for this site.

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.*

As indicated on the location map at Attachment B of Planning Commission Staff Report 23-499, the site is surrounded by residential uses on all sides. Additionally, a church is located across Yosemite Avenue to the north. The proposed restaurant is intended to be a family-oriented restaurant that will cater to patrons of all ages (refer to the Restaurant Description at Attachment D of Planning Commission Staff Report #23-499). To begin with, the restaurant hours would be Monday-Thursday 10:30 a.m. to 11:00 p.m., Friday 10:30 a.m. to 12:00 a.m., Saturday 9:00 a.m. to 12:00 a.m., and Sunday 9:00 a.m. to 11:00 p.m. However, the applicant would like to be able to adjust the hours as they see how the business progresses. If they see that customers prefer longer hours, they may want to extend their opening and/or closing time.

The sale of alcoholic beverages is ancillary to the restaurant. The applicant has applied for a Type 47 license from the California Department of Alcoholic Beverage Control (ABC). Per ABC requirements for a Type 47 license a full menu must be served and the premises must be maintained as a “bona fide eating place.” Minors are allowed on the premises.

The applicant envisions the restaurant to be a place that would serve the neighborhood as a walkable destination. The restaurant would be the closest dining destination for the apartments that share the site as well as the adjacent residential uses to the north, south, east, and west.

Therefore, the proposed use would be compatible with the surrounding land uses and future land uses and would provide a service that is not currently existing in the area.

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

The proposed project does not include any uses that would be detrimental to the public health, safety, and welfare of the City. Implementation of the conditions of approval and adherence to all applicable Building Codes, Fire Codes, and City Standards would prevent the project from having any detrimental effect on the 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 project site is located within a developed area that is adequately served by infrastructure. Through the building permit process, the project would pay all necessary fees to connect to the existing services in the area. In addition, the site was annexed into the City's Community Facilities District (CFD) which would help pay for police and fire services for the site.

Proximity to Residential Uses and Church

- C) The Zoning Ordinance does not establish a required distance for restaurants with alcohol sales from residential areas and churches. State law allows ABC to deny a license for projects located within 600 feet of schools, public playgrounds, and non-profit youth facilities. Generally, ABC will deny a license in the above situations when there is evidence that normal operation of the licensed premises will be contrary to public welfare and morals. Mere proximity by itself is not sufficient to deny a license. However, ABC will not license a new location within 100 feet of a residence unless the applicant can ensure that their operation will not interfere with the quiet enjoyment of the property by residents.

In this case, there would be apartments on the same site as the restaurant which would be within 100 feet of the restaurant. All the other residential uses in the area would be more than 100 feet away. The nearest homes (other than the apartments on site) would be to the east across Whitewater Way. These homes would be approximately 120-150 feet away. There would be no openings on the east side of the building. The entrance to the restaurant would be from the west side through the development's courtyard area (refer to the Site Plan at Attachment C of Planning Commission Staff Report #23-499).

Yosemite Church located at 2230 East Yosemite Avenue and Providence Christian School located at 2142 East Yosemite Avenue are both north of the site, across Yosemite Avenue. The parking lot of the church would be approximately 250 feet from the restaurant and the church office and sanctuary would be approximately 500 feet from the restaurant. The playground for the school would be approximately 550 feet from the restaurant and the nearest classroom would be approximately 580 feet away. The map at Attachment F of Planning Commission Staff Report #23-499 shows the proximity of the sensitive uses to the restaurant.

Given the nature of the restaurant, the orientation of the building, the fact that there is no outdoor seating or live music proposed, and the hours the church and school are in operation compared to the restaurant hours, the alcohol sales at the restaurant would not have a negative impact on the church and school.

For the same reasons, the impact on the residential uses would be minimal as well. The sale of alcoholic beverages would be limited to indoor sales and in order to comply with ABC regulations, the restaurant would be required to serve food during most business hours. The residents on the site may hear noises as customers come and go, but given this is a mixed-use development, a certain amount of noise is to be expected.

Parking

- D) Zoning Ordinance Section 20.38 sets forth the parking requirements for restaurants. Restaurants are required to have one parking space for each 2.5 seats in the restaurants or 1 space for every 100 square feet of floor seating area. Based on 100 seats, the minimum parking requirement is 40 spaces. This is greater than the parking requirement based on square feet.

The Hub project is a mixed-use project that includes multi-family, expected retail uses, restaurants, and office uses. The project provides approximately 386 parking spaces, which include 25 motorcycle parking spaces. There are also designated ride share locations for Uber and Lyft, bicycle parking, and the site is located near a transit stop. A parking reduction was given for the proximity to a bus stop and for a mixed-use development per MMC Section 20.38.050 (E) and (F). Given these reductions, the site provides sufficient parking for the apartments and the restaurant.

Merced Police Department

- E) Between 6/1/2022 and 6/1/23, the Merced Police Department recorded 34 incidents within a 500-foot radius of the subject site. For this time period, there were no incidents involving DUI's, public intoxication, assaults. There was one incident involving a MMC violations and one involving a disturbance. As shown on the attached Incident Map (Attachment H), most of the incidents occurred in the Moraga subdivision to the east of the site. There was one incident on the site involving a theft. However, it should be noted that the project site is still under construction. The number of incidents reported City-wide for the same time period was approximately 72,000. Based on the total number of calls within the City, the 30 calls to this area equals 0.04% of the overall crime within the City. As shown on the attached

Crime Hot Spot Map for City of Merced (Attachment I), crime rates in this area are considered low compared to the rest of the City and approval of this project should not overburden the Police Department with excessive calls related to alcohol.

Planning staff consulted with the Merced Police Department regarding the sale of alcohol as an ancillary use to the restaurant at this location. The Police Department did not have any concerns with this request and is not requiring any conditions of approval not normally associated with alcohol sales for on-site consumption. Based on the information provided by the Police Department, staff does not anticipate that the approval of alcohol service at this location would adversely affect the economic and public welfare of the surrounding area.

Neighborhood Impact/Interface

- F) As discussed in Finding C above, the site is surrounding be residential uses. However, the site itself is a mixed-use development that is approved to include both apartments and commercial uses such as retail, restaurants, and offices. The restaurant use is a permitted use. Only the alcohol sales require discretionary review and approval of a CUP. Because the alcohol sales would be ancillary to the restaurant, the impact to the neighborhood is expected to be minimal. Conditions have been added to help minimize any potential impacts. These conditions include, not selling alcohol later than 1:00 a.m. on Friday and Saturday nights, not alcoholic beverages to be served outside unless otherwise approved by the City and ABC., and a condition that allows the City the right to review the CUP if there are excessive calls for service by the Police Department or other problems arise (Conditions #13, #9, and #12 respectively). Additionally, Condition #11 prohibits a nightclub or bar per the Conditions of Approval for CUP #1238 previously approved for this site.

Environmental Clearance

- G) Planning staff has conducted an environmental review (Environmental Review #23-20) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and recommends a Categorical Exemption based on the previous environmental review (Initial Study #19-37 for CUP #1238) remains sufficient and no further documentation is required (CEQA Section 15162 Findings) (Attachment J of Planning Commission Staff Report #23-499).



ADMINISTRATIVE REPORT

File #: 23-515

Meeting Date: 7/5/2023

Planning Commission Staff Report

Report Prepared by: Francisco Mendoza-Gonzalez, Associate Planner

SUBJECT: Conditional Use Permit #1272, initiated by Paramjeet Singh, on behalf of Encina Investment Group Mainplace Merced, LLC, property owner. This application involves a request for alcohol sales (beer, wine, and distilled spirits) for off-site consumption for a new convenience market at 429 W. Main Street, generally located on the north side of Main Street, approximately 75 feet east of Canal Street, with a General Plan designation of Regional/Community Commercial (RC), and a Zoning classification of Central Commercial (C-C) *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #23-18 (*Categorical Exemption*)
- 2) Conditional Use Permit #1272

SUMMARY

Paramjeet Singh is requesting approval to sell beer, wine, and distilled spirits for off-site consumption (Type 21 Alcoholic Beverage Control License) for a new convenience market located at 429 W. Main Street. A conditional use permit is required to approve the sale of alcohol for off-site consumption for buildings under 20,000 square feet per Merced Municipal Code Section 20.44.010 - Alcoholic Beverage Sales for Off-Premises Consumption. Staff is recommending approval of this application subject to the conditions contained in the Staff Report.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #23-18 (*Categorical Exemption*), and Conditional Use Permit #1272, including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

DISCUSSION

Project Description

The subject site is located in Downtown Merced on the north side of Main Street, approximately 75 feet east of Canal Street at 429 W. Main Street (Attachment B). The subject site is currently a vacant 1,750-square-foot suite that is part of the Mainplace Merced development adjacent to the Regal Hollywood movie theatre. The applicant is proposing to remodel the interior of the suite to operate a convenience market that would sell a variety of goods, snacks, and drinks, including this request for beer, wine, and distilled spirits for off-site consumption. The applicant is proposing to operate Sunday

through Thursday from 9:00 a.m. to 12:00 a.m., and Friday through Saturday from 9:00 a.m. to 2:00 a.m.

A Finding of Public Convenience or Necessity (adopted by City Council) is required, because the subject site is located within a Census Tract that is considered over-concentrated with alcohol licenses by Alcoholic Beverage Control standards. The Police Department has determined that they would support the sale of alcohol for off-site consumption if specific conditions are included to reduce the potential for alcohol-related incidents such as Conditions #15 through #23.

Surrounding uses as noted in Attachment B.

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	AT&T Facility	Central Commercial (C-C)	Regional/Community Commercial (RC)
South	Envy Clothing (across Main Street)	Central Commercial (C-C)	Regional/Community Commercial (RC)
East	Vinho's Wine & Lounge	Central Commercial (C-C))	Regional/Community Commercial (RC)
West	Cold Stone Creamery	Central Commercial (C-C)	Regional/Community Commercial (RC)

Background

The subject site is part of the Mainplace Merced development which is directly west of the Regal Hollywood movie theatre. Merced Mainplace has a variety of restaurants and shops within the building such as Cold Stone Creamery, Little Oven Pizza, a Hookah Bar, Pretty Good Burger, and a few other vacant suites. The subject site was previously one larger suite that was recently divided into two separate suites. The other recently created suite is currently occupied by Vihos Wine Lounge & Tapa Bar which operates as a wine lounge (sells wine for both on-site and off-site consumption) that offers live music. Before this suite was divided, it operated as a nightclub with alcohol sales that has had a variety of operators such as Club Azteca, and Paradigm Lounge (approved by Planning Commission in 2012 through Conditional Use Permit #1168).

Findings/Considerations

Please refer to Exhibit B of the Draft Planning Commission Resolution at Attachment A.

ATTACHMENTS

- A. Draft Resolution
- B. Location Map
- C. Floor Plan Showing Location of Alcohol Stored
- D. Sensitive Uses
- E. Police Department Incident Map (500-foot-radius from Site)
- F. Police Department City-Wide Incident Hot Spot Map
- G. Categorical Exemption
- H. Presentation

CITY OF MERCED
Planning Commission

Resolution #4117

WHEREAS, the Merced City Planning Commission at its regular meeting of July 5, 2023, held a public hearing and considered **Conditional Use Permit #1272**, initiated by Paramjeet Singh, on behalf of Encina Investment Group Mainplace Merced, LLC, property owner. This application involves a request for alcohol sales (beer, wine, and liquor) for off-site consumption for a new convenience market at 429 W. Main Street, generally located on the north side of Main Street, approximately 75 feet east of Canal Street, with a General Plan designation of Regional/Community Commercial (RC), within a Zoning classification of Central Commercial (C-C). The subject site is more particularly described as a portion of Lots 11, 12, 13, 14, and 15 from Block 162 on Recorded Map entitled “Supplemental Map to Town of Merced,” recorded in Volume 2, Page 12, in Merced County Records; also known as a portion of Assessor’s Parcel Number (APN) 031-143-028; and,

WHEREAS, the Merced City Planning Commission concurs with Findings/Considerations A through J (Exhibit B) of Staff Report #23-515; and,

WHEREAS, the Merced City Planning Commission concurs with the Findings for Conditional Use Permits in Merced Municipal Code Section 20.68.020 (E), and other Considerations as outlined in Exhibit B; and,

NOW THEREFORE, after reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #23-18, and approve Conditional Use Permit #1272, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by reference.

Upon motion by Commissioner_____, seconded by Commissioner _____, and carried by the following vote:

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

PLANNING COMMISSION RESOLUTION #4115

Page 2

July 5, 2023

Adopted this 5th day of July 2023

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Attachments:

Exhibit A - Conditions of Approval

Exhibit B - Findings

Conditions of Approval
Planning Commission Resolution #4117
Conditional Use Permit #1272

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (floor plan) -- Attachment C of Staff Report #23-515 except as modified by the conditions.
2. All conditions contained in Resolution #1249-Amended (“Standard Conditional Use Permit Conditions”—except for Condition #16 which has been superseded by Code) shall apply.
3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including the Post Construction Standards for Storm Water that became effective July 1, 2015.
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

EXHIBIT A
OF PLANNING COMMISSION RESOLUTION #4117

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. A grease interceptor may be required. This will be determined at the building permit stage based on whether food is prepared on-site and waste generated.
8. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
9. The applicant shall work with the City's Refuse Department to determine if a recycling container will be required to comply with AB 341. If an additional container(s) is required, it shall be enclosed within a refuse enclosure built to City Standards, unless otherwise approved by the City Engineer.
10. 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, installing traffic calming measures, 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.
11. A temporary banner permit shall be obtained prior to installing any temporary signs. Free-standing temporary signs (i.e., sandwich boards, A-frame signs, etc.) are prohibited.
12. Business signage and minor exterior changes to the building shall be reviewed with a staff level design review permit. Signage shall comply with Merced Municipal Code Section 17.36 (Article IV) – Regulations for Downtown.

13. Future signage, 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.
14. No self-illuminated advertising for beer or wine shall be located on the building or in the windows.
15. No sale of alcoholic beverages shall be made from a drive-in window.
16. No display or sale of beer, wine, or liquor shall be made from an ice tub.
17. Employees on duty between the hours of 10 p.m. and 2 a.m. shall be at least 21 years of age to sell beer and wine.
18. The proprietor and/or successors in interest and management shall comply with all Municipal Codes relating to loitering, open container laws and other nuisance-related issues.
19. The area within the convenience market dedicated to the display and sale of alcoholic beverages (beer, wine, and distilled spirits) shall not be more than 165 square feet as shown in the floor plan at Attachment C of Staff Report #23-515.
20. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) arise as determined by the Police Chief including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the conditional use permit may be subject to review and revocation by the City of Merced after a public hearing and in conformance with the procedures outlined in the Merced Municipal Code.
21. No single-serving containers shall be sold separately unless authorized by the City of Merced Police Department. All single-serving beer and wine containers shall be sold as part of a pack or carton, except for wine bottles at or over 750 ml.
22. Approval of CUP #1272 is contingent upon City Council approval of a Finding of Public Convenience or Necessity. Prior to obtaining a license from the Alcoholic Beverage Control to sell alcohol, the business (for the convenience market) shall obtain approval for a Finding of Public Convenience or Necessity from the Merced City Council.

EXHIBIT A
OF PLANNING COMMISSION RESOLUTION #4117

23. This approval is subject to the business owner being in good standing with all laws of the State of California, including the Alcohol Beverage Control (ABC), City of Merced, and other regulatory agencies.

**Findings and Considerations
Planning Commission Resolution #4117
Conditional Use Permit #1272**

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of Regional/Community Commercial (RC) and the Zoning classification of Central Commercial (C-C) with approval of a Conditional Use Permit. Alcohol sales for off-site consumption requires a conditional use permit per MMC 20.44.010 – Alcoholic Beverage Sales for Off-Premises Consumption.

Public Improvements/City Services

- B) Any damaged or missing public improvements shall be repaired if the permit value of the project exceeds \$100,000.00. The need for repairs or replacement of any missing improvements would be evaluated at the building permit stage by the City's Engineering Department (Condition #10).

Parking

- C) The subject site is located within the City's Downtown Parking District which does not require parking for businesses located on the first floor of a building. City Parking Lots 1, 7, 8, 9, 10, 12, and 14 are located within 400 feet (1 block) of the subject site. Supplemental parking is provided behind the building (approximately 26 spaces) for employees working at Mainplace Merced.

Building Elevations

- D) The applicant is not proposing any modifications to the exterior of the building. The building was part of a larger remodel with the Regal Hollywood movie theatre during the early 2000's. The exterior of the building has a modern design with a stucco finish, brick, and large storefront windows. The applicant is not proposing any modifications to the exterior of the building. Exterior modifications such as exterior paint or wall signage shall require a staff level design review permit (Condition #12).

Floor Plan

- E) The subject site is a recently created suite of 1,750 square feet. The proposed floor plan includes a cashier counter by the primary entrance along Main Street, sales floor area, beverage counter, walk in coolers, an office, bathroom, electrical room, and a restroom. Beer and wine selection would be stocked within the walk-in coolers. Additional wine and distilled spirits would be shelved behind the employee counter as shown at Attachment C of Planning Commission Staff Report #23-515). In total, a maximum of 165 square feet of sales floor area would be dedicated to alcohol sales (Condition #23).

Neighborhood Impact

- F) The subject site is located in Downtown Merced and is surrounded by a variety of commercial and entertainment businesses. Entertainment businesses are common throughout the neighborhood with the Merced Theater (live performance), 17th Street Public House (pub), Vinho's Wine Lounge, The Den (hookah lounge), Regal Hollywood (movie theatre), The Partisan (pub), O'Ryleigh's Tavern (pub), Casino Merced, Merced Playhouse Merced (live theatre), El Palacio Night Club, Tioga Sequoia (tap room), and Hi-Fi Wine (wine bar) all located within 1,400 feet of the subject site. Given the abundance of alcohol sales and entertainment businesses in the Downtown area, and the fact that this site was previously approved for a nightclub with alcohol sales, staff does not anticipate that this approval would create any unusual circumstances for the neighborhood.

A Public Hearing Notice was circulated in the Merced County Times and mailed to property owners within 300 feet of the subject site three weeks prior to this public hearing. As of the date that this report was prepared, staff has not received any comments or concerns from the public about this request.

Signage

- G) The applicant has yet to determine the types and locations of signs they would install. The subject site is located within the City's Design Review District and would require a staff level Design Review Permit prior to installation of any signage and require compliance with Merced

Municipal Code Section 17.36 (Article IV) – Regulations for Downtown (Condition #12).

Alcohol Sales

- H) The Merced Municipal Code requires a Conditional Use Permit for alcohol sales for markets under 20,000 square feet (MMC 20.44.010). In addition, in accordance with state law, if the census tract in which a business is located is considered by the Alcoholic Beverage Control (ABC) to be over-concentrated with licenses for alcohol sales for off-site consumption, a Finding of Public Convenience or Necessity is required to be approved by the City Council. This site is located within Census Tract 13.02 which is allowed 2 off-sale retail licenses (Type 20 or Type 21). There are currently 2 licenses issued in this census tract. Therefore, the addition of another license would cause this census tract to be over-concentrated.

In order for the Planning Commission to approve or deny a request for the sale of alcoholic beverages for off-site consumption, they must consider the following criteria and make findings to support or deny each criteria per MMC 20.44.010:

Criteria #1

The proposed use will not result in an "undue concentration" of establishments dispensing alcoholic beverages as defined by Section 23958 and 23958.4 of the California Business and Professional Code and giving consideration to the California Department of Alcoholic Beverage Control's guidelines related to number and proximity of such establishments within a 1,000-foot radius of the site.

Finding #1

The subject site is located within Alcoholic Beverage Control Census Tract 13.02. In checking with the State of California Alcoholic Beverage Control District, with the issuance of another license in this census tract it would become overconcentrated with alcohol licenses. Due to this, the applicant would need a Finding of Public Convenience or Necessity which the City of Merced requires be approved by the City Council. Approval of CUP #1272 is contingent upon City Council approval of a Finding of Public Convenience or Necessity (refer to Condition #23).

Criteria #2

The proposed use will not adversely affect the economic and societal welfare of the pertinent community or residentially zoned community in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds, and other similar uses; and other establishments dispensing, for sale or other considerations, alcoholic beverages including beer and wine.

Finding #2:

There are residential uses located approximately 350-400 feet to the west of the subject site (the Loft Apartments) and additional residential uses approximately 500 feet to the east (apartments above the Merced Theater). All of these units are located within a Central Commercial (C-C) Zone. Additional residential uses in the C-C zone are located within a 600-foot and 1,000-foot radius. The nearest park is Bob Hart Square approximately 250 feet west of the subject site. The nearest school is East Campus Educational Center and Independence High School approximately 2,400 feet east of the subject site (Attachment D of Staff Report #23-515).

Criteria #3

The crime rate in the area of the proposed site. Particular attention shall be given to those crimes involving public drunkenness, the illegal sale of narcotics, disturbing the peace, and disorderly conduct.

Finding #3:

Between June 1, 2022, and June 7, 2023, the Merced Police Department recorded approximately 1,000 incidents within a 500-foot radius of the subject site (refer to the map at Attachment E of Staff Report #23-515). The table following shows the number of incidents within that area involving public intoxication, assaults, MMC violations, and narcotics violations (totaling 139 incidents during the 12-month period). The number of incidents reported City-wide for the same time period was approximately 73,000. Based on the total number of calls within the City, the 1,000 calls to this area equals 0.19% of the overall calls for service within the City. As shown on the attached Crime Hot Spot Map for the City of Merced (Attachment F of Staff Report #23-515), crime rates in this area are considered Very High compared to the rest of the

City. However, most of the incidents surrounding the site were not related to alcohol.

Incidents and Cases Reported (June 1, 2022 – June 7, 2023)

Incident/Case Type	Number of Incidents
Public Intoxication	7
Disturbance (assaults)	127
MMC*	0
Narcotics violations	5

*Municipal Code Violations regarding open containers, drinking in public, etc.

Planning staff consulted with the Merced Police Department regarding alcohol sales at this location. The Police Department has determined that they would support the sale of alcohol for off-site consumption if specific conditions are included to reduce the potential for alcohol-related incidents such as Conditions #15 through #23. Based on the information provided by the Police Department, staff does not anticipate that the approval of this request would adversely affect the economic and social welfare of the surrounding area.

Conditional Use Permit Findings

I) In order for the Planning Commission to approve or deny a conditional 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.*

As shown under Finding A, the proposed project complies with the General Plan designation of Regional/Community Commercial (RC) and the zoning classification of Central Commercial (C-C) with approval of this conditional use permit.

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.*

EXHIBIT B
OF PLANNING COMMISSION RESOLUTION #4117

As shown under Finding D – Building Elevations, Finding E – Floor Plan, and Finding F -Neighborhood Impact, staff believes that the location, size, design, and operating characteristics of the proposal would be compatible with existing and future land uses in the vicinity.

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

As shown under Finding H– Alcohol Sales, staff does not anticipate that this proposal would be detrimental to the public health, safety, and welfare of the City. Planning staff consulted with the Merced Police Department regarding alcohol sales at this location; The Police Department has determined that they would support the sale of alcohol for off-site consumption if specific conditions are included to reduce the potential for alcohol-related incidents such as Conditions #15 through #23. Based on the information provided by the Police Department, 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 convenience market is properly located within the City and adequately served by existing or planned services and infrastructure such as street access, sewer connections, water connections, and other utilities.

Environmental Clearance

- J) Planning staff conducted an environmental review (Environmental Review #23-18) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption (no further environmental review is required) is being recommended (Attachment G of Staff Report #23-515).



PROJECT
TENANT IMPROVEMENT
UC MERCED LIQUOR
429 W. MAIN STREET
MERCED, CA 95341
APN: 031-143-028-000



Revisión	Revisado	Revisado por	Revisado en
1	✓	✓	✓
2	✓	✓	✓
3	✓	✓	✓
4	✓	✓	✓
5	✓	✓	✓

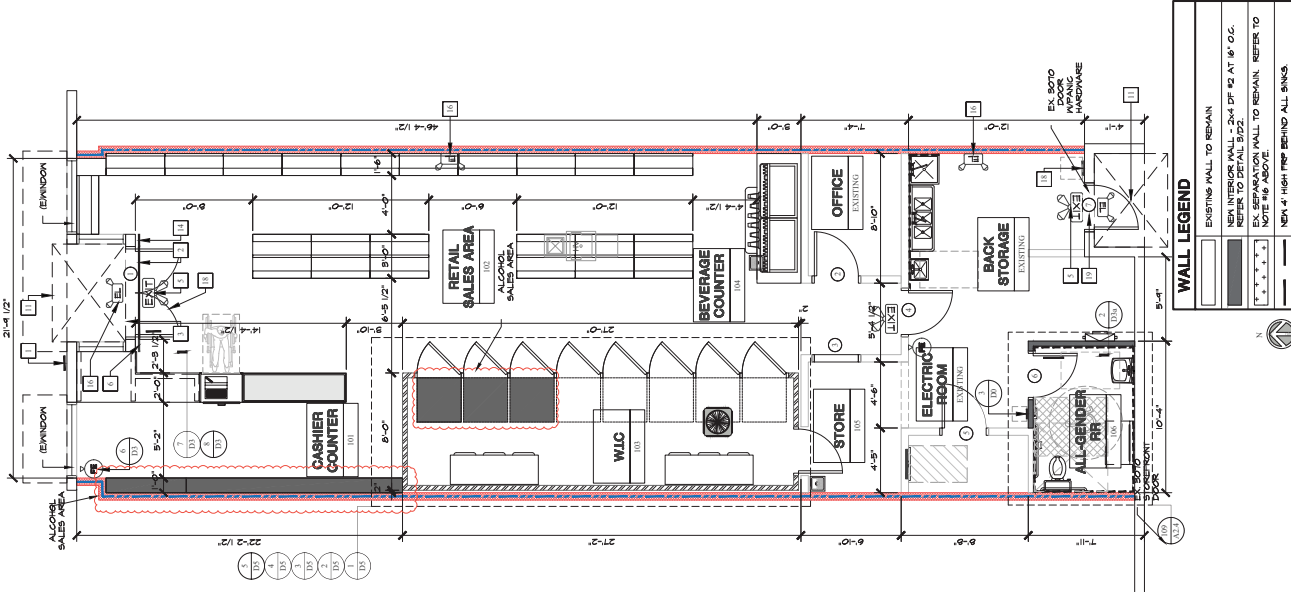
**PROPOSED
FLOOR PLAN**

CREAS JOB # :	20000
DATE	6/15/2023
PLANNING SUBMITTAL #	
PLAN CHECK SUBMITTAL #	
DRAWN BY:	J.K.
CHECKED BY:	R.L.
SCALE	NOTE ON PLANS

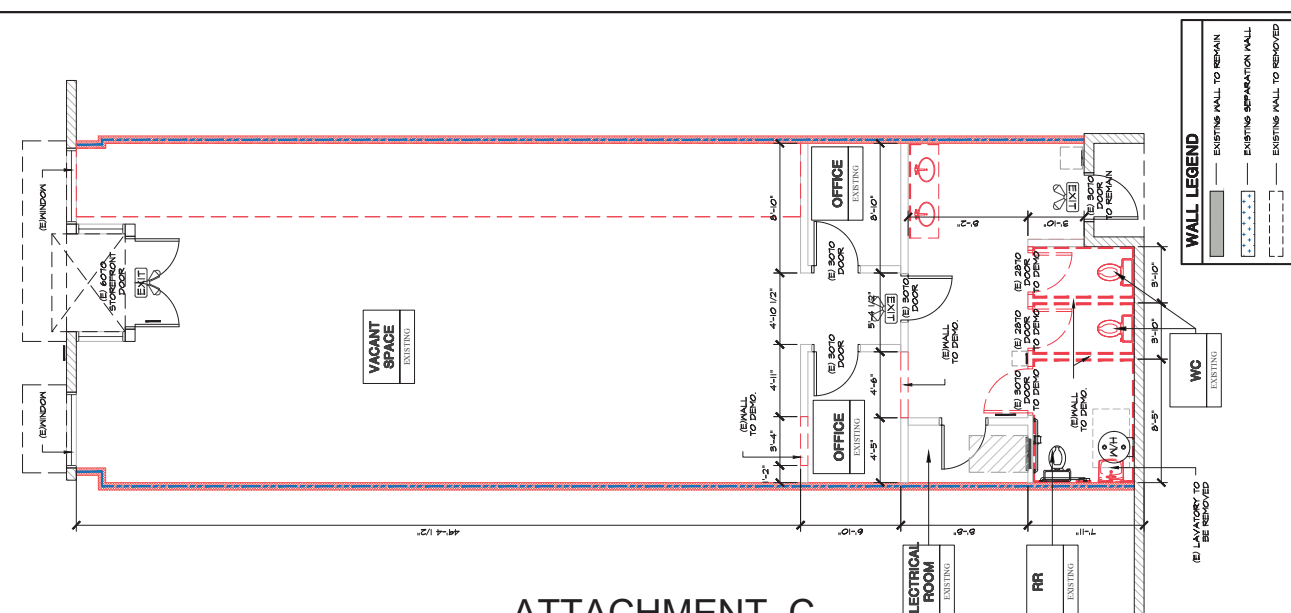
A2.1

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TOTAL ALCOHOL SALES AREA
165 SQ.FT.



PROPOSED FLOOR PLAN



EXISTING/DEMO FLOOR PLAN	-
DATE: 11/28/2018	11/28/2018

Sensitive Uses

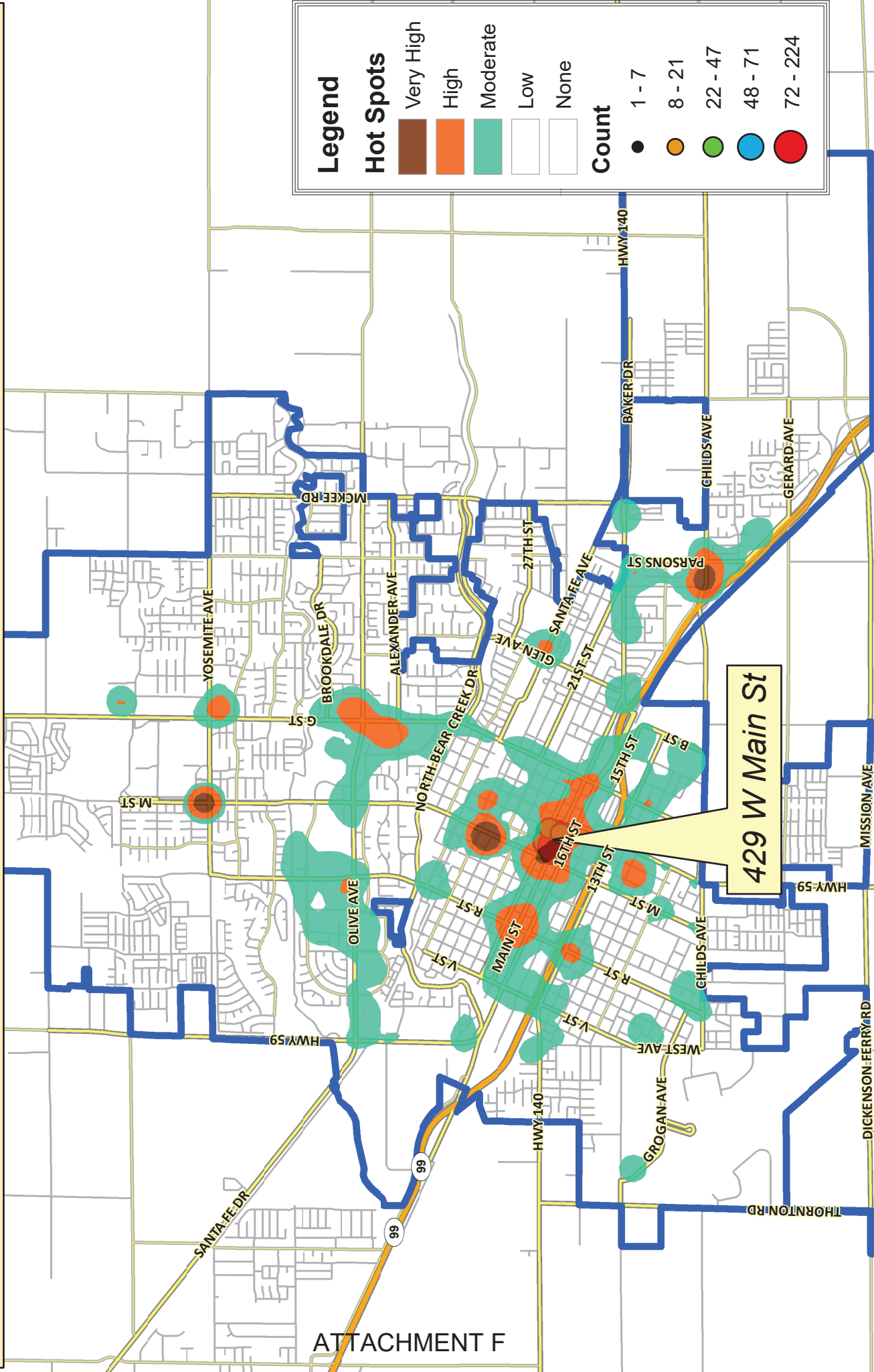


1,000+ Incidents within 500ft of 429 W Main ST for period of 6/1/22 to 6/7/23



HOT SPOTS of ALL POLICE INCIDENTS for 6/1/22 to 6/7/23

73,000+ incidents city wide



ATTACHMENT F

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: Conditional Use Permit #1272 (Environmental Review #23-18)

Project Applicant: Paramjeet Singh, on behalf of Encina Investment Group Mainplace Merced, LLC, property owner Trust

Project Location (Specific): 429 W. Main Street **APN:** 031-143-028

Project Location - City: Merced

Project Location - County: Merced

Description of Nature, Purpose, and Beneficiaries of Project: Alcohol sales for off-stie consumption for new convenience market

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Paramjeet Singh, on behalf of Encina Investment Group Mainplace Merced, LLC, 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));
☒ 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 and exterior alterations, and a request to serve alcohol, 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:** 6-14-2023 **Title:** Associate Planner

 X Signed by Lead Agency

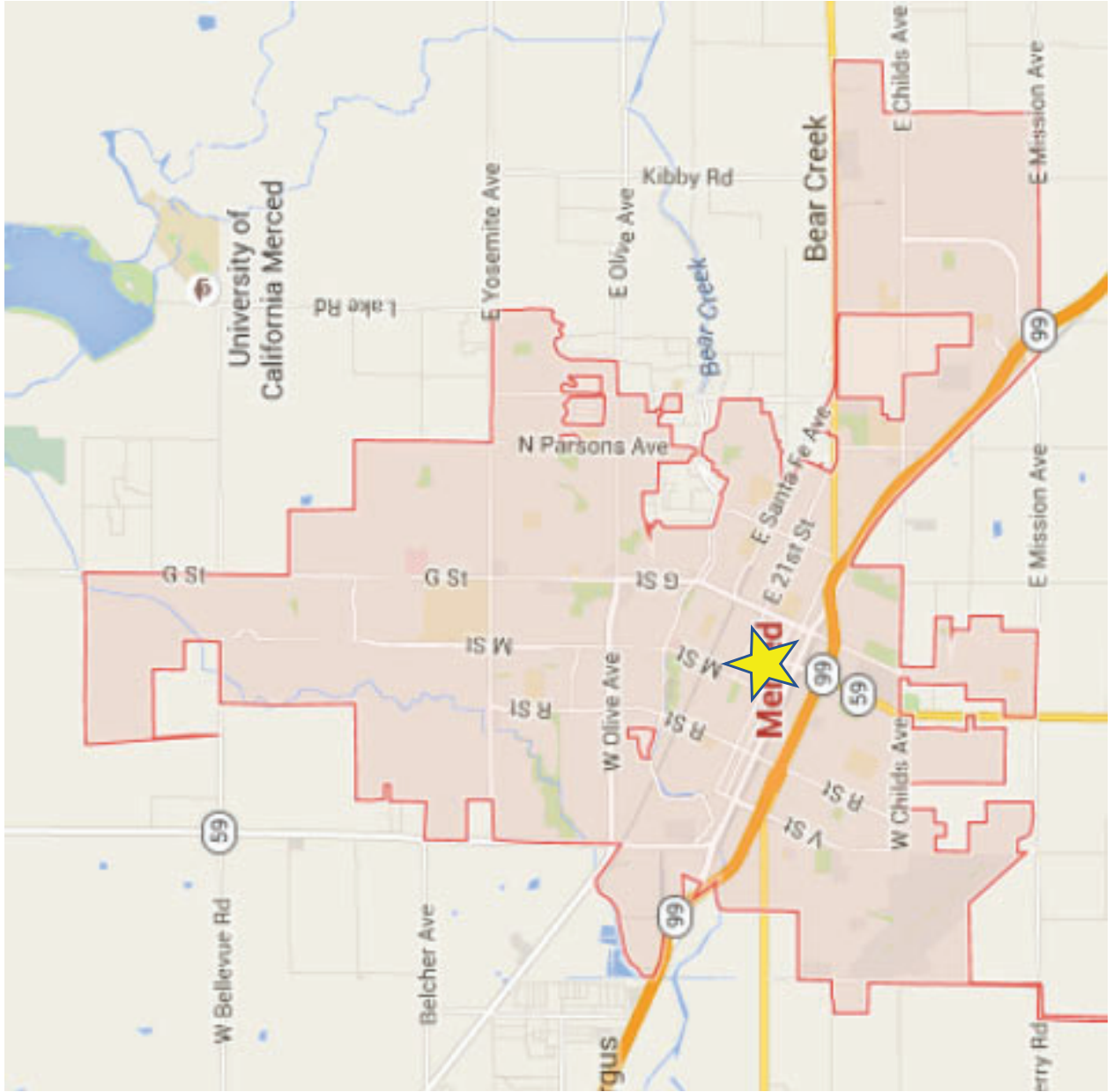
Date Received for Filing at OPR: _____
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code



CUP #1272
New Convenience Market
(W/Alcohol Sales)
429 W. Main Street

City-Scale Map

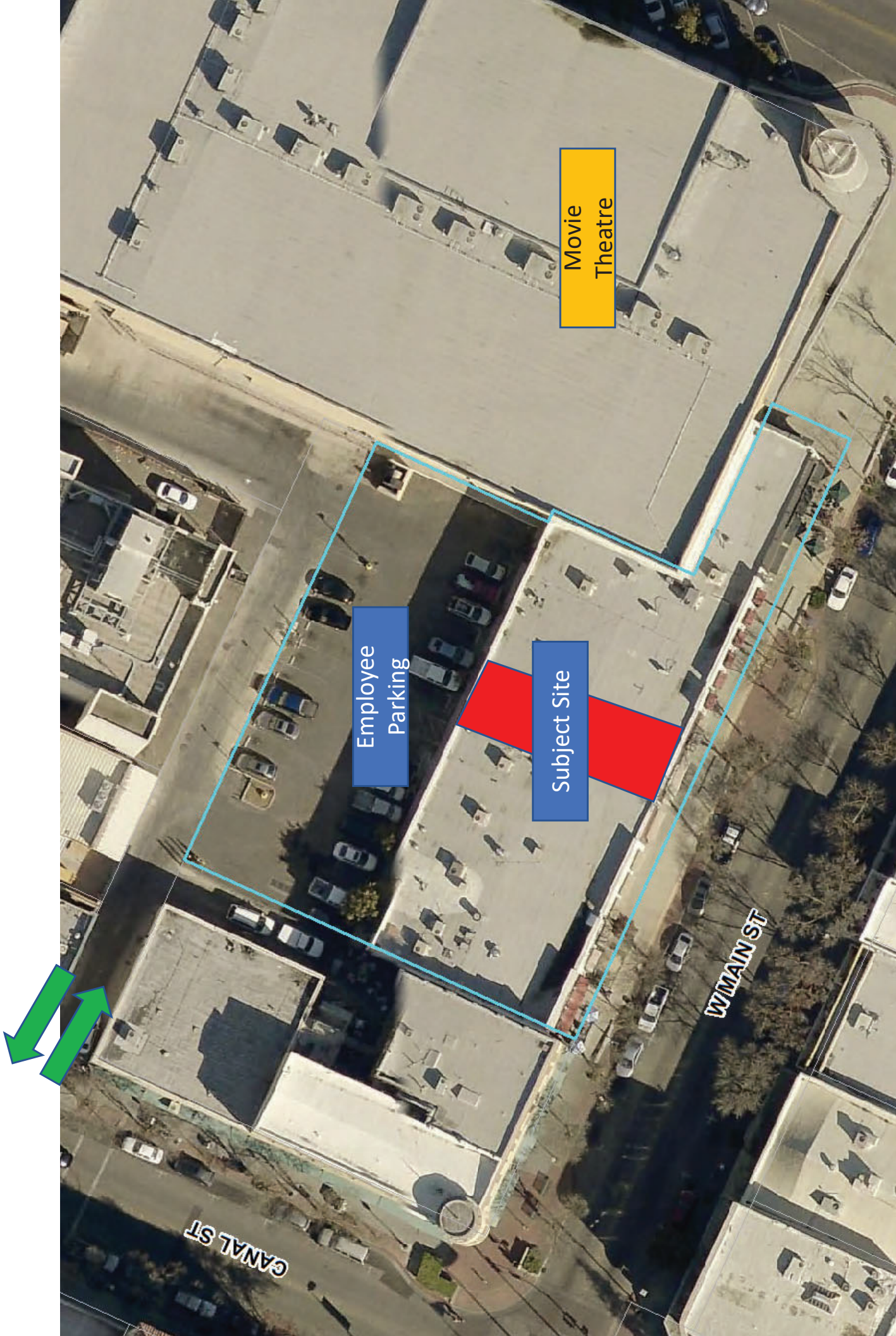


Land Use Policy & Design Review Boundary

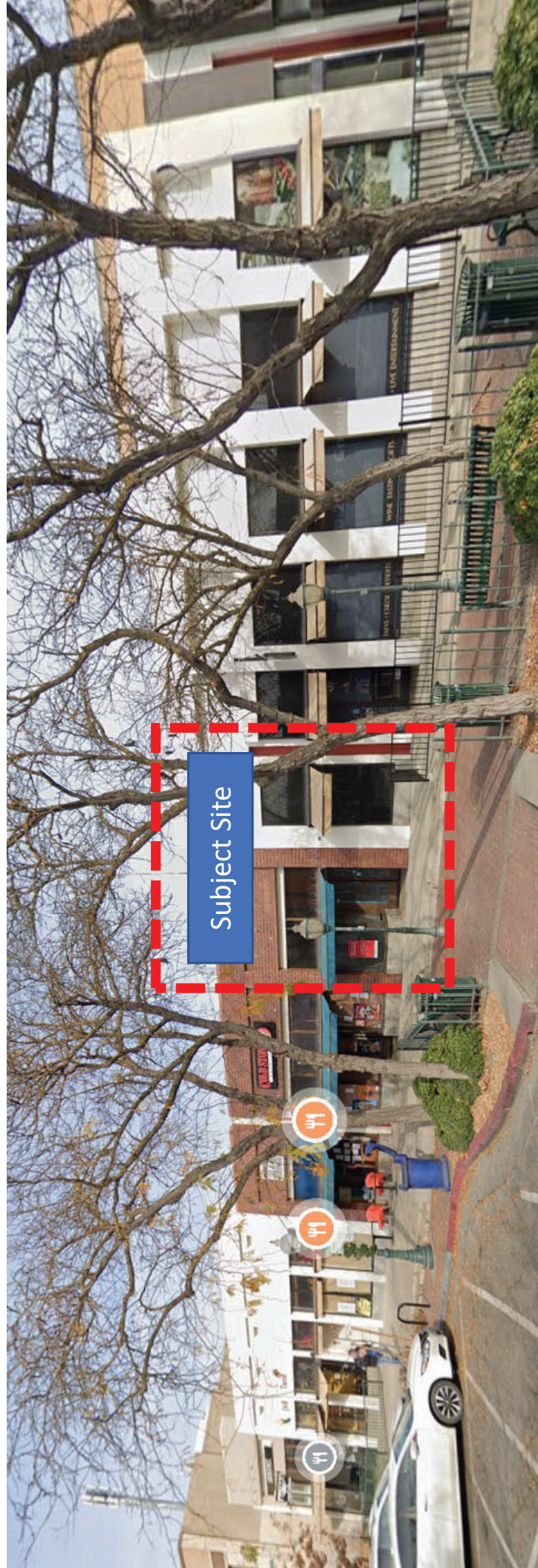
- **MMC 20.10-1** – Permitted Land Uses in the Commercial Zoning District has a convenience market as a principally permitted use for the Central Commercial (C-C) Zone
- **MMC 20.44.010** – Requires Conditional Use Permit for selling alcohol for off-site if the building under 20,000-s.f. (which the subject site is under). This regulation is meant to generally exempt larger grocery stores where alcohol is a smaller percentage of sales.
- **Finding of Public Convenience or Necessity** is required because subject site is within a Census Tract determined to be overconcentrated with alcohol licenses by the State department of Alcoholic Beverage Control (this is a subsequent step reviewed and approved by City Council).

Location Map





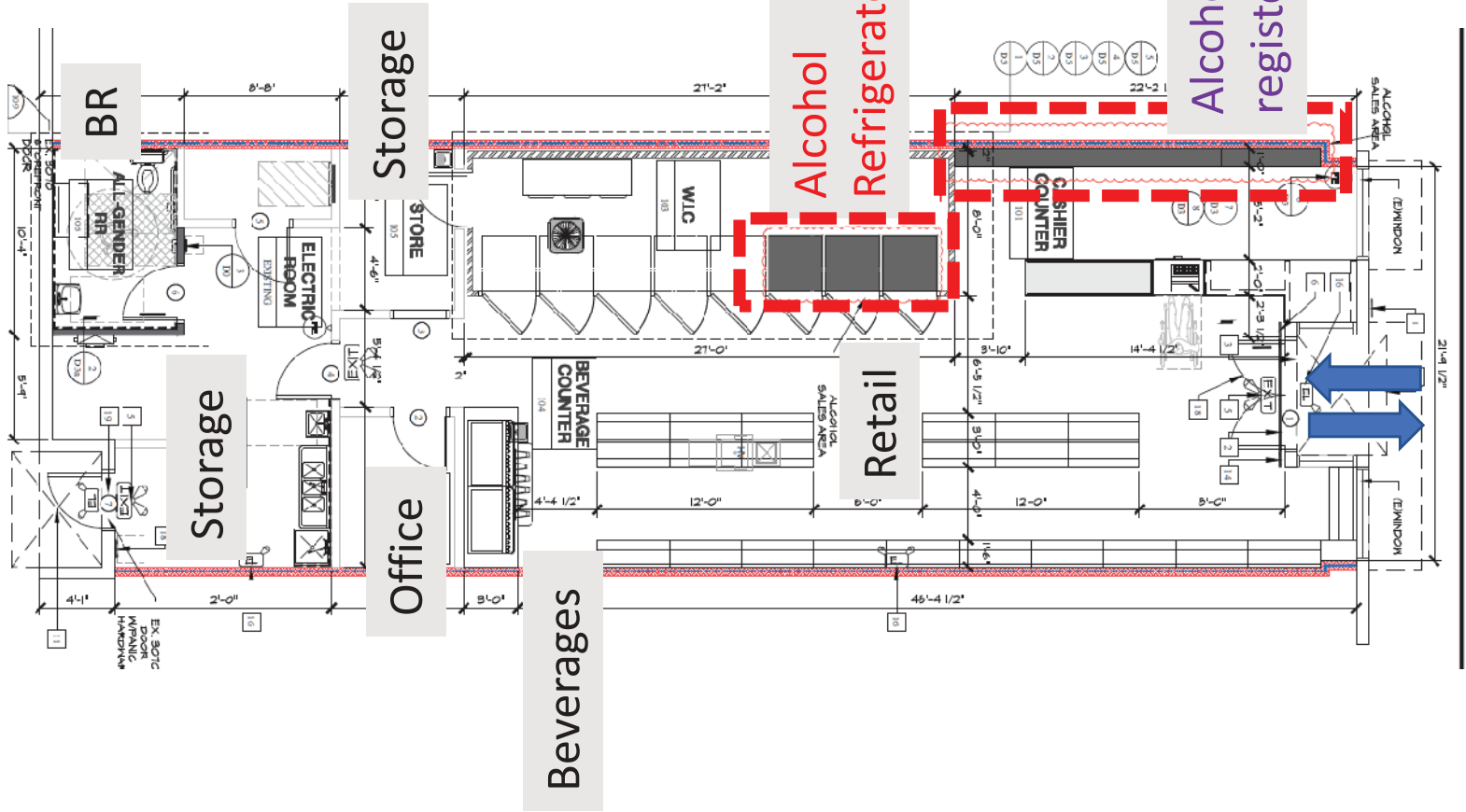
Street View (Main Street)



Floor Plan/Program

- Recently created suite (1,750 s.f.)
- No exterior modifications (future exterior modifications such as paint or signage could be processed with a staff level design review permit)
- Customer Parking – Not required because subject site is within the City's Parking District (but there is an employee parking lot behind the building)
- Hours of Operation(with alcohol sales):
 - Sunday-Thursday=9:00 a.m. – 12:00 a.m.
 - Friday-Saturday=9:00 a.m. – 2:00 a.m.

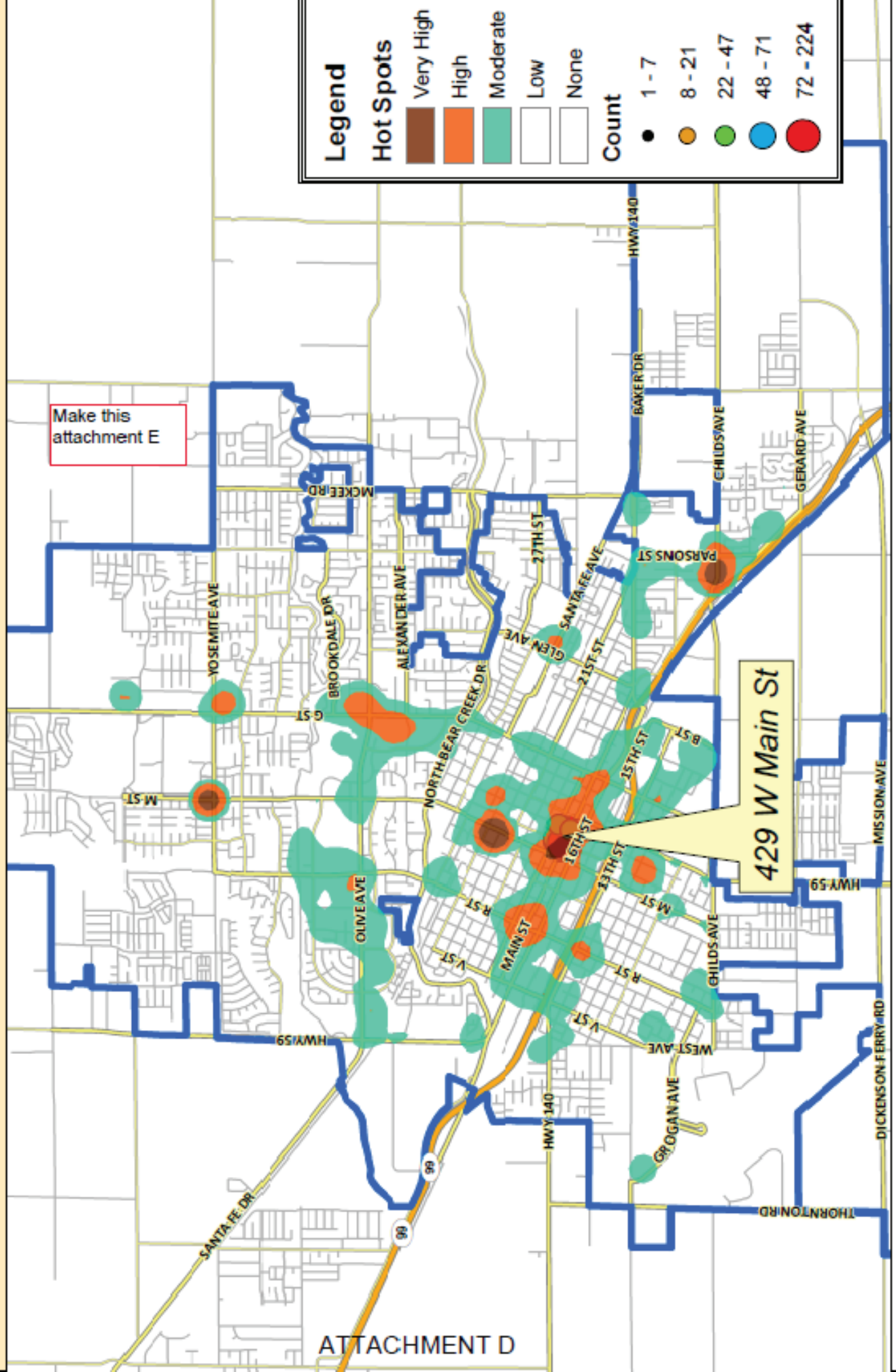
Floor Plan



* Alcohol Sales=165 s.f.

HOT SPOTS of ALL POLICE INCIDENTS for 6/1/22 to 6/7/23

73,000+ incidents city wide



1,000+ Incidents within 500ft of 429 W Main St for period of 6/1/22 to 6/7/23



Incident Types

Incident Type	Number of Incidents
Disturbance	127
Public Intoxication	7
Narcotics	5
MMC*	0

POLICE DEPARTMENT



- The Police Department does not have any issues with this request.
- The conditions of approval are typical for this use.
- Based on their crime analysis, the Police Department does not expect this project to adversely affect the surrounding neighborhood or be a burden on Police resources.

Neighborhood Impact

- Entertainment businesses are common throughout the neighborhood with the **Merced Theater (live performance), 17th Street Public House (pub), Vinho's Wine Lounge, The Den (hookah lounge), Regal Hollywood (movie theatre), The Partisan (pub), O'Ryleigh's Tavern (pub), Casino Merced, Merced Playhouse Merced (live theatre), El Palacio Night Club, Tioga Sequoia (tap room), and Hi-Fi Wine (wine bar)** all located within **1,400 feet of the subject site.**
- Given the abundance of alcohol sales and entertainment businesses in the Downtown area, and the fact that this site was previously approved for a nightclub with alcohol sales, staff does not anticipate that this approval would create any unusual circumstances for the neighborhood.
- Public Hearing Notice was published in Merced County Times and mailed to property owners within 300 feet of subject site 3 weeks prior to this meeting. Staff did not receive any comments from public about this project.

Conditions of Approval

- **Conditions #17:** Employees selling alcohol between 10 p.m. and 2 a.m. shall be at least 21 years of age.
- **Condition #19:** Alcohol sales shall be limited to 165 square feet (as shown on the proposed floor plan).
- **Condition #21:** Single-serving alcohol containers may not be sold separately unless authorized by the Police Department (wine over 750 ml is exempt).
- **Condition #22:** Prior to selling alcohol, the applicant shall obtain a Finding of Public Convenience or Necessity from City Council.
- **Condition #23:** Approval is subject to owner being in good standing with the State department of Alcoholic Beverage Control.

Planning Commission Action

After Holding the Public Hearing, the Commission may:
Approve/Disapprove/Modify

- Environmental Review #23-18 (Categorical Exemption)
- Conditional Use Permit #1272 (Subject to the Conditions in the Staff Report)



ADMINISTRATIVE REPORT

File #: 23-534

Meeting Date: 7/5/2023

Planning Commission Staff Report

Report Prepared by: Francisco Mendoza-Gonzalez, Associate Planner, Development Services Department

SUBJECT: General Plan Amendment #23-02, Site Utilization Plan Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review Permit #516 initiated by Merced Security Storage, LLC, on behalf of REM Land Group, LLC, property owner. The General Plan Amendment would change the General Plan land use designation from Commercial Office (CO) to Business Park (BP). The Site Utilization Plan Revision would change the land use designation within P-D #12 from Commercial Office to Self-Storage. The Site Plan Review Permit would allow the development of a self-storage facility (approximately 440 storage units) with long-term boat and recreational vehicle parking spaces (approximately 171 parking spaces). The Conditional Use Permit would allow a live/work unit for an onsite manager for the self-storage facility. The approximate 6-acre subject site is generally located on the north side of Olive Avenue, approximately 725 feet east of Highway 59. *PUBLIC HEARING*

ACTION: PLANNING COMMISSION:

Recommendation to City Council

- 1) Environmental Review #23-08 (*Mitigated Negative Declaration*)
- 2) General Plan Amendment #23-02
- 3) Site Utilization Plan Revision #3 to Planned Development (P-D) #12

Approve/Disapprove/Modify

- 1) Environmental Review #23-08 (*Mitigated Negative Declaration*)
- 2) Conditional Use Permit #1274
- 3) Site Plan Review Permit #516
[subject to City Council approval of General Plan Amendment #23-02, and
Site Utilization Plan Revision #3 to Planned Development (P-D) #12]

CITY COUNCIL:

Approve/Disapprove/Modify:

- 1) Environmental Review #23-08 (*Mitigated Negative Declaration*)
- 2) General Plan Amendment #23-02
- 3) Site Utilization Plan Revision #3 to Planned Development (P-D)
#12

SUMMARY

The subject site consists of a vacant 6.02-acre parcel located in northwest Merced at 1965 W. Olive Avenue. The subject site is generally located on the north side of Olive Avenue, 725 feet east of Highway 59. The General Plan Amendment would change the General Plan land use designation from Commercial Office (CO) to Business Park (BP). The Site Utilization Plan Revision would change the land use designation within P-D #12 from Commercial Office to Self-Storage (Attachment D). The Site Plan Review Permit would allow the development of a self-storage facility with approximately 440 storage units, and a long-term boat and recreational vehicle parking facility with approximately 171 spaces. The Conditional Use Permit would allow a live/work unit for an onsite manager for the self-storage facility.

RECOMMENDATION

General Plan Amendment and Site Utilization Plan (SUP) Revision

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #23-08 (Mitigated Negative Declaration), General Plan Amendment #23-02, and Site Utilization Plan Revision #3 to Planned Development (P-D) #12 (including the adoption of the Draft Resolution at Attachment A) subject to the conditions in Exhibit A, the findings/considerations in Exhibit B, and the Mitigation Monitoring Program in Exhibit C of the Draft Resolution.

Conditional Use Permit and Site Plan Review

Planning staff recommends that the Planning Commission approve Conditional Use Permit #1274 and Site Plan Review #516 (including the adoption of the Draft Resolution at Attachment B) subject to the conditions in Exhibit A, the findings/considerations in Exhibit B, and the Mitigation Monitoring Program in Exhibit C of the Draft Resolution., and contingent upon City Council approval of the General Plan Amendment and SUP Revision above.

DISCUSSION

Project Description

CITY OF MERCED
Planning Commission

Resolution #4118

WHEREAS, the Merced City Planning Commission at its regular meeting of July 5, 2023, held a public hearing and considered **General Plan Amendment #23-02 and Site Utilization Plan Revision #3 to Planned Development (P-D) #12**, initiated by Merced Security Storage, LLC, on behalf of REM Land Group, LLC, property owner. The General Plan Amendment would change the General Plan land use designation from Commercial Office (CO) to Business Park (BP). The Site Utilization Plan Revision would change the land use designation within P-D #12 from Commercial Office to Self-Storage. The applicant is requesting these changes to allow the development of a self-storage facility (approximately 440 storage units) with long-term boat and recreational vehicle parking spaces (approximately 171 parking spaces). The approximate 6-acre subject site is generally located on the north side of Olive Avenue, approximately 725 feet east of Highway 59. The subject site is more particularly described as “Parcel E” as shown on the map entitled “Parcel Map No. 3 for C.H.M. Company” recorded in Book 19, Page 46, in Merced County Records; also known as a portion of Assessor’s Parcel Number (APN) 058-030-005; and,

WHEREAS, the Merced City Planning Commission concurs with Findings/Considerations A through I of Staff Report #23-534 (Exhibit B of Planning Commission Resolution #4118); and,

NOW THEREFORE, after reviewing the City’s Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend to City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program regarding Environmental Review #23-08, and recommend approval of General Plan Amendment #23-02, and Site Utilization Plan Revision #3 to Planned Development (P-D) #12 subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

Upon motion by Commissioner _____, seconded by Commissioner _____, and carried by the following vote:

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

PLANNING COMMISSION RESOLUTION #4118

Page 2

July 5, 2023

Adopted this 5th day of July 2023

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Exhibits:

Exhibit A – Conditions of Approval

Exhibit B – Findings/Considerations

Exhibit C – Mitigation Monitoring Program

Conditions of Approval
Planning Commission Resolution # 4118
General Plan Amendment #23-02, Site Utilization Plan Revision #3 to Planned
Development (P-D) #12

1. The proposed General Plan Amendment, and Site Utilization Plan Revision shall be as shown on the Proposed Land Use Map at Attachment D of Planning Commission Staff Report #23-534.
2. Any project constructed on this site shall comply with all Design/Development Standards (Attachment I of Planning Commission Staff Report #23-534) adopted by Site Utilization Plan Revision #3 to Planned Development (P-D) #12, unless otherwise modified.
3. In compliance with Merced Municipal Code Section 20.20.020 Q, all projects shall require a Site Plan Review Permit or Minor Use Permit at the discretion of the Director of Development Services to address conformance to the Design Standards approved with this Site Utilization Plan Revision. This does not replace the requirement for any other approval for a specific use required by the Zoning Ordinance.
4. Approval of the General Plan Amendment, and Site Utilization Plan Revision is subject to the applicant(s) entering into a written Legislative Action Agreement that they agree to all the conditions and shall pay all City and school district fees, taxes, and/or assessments, in effect on the date of any subsequent subdivision and/or permit approval, any increase in those fees, taxes, or assessments, and any new fees, taxes, or assessments, which are in effect at the time the building permits are issued, which may include public facilities impact fees, a regional traffic impact fee, Mello-Roos taxes—whether for infrastructure, services, or any other activity or project authorized by the Mello-Roos law, etc. Payment shall be made for each phase at the time of building permit issuance for such phase unless an Ordinance or other requirement of the City requires payment of such fees, taxes, and/or assessments at an earlier or subsequent time. Said agreement to be approved by the City Council prior to the adoption of the ordinance, resolution, or minute action.
5. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as required by the City Engineering Department.

6. The Project shall comply with all applicable conditions set forth in the resolutions for Annexation No. 86 (Fahrens Creek Annexation) previously approved for this site.
7. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
8. 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.
9. 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.

10. 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.
11. A licensed hydrologist shall review the site and proposal to determine and development restrictions for the portion of the subject site located within the regulatory floodway.
12. The subject site shall comply with Merced Municipal Code Chapter 20.34 – Creek Buffers.

**Findings and Considerations
Planning Commission Resolution #4118
General Plan Amendment #23-02, Site Utilization Plan Revision #3 to
Planned Development (P-D) #12**

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) If the General Plan Amendment is approved, the proposed project would comply with the General Plan land use designation of Business Park (BP) which allows parking facilities as a principally permitted use and self-storage facilities with a site plan review permit. The project would also comply with the Zoning classification of Planned Development (P-D) #12 if the Site Utilization Plan Revision is approved changing the Site Utilization Plan land use designation from Commercial Office to Self-Storage.

The proposed project, with conditions of approval, will help achieve the following General Plan land use policies:

Policy L-3.2: *Encourage Infill Development and a Compact Urban Form*

The proposed project would develop an approximate 6-acre site that has been vacant for decades. Developing this site addresses some maintenance issues associated with undeveloped parcels such as overgrown weeds (fire hazard), vandalism, and loitering which could impact neighboring parcels. In addition, infill development is an efficient use of development that utilizes existing infrastructure within City limits as opposed to annexing land that requires expanding City infrastructure and services.

General Plan Amendment- Findings

- B) Chapter 20.82 (General Plan Amendments) outlines procedures for considering General Plan Amendments, but does not require any specific findings to be made for approval. However, Planning practice would be to provide objective reasons for approval or denial. These findings can take whatever form deemed appropriate by the Planning Commission and City Council. Based on State law and case law, the following findings are recommended:

1. The proposed amendment is deemed to be in the public interest.

The proposed amendment is deemed to be in the public interest because it will provide employment, and storage options so that

residential properties are not overcrowded with personal items resulting in blight from items stored outside.

2. *The proposed amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected.*

As shown under Finding A, the proposal meets some of the General Plan Goals and Policies regarding promoting infill developments. The proposed project would comply with the General Plan designation of Business Park (BP) if the General Plan Amendment is approved.

3. *The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.*

The proposed project does not include any uses that would be detrimental to the public health, safety, and welfare of the City. Implementation of the conditions of approval and adherence to all applicable Building Codes, Fire Codes, and City Standards would prevent the project from having any detrimental effect on the health, safety, and welfare of the City as a whole. However, the residential uses to the east could be impacted by the development, therefore, conditions are included to minimize any possible impacts.

4. *The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).*

The proposed General Plan Amendment has been processed in accordance with all applicable California Government Code sections. In addition, Planning staff has conducted an environmental review (#23-08) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Mitigated Negative Declaration (see Attachment I of Planning Commission Staff Report #23-534) has been recommended.

Zoning Code Compliance for the Site Utilization Plan Revision

- C) Per Merced Municipal Code Section 20.20.20 (J) Planned Development (P-D) Zoning Districts, approval of an application for Planned Development

Establishment or Revision with accompanying Preliminary Site Utilization Plan only if the following findings can be made:

1. *The proposed development is consistent with the goals, policies, and actions of the General Plan and any applicable specific plan and community plan.*

The proposed Site Utilization Plan (SUP) Revision to change the land use designation for the approximately 6-acre site from Commercial Office to Self-Storage would be consistent with the General Plan if General Plan Amendment #23-02 is approved. As described in Finding A above, the project would help achieve Land Use Policy L-3.2 by encourage in-fill development.

There are no other applicable specific or community plans for this site.

2. *The site for the proposed development is adequate in size and shape to accommodate proposed land uses.*

The project site is approximately 6 acres, and would be used for 440 storage units and 171 long-term parking spaces for boats and recreational vehicles. The storage facility is similar in size to other existing storage facilities in the community (Simply Space Self Storage, Central Self Storage, Cal Storage, etc.) so it is considered adequate in size and shape to accommodate the proposed land uses. Due to the floodway on the northern portion of the site (refer to Finding H for additional information on the floodway), buildings are restricted to a small portion of the site. Due to this restriction, reduced setbacks are being proposed in the Design Standards to allow a zero-lot line development (refer to Finding D for the Proposed Design Standards). With this reduction, the site is of adequate size for the development.

3. *The site for the proposed development has adequate access considering the limitations of existing and planned streets and highways.*

The proposal would have adequate access to existing and planned streets and highways. The proposed development would have access to Olive Avenue through an existing driveway that is shared with the property to the west. No additional driveways are proposed. The proposed project does not require the construction of additional streets. However, because the vehicles coming to the site could cause a stacking problem on Olive Avenue, a condition requiring sufficient stacking space for vehicles to prevent stacking onto Olive Avenue is recommended along with possibly

widening a the driveway along Olive Avenue (refer to Conditions #14 and #35 of Planning Commission Resolution #4119 for the Conditional Use Permit #1274 and Site Plan Review Permit #516 at Attachment B of Planning Commission Staff Report #23-534).

4. *Adequate public services exist or will be provided to serve the proposed development.*

City utilities such as water and sewer main lines as well as storm drain lines are directly available to the south at Olive Avenue. These lines are adequate to serve the project.

5. *The proposed development will not have a substantial adverse effect on surrounding property, will be compatible with the existing and planned land use character of the surrounding area, and will enhance the desirability of the area and have a beneficial effect.*

There may be some temporary impacts such as vibration, noise, and dust during construction, but as described under Finding F – Neighborhood Impact, the proposed development would not have a substantial adverse effect on surrounding property, will be compatible with the existing and planned land use character of the surrounding area, and will enhance the desirability of the area and have a beneficial effect.

6. *The proposed development carries out the intent of the Planned Development zoning district by providing a more efficient use of the land and an excellence of site design greater than that which could be achieved through the application of established zoning standards.*

The proposed development provides efficient use of land optimizing the property by proposing a zero-lot line development with no setbacks along certain portions of the eastern and western property lines. This is attainable through specific development standards proposed as part of Site Utilization Plan Revision #3 for Planned Development #12. These standards are provided at Attachment I of Planning Commission Staff Report #23-534.

7. *Each individual unit of the proposed development, in each phase as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development.*

The proposed development consists of a self-storage facility along the southern portion of the property and long-term parking for boat and recreational vehicles on the northern portion of the parcel. This self-storage

facility and long-term parking lot could remain independent capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development.

8. *Any deviation from the standard ordinance requirements is warranted by the design and additional amenities incorporated in the development plan, which offer certain unusual redeeming features to compensate for any deviations that may be permitted.*

As shown on Attachment G of Planning Commission Staff Report #23-534 the proposal includes decorative block building walls along the southern and eastern property lines that include a mixture of materials, and color finishes that go beyond a standard concrete masonry unit wall.

9. *The principles incorporated in the proposed development plan indicate certain unique or unusual features, which could not otherwise be achieved under the other zoning district.*

The proposed use would allow development of the entire parcel, and not just the southern portion. As described in Finding H, development of the site is severely limited by the floodway. By allowing a deviation in the setback requirements the proposed development is able to provide long-term vehicle parking in the floodway area and uses an attractive design and color palette for the buildings on the southern portion of the site. Without the deviation in the setback requirement, the development would not be able to provide sufficient storage spaces to make the development feasible. This would lead to the site remaining empty and susceptible to blight.

Because the site is already established as a Planned Development, changing the zoning to another zoning district would not be the best way to promote development. By amending the Site Utilization Plan within the existing Planned Development, to allow this project with variations from the standard zoning requirements, allows the project to move forward in a more streamlined approach and without creating a “spot zone” for another zoning district in the area. Planned Developments were specifically designed to allow such unique designs.

Planned Development Standards

- D) As shown on Attachment I of Planning Commission Staff Report #23-534, the applicant is requesting specific standards for this proposal that deviate from typical development standards for the Business Park designation. Those standards include a zero-lot line development (no setbacks), requiring a

minimum of 5 parking stalls for the proposed uses, and providing a gravel surface for boat and recreational vehicle parking.

Traffic/Circulation

- E) The proposed development includes a self-storage facility with approximately 440 storage units, and a long-term boat and recreational vehicle parking facility with approximately 171 spaces on an approximately 6-acre vacant parcel located in northwest Merced at 1965 W. Olive Avenue. The project site fronts an arterial road (Olive Avenue). Vehicle access is available from an existing driveway along Olive Avenue that is shared with the parcel to the west. The nearest north-south roads are Highway 59 (expressway) and Loughborough Drive (collector road) both designed to accommodate large volumes of traffic going through a large portion of the community. Highway 59 provides access to Highway 99 that connects Merced with other regional communities throughout the State.

Vehicle Miles Traveled

The Office of Planning and Research (OPR) advisory suggests that the Vehicle-Miles Traveled (VMT) contribution of small projects need not be considered significant. OPR suggests that agencies can find projects generating fewer than 110 vehicles trips a day to be less than significant. The Olive Avenue Mini-Storage project is comprised of land uses estimated to generate 74 vehicle trips per day. As this trip generation estimate falls below the 110 daily trip threshold identified by OPR the proposed project qualifies as a “small project” that can be assumed to have a less than significant impact on regional VMT.

Improvements

The development does not require the construction of any streets. Staff is of the opinion that the existing streets can adequately serve the development, but traffic light timing optimization at the intersection of Olive Avenue/Santa Fe Drive and Highway 59 may be required per Resolution #4119 for the Conditional Use Permit and Site Plan Review Permit for this project (Attachment B of Planning Commission Staff Report #23-534). Given the loading/unloading of storage facilities and the long-term boat and recreational vehicle parking spaces, staff anticipates that large trucks and vehicles will be entering and existing the site. To prevent these large vehicles from stacking onto Olive Avenue and creating traffic congestion, staff is requiring that the developer work with a traffic engineer to determine the sufficient distance for

vehicle stacking space to enter the site Condition #14 of Planning Commission Resolution #4119 – Attachment B of Planning Commission Staff Report #23-534). This may require making minor modifications to the site plan that would need to be reviewed and approved by the Director of Development Services.

Neighborhood Impact

- F) The land uses in the area include Light Industrial (IL) to the east of the subject site and Low Density Residential (LD) to the west of the subject site. The subject site was designated for Commercial Office (CO) to be a buffer between the industrial and residential uses. The CO designation offered reduced impacts to the adjacent residential properties as professional and medical offices tend to have limited hours of operation during the evening and weekends with less traffic and noise compared to light industrial uses. The requested land use change to Business Park would allow the site to still act as a buffer between the industrial and residential designations as Business Park is somewhat of a hybrid between light industrial and office commercial, described in the Zoning Ordinance as a district that allows back offices, and research and development businesses.

As shown in the Traffic Impact Study within the Initial Study at Attachment J of Planning Commission Staff Report #23-534 the proposed development is expected to generate 74 vehicle trips per day which is considered a “small project” due to having under 110 daily trips (with 5 trips in a.m. peak hour and 8 trips in the p.m. peak hour). Although not many people are expected to come to the site throughout the day, noise and lighting from the proposed development would be reduced by the 12-foot-tall block building wall along the eastern property line between the self-storage portion of the project and residential properties to the east. In addition, conditions are included in Planning Commission Resolution #4119 for Conditional Use Permit #1274 and Site Plan Review Permit #516 (Attachment B of Planning Commission Staff Report #23-534) requiring parking lot lights and building lights be shielded so that lighting does not “spill-over” to adjacent parcels, require controlled hours of operation (only allowed between 7 a.m. and 10 p.m.), and prohibit dwelling within storage facilities or within any recreational vehicle or boats parked onsite .

The proposed self-storage buildings would be on the property line adjacent to the single-family residential uses to the east. The buildings would have a sloped roof that slopes towards the east with a high point of 11 feet and a low point of 10-feet. Condition #33 of Planning Commission Resolution #4119

for Conditional Use Permit #1274 and Site Plan Review #516 requires that run-off from the buildings be maintained on-site and not allowed to drain onto adjacent properties. The buildings would be taller than most fences allowed as the Zoning Ordinance allows a 10-foot-tall fence in commercial zones to be approved either by a Minor Use Permit or along with another discretionary review. The proposed 12-foot building wall exceeds the height limit for fencing, but is below the maximum 35 feet height allowed for homes in the residential zone to the east.

Public hearing notices were sent to all property owners within 300 feet of the project site. At the time that this report was prepared, the City had not received any comments regarding this project.

Affordability Requirements

- G) In April 2022, the City Council approved Resolution 2022-15 regarding the requirement for 12.5% affordable housing for new single-family residential subdivisions and multifamily residential projects. This requirement is triggered by two qualifiers that need to be met: entitlement type and number of units created. For single-family residential developments, the affordability requirement is triggered by a legislative action agreement (through annexations, general plan amendments, site utilization plan revisions, or zone changes) for projects with over 60 homes and for multi-family for projects over 30 units. The proposed singular (1) live/work unit for the manager of the self-storage facility is exempt from having to provide affordable units, as even though the proposal does require a legislative action agreement it contains less than the number of units needed to trigger the affordability requirement.

Black Rascal Creek/Floodway

- H) The northern portion of the project is located within a floodway due to its close proximity to Black Rascal Creek (100 feet north). This portion of the project would not have any buildings and would be used for boat and recreational vehicle parking purposes only. Within this floodway, the applicant would like to install a wrought iron fence along the northern, western, and eastern (portion for boat and recreational vehicle parking only) property lines. However, doing so would require a No Rise Certificate prepared by a licensed Hydrologist confirming the fence would not increase the flood heights in the area or alter the flow of water. If the proposal does not qualify for a No Rise Certificate, the applicant would not be able to install any fencing within this area (Condition #11).

In addition, the proposal would have to comply with Merced Municipal Code Chapter 20.34 – Creek Buffers, which is intended to reduce the risks to property owners and the public from erosion and flooding, protect and enhance chemical, physical, and biological integrity of water resources in the City, minimize pollutants entering water bodies from urban stormwater runoff, and preserve riparian vegetation and protect vegetation, and protect wildlife habitats and wildlife corridors along natural drainage ways (Condition #12).

Environmental Clearance

- I) Infill projects over 5 acres or projects that don't comply with Zoning/General Plan designations require an Initial Study, per the California Environmental Quality Act (CEQA). In this case, the project site is not consistent with Zoning or the General Plan and is over 5 acres (at 6 acres) – thus an Initial Study was required. An Initial Study includes a wide range of analysis required by the State covering an array of subjects including, but not limited to, impacts on vehicle miles traveled, air quality, biological resource, public services, cultural resources, and City utilities. Planning staff has conducted an environmental review of the project in accordance with the requirements of CEQA, and concluded that Environmental Review #23-08 results in a Mitigated Negative Declaration as the proposal would have an effect on the environment, but could be mitigated with certain measures (Attachments J and K of Planning Commission Staff Report #23-534) and does not require the preparation of an Environmental Impact Report. A copy of the Initial Study with a Mitigated Negative Declaration can be found at Attachment I of Planning Commission Staff Report #23-534.

<p style="text-align: center;">ENVIRONMENTAL REVIEW #23-08 Revised Mitigation Monitoring Program</p>

MITIGATION MONITORING CONTENTS

This mitigation monitoring program includes a brief discussion of the legal basis and purpose of the mitigation monitoring program, a key to understanding the monitoring matrix, a discussion of noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resource Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The City of Merced has adopted its own “Mitigation Monitoring and Reporting Program” (MMC 19.28). The City’s program was developed in accordance with the advisory publication, *Tracking CEQA Mitigation Measures*, from the Governor’s Office of Planning and Research.

As required by MMC 19.28.050, the following findings are made:

- 1) The requirements of the adopted mitigation monitoring program for the General Plan Amendment #23-02, Site Utilization Plan (SUP) Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review #516 shall run with the real property. Successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program.
- 2) Prior to any lease, sale, transfer, or conveyance of any portion of the subject real property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

MITIGATION MONITORING PROCEDURES

In most cases, mitigation measures can be monitored through the City’s construction plan approval/plan check process. When the approved project plans and specifications, with mitigation measures, are submitted to the City Development Services Department, a copy of the monitoring checklist will be attached to the submittal. The Mitigation Monitoring Checklist will be filled out upon project approval with mitigation measures required. As project plans and specifications are checked, compliance with each mitigation measure can be reviewed.

In instances where mitigation requires on-going monitoring, the Mitigation Monitoring Checklist will be used until monitoring is no longer necessary. The Development Services Department will be required to file periodic reports on how the implementation of various mitigation measures is progressing or is being maintained. Department staff may be required to conduct periodic inspections to assure compliance. In some instances, outside agencies and/or consultants may be required to conduct necessary periodic inspections as part of the mitigation monitoring program. Fees may be imposed per MMC 19.28.070 for the cost of implementing the monitoring program.

GENERAL PLAN MITIGATION MEASURES

As a second-tier environmental document, Initial Study #23-08 incorporates some mitigation measures adopted as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (SCH# 2008071069), as mitigation for potential impacts of the Project.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Director of Development Services in written form providing specific information on the asserted violation. The Director of Development Services shall cause an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Director of Development Services shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue. Merced Municipal Code (MMC) Sections 19.28.080 and 19.28.090 outline the criminal penalties and civil and administrative remedies which may be incurred in the event of noncompliance. MMC 19.28.100 spells out the appeals procedures.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for General Plan Amendment #23-02, Site Utilization Plan Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review #516. The columns within the tables are defined as follows:

Mitigation Measure:	Describes the Mitigation Measure (referenced by number).
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation measure.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

**General Plan Amendment #23-02/Site Utilization Plan Revision #3 to Planned Development (P-D)
#12/Conditional Use Permit #1274/
Site Plan Review Permit #516
Mitigation Monitoring Checklist**

Project Name:	_____	File Number:	_____
Approval Date:	_____	Project Location	_____
Brief Project Description	_____		

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City of Merced’s Mitigation Monitoring Requirements (MMC 19.28) with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

1) Greenhouse Gas Emissions				
<i>Impact</i>	<i>Mitigation Measures</i>	<i>Timing</i>	<i>Agency or Department</i>	<i>City Verification (date and initials)</i>
<i>a</i>	GHG- 1)	Building Permit	Planning Department	

	GHG-1)	<p>The project applicant shall demonstrate compliance with the applicable BPS strategies to the Planning Division prior to the issuance of a building permit. The following BPS strategies are considered to be applicable, feasible, and effective in reducing GHG emissions generated by the project:</p> <ul style="list-style-type: none"> • The project will provide a pedestrian access network that internally links all uses and connects to existing external streets and pedestrian facilities. Existing facilities are defined as those facilities that are physically constructed and ready for use prior to the first 20% of the project's occupancy permits being granted. • Site design and building placement will minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation will be eliminated. Barriers to pedestrian access of neighboring facilities and sites will be minimized. This measure is not meant to prevent the limited use of barriers to ensure public safety by prohibiting access to hazardous areas. This measure is not meant to prevent features needed to securely operate a mini-storage facility. • Merced Regional Transit System The Bus Route M1 - Merced West - provides bus service with one-half hour headways. A bus stop for Route M1 is located at the Walmart store at Olive Avenue and 	Building Permit	Building / Engineering Departments
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a

	<p>Loughborough Drive, directly south of the project site. The project will provide safe and convenient bicycle/pedestrian access to the bus stop and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).The project applicant shall plant trees to provide shade.</p> <ul style="list-style-type: none"> • The project will install light-colored/high/albedo roof materials on the portion of the project containing climate-controlled units. Light-colored/high/albedo roof materials reflect more of the sun's rays, decreasing the amount of heat transferred into a building. • The project will provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; OR use an open-grid pavement system (less than 50% impervious) for a minimum of 50% of the parking lot area. Unshaded parking lot areas, driveways, fire lanes, and other paved areas will have a minimum albedo of 0.3 or greater. 			
b	<i>GHG-2)</i> Implementation of Mitigation Measure of GHG-1.			

Certificate of Completion:

By signing below, the environmental coordinator confirms that the required mitigation measures have been implemented as evidenced by the Schedule of Tasks and Sign-Off Checklist, and that all direct and indirect costs have been paid. This act constitutes the issuance of a *Certificate of Completion*.

Environmental Coordinator

Date

CITY OF MERCED
Planning Commission

Resolution #4119

WHEREAS, the Merced City Planning Commission at its regular meeting of July 5, 2023, held a public hearing and considered **Conditional Use Permit #1274, and Site Plan Review Permit #516** initiated by Merced Security Storage, LLC, on behalf of REM Land Group, LLC, property owner. The General Plan Amendment would change the General Plan land use designation from Commercial Office (CO) to Business Park (BP). The Site Utilization Plan Revision would change the land use designation within P-D #12 from Commercial Office to Self-Storage. The applicant is requesting these changes to allow the development a self-storage facility (approximately 440 storage units) with long-term boat and recreational vehicle parking spaces (approximately 171 parking spaces). The approximate 6-acre subject site is generally located on the north side of Olive Avenue, approximately 725 feet east of Highway 59. The subject site is more particularly described as “Parcel E” as shown on the map entitled “Parcel Map No. 3 for C.H.M. Company” recorded in Book 19, Page 46, in Merced County Records; also known as a portion of Assessor’s Parcel Number (APN) 058-030-005; and,

WHEREAS, the Merced City Planning Commission concurs with Findings/Considerations A through M of Staff Report #23-289 (Exhibit B of Planning Commission Resolution #4119); and,

WHEREAS, the Merced City Planning Commission concurs with the Findings for Conditional Use Permit in Merced Municipal Code Section 20.68.020 (E), and Site Plan Review Permit in Merced Municipal Code Section 20.68.050 (F) as outlined in Exhibit B; and,

NOW THEREFORE, after reviewing the City’s Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Mitigated Negative Declaration regarding Environmental Review #23-08, and approve Conditional Use Permit #1274, and Site Plan Review Permit #516, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

Upon motion by Commissioner _____, seconded by Commissioner _____, and carried by the following vote:

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

PLANNING COMMISSION RESOLUTION #4119

Page 2

July 5, 2023

Adopted this 5th day of July 2023

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Exhibits:

Exhibit A – Conditions of Approval

Exhibit B – Findings/Considerations

Exhibit C – Mitigation Monitoring Program

Conditions of Approval
Planning Commission Resolution # 4119
Conditional Use Permit #1274
Site Plan Review Permit #516

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (Site Plan at Attachment E of Planning Commission Staff Report #23-534), Exhibit 2 (Floor Plans at Attachment F of Planning Commission Staff Report #23-534), Exhibit 3 (Elevation at Attachment G of Planning Commission Staff Report #23-534), 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. 86 (Fahrens Creek Annexation) 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. The proposal shall comply with Merced Municipal Code Chapter 20.34 – Creek Buffers, for development near Black Rascal Creek.
10. All landscaping shall be kept healthy and maintained in good condition and any damaged or missing landscaping shall be replaced immediately.
11. Trees and or fast-growing vines or other plants shall be planted on or near the block wall along Olive Avenue to deter graffiti and/or a graffiti resistant coating applied to the wall. Details to be worked out with Planning staff during the building permit stage.
12. The proposed fencing within the floodway shall require a No Rise Certificate prepared by a licensed Hydrologist. If a No Rise Certificate cannot be issued, fencing would not allowed within the floodway area of the property.
13. 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.
14. The developer shall work with a traffic engineer to determine the sufficient distance for vehicle stacking space to enter the site to prevent vehicles from stacking on Olive Avenue. Details to be reviewed and approved by the City Engineer
15. 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.
16. The applicant shall work with the City's Refuse Department to determine the proper location for a trash enclosure 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.
17. All mechanical equipment shall be screened from public view.
18. 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).

19. The driving aisles shall be paved with an impervious surface, as approved by the City Engineer. This includes the driving aisles for the long-term parking lot for boats and recreational vehicles.
20. The driving aisles shall be designed to meet all Fire Department requirements, including those pertaining to turning radius.
21. The parking spaces for boats and recreational vehicles may be surfaced with gravel or similar material, as approved by the Director of Development Services.
22. 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.
23. All gates shall be provided with a knox box, as required by the Fire Department.
24. 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.
25. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
26. 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.
27. 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).
28. The self-storage, and boat and recreational vehicle parking lot may operate daily between 7 a.m. and 10 p.m. Hours of operation may be adjusted at the discretion of the Director of Development Services.
29. Residency or dwelling is not allowed within any storage facility or within any recreational vehicles or boats parked onsite.

30. 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).
31. The proposal shall comply with the Mitigation Monitoring Table at Attachment K of Planning Commission Staff Report #23-534.
32. This resolution for a Conditional Use Permit (CUP #1274) and Site Plan Review Permit (SP #516) does not become effective until the General Plan Amendment (GPA #23-02) and Site Utilization Plan Revision (SUP Rev #3) to Planned Development (P-D) #12 are approved by the City Council and the Ordinance for the Site Utilization Plan Revision becomes effective.
33. All drainage from the site shall be retained on the project site. No drainage shall run-off onto adjacent properties. This includes drainage from buildings.
34. The traffic signal timing at the intersection of Olive Avenue/Santa Fe Drive and Highway 59 shall be optimized, if deemed necessary by the City Engineer.
35. The applicant shall work with the Engineering Department to determine if the driveway along Olive Avenue needs to be widened for this development (including the turning radius for large trucks hauling boats). Details to be reviewed and approved by the City Engineer during the building permit stage.

Findings and Considerations
Planning Commission Resolution #4119
Conditional Use Permit #1274
Site Plan Review Permit #516

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) If the General Plan Amendment is approved, the proposed project would comply with the General Plan land use designation of Business Park (BP) which allows parking facilities as a principally permitted use and self-storage facilities with a site plan review permit. The project would also comply with the Zoning designation of Planned Development (P-D) #12 if the Site Utilization Plan Revision is approved.

The proposed project, with conditions of approval, will help achieve the following General Plan land use policies:

Policy L-3.2: *Encourage infill Development and a Compact Urban Form*

The proposed project would develop an approximate 6-acre site that has been vacant for decades. Developing this site addresses some maintenance issues associated with undeveloped parcels such as overgrown weeds (fire hazard), vandalism, and loitering which could affect neighboring parcels. In addition, infill development is an efficient use of development that utilizes existing infrastructure within City limits as opposed to annexing land that requires expanding City infrastructure and services.

Traffic/Circulation

- B) The proposed development includes a self-storage facility with approximately 440 storage units, and a long-term boat and recreational vehicle parking facility with approximately 171 on an approximately 6-acre vacant parcel located in northwest Merced. The project site fronts an arterial road (Olive Avenue). Vehicle access is available from an existing driveway along Olive Avenue that is shared with the parcel to the west. The nearest north-south roads being Highway 59 (expressway) and Loughborough Drive (collector road) both designed to carry large volumes of traffic traversing through a large portion of the community. Highway 59 provides access to Highway 99 that connects Merced with other regional communities throughout the State.

Vehicle Miles Traveled

The Office of Planning and Research (OPR) advisory suggests that the Vehicle-Miles Traveled (VMT) contribution of small projects need not be considered significant. OPR suggests that agencies can find projects generating fewer than 110 vehicles trips a day to be less than significant. The Olive Avenue Mini-Storage project is comprised of land uses estimated to generate 74 vehicle trips per day. As this trip generation estimate falls below the 110 daily trip threshold identified by OPR the proposed project qualifies as a “small project” that can be assumed to have a less than significant impact on regional VMT.

Improvements

The development does not require the construction of any streets. Staff is of the opinion that the existing streets can adequately serve the development, but based on the level of service study at Attachment I of Planning Commission Staff Report #23-534, traffic signal timing optimization may be required at the intersection of Olive Avenue/Santa Fe Drive and Highway 59 (Condition #34). Given the loading/unloading of storage facilities and the long-term boat and recreational vehicle parking spaces, staff anticipates that large trucks and vehicles will be entering and existing the site. To prevent these large vehicle from stacking onto Olive Avenue and creating traffic congestion, staff is including Condition #14 requiring that the developer work with a traffic engineer to determine the sufficient distance for vehicle stacking space to enter the site. This may require making minor modifications to the site plan that would need to be reviewed and approved by the Director of Development Services (Condition #30).

Public Improvements/City Services

- C) Any damaged or missing public improvements shall be repaired if the permit value of the project exceeds \$100,000.00. The need for repairs or replacement of any missing improvements would be evaluated at the building permit stage by the City’s Engineering Department (Condition #13).

Parking

- D) Per Merced Municipal Code Table 20.38 -1- Off Street Parking Requirements, the parking requirements for Public/Mini Storage is 1 parking stall per 50 storage units or 5 spaces, whichever is greater. Based on the proposed 440 storage units, the site is required to have at least 9 parking stalls. The site plan at Attachment E of Planning Commission Staff Report #23-534 shows 5 parking spaces. The proposed parking spaces do not satisfy standard parking requirements, the developer is proposing the planned development parking standards for this site require at least 5 parking stalls (Attachment I of Planning Commission Staff Report #23-534).

Site Design

- E) The proposed development includes a self-storage facility with approximately 440 storage units, and a long-term boat and recreational vehicle parking facility with approximately 171 parking spaces (Site Plan at Attachment E of Planning Commission Staff Report #23-534). The southern portion of the development along Olive Avenue would be reserved for the self-storage portion of the business and would be accessible through an existing driveway along Olive Avenue and may be required to be widened (Condition #35 of Planning Commission Staff Report #23-534). The storage units would range in dimensions between 5 feet by 5 feet, and 10 feet by 25 feet. The applicant is proposing a zero-lot line development (no setbacks) and would include storage units on portions of the west and east property lines. On the eastern property line, the back of the storage buildings would be made out of concrete blocks and be 12 feet tall. The north, south, west, and east (segment for boat and recreational vehicle parking only) property lines would be secured with a wrought iron perimeter fence. The southern portion of the project site would be secured with gates that would be equipped with electronic opening devices to restrict access.

The northern portion of the subject site (approximately 4 acres) would be dedicated for long-term boat and recreational vehicle parking with approximately 171 parking stalls with spaces ranging in size between 10 feet by 28 feet, and 12 feet by 58 feet. The long-term parking stalls would consist of gravel or other similar surface, but the driving aisles to said stalls would be paved with an impervious surface (Condition #21). The proposed long-term boat and recreational vehicle parking is considered long term storage and there are no separation and barrier requirements between this parking area and the residential properties to the east (unlike short term parking lots).

Elevations

- F) The elevations shown at Attachment G of Planning Commission Staff Report #23-534 illustrate the proposed structures. The tallest structure would be the office which would be approximately 22 feet tall with the exterior consisting of terracotta tile roofing, walls with stucco finish with stone veneer columns, and storefront windows. The storage units would be about 11 feet tall and range in dimensions between 5 feet by 5 feet, and 10 feet by 25 feet. The storage units would have a metal finish and a sloped roof from 11 feet to 10 feet, and other similar angled heights slopping away adjacent parcels to prevent drainage on neighboring sites. The majority of the southern property line would be screened with the back of the storage units which would be made out of decorative concrete blocks with a base height of 9 feet that jets up to approximately 12 feet as an accent feature that adds further screening as shown on Attachment G of Planning Commission Staff Report #23-534. The block building wall would be an off-white color with grey ribbon accents along the top of the building wall. Cultured stones would be used throughout the wall to add architectural interest. Staff is recommending landscaping or trees along this wall to soften the visibility of the site and discourage graffiti along the block building wall (Condition #11).

Landscaping

- G) The proposal does not include a landscape plan, but all future landscaping for mulch, shrubs, turf, or trees should be drought tolerant and all irrigation systems must comply with the latest requirements for water conservation (Condition #8). In addition, parking lot trees shall be installed as required by the City's Parking Lot Landscape Standards at a minimum ratio of one tree for every six parking spaces. Parking lot trees shall be selected from the City's approved tree list, providing a 30-foot minimum canopy at maturity (Condition #18). Street trees may also be installed along Olive Avenue as required by City standards. All trees shall be planted away from the City's 10-foot visual corner triangle area.

Neighborhood Impact

- H) The land uses in the area included Light Industrial (IL) to the east of the subject site and Low Density Residential (LD) to the west of the subject site. The subject site was designated for Commercial Office (CO) to be a buffer between the industrial and residential uses. The CO designation offered reduced impacts to the adjacent residential properties as professional and

medical offices tend to have limited hours of operation during the evening and weekends with less traffic and noise compared to light industrial uses. The requested land use change to Business Park would allow the site to still act as a buffer between the industrial and residential designations as Business Park is somewhat of a hybrid between light industrial and office commercial, described in the Zoning Ordinance as a district that allows back offices, and research and development businesses. There may be some temporary impacts such as vibration, noise, and dust during construction, but in general the proposed land use would separate the light industrial uses to the west and residential to the east.

As shown in the Traffic Impact Study at Attachment I of Planning Commission Staff Report #23-534 the proposed development is expected to generate 74 vehicle trips per day which is considered a “small project” due to having under 110 daily trips (with 5 trips in a.m. peak hour and 8 trips in the p.m. peak hour). Although not many people are expected to come to the site throughout the day, noise and lighting from the proposed development would be reduced by the 12-foot-tall block building wall along the eastern property line between the subject site and residential properties to the east. In addition, staff is including conditions requiring parking lot lights and building lights be shielded so that lighting does not “spill-over” to adjacent parcels (Conditions #26), require controlled hours of operation only allowing operation between 7 a.m. and 10 p.m. (Condition #28), and prohibit dwelling within storage facilities or within any recreational vehicle or boats parked onsite (Condition #29).

Public hearing notices were sent to all property owners within 300 feet of the project site. At the time that this report was prepared, the City had not received any comments regarding this project.

Black Rascal Creek/Floodway

- I) The northern portion of the project is located within a floodway due to its close proximity to Black Rascal Creek (100 feet north). This portion of the project would not have any buildings and would be used for boat and recreational vehicle parking purposes only. Within this floodway, the applicant would like to install a wrought iron fence along the northern, western, and eastern (portion for boat and recreational vehicle parking only) property lines. However, doing so would require a No Rise Certificate

prepared by a licensed Hydrologist confirming the fence would not increase the flood heights in the area or alter the flow of water. If the proposal does not qualify for a No Rise Certificate, the applicant would not be able to install any fencing within this area (Condition #12).

In addition, the proposal would have to comply with Merced Municipal Code Chapter 20.34 – Creek Buffers, which is intended to reduce the risks to property owners and the public from erosion and flooding, protect and enhance chemical, physical, and biological integrity of water resources in the City, minimize pollutants entering water bodies from urban stormwater runoff, and preserve riparian vegetation and protect vegetation, and protect wildlife habitats and wildlife corridors along natural drainage ways (Condition #9).

Affordability Requirements

- J) In April 2022, the City Council approved Resolution 2022-15 regarding the requirement for 12.5% affordable housing for new single-family residential subdivisions and multifamily residential projects. This requirement is triggered by two qualifiers that need to be met: entitlement type and number of units created. For single-family residential developments, the affordability requirement is triggered by a legislative action agreement (through annexations, general plan amendments, site utilization plan revisions, or zone changes) for projects with over 60 homes and for multi-family for projects over 30 units. The proposed singular (1) live/work unit for the manager of the self-storage facility is exempt from having to provide affordable units, as even though the proposal does require a legislative action agreement it contains less than the number of units needed to trigger the affordability requirement.

Conditional Use Permit Findings

- K) In order for the Planning Commission to approve or deny a conditional 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.*

As shown under Finding A, if the General Plan Amendment is approved, the proposed project would comply with the General Plan land use designation of Business Park (BP) which allows parking facilities as a

principally permitted use and self-storage facilities with a site plan review permit. The project would also comply with the Zoning designation of Planned Development (P-D) #12 if the Site Utilization Plan Revision is approved

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.*

As shown under Finding E - Site Design, Finding F - Elevations, and Finding H – Neighborhood Impact, staff believes 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 #28 limits the business hours of operation between 7 a.m. and 10 p.m. daily.

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

This proposal will require building permits with 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

- L) A Site Plan Review Permit is required for this project 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

EXHIBIT B

OF PLANNING COMMISSION RESOLUTION #4119

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.*

As described in Finding A above, the project meets the requirements of the General Plan if the proposed General Plan Amendment for this development is approved. There are 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 Permit and implementation of the conditions of approval for CUP #1274 and Site Plan Review #516 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 as shown under Finding E -Site Design, Finding F - Elevations, and Finding H – Neighborhood Impact, staff believes that the location, size, design, and operating characteristics of the proposal would be compatible 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.*

As shown under Finding F – Elevations, 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. A decorative block wall would be installed along the southern elevation (Olive Avenue) with a variety of colors and materials. 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.

EXHIBIT B

OF PLANNING COMMISSION RESOLUTION #4119

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 does not include a landscape plan at the moment. Landscaping would be reviewed at the building permit stage. 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 Conditional Use Permit and Site Plan Review 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.

Environmental Clearance

- M) Infill projects over 5 acres or projects that don't comply with Zoning/General Plan designations require an Initial Study, per the California Environmental Quality Act (CEQA). In this case, the project site is not consistent with Zoning or the General Plan and is over 5 acres (at 6 acres) – thus an Initial Study was required. An Initial Study includes a wide range of analysis required by the State covering an array of subjects including, but not limited to, impacts on vehicle miles traveled, air quality, biological resource, public services, cultural resources, and City utilities. Planning staff has conducted an

environmental review of the project in accordance with the requirements of CEQA, and concluded that Environmental Review #23-08 results in a Mitigated Negative Declaration as the proposal would have an effect on the environment, but could be mitigated with certain measures (Attachment J of Planning Commission Staff Report #23-534) and does not require the preparation of an Environmental Impact Report. A copy of the Initial Study with a Mitigated Negative Declaration can be found at Attachment J of Planning Commission Staff Report #23-534.

<p style="text-align: center;">ENVIRONMENTAL REVIEW #23-08 Revised Mitigation Monitoring Program</p>

MITIGATION MONITORING CONTENTS

This mitigation monitoring program includes a brief discussion of the legal basis and purpose of the mitigation monitoring program, a key to understanding the monitoring matrix, a discussion of noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resource Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The City of Merced has adopted its own “Mitigation Monitoring and Reporting Program” (MMC 19.28). The City’s program was developed in accordance with the advisory publication, *Tracking CEQA Mitigation Measures*, from the Governor’s Office of Planning and Research.

As required by MMC 19.28.050, the following findings are made:

- 1) The requirements of the adopted mitigation monitoring program for the General Plan Amendment #23-02, Site Utilization Plan (SUP) Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review #516 shall run with the real property. Successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program.
- 2) Prior to any lease, sale, transfer, or conveyance of any portion of the subject real property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

MITIGATION MONITORING PROCEDURES

In most cases, mitigation measures can be monitored through the City’s construction plan approval/plan check process. When the approved project plans and specifications, with mitigation measures, are submitted to the City Development Services Department, a copy of the monitoring checklist will be attached to the submittal. The Mitigation Monitoring Checklist will be filled out upon project approval with mitigation measures required. As project plans and specifications are checked, compliance with each mitigation measure can be reviewed.

In instances where mitigation requires on-going monitoring, the Mitigation Monitoring Checklist will be used until monitoring is no longer necessary. The Development Services Department will be required to file periodic reports on how the implementation of various mitigation measures is progressing or is being maintained. Department staff may be required to conduct periodic inspections to assure compliance. In some instances, outside agencies and/or consultants may be required to conduct necessary periodic inspections as part of the mitigation monitoring program. Fees may be imposed per MMC 19.28.070 for the cost of implementing the monitoring program.

GENERAL PLAN MITIGATION MEASURES

As a second-tier environmental document, Initial Study #23-08 incorporates some mitigation measures adopted as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (SCH# 2008071069), as mitigation for potential impacts of the Project.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Director of Development Services in written form providing specific information on the asserted violation. The Director of Development Services shall cause an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Director of Development Services shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue. Merced Municipal Code (MMC) Sections 19.28.080 and 19.28.090 outline the criminal penalties and civil and administrative remedies which may be incurred in the event of noncompliance. MMC 19.28.100 spells out the appeals procedures.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for General Plan Amendment #23-02, Site Utilization Plan Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review #516. The columns within the tables are defined as follows:

Mitigation Measure:	Describes the Mitigation Measure (referenced by number).
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation measure.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

**General Plan Amendment #23-02/Site Utilization Plan Revision #3 to Planned Development (P-D)
#12/Conditional Use Permit #1274/
Site Plan Review Permit #516
Mitigation Monitoring Checklist**

Project Name:	_____	File Number:	_____
Approval Date:	_____	Project Location	_____
Brief Project Description	_____		

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City of Merced’s Mitigation Monitoring Requirements (MMC 19.28) with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

1) Greenhouse Gas Emissions				
<i>Impact</i>	<i>Mitigation Measures</i>	<i>Timing</i>	<i>Agency or Department</i>	<i>City Verification (date and initials)</i>
<i>a</i>	GHG- 1)	Building Permit	Planning Department	

	GHG-1)	<p>The project applicant shall demonstrate compliance with the applicable BPS strategies to the Planning Division prior to the issuance of a building permit. The following BPS strategies are considered to be applicable, feasible, and effective in reducing GHG emissions generated by the project:</p> <ul style="list-style-type: none"> • The project will provide a pedestrian access network that internally links all uses and connects to existing external streets and pedestrian facilities. Existing facilities are defined as those facilities that are physically constructed and ready for use prior to the first 20% of the project's occupancy permits being granted. • Site design and building placement will minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation will be eliminated. Barriers to pedestrian access of neighboring facilities and sites will be minimized. This measure is not meant to prevent the limited use of barriers to ensure public safety by prohibiting access to hazardous areas. This measure is not meant to prevent features needed to securely operate a mini-storage facility. • Merced Regional Transit System The Bus Route M1 - Merced West - provides bus service with one-half hour headways. A bus stop for Route M1 is located at the Walmart store at Olive Avenue and 	Building Permit	Building / Engineering Departments	
--	--------	---	-----------------	------------------------------------	--

a

	<p>Loughborough Drive, directly south of the project site. The project will provide safe and convenient bicycle/pedestrian access to the bus stop and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).The project applicant shall plant trees to provide shade.</p> <ul style="list-style-type: none"> • The project will install light-colored/high/albedo roof materials on the portion of the project containing climate-controlled units. Light-colored/high/albedo roof materials reflect more of the sun's rays, decreasing the amount of heat transferred into a building. • The project will provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; OR use an open-grid pavement system (less than 50% impervious) for a minimum of 50% of the parking lot area. Unshaded parking lot areas, driveways, fire lanes, and other paved areas will have a minimum albedo of 0.3 or greater. 			
b	GHG-2)	Implementation of Mitigation Measure of GHG-1.		

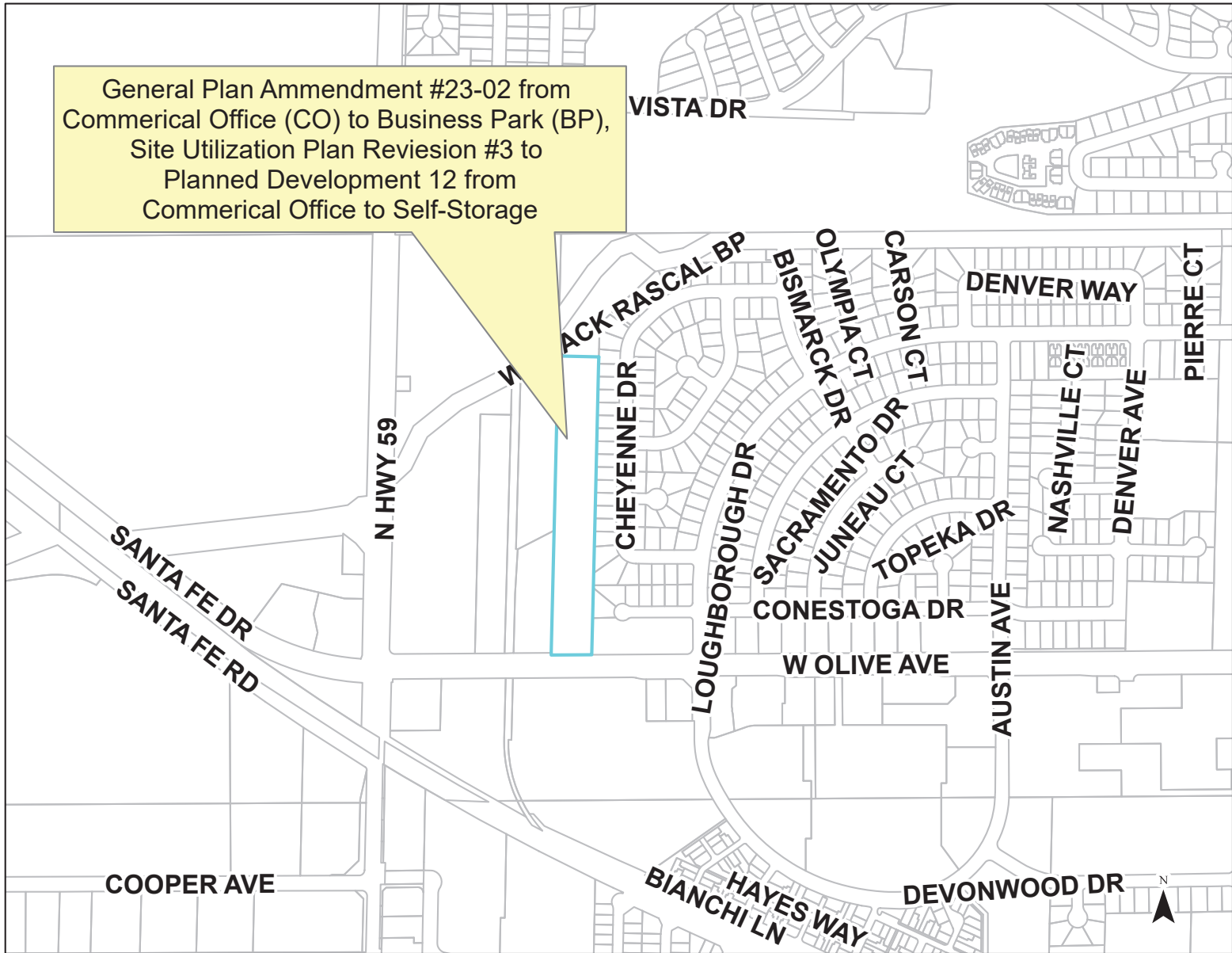
Certificate of Completion:

By signing below, the environmental coordinator confirms that the required mitigation measures have been implemented as evidenced by the Schedule of Tasks and Sign-Off Checklist, and that all direct and indirect costs have been paid. This act constitutes the issuance of a *Certificate of Completion*.

Environmental Coordinator

Date





DEVELOPER:
MCS SOUTH SECURITY STORAGE, LLC
915 SOUTH FLOWER STREET 18TH FLOOR
LOS ANGELES, CALIFORNIA 90071
CONTACT: SEAN BRANNAN
E-MAIL: sbrannan@capitalendingcorp.com

ARCHITECT:
BMA ARCHITECTS, INC.
2233 EAST THOMAS ROAD
PHOENIX, ARIZONA 85016
CONTACT: JEROD NGRETTIE
PHONE: (602) 955-3900
FAX: (602) 955-0496
E-MAIL: jngregett@bma.com

EXISTING ZONING: _____
 PROPOSED ZONING: _____
 GENERAL PLANE: _____
 GROSS SITE AREA: _____
 NET SITE AREA: _____
 LOT AREA: _____
 LOT COVERAGE PROVIDED: _____

SETBACKS: _____
 MINIMUM FRONT YARD: _____
 MINIMUM SIDE YARD: _____
 FRONT YARD: _____

PROPOSED USE: _____
 PROPOSED HEIGHT: _____
 BUILDING AREA: _____
 BUILDING A: _____
 BUILDING B: _____
 BUILDING C: _____
 BUILDING D: _____

TOTAL BUILDING AREA: _____

TOTAL PARKING REQUIRED: _____
 SELF STORAGE: 62,641 S.F. FLOOR
 1 PER 50 STORAGE UNITS
 1 PER 250 S.F. OF FLOOR

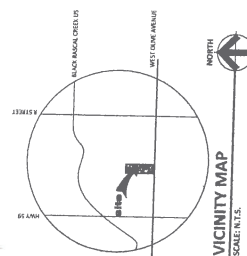
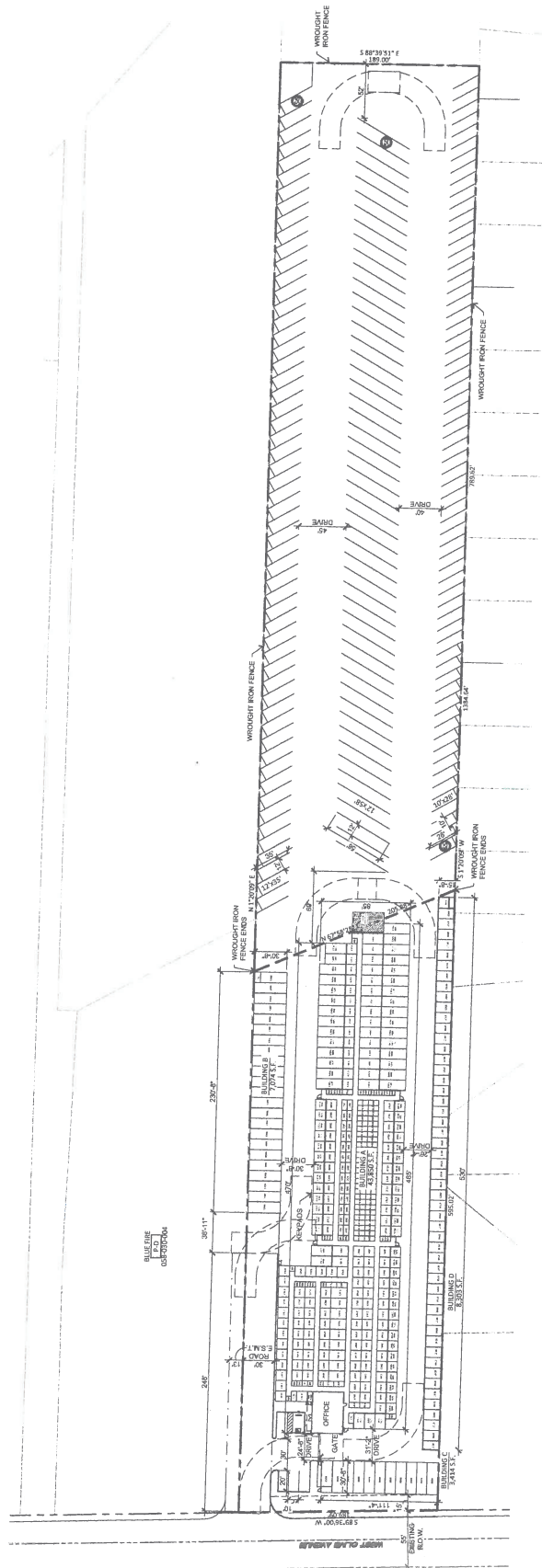
TOTAL PARKING PROVIDED: _____
 ACCESSIBLE SPACES REQUIRED: _____
 ACCESSIBLE SPACES PROVIDED: _____
 BICYCLE SPACES REQUIRED: 2.2 PER 1,000 S.F. OF FLOOR
 BICYCLE SPACES PROVIDED: _____

ALL SIGNAGE IS APPROVED THROUGH A SEPARATE PERMIT

FIRE NOTES

1 2019 CALIFORNIA FIRE CODE, CITY OF MERCED FIRE CODE, 903.2 WHERE REQUIRED, ALL NEW BUILDINGS AND STRUCTURES SHALL BE PROVIDED WITH AN AUTOMATIC SPRINKLER SYSTEM.

2 AUTOMATIC GATES SHALL BE EQUIPPED WITH DUAL HEAD PREEMPTION RECEIVERS AND KEY SWITCH ON BOTH INSIDE AND OUTSIDE OF GATES.

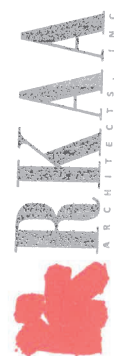
[illegible]

SITE PLAN
SCALE: 1" = 50'-0"

MERCED SECURITY STORAGE
1965 WEST OLIVE AVENUE
MERCED, CA 95348
DATE: 02-28-2023 (PRELIMINARY)

SP-1

SP-1
RKAA# 23003.50



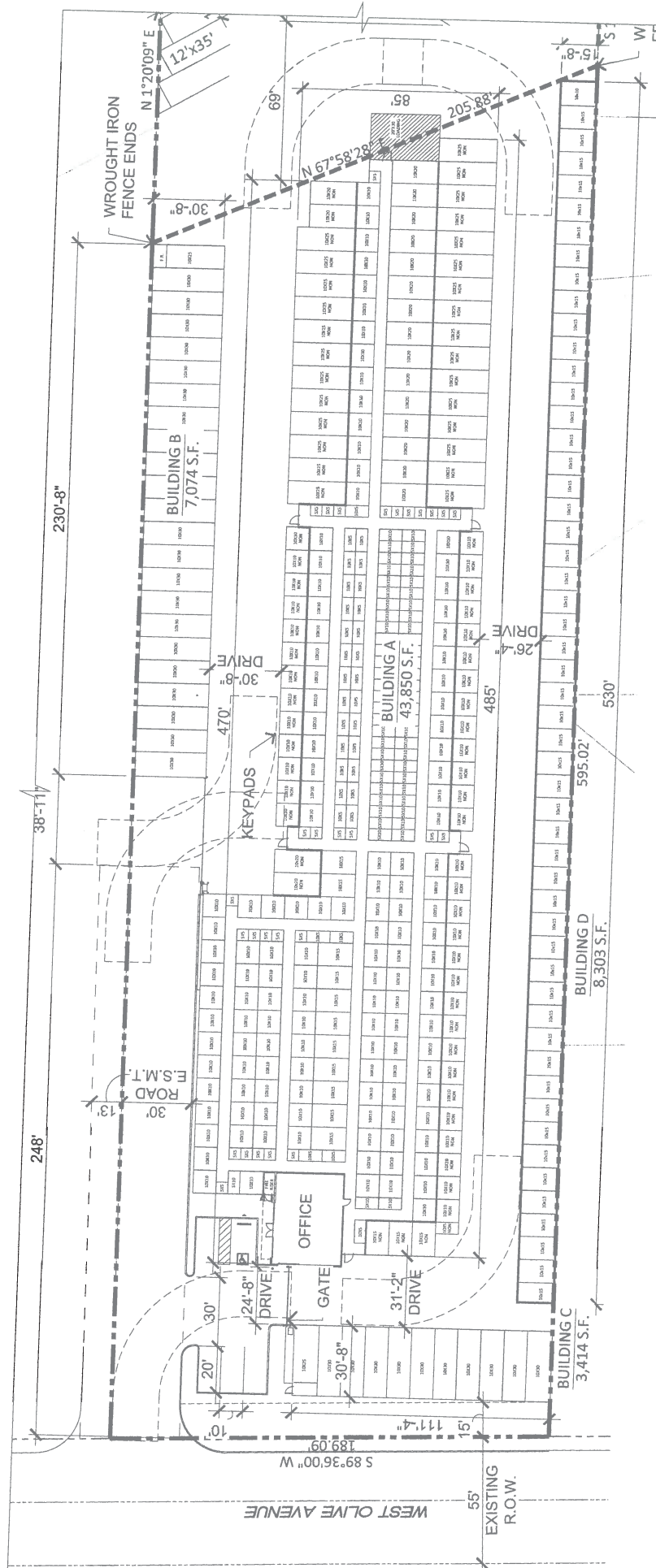
BUILDING A UNIT MIX			
G.S.F. = 43,850 S.F.			
L.S.F. = 35,577 S.F.			
CLIMATE CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
5'x7'	29	75	775
5'x10'	5	50	500
10'x10'	32	50	1,600
10'x15'	132	100	13,000
10'x20'	11	150	1,650
10'x30'	1	300	3,000
SUBTOTAL	278	250	20,025
DRIVE UP STORAGE			
10'x10'	1	50	50
10'x15'	4	150	600
10'x20'	3	300	900
10'x30'	1	600	1,800
SUBTOTAL	9	1,100	3,800
TOTAL STORAGE	354	350	23,825

BUILDING B UNIT MIX			
G.S.F. = 7,074 S.F.			
L.S.F. = 7,074 S.F.			
NON CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
10'x25'	1	250	250
10'x30'	22	300	6,600
TOTAL	23	850	6,850

BUILDING C UNIT MIX			
G.S.F. = 3,414 S.F.			
L.S.F. = 3,414 S.F.			
NON CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
10'x25'	1	250	250
10'x30'	10	300	3,000
TOTAL	11	550	3,250

BUILDING D UNIT MIX			
G.S.F. = 8,303 S.F.			
L.S.F. = 8,303 S.F.			
NON CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
10'x25'	1	250	250
10'x30'	10	300	3,000
TOTAL	11	550	3,250

RV PARKING			
UNCOVERED PARKING			
UNIT SIZE	TOTAL	S.F.	AREA
10'x25'	1	250	250
10'x30'	52	300	3,000
TOTAL	53	550	3,250



ENLARGED SITE PLAN
SCALE: 1" = 20'-0"

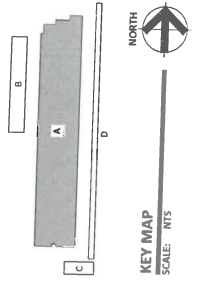
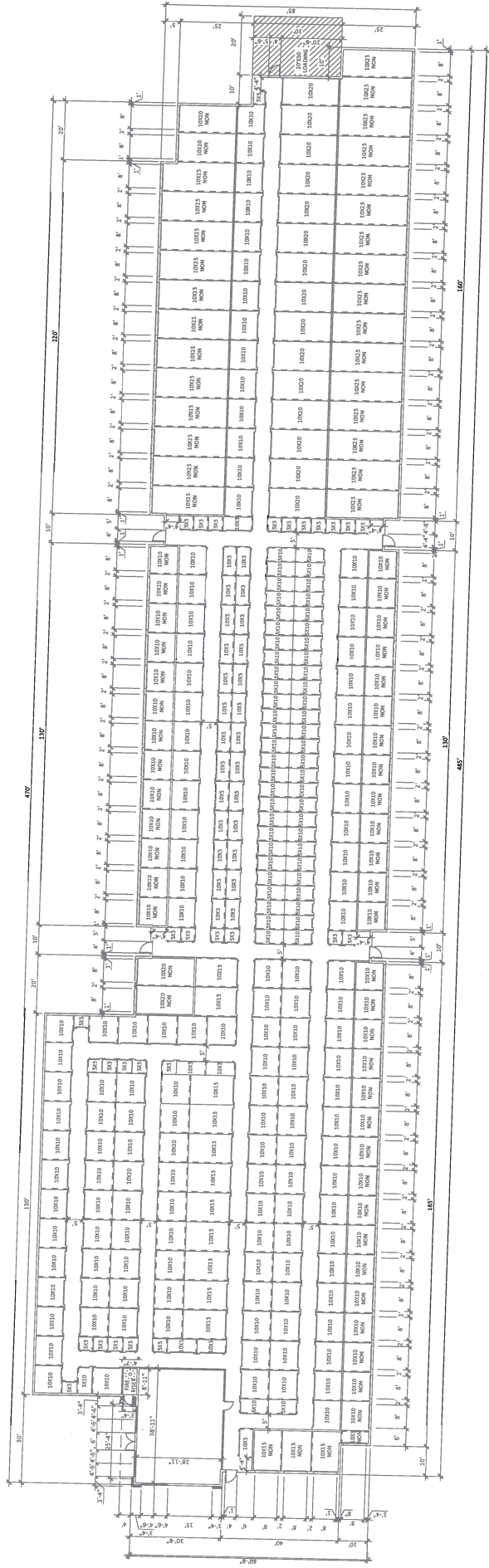
MERCED SECURITY STORAGE
1965 WEST OLIVE AVENUE
MERCED, CA 95348
DATE: 02-28-2023 (PRELIMINARY)

SP-2

RKAA# 23003.50



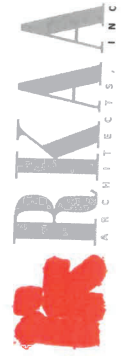
BUILDING A UNIT MIX			
G.S.F. = 43,850 S.F.			
L.S.F. = 35,577 S.F.			
CLIMATE CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
INTERIOR STORAGE			
5'x5'	29	25	725
5'x10'	50	50	2500
10'x5'	37	150	5550
10'x10'	132	300	11600
10'x15'	11	150	1650
10'x20'	15	200	3000
SUBTOTAL DRIVE UP STORAGE			
10'x5' NON	1	50	50
10'x10' NON	42	150	4200
10'x15' NON	3	150	450
10'x20' NON	4	200	800
SUBTOTAL			
78	250	7800	2500
TOTAL STORAGE			
354	255	255	255



BUILDING A FLOOR PLAN
SCALE: 1/16" = 1'-0"

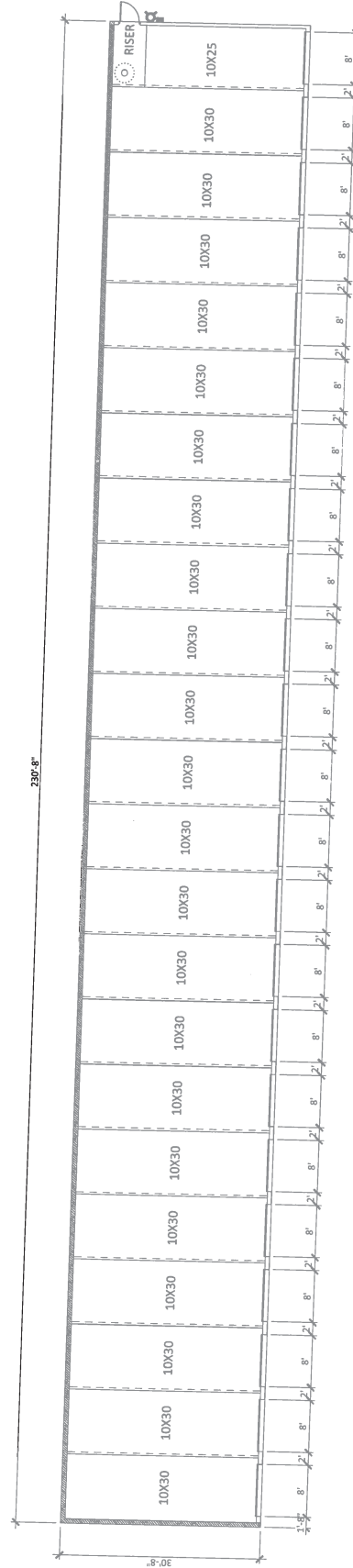
MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-28-2023 (PRELIMINARY)

FP-A

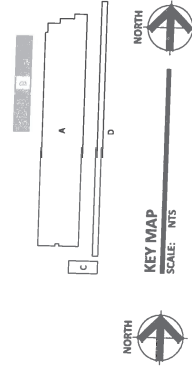


RKAA# 23003.50

BUILDING B UNIT MIX			
G.S.F. = 7,074 S.F.			
L.S.F. = 7,164 S.F.			
NON CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F. PER	AREA
10X30	1	250	250
10X30	22	300	6600
TOTAL	23		6850



BUILDING B FLOOR PLAN
SCALE: 1/8" = 1'-0"

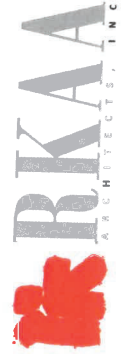


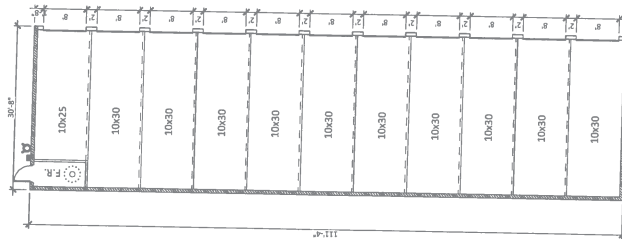
MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-14-2023 (PRELIMINARY)

FP-B

RECEIVED BY: [illegible]
DATE: [illegible]
PROJECT: [illegible]
DRAWING: [illegible]
BY: [illegible]
CHECKED: [illegible]
APPROVED: [illegible]
DATE: [illegible]

RKAA# 23003.50

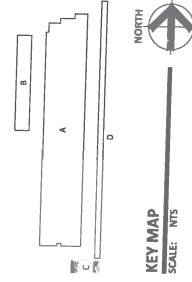




1 BUILDING C FLOOR PLAN
SCALE: 3/32" = 1'-0"



BUILDING C UNIT MIX			
G.S.F. = 2414 S.F.			
L.S.F. = 5354 S.F.			
NON CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
10x25	1	250	250
10x30	10	300	3000
TOTAL	11		3250



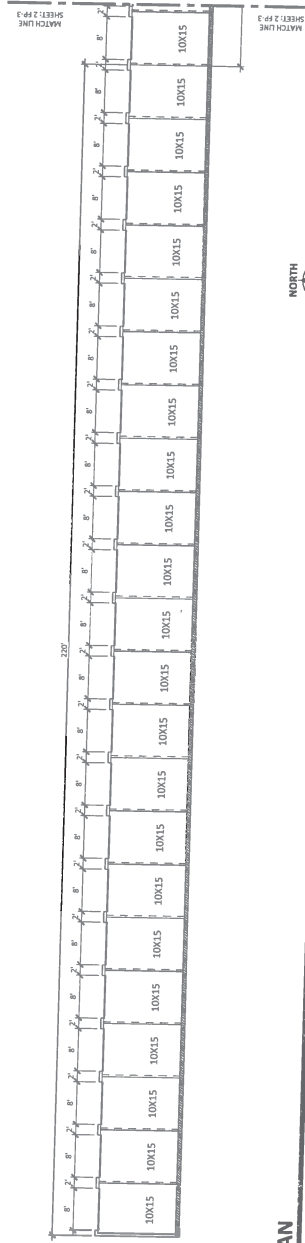
MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-14-2023 (PRELIMINARY)

FP-C

RKAA# 23003.50



BUILDING D UNIT MIX			
G.S.F. = 8,303 S.F.			
L.S.F. = 6,244 S.F.			
NON CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
10X10	1	100	100
10X15	53	150	7950
TOTAL	54		8050

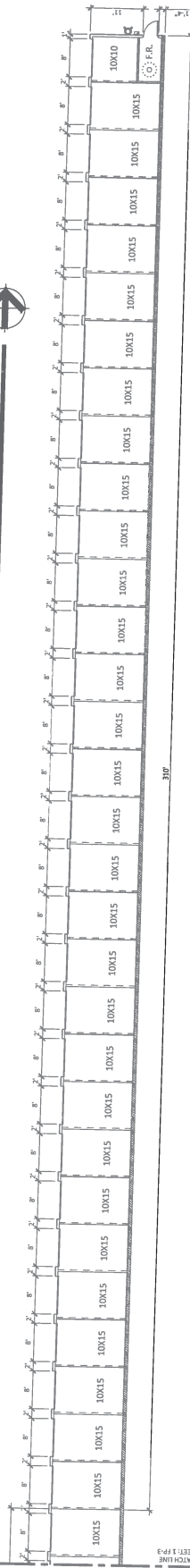


1 BUILDING D FLOOR PLAN
SCALE: 3/32" = 1'-0"

MATCH LINE
SHEET 1 OF 3



MATCH LINE
SHEET 2 OF 3



2 BUILDING D FLOOR PLAN
SCALE: 3/32" = 1'-0"



KEY MAP
SCALE: NTS



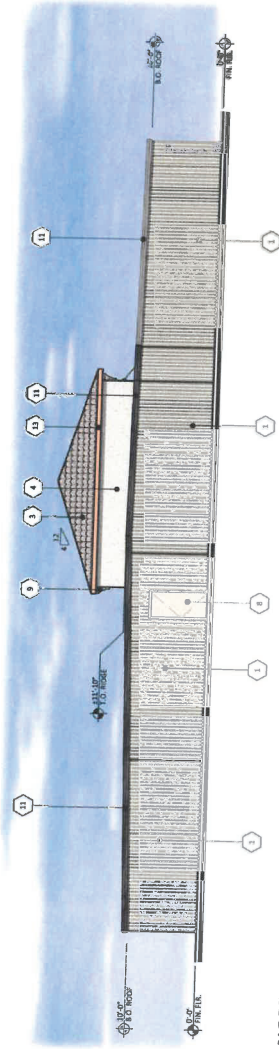
MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-14-2023 (PRELIMINARY)

FP-D

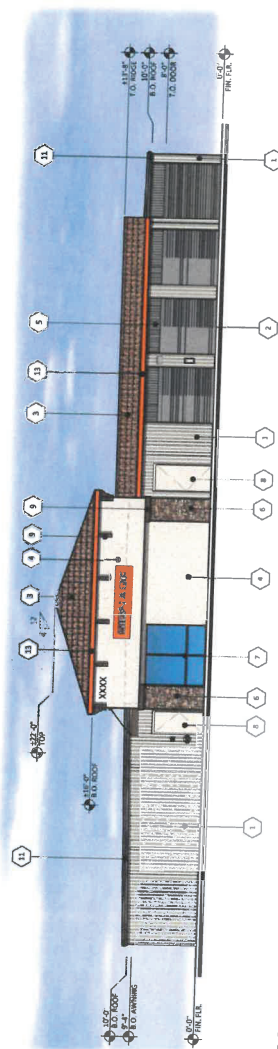
BLANKET, INC. & ASSOCIATES
ARCHITECTS
1965 W. OLIVE AVENUE
MERCED, CA 95348
TEL: 209.386.1111
WWW.BLANKETARCHITECTS.COM

RKAA# 23003.50

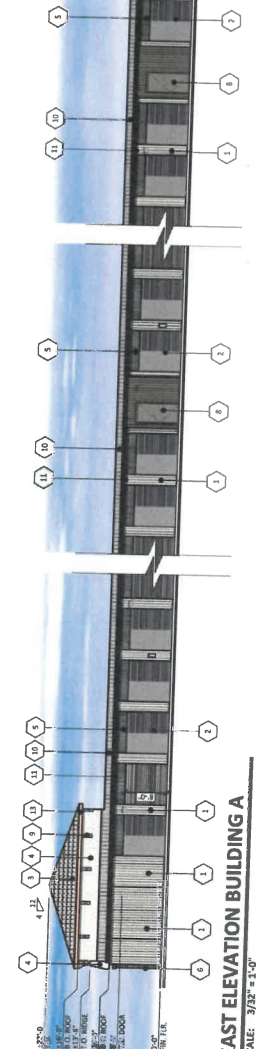




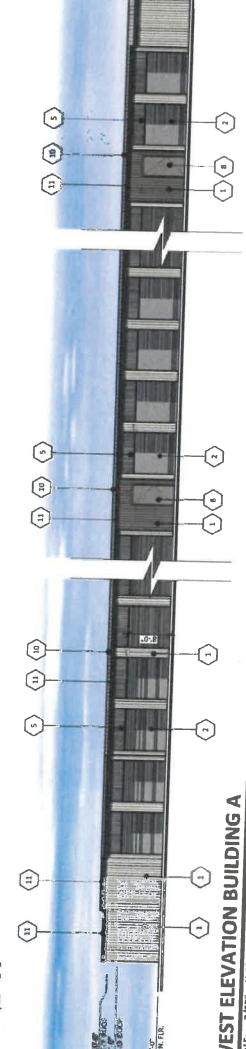
NORTH ELEVATION BUILDING A
SCALE: 1/8"=1'-0"



SOUTH ELEVATION BUILDING A
SCALE: 1/8"=1'-0"



EAST ELEVATION BUILDING A
SCALE: 3/32"=1'-0"



WEST ELEVATION BUILDING A
SCALE: 3/32"=1'-0"

MATERIALS	
1	INTERIOR METAL PANEL
2	INTERIOR WALL PANEL
3	EXTERIOR WALL OF DOORS
4	INTERIOR WALL OF DOORS
5	INTERIOR WALL OF DOORS
6	INTERIOR WALL OF DOORS
7	INTERIOR WALL OF DOORS
8	INTERIOR WALL OF DOORS
9	INTERIOR WALL OF DOORS
10	INTERIOR WALL OF DOORS
11	INTERIOR WALL OF DOORS
12	INTERIOR WALL OF DOORS
13	INTERIOR WALL OF DOORS
14	INTERIOR WALL OF DOORS
15	INTERIOR WALL OF DOORS
16	INTERIOR WALL OF DOORS
17	INTERIOR WALL OF DOORS
18	INTERIOR WALL OF DOORS
19	INTERIOR WALL OF DOORS
20	INTERIOR WALL OF DOORS
21	INTERIOR WALL OF DOORS
22	INTERIOR WALL OF DOORS
23	INTERIOR WALL OF DOORS

MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-28-2023 (PRELIMINARY)

EL-A

RKAA# 23003.50

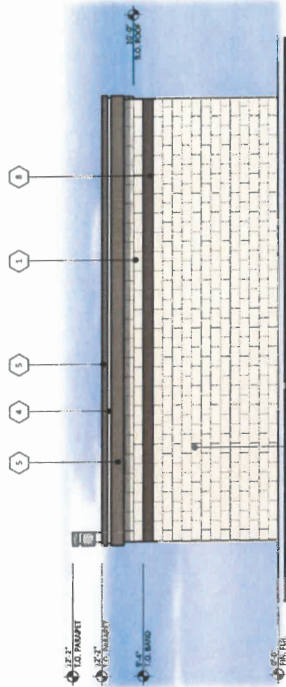


MATERIALS	
1	SMOOTH FACE CEMENT BRICKS
2	"OCEAN BLANK" SW 7971
3	SMOOTH METAL PANEL
4	"ALUMINOX"
5	"THE HICKETTE GRAY"
6	"SHERWIN WILLIAMS SAND PAPER"
7	"OCEAN BLANK" SW 7971
8	"SHERWIN WILLIAMS SAND PAPER"
9	"OCEAN BLANK" SW 7971
10	"SHERWIN WILLIAMS SAND PAPER"
11	"OCEAN BLANK" SW 7971
12	"SHERWIN WILLIAMS SAND PAPER"
13	"OCEAN BLANK" SW 7971
14	"SHERWIN WILLIAMS SAND PAPER"
15	"OCEAN BLANK" SW 7971
16	"SHERWIN WILLIAMS SAND PAPER"
17	"OCEAN BLANK" SW 7971
18	"SHERWIN WILLIAMS SAND PAPER"
19	"OCEAN BLANK" SW 7971
20	"SHERWIN WILLIAMS SAND PAPER"
21	"OCEAN BLANK" SW 7971
22	"SHERWIN WILLIAMS SAND PAPER"
23	"OCEAN BLANK" SW 7971
24	"SHERWIN WILLIAMS SAND PAPER"
25	"OCEAN BLANK" SW 7971
26	"SHERWIN WILLIAMS SAND PAPER"
27	"OCEAN BLANK" SW 7971
28	"SHERWIN WILLIAMS SAND PAPER"
29	"OCEAN BLANK" SW 7971
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34	"SHERWIN WILLIAMS SAND PAPER"
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39	"OCEAN BLANK" SW 7971
40	"SHERWIN WILLIAMS SAND PAPER"
41	"OCEAN BLANK" SW 7971
42	"SHERWIN WILLIAMS SAND PAPER"
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50	"SHERWIN WILLIAMS SAND PAPER"
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54	"SHERWIN WILLIAMS SAND PAPER"
55	"OCEAN BLANK" SW 7971
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61	"OCEAN BLANK" SW 7971
62	"SHERWIN WILLIAMS SAND PAPER"
63	"OCEAN BLANK" SW 7971
64	"SHERWIN WILLIAMS SAND PAPER"
65	"OCEAN BLANK" SW 7971
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100	"SHERWIN WILLIAMS SAND PAPER"



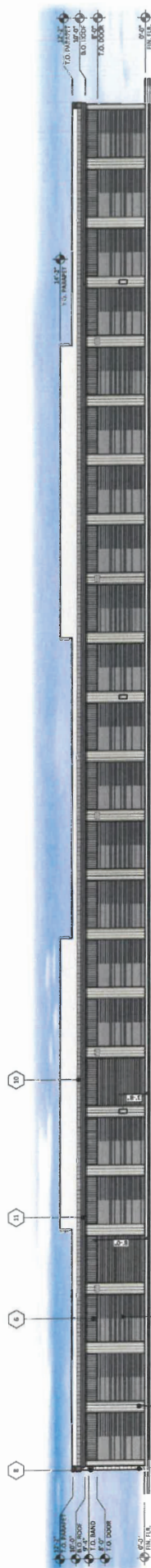
NORTH ELEVATION BUILDING B

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



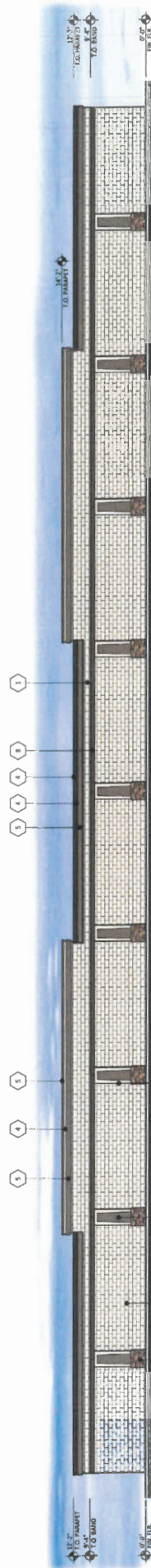
SOUTH ELEVATION BUILDING B

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



EAST ELEVATION BUILDING B

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

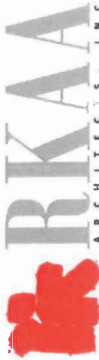


WEST ELEVATION BUILDING B

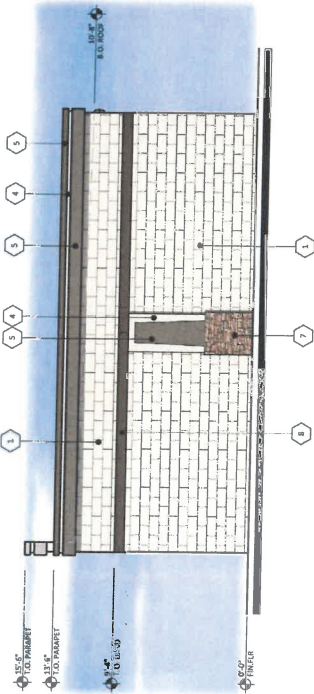
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MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-28-2023 (PRELIMINARY)

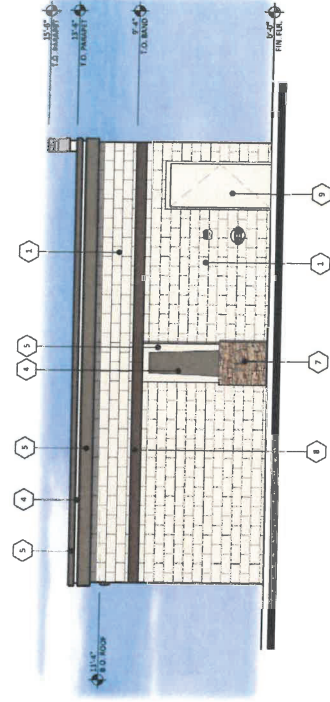
EL-2
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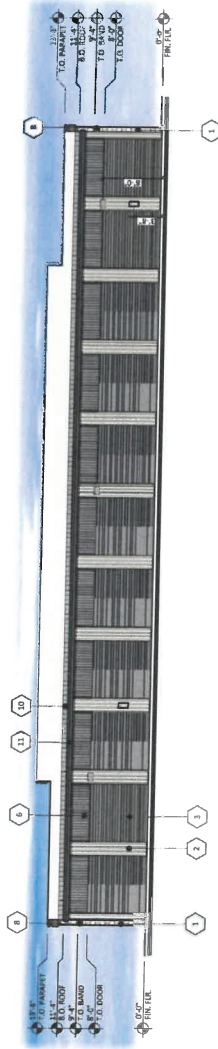
①	MATERIALS
1	SMOOTH FACE CAME BRICKS
2	"CASABLANCA" SW 7571
3	W/KN CROWN MOULDING
4	"ALABASTER"
5	INTERIOR ROLL-UP DOORS
6	INTERIOR
7	INTERIOR WALLS
8	INTERIOR FLOORS
9	INTERIOR CEILING
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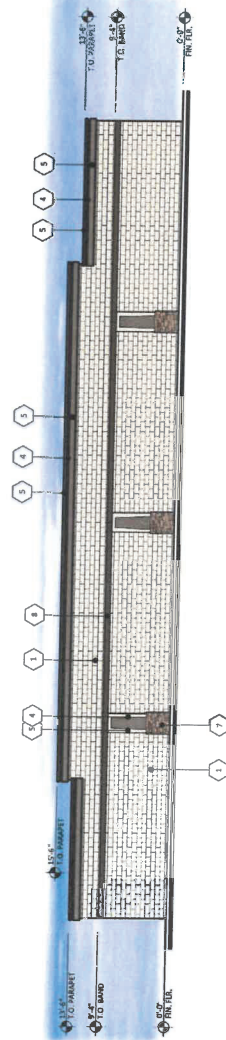
EAST ELEVATION BUILDING C
SCALE: 1/4" = 1'-0"



WEST ELEVATION BUILDING C
SCALE: 1/4" = 1'-0"



NORTH ELEVATION BUILDING C
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION BUILDING C
SCALE: 1/8" = 1'-0"

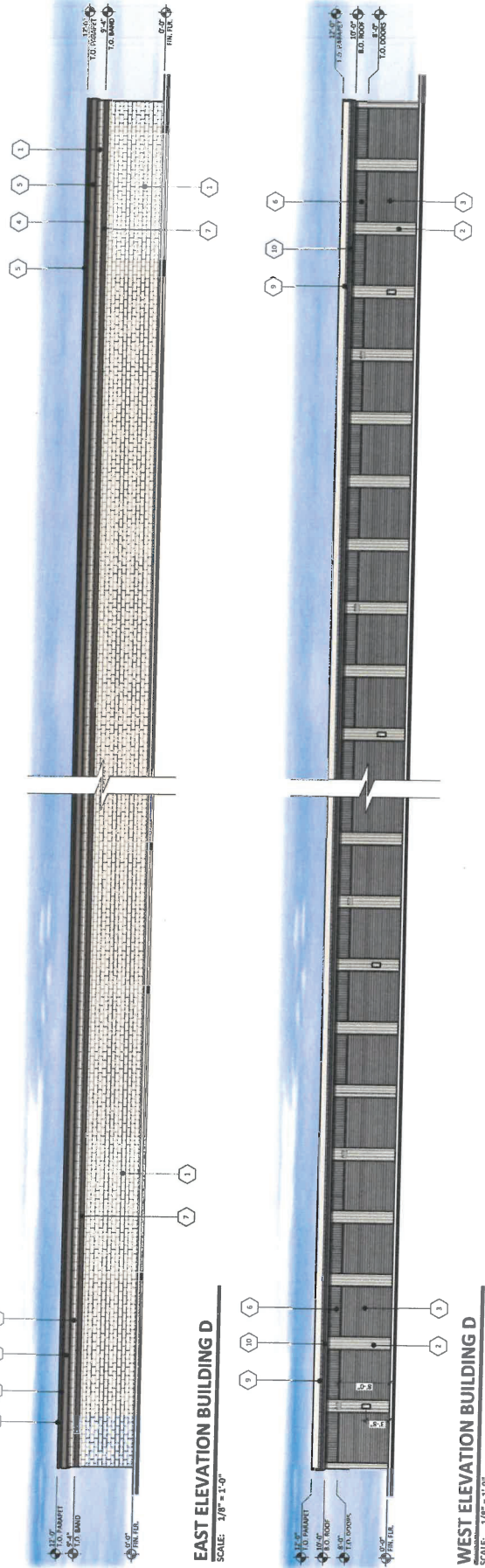
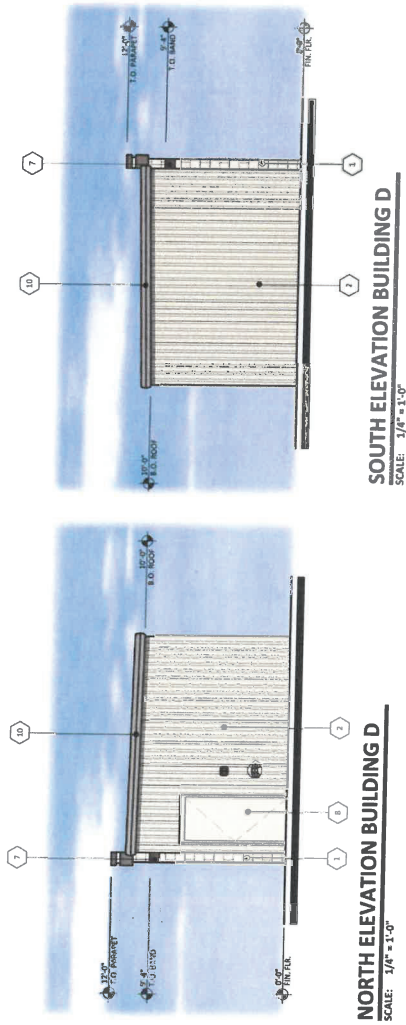
MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-28-2023 (PRELIMINARY)

EL-3

PROJECT NO. 23003.50
CONSULTANT FOR
ARCHITECTURAL
SERVICES
DATE: 02-28-2023
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]
DATE: 02-28-2023
PROJECT LOCATION
ON THE ASSIGNED



G MATERIALS	
1	SMOOTH FACE CMU BR2316
2	SMOOTH FACE CMU BR2316
3	"CASABLANCA" SW 7571
4	"CASABLANCA" SW 7571
5	"CASABLANCA" SW 7571
6	"CASABLANCA" SW 7571
7	"CASABLANCA" SW 7571
8	"CASABLANCA" SW 7571
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16	"CASABLANCA" SW 7571
17	"CASABLANCA" SW 7571
18	"CASABLANCA" SW 7571
19	"CASABLANCA" SW 7571
20	"CASABLANCA" SW 7571



MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-28-2023 (PRELIMINARY)

EL-4

RKAA
ARCHITECTS, INC.
23003.50

Chapter 20.10 - COMMERCIAL ZONING DISTRICTS

Sections:

20.10.010 Purpose of the Commercial Zoning Districts

20.10.020 Land Use Regulations for Commercial Zoning Districts

20.10.030 Development Standards and Guidelines for Commercial Zoning Districts

20.10.010 Purpose of the Commercial Zoning Districts

- A. **Neighborhood Commercial (C-N).** The C-N zoning district provides areas for shopping centers and other commercial uses that serve the day-to-day needs of residential neighborhoods. The C-N districts shall have a minimum area of three acres and shall be located only where analysis of the residential population demonstrates that the facilities are justified.
- B. **Shopping Center Commercial (C-SC).** The C-SC zoning district provides areas for grocery stores, supermarkets, and other retail establishments selling groceries to serve local residents as well as the larger regional market. The C-SC districts shall have a minimum area of five acres.
- C. **Regional/Central Commercial (C-C).** The C-C zoning district provides areas for a diversity of commercial and residential land uses in the central business district and regional centers. These uses help to support a vibrant retail destination, provide jobs for residents, and accommodate commercial and service uses to meet the needs of community and regional businesses and residents.
- D. **Office Commercial (C-O).** The C-O zoning district provides a location for a broad range of office uses including professional offices, business offices, medical offices, and regional or “back” offices. The C-O zoning district can also accommodate limited “accessory” restaurant, retail, and service uses that cater to the needs of on-site employees and visitors.
- E. **Thoroughfare Commercial (C-T).** The C-T zoning district provides areas for auto-oriented commercial uses that accommodate the needs of people traveling on highways and local motorists. The C-T zoning district also accommodates large recreational facilities and heavy commercial uses that benefit from proximity to the highway.
- F. **General Commercial (C-G).** The C-G zoning district provides areas for heavy commercial and light industrial uses that may impact neighboring uses and often require large parcels and benefit from separation from retail uses. The C-G districts are to be established in areas of four acres or larger.
- G. **Business Park (B-P).** The B-P zoning district provides a location for employment-intensive uses within an attractive campus-like setting. The B-P zoning district shall primarily allow “back” offices, research and development businesses but also limited commercial retail uses to serve employees in the area. The B-P zoning district shall have a minimum area of five acres.

20.10.020 Land Use Regulations for Commercial Zoning Districts

A. Permitted Uses. Table 20.10-1 identifies land uses permitted in commercial zoning districts.

TABLE 20.10-1 PERMITTED LAND USES IN THE COMMERCIAL ZONING DISTRICTS

Key		Zoning District ^[1]						
P Permitted Use	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	Additional Regulations
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
RESIDENTIAL USES ^[1]								
Group/Transitional/Supportive Housing	C	C	P	C	C[3]	C[3]	C	
Live/Work Units	C	C	P [2]	X	X	X	C	Sec. 20.44.080
Multiple-Family Dwellings	C	C	P	X	X	X	C	
Residential Care Facilities, Small <i>(6 or Less)</i>	X	X	P [3]	X	X	X	X	
Residential Care Facilities, Large <i>(More than 6 residents)</i>	X	X	P [3]	X	X	X	X	
Single-Room Occupancy	X	X	P [3]	X	X	X	C	Sec. 20.44.120
COMMUNITY USES								
Community Assembly	C	C	C	X	C	C	C	
Community Garden	SP	SP	SP	SP	X	SP	SP	Sec. 20.44.050
Colleges and Trade Schools	C	C	C	SP[9]	X	C	SP	
Convalescent or Nursing Homes	C	C	C	X	X	X	C	
Cultural Institutions	C	C	C	X	C	C	C	
Day Care Centers (Children & Adults)	M	M	M	M	X	X	M	
Emergency Shelters	X	X	C	X	C	P	C	Sec.20.44.150
Government Offices	P	P	P	X	P	P	P	
Hospitals and Surgery Centers	C	C	C	C[9]	C	C	C	
Instructional Services	P	P	P	X	X	X	P	
Medical Offices and Clinics	P	P	P	P[9]	X	X	P	
Parks and Recreational Facilities	SP	SP	SP	X	SP	SP	SP	
Public Safety Facilities	SP	SP	P	C	SP	SP	SP	
Rehabilitation Centers	P	P [6]	P[10]	X	X	SP	SP	
Social Assistance Services	C	C	C	X	SP	P	SP	

Key	Zoning District ^[1]							
P Permitted Use	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	Additional Regulations
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
COMMERCIAL USES								
Alcoholic Beverage Sales [7]	X	P [7][8]	P [7]	C [7] [9]	P [7]	P [7]	P [7]	Sec.20.44.010
Bail Bond Businesses	C	X	C [10]	X	C	C	C	
Bars and Nightclubs	X	C	C	X	C	C	C	
Banks, Retail	P	P	P	P [9]	SP	SP	P	
Bed and Breakfast	X	X	C	X	C	C	C	Sec.20.44.030
Breweries, Distilleries, & Wineries	X	X	P[19]	X	P[19]	P[19]	P[19]	
Building Supplies/Home Improvement	X	X	C	C[9]	SP	P	P	
Business Support Services	X	C	M	X	P	P	P	
Cardrooms [5]	X	X	C [5]	X	C [5]	C [5]	X	Chapter 9.08
Cemeteries and Mausoleums	X	X	C	X	C	P	X	
Check Cashing/Payday Loan Establishments	C	X	C [10]	X	C	C	C	Sec.20.44.040
Commercial Cannabis Businesses	Refer to Table 20.44-1 in Section 20.44.170							
Commercial Recreation, Indoor (Except Below)	X	SP	SP	SP[9]	P	SP	SP	
Multi-Screen (6 or More) Movie Theaters	X	C	P	X	C	X	SP	
Commercial Recreation, Outdoor	X	X	X	SP [9]	P	C	SP	
Drive-Through and Drive-Up Sales	C	C	SP	SP [9]	P	P	SP	
Equipment Sales and Rental	X	X	X	X	P	P	SP	
Farmer’s Market	C	SP	SP	SP	SP	SP	SP	Sec.20.50.030B
Flea Market	X	X	X	X	C	C	C	
Funeral Parlors and Mortuaries	C	C	C	X	C	P	C	
Gas and Service Stations/Car Washes	X	C	SP	SP [9]	P	P	P	Sec.20.44.070
Hotels and Motels	X	X	P	X	P	C	P	
Hookah Lounges	X	C	C	X	C	C	C	
Kennels	X	X	X	X	C	P	C	
Maintenance and Repair Services	X	X	X	X	P	P	P	
Massage Establishments	C [16]	C [16]	C [16]	X	C [16]	C [16]	C[16]	Chapter 5.44
Massage Therapy—Sole Practitioner	P[17]	P[17]	P[17]	X	C [16]	C [16]	C{16]	Chapter 5.44
Mobile Food Vendors	C	C	C	C[9]	SP [11]	SP	SP	Sec. 5.54 & 20.44.020
Mobile Home Sales	X	X	X	X	P	P	SP	
Office, Professional	P	P	P	SP [9]	SP	SP	P	

Key	Zoning District ^[1]							
P Permitted Use	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	Additional Regulations
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
COMMERCIAL USES (Continued)								
Pawn Shops	X	X	C [10]	X	X	P	X	
Personal Services	P	P	P	P [9]	M	M	M	
Retail, General	SP[12]	P	P	P [9]	P	P	P	
Restaurants	C [13]	P [8]	P	P [9]	P	M	P	
Tattoo Parlors	X	SP	M	X	M	M	M	
Tobacco Retailers [18]	X	P [18]	P [18]	P [18]	P [18]	P [18]	P [18]	Sec.20.44.160
Vehicle Parts and Accessories Sales	X	P	P	P[9]	P	P	SP	
Vehicle Rentals	X	X	M	X	P	P	SP	
Vehicle Repair and Maintenance, Major	X	X	X	X	C	P	SP	
Vehicle Repair and Maintenance, Minor	X	SP	P	X	P	P	P	
Vehicle Sales	X	X	P [10] [14]	X	P	P	P	
INDUSTRIAL USES								
Manufacturing and Processing, General	X	X	X	X	X	M	SP	
Manufacturing and Processing, Light	X	X	X	X	X	P	SP	
Research and Development	C	X	C	X	SP	SP	P	
Warehousing, Wholesaling, and Distribution	X	X	SP[15]	X	P	P	SP	
Wrecking & Salvage Establishments	X	X	X	X	C	C	X	Sec.20.44.140
TRANSPORTATION, COMMUNICATION, AND UTILITY USES								
Airports	X	X	X	X	C	C	C	
Freight Terminals	X	X	X	X	C	C	C	
Heliports	C	X	C	X	C	C	C	
Parking Facilities	P	P	P	P[9]	P	P	P	
Public/Mini Storage	X	X	X	X	M	M	SP	
Recycling Collection Facilities								Sec.20.44.090
Reverse Vending Machines	P	P	P	M[9]	P	P	P	
Small Collection Facilities	SP	SP	SP	SP[9]	SP	SP	SP	
Large Collection Facilities	X	X	X	X	C	C	C	
Utilities, Major	C	C	C	X	C	C	C	
Utilities, Minor	P	P	P	P[9]	P	P	P	
Wireless Communications Facilities	See Chapter 20.58							

Notes:

- [1] A Minor Use Permit may be required per Chapter 20.32 (Interface Regulations) regardless of the uses shown in Table 20.10-1. Allowed Residential densities are as follows: a) 12.1 to 24.0 units/gross acre in the C-O, C-N, C-SC, C-T, C-G, and B-P Districts, but can be approved up to 36.0 units/gross acre with a Conditional Use Permit; and b) 12.1 to 36.0 units/gross acre in the C-C District but can be approved up to 200 units/gross acre for multi-story buildings over 5 stories with a Conditional Use Permit.
- [2] Residential use on the ground floor is prohibited unless it is located on the back of the property where it is not visible or approved with a Conditional Use Permit.
- [3] Allowed only for converted hotels or motels.
- [4] Use shall not exceed 20,000 square feet.
- [5] 24 hour operations limited to C-T and C-C zones per Chapter 9.08 (Gaming).
- [6] Rehabilitation centers for drug, methadone, and alcohol are prohibited.
- [7] A Conditional Use Permit is required for establishments smaller than 20,000 square feet.
- [8] A Site Plan Review Permit is required for alcoholic beverage sales for on-site consumption.
- [9] Permitted only as part of a shopping center or other retail establishment with a minimum of 8,000 square feet of floor area devoted to the sale of groceries.
- [10] Prohibited in the City Center area between 19th and 16th Streets and O Street and Martin Luther King, Jr. Way, including properties fronting on either side of each of the above streets, except vehicle sales showrooms can be allowed.
- [11] Includes refreshment stands.
- [12] Permitted only as an ancillary use to serve employees, not to occupy more than 5,000 square feet.
- [13] Conditional Use Permit required unless the use is ancillary to a principal permitted use. For restaurants, Conditional Use Permit is required unless the uses are conducted in and entered from within the building with no outside advertising.
- [14] A Site Plan Review Permit is required for used vehicle sales.
- [15] Temporary warehousing and storage only is allowed per the requirements of Section 20.10.030(D).
- [16] Provided that a massage establishment permit has not been revoked at that location within 12 months of the application for a conditional use permit and a massage establishment permit is obtained pursuant to Chapter 5.44.
- [17] Must have valid certificate from State of California as a massage therapist or massage practitioner pursuant to the Massage Therapy Act (Business and Professions Code Section 4600 *et seq.*).
- [18] Prohibited within 1,000 feet of schools and 600 feet of other uses per Sec. 20.44.160, unless building over 20,000 square feet or exemption granted per Sec. 20.44.160.
- [19] Provided that the business includes a full-service restaurant and the on-site sale of beer, liquor, or wine made by the same business either on-site or off-site.



DEVELOPMENT STANDARDS
Olive Avenue Self-Storage &
Boat/RV Parking

The following information contains Development Standards for the Olive Avenue Self-Storage and Boat/Recreational Vehicle Parking at 1965 W Olive Avenue through Site Utilization #3 to Planned Development (P-D) #12

DEVELOPMENT STANDARDS FOR OLIVE AVENUE SELF-STORAGE & BOAT/RV LONG TERM PARKING FACILITY

	PD-12
Setbacks for all primary and secondary structures	Zero-Lot Line
Off-Street Parking for Self-Storage and Boat/RV Long Term Parking Facility	5 parking stalls
Boat & RV Parking Surface	Gravel

CITY OF MERCED
PLANNING & PERMITTING DIVISION

TYPE OF PROPOSAL: General Plan Amendment #23-02/Site Utilization Plan Revision #3
(Planned Development #12)/Site Plan Review Permit #516/Conditional
Use Permit #1274

INITIAL STUDY: #23-08

DATE RECEIVED: March 8, 2023 (date application determined to be complete)

LOCATION: 1965 W. Olive Avenue

ASSESSOR'S PARCEL NUMBERS: 058-030-005

(SEE ATTACHED MAP AT ATTACHMENTS A)

Please forward any written comments by July 5, 2023 to:

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PROJECT DESCRIPTION

The Project site consists of an approximate 6.02-acre parcel (APN: 058-030-005) located at 1965 W. Olive Avenue (Attachment A), generally located on the north side of Olive Avenue, 725 feet east of Highway 59. The subject site has a General Plan designation of Commercial Office (CO), and a Zoning classification of Planned Development (P-D) #12. The subject site is generally surrounded by commercial/light industrial uses to the west and south (across Olive Avenue), a small pocket park to the north (Old Fahrens Park), and single-family/multi-family homes to the east.

The applicant is requesting approval to develop a self-storage facility with approximately 440 storage units, and a long-term boat and recreational vehicle parking facility with approximately 170 spaces. The current General Plan designation of Commercial Office (CO) is intended for professional offices, medical offices, and other professional services. The parcel would remain singular (no parcel map), with vehicle access from one driveway along Olive Avenue.

The proposed project would include a self-storage facility with approximately 440 storage units, and a long-term boat and recreational vehicle parking facility with approximately 170 spaces. The applicant has provided a site plan, floor plans, and elevations for this proposal. The front (or southern) portion of the development along Olive Avenue would be reserved for the self storage. The elevations are shown at Attachment B which illustrates the proposed structures. The tallest structure would be the office which would be approximately 22 feet tall with the exterior consisting of terracotta tile roofing, walls with stucco finish with stone veneer columns, and storefront windows. The storage units would range in dimensions between 5 feet by 5 feet, and 10 feet by 25 feet. The storage units would have a metal finish and a sloped roof from 11 feet to 10 feet, and other similar angled heights. A 12-foot-tall block wall would be placed along the eastern property line between the project site and the homes to the east. The north and south property lines would be secured with a wrought iron perimeter fence. The southern portion of the project site would be secured with gates that restrict access. The northern portion of the subject site (approximately 4 acres) would be dedicated for long-term boat and recreational vehicle parking with approximately 171 parking stalls with spaces ranging in size between 10 feet by 28 feet, and 12 feet by 58 feet. The long-term parking stalls would consist of gravel or other impervious surface, but the driving aisles to said stalls would be paved with an impervious surface.

Project Location

The subject site is located within the northwest quadrant of Merced. The subject site is surrounded by commercial/light industrial uses to the west and south (across Olive Avenue), a small pocket park to the north (Old Fahrens Park), and single-family/multi-family homes to the east. The table below identifies the surrounding uses:

Table 1 Surrounding Uses (Refer to Attachment A)			
Surrounding Land	Existing Use of Land	Zoning Designation	City General Plan Land Use Designation
North	Old Fahren's Park	Low Density Residential (R-1-6)	Parks and Open Space (P-OS)
South	Walmart (across Olive Avenue)	Planned Development (P-D #16)	Regional/Community Commercial (RC)
East	Blue Fire	Planned Development (P-D) #12	Light Industrial (IL)
West	Single-Family Subdivision	Residential Planned Development (R-P-D) #39	Low Density Residential (LD)

1. INITIAL FINDINGS

- A. The proposal is a project as defined by CEQA Guidelines Section 15378.

- B. The Project is not a ministerial or emergency project as defined under CEQA Guidelines (Sections 15369 and 15369).
- C. The Project is therefore discretionary and subject to CEQA (Section 15357).
- D. The Project is not Categorically Exempt.
- E. The Project is not Statutorily Exempt.
- F. Therefore, an Environmental Checklist has been required and filed.

2. CHECKLIST FINDINGS

- A. An on-site inspection was made by this reviewer on June 8, 2023.
- B. The checklist was prepared on March 8, 2023.
- C. The *Merced Vision 2030 General Plan* and its associated Environmental Impact Report [EIR (SCH# 2008071069)] were certified in January 2012. The document comprehensively examined the potential environmental impacts that may occur as a result of build-out of the 28,576-acre Merced (SUDP/SOI). For those significant environmental impacts (Loss of Agricultural Soils and Air Quality) for which no mitigation measures were available, the City adopted a Statement of Overriding Considerations (City Council Resolution #2011-63). This document herein incorporates by reference the *Merced Vision 2030 General Plan*, the *General Plan Program EIR* (SCH# 2008071069), and Resolution #2011-63.

As a subsequent development project within the SUDP/SOI, many potential environmental effects of the Project have been previously considered at the program level and addressed within the General Plan and associated EIR. (Copies of the General Plan and its EIR are available for review at the City of Merced Planning and Permitting Division, 678 West 18th Street, Merced, CA 95340.) As a second tier environmental document, Initial Study #22-32 plans to incorporate goals and policies to implement actions of the *Merced Vision 2030 General Plan*, along with mitigation measures from the General Plan EIR, as mitigation for potential impacts of the Project.

Project-level environmental impacts and mitigation measures (if applicable) have been identified through site-specific review by City staff. This study also utilizes existing technical information contained in prior documents and incorporates this information into this study.

3. ENVIRONMENTAL IMPACTS:

Will the proposed project result in significant impacts in any of the listed categories? Significant impacts are those that are substantial, or potentially substantial, changes that may adversely affect the physical conditions within the area affected by the Project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant. (Section 15372, State CEQA Guidelines. Appendix G of the Guidelines contains examples of possible significant effects.)

A narrative description of all “potentially significant,” “negative declaration: potentially significant unless mitigation incorporated,” and “less than significant impact” answers are provided within this Initial Study.

A. Aesthetics

SETTING AND DESCRIPTION

The project site is located in northwest Merced, approximately one and a half miles northwest of Downtown and one mile northeast of Highway 99. The project site consists of an undeveloped lot totaling approximately 6 acres. The terrain is generally flat. The site is generally surrounded by commercial/light industrial uses to the west and south (across Olive Avenue), a park to the north (Fahrens Park), and single-family/multi-family homes to the east. These buildings and structures range in height, between 15 and 35 feet.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
A. <u>Aesthetics.</u> Will the Project:				
1) Have a substantial adverse effect on a scenic vista?				✓
2) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
3) Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

1) No Impact

No designated scenic vistas exist on the project site or in the project area. Therefore, no impacts in this regard would occur with this development.

2) No Impact

There are no officially designated State Scenic Highways or Routes in the project vicinity. Therefore, the Project would have no impact on scenic resources, such as rock outcroppings, trees, or historic buildings within a scenic highway.

3) Less-Than-Significant Impact

The proposed Project would transform the site from a mostly undeveloped site to a fully developed site. Undeveloped lots tend to lead to concerns regarding weed abatement, waste drop-off, and general dilapidation. The proposed buildings, parking, and streets

would fully develop the site. The units would add architectural interest with the use of stucco, and stone veneers. Based on these factors, this impact is considered to be less than significant.

4) **Less Than Significant**

Construction of the proposed project and off-site improvements include new lighting on the buildings and throughout the site. This new lighting could be a source of light or glare that would affect the views in the area. However, the City of Merced has adopted the California Green Building Standards Code (CGBSC) as Section 17.07 of the Merced Municipal Code. As administered by the City, the Green Building Standards Code prohibits the spillage of light from one lot to another. This would prevent new glare effects on the existing buildings surrounding the project site.

B. Agriculture Resources

SETTING AND DESCRIPTION

Merced County is among the largest agriculture producing Counties in California (ranked fifth), with a gross income of more than \$4.4 billion. The County's leading agriculture commodities

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
B. <u>Agriculture Resources.</u> Will the Project:				
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and monitoring Program of the California Resources Agency, to non-agriculture?			✓	
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
3) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			✓	
4) Cause development of non-agricultural uses within 1,000 feet of agriculturally zoned property (Right-to-Farm)?				✓

include milk, almonds, cattle and calves, chickens, sweet potatoes, and tomatoes.

1) **Less than Significant Impact**

The project site is located within the City Limits of Merced. The California Department of Conservation prepares Important Farmland Maps through its Farmlands Mapping and Monitoring Program (FMMP). The system of classifying areas is based on soil type and

use. According to the Merced County Important Farmlands Map, the project site is classified as “Vacant or Disturbed Land”. The conversion of this land from an undeveloped lot (not being used for agricultural purposes) to a developed urban parcel was analyzed as part of the Environmental Review for the *Merced Vision 2030 General Plan*. The development of self-storage and boat/recreational vehicle long-term parking on “Vacant or Disturbed Land” that is not being used for agricultural purposes is considered to have less than significant impact. Therefore, CEQA requires no further review.

2) No Impact

There are no Williamson Act contract lands in this area and the land is not being used for agricultural uses. Therefore, there is no impact.

3) Less-Than-Significant Impact

Refer to Item #1 above.

4) No Impact

The nearest land being used for farming is located approximately one mile northwest of the subject site (within County jurisdiction). The proposed development would not affect farming operations as the farm site is located on a separate parcel.

C. Air Quality

SETTING AND DESCRIPTION

The project site is in the San Joaquin Valley Air Basin (SJVAB), which includes the southern half of the Central Valley and is approximately 250 miles long and an average of 35 miles wide. The Coast Ranges, which have an average height of 3,000 feet, serve as the western border of the SJVAB. The San Emigdio Mountains, part of the Coast Ranges, and the Tehachapi Mountains, part of the Sierra Nevada, are both south of the SJVAB. The Sierra Nevada extends in a northwesterly direction and forms the air basin’s eastern boundary. The SJVAB is mostly flat with a downward gradient to the northwest.

The climate of the SJVAB is heavily influenced by the presence of these mountain ranges. The mountain ranges to the west and south induce winter storms from the Pacific Ocean to release precipitation on the western slopes, producing a partial rain shadow over the valley. A rain shadow is defined as the region on the leeward side of a mountain where noticeably less precipitation occurs because clouds and precipitation on the windward side remove moisture from the air. In addition, the mountain ranges block the free circulation of air to the east and entrap stable air in the Central Valley for extended periods during the cooler months.

Winters in the SJVAB are mild and fairly humid, and summers are hot, dry, and typically cloudless. During the summer, a high-pressure cell is centered over the northeastern Pacific, resulting in stable meteorological conditions and steady northwesterly winds.

For additional information see Appendix A at Attachment B for combined studies on Air Quality, and Green House Gas Emissions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
C. <u>Air Quality.</u> Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for O ₃ precursors)?			✓	
3) Expose sensitive receptors to substantial pollutant concentrations?			✓	
4) Create objectionable odors affecting a substantial number of people?			✓	

Impacts are evaluated below on the basis of both State CEQA Guidelines Appendix G criteria and SJVAPCD significance criteria.

SJVAPCD's thresholds for determining environmental significance separate a project's short-term emissions from long-term emissions. The short-term emissions are related mainly to the construction phase of a project. For this project, the long-term emissions are related primarily to household trips.

1) **Less-than-Significant Impact**

Thresholds of significance applied in this report are from the San Joaquin Valley Air Pollution Control District (SJVAPCD) is "Guidance for Assessing and Mitigating Air Quality Impacts" (GAMAQI) (San Joaquin Valley Air Pollution Control District 2015). These thresholds define an identifiable quantitative, qualitative, or performance level of a particular environmental effect. Project-related emission levels which exceed any of the thresholds of significance means the project-related effect will normally be considered significant. Project related emissions at or below the thresholds of significance means the project-related effect normally will be considered to be less than significant.

The SJVAPCD has established thresholds of significance for criteria pollutant emissions generated during construction and operation of projects. These Thresholds may be found in Table 1 of the Air Quality analysis at Appendix A. The significance thresholds presented in the SJVAPCD GAMAQI are based on the attainment status of the San Joaquin Valley Air Basin in regard to air quality standards for specific criteria pollutants. Because the air quality standards are set at concentrations that protect public health with

an adequate margin of safety, these emission thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

For a project to be consistent with SJVAPCD air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant impact on air quality. As shown on Tables 2 and 3 of the Air Quality Analysis at Attachment C, both the construction and operational emissions are below the thresholds of significance for the SJVAPCD air quality plans.

2) **Less-than-Significant Impact**

Although SJVAPCD does not have any quantitative cumulative significant criteria, air quality is cumulative in nature. CAAQS are predicated on past, present, and future emissions; therefore, if project-related emission are found to have a less-than-significant impact in the near-term conditions, then cumulative impacts would also be less-than-significant. Project-related air quality impacts were found to be less-than-significant in the near-term conditions; therefore, the project would not adversely affect regional air quality in the future. Therefore, this impact would be less than significant.

3) **Less-than-Significant Impact**

Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, based on the findings of the Air Quality Analysis at Appendix A indicates the construction emissions would not exceed the SJVAPCD construction threshold levels. Additionally, the Analysis indicates that operational emissions would not exceed the SJVAPCD threshold levels. Therefore, this impact is considered less than significant.

4) **Less-than-Significant Impact**

Given the use of heavy equipment during construction, the time of day heavy equipment would be operated, and the distance to the nearest sensitive receptor, the project would not emit objectionable odors that would be adversely affect a substantial number of people. Operation of the project would not emit odors. Therefore, construction and operation of the project would have a less-than-significant impact associated with odors. This impact would be less than significant.

D. Biological Resources

SETTING AND DESCRIPTION

The project site is located in northwest Merced, approximately one and a half miles northwest of Downtown and one mile northeast of Highway 99. The site is generally surrounded by commercial uses to the west and south (across Olive Avenue), a pocket park to the north (Old Fahrens Park), and single-family homes to the east. The project site does not contain any creeks, or other wetland areas on private property. Black Rascal Creek adjacent to the Old Fahrens Park is located north of the subject site outside of subject site's boundary lines.

The general project area is located in the Central California Valley eco-region (Omernik 1987). This eco-region is characterized by flat, intensively farmed plains with long, hot, dry summers and cool, wet winters (14-20 inches of precipitation per year). The Central California Valley eco-region includes the Sacramento Valley to the north, the San Joaquin Valley to the south, and it ranges between the Sierra Nevada Foothills to the east and the Coastal Range foothills to the west. Nearly half of the eco-region is actively farmed, and about three-fourths of that farmed land is irrigated.

The biological resources evaluation, prepared as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (EIR), does not identify the project area as containing any seasonal or non-seasonal wetland or vernal pool areas. Given the adjacent, built-up, urban land uses/agricultural uses and major roadways, no form of unique, rare or endangered species of plant and/or animal life could be sustained on the subject site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
D. <u>Biological Resources.</u> Would the Project:				
1) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓	
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

1) No Impact

The proposed project would not have any direct effects on animal life by changing the diversity of species, number of species, reducing the range of any rare or endangered species, introducing any new species, or leading to deterioration of existing fish or wildlife habitat. Although the *Merced Vision 2030 General Plan* identifies several species of plant and animal life that exist within the City's urban boundaries, the subject site does not contain any rare or endangered species of plant or animal life.

2) Less-than -Significant Impact

The proposed project would not have any direct effects on riparian habitat or any other sensitive natural community. The City General Plan identifies Bear, Black Rascal, Cottonwood, Miles, Fahrens, and Owens Creeks within the City's growth area. The subject site is approximately 0.5 miles from Bear Creek. Black Rascal Creek is approximately 100 feet north of subject site. These creeks are Waters of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers (ACOE), the California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board. As previously mentioned, Black Rascal Creek is located north of the subject site outside of subject site's boundary lines. The proposal would have to comply with Merced Municipal Code Chapter 20.34 – Creek Buffers, which is intended to reduce the risks to property owners and the public from erosion and flooding, protect and enhance chemical, physical, and biological integrity of water resources in the City, minimize pollutants entering water bodies from urban stormwater runoff, and preserve riparian vegetation and protect vegetation and protect wildlife habitats and wildlife corridors along natural drainage ways.

Any proposed "fill" of that waterway would be subject to permits from ACOE, CDFW, and the Regional Water Quality Control Board. No such "fill" or disturbance of the waterway is proposed as part of this development. The City's General Plan requires the preservation of the creek in its natural state. No riparian habitat identified in CDFW or USFW plans are present on the project site. Therefore, the Project would have a less-than-significant impact on riparian habitat.

3) No Impact

The project site would not have any direct effect on wetlands as no wetlands have been identified in the project area. As shown in item #1 above, the proposal would be required to comply with Merced Municipal Code Chapter 20.34 – Creek Buffers.

4) No Impact

The Project would not have any adverse effects on any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridor, or impede the use of native wildlife nursery sites. As shown in item #1 above, the proposal would be required to comply with Merced Municipal Code Chapter 20.34 – Creek Buffers.

5) Less Than Significant Impact

The Project would not interfere with any local policies or ordinances protecting biological resources such as tree preservation policy or ordinance. The City requires the planting and maintenance of street trees along all streets and parking lot trees in parking lots, but has no other tree preservation ordinances.

6) No Impact

The proposed project would not conflict with the provisions of a habitat conservation plan. There are no adopted Habitat Conservation Plans, Natural Conservation Community Plan, or other approved local, regional, or state Habitat Conservation Plan for the City of Merced or Merced County.

E. Cultural Resources

SETTING AND DESCRIPTION

The City of Merced area lies within the ethnographic territory of the Yokuts people. The Yokuts were members of the Penutian language family which held all of the Central Valley, San Francisco Bay Area, and the Pacific Coast from Marin County to near Point Sur.

Merced County was first explored by Gabriel Moraga in 1806, when he named the Merced River, “El Rio de Nuestra Senra de la Merced.” Moraga’s explorations were designed to locate appropriate sites for an inland chain of missions. Moraga explored the region again in 1808 and 1810.

Archaeology

Archaeological sites are defined as locations containing significant levels of resources that identify human activity. Very little archaeological survey work has been conducted within the City or its surrounding areas. Creeks, drainage, and sloughs exist in the northern expansion area of the City, and Bear Creek and Cottonwood Creek pass through the developed area. Archaeological sites in the Central Valley are commonly located adjacent to waterways and represent potential for significant archaeological resources.

Paleontological sites are those that show evidence of pre-human existence. They are small outcroppings visible on the earth’s surface. While the surface outcroppings are important indications of paleontological resources, it is the geological formations that are the most important. There are no known sites within the project area known to contain paleontological resources of significance.

Historic Resources

In 1985, in response to community concerns over the loss of some of the City’s historic resources, and the perceived threats to many remaining resources, a survey of historic buildings was undertaken in the City. The survey focused on pre-1941 districts, buildings, structures, and objects of historical, architectural, and cultural significance. The survey area included a roughly four square-mile area of the central portion of the City.

The National Register of Historic Places, the California Historical Landmarks List, and the California Inventory of Historic Resources identify several sites within the City of Merced. These sites are listed on the Merced Historical Site Survey and are maintained by the Merced Historical Society. There are no listed historical sites on the project site.

According to the environmental review conducted for the General Plan, there are no listed historical sites and no known locations within the project area that contain sites of paleontologic or archeological significance. The General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
E. <u>Cultural Resources.</u> Would the Project:				
1) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?			✓	
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			✓	
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	
4) Disturb any human remains, including those interred outside of formal cemeteries?			✓	

1) Less-than-Significant Impact

The Project would not alter or destroy any known historic or archaeological site, building, structure, or object; nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses. According to the environmental review conducted for the General Plan, there are no listed historical sites and no known locations within the project area that contain sites of historical or archeological significance. The General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation.

2) Less-than-Significant Impact

The Project would not alter or destroy any known prehistoric or archaeological site, building, structure, or object; nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses. According to the environmental review conducted for the General Plan, there are no listed historical sites and no known locations within the project area that contain sites of historical or archeological significance. The General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation.

3) Less-than-Significant Impact

The Project would not alter or destroy any paleontological resource, site, or unique geological feature. According to the environmental review conducted for the General Plan, there are no listed historical sites and no known locations within the project area that contain sites of paleontological significance. The General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation.

4) **Less-than-Significant Impact**

The proposed project would not disturb any known human remains, including those interred outside of formal cemeteries; nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses. There are no known cemeteries in the project area. Excavation of the site would be needed to construct the proposed project, so it is possible that human remains would be discovered. However, Section 7050.5 of the California Health and Safety Code requires that if human remains are discovered during the construction phase of a development, all work must stop in the immediate vicinity of the find and the County Coroner must be notified. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner the appropriate method for the disposition of the remains and any associated grave goods. Additionally, the City's General Plan (Implementing Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation. By following the requirements of the Health and Safety Code and Compliance with the City's General Plan, this potential impact would be less than significant.

F. Geology and Soils

SETTING AND DESCRIPTION

The City of Merced is located approximately 150 miles southeast of San Francisco along the east side of the southern portion of the Great Valley Geomorphic Province, more commonly referred to as the San Joaquin Valley. The valley is a broad lowland bounded by the Sierra Nevada to the east and Coastal Ranges to the west. The San Joaquin Valley has been filled with a thick sequence of sedimentary deposits from Jurassic to recent age. A review of the geological map indicates that the area around Merced is primarily underlain by the Pleistocene Modesto and Riverbank Formations with Holocene alluvial deposits in the drainages. Miocene-Pliocene Mehrten and Pliocene Laguna Formation materials are present in outcrops on the east side of the SUDP/SOI. Modesto and Riverbank Formation deposits are characterized by sand and silt alluvium derived from weathering of rocks deposited east of the SUDP/SOI. The Laguna Formation is made up of consolidated gravel sand and silt alluvium and the Mehrten Formation is generally a well consolidated andesitic mudflow breccia conglomerate.

Faults and Seismicity

A fault, or a fracture in the crust of the earth along which rocks on one side have moved relative to those on the other side, are an indication of past seismic activity. It is assumed that those that have been active recently are the most likely to be active in the future, although even inactive faults may not be "dead." "Potentially Active" faults are those that have been active during the past two million years or during the Quaternary Period. "Active" faults are those that have been active within the past 11,000 years. Earthquakes originate where movement or slippage occurs along an active fault. These movements generate shock waves that result in ground shaking.

Based on review of geologic maps and reports for the area, there are no known "active" or "potentially active" faults, or Alquist-Priolo Earthquake Fault Zones (formerly referred to as a Special Studies Zone) in the SUDP/SOI. In order to determine the distance of known active

faults within 50 miles of the Site, the computer program EZ-FRISK was used in the General Plan update.

Soils

Soil properties can influence the development of building sites, including site selection, structural design, construction, performance after construction, and maintenance. Soil properties that affect the load-supporting capacity of an area include depth to groundwater, ponding, flooding, subsidence, shrink-swell potential, and compressibility.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
F. <u>Geology and Soils.</u> Would the Project:				
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			✓	
b) Strong seismic ground shaking?			✓	
c) Seismic-related ground failure, including liquefaction?			✓	
d) Landslides?			✓	
2) Result in substantial soil erosion or loss of topsoil?			✓	
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?			✓	
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

1) Less than Significant Impact

The project site is not located within a mapped fault hazard zone, and there is no record or evidence of faulting on the project site (City of Merced General Plan Figure 11.1). Because no faults underlie the project site, no people or structures would be exposed to substantial adverse effects related to earthquake rupture.

According to the City's *Merced Vision 2030 General Plan* EIR, the probability of soil liquefaction occurring within the City of Merced is considered to be a low to moderate hazard; however, a detailed geotechnical engineering investigation would be required for the project in compliance with the California Building Code (CBC).

There would be no exposure to any geological hazards in the project area.

Ground shaking of moderate severity may be expected to be experienced on the project site during a large seismic event. All building permits are reviewed to ensure compliance with the California Building Code (CBC). In addition, the City enforces the provisions of the Alquist Priolo Special Study Zones Act that limit development in areas identified as having special seismic hazards. All new structures shall be designed and built-in accordance with the standards of the California Building Code.

APPLICABLE GENERAL PLAN GOALS AND POLICIES

The City's *Merced Vision 2030 General Plan* contains policies that address seismic safety.

<i>Goal Area S-2: Seismic Safety:</i>	
Goal: Reasonable Safety for City Residents from the Hazards of Earthquake and Other Geologic Activity	
Policies	
S-2.1	Restrict urban development in all areas with potential ground failure characteristics.

The Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

Landslides generally occur on slopes of 15 percent or greater. The project site's topography is generally of slopes between 0 and 3 percent, which are considered insufficient to produce hazards other than minor sliding during seismic activity.

Therefore, no hazardous conditions related to seismic ground shaking would occur with the implementation of the Project. Additionally, the implementation of the project would

not lead to offsite effects related to hazards related to seismic groundshaking, nor would any existing off-site hazards be exacerbated.

2) Less-Than-Significant Impact

Construction associated with the proposed project could result in temporary soil erosion and the loss of topsoil due to construction activities, including clearing, grading, site preparation activities, and installation of the proposed buildings and other improvements. The City of Merced enforces a Storm Water Management Program in compliance with the Federal Clean Water Act. All construction activities are required to comply with the City's Erosion and Sediment Control Ordinance (MMC §15.50.120.B), including the implementation of Best Management Practices (BMPs) to limit the discharge of sediment.

3) Less Than Significant Impact

The City of Merced is located in the Valley area of Merced County and is, therefore, less likely to experience landslides than other areas in the County. The probability of soil liquefaction actually taking place anywhere in the City of Merced is considered to be a low hazard. Soil types in the area are not conducive to liquefaction because they are either too coarse or too high in clay content. According to the *Merced Vision 2030 General Plan* EIR, no significant free face failures were observed within this area and the potential for lurch cracking and lateral spreading is, therefore, very low within this area.

4) Less-Than-Significant

Expansive soils are those possessing clay particles that react to moisture changes by shrinking (when they dry) or swelling (when they become wet). Expansive soils can also consist of silty to sandy clay. The extent of shrinking and swelling is influenced by the environment, extent of wet or dry cycles, and by the amount of clay in the soil. This physical change in the soils can react unfavorably with building foundations, concrete walkways, swimming pools, roadways, and masonry walls.

Implementation of General Plan Policies, adherence to the Alquist-Priolo Act, and enforcement of the California Building Code (CBC) Standards would reduce the effect of this hazard on new buildings and infrastructure associated with the proposed development. This would reduce potential impacts to a less-than-significant level.

5) No Impact

The project site would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. However, the proposed project would be served by the City's sewer system. No new septic systems are allowed within the City Limits and any existing systems will need to be removed upon demolition of the current home on the site.

G. Hazards and Hazardous Materials

SETTING AND DESCRIPTION

Hazardous Materials

A substance may be considered hazardous due to a number of criteria, including toxicity, ignitability, corrosivity, or reactivity. The term “hazardous material” is defined in law as any material that, because of quantity, concentration, or physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment.

Wildland and Urban Fire Hazards

Both urban and wildland fire hazard potential exists in the City of Merced and surrounding areas, creating the potential for injury, loss of life, and property damage. Urban fires primarily involve the uncontrolled burning of residential, commercial, or industrial structures due to human activities. Wildland fires affect grassland, brush or woodlands, and any structures on or near these fires. Such fires can result from either human made or natural causes.

Urban fires comprise the majority of fires in the City of Merced. The site is adjacent to undeveloped ag land which could be a source for a wildland fire. However, the City of Merced Fire Department has procedures in place to address the issue of wildland fires, so no additional mitigation would be necessary.

Airport Safety

The City of Merced is impacted by the presence of two airports-Merced Regional Airport, which is in the southwest corner of the City, and Castle Airport (the former Castle Air Force Base), located approximately five miles northwest of the subject site.

The continued operation of the Merced Regional Airport involves various hazards to both flight (physical obstructions in the airspace or land use characteristics which affect flight safety) and safety on the ground (damage due to an aircraft accident). Growth is restricted around the Regional Airport in the southwest corner of the City due to the noise and safety hazards associated with the flight path.

Castle Airport also impacts the City. Portions of the northwest part of the City’s SUDP/SOI and the incorporated City are within Castle’s safety zones. The primary impact is due to noise (Zones C and D), though small areas have density restrictions (Zone B2). The military discontinued operations at Castle in 1995. One important criterion for determining the various zones is the noise factor. Military aircraft are designed solely for performance, whereas civilian aircraft have extensive design features to control noise.

Potential hazards to flight include physical obstructions and other land use characteristics that can affect flight safety, which include: visual hazards such as distracting lights, glare, and sources of smoke; electronic interference with aircraft instruments or radio communications; and uses which may attract flocks of birds. In order to safeguard an airport's long-term usability, preventing encroachment of objects into the surrounding airspace is imperative.

According to the Merced County Airport Land Use Compatibility Plan, the project site is not located in any restricted safety zones for either airport, and no aircraft overflight, air safety, or noise concerns are identified.

Railroad

Hazardous materials are regularly shipped on the BNSF and SP/UP Railroad lines that pass through the City. While unlikely, an incident involving the derailment of a train could result in the spillage of cargo from the train in transporting. The spillage of hazardous materials could have devastating results. The City has little to no control over the types of materials shipped via the rail lines. There is also a safety concern for pedestrians along the tracks and vehicles utilizing at-grade crossings. The design and operation of at-grade crossings allows the City some control over rail-related hazards. Ensuring proper gate operation at the crossings is the most effective strategy to avoid collision and possible derailments. The Atishon Topeka and Santa Fe Railroad is approximately 0.15 miles from the site and Union Pacific Railroad is over 0.85 miles away.

Public Protection and Disaster Planning

Hospitals, ambulance companies, and fire districts provide medical emergency services. Considerable thought and planning have gone into efforts to improve responses to day-to-day emergencies and planning for a general disaster response capability.

The City's Emergency Plan and the County Hazardous Waste Management Plan both deal with detailed emergency response procedures under various conditions for hazardous material spills. The City also works with the State Department of Health Services to establish cleanup plans and to monitor the cleanup of known hazardous waste sites within the City.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
G. <u>Hazards and Hazardous Materials.</u> Would the Project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓	
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓	
7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
8) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			✓	

1) Less-Than-Significant Impact

Construction activities associated with the proposed project would involve the use, storage, transport, and disposal of oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials. The Project would be required to adhere to all applicable federal and state health and safety standards. Construction activity must also be in compliance with the California Occupational Safety and Health Administration regulations (Occupational Safety and Health Act of 1970). Compliance with these requirements would reduce the risk of hazards to the public to a less-than-significant level.

2) Less-Than-Significant Impact

Construction on the project site would be reviewed for the use of hazardous materials at the building permit stage. Implementation of Fire Department and Building Code regulations for hazardous materials, as well as implementation of federal and state requirements, would reduce any risk caused by a future use on the site from hazardous materials to a less than-significant-level.

APPLICABLE GENERAL PLAN GOALS AND POLICIES

The City of Merced *Vision 2030 General Plan* contains policies that address hazardous materials.

<i>Goal Area S-7: Hazardous Materials</i>	
Goal: Hazardous Materials Safety for City Residents	
Policies	
S-2.1	Prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials.
Implementing Actions:	

7.1.a	Support Merced County in carrying out and enforcing the Merced County Hazardous Waste Management Plan.
7.1.b	Continue to update and enforce local ordinances regulating the permitted use and storage of hazardous gases, liquids, and solids.
7.1.d	Provide continuing training for hazardous materials enforcement and response personnel.

3) **Less-Than-Significant Impact**

The nearest school is John C. Fremont Elementary School, located on the southeast corner of S Street and W. 22nd Street. The subject site is about 1 mile from this school. There are no existing or proposed schools within ¼ mile of the site. Given the California Building Code protective measures required during the construction process, this developments impacts would be less than significant. Post-construction the site would be used for dwelling purposes only.

4) **Less-Than-Significant Impact**

No project actions or operations would result in the release of hazardous materials that could affect the public or the environment, and no significant hazard to the public or the environment would result with project implementation. This potential impact is less than significant.

5) **Less-Than-Significant Impact**

The project site is located about two miles northeast from the Merced Regional Airport. The approximate 6-acre site is surrounded by existing residential uses, commercial uses, industrial uses, or open space. Given the land use designation and surrounding land use, the potential impact is less than significant.

6) **Less-Than-Significant Impact**

The closest private airstrip to the site is approximately 9 miles away. There would be no hazard to people living or working on the project site.

7) **Less-Than-Significant Impact**

The proposed project will not adversely affect any adopted emergency response plan or emergency evacuation plan. No additional impacts would result from the development of the project area over and above those already evaluated by the EIR prepared for the *Merced Vision 2030 General Plan*.

APPLICABLE GENERAL PLAN GOALS AND POLICIES:

The *Merced Vision 2030 General Plan* contains policies that address disaster preparedness.

<i>Goal Area S-1: Disaster Preparedness</i>	
Goal: General Disaster Preparedness	
Policies	
S-1.1	Develop and maintain emergency preparedness procedures for the City.

Implementing Actions:	
1.1.a	Keep up-to-date through annual review the City's existing Emergency Plan and coordinate with the countywide Emergency Plan.
1.1.b	Prepare route capacity studies and determine evacuation procedures and routes for different types of disasters, including means for notifying residents of a need to evacuate because of a severe hazard as soon as possible.
7.1.d	Provide continuing training for hazardous materials enforcement and response personnel.

8) **Less-Than-Significant Impact**

According to the EIR prepared for the *Merced Vision 2030 General Plan*, the risk for wildland fire within the City of Merced is minimal. According to the Cal Fire website, the Merced County Fire Hazard Severity Zone Map shows the project site is designated as a "Local Responsibility Area" (LRA) with a Hazard Classification of "LRA Unzoned."

The City of Merced Fire Department is the responsible agency for responding to fires at the subject site. The project site is served by Station #53 located on 800 Loughborough Drive (approximately 1 mile southeast from the project site).

The site is not near agricultural land that could be susceptible to wildland fires. The City of Merced Fire Department has procedures in place to address the issue of wildland fires, so no additional mitigation would be necessary. This potential impact is less than significant.

H. Hydrology and Water Quality

SETTING AND DESCRIPTION

Water Supplies and Facilities

The City's water supply system consists of 22 wells and 14 pumping stations equipped with variable speed pumps that attempt to maintain 45 to 50 psi (pounds per square inch) nominal water pressure. The City is required to meet State Health pressure requirements, which call for a minimum of 20 psi at every service connection under the annual peak hour condition and maintenance of the annual average day demand plus fire flow, whichever is stricter. The project site would be serviced by the utilities within Olive Avenue.

Storm Drainage/Flooding

In accordance with the adopted *City of Merced Standard Designs of Common Engineering Structures*, percolation/detention basins are designed to temporarily collect runoff so that it can be metered at acceptable rates into canals and streams that have limited capacity. The project would be required to adhere to the Post Construction Standards for compliance with the City's Phase II MS4 permit issued by the state of California.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
H. <u>Hydrology and Water Quality.</u> Would the Project:				
1) Violate any water quality standards or waste discharge requirements?			✓	
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			✓	
a) result in a substantial erosion or siltation on- or off-site;			✓	
b) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			✓	
c) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			✓	
d) impede or redirect flood flows?			✓	
4) In flood hazard, tsunami, or seiche zones, risk of pollutants due to project inundation?			✓	
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

1) **Less-Than-Significant Impact**

The Project is not expected to violate any water quality standards or waste discharge requirements during construction or operation. In addition to compliance with standard construction provisions, the Project shall be required to comply with the Merced Storm Water Master Plan and the Storm Water Management Plan, and obtain all required permits for water discharge. During project operations, the City has developed requirements to minimize the impact to storm water quality caused by development and redevelopment. The increase in impervious areas caused by development can cause an increase in the type and quantity of pollutants in storm water runoff. Prior planning and design to minimize pollutants in runoff from these areas is an important component to storm water quality management. These standards are set forth in the City's Post-

Construction Standards Plan and provide guidance for post-construction design measures to ensure that storm water quality is maintained. Compliance with these requirements and permits would reduce the impact to a less than significant level.

APPLICABLE GENERAL PLAN GOALS AND POLICIES:

The *Merced Vision 2030 General Plan* contains policies that address Water Quality and Storm Drainage.

<i>Goal Area P-5: Storm Drainage and Flood Control</i>	
Goal: An Adequate Storm Drainage Collection and Disposal System in Merced	
Policies	
P-5.1	Provide effective storm drainage facilities for future development.
P-5.2	Integrate drainage facilities with bike paths, sidewalks, recreation facilities, agricultural activities, groundwater recharge, and landscaping.

Implementing Actions:	
5.1.a	Continue to implement the City's Storm Water Master Plan and the Storm Water Management Plan and its control measures.
5.1.c	Continue to require all development to comply with the Storm Water Master Plan and any subsequent updates.

2) Less-Than-Significant Impact

The City of Merced is primarily dependent on groundwater sources that draw from the San Joaquin aquifer. The City has 22 active well sites with one under construction, and 14 pumping stations, which provide service to meet peak hour urban level conditions and the average daily demand plus fire flows.

According to the City of Merced Water Master Plan, the estimated average peak water demand is 23.1 mgd.

The proposed project is estimated to use approximately 120 gallons of water per day (office for site). This would represent 0.000519% of the estimated average daily water consumption. Although development of the site would restrict onsite recharge where new impervious surface areas are created, all alterations to groundwater flow would be captured and routed to the storm water percolation ponds or pervious surfaces with no substantial net loss in recharge potential anticipated. This reduces this impact to a less-than-significant level.

3) Less-Than-Significant Impact

The proposed project would result in modifications to the existing drainage pattern on the site. If required by the City's Engineering Department, the project will be designed to capture all surface water runoff onsite and then drain into the City's existing storm drainage system.

The project site is currently vacant and consists of pervious surfaces. The proposed project would create impervious surfaces over a large portion of the project site, thereby preventing precipitation from infiltrating and causing it to pond or runoff. However,

stormwater flows would be contained onsite and piped or conveyed to the City's stormwater system, there would be no potential for increased erosion or sedimentation.

Developed storm drainage facilities in the area are adequate to handle this minor increase in flows. The Project would not result in a substantial alteration of drainage in the area, and no offsite uses would be affected by the proposed changes. All potential impacts are less than significant.

Regarding flood flows, a portion of the proposed project is located within a floodway from the Black Rascal Creek to the north. This portion of the project would not have any buildings and be used for boat and recreational vehicle storage purposes. Within this floodway, the applicant would like to install a block wall along the eastern property line, and a rod iron fence along the northern, and western property lines. However, doing so would require a No Rise Certificate showing that the fence would not increase the flood heights. If not, the applicant would not be able to install any fencing within this area.

The southern portion of the project would be outside the floodway and dedicated for the self-storage facility. This portion of the project may alter the existing drainage pattern of the site, but not in a manner that would result in flooding. The site is currently mostly vacant and any construction on the site would alter the drainage pattern and reduce the absorption capability of the site. There are no streams or rivers that would be affected. All storm runoff would be captured onsite and conveyed through pipes to the City's stormwater system. Any changes to the site would drain into the City's existing storm drain system which would prevent any onsite or offsite flooding. This potential impact is less than significant.

4) Less-Than-Significant Impact

The proposed project is located approximately 80 miles from the Pacific Ocean, distant from any large lakes, and are within the inundation zones for Lake Yosemite or Bear Reservoir at an elevation ranging from approximately 173 feet above MSL. According to the City's General Plan Safety Element, the City of Merced is not subject to inundation by tsunamis, seiche, or mudflow. This potential impact is less than significant.

5) Less-Than-Significant Impact

The proposed project would not obstruct or conflict with the implementation of a water quality control plan or sustainable groundwater management plan. The project would be required to comply with all City of Merced standards and Master Plan requirements for groundwater and water quality control. This impact is less than significant.

I. Land Use and Planning

SETTING AND DESCRIPTION

The project site is located within the City Limits of Merced and within its Specific Urban Development Plan and Sphere of Influence (SUDP/SOI).

SURROUNDING USES

Refer to Page 2 of this Initial Study and the map at Attachment A for the surrounding land uses.

Current Use

The project site is approximately 6 acres of undeveloped land located on the north side of Olive Avenue, approximately 750 feet east of Highway 59.

The project site is currently has a Zoning classification of Planned Development (P-D) #12 and a General Plan designation of Commercial Office (CO). The existing land use designations for this site allows for medical and professional offices. The proposed land use amendment would transition the site with new planned development standards to allow for a self-storage facility and a long-term parking facility for boats and recreational vehicles. This would be achieved with the Site Utilization Plan Revision to Planned Development (P-D) #12 (along with Site Plan Review Permit #516), and the proposed General Plan designation of Business Park (BP) with a Conditional Use Permit to allow for a live/work unit for the onsite manager.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. <u>Land Use and Planning.</u>				
Would the Project:				
1) Physically divide an established community?			✓	
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

1) Less-Than-Significant Impact

The project site is within the boundaries of the Merced City Limits. It would not physically divide the community as it is already part of the City. This proposal does not include the creation of streets or barriers. This potential impact is less than significant.

2) Less-Than-Significant Impact

The project site is currently has a Zoning classification of Planned Development (P-D) #12 and a General Plan designation of Office Commercial (CO). The existing land use designations for this site would allow for medical and professional offices. The proposed land use amendment would transition the site with new planned development standards to allow for a self-storage facility and a long term parking facility for boats and recreational vehicles. This would be achieved with the site utilization plan revision to Planned Development (P-D) #12 (along with Site Plan Review Permit #516), proposed General Plan designation of Business Park (BP), and a Conditional Use Permit for a live/work unit for the onsite manager. Business Park is similar to a hybrid of light industrial and office commercial. The subject site would be a buffer between the

industrial uses to the west and the residential uses to the east. Therefore, this impact is less than significant.

J. Mineral Resources

SETTING AND DESCRIPTION

The City of Merced does not contain any mineral resources that require managed production according to the State Mining and Geology Board. Based on observed site conditions and review of geological maps for the area, economic deposits of precious or base metals are not expected to underlie the City of Merced or the project site. According to the California Geological Survey, Aggregate Availability in California - Map Sheet 52, minor aggregate production occurs west and north of the City of Merced, but economic deposits of aggregate minerals are not mined within the immediate vicinity of the SUDP/SOI. Commercial deposits of oil and gas are not known to occur within the SUDP/SOI or immediate vicinity.

According to the Merced County General Plan Background Report (June 21, 2007), very few traditional hard rock mines exist in the County. The County's mineral resources are almost all sand and gravel mining operations. Approximately 38 square miles of Merced County, in 10 aggregate resource areas (ARA), have been classified by the California Division of Mines and Geology for aggregate. The 10 identified resource areas contain an estimated 1.18 billion tons of concrete resources with approximately 574 million tons in Western Merced County and approximately 605 million tons in Eastern Merced County. Based on available production data and population projections, the Division of Mines and Geology estimated that 144 million tons of aggregate would be needed to satisfy the projected demand for construction aggregate in the County through the year 2049. The available supply of aggregate in Merced County substantially exceeds the current and projected demand.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
J. <u>Mineral Resources.</u> Would the Project:				
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓

1) No Impact

No mineral resources occur within City Limits, SUDP/SOI, or within the project site, so no impact.

2) No Impact

See #1 above.

K. Noise

SETTING AND DESCRIPTION

Potential noise impacts of the proposed project can be categorized as those resulting from construction and those from operational activities. Construction noise would have a short-term effect; operational noise would continue throughout the lifetime of the project. Construction associated with the development of the project would increase noise levels temporarily during construction. Operational noise associated with the development would occur intermittently with the continued operation of the proposed project.

Some land uses are considered more sensitive to noise levels than other uses. Sensitive land uses can include residences, schools, nursing homes, hospitals, and some public facilities, such as libraries. The noise level experienced at the receptor depends on the distance between the source and the receptor, the presence or absence of noise barriers and other shielding devices, and the amount of noise attenuation (lessening) provided by the intervening terrain. For line sources such as motor or vehicular traffic, noise decreases by about 3.0 to 4.5A –weighted decibels (dBA) for every doubling of the distance from the roadway.

Noise from Other Existing Sources

Vehicular noise from Olive Avenue and Fahrens Park would be the primary existing noise source at the project site. The nearest railroad corridor is approximately 750 feet south from the project site. The site is surrounded by various residential properties that generate operational noise on a daily basis. There are several commercial and industrial uses located 200 feet east of the project site. The subject site is a buffer between the industrial uses to the west and the residential uses to the east. The subject site currently has a land use designation reserved for medical and professional office. The approval of the land use changes would still act as a buffer between the industrial and residential designations with a Business Park General Plan designation which is somewhat of a hybrid between light industrial and office commercial.

According to the *Merced Vision 2030 General Plan*, noise exposure not exceeding 45 dB is considered to be a “normally acceptable” noise level for residential uses.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
K. <u>Noise.</u> Would the Project result in:				
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
2) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
3) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	

1) **Less Than Significant**

Construction Noise

Construction of the Project would temporarily increase noise levels in the area during the construction period. Therefore, the noise from construction may be steady for a few months and then cease all together. Construction activities, including site preparation and grading, building construction, and sidewalk and street improvements would be considered an intermittent noise impact throughout the construction period. These activities could result in various effects on sensitive receptors, depending on the presence of intervening barriers or other insulating materials. The effects will be short term and would result in a less than significant impact.

Operational Noise

Operational noise would be the main noise source expected from the proposed project. Traffic coming to and from the project site would generate the most noise. The subject site is a buffer between the industrial uses to the west and the residential uses to the east. The approval of the land use change to Business Park would still act as a buffer between these two zones. The subject site has a land use designation reserved for medical and professional offices. The noise from the proposed self storage, and long-term boat and recreational vehicle parking would be reduced by the proposed approximately 10-foot-tall block wall along the eastern property line between the subject site and residential properties to the east. Implementation of the Project would not lead to continued offsite effects related to noise generated by the Project. Given the noise from similar low industrial and commercial zones near the subject site, this potential impact is less than significant.

2) Less-Than-Significant Impact

Implementation of the proposed project would not result in the generation of any ground borne vibration or noise. This is a less-than-significant impact.

3) Less-Than-Significant Impact

The project site is located within 2 miles southeast from active areas of the Merced Regional Airport and approximately 5 miles east from the Castle Airport. The airstrip has a flight pattern that goes northwest/southeast, which may fly directly over the project site, however, given the distance between the project site and the airports, there should be less-than-significant impact. Given its location, the private airstrip should not pose a hazard to the project development. Therefore, no population working or living at the site would be exposed to excessive levels of aircraft noise. This potential impact is less than significant.

L. Population and Housing**SETTING AND DESCRIPTION**

The proposed project would change the General Plan designation from Commercial Office (CO) to Business Park (BP) for a singular vacant parcel approximately 6-acres in size.

Expected Population and Employment Growth

According to the State Department of Finance population estimates for 2023, the City of Merced's population was estimated to be 90,116. Population projections estimate that the Merced SUDP area will have a significant population of 159,900 by the Year 2030.

According to the *Merced Vision 2030 General Plan*, the City of Merced is expected to experience significant population and employment growth by the Year 2030.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
L. <u>Population and Housing.</u> Would the Project:				
1) Induce substantial unplanned population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			✓	

1) Less-Than-Significant Impact

Temporary construction-related jobs would result due to the construction of the project, but it is unlikely that construction workers would need to relocate to Merced in order to work temporarily onsite. It is not anticipated that this project will create a large number of jobs causing an increase in population over the long term. Therefore, this is a less than significant impact.

2) Less-Than-Significant Impact

There is only 1 live/work unit proposed for this site, resulting in less-than-significant impact.

M. Public Services

SETTING AND DESCRIPTION

Fire Protection

The City of Merced Fire Department provides fire protection, rescue, and emergency medical services from five fire stations throughout the urban area. Fire Station #53 is located at 800 Loughborough Drive approximately 1 mile from the project site. This Station would serve the proposed project.

Police Protection

The City of Merced Police Department provides police protection for the entire City. The Police Department employs a mixture of sworn officers, non-sworn officer positions (clerical, etc.), and unpaid volunteers (VIP). The service standard used for planning future police facilities is approximately 1.37 sworn officers per 1,000 population, per the Public Facilities Financing Plan.

Schools

The public school system in Merced is served by three districts: 1) Merced City School District (elementary and middle schools); 2) Merced Union High School District (MUHSD); and, 3) Weaver Union School District (serving a small area in the southeastern part of the City with elementary schools). The districts include various elementary schools, middle (junior high) schools, and high schools.

As the City grows, new schools will need to be built to serve our growing population. According to the Development Fee Justification Study for the MUHSD, Merced City Schools students are generated by new development at the following rate:

Table 6 Student Generation Rates		
Commercial/Industrial Category	Elementary (K-8) (Students per 1,000 sq.ft.)	High School (9-12) (Students per 1,000 sq.ft.)
Retail	0.13	0.038
Restaurants	0.00	0.157
Offices	0.28	0.048
Services	0.06	0.022
Wholesale/Warehouse	0.19	0.016
Industrial	0.30	0.147
Multi-Family	0.559 (per unit)	0.109 (per unit)

The proposed self-storage and long-term boat and recreational vehicle parking facilities are not a category from the above Table 6, however the closest category would be Wholesale/Warehouse as these uses typically include large storage areas (the proposed self-storage facility would likely generate less students as there are less employees compared to wholesale/warehouse). Based on the table above (using Wholesale/Warehouse category), the 62,641 square foot storage facility would generate 12 K-8 students and 1 high school student.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
M. <u>Public Services.</u> Would the Project:				
1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a) Fire Protection?			✓	
b) Police Protection?			✓	
c) Schools?			✓	
d) Parks?			✓	
e) Other Public Facilities?			✓	

1) Less Than Significant

a) Fire Protection

The project site would be served by Fire Station #53, located at 800 Loughborough Drive (approximately 1 mile from the project site). The response from this station would meet the desired response time of 4 to 6 minutes, citywide, 90 percent of the time, within the financial constraints of the City. The proposed change in land use designation would not affect fire protection services, and no new or modified fire facilities would be needed. Any changes to the building or site would be required to meet all requirements of the

California Fire Code and the Merced Municipal Code. Compliance with these requirements would reduce any future impacts to a less than significant level.

At the time a building permit is issued, the developer would be required to pay impact fees according to the City Public Facilities Financing Plan (PFFP). A portion of this fee goes to cover the city's costs for fire protection such as fire stations, etc. In addition, the developer may be required to annex into the City's Community Facilities District for Services. This would result in an assessment paid with property taxes in which a portion of the tax would go to pay for fire protection services. Compliance with all Fire, Building, and Municipal Code requirements as well as payment of the Public Facility Impact Fees, and annexation into the City's CFD for services would reduce any potential impacts to a less than significant level.

b) Police Protection

The site would be served by the City Police Department. The development of the vacant project site could result in more calls to the site. Implementation of the proposed project would not require any new or modified police facilities.

The same requirements for paying Public Facility Impact Fees and potentially annexation into the City's Community Facilities District for Services would apply with a portion of the fees and taxes collected going toward the costs for police protection. Therefore, this potential impact is reduced to a less-than-significant level.

c) Schools

The project site is located within the boundaries of the Merced City School District and Merced Union High School District. Based on the table and discussion provided in the "Settings and Description" section above, the proposed development would likely generate additional students to the school system. As appropriate, the developer would be required to pay all fees due under the Leroy F. Greene School Facilities Act of 1988. Once these fees are paid, the satisfaction of the developer of his statutory fee under California Government Code §65995 is deemed "full and complete mitigation" of school impacts. This potential impact is less than significant.

d) Parks

The old Fahrens Park (a small pocket park) is located directly north of the site. This storage facility may slightly increase the use of neighborhood or regional parks.

Payment of the fees required under the Public Facilities Financing Plan (PFFP) as described above would be required at time of building permit issuance to help fund future parks and maintenance of existing parks would be required at the building permit stage. The payment of fees would reduce this potential impact to less than significant.

e) Other Public Facilities

The development of the Project could impact the maintenance of public facilities and could generate impacts to other governmental services. Payment of the fees required under the Public Facilities Financing Plan (PFFP) as described above would mitigate these impacts to a less than significant level.

N. Recreation

SETTING AND DESCRIPTION

The City of Merced has a well-developed network of parks and recreation facilities. Several City parks and recreation facilities are located within a one-mile radius of the project site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
N. <u>Recreation.</u> Would the Project:				
1) Increase the use of neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

1) **Less the Significant Impact**

Development of the Project may increase the use of neighborhood or regional parks. However, payment of the required development fees at the building permit stage would reduce the potential impacts to a less than significant level.

2) **No Impact**

The Project does not include recreational facilities and is not responsible for the construction or expansion of any recreational facilities.

O. Transportation/Traffic

SETTING AND DESCRIPTION

Roadway System

The project site is located in northwest Merced, approximately one and a half miles northwest of Downtown and one mile northeast of Highway 99. The project site consists of an undeveloped lot totaling approximately 6 acres. The project site fronts an arterial road (Olive Avenue), with the nearest north-south roads being State Route 59 (expressway) and Loughborough Drive (collector road) both designed to carry large volumes of traffic traversing through a large portion of the community. State Route 59 has access to Highway 99 that connects Merced with other regional communities throughout the State.

Transit Service

The Transit Joint Powers Authority for Merced County has jurisdiction over public transit in Merced County and operates The Bus. The Bus provides transportation for residents traveling within Merced and outside the City within neighboring communities such as Planada, Atwater, and Livingston.

Vehicle Miles Traveled

Senate Bill (SB) 743 directs the Governor’s Office of Planning and Research (OPR) to develop new guidelines for assessing transportation-related impacts that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses” (Public Resources Code Section 21099[b][1]). These new guidelines will replace automobile delay, as described through level of service (LOS), with more appropriate criteria and metrics based on travel demand, such as “vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated” (Public Resources Code Section 21099[b][1]). The State CEQA Guidelines are expected to be amended to include guidance for measuring travel demand and to recommend that delays related to congestion no longer be considered a significant impact under CEQA (OPR 2016).

Vehicle Miles Traveled Analysis

The Office of Planning and Research (OPR) advisory suggests that the VMT contribution of small projects need not be considered significant. OPR suggests that agencies can find projects generating fewer than 110 vehicles trips a day to be less than significant. The Olive Avenue Mini-Storage project is comprised of land uses estimated to generate 74 vehicle trips per day. As this trip generation estimate falls below the 110 daily trip threshold identified by OPR the proposed project qualifies as a “small project” that can be assumed to have a less than significant impact on regional VMT.

For additional information see Appendix B at Attachment D for the study on Vehicle Miles Traveled and Level of Service.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
O. <u>Transportation/Traffic.</u>				
Would the project:				
1) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			✓	

2) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)?			✓	
3) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				✓
4) Result in inadequate emergency access?			✓	

1) Less-than-Significant Impact

The existing system of pedestrian and bicycle facilities in this area include sidewalks and Class 1 bike paths, but pedestrians and bicyclists use paved shoulders elsewhere. A sidewalk is present along the project's Olive Avenue frontage, and a Class 1 trail is existing along State Route 59 north of Olive Avenue. Recent Caltrans improvements have included high visibility crosswalks at the intersection of Olive Avenue/Santa Fe Drive and State Route 59. The proposed mini storage would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

2) Less-than-Significant Impact

The project would be constructed as an infill development surrounded by existing adequate infrastructure. The Institute of Transportation Engineers (ITE) presented in the publication Trip Generation Manual, 11th Edition (2021), calculates the project to generate 74 trips on a daily basis, with five trips in the a.m. peak hours, and eight trips in the p.m. peak hours. The project would not result in a change in air traffic patterns, including air traffic associated with any airports.

As previously described in this section, a VMT analysis was prepared for this project by KDA. Based on guidance provided by OPR, both the self-storage facility would be screened out as a small project and not require further VMT analysis. Therefore, this impact is less than significant. Details regarding the criteria provided by OPR can be found in the traffic analysis at Appendix B.

Per CEQA Guidelines Section 15064.3 alternative modes of transportation are being assessed. Route M1 has a 30-minute headway between approximately 6:00 a.m. and 8:00 p.m. during weekdays. This route operates along:

- State Route 59 north and south of Olive Avenue

- Olive Avenue east of Loughborough Drive
- Loughborough Drive south of Olive Avenue

Route M2 has a 30-minute headway between approximately 6:00 a.m. and 8:00 p.m. during weekdays. This route operates along Loughborough Drive north and south of Olive Avenue. The Amtrak (passenger train service) is located within 1.5 miles providing services to the greater California area and connections to travel across the county. The closest airport is Merced Regional Airport, located approximately 2 miles southwest of the project site.

3) **No Impact**

The project site is surrounded by mostly developed lots along a developed arterial road (Olive Avenue). The proposal does not require changes to the existing street network. Therefore, no impact would occur.

4) **Less-than-Significant Impact**

The subject site is an approximate 6-acre parcel on mostly developed parcels along an arterial road (Olive Avenue). There is currently no missing infrastructure of roads or utilities between the subject site and City infrastructure. The Fire and Police departments reviewed this proposal and are not requesting additional access points to this site. Therefore, project construction and operation would not pose a significant obstacle to emergency response vehicles. This impact on emergency access would be less than significant.

SETTING AND DESCRIPTION

P. Water

The City's water system is composed of 22 groundwater production wells located throughout the City, and approximately 350 miles of main lines. Well pump operators ensure reliability and adequate system pressure at all times to satisfy customer demand. Diesel powered generators help maintain uninterrupted operations during power outages. The City of Merced water system delivers more than 24 million gallons of drinking water per day to approximately 20,733 residential, commercial, and industrial customer locations. The City is required to meet State Health pressure requirements, which call for a minimum of 20 psi at every service connection under the annual peak hour condition and maintenance of the annual average daily demand plus fire flow, whichever is stricter. The City of Merced Water Division is operated by the Public Works Department.

The City of Merced's wells have an average depth of 414 feet and range in depth from 161 feet to 800 feet. The depth of these wells would suggest that the City of Merced is primarily drawing water from a deep aquifer associated with the Mehrten geological formation. Increasing urban demand and associated population growth, along with an increased shift by agricultural users from surface water to groundwater and prolonged drought have resulted in declining groundwater levels due to overdraft. This condition was recognized by the City of Merced and

the Merced Irrigation District (MID) in 1993, at which time the two entities began a two-year planning process to ensure a safe and reliable water supply for Eastern Merced County through the year 2030. Integrated Regional Water Planning continues today through various efforts.

Wastewater

Wastewater (sanitary sewer) collection and treatment in the Merced urban area is provided by the City of Merced. The wastewater collection system handles wastewater generated by residential, commercial, and industrial uses in the City.

The City Wastewater Treatment Plant (WWTP), located in the southwest part of the City about two miles south of the airport, has been periodically expanded and upgraded to meet the needs of the City's growing population and new industry. The City's wastewater treatment facility has a capacity of 11.5 million gallons per day (mgd); with an average flow of 8.5 mgd. The City has recently completed an expansion project to increase capacity to 12 mgd and upgrade to tertiary treatment with the addition of filtration and ultraviolet disinfection. Future improvements would add another 8 mgd in capacity (in increments of 4 mgd), for a total of 20 mgd. This design capacity can support a population of approximately 174,000. The collection system will also need to be expanded as development occurs.

Treated effluent is disposed of in several ways depending on the time of year. Most of the treated effluent (75% average) is discharged to Hartley Slough throughout the year. The remaining treated effluent is delivered to a land application area and the on-site City-owned wetland area south of the treatment plant.

Storm Drainage

The *Draft City of Merced Storm Drainage Master Plan* addresses the collection and disposal of surface water runoff in the City's SUDP. The study addresses both the collection and disposal of storm water. Systems of storm drain pipes and catch basins are laid out, sized, and costed in the plan to serve present and projected urban land uses.

It is the responsibility of the developer to ensure that utilities, including storm water and drainage facilities, are installed in compliance with City regulations and other applicable regulations. Necessary arrangements with the utility companies or other agencies will be made for such installation, according to the specifications of the governing agency and the City [(Ord. 1342 § 2 (part), 1980: prior code § 25.21(f)).] The disposal system is mainly composed of MID facilities, including water distribution canals and laterals, drains, and natural channels that traverse the area.

The City of Merced has been involved in developing a Storm Water Management Plan (SWMP) to fulfill requirements of storm water discharges from Small Municipal Separate Storm Sewer System (MS4) operators in accordance with Section 402(p) of the Federal Clean Water Act (CWA). The SWMP was developed to also comply with General Permit Number CAS000004, Water Quality Order No. 2003-0005-DWQ.

Solid Waste

The City of Merced is served by the State Route 99 Landfill and the State Route 99 Compost Facility, located at 6040 North Highway 99. The County of Merced is the contracting agency for landfill operations and maintenance, as the facilities are owned by the Merced County Association of Governments. The City of Merced provides services for all refuse pick-up within

the City limits and franchise hauling companies collect in the unincorporated areas. In addition to these two landfill sites, there is one private disposal facility, the Flintkote County Disposal Site, at State Route 59 and the Merced River. This site is restricted to concrete and earth material.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
P. <u>Utilities and Service Systems.</u> Would the Project:				
1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✓	
2) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
5) Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

1) **Less Than Significant Impact**

The City's current water and wastewater system is capable of handling this project within the City of Merced. There are existing sewer and water lines along Olive Avenue, which would be extended to go through the project site. No significant environmental impacts would result from connecting to the line. This potential impact is less than significant.

2) Less Than Significant Impact

No new water facilities are needed for this project. The existing water system is sufficient to serve the development. Potential impacts are less than significant.

3) Less Than Significant Impact

Refer to item 1 above.

4) Less Than Significant Impact

The City of Merced uses the State Route 59 Landfill. Sufficient capacity is available to serve the future project. According to the *Merced Vision 2030 General Plan* DEIR, the landfill has capacity to serve the City through 2030. Potential impacts are less than significant.

5) Less Than Significant Impact

All construction on the site would be required to comply with all local, state, and federal regulations regarding solid waste, including recycling. Potential impacts are less than significant.

Q. Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Q. <u>Tribal Cultural Resources</u> Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✓

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				✓
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Impact Analysis

Would the project:

- a) *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
 - i. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
 - ii. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

As stated in the Cultural Resources Section of this Initial Study, improvements associated with the project include site excavation, grading, paving, and construction of buildings. The areas of the project subject to demolition and construction facilities are likely to have been subject to ground disturbance in the past. No tribal resources are known to have occurred or have been identified at the project site or in the vicinity of the project site. However, as noted in the Cultural Resources Section, implementation of Mitigation Measures CUL-1 and CUL-3 would protect previously unrecorded or unknown cultural resources, including Native American artifacts and human remains, should these be encountered during project construction.

In addition, Assembly Bill (AB) 52 provides for consultation between lead agencies and Native American tribal organizations during the CEQA process. Since AB 52 was enacted in July 2015, the City has not been contacted by any California Native American tribes requesting that they be notified when projects are proposed in Merced. No tribes have requested consultation pursuant to Public Resources Code section 21080.3.1. Therefore, it is assumed that no Tribal Cultural Resources would be adversely affected by the project. As a result, no impact would occur.

R. Wildfire

SETTING AND DESCRIPTION

Both urban and wildland fire hazard potential exists in the City of Merced and surrounding areas, creating the potential for injury, loss of life, and property damage. Urban fires primarily involve the uncontrolled burning of residential, commercial, or industrial structures due to human activities. Wildland fires affect grassland, brush or woodlands, and any structures on or near these fires. Such fires can result from either human made or natural causes.

Urban fires comprise the majority of fires in the City of Merced. The site is surrounded by urban uses. The City of Merced Fire Department has procedures in place to address the issue of wildland fires, so no additional mitigation would be necessary.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
R. <u>Wildfire.</u> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			✓	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			✓	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			✓	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓

Impact Analysis

Would the project:

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The project does not include the construction of new roadways or changes to existing roads. The project would also be required to comply with all applicable requirements of the California Fire Code. As such, the project would not impact an adopted emergency response plan or emergency evacuation plan. This impact would be less than significant.

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

According to the California Department of Forestry and Fire Protection, the project site is not located in any fire hazard zone. The areas surrounding the project site are mostly developed, urban land.

There is a low potential for wildland fires within these parameters. Additionally, the California Building Code and the California Fire Codes work together to regulate building construction and related items such as the care of vacant lots and the storage of flammable liquids.

To provide effective fire prevention activities for low hazard occupancies, the Fire Department conducts seasonal hazard removal programs (primarily weed abatement). The City of Merced employs a weed abatement program, which requires property owners to eliminate flammable vegetation and rubbish from their properties. Each property within the City is surveyed each spring and notices are sent to the property owners whose properties have been identified to pose a fire risk. Since inception of this program in 1992, grass or brush related fires within the City have been greatly reduced. A “bulky item” drop off station has been opened near Highway 59 and Yosemite Avenue. Further, staging areas, building areas, and/or areas slated for development using spark-producing equipment are cleared of dried vegetation or other materials that could serve as fuel for combustion; impacts are considered less than significant.

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The project would be required to repair/replace any missing or damaged infrastructure along their property frontage. However, the on-going maintenance of roadways would fall to the City. All other infrastructure or utilities exist in the area. No additional infrastructure or on-going maintenance would be required that would cause an impact to the environment. This impact is less than significant.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The project site and surrounding area is relatively flat with no risk of downslope or downstream flooding or landslides. Therefore, there is no impact.

S. Greenhouse Gas Emissions

SETTING AND DESCRIPTION

Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. A portion of the solar radiation that enters the atmosphere is absorbed by the earth's surface, and a smaller portion of this radiation is reflected back toward space. Infrared radiation is absorbed by GHGs; as a result, infrared radiation released from the earth that otherwise would have escaped back into space is instead trapped, resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on Earth.

GHGs are present in the atmosphere naturally, are released by natural sources and anthropogenic sources, and are formed from secondary reactions taking place in the atmosphere. The following GHGs are widely accepted as the principal contributors to human-induced global climate change and are relevant to the project: carbon dioxide (CO₂), methane, and nitrous oxide.

Emissions of CO₂ are byproducts of fossil fuel combustion. Methane is the main component of natural gas and is associated with agricultural practices and landfills. Nitrous oxide is a colorless GHG that results from industrial processes, vehicle emissions, and agricultural practices.

Global warming potential (GWP) is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to CO₂. The GWP of a GHG is based on several factors, including the relative effectiveness of a gas in absorbing infrared radiation and the length of time the gas remains in the atmosphere (i.e., its atmospheric lifetime). The reference gas for GWP is CO₂; therefore, CO₂ has a GWP of 1. The other main GHGs that have been attributed to human activity include methane, which has a GWP of 28, and nitrous oxide, which has a GWP of 265 (IPCC 2013). For example, 1 ton of methane has the same contribution to the greenhouse effect as approximately 28 tons of CO₂. GHGs with lower emissions rates than CO₂ may still contribute to climate change, because they are more effective than CO₂ at absorbing outgoing infrared radiation (i.e., they have high GWPs). The concept of CO₂-equivalents (CO₂e) is used to account for the different GWP potentials of GHGs to absorb infrared radiation.

The project applicant provided an Air Quality and Greenhouse Gas study for the proposed project which was prepared by KDA. (Appendix A at Attachment C). The study analyzed the emissions associated with the proposed self-storage facility and long-term vehicle parking. The City of Merced has not developed or adopted a CEQA threshold for determining the significance of GHG emissions at the project-level. The SJVAPCD document Addressing Greenhouse Gas Emission Impacts for New Projects under the California Environmental Quality Act (San Joaquin Valley Air Pollution Control District 2009) presents a tiered approach to analyzing the significance of project-related GHG emissions. This approach was used in the analysis provided at Appendix A at Attachment C.

For additional information see Appendix A at Attachment C for combined studies on Air Quality and Green House Gas Emissions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
S. <u>Greenhouse Gas Emissions.</u> Would the project:				
1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		✓		
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

1) **Less -than-Significant with Mitigation**

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is responsible for protecting public health and welfare through the administration of federal and state air quality laws and policies. In December 2009, SJVAPCD adopted the *Final Staff Report Addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act* (SJVAPCD 2009). SJVAPCD also developed guidance for land-use agencies to address GHG emission impacts for new development projects. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would have a less-than-significant individual and cumulative impact related to GHG emissions. Projects implementing best performance standards and reducing project-specific GHG emissions by at least 29 percent compared to the business-as-usual condition would have a less-than-significant individual and cumulative impact on global climate change under this guidance. However, models used to estimate GHG emissions now include some of the statewide measures that previously would have been used to evaluate this 29 percent reduction performance standard, so this particular method of comparison is out of date.

To establish the context in which to consider the project's GHG emissions, this analysis used guidance from the adjacent Sacramento Metropolitan Air Quality Management District (SMAQMD) to determine significance. In 2014, SMAQMD adopted a significance threshold for GHG emissions consistent with the goals of Assembly Bill (AB) 32: 1,100 metric tons (MT) CO₂e per year for construction-related and operational emissions (SMAQMD 2014). This significance threshold was developed to assess the consistency of a project's emissions with the statewide framework for reducing GHG emissions.

The impacts associated with GHG emissions generated by the project are related to the emissions from short-term construction and operations. Off-road equipment, materials transport, and worker commutes during construction of the project would generate GHG

emissions. Emissions generated by the project during operations are related to indirect GHG emissions associated with residential uses.

GHG emissions associated with construction of the project are short-term and will cease following completion of construction activity. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. Table 4 provides an estimate of project related GHG emission during the construction year and during operation. This impact would be less than significant with mitigation.

Table 4. Greenhouse Gas Emissions

Emissions Category	Carbon Dioxide	Methane	Nitrous Oxide	Refrigerants	Carbon Dioxide Equivalent
<u>Construction-Related Emissions</u>					
Construction Related Emissions	368	0.01	< 0.005	0.04	370
<u>Operational Emissions</u>					
a. Mobile	48.6	< 0.005	< 0.005	0.09	49.9
b. Area	0.74	< 0.005	< 0.005	--	0.75
c. Energy	118	0.01	< 0.005	--	118
d. Water	10.8	0.38	0.01	--	23.1
e. Waste	4.3	0.43	0.00	--	15.0
f. Total Operational Emissions (a + b + c + d + e)	182	0.83	0.01	0.09	207

Source: Emissions values are from the CalEEMod Emissions Model (<http://www.caleemod.com>)
 Notes: All values are in metric tons per year (MT/yr).
 Total may not equal sum of components due to rounding.

Mitigation Measures:

Mitigation Measure GHG-1: The project applicant shall demonstrate compliance with the applicable BPS strategies to the Planning Division prior to the issuance of a building permit. The following BPS strategies are considered to be applicable, feasible, and effective in reducing GHG emissions generated by the project:

The following measure numbers, names and descriptions are from the *SN APCD document Final Staff Report - Climate Change Action Plan: Addressing GHG Emissions Impacts under CEQA - Appendix J: GHG Emission Reduction Measures - Development Projects* (San Joaquin Valley Air Pollution Control District 2009b). The measures were selected as those considered applicable to the Olive Avenue Mini-Storage project, based on the project location and type of land use.

- **SJVAPCD Measure #5 - Pedestrian Network.** The project will provide a pedestrian access network that internally links all uses and connects to existing external streets and pedestrian facilities. Existing facilities are defined as those facilities that are physically constructed and ready for use prior to the first 20% of the project's occupancy permits being granted.
- **SJVAPCD Measure #6 - Pedestrian Barriers Minimized.** Site design and building placement will minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation will be eliminated. Barriers to pedestrian access of neighboring facilities and sites will be minimized. This measure is not meant to prevent the limited use of barriers to ensure public safety by prohibiting access to hazardous areas. This measure is not meant to prevent features needed to securely operate a mini-storage facility.
- **SJVAPCD Measure #7 - Bus Shelter for Existing Transit Service.** Merced Regional Transit System The Bus Route M1 - Merced West - provides bus service with one-half hour headways. A bus stop for Route M1 is located at the Walmart store at Olive Avenue and Loughborough Drive, directly south of the project site. The project will provide safe and convenient bicycle/pedestrian access to the bus stop and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).
- **SJVAPCD Measure #25 - Light-Colored/High-Albedo Roof Materials.** The project will install light-colored/high/albedo roof materials on the portion of the project containing climate-controlled units. Light-colored/high/albedo roof materials reflect more of the sun's rays, decreasing the amount of heat transferred into a building.
- **SJVAPCD Measure #29 - Non-Roof Surfaces.** The project will provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's

non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; OR use an open-grid pavement system (less than 50% impervious) for a minimum of 50% of the parking lot area. Unshaded parking lot areas, driveways, fire lanes, and other paved areas will have a minimum albedo of 0.3 or greater.

Implementation of Mitigation Measure GHG-1 would implement various BPS strategies recommended by the SN APCD that are applicable to the project to reduce GHG emissions. Overall, the mitigated project would implement GHG reduction strategies in compliance with the SN APCD and, therefore, would not be a significant source of GHG emissions

2) **Less-than-Significant Impact**

In 2006, California enacted AB 32, the California Global Warming Solutions Act of 2006 (California Health and Safety Code Section 38500 et seq.). AB 32 establishes regulatory, reporting, and market mechanisms to achieve reductions in GHG emissions and establishes a cap on statewide GHG emissions. It requires that statewide GHG emissions be reduced to 1990 levels by 2020.

In 2008 and 2014, the California Air Resources Board (ARB) approved the Climate Change Scoping Plan (Scoping Plan) and the first update to the Climate Change Scoping Plan: Building on the Framework, respectively (ARB 2008; ARB 2014). In 2016, the state legislature passed Senate Bill SB 32, which established a 2030 GHG emissions reduction target of 40 percent below 1990 levels. In response to SB 32 and the companion legislation of AB 197, ARB approved the Final Proposed 2017 Scoping Plan Update: The Strategy for Achieving California's 2030 GHG Target in November 2017 (ARB 2017). The 2017 Scoping Plan draws from the previous plans to present strategies to reaching California's 2030 GHG reduction target. The project would comply with any mandate or standards set forth by an adopted Scoping Plan Update effecting construction activities and operations.

In 2012, the City of Merced adopted the *Merced Climate Action Plan* to address the reduction of major sources of GHG emissions. The climate action plan established an emissions target of 1990 levels by 2020, commensurate with the State of California's target (City of Merced 2012). To meet this goal, the City adopted values, goals, and strategies to reduce emissions. Goals of the plan include:

- enhanced mobility of all transportation modes;
- sustainable community design;
- water conservation and technology;
- protection of air resources;
- waste reduction;
- increased use of renewable energy sources;
- building energy conservation; and,
- public outreach and involvement.

The project would be consistent with the goals of the *Merced Climate Action Plan*.

As mentioned above, the project would not exceed emissions thresholds adopted by SMAQMD and would be consistent with the applicable requirements of the *Merced Climate Action Plan*. Therefore, the project would not conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. This impact would be less than significant. For additional information see Appendix A at Attachment C. This impact would be less than significant.

T. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
T. <u>Mandatory Findings of Significance.</u> Would the Project:				
1) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
2) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects?)			✓	
3) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

1) Less-Than-Significant Impact

As previously discussed in this document, the Project does not have the potential to adversely affect biological resources or cultural resources, because such resources are lacking on the project site, and any potential impacts would be avoided with implementation of the mitigation measures and other applicable codes identified in this

report. Also, the Project would not significantly change the existing urban setting of the project area. Thus, this impact would be less than significant.

2) **Less-Than-Significant Impact**

The Program Environmental Impact Report conducted for the *Merced Vision 2030 General Plan, the General Plan Program EIR* (SCH# 2008071069), has recognized that future development and build-out of the SUDP/SOI will result in cumulative and unavoidable impacts in the areas of Air Quality and Loss of Agricultural Soils. In conjunction with this conclusion, the City has adopted a Statement of Overriding Considerations for these impacts (Resolution #2011-63) which is herein incorporated by reference.

The certified General Plan EIR addressed and analyzed cumulative impacts resulting from changing agricultural use to urban uses. No new or unaddressed cumulative impacts will result from the project that have not previously been considered by the certified General Plan EIR or by the Statement of Overriding Considerations, or mitigated by this Expanded Initial Study. This Initial Study does not disclose any new and/or feasible mitigation measures which would lessen the unavoidable and significant cumulative impacts.

The analysis of impacts associated with the development would contribute to the cumulative air quality and agricultural impacts identified in the General Plan EIR. In the case of air quality, emissions from the proposed project would be less than significant. The nature and extent of these impacts, however, falls within the parameters of impacts previously analyzed in the General Plan EIR. No individual or cumulative impacts will be created by the Project that have not previously been considered at the program level by the General Plan EIR or mitigated by this Initial Study.

3) **Less-Than-Significant Impact**

Development anticipated by the *Merced Vision 2030 General Plan* will have significant adverse effects on human beings. These include the incremental degradation of air quality in the San Joaquin Basin, the loss of unique farmland, the incremental increase in traffic, and the increased demand on natural resources, public services, and facilities. However, consistent with the provisions of CEQA previously identified, the analysis of the proposed project is limited to those impacts which are peculiar to the project site or which were not previously identified as significant effects in the prior EIR. The previously-certified General Plan EIR and the Statement of Overriding Considerations addressed those cumulative impacts; hence, there is no requirement to address them again as part of this project.

This previous EIR concluded that these significant adverse impacts are accounted for in the mitigation measures incorporated into the General Plan EIR. In addition, a Statement of Overriding Considerations was adopted by City Council Resolution #2011-63 that indicates that the significant impacts associated with development are offset by the benefits that will be realized in providing necessary jobs for residents of the City. The analysis and mitigation of impacts have been detailed in the Environmental Impact Report prepared for the *Merced Vision 2030 General Plan*, which is incorporated into this document by reference.

While this issue was addressed and resolved with the General Plan EIR in an abundance of caution, in order to fulfill CEQA's mandate to fully disclose potential environmental consequences of projects, this analysis is considered herein. However, as a full disclosure document, this issue is repeated in abbreviated form for purposes of disclosure, even though it was resolved as a part of the General Plan.

Potential impacts associated with the Project's development have been described in this Initial Study. All impacts were determined to be less than significant.

4. ENVIRONMENTAL DETERMINATION

On the basis of this initial environmental evaluation:

I find that the project could have a significant effect on the environment, and that
a MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED for
 X public review.

June 12, 2023

Francisco Mendoza-Gonzalez, Associate Planner

Julie Nelson, Acting Planning Manager
Environmental Coordinator
City of Merced

5. PREPARERS OF THE INITIAL STUDY

LEAD AGENCY

City of Merced
Planning & Permitting Division
678 West 18th Street
Merced, CA 95340
(209) 385-6929
Francisco Mendoza-Gonzalez, Associate Planner

ATTACHMENTS:

- A) Location Map
- B) Site Plan/Floor Plans/Elevations
- C) Appendix A – Combined Studies for Air Quality, Green House Gas Emissions
- D) Appendix B – Vehicle Miles Traveled and Level of Service Study
- E) Mitigation Monitoring Program



DEVELOPER:
MERCED SECURITY STORAGE, LLC
515 SOUTH FLOWER STREET 18TH FLOOR
LOS ANGELES, CALIFORNIA 90071
CONTACT: SEAN BRAHMAN
E-MAIL: sbrahman@capitalhurdlingcorp.com

ARCHITECT:
ROOM ARCHITECTS, INC.
2323 EAST THOMAS ROAD
PHOENIX, ARIZONA 85016
CONTACT: JEROD REGRETTE
PHONE: (602) 955-3900
FAX: (602) 955-0436
E-MAIL: jregrette@rhaa.com

EXISTING ZONING:
PROPOSED ZONING:
GENERAL PLAN:
GROSS SITE AREA:
NET SITE AREA:
PARCEL NUMBER:
LOT COVERAGE PROVIDED:

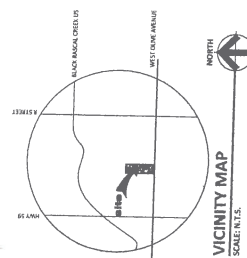
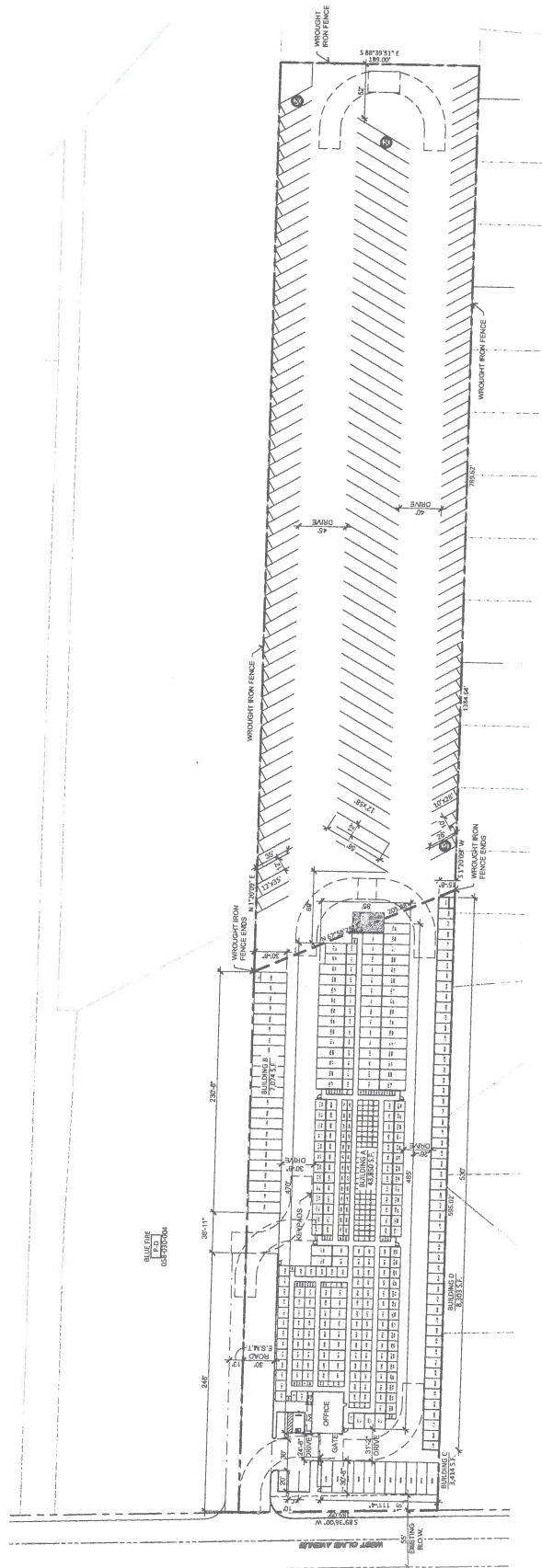
ALL SIGNAGE IS APPROVED THROUGH A SEPARATE PERMIT

.) 2019 CALIFORNIA FIRE CODE, CITY OF MERCED FIRE CODE AMENDMENTS, 903.2 WHERE REQUIRED, ALL NEW BUILDINGS AND STRUCTURES SHALL BE PROVIDED WITH AN AUTOMATIC SPRINKLER SYSTEM.

.) AUTOMATIC GATES SHALL BE EQUIPPED WITH DUAL HEAD PREEMPTION RECEIVERS AND KEY SWITCH ON BOTH INSIDE AND OUTSIDE OF GATES

[illegible]

BUILDING A UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING B UNIT MIX G.S.F. = 7,074 S.F. L.S.T. = 7,074 S.F.									
BUILDING C UNIT MIX G.S.F. = 37,357 S.F. L.S.T. = 37,357 S.F.									
BUILDING D UNIT MIX G.S.F. = 8,244 S.F. L.S.T. = 8,243 S.F.									
BUILDING E UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING F UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
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BUILDING H UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
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BUILDING J UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING K UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
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BUILDING O UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING P UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
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BUILDING R UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
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BUILDING T UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING U UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING V UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING W UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING X UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING Y UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									
BUILDING Z UNIT MIX G.S.F. = 43,250 S.F. L.S.T. = 37,575 S.F.									

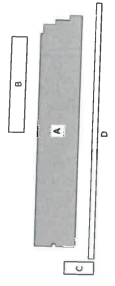
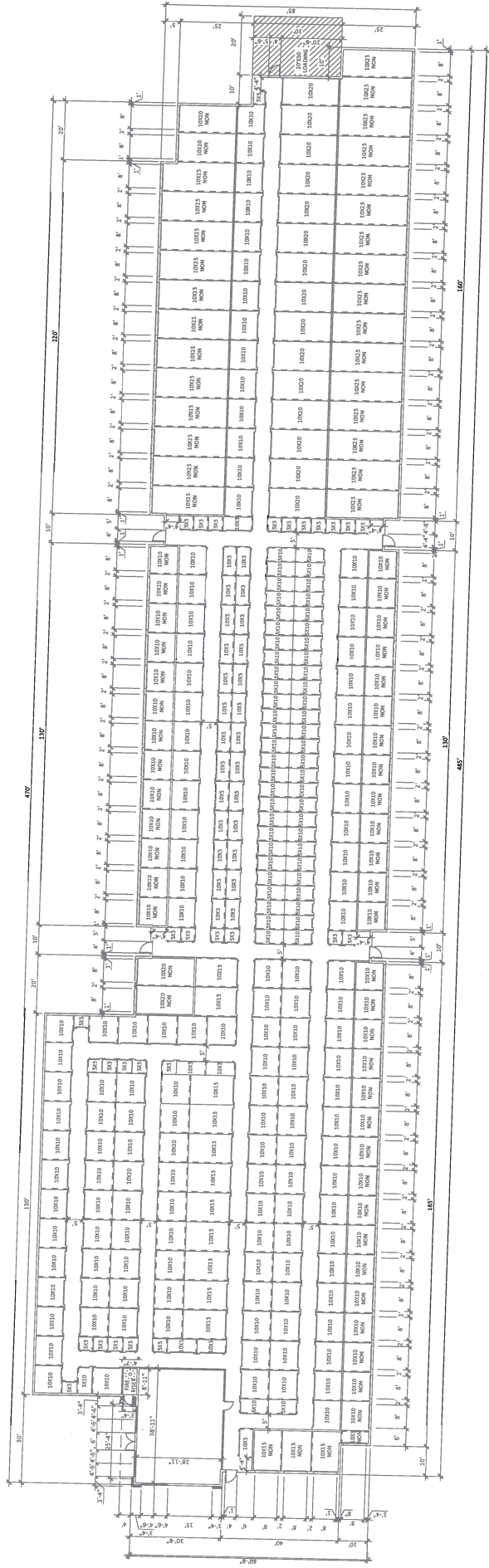


DATE: 02-28-2023 (PRELIMINARY)

RCAA# 23003.50

[illegible]

BUILDING A UNIT MIX			
G.S.F. = 43,850 S.F.			
L.S.F. = 35,577 S.F.			
CLIMATE CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
INTERIOR STORAGE			
5'x5'	29	25	725
5'x10'	50	50	2500
10'x5'	37	150	5550
10'x10'	132	300	16500
10'x15'	11	150	1650
10'x20'	15	200	3000
SUBTOTAL DRIVE UP STORAGE			
10'x5' NON	1	50	50
10'x10' NON	42	150	4200
10'x15' NON	3	150	450
10'x20' NON	4	200	800
10'x25' NON	3	250	750
10'x30' NON	1	300	900
SUBTOTAL			
78	250	7800	23525
TOTAL STORAGE			
354	1250	35400	106750



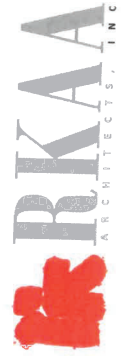
BUILDING A FLOOR PLAN
SCALE: 1/8" = 1'-0"



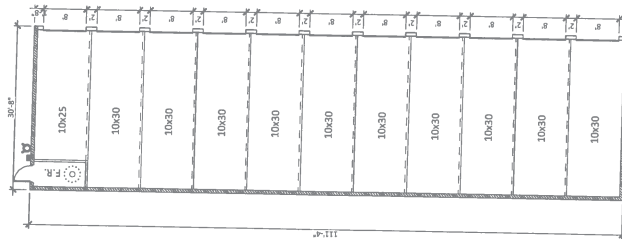
KEY MAP
SCALE: NTS

MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-28-2023 (PRELIMINARY)

FP-A

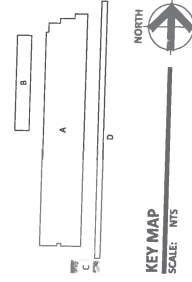


RKAA# 23003.50



1 BUILDING C FLOOR PLAN
SCALE: 3/32" = 1'-0"

BUILDING C UNIT MIX			
G.S.F. = 2404 S.F.			
L.S.F. = 5354 S.F.			
NON CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
10x25	1	250	250
10x30	10	300	3000
TOTAL	11		3250



MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-14-2023 (PRELIMINARY)

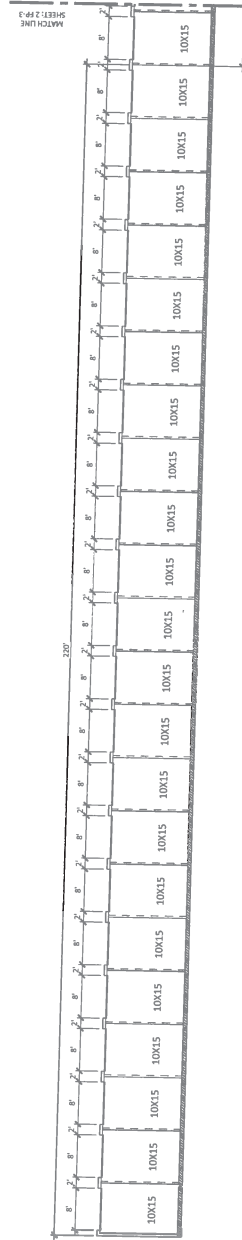
FP-C

1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-14-2023 (PRELIMINARY)

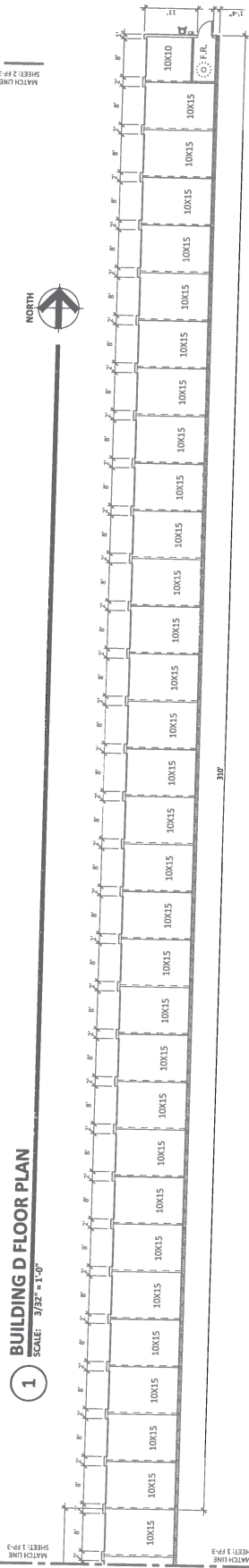
RKAA# 23003.50



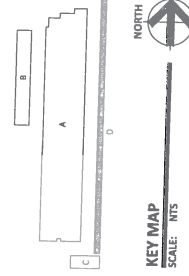
BUILDING D UNIT MIX			
G.S.F. = 8,303 S.F.			
L.S.F. = 6,244 S.F.			
NON CONTROLLED UNIT MIX SUMMARY			
UNIT SIZE	TOTAL	S.F.	AREA
10X10	1	100	100
10X15	53	150	7950
TOTAL	54		8050



1 BUILDING D FLOOR PLAN
SCALE: 3/32" = 1'-0"



2 BUILDING D FLOOR PLAN
SCALE: 3/32" = 1'-0"



MERCED SECURITY STORAGE
1965 W. OLIVE AVENUE
MERCED, CA 95348
DATE: 02-14-2023 (PRELIMINARY)

FP-D

RKAA# 23003.50

R. K. A. A. ARCHITECTS, INC.
1965 W. OLIVE AVENUE
MERCED, CA 95348
TEL: (209) 938-1111
WWW.RKAAARCHITECTS.COM
OFFICE HOURS: MON-FRI 9AM-5PM
SAT 10AM-2PM
SUN 12PM-5PM



January 9, 2023

Ms. Kristen Scheidt, P.E., QSD
Project Manager
O'Dell Engineering
1165 Scenic Drive, Suite A
Modesto, CA 95350

Subject: *Olive Avenue Mini-Storage Project Air Quality Analysis*

Dear Ms. Scheidt:

On behalf of KD Anderson & Associates (KDA), I am pleased to submit this letter report presenting the results of air quality analysis of the Olive Avenue Mini-Storage project. This letter report presents a description of the project, the methods used in the air quality analysis, and the results of the air quality analysis.

PROJECT DESCRIPTION

The following is a brief description of the Olive Avenue Mini-Storage project.

Project Location

The Olive Avenue Mini-Storage Project site is generally located northeast of the intersection of State Route (SR) 59 and Olive Avenue in the City of Merced. As shown in the enclosed **Figure 1**, the site is located on the north side of Olive Avenue approximately 850 feet east of SR 59.

Project Components

The project site is approximately six acres in size. The project would include approximately 51,250 building square feet of mini-storage space on the southern portion of the project site, and approximately four acres of parking on the northern portion of the site.

Project Construction

Construction of the Olive Avenue Mini-Storage project is expected to begin in May 2023 and be completed at approximately the end of September 2023 (Mooneyham pers. comm.)

SIGNIFICANCE THRESHOLDS

Implementation of the Olive Avenue Mini-Storage project would result in short-term construction activity, which would generate air pollutant emissions. Construction activities such as grading, excavation and travel on unpaved surfaces would generate dust, and could lead to elevated concentrations of inhalable particulate matter smaller than 10 microns in diameter (PM₁₀) and fine particulate matter smaller than 2.5 microns in diameter (PM_{2.5}). The operation of construction equipment results in exhaust emissions. A substantial portion of the construction equipment would be powered by diesel engines, which produce relatively high levels of nitrogen oxide (NO_x) emissions. The use of architectural coatings results in the release of reactive organic gas (ROG) emissions.

Implementation of the Olive Avenue Mini-Storage project would result in long-term operational activity, which would generate air pollutant emissions. The project would generate motor vehicle trips, which would result in ROG, NO_x, and carbon monoxide (CO) emissions. In addition, area sources of emissions (e.g., maintenance and landscaping equipment) would result in ROG and NO_x emissions.

Criteria Pollutant Emissions

Thresholds of significance applied in this letter report are from the San Joaquin Valley Air Pollution Control District (SJVAPCD) documents *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI) (San Joaquin Valley Air Pollution Control District 2015a), and *San Joaquin Valley Air Pollution Control District - Air Quality Thresholds of Significance - Criteria Pollutants* (San Joaquin Valley Air Pollution Control District 2015b). These thresholds define an identifiable quantitative, qualitative, or performance level of a particular environmental effect. Project-related emission levels which exceed any of the thresholds of significance means the project-related effect will normally be considered significant. Project-related emissions at or below the thresholds of significance means the project-related effect normally will be considered to be less than significant. The SJVAPCD has established thresholds of significance for criteria pollutant emissions generated during construction and operation of projects as shown in the enclosed **Table 1**.

The significance thresholds presented in the SJVAPCD GAMAQI are based on the attainment status of the San Joaquin Valley Air Basin in regard to air quality standards for specific criteria pollutants. Because the air quality standards are set at concentrations that protect public health

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with an adequate margin of safety, these emission thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

Greenhouse Gas Emissions

The SJVAPCD document *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* (San Joaquin Valley Air Pollution Control District 2009a) presents a tiered approach to analyzing the significance of project-related GHG emissions. Project GHG emissions are considered less than significant if they can meet any of the following conditions, evaluated in the order presented:

- the project is exempt from CEQA requirements;
- the project complies with an approved GHG emission reduction plan or GHG mitigation program;
- the project implements Best Performance Standards (BPS); or
- the project demonstrates that specific GHG emissions would be reduced or mitigated by at least 29 percent compared to Business-as-Usual (BAU), including GHG emission reductions achieved since the 2002 - 2004 baseline period.

The SJVAPCD states,

“On December 17, 2009, the San Joaquin Valley Air Pollution Control District (District) adopted the guidance: *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the policy: *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. The guidance and policy rely on the use of performance based standards, otherwise known as Best Performance Standards (BPS), to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA.

“Use of BPS is a method of streamlining the CEQA process of determining significance and is not a required emission reduction measure. Projects implementing BPS would be determined to have a less than cumulatively significant impact. Otherwise, demonstration of a 29 percent reduction in GHG emissions, from business-as-usual, is required to determine that a project would have a less than cumulatively significant impact. The guidance does not limit a lead agency's authority in establishing its own process and guidance for

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determining significance of project related impacts on global climate change.”
(San Joaquin Valley Air Pollution Control District 2023)

METHODOLOGY

The following describes methods used to assess project-related impacts on criteria pollutant and GHG emissions.

Criteria pollutant and GHG emissions associated with implementation of the Olive Avenue Mini-Storage project were estimated using the CalEEMod emissions modeling program (California Air Pollution Control Officers Association 2022).

CalEEMod is a land use emissions computer model designed to provide a platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operation of a variety of land use projects. The model quantifies direct emissions from construction and operation (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use.

The CalEEMod emissions model contains default data characterizing the construction and operation of projects. The CalEEMod default values were used except where:

- project-specific data are available, and
- updated technical data are available.

More detailed information on the CalEEMod model is available at the internet website <http://caleemod.com/>. Output files from the CalEEMod model, as applied to the Olive Avenue Mini-Storage project, are presented in the enclosed technical appendix.

AIR QUALITY ANALYSIS RESULTS

The following describes the results of the air quality analysis and the significance of air quality impacts of the Olive Avenue Mini-Storage project.

Construction-Related Criteria Pollutant Emissions

Construction of the Olive Avenue Mini-Storage project would result in the generation of criteria pollutant emissions. The enclosed **Table 2** shows construction-related emissions. During the construction period, construction activity would generate:

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- 2.31 tons per year (tpy) of CO,
- 2.08 tpy of NO_x,
- 0.38 tpy of ROG,
- < 0.005 tpy of SO_x,
- 0.35 tpy of PM₁₀, and
- 0.21 tpy of PM_{2.5}.

None of the above values would exceed the SJVAPCD significance thresholds. Therefore, this impact is considered less than significant, and no mitigation measures are required.

Operational Criteria Pollutant Emissions

Operation of the Olive Avenue Mini-Storage project would result in the generation of criteria pollutant emissions. The enclosed **Table 3** shows operational emissions. Operation of the project would result in:

- 0.51 tpy of CO,
- 0.07 tpy of NO_x,
- 0.31 tpy of ROG,
- < 0.005 tpy of SO_x,
- 0.02 tpy of PM₁₀, and
- < 0.005 tpy of PM_{2.5}.

None of the above values would exceed the SJVAPCD significance thresholds. Therefore, this impact is considered less than significant, and no mitigation measures are required.

Greenhouse Gas Emissions

Construction and operation of the Olive Avenue Mini-Storage project would result in the generation of GHG emissions. The enclosed **Table 4** shows GHG emissions that would be generated by the project.

As described earlier in the *Significance Thresholds* section, this report applies the tiered approach to determining the significance of GHG emissions impacts presented in the SJVAPCD document *Addressing Greenhouse Gas Emission Impacts for New Projects under the California Environmental Quality Act* (San Joaquin Valley Air Pollution Control District 2009).

The proposed project is not exempt from CEQA requirements, and the City of Merced Climate Action Plan does not qualify as an approved GHG emission reduction plan or GHG mitigation program. Therefore, the first two tiers of the GHG significance criteria would not apply.

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In applying the third tier of the GHG significance threshold, the impact of the Olive Avenue Mini-Storage project on GHG emissions would be considered less than significant if the project implements BPS measures. Mitigation Measure GHG-1 would require the proposed project to implement the following applicable BPS strategies.

Mitigation Measure GHG-1: The project applicant shall demonstrate compliance with the applicable BPS strategies to the Planning Division prior to the issuance of a building permit. The following BPS strategies are considered to be applicable, feasible, and effective in reducing GHG emissions generated by the project:

The following measure numbers, names and descriptions are from the SJVAPCD document *Final Staff Report - Climate Change Action Plan: Addressing GHG Emissions Impacts under CEQA - Appendix J: GHG Emission Reduction Measures - Development Projects* (San Joaquin Valley Air Pollution Control District 2009b). The measures were selected as those considered applicable to the Olive Avenue Mini-Storage project, based on the project location and type of land use.

SJVAPCD Measure #5 – Pedestrian Network. The project will provide a pedestrian access network that internally links all uses and connects to existing external streets and pedestrian facilities. Existing facilities are defined as those facilities that are physically constructed and ready for use prior to the first 20% of the project's occupancy permits being granted.

SJVAPCD Measure #6 – Pedestrian Barriers Minimized. Site design and building placement will minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation will be eliminated. Barriers to pedestrian access of neighboring facilities and sites will be minimized. This measure is not meant to prevent the limited use of barriers to ensure public safety by prohibiting access to hazardous areas. This measure is not meant to prevent features needed to securely operate a mini-storage facility.

SJVAPCD Measure #7 – Bus Shelter for Existing Transit Service. Merced Regional Transit System The Bus Route M1 – Merced West – provides bus service with one-half hour headways. A bus stop for Route M1 is located at the Walmart store at Olive Avenue and Loughborough Drive, directly south of the project site. The project will provide safe and convenient bicycle/pedestrian access to the bus stop and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).

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SJVAPCD Measure #25 – Light-Colored/High-Albedo Roof Materials. The project will install light-colored/high/albedo roof materials on the portion of the project containing climate-controlled units. Light-colored/high/albedo roof materials reflect more of the sun's rays, decreasing the amount of heat transferred into a building.

SJVAPCD Measure #29 – Non-Roof Surfaces. The project will provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; OR use an open-grid pavement system (less than 50% impervious) for a minimum of 50% of the parking lot area. Unshaded parking lot areas, driveways, fire lanes, and other paved areas will have a minimum albedo of 0.3 or greater

Implementation of Mitigation Measure GHG-1 would implement various BPS strategies recommended by the SJVAPCD that are applicable to the project to reduce GHG emissions. Overall, the mitigated project would implement GHG reduction strategies in compliance with the SJVAPCD and, therefore, would not be a significant source of GHG emissions. In addition, the proposed project would implement several measures required by State regulations to reduce GHG emissions, including the following:

- Pavley II (LEV III) Advanced Clean Cars Program,
- California Green Building Code Standards,
- Renewable Portfolio Standard,
- California Model Water Efficient Landscape Ordinance, and
- CalRecycle Waste Diversion and Recycling Mandate.

The second phase of Pavley standards will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025. The California Green Building Code Standards reduce GHGs by including a variety of different measures, including reduction of construction waste, wastewater, water use, and building energy use. The Renewable Portfolio Standard requires electricity purchased for use at the project site to be composed of at least 33 percent renewable energy. The Water Efficient Landscape Ordinance will reduce outdoor water use by 20 percent, and the CalRecycle Waste Diversion and Recycling Mandate will reduce solid waste production by 25 percent.

Implementation of these measures is expected to allow the State to achieve GHG emission reduction targets. Therefore, with implementation of Mitigation Measure GHG-1 and compliance with State requirements, it is expected that the proposed project would achieve the reductions required by regulations to meet the GHG emissions reduction target.

KDA

Therefore, with implementation of Mitigation Measure GHG-1 and compliance with State regulations, the Olive Avenue Mini-Storage project would not be a significant source of GHG emissions. Therefore, the impact of the project with mitigation would be less than significant.

CLOSING

Thank you for providing KDA with this opportunity to provide you with air quality analysis services on the Olive Avenue Mini-Storage project. Please let me know if you have any questions about this letter report.

Sincerely,

KD Anderson & Associates, Inc.

A handwritten signature in blue ink, appearing to read "Wayne Shijo", with a stylized, cursive flourish at the end.

Wayne Shijo
Project Manager

enclosures

KDA

Bibliography

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Personal Communications

Mooneyham, Craig. December 9, 2022 E-mail message to Kristen Scheidt, Project Manager, O’Dell Engineering.

Figure 1. Project Site Location



**Table 1. San Joaquin Valley Air Pollution Control District
Criteria Pollutant Significance Thresholds**

Pollutant	Construction Phase Thresholds	Operational Phase Thresholds
Carbon Monoxide (CO)	100	100
Nitrogen Oxides (NO _x)	10	10
Reactive Organic Gases (ROG)	10	10
Sulfur Oxides (SO _x)	27	27
Inhalable Particulate Matter (PM ₁₀)	15	15
Fine Particulate Matter (PM _{2.5})	15	15
<hr/> <p>Source: San Joaquin Valley Air Pollution Control District 2015b. Note: All thresholds are expressed in tons per year.</p>		

Table 2. Construction-Related Emissions

Pollutant	Significance Thresholds	Emissions	Significant Impact?
Carbon Monoxide (CO)	100	2.31	No
Nitrogen Oxides (NO _x)	10	2.08	No
Reactive Organic Gases (ROG)	10	0.38	No
Sulfur Oxides (SO _x)	27	< 0.005	No
Inhalable Particulate Matter (PM ₁₀)	15	0.35	No
Fine Particulate Matter (PM _{2.5})	15	0.21	No
<hr/> Source: San Joaquin Valley Air Pollution Control District 2015b, and CalEEMod emissions model. Note: All values are expressed in tons per year.			

Table 3. Operational Emissions

Pollutant	Significance Thresholds	Emissions	Significant Impact?
Carbon Monoxide (CO)	100	0.51	No
Nitrogen Oxides (NO _x)	10	0.07	No
Reactive Organic Gases (ROG)	10	0.31	No
Sulfur Oxides (SO _x)	27	< 0.005	No
Inhalable Particulate Matter (PM ₁₀)	15	0.02	No
Fine Particulate Matter (PM _{2.5})	15	< 0.005	No
<p>Source: San Joaquin Valley Air Pollution Control District 2015b, and CalEEMod emissions model. Note: All values are expressed in tons per year.</p>			

Table 4. Greenhouse Gas Emissions

Emissions Category	Carbon Dioxide	Methane	Nitrous Oxide	Refrigerants	Carbon Dioxide Equivalent
<u>Construction-Related Emissions</u>					
Construction Related Emissions	368	0.01	< 0.005	0.04	370
<u>Operational Emissions</u>					
a. Mobile	48.6	< 0.005	< 0.005	0.09	49.9
b. Area	0.74	< 0.005	< 0.005	--	0.75
c. Energy	118	0.01	< 0.005	--	118
d. Water	10.8	0.38	0.01	--	23.1
e. Waste	4.3	0.43	0.00	--	15.0
f. Total Operational Emissions (a + b + c + d + e)	182	0.83	0.01	0.09	207

Source: Emissions values are from the CalEEMod Emissions Model (<http://www.caleemod.com>)
Notes: All values are in metric tons per year (MT/yr).
Total may not equal sum of components due to rounding.

**Technical Appendix –
CalEEMod Model Output File**

Olive Ave Mini-Storage Detailed Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	Olive Ave Mini-Storage
Lead Agency	City of Merced
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	23.4
Location	
County	37.31985578685914, -120.5019843427817
City	Merced
Air District	Merced
Air Basin	San Joaquin Valley APCD
TAZ	San Joaquin Valley
EDFZ	2337
Electric Utility	14
Gas Utility	Merced Irrigation District
	Pacific Gas & Electric

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	51.0	1000sqft	1.17	51,000	—	—	—	—
Parking Lot	210	1000sqft	4.82	0.00	—	—	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)																		
Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	9.64	8.12	79.6	73.6	0.10	3.61	39.6	43.2	3.32	20.3	23.6	—	10,904	10,904	0.45	0.10	1.44	10,946
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.16	29.8	24.1	27.7	0.05	1.11	0.23	1.33	1.02	0.05	1.07	—	5,190	5,190	0.21	0.08	0.04	5,218
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.48	2.08	11.4	12.7	0.02	0.53	1.41	1.93	0.48	0.67	1.16	—	2,221	2,221	0.09	0.03	0.25	2,233
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.27	0.38	2.08	2.31	< 0.005	0.10	0.26	0.35	0.09	0.12	0.21	—	368	368	0.01	< 0.005	0.04	370
Exceeds (Annual)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Threshold	—	10.0	10.0	100	27.0	—	—	15.0	—	—	15.0	—	—	—	—	—	—	—
Jnnit.	—	No	No	No	No	—	—	No	—	—	No	—	—	—	—	—	—	—

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	9.64	8.12	79.6	73.6	0.10	3.61	39.6	43.2	3.32	20.3	23.6	—	10,904	10,904	0.45	0.10	1.44	10,946
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	3.16	29.8	24.1	27.7	0.05	1.11	0.23	1.33	1.02	0.05	1.07	—	5,190	5,190	0.21	0.08	0.04	5,218
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	1.48	2.08	11.4	12.7	0.02	0.53	1.41	1.93	0.48	0.67	1.16	—	2,221	2,221	0.09	0.03	0.25	2,233
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2023	0.27	0.38	2.08	2.31	< 0.005	0.10	0.26	0.35	0.09	0.12	0.21	—	368	368	0.01	< 0.005	0.04	370

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.84	1.97	0.41	4.38	< 0.005	0.01	0.10	0.11	0.01	0.02	0.03	48.4	1,127	1,175	4.99	0.09	1.47	1,328
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.39	1.56	0.44	2.07	< 0.005	0.01	0.10	0.11	0.01	0.02	0.03	48.4	1,093	1,141	4.99	0.09	0.04	1,293
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.53	1.68	0.37	2.78	< 0.005	0.01	0.08	0.09	0.01	0.02	0.03	48.4	1,051	1,100	4.98	0.08	0.54	1,250

Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.10	0.31	0.07	0.51	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	8.02	174	182	0.83	0.01	0.09	207
Exceeds (Annual)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Threshold	—	10.0	10.0	100	27.0	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	—	No	No	No	No	—	—	—	—	No	—	—	—	—	—	—	—

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO ₂	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO ₂	NBCO ₂	CO ₂ T	CH ₄	N ₂ O	R	CO _{2e}
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.44	0.41	0.33	2.11	< 0.005	< 0.005	0.10	0.10	< 0.005	0.02	0.02	—	364	364	0.02	0.03	1.47	374
Area	0.39	1.55	0.02	2.22	< 0.005	< 0.005	—	< 0.005	< 0.005	< 0.005	< 0.005	—	9.12	9.12	< 0.005	< 0.005	—	9.15
Energy	0.01	< 0.005	0.06	0.05	< 0.005	< 0.005	—	< 0.005	< 0.005	< 0.005	< 0.005	—	711	711	0.06	0.01	—	715
Water	—	—	—	—	—	—	—	—	—	—	—	22.6	42.4	65.0	2.32	0.06	—	140
Waste	—	—	—	—	—	—	—	—	—	—	—	25.8	0.00	25.8	2.58	0.00	—	90.4
Total	0.84	1.97	0.41	4.38	< 0.005	0.01	0.10	0.11	0.01	0.02	0.03	48.4	1,127	1,175	4.99	0.09	1.47	1,328
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.39	0.36	0.38	2.02	< 0.005	< 0.005	0.10	0.10	< 0.005	0.02	0.02	—	339	339	0.03	0.03	0.04	348
Area	—	1.19	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.01	< 0.005	0.06	0.05	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	711	711	0.06	0.01	—	715
Water	—	—	—	—	—	—	—	—	—	—	—	22.6	42.4	65.0	2.32	0.06	—	140
Waste	—	—	—	—	—	—	—	—	—	—	—	25.8	0.00	25.8	2.58	0.00	—	90.4
Total	0.39	1.56	0.44	2.07	< 0.005	0.01	0.10	0.11	0.01	0.02	0.03	48.4	1,093	1,141	4.99	0.09	0.04	1,293

[illegible]

[illegible]

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	0.00	2.24	< 0.005	< 0.005	< 0.005	2.27	0.00	—
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Building Construction (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.01	2.52	23.6	26.3	0.05	1.11	—	1.11	1.02	—	1.02	—	4,795	4,795	0.19	0.04	—	4,811
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.01	2.52	23.6	26.3	0.05	1.11	—	1.11	1.02	—	1.02	—	4,795	4,795	0.19	0.04	—	4,811
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.95	0.79	7.44	8.30	0.01	0.35	—	0.35	0.32	—	0.32	—	1,511	1,511	0.06	0.01	—	1,516
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	0.17	0.14	1.36	1.51	< 0.005	0.06	—	0.06	—	0.06	—	250	250	0.01	< 0.005	—	251
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.15	0.14	0.10	1.62	0.00	0.00	0.01	0.01	0.00	0.00	—	192	192	0.01	0.01	0.85	195
Vendor	0.02	0.01	0.31	0.13	< 0.005	< 0.005	0.01	0.02	< 0.005	0.01	—	224	224	< 0.005	0.03	0.59	234
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.13	0.12	0.13	1.24	0.00	0.00	0.01	0.01	0.00	0.00	—	171	171	0.01	0.01	0.02	173
Vendor	0.01	0.01	0.33	0.13	< 0.005	< 0.005	0.01	0.02	< 0.005	0.01	—	224	224	< 0.005	0.03	0.02	234
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.04	0.04	0.04	0.40	0.00	0.00	< 0.005	< 0.005	0.00	0.00	—	55.5	55.5	< 0.005	< 0.005	0.12	56.4
Vendor	< 0.005	< 0.005	0.10	0.04	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	70.6	70.6	< 0.005	0.01	0.08	73.7
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.07	0.00	0.00	< 0.005	< 0.005	0.00	0.00	—	9.19	9.19	< 0.005	< 0.005	0.02	9.34
Vendor	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	11.7	11.7	< 0.005	< 0.005	0.01	12.2
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.7. Paving (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
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Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	2.09	1.75	16.1	20.0	0.03	0.82	0.03	0.82	0.76	—	0.82	0.76	—	0.76	—	3,023	3,023	0.12	0.02
Paving	—	1.26	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.06	0.05	0.44	0.55	< 0.005	0.02	< 0.005	0.02	0.02	—	0.02	0.02	—	0.02	—	82.8	82.8	< 0.005	< 0.005
Paving	—	0.03	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.08	0.10	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	13.7	13.7	< 0.005	< 0.005
Paving	—	0.01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.19	0.17	0.18	1.73	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.00	—	0.00	—	0.02	0.01	0.03	243

Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	< 0.005	< 0.005	0.05	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	0.00	6.76	< 0.005	< 0.005	0.01	6.87	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	0.00	0.00	0.00	1.12	< 0.005	< 0.005	< 0.005	1.14	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Architectural Coating (2023) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.35	0.29	1.87	2.31	< 0.005	0.07	—	0.07	0.07	—	0.07	—	267	267	0.01	< 0.005	—	268
Architectural Coatings	—	29.5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	0.01	0.05	0.06	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.32	7.32	< 0.005	< 0.005	—	7.34
Architectural Coatings	—	0.81	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.21	1.21	< 0.005	< 0.005	—	1.22
Architectural Coatings	—	0.15	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.03	0.02	0.03	0.25	0.00	< 0.005	0.00	< 0.005	0.00	0.00	0.00	34.2	34.2	< 0.005	< 0.005	< 0.005	34.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	0.00	0.00	0.00	0.00	0.00	0.97	0.97	< 0.005	< 0.005	< 0.005	0.98
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	< 0.005	0.00	< 0.005	0.00	0.00	0.00	0.16	0.16	< 0.005	< 0.005	< 0.005	0.16

Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse	0.44	0.41	0.33	2.11	< 0.005	< 0.005	0.10	0.10	< 0.005	0.02	0.02	—	364	364	0.02	0.03	1.47	374
se-Non-Rail																		
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.44	0.41	0.33	2.11	< 0.005	< 0.005	0.10	0.10	< 0.005	0.02	0.02	—	364	364	0.02	0.03	1.47	374
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse	0.39	0.36	0.38	2.02	< 0.005	< 0.005	0.10	0.10	< 0.005	0.02	0.02	—	339	339	0.03	0.03	0.04	348
se-Non-Rail																		
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.39	0.36	0.38	2.02	< 0.005	< 0.005	0.10	0.10	< 0.005	0.02	0.02	—	339	339	0.03	0.03	0.04	348

Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	—	—	202	202	0.02	< 0.005	—	203
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	637	637	0.05	0.01	—	640
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse se-No Rail	—	—	—	—	—	—	—	—	—	—	—	—	—	—	71.9	71.9	0.01	< 0.005	—	72.3
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	—	—	33.5	33.5	< 0.005	< 0.005	—	33.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	105	105	0.01	< 0.005	—	106

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse se-No Rail	0.01	< 0.005	0.06	0.05	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	74.8	74.8	0.01	< 0.005	—	75.0
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.01	< 0.005	0.06	0.05	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	74.8	74.8	0.01	< 0.005	—	75.0
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Landscaping Equipment	0.39	0.36	0.02	2.22	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	—	9.12	9.12	< 0.005	< 0.005	< 0.005	—	9.15
Total	0.39	1.55	0.02	2.22	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	—	9.12	9.12	< 0.005	< 0.005	< 0.005	—	9.15
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	1.11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.08	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	1.19	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	—	0.20	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscaping Equipment	0.04	0.03	< 0.005	0.20	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	—	0.74	0.74	< 0.005	< 0.005	< 0.005	—	0.75
Total	0.04	0.25	< 0.005	0.20	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	—	0.74	0.74	< 0.005	< 0.005	< 0.005	—	0.75

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
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4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse se-No Rail	—	—	—	—	—	—	—	—	—	—	—	25.8	0.00	25.8	2.58	0.00	—	90.4
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	25.8	0.00	25.8	2.58	0.00	—	90.4
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse se-No Rail	—	—	—	—	—	—	—	—	—	—	—	25.8	0.00	25.8	2.58	0.00	—	90.4
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	25.8	0.00	25.8	2.58	0.00	—	90.4
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unrefrigerated Warehouse se-No Rail	—	—	—	—	—	—	—	—	—	—	—	4.28	0.00	4.28	0.43	0.00	—	15.0
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
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Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

[illegible]

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Site Preparation	Site Preparation	5/1/2023	5/5/2023	5.00	5.00	—
Grading	Grading	5/6/2023	6/2/2023	5.00	20.0	—

Building Construction	Building Construction	6/3/2023	11/10/2023	5.00	115	—
Paving	Paving	11/11/2023	11/24/2023	5.00	10.0	—
Architectural Coating	Architectural Coating	11/25/2023	12/8/2023	5.00	10.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Site Preparation	Rubber Tired Dozers	Diesel	Average	6.00	8.00	367	0.40
Site Preparation	Tractors/Loaders/Backhoes	Diesel	Average	8.00	8.00	84.0	0.37
Grading	Excavators	Diesel	Average	2.00	8.00	36.0	0.38
Grading	Graders	Diesel	Average	2.00	8.00	148	0.41
Grading	Rubber Tired Dozers	Diesel	Average	2.00	8.00	367	0.40
Grading	Tractors/Loaders/Backhoes	Diesel	Average	6.00	8.00	84.0	0.37
Building Construction	Cranes	Diesel	Average	2.00	7.00	367	0.29
Building Construction	Forklifts	Diesel	Average	6.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Average	2.00	8.00	14.0	0.74
Building Construction	Tractors/Loaders/Backhoes	Diesel	Average	6.00	7.00	84.0	0.37
Building Construction	Welders	Diesel	Average	2.00	8.00	46.0	0.45
Paving	Pavers	Diesel	Average	4.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Average	4.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Average	4.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Average	2.00	6.00	37.0	0.48

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Site Preparation	—	—	—	—
Site Preparation	Worker	35.0	10.9	LDA,LDT1,LDT2
Site Preparation	Vendor	—	8.27	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	—	—	HHDT
Grading	—	—	—	—
Grading	Worker	30.0	10.9	LDA,LDT1,LDT2
Grading	Vendor	—	8.27	HHDT,MHDT
Grading	Hauling	0.00	20.0	HHDT
Grading	Onsite truck	—	—	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	21.4	10.9	LDA,LDT1,LDT2
Building Construction	Vendor	8.36	8.27	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	—	—	HHDT
Paving	—	—	—	—
Paving	Worker	30.0	10.9	LDA,LDT1,LDT2
Paving	Vendor	—	8.27	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	—	—	HHDT
Architectural Coating	—	—	—	—
Architectural Coating	Worker	4.28	10.9	LDA,LDT1,LDT2
Architectural Coating	Vendor	—	8.27	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	—	—	HHDT

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5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	76,500	25,500	12,600

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (cy)	Material Exported (cy)	Acres Graded (acres)	Material Demolished (sq. ft.)	Acres Paved (acres)
Site Preparation	—	—	15.0	0.00	—
Grading	—	—	40.0	0.00	—
Paving	0.00	0.00	0.00	0.00	4.82

5.6.2. Construction Earthmoving Control Strategies

Non-applicable. No control strategies activated by user.

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt
Unrefrigerated Warehouse-No Rail	0.00	0%
Parking Lot	4.82	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2023	0.00	401	0.03	< 0.005

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Unrefrigerated Warehouse-No Rail	73.9	90.3	76.5	27,976	283	345	293	107,062
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	76,500	25,500	12,600	

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	180

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Unrefrigerated Warehouse-No Rail	395,070	401	0.0330	0.0040	233,356
Parking Lot	183,960	401	0.0330	0.0040	0.00

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Unrefrigerated Warehouse-No Rail	11,793,750	57,850
Parking Lot	0.00	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Unrefrigerated Warehouse-No Rail	47.9	0.00
Parking Lot	0.00	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
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5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
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5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor
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5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)
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5.17. User Defined

Equipment Type	Fuel Type
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5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres
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5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres
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5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)
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6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	27.1	annual days of extreme heat
Extreme Precipitation	1.75	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi. Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi. Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft. Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	3	0	0	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	0	0	0	N/A
Drought	0	0	0	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.

The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	3	1	1	3
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	N/A	N/A	N/A	N/A
Flooding	1	1	1	2
Drought	1	1	1	2
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.

The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	72.5
AQ-PM	88.3
AQ-DPM	49.2
Drinking Water	62.8
Lead Risk Housing	56.7
Pesticides	0.00
Toxic Releases	19.1
Traffic	60.1
Effect Indicators	—
CleanUp Sites	31.2
Groundwater	22.1
Haz Waste Facilities/Generators	23.7
Impaired Water Bodies	33.2
Solid Waste	12.9
Sensitive Population	—
Asthma	92.0
Cardio-vascular	98.6
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Low Birth Weights	16.2
Socioeconomic Factor Indicators	—
Education	81.2
Housing	88.1
Linguistic	53.9
Poverty	93.8
Unemployment	94.7

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	4.260233543
Employed	8.571795201
Median HI	6.826639292
Education	—
Bachelor's or higher	20.96753497
High school enrollment	100
Preschool enrollment	33.99204414
Transportation	—
Auto Access	9.431541127
Active commuting	29.41100988
Social	—
2-parent households	3.759784422
Voting	15.25728218
Neighborhood	—
Alcohol availability	43.35942513
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Park access	81.35506224
Retail density	82.34312845
Supermarket access	80.91877326
Tree canopy	50.08340819
Housing	—
Homeownership	12.04927499
Housing habitability	10.50943154
Low-inc homeowner severe housing cost burden	2.001796484
Low-inc renter severe housing cost burden	35.86552034
Uncrowded housing	27.87116643
Health Outcomes	—
Insured adults	33.3504427
Arthritis	38.0
Asthma ER Admissions	8.3
High Blood Pressure	12.9
Cancer (excluding skin)	74.5
Asthma	5.9
Coronary Heart Disease	37.1
Chronic Obstructive Pulmonary Disease	12.3
Diagnosed Diabetes	27.5
Life Expectancy at Birth	15.2
Cognitively Disabled	4.0
Physically Disabled	15.4
Heart Attack ER Admissions	2.9
Mental Health Not Good	11.0
Chronic Kidney Disease	27.1
Obesity	11.3

Pedestrian Injuries	86.3
Physical Health Not Good	16.1
Stroke	19.7
Health Risk Behaviors	—
Binge Drinking	82.5
Current Smoker	11.7
No Leisure Time for Physical Activity	14.6
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	2.5
Elderly	73.9
English Speaking	39.0
Foreign-born	48.5
Outdoor Workers	10.1
Climate Change Adaptive Capacity	—
Impervious Surface Cover	70.2
Traffic Density	38.9
Traffic Access	0.0
Other Indices	—
Hardship	86.1
Other Decision Support	—
2016 Voting	16.9

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	76.0
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Healthy Places Index Score for Project Location (b)	5.00
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

- a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

7.6. Health & Equity Custom Measures

No Health & Equity Custom Measures created.

8. User Changes to Default Data

Screen	Justification
Construction: Construction Phases	Construction schedule per Mooneyham pers. comm.
Construction: Off-Road Equipment	Number of construction equipment factored for accelerated construction schedule.
Operations: Vehicle Data	Trip generation rates from Institute of Transportation Engineers "Trip Generation Manual 11th Edition" LU Code 151 - Mini-Warehouse. Other values left as CalEEMod default values.
Operations: Refrigerants	Default is for cold storage. The project is not a cold storage facility.
Operations: Water and Waste Water	CalEEMod v2022 did not calculate outdoor water use. Calculated using data from CalEEMod v2020.

TRANSPORTATION IMPACT ANALYSIS
FOR
OLIVE AVENUE MINI-STORAGE PROJECT
Merced, CA

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February 22, 2023

4897-11

Olive Avenue Mini-Storage Traffic Study 2 22 23.doc



KD Anderson & Associates, Inc.

Transportation Engineers

**TRANSPORTATION IMPACT ANALYSIS FOR
OLIVE AVENUE MINI-STORAGE PROJECT**

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**TRANSPORTATION IMPACT ANALYSIS FOR
OLIVE AVENUE MINI-STORAGE PROJECT**
Merced, California

EXECUTIVE SUMMARY

Project Description

The Olive Avenue Mini-Storage project (proposed project) site is generally located northeast of the intersection of State Route (SR) 59 and Olive Avenue in the City of Merced. As shown in **Figure 1**, the site is located on the north side of Olive Avenue approximately 850 feet east of SR 59.

The proposed project site plan is shown in **Figure 2**. The project site is approximately six acres in size. The project would include approximately 51,250 building square feet of mini-storage space on the southern portion of the project site, and approximately four acres of parking on the northern portion of the site.

Access. The Olive Avenue Mini-Storage project would have access to the surrounding roadway network via a connection to Olive Avenue. Access to Olive Avenue would be provided by shared use of an existing driveway connection to Olive Avenue. The proposed project would share use of the driveway with an approximately 7,000 building square feet existing retail commercial land use which is adjacent to the west side of the Olive Avenue Mini-Storage project site.

A raised median is present along Olive Avenue in the vicinity of the project site. A left-turn pocket is present in the median, which allows for left-turn movements into the driveway. The following movements are allowed at the existing shared-use driveway, and would continue to be allowed with implementation of the Olive Avenue Mini-Storage project:

- eastbound-to-northbound left-turns entering the driveway,
- westbound-to-northbound right-turns entering the driveway, and
- southbound-to-westbound right-turns exiting the driveway.

Southbound-to-eastbound left-turns exiting the driveway are prevented by the raised median, and would not be allowed with implementation of the proposed project.

Trip Generation. Based on approved trip generation rates that account for the specific land uses included in the project, the project could be expected to result in 74 trips (sum of in and out) on a daily basis, with five trips in the a.m. peak hour and eight trips in the p.m. peak hour.

Study Scope

This analysis addresses three issues.

Vehicle Miles Traveled. Under Senate Bill (SB) 743 (Steinberg, 2013), the evaluation of the significance of a project's transportation impacts under the California Environmental Quality Act (CEQA) has moved from consideration of Level of Service (LOS) to evaluation of the projects effects on regional Vehicle Miles Traveled (VMT). This report discusses the impacts of the project on VMT based on guidance provided by the Governor's Office of Planning and Research (OPR).

Alternative Transportation Modes. As required under updated CEQA guidelines the project's impacts to alternative transportation modes have been assessed, including consideration of pedestrian, bicycle and transit facilities and activities.

Local Transportation Analysis (LTA). While not a significance criterion under CEQA, the project's effects on the operation of the local area transportation system has been evaluated within the context of the project's effects in comparison to the requirements of the City of Merced General Plan. The LTA is included for informational purposes in the appendix to this report.

The LTA addresses traffic conditions occurring on weekday a.m. and p.m. commute periods. The analysis addresses the operation of three existing intersections in the west Merced area:

1. Olive Avenue / Santa Fe Drive & SR 59
2. Olive Avenue & Loughborough Drive
3. Olive Avenue & Project Site Driveway

The analysis also addresses conditions on the Olive Avenue roadway segment between SR 59 and Loughborough Drive based on daily traffic volumes.

The traffic study considers the following scenarios:

- Existing Conditions;
- Existing Conditions plus the Olive Avenue Mini-Storage Project, also referred to in this analysis as Existing Plus Project Conditions;
- Existing Plus Other Approved Project (EPAP) without the Olive Avenue Mini-Storage project, referred to in this analysis as EPAP No Project Conditions;
- EPAP Plus the Olive Avenue Mini-Storage Project, referred to in this analysis as EPAP Plus Project Conditions;
- Year 2046 Cumulative Conditions without the Olive Avenue Mini-Storage Project, referred to in this analysis as Cumulative No Project Conditions; and
- Year 2046 Cumulative Conditions with the Olive Avenue Mini-Storage Project, referred to in this analysis as Cumulative Plus Project Conditions.

Existing Setting

The existing system of pedestrian and bicycle facilities in this area include sidewalks and Class I bike paths, but pedestrians and bicycles use paved shoulders elsewhere. A sidewalk is present along the project's Olive Avenue frontage, and a Class 1 trail exists along SR 59 north of Olive Avenue. Recent Caltrans improvements have included high visibility crosswalks at the intersection of Olive Avenue / Santa Fe Drive & SR 59.

The LTA notes that the City of Merced General Plan establishes LOS D as the minimum acceptable standard for the operation of intersections and roadways.

New traffic volume count data were collected for this analysis. Peak hour intersection turning movement count data were collected on Thursday February 2, 2023. Roadway segment 24-hour count data were collected on Wednesday February 1, 2023.

All study intersections operate at LOS D or better during the peak hours. The study roadway segment along Olive Avenue operates at LOS C.

CEQA Significance Criteria

This analysis makes use of the criteria shown in **Table A1** to evaluate the project's impacts under current CEQA guidelines.

**TABLE A1
CEQA IMPACT SIGNIFICANCE CRITERIA**

Analysis	Component	Significance Criteria
VMT	Roadway	The project would result in a VMT-related impact per the applicable threshold of significance identified under OPR guidelines.
Multi-Modal Plan Consistency	Transit Service and Facilities	The project physically disrupts an existing transit service or facility or interferes with implementation of a planned transit service or facility.
		The project results in increased travel time for busses that adversely affects on-time performance.
		The project results in increased transit ridership demands that result in passenger loads that exceed vehicle loading standards.
		The project results in increased potential for safety conflicts involving transit vehicles and other modes of travel.
	Bicycle Facilities	The project physically disrupts an existing bicycle facility or interferes with implementation of a planned bicycle facility.
		The project results in a significant increase in bicyclists on a facility that does not have adequate bicycle facilities, such that conflicts between bicyclists and other travel modes are likely to increase.
	Pedestrian Facilities	The project fails to provide accessible and safe pedestrian connections between buildings and to adjacent streets and transit facilities.
		The project physically disrupts an existing pedestrian facility or interferes with implementation of a planned pedestrian facility.
		The project results in an increased presence of vehicles and/or pedestrians on a facility that does not have adequate pedestrian facilities, such that conflicts between pedestrians and other travel modes are likely to increase.
	General Plan Consistency	The project conflicts or creates inconsistencies with General Plan policies, except an LOS policy.
Hazard & Safety Impact	Roadway Design and Users	The project would create a condition that does not meet current design standards.
		The project would substantially increase hazards to vehicle safety due to geometric design features (e.g., sharp curves or dangerous intersections).
		The project introduces incompatible users (e.g., farm equipment) to a roadway or transportation facility not intended for those users.
	State Highway Facilities	The project results in queueing at off-ramps resulting in slow or stopped traffic past the off-ramp gore point.
		Project is determined to negatively affect safety of the State highway facility.

Vehicle Miles Traveled Impacts

Under SB 743, evaluation of transportation impacts under CEQA requires that agencies move from analysis based on LOS to consideration of a project's effect on regional VMT. The CEQA Guidelines and the OPR document *Technical Advisory on Evaluating Transportation Impacts in CEQA* (California Governor's Office of Planning and Research 2018) provide general guidance as to thresholds of significance for determining when a project would have significant transportation impacts based on the new metric of VMT, rather than operating LOS until local agencies adopt their own standards. A screening method for evaluating a project-related impact on VMT is presented in the OPR technical advisory, and has been applied in this analysis.

Screening. The OPR Technical Advisory presents a screening criteria applicable to the potential impacts of the Olive Avenue Mini-Storage project.

- **Small Projects.** The OPR advisory suggests that the VMT contribution of small projects need not be considered significant. OPR suggests that agencies can find projects generating fewer than 110 vehicles trips a day to be less than significant.

Assessment of VMT Impacts. The Olive Avenue Mini-Storage project is comprised of land uses that are estimated to generate 74 vehicle trips per day. As this trip generation estimate falls below the 110 daily trip threshold identified by OPR, the proposed project qualifies as a "small project" that can be assumed to have a less than significant impact on regional VMT.

Impacts to Alternative Transportation Modes / Safety

Pedestrians. The project could attract pedestrians from the neighborhoods to the east, north and south of the site, although the exact number of pedestrians is unknown. A sidewalk is already present along the Olive Avenue street frontage. With the sidewalk present, adequate facilities exist to deliver pedestrians to the project site. Additional pedestrian access to the north is available via the existing Class I trail, and access to the east is available via existing sidewalks. The project's impacts are not significant under the criteria noted in **Table A1**.

Bicycles. The project can be expected to attract bicyclists from various Merced neighborhoods. As noted in the *Existing Setting* section of this analysis, bicycle facilities already exist as Class I trails on the east side of SR 59, but are not present elsewhere. Bicycle lanes are not designated on SR 59 north of Olive Avenue, on Santa Fe Drive, nor on Olive Avenue in the Merced County General Plan Circulation Element, but bicycles can use existing multipurpose trails. The City of Merced's pending SR 59 improvement project to widen SR 59 from 16th Street to Fahrens Creek incorporates applicable pedestrian facilities. Under the Merced General Plan Circulation Element, bicycles are expected to mix with motor vehicles on other streets. The project's impacts to bicycle facilities is not significant under the criteria identified in **Table A1**.

Transit. The project will likely attract some persons from throughout the Merced area who may wish to use public transit. The following are routes that operate in the vicinity of the project site (Merced Transit Authority 2023).

Route M1 has a 30-minute headway between approximately 6:00 a.m. and 8:00 p.m. during weekdays. In the vicinity of the project site, the route operates along:

- SR 59 north and south of Olive Avenue,
- Olive Avenue east of Loughborough Drive, and
- Loughborough Drive south of Olive Avenue.

Route M2 has a 30-minute headway between approximately 6:00 a.m. and 8:00 p.m. during weekdays. In the vicinity of the project site, the route operates along Loughborough Drive north and south of Olive Avenue.

These services are adequate for a project of this nature, and the impacts of the project on transit are not significant under the criteria noted in **Table A1**.

Hazards and Safety. The project's proposed access onto Olive Avenue is an existing driveway. The vehicle movements allowed at the driveway are described in the *Project Description* section of this analysis. The configuration of the existing driveway provides protected storage areas for vehicles making right-turn and left-turn movements at the driveway connection. In the vicinity of the driveway connection, the roadway does not have vertical or horizontal curvature that would impair sight distance. As also noted in the *Project Description* section of this analysis, the proposed project would generate a relatively low number of vehicle trips - five trips in the a.m. peak hour and eight trips in the p.m. peak hour. Because of these factors, the project is not considered to result in conditions that would present additional hazards, and the project's impacts on safety are considered not significant.

Impacts to State Facilities. The project is more than a mile from the closest interchange on SR 99, and with a relatively low number of project-related trips is unlikely to noticeably alter traffic volumes on SR 99. Thus, the project's impacts to ramp operations is not significant. Similarly, the relatively low number of vehicle trips generated by the proposed project, particularly during the a.m. peak hour and p.m. peak hour, would not create an unsafe situation on the SR 59. Thus, the project's impacts to ramp operations and state highway safety are not significant.

LTA Results. While not a CEQA issue, the relative effects of the project on short term and long term traffic operations in this area of Merced has been investigated in a manner that is consistent with recent analysis of other development projects. Operating LOS have been identified, and improvements that would be needed with and without the project to satisfy General Plan policies have been identified. **Table A2** notes recommended improvements, including:

Under EPAP No Project conditions and under EPAP Plus Project conditions, it is recommended that traffic signal timing at the intersection of Olive Avenue / Santa Fe Drive & SR 59 be optimized after previously approved land use development projects on the northwest and northeast corners of the intersection are occupied.

It is recommended that the feasibility of long term improvements to the intersection of Olive Avenue / Santa Fe Drive & SR 59 be determined within the context of the City's pending SR 59 widening project.

**TABLE A2
IMPROVEMENT SUMMARY**

Location	Impact	Improvement	Ramification
<i>EXISTING AND EXISTING PLUS PROJECT CONDITIONS</i>			
Olive Avenue / Santa Fe Drive & State Route 59	Queuing exceeds storage length.	Retime traffic signal timing as part of City's pending SR 59 widening project	Requires Caltrans coordination and approval
<i>EPAP NO PROJECT AND EPAP PLUS PROJECT CONDITIONS</i>			
Olive Avenue / Santa Fe Drive & State Route 59	LOS E during p.m. peak hour, and queuing exceeds storage length.	Optimize traffic signal timing after approved projects adjacent to the intersection are occupied	Requires Caltrans coordination and approval
<i>CUMULATIVE NO PROJECT AND CUMULATIVE PLUS PROJECT CONDITIONS</i>			
Olive Avenue / Santa Fe Drive & State Route 59	LOS F during a.m. and p.m. peak hours, and queuing exceeds storage length.	Determine the feasibility of including long term improvements that are consistent with City's SR 59 widening project	

**TRANSPORTATION IMPACT ANALYSIS FOR
OLIVE AVENUE MINI-STORAGE PROJECT**
Merced, California

INTRODUCTION

Project Description

The Olive Avenue Mini-Storage project site is generally located northeast of the intersection of SR 59 and Olive Avenue in the City of Merced. As shown in **Figure 1**, the site is located on the north side of Olive Avenue approximately 850 feet east of SR 59.

The proposed project site plan is shown in **Figure 2**. The project site is approximately six acres in size. The project would include approximately 51,250 building square feet of mini-storage space on the southern portion of the project site, and approximately four acres of parking on the northern portion of the site.

The Olive Avenue Mini-Storage project would have access to the surrounding roadway network via a connection to Olive Avenue. Access to Olive Avenue would be provided by shared use of an existing driveway connection to Olive Avenue. The proposed project would share use of the driveway with an approximately 7,000 building square feet existing retail commercial land use which is adjacent to the west side of the Olive Avenue Mini-Storage project site.

A raised median is present along Olive Avenue in the vicinity of the project site. A left-turn pocket is present in the median, which allows for left-turn movements into the driveway. The following movements are allowed at the existing shared-use driveway, and would continue to be allowed with implementation of the Olive Avenue Mini-Storage project:

- eastbound-to-northbound left-turns entering the driveway,
- westbound-to-northbound right-turns entering the driveway, and
- southbound-to-westbound right-turns exiting the driveway.

Southbound-to-eastbound left-turns exiting the driveway are prevented by the raised median, and would not be allowed with implementation of the proposed project.

Transportation Analysis Scope

Vehicle Miles Traveled (VMT). Under SB 743, the evaluation of the significance of a project's transportation impacts under CEQA has moved from consideration of LOS to evaluation of the project's effects on regional VMT. This report discusses the impacts of the project on VMT based on guidance provided by OPR.

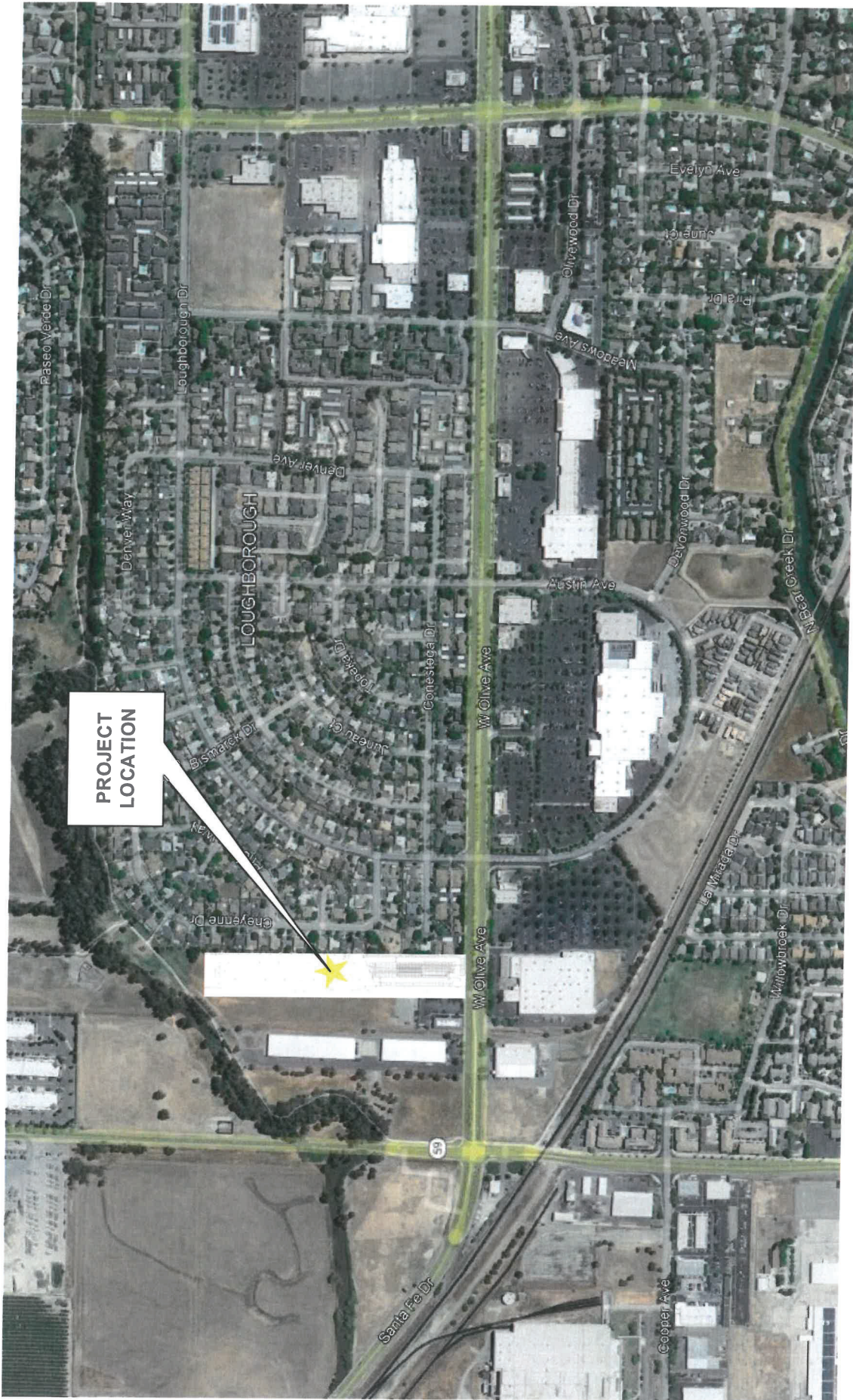
Alternative Transportation Modes. As required under updated CEQA guidelines the project's impacts to alternative transportation modes have been assessed, including consideration of pedestrian, bicycle and transit facilities and activity.

Local Transportation Analysis (LTA). While not a requirement under CEQA, the project's effects on the operation of the local area transportation system has been evaluated within the context of the project's effects in comparison to the policies of the City of Merced General Plan.

This LTA is intended to evaluate the relative traffic effects of the project within a range of relevant scenarios as required under City of Merced guidelines.

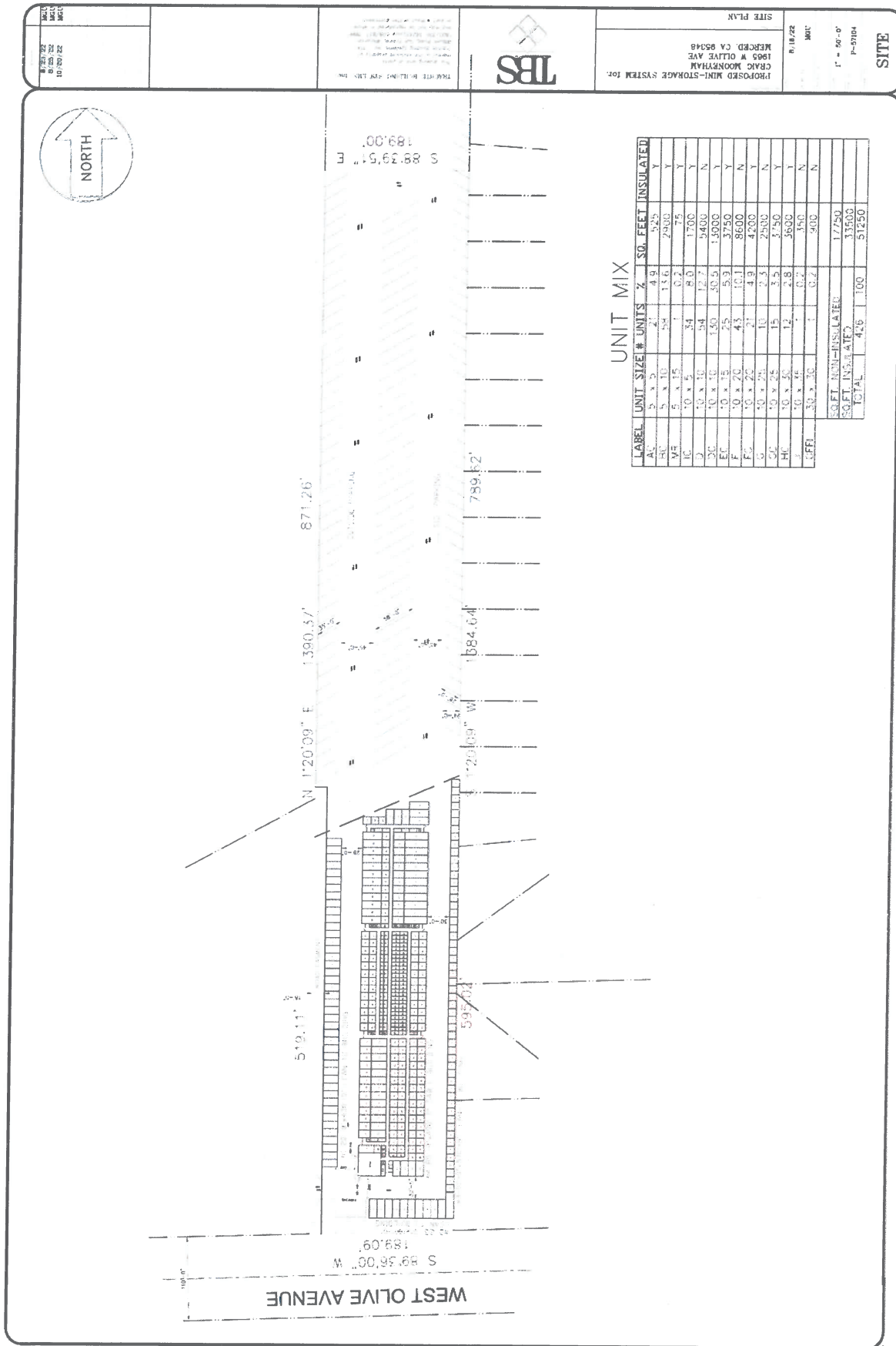
The traffic study considers the following scenarios:

- Existing Conditions;
- Existing Conditions Plus the Olive Avenue Mini-Storage Project, also referred to in this analysis as Existing Plus Project Conditions;
- Existing Plus Other Approved Project (EPAP) without the Olive Avenue Mini-Storage project, referred to in this analysis as EPAP No Project Conditions;
- EPAP Plus the Olive Avenue Mini-Storage Project, referred to in this analysis as EPAP Plus Project Conditions;
- Year 2046 Cumulative Conditions without the Olive Avenue Mini-Storage Project, referred to in this analysis as Cumulative No Project Conditions; and
- Year 2046 Cumulative Conditions with the Olive Avenue Mini-Storage Project, referred to in this analysis as Cumulative Plus Project Conditions.



VICINITY MAP

figure 1



EXISTING SETTING

This portion of this traffic impact study presents a description of the existing transportation system in the vicinity of the proposed project site.

Study Area - Roadways

The following is a description of roadways that provide access to the proposed Olive Avenue Mini-Storage project.

The following four roadways provide regional access to the project.

State Route 99 (SR 99). SR 99 is the primary north-south route through the San Joaquin Valley and the major point of access to the City of Merced. SR 99 is generally a controlled access freeway with local connections limited to grade separated interchanges. SR 99 has four to six mainline travel lanes at various locations in Merced County but is a four-lane roadway in the immediate area of the proposed project. The speed limit on SR 99 is posted at 65 mph.

The most recent traffic volume counts published by Caltrans reveal an *Annual Average Daily Traffic (AADT)* volume of 62,000 vehicles per day in the area of the project north of the V Street interchange (2020). Trucks comprise roughly 20 percent of the daily traffic volume on SR 99 in this area.

State Route 59 (SR 59). SR 59 is an important route through Merced County which links the City of Merced with SR 152 at the Madera County line and extends north to the Snelling area of northern Merced County. SR 59 is a Major Arterial in the Merced General Plan (128' right-of-way). In the vicinity of the proposed project, SR 59 is a two-lane conventional highway which is being incrementally widened to a four-lane section as adjoining development occurs. Implementation of improvements to SR 59 is constrained by two key physical features. The highway crosses the BNSF rail line at a two lane at-grade crossing roughly midway between the Olive Avenue and Cooper Avenue – Willowbrook Drive intersection. The highway also crosses Rascal Creek on a two-lane structure north of Olive Avenue. SR 59 is designated a Surface Transportation Assistance Act (STAA) of 1982 Terminal Access route.

Traffic count information (2020) provided by Caltrans indicates a daily volume of 18,200 AADT in the area north of 16th Street and 14,000 AADT approaching Olive Avenue. The daily volume drops to 12,000 AADT north of Olive Avenue. Trucks comprise 5 percent to 6 percent of the daily traffic volume on SR 59 in this area.

Santa Fe Drive is an east-west Principal Arterial roadway across Merced County that connects the project with the Atwater area to the west. Santa Fe Drive enters Merced County east of Turlock and extends across the northern Atwater area to an intersection in the City of Merced on SR 59 at Olive Avenue. In the area of the project Santa Fe Drive is a four-lane street with a continuous center two-way left-turn (TWLT) lane. There are no sidewalks along Santa Fe Drive, but the roadway has paved shoulders. The BNSF railroad runs parallel to and south of Santa Fe Drive and limits the number of connections to Santa Fe Drive from the south. Today the posted speed limit on Santa Fe Drive is 55 mph.

Olive Avenue. Olive Avenue is a major east-west route through Merced. Olive Avenue begins at the intersection of Olive Avenue / Santa Fe Drive & SR 59, and continues easterly beyond the City limits into rural Merced County. In the area of the project, Olive Avenue is a six-lane facility with a raised landscaped median. Sidewalks are present along Olive Avenue adjacent to the project but is missing in the area immediately east of SR 59 where development has not occurred. The posted speed limit on Olive Avenue is 45 mph.

Other roadways link the project with Merced neighborhoods.

Loughborough Drive. Loughborough Drive is a two-lane street that provides access to the retail commercial area south of Olive Avenue and continues to the northeast parallel to Olive Avenue to M Street. The portion of Loughborough Drive north of Olive Avenue is designated a collector street. The posted speed limit is 30 mph.

Alternative Transportation Modes

Bicycles. The City of Merced General Plan includes the Bicycle Master Plan which identifies existing and planned facilities. Bicycle facilities are divided into three classes:

- Class I (Bike Paths or Trails) which are a completely separate right-of way designated for the exclusive use of bicycles and pedestrians.
- Class II (Bike Lanes) which provide restricted right-of-way on the street for the exclusive or semi-exclusive use of bicycles.
- Class III (Bike Routes) where bicycles are encouraged but bike lanes are not provided, and motor vehicles and bicyclists share the right of way.

The Caltrans *Highway Design Manual* (California Department of Transportation 2022) includes a fourth class of bicycle facilities:

- Class IV Bikeway (Separated Bikeway). A bikeway for the exclusive use of bicycles and includes a separation required between the separated bikeway and the through vehicular traffic. The separation may include, but is not limited to, grade separation, flexible posts, inflexible posts, inflexible barriers, or on-street parking.

Today Class I facilities exist along the east side of SR 59 from the BNSF crossing to Black Rascal Creek.

The Merced 2013 Bicycle Transportation Plan and General Plan indicates that Class II lanes are to be created on SR 59 from 16th Street to Olive Avenue, but none exist today in this area.

Transit. The City of Merced is served by a local public bus system, inter-regional private bus companies, and private taxicabs, as well as rail and air passenger services. The public bus system, created in 1974, served the community as the Merced Transit System (MTS)/City Shuttle for more than two decades. Its primary goal over time remained to serve senior citizens, low-income people and the disabled, even as the system expanded. Originally created solely as a demand responsive Dial-A-Ride operation, the service extended as time passed to include a number of fixed routes within the City.

The following are routes that operate in the vicinity of the project site (Merced Transit Authority 2023).

Route M1 has a 30-minute headway between approximately 6:00 a.m. and 8:00 p.m. during weekdays. In the vicinity of the project site, the route operates along:

- SR 59 north and south of Olive Avenue,
- Olive Avenue east of Loughborough Drive, and
- Loughborough Drive south of Olive Avenue.

Route M2 has a 30-minute headway between approximately 6:00 a.m. and 8:00 p.m. during weekdays. In the vicinity of the project site, the route operates along Loughborough Drive north and south of Olive Avenue.

EVALUATION CRITERIA

CEQA Significance Criteria

This analysis makes use of the following criteria to evaluate the project's impacts under current CEQA guidelines.

Table 1. CEQA Impact Significance Criteria

Analysis	Component	Significance Criteria
VMT	Roadway	The project would result in a VMT-related impact per the applicable threshold of significance identified under OPR guidelines.
Multi-Modal Plan Consistency	Transit Service and Facilities	The project physically disrupts an existing transit service or facility or interferes with implementation of a planned transit service or facility.
		The project results in increased travel time for busses that adversely affects on-time performance.
		The project results in increased transit ridership demands that result in passenger loads that exceed vehicle loading standards.
		The project results in increased potential for safety conflicts involving transit vehicles and other modes of travel.
	Bicycle Facilities	The project physically disrupts an existing bicycle facility or interferes with implementation of a planned bicycle facility.
		The project results in a significant increase in bicyclists on a facility that does not have adequate bicycle facilities, such that conflicts between bicyclists and other travel modes are likely to increase.
	Pedestrian Facilities	The project fails to provide accessible and safe pedestrian connections between buildings and to adjacent streets and transit facilities.
		The project physically disrupts an existing pedestrian facility or interferes with implementation of a planned pedestrian facility.
		The project results in an increased presence of vehicles and/or pedestrians on a facility that does not have adequate pedestrian facilities, such that conflicts between pedestrians and other travel modes are likely to increase.
	General Plan Consistency	The project conflicts or creates inconsistencies with General Plan policies, except an LOS policy.
Hazard & Safety Impact	Roadway Design and Users	The project would create a condition that does not meet current design standards.
		The project would substantially increase hazards to vehicle safety due to geometric design features (e.g., sharp curves or dangerous intersections).
		The project introduces incompatible users (e.g., farm equipment) to a roadway or transportation facility not intended for those users.
	State Highway Facilities	The project results in queueing at off-ramps resulting in slow or stopped traffic past the off-ramp gore point.
		Project is determined to negatively affect safety of the State highway facility.

City of Merced General Plan

Policies on Level of Service. The methods employed to determine the significance of LOS are noted in the General Plan and in Merced's traffic study guidelines.

Implementing Action T-1.8.b of the *Merced Vision 2030 General Plan* (City of Merced 2012) establishes an acceptable LOS of D for intersections and roadways. Action T-1.8.b states:

"1.8.b Use peak-hour Level of Service "D" ("Tolerable Delays") as the design standard for new streets and intersections in new growth areas.

"The preferred LOS levels are typically "C" and "D," particularly for larger roads and major intersections. With LOS C the road provides stable operation but is still underutilized to some degree. LOS D represents a fine balance between the relatively large number of vehicles served and the generally acceptable level of service provided. It is the intent of the City's standards and policies for new and most upgraded intersections and road segments to be designed and built so as not to drop below LOS D ("tolerable delay") during peak traffic periods."

Therefore, in this traffic impact study, LOS A through D are considered acceptable for signalized intersections, while LOS E and F are unacceptable.

At two-way stop-sign-controlled intersections (or one-way stop T intersections), LOS can be calculated for each movement where motorists yield the right of way, as well as for the intersection as a whole. Significance is based on the length of the average delay experienced by motorists on the worst case approach, which is typically a left turn made from the stop-sign-controlled approach to the intersection. It should be noted that overall intersection average LOS at un-signalized intersections is better, often much better, than LOS on the worst single approach.

Under City of Merced guidelines, however, a poor "worst case" LOS is not necessarily significant unless the intersection also carries traffic volumes which satisfy peak hour traffic signal warrant requirements. Traffic signal warrants are a series of several standards which provide guidelines for determining if a traffic signal is appropriate. Signal warrant analyses are typically conducted at intersections of uncontrolled major streets and stop sign-controlled minor streets. If one or more signal warrants are met, signalization of the intersection may be appropriate. However, a signal should not be installed if none of the warrants are met, since the installation of signals would increase delays on the previously-uncontrolled major street, and may increase the occurrence of particular types of accidents.

Consistent with City guidelines, the City will use the traffic study to determine the project's impact to two broad checklist topics: (1) substantial increases in traffic; and (2) changes to LOS. Each of these broad categories has distinct thresholds of significance (described below) and are to be utilized in the traffic study.

1. Topic: Substantial Increase in Traffic Levels

A. Arterial Level Road: The threshold of significance is a project ADT contribution equal or greater than 5% of the current ADT for an “arterial roadway” that is, or will be, operating at an unacceptable LOS “E” or “F”.

B. Collector Level Road: The threshold of significance is an amount where the Project contributes more than 20% of the current ADT on roads carrying at least 3,000 ADT. Thus, a significant impact would occur if a Project adds 601 ADT to a collector road that currently has 3,000 ADT. $[3,000 \times (.20)]$

2. Topic: Change in Level of Service (LOS) Rating

Merced Vision 2015 General Plan Policy T-1.8 states: Use A Minimum Peak Hour Level of Service (LOS) “D” As a Design Objective for All New Streets in New Growth Areas and for Most Existing City Streets Except Under Special Circumstances. To implement this Policy, the City focuses on four different street system categories, each described in greater detail below: (A) roadways; (B) signalized intersections; (C) un-signalized intersections; and (D) roads within established neighborhoods.

A. Roadways and Signalized Intersections: *Merced Vision 2015 General Plan, Implementing Action T-1.8.b, establishes an acceptable LOS of “D” for intersection and roadway operations.*

1.8.b Use peak-hour Level of Service “D” (“Tolerable Delays”) as the design standard for new streets and intersections in new growth areas.

The preferred LOS levels are typically “C” and “D,” particularly for larger roads and major intersections. With LOS C the road provides stable operation but is still underutilized to some degree. LOS D represents a fine balance between the relatively large number of vehicles served and the generally acceptable level of service provided. It is the intent of the City’s standards and policies for new and most upgraded intersections and road segments to be designed and built so as not to drop below LOS D (“tolerable delay”) during peak traffic periods.

PROJECT CHARACTERISTICS

Project Use / Access Characteristics

The Olive Avenue Mini-Storage project includes land use in which storage units are rented for the storage of goods. Such facilities are typically referred to as “self-storage” facilities.

Trip Generation Rates. The number of vehicle trips that are expected to be generated by development of the proposed project has been estimated using trip generation rates based on the nature and size of project land uses. Data compiled by the Institute of Transportation Engineers (ITE) and presented in the publication *Trip Generation Manual, 11th Edition* (Institute of Transportation Engineers 2021) is the source of trip generation rates for the uses within the proposed project. The trip generation rates used in this analysis are presented in **Table 2**.

Trip Generation Forecasts. **Table 3** identifies the results of applying the identified trip generation rates to the proposed land use. The project is expected to result in 74 trips on a daily basis, with five trips in the a.m. peak hour and eight trips in the p.m. peak hour.

Table 2 - Olive Avenue Mini-Storage Project Trip Generation Rates

Land Use and ITE Land Use Code	Units	Trips per Unit						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Mini-Warehouse (ITE Code 151)	KSF	1.45	0.05	0.04	0.09	0.07	0.08	0.15
Source: Institute of Transportation Engineers <i>Trip Generation Manual 11th Edition</i> . Note: "KSF" = 1,000 square feet floor area.								

Table 3 - Olive Avenue Mini-Storage Project Trip Generation Estimates

Land Use and ITE Land Use Code Quantity	Trips Generated							
	Daily	AM Peak Hour			PM Peak Hour			Total
		In	Out	Total	In	Out	Total	
Mini-Warehouse (ITE Code 151) 51.25 KSF	74	3	2	5	4	4	8	
Source: Institute of Transportation Engineers <i>Trip Generation Manual 11th Edition</i> .								

Trip Distribution. The geographic distribution of vehicle trips associated with the proposed project has been determined from review of select zone analysis results from the MCAG regional travel demand forecasting model, consideration of the nature of land uses in each area, understanding of the effects of local traffic controls, and consideration of current travel patterns. **Table 4** indicates the directional allocation of project-related trips.

**Table 4. Olive Avenue Mini-Storage Project
Trip Distribution Percentages**

Direction of Travel	Percentage of Total Trips
North on State Route 59	20%
North on Loughborough Drive	10%
East on Olive Avenue	30%
South on Loughborough Drive	5%
South on State Route 59	20%
West on Santa Fe Drive	15%
TOTAL	100%
Source: Merced County Association of Governments Travel Demand Model	

Trip Assignment. Figure 3 illustrates “project only” trips through study area intersections under the distribution percentages noted above.



<p>1</p> <p>SR 59/ Santa Fe Dr/ Olive Ave</p>	<p>2</p> <p>Loughborough Dr/Olive Ave</p>	<p>3</p> <p>Project Dwy/ Olive Ave</p>	<p>Legend</p> <ul style="list-style-type: none"> XX AM Peak Hour Volume (XX) PM Peak Hour Volume xx Daily Traffic
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PROJECT CEQA TRANSPORTATION IMPACTS

Vehicle Miles Traveled Approach

Direction. The CEQA Guidelines and the OPR document *Technical Advisory on Evaluating Transportation Impacts in CEQA* (California Governor's Office of Planning and Research 2018) encourage all public agencies to develop and publish thresholds of significance to assist with determining when a project would have significant transportation impacts based on the new metric of VMT, rather than operating LOS. The CEQA Guidelines generally state that projects that decrease VMT can be assumed to have a less than significant transportation impact. The CEQA Guidelines do not provide any specific criteria on how to determine what level of project VMT would be considered a significant impact. The City of Merced has not yet adopted methods for estimating regional VMT or significance criteria for evaluating impacts based on VMT.

Screening. Under OPR direction, the following categories of land development projects are judged to have a less than significant impact on regional VMT.

Location Based Screening

- Near High Quality Transit facilities
- In VMT efficiency areas where evidence exists that development yields VMT metrics that satisfy the OPR recommended significance criteria of a 15% reduction (i.e., 85% of average).

Other Factors

- Small projects
- Local-serving retail
- Local-serving public uses
- Affordable housing

The OPR Technical Advisory presents a screening criteria that would be applicable to the proposed project.

- **Small Projects.** The OPR advisory suggests that the VMT contribution of small projects need not be considered significant. OPR suggests that agencies can find projects generating fewer than 110 vehicles trips a day to have a less than significant on VMT.

VMT Impacts

As shown in **Table 3**, the proposed project is expected to generate 74 vehicle trips per day. As this trip generation estimate falls below the 110 daily trip threshold identified by OPR, the Olive Avenue Mini-Storage project qualifies as a "small project" that can be assumed to have a less than significant impact on regional VMT.

Impacts to Alternative Transportation Modes / Safety

Pedestrians. The project could attract pedestrians from the neighborhoods to the east, north and south of the site, although the exact number of pedestrians is unknown. A sidewalk is already present along the Olive Avenue street frontage. With the sidewalk present, adequate facilities exist to deliver pedestrians to the project site. Additional pedestrian access to the north is available via the existing Class I trail, and access to the east is available via existing sidewalks. The project's impacts are not significant under the criteria noted in **Table 1**.

Bicycles. The project can be expected to attract bicyclists from various Merced neighborhoods. As noted in the *Existing Setting* section of this analysis, bicycle facilities already exist as Class I trails on the east side of SR 59, but are not present elsewhere. Bicycle lanes are not designated on SR 59 north of Olive Avenue, on Santa Fe Drive, nor on Olive Avenue in the Merced County General Plan Circulation Element, but bicycles can use existing multipurpose trails. The City of Merced's pending SR 59 improvement project to widen SR 59 from 16th Street to Fahrens Creek incorporates applicable pedestrian facilities. Under the Merced General Plan Circulation Element, bicycles are expected to mix with motor vehicles on other streets. The project's impacts to bicycle facilities is not significant under the criteria identified in **Table 1**.

Transit. The project will likely attract some persons from throughout the Merced area who may wish to use public transit. The following are routes that operate in the vicinity of the project site (Merced Transit Authority 2023).

Route M1 has a 30-minute headway between approximately 6:00 a.m. and 8:00 p.m. during weekdays. In the vicinity of the project site, the route operates along:

- SR 59 north and south of Olive Avenue,
- Olive Avenue east of Loughborough Drive, and
- Loughborough Drive south of Olive Avenue.

Route M2 has a 30-minute headway between approximately 6:00 a.m. and 8:00 p.m. during weekdays. In the vicinity of the project site, the route operates along Loughborough Drive north and south of Olive Avenue.

These services are adequate for a project of this nature, and the impacts of the project on transit are not significant under the criteria noted in **Table 1**.

Hazards and Safety. The project's proposed access onto Olive Avenue is an existing driveway. The vehicle movements allowed at the driveway are described in the *Project Description* section

of this analysis. The configuration of the existing driveway provides protected storage areas for vehicles making right-turn and left-turn movements at the driveway connection. In the vicinity of the driveway connection, the roadway does not have vertical or horizontal curvature that would impair sight distance. As also noted in the *Project Description* section of this analysis, the proposed project would generate a relatively low number of vehicle trips - five trips in the a.m. peak hour and eight trips in the p.m. peak hour. Because of these factors, the project is not considered to result in conditions that would present additional hazards, and the project's impacts on safety are considered not significant.

Impacts to State Facilities. The project is more than a mile from the closest interchange on SR 99, and with a relatively low number of project-related trips is unlikely to noticeably alter traffic volumes on SR 99. Thus, the project's impacts to ramp operations are not significant. Similarly, the relatively low number of vehicle trips generated by the proposed project, particularly during the a.m. peak hour and p.m. peak hour, would not create an unsafe situation on the SR 59. Thus, the project's impacts to ramp operations and state highway safety are not significant.

APPENDIX

Local Traffic Operations Analysis

Traffic Counts
(In Separate Electronic File)

LOS Calculations
(In Separate Electronic File)

LOCAL TRAFFIC OPERATIONS ANALYSIS FOR OLIVE AVENUE MINI-STORAGE PROJECT

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LOCAL TRAFFIC OPERATIONS ANALYSIS FOR OLIVE AVENUE MINI-STORAGE PROJECT

BACKGROUND

Study Area - Intersections

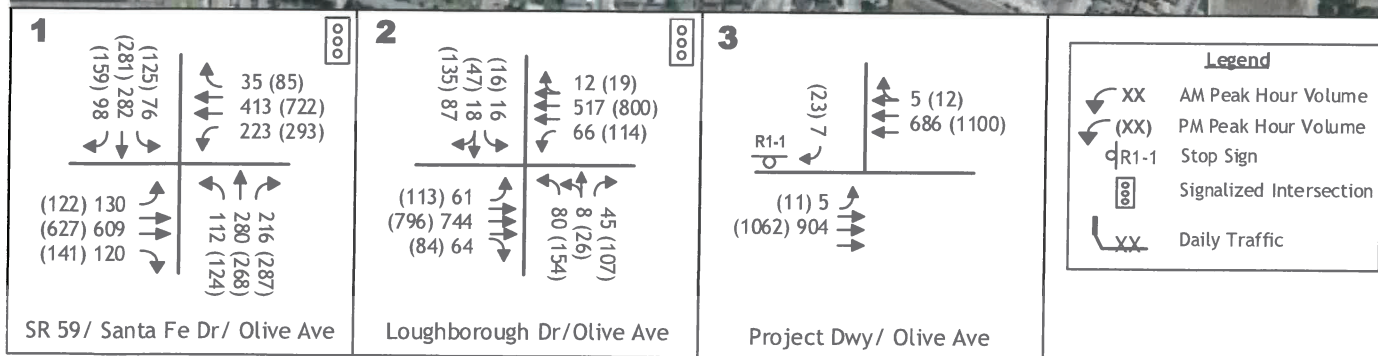
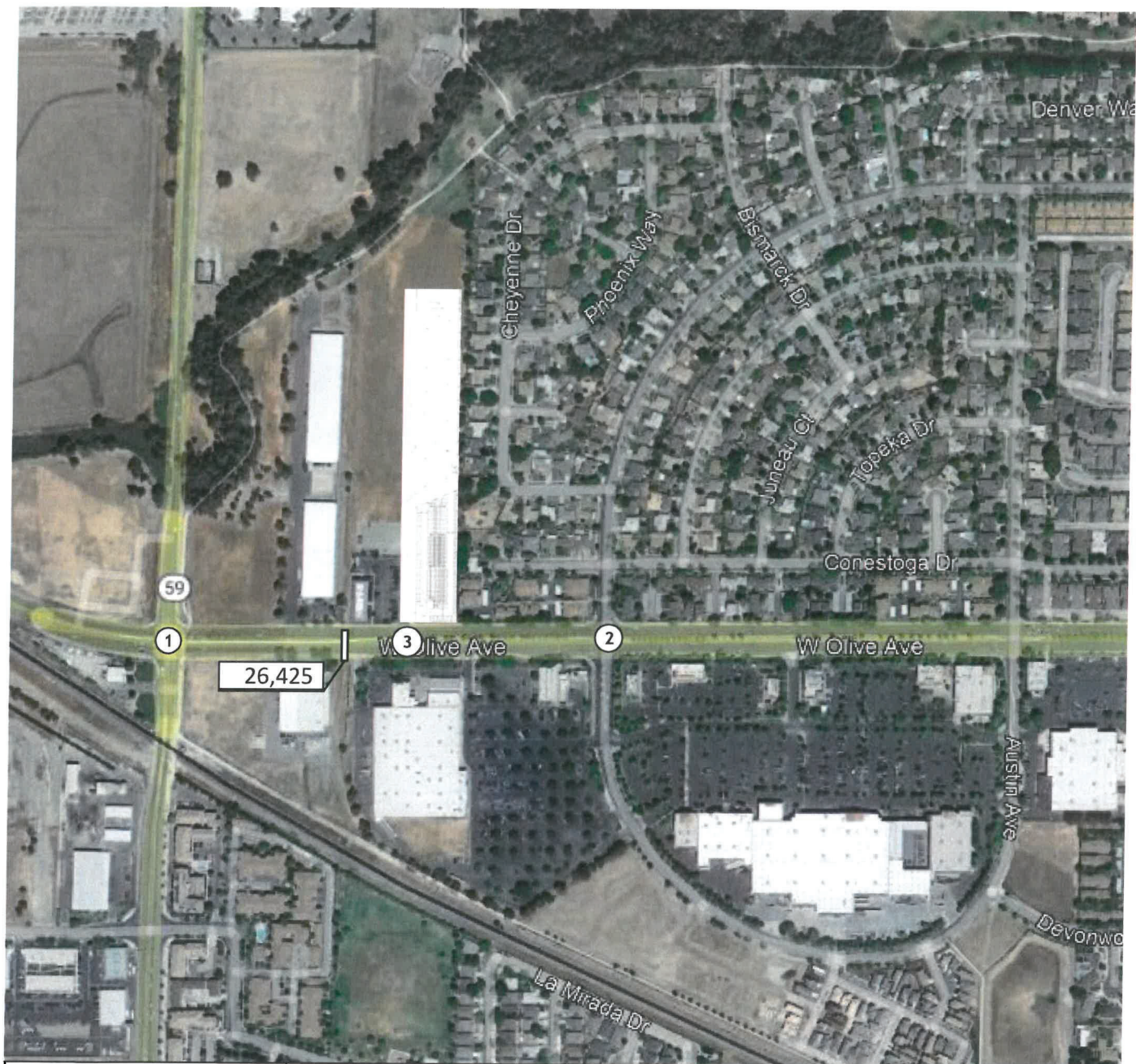
The quality of traffic flow is typically governed by the operation of major intersections. Three existing intersections were analyzed in the LTA. The locations of the study intersections are shown on **Figure T1**. The study intersections, listed below, include the existing driveway connection with Olive Avenue that would provide access to the project site.

1. Olive Avenue / Santa Fe Drive & SR 59
2. Olive Avenue & Loughborough Drive
3. Olive Avenue & Project Site Driveway

The geometric configuration of each intersection and its traffic controls are described in the text which follows.

The **Olive Avenue / Santa Fe Drive & SR 59 intersection** is controlled by a traffic signal. With the completion of recent Caltrans improvements, each approach has separate left turn lanes and right turn lanes. U-turns are prohibited on southbound SR 59 but are permitted on westbound Olive Avenue. Today high visibility crosswalks exist on all four legs of the intersection, and the recent Caltrans safety project provided landing pads and detectable warning surfaces in the shoulder area for pedestrians/bicyclists.

The **Olive Avenue & Loughborough Drive intersection** is controlled by a traffic signal. The intersection has separate left turn lanes on each approach, and the northbound Loughborough Drive approach also provides a combined left turn and through lane. The eastbound Olive Avenue and northbound Loughborough Drive approaches have separate right turn lanes. Crosswalks are striped across all four legs of the intersection.



EXISTING (YEAR 2023) TRAFFIC VOLUMES AND LANE CONFIGURATION

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figure T1

The **Olive Avenue & Project Site Driveway** is an existing driveway connection to Olive Avenue. The proposed project would share use of the driveway with an existing retail commercial land use adjacent to the west side of the Olive Avenue Mini-Storage project site. A raised median is present along Olive Avenue in the vicinity of the project site. A left-turn pocket is present in the median, which allows for left-turn movements into the driveway. The following movements are allowed at the existing shared-use driveway, and would continue to be allowed with implementation of the Olive Avenue Mini-Storage project:

- eastbound-to-northbound left-turns entering the driveway,
- westbound-to-northbound right-turns entering the driveway, and
- southbound-to-westbound right-turns exiting the driveway.

Southbound-to-eastbound left-turns exiting the driveway are prevented by the raised median, and would not be allowed with implementation of the proposed project.

Level of Service Analysis Procedures

Level of Service (LOS) analysis provides a basis for describing existing traffic conditions and for evaluating the significance of project traffic impacts. Level of Service measures the quality of traffic flow and is represented by letter designations from A to F, with a grade of A referring to the best conditions, and F representing the worst conditions. The characteristics associated with the various LOS for intersections are presented in **Table T1**.

Intersection Level of Service Methodology. Intersection LOS was calculated for this analysis using the methodology contained in the *Highway Capacity Manual 6th Edition* (Transportation Research Board 2016) (HCM) using Synchro 11 software. HCM techniques identify the average length of delays and use that information to determine the operating LOS. An overall average delay and LOS is determined for intersections controlled by traffic signals or all-way stops. At locations controlled by side street stops, delays can be determined for each movement that must yield the right of way, and the “worst case” delay is employed for analysis.

Roadway Segment Level of Service Methodology. The Merced General Plan presents daily traffic volume LOS thresholds that can be employed on a planning level basis (GP Table 4.3), and these values are presented in **Table T2**.

Table T1. Level of Service Definitions

Level of Service	Signalized Intersections	Unsignalized Intersections
A	Vehicle progression is exceptionally favorable or the cycle length is very short. Delay \leq 10.0 seconds/vehicle	Little or no delay. Delay \leq 10 seconds/vehicle
B	Vehicle progression is highly favorable or the cycle length is short. Delay $>$ 10 seconds/vehicle and \leq 20 seconds/vehicle	Short traffic delays. Delay $>$ 10 seconds/vehicle and \leq 15 seconds/vehicle
C	Vehicle progression is favorable or the cycle length is moderate. Individual cycle failures may begin to appear at this level. Delay $>$ 20 seconds/vehicle and \leq 35 seconds/vehicle	Average traffic delays. Delay $>$ 15 seconds/vehicle and \leq 25 seconds/vehicle
D	Vehicle progression is ineffective or the cycle length is long. Many vehicles stop and the individual cycle failures are noticeable. Delay $>$ 35 seconds/vehicle and \leq 55 seconds/vehicle	Long traffic delays. Delay $>$ 25 seconds/vehicle and \leq 35 seconds/vehicle
E	Vehicle progression is unfavorable and the cycle length is long. Individual cycle failures are frequent. Delay $>$ 55 seconds/vehicle and \leq 80 seconds/vehicle	Very long traffic delays, failure, extreme congestion. Delay $>$ 35 seconds/vehicle and \leq 50 seconds/vehicle
F	Vehicle progression is very poor and the cycle length is long. Most cycles fail to clear the vehicle queue. Delay $>$ 80 seconds/vehicle	Intersection blocked by external causes. Delay $>$ 50 seconds/vehicle
Source: Transportation Research Board 2016.		

TABLE T2
Level of Service Thresholds for Roadway Segments

Roadway Type	Daily Roadway Segment Level of Service Thresholds				
	LOS A	LOS B	LOS C	LOS D	LOS E
6 lane Freeway	25,900	42,600	57,800	68,400	76,000
4 lane Freeway	40,000	65,800	89,200	105,600	117,400
2 lane Arterial	-	-	11,600	16,000	16,800
4 lane Arterial	-	4,100	26,800	33,700	35,400
6 lane Arterial	-	6,600	41,800	50,700	53,200
2 lane Collector	-	-	4,800	10,300	13,200
4 lane Collector	-	-	11,300	22,200	26,400

EXISTING TRAFFIC OPERATIONS

Existing Traffic Conditions and Levels of Service

New traffic volume count data were collected for this analysis. Peak hour intersection turning movement count data were collected on Thursday February 2, 2023. Roadway segment 24-hour count data were collected on Wednesday February 1, 2023. Weekday counts were conducted when local schools were in session. Count data were collected in 15-minute intervals for the period from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. The contiguous one-hour period within each period with the highest volumes was used in this analysis as the peak hour. **Figure T1** presents the existing lane configurations and existing a.m. and p.m. peak hour traffic volumes at the study intersections.

Intersection Levels of Service. **Table T3** presents existing a.m. peak hour and p.m. peak hour LOS at the existing study intersections. The worksheets presenting the calculation of LOS and signal warrants under all development conditions including Existing Conditions are included in the Appendix. As indicated, all intersections operate at acceptable LOS (i.e., LOS D or better) during both peak periods.

Intersection Queuing. The length of peak period queues has been estimated as a byproduct of the LOS analysis, and the results are presented in **Table T4**.

Roadway Segments. **Table T5** identifies existing daily traffic volumes on study area roadways as well as the applicable LOS based on Merced General Plan thresholds.

The City of Merced is currently designing a project to widen SR 59 to four lanes (two lanes in each direction) from 16th Street north across Olive Avenue to Fahrens Creek.

Table T3. Intersection Level of Service - Existing Conditions

Study Intersections	Inters. Control	Signal Warrant Met?	AM Peak		PM Peak	
			LOS	Delay	LOS	Delay
1 Olive Avenue / Santa Fe Drive & State Route 59	Signal		C	26.2	D	39.4
2 Olive Avenue & Loughborough Drive	Signal		B	13.1	C	21.9
3 Olive Avenue & Project Site Driveway	Unsig	No	B	12.0	C	15.4

Notes: LOS = Level of Service. "Inters. Control" = Type of intersection control.
 "Signal" = Signalized light control. "Unsig" = Unsignalized stop-sign control.
 Delay is measured in seconds per vehicle. **Bold** font indicates LOS is worse than D.

Table T4

Existing Peak Hour Queues at Olive Avenue / Santa Fe Drive & State Route 59

Approach	Lane	Storage (feet)	AM Peak Hour		PM Peak Hour	
			Volume (vph)	95 th % Queue (feet)	Volume (vph)	95 th % Queue (feet)
Southbound	Left turn	150	76	101	125	172
Northbound	Left turn	200	112	165	124	194
Eastbound	Left turn	425	130	189	122	180
Westbound	Left turn	550	223	294	293	421

Notes: Values highlighted in yellow exceed storage by 20 feet or more.
"vph" = vehicles per hour.

Table T5

Existing Roadway Segment Volume and Level of Service

Street	From	To	Classification	Daily Volume	Level of Service
Olive Avenue	State Route 59	Loughborough Drive	6 lane Arterial	26,425	C

Notes: **BOLD** values exceed minimum Level of Service standard.

EXISTING PLUS PROJECT TRAFFIC CONDITIONS

This LTA scenario assumes that the Olive Avenue Mini-Storage project is fully developed immediately.

Traffic Volumes

Existing Plus Project Traffic Volumes. Figure T2 presents a.m. and p.m. peak hour volumes assuming the project is built out. These volumes were created by superimposing project trips onto the current background condition.

Intersection Level of Service

Table T6 presents the a.m. and p.m. peak hour LOS at each study intersection under Existing Plus Project conditions. As indicated, projected LOS at all study intersections would be within the LOS D minimum established by the City of Merced. Thus, the project does not cause effects that are inconsistent with the requirements of the Merced General Plan.

SR 59 / Olive Avenue Intersection Queues

Table T7 compares current queues with those that would be expected if the proposed project is completed. As shown, the same peak period queues that exceed available storage in the southbound SR 59 left turn lanes will continue to do so.

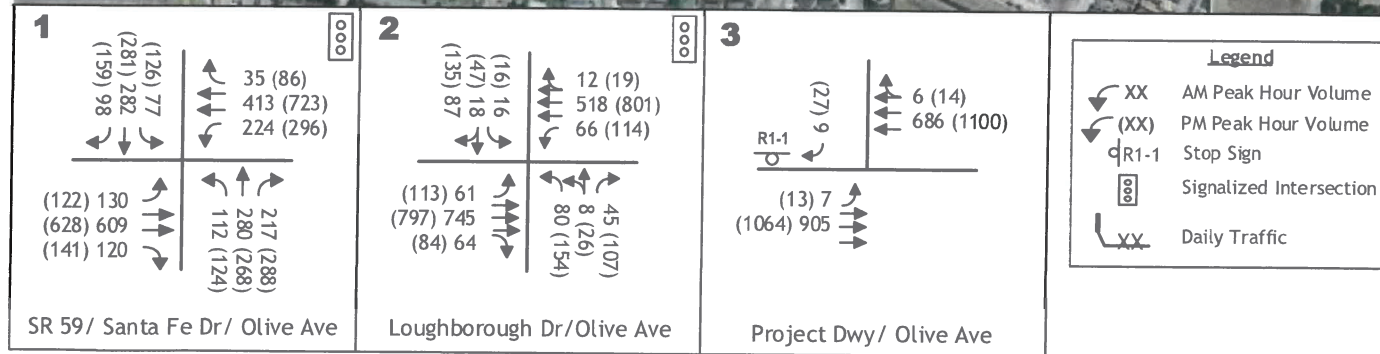
To address the effects of the project on peak period queuing, it would be appropriate to work with Caltrans District 10 to optimize the traffic signal timing at the intersection of Olive Avenue / Santa Fe Drive & SR 59. It is likely that Caltrans would also optimize signal timing after the City's SR 59 widening project is completed.

Roadway Segment Level of Service

Table T8 compares current LOS based on daily traffic volumes with those conditions occurring after the project is completed. As indicated, the project will add traffic to the study roadway segment but would not result in the roadway operating with LOS in excess of the LOS D standard.

Traffic Signal Warrants

The volume of traffic occurring at the project site access driveway connection with Olive Avenue was compared to MUTCD peak hour traffic signal warrants to determine whether a traffic signal may be justified. As shown in Table T6, traffic volumes at the intersection of Olive Avenue & Project Site Driveway would not reach a level that satisfies peak hour warrants.



EXISTING (YEAR 2023) PLUS PROJECT TRAFFIC VOLUMES AND LANE CONFIGURATION

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figure T2

Table T6. Intersection Level of Service - Existing and Existing Plus Project Conditions

Study Intersections	Inters. Control	Signal Warrant Met?	AM Peak Hour				PM Peak Hour			
			Existing		Existing Plus Project		Existing		Existing Plus Project	
			LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
1 Olive Avenue / Santa Fe Drive & State Route 59	Signal		C	26.2	C	26.3	D	39.4	D	39.9
2 Olive Avenue & Loughborough Drive	Signal		B	13.1	B	13.1	C	21.9	C	21.9
3 Olive Avenue & Project Site Driveway	Unsig	No	B	12.0	B	12.0	C	15.4	C	15.6

Notes: LOS = Level of Service. "Inters. Control" = Type of intersection control. "Signal" = Signalized light control. "Unsig" = Unsignalized stop-sign control. Delay is measured in seconds per vehicle.
Bold font indicates LOS is worse than D. **Highlighted** values are significantly inconsistent with the General Plan.

Table T7

Existing and Existing Plus Project Peak Hour Queues at Olive Avenue / Santa Fe Drive & State Route 59

Approach Lane		AM Peak Hour				PM Peak Hour			
		Existing		Existing Plus Project		Existing		Existing Plus Project	
		Storage (feet)	Volume (vph)	95 th % Queue (feet)	Volume (vph) Project Only	95 th % Queue (feet)	Volume (vph)	95 th % Queue (feet)	Volume (vph) Project Only
Southbound	Left turn	150	76	101	1	77	103	125	1
Northbound	Left turn	200	112	165	0	112	165	124	0
Eastbound	Left turn	425	130	189	0	130	189	122	0
Westbound	Left turn	575	223	294	1	224	296	293	3

Notes: Values highlighted in yellow exceed storage by 20 feet or more.
"vph" = vehicles per hour.

Table T8

Existing and Existing Plus Project Roadway Segment Volumes and Level of Service

Street	From	To	Classification	Existing		Existing Plus Project		
				Daily Volume	Level of Service	Project Only	Daily Volume	Level of Service
Olive Avenue	State Route 59	Loughborough Drive	6 lane Arterial	26,425	C	74	26,499	C
Notes: BOLD values exceed minimum Level of Service standard. HIGHLIGHTED values are significantly inconsistent with the General Plan								

EXISTING PLUS APPROVED PROJECTS (EPAP) BACKGROUND CONDITIONS

This analysis scenario considers the relative impacts of the proposed project within a short-term future condition that assumes build out of other approved projects in the vicinity of the Olive Avenue Mini-Storage project site. This scenario is referred to Existing Plus Approved Projects (EPAP) conditions.

Background Information

Land Use. In assessing other approved projects that might reasonably add traffic to the study intersections, particular attention was directed to two approved land use development projects adjacent to the intersection of Olive Avenue / Santa Fe Drive & SR 59. One project is on the northwest corner of the intersection and is referred to in this analysis as the Northwest Olive Avenue & SR 59 project. The second project is on the northeast corner of the intersection and is referred to in this analysis as the Northeast Olive Avenue & SR 59 project.

Vehicle trips generated by both the Northwest Olive Avenue & SR 59 project and the Northeast Olive Avenue & SR 59 project are included in EPAP scenario background traffic volumes.

The Northwest Olive Avenue & SR 59 project will occupy eight acres on the northwest corner of the intersection of Olive Avenue / Santa Fe Drive & SR 59. The development plans for this project include approximately 42,800 building square feet of retail commercial uses, including a gasoline station with convenience store, fast food restaurants, coffee kiosk and other retail uses. The development will have a right turn-only access on SR 59 north of Olive Avenue as well as two driveways on Santa Fe Drive. On the two driveways, the more westerly Santa Fe Drive access will provide full access and will be signalized.

The Northeast Olive Avenue & SR 59 project is a convenience commercial development that will occupy three acres on the northeast corner of the intersection of Olive Avenue / Santa Fe Drive & SR 59. The development plan for this project includes a gasoline station with convenience store, a fast-food restaurant and other office / retail uses. Access to the Northwest Olive Avenue & SR 59 project site would be provided by right-turn only access to SR 59 north of Olive Avenue, as well as a new right-turn only driveway on Olive Avenue.

Trip Generation / Assignment. Table T9 identifies the daily and peak hour trip generation estimates for Northwest Olive Avenue & SR 59 project. This approved project is expected to generate 4,040 net new daily trips, with 300 trips in the a.m. peak hour and 320 trips in the p.m. peak hour.

Table T10 identifies the daily and peak hour trip generation estimates for Northeast Olive Avenue/SR 59 project. This approved project is expected to generate 1,811 net new daily trips, with 139 trips in the a.m. peak hour and 155 trips in the p.m. peak hour.

Table T9

Trip Generation for Northwest Olive Avenue & State Route 59 Project

ITE Code	Description	Quantity	Trips						
			Daily	AM Peak Hour		PM Peak Hour			
				In	Out	In	Out	Total	
Phase 1: Gasoline with C Store and Car Wash plus Fast Food and Coffee / Kiosk									
946	Gasoline with C Store and Car Wash	16 positions	2,445	97	92	189	113	109	222
	Pass-by (56% daily, 62% a.m., 56% p.m.)		1,369	60	57	117	63	61	124
	Net New Trips		1,076	37	35	72	50	48	98
826	Fast Food with Drive Thru	3.46 ksf	1,717	80	77	157	59	54	113
	Pass-by (50% daily and p.m., 49% a.m.)		858	39	38	77	29	27	56
	Net New Trips		859	41	39	80	30	27	51
938	Coffee / Donut Shop with Drive thru and No Indoor Seating	0.824 ksf	1,648	139	139	278	35	34	69
	Pass-by (89%)		1,467	124	123	247	31	30	61
	Net New Trips		181	15	16	31	4	4	8
Phase 1 Total Net New Trips			1,116	93	90	183	84	79	163
Phase 2: Pharmacy, Fast Food and Retail									
826	General Retail	18.2 ksf	777	11	6	17	32	36	68
	Pass-by (15% daily and p.m.)		116	2	0	2	5	5	9
	Net New Trips		661	8	5	13	27	31	58
934	Fast Food Restaurant with Drive Thru	2.7 ksf	1,340	63	60	123	46	42	88
	Pass-by (50% daily and p.m., 49% a.m.)		670	31	29	60	23	21	44
	Net New Trips		670	32	31	63	23	21	44
880	Pharmacy without Drive Thru	14.0 ksf	1,261	27	14	41	58	60	118
	Pass-by (53% daily and p.m.)		668	0	0	0	31	32	63
	Net New Trips		593	27	14	41	27	28	55
Phase 2 Total Net New Trips			1,924	67	50	117	77	80	157
PROJECT TOTAL NET NEW TRIPS			4,040	160	140	300	161	159	320

**Table T10. Trip Generation for
Northeast Olive Avenue & State Route 59 Project**

ITE Code	Description	Quantity	Trips					
			Daily	AM Peak Hour		PM Peak Hour		
				In	Out	In	Out	Total
945	<i>Gasoline with C Store</i>	16 positions	2,445	97	92	113	109	222
	Pass-by (56% daily, 62% a.m., 56% p.m.)		1,369	60	57	63	61	124
	Net New Trips		1,076	37	35	50	48	98
934	<i>Fast Food with Drive Thru</i>	2.81 ksf	1,323	58	55	48	44	92
	Pass-by (50% daily and p.m., 49% a.m.)		662	28	27	23	23	46
	Net New Trips		661	30	28	25	21	46
826	<i>Small Office</i>	4.54 ksf	74	7	2	3	8	11
	Net New Trips		74	7	2	3	8	11
PROJECT TOTAL NET NEW TRIPS			1,811	74	65	78	77	155

Existing Plus Approved Projects Traffic Volumes

Figure T3 presents resulting daily, a.m. and p.m. peak hour volumes assuming the approved Northwest Olive Avenue & SR 59 project and Northeast Olive Avenue & SR 59 project proceed. **Figure T4** illustrates volumes with the addition of trips from the Olive Avenue Mini-Storage project.

Intersection Level of Service

Table T11 presents the a.m. and p.m. peak hour LOS at each study intersection under EPAP conditions with and without build out of the Olive Avenue Mini-Storage project.

Existing Plus Approved Project. As indicated, if the approved projects proceed, then the projected LOS at two of the three study intersections would continue to satisfy the General Plan's minimum LOS D standard.

Under EPAP No Project conditions, the intersection of Olive Avenue / Santa Fe Drive & SR 59 would operate at unacceptable LOS E during the p.m. peak hour. LOS E would conflict with the General Plan's minimum LOS D standard. To improve LOS to an acceptable level consistent with the General Plan standard the following improvement is recommended:

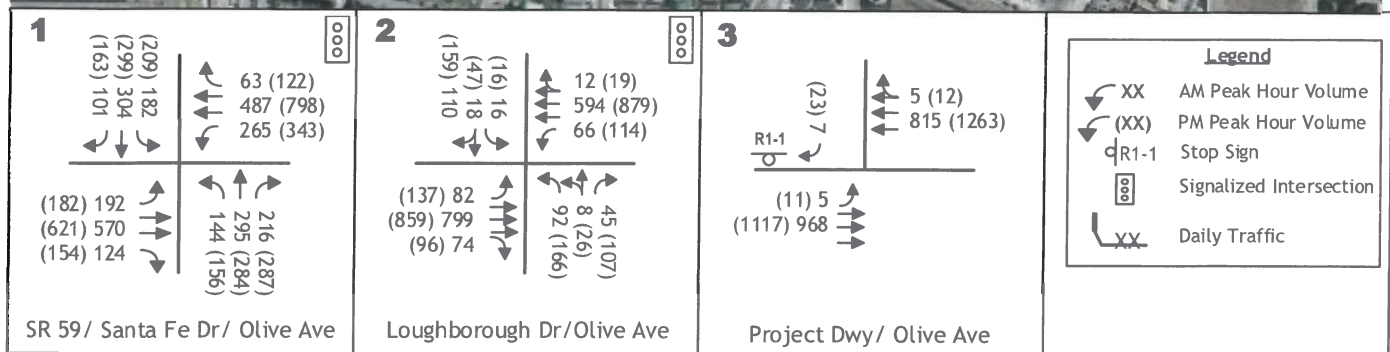
- It is recommended that traffic signal timing at the intersection of Olive Avenue / Santa Fe Drive & SR 59 be optimized after previously approved land use development projects on the northwest and northeast corners of the intersection are occupied.

EPAP Plus Project. If the proposed Olive Avenue Mini-Storage project is built out in addition to the approved projects, then the projected LOS at two of the three study intersections would continue to satisfy the General Plan's minimum LOS D standard.

Under EPAP Plus Project conditions, the intersection of Olive Avenue / Santa Fe Drive & SR 59 would operate at unacceptable LOS E during the p.m. peak hour. LOS E would conflict with the General Plan's minimum LOS D standard. To improve LOS to an acceptable level consistent with the General Plan standard the following improvement is recommended:

- It is recommended that traffic signal timing at the intersection of Olive Avenue / Santa Fe Drive & SR 59 be optimized after previously approved land use development projects on the northwest and northeast corners of the intersection are occupied.

This recommended improvement is the same as the improvement recommended under EPAP No Project conditions.



EXISTING PLUS APPROVED PROJECTS TRAFFIC VOLUMES AND LANE CONFIGURATION

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figure T3

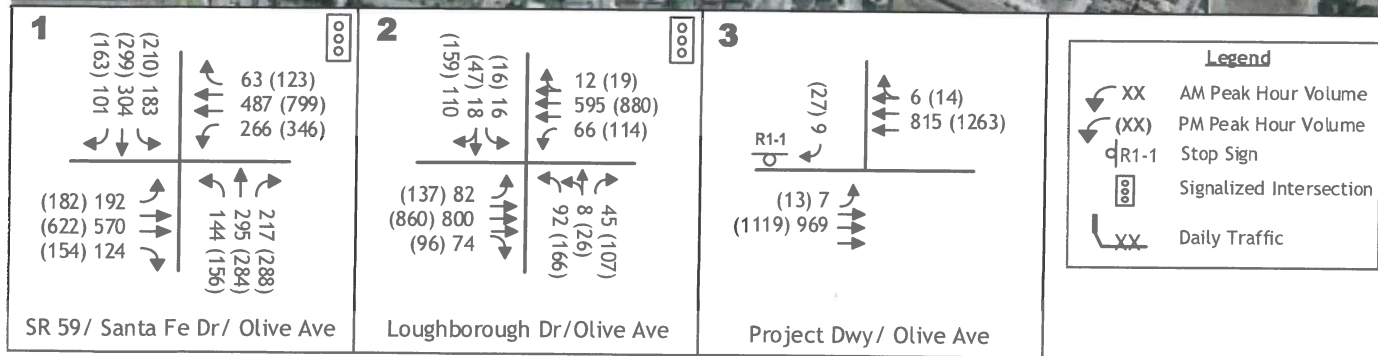


Table T11. Intersection Level of Service - EPAP No Project and EPAP Plus Project Conditions

Study Intersections	Inters. Control	Signal Warrant Met?	AM Peak Hour				PM Peak Hour			
			EPAP No Project		EPAP Plus Project		EPAP No Project		EPAP Plus Project	
			LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
1 Olive Avenue / Santa Fe Drive & State Route 59	Signal		D	36.0	D	36.2	E	58.4	E	59.0
2 Olive Avenue & Loughborough Drive	Signal		B	14.2	B	14.2	C	23.9	C	23.9
3 Olive Avenue & Project Site Driveway	Unsig	No	B	12.8	B	12.8	C	17.0	C	17.3

Notes: LOS = Level of Service. "Inters. Control" = Type of intersection control. "Signal" = Signalized light control. "Unsig" = Unsignalized stop-sign control. Delay is measured in seconds per vehicle.

Bold font indicates LOS is worse than D. **Highlighted** values are significantly inconsistent with the General Plan.

Peak Period Queues

Existing Plus Approved Project. As noted in **Table T12**, 95th percentile queues will lengthen with the development of the approved projects.

EPAP Plus Project. The addition of traffic from the Olive Avenue Mini-Storage project would not appreciably change queuing conditions on northbound and southbound SR 59. With the occupancy of the approved and proposed projects, the length of queues in the westbound Olive Avenue left turn lane would remain within the available storage. These conditions would be addressed by retiming the traffic signals as was noted above in recommended improvements for LOS under EPAP Conditions either after the approved projects are occupied or after the City's SR 59 widening project is completed.

Roadway Segment Level of Service

Table T13 compares current LOS based on daily traffic volumes with those conditions occurring after the approved project are completed with and without build out of the proposed project. As indicated, the approved projects would add traffic to the study roadway segment but would not result in the roadway segment operating with LOS in excess of the LOS D standard. Similarly, the addition of project traffic to the EPAP condition would not result in the roadway segment operating with LOS in excess of the minimum.

Traffic Signal Warrants

The volume of traffic occurring at the project site access connection with Olive Avenue was again compared to MUTCD peak hour traffic signal warrants to determine whether a traffic signal may be justified. As shown in **Table T11**, traffic volumes at the intersection of Olive Avenue & Project Site Driveway would not reach a level that satisfies peak hour warrants under EPAP No Project conditions or under EPAP Plus Project conditions.

Table T12

EPAP No Project and EPAP Plus Project Peak Hour Queues at Olive Avenue / Santa Fe Drive & State Route 59

Approach Lane		AM Peak Hour				PM Peak Hour			
		EPAP No Project		EPAP Plus Project		EPAP No Project		EPAP Plus Project	
		Storage (feet)	Volume (vph)	95 th % Queue (feet)	Volume (vph) Project Only	95 th % Queue (feet)	Volume (vph)	Project Only	95 th % Queue (feet)
Southbound	Left turn	150	182	282	1	183	209	1	347
Northbound	Left turn	200	144	231	0	144	156	0	282
Eastbound	Left turn	425	192	312	0	192	182	0	285
Westbound	Left turn	575	265	377	1	266	343	3	506

Notes: Values highlighted in yellow exceed storage by 20 feet or more.
 "vph" = vehicles per hour.

Table T13

EPAP No Project and EPAP Plus Project Roadway Segment Volumes and Level of Service

Street	From	To	Classification	EPAP No Project		EPAP Plus Project		
				Daily Volume	Level of Service	Project Only	Daily Volume	Percentage Increase of Service
Olive Avenue	State Route 59	Loughborough Drive	6 lane Arterial	29,440	C	74	29,514	0.25% C

Notes: **BOLD** values exceed minimum Level of Service standard. **HIGHLIGHTED** values are significantly inconsistent with the General Plan

LONG TERM YEAR 2035 CUMULATIVE CONDITIONS

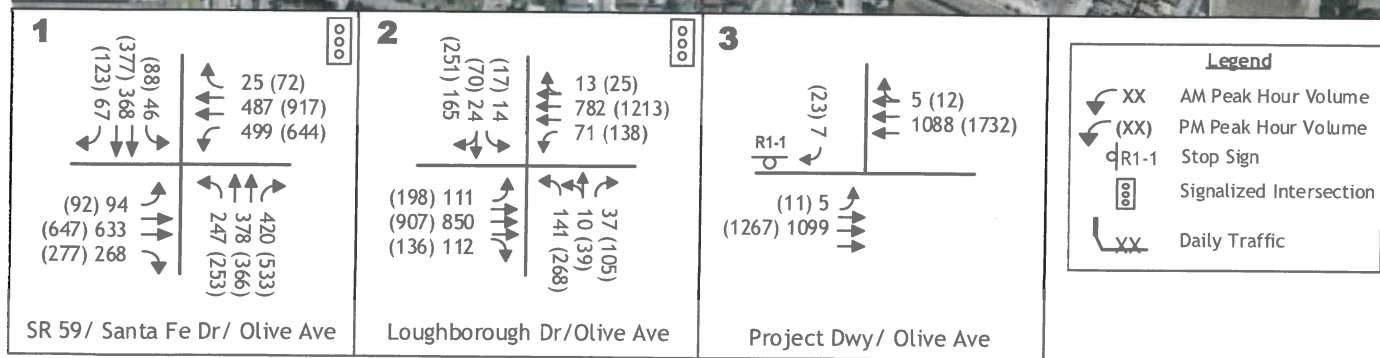
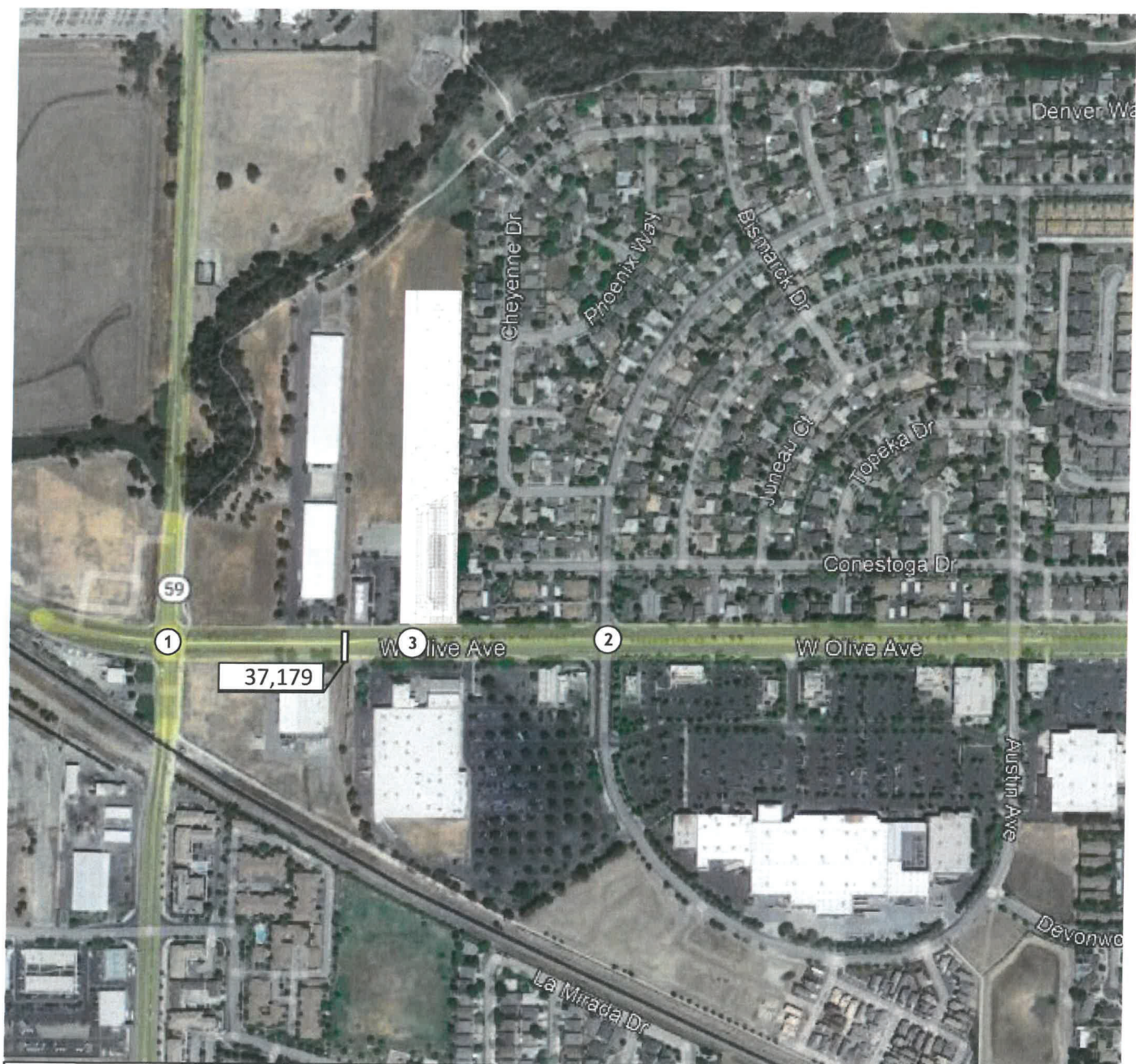
Overview

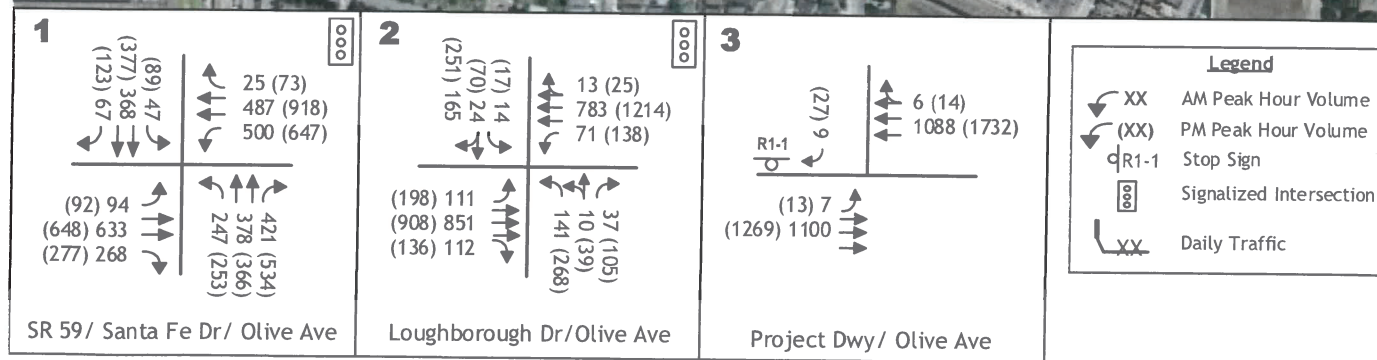
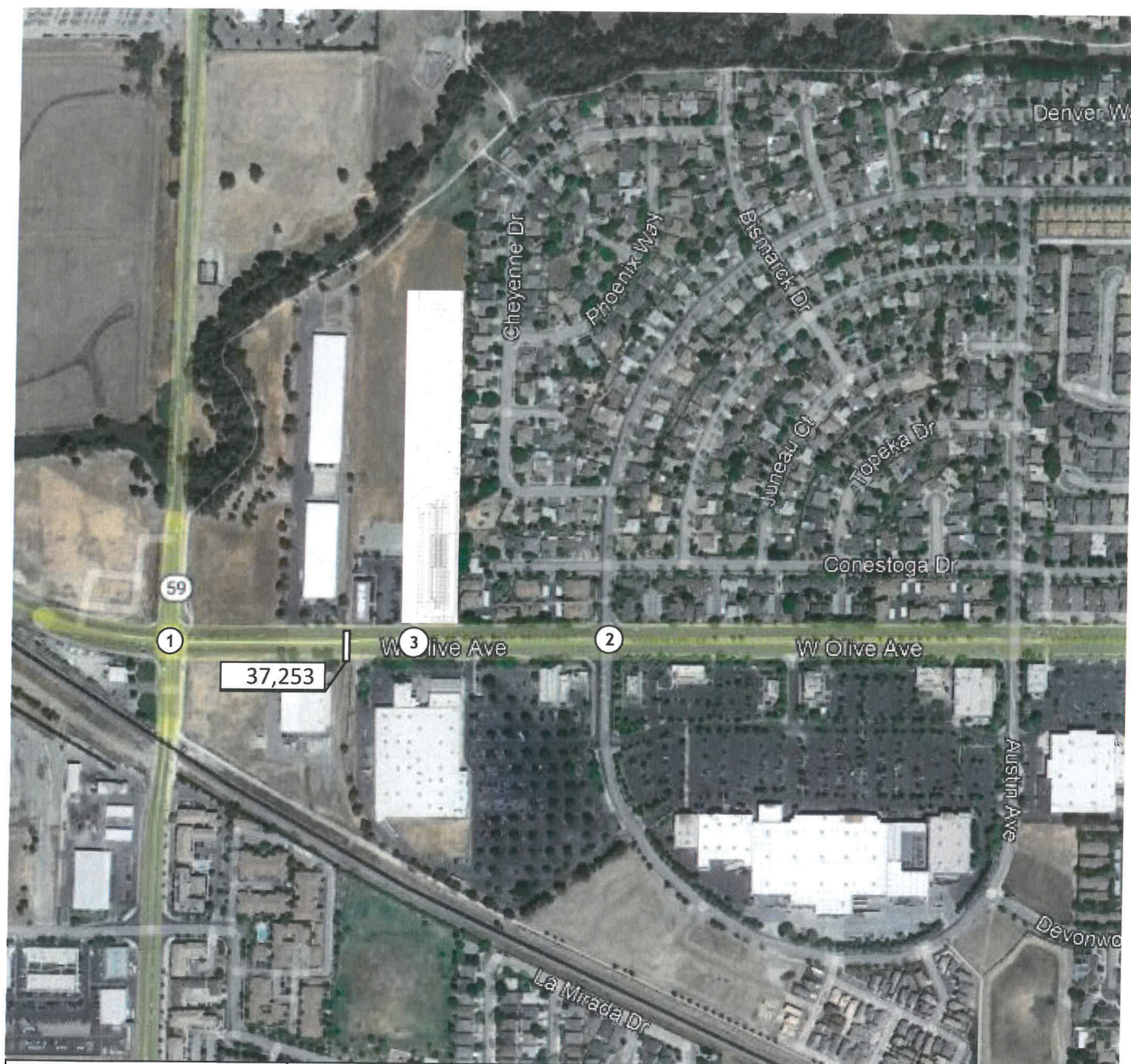
The Cumulative Year 2046 analysis presented herein is intended to evaluate the relative cumulative effects of the project assuming implementation of long-term circulation system improvements and continuing development in the Merced area. The latest version of the Merced County Association of Governments (MCAG) regional travel demand forecasting model was used to forecast 2046 traffic volumes (Forte pers. comm.).

Circulation System Improvements. The City of Merced General Plan Circulation Element and GPU EIR suggest that appreciable improvements will be needed to accommodate the future traffic volumes accompanying build out of the General Plan. The GPU EIR indicates that SR 59 is projected to be a 6-lane facility from W. 16th Street to Yosemite Avenue (refer to GP Table 4.4) and a four-lane facility north of Yosemite Avenue. Santa Fe Drive and Olive Avenue are to be 6-lane arterials. Regionally, the General Plan envisions the completion of the Atwater Merced Expressway and Campus Parkway.

Possible funding constrains the level of future improvements assumed in this analysis. Consistent with previous traffic analyses for projects in the study area, this analysis assumed that SR 59 is widened to provide two through travel lanes in each direction in the area from W. 16th Street to Olive Avenue. The section of SR 59 north of Olive Avenue was assumed to remain a two-lane roadway.

Approach to Developing Traffic Volume Forecasts. Figure T5 presents traffic volumes which represent the “Cumulative No Project” condition for this analysis. The trips associated with the proposed project were then superimposed onto that background condition to create the “Cumulative Plus Project” condition noted in Figure T6.





Daily Traffic Volumes / Levels of Service

Traffic Volumes. Table T14 identifies projected Year 2046 traffic volumes on the study roadway segment and the resulting LOS. As indicated, the volume of traffic on the roadway is projected to increase appreciably in the future with and without the proposed project.

Levels of Service. As indicated, the study roadway segment is projected to operate with LOS that would satisfy the City's LOS D minimum, and no improvements are recommended.

Peak Hour Intersection Volumes and Levels of Service

Traffic Volumes. Figure T5 and Figure T6 identify cumulative traffic volume and also identify assumed improvements to intersections that would accompany the assumed widening of SR 59 to four lanes from Olive Avenue to W. 16th Street. This analysis assumes that two through lanes would be provided in each direction on SR 59 through the Olive Avenue intersection but would not continue to Buena Vista Drive.

Intersection Level of Service. Table T15 displays the a.m. and p.m. peak hour LOS at each study intersection under future Cumulative Year 2046 conditions with and without the project.

Year 2046 No Project. If the Olive Avenue Mini-Storage project does not proceed and the site remains vacant, the intersection of Olive Avenue / Santa Fe Drive & SR 59 is projected to operate at LOS F. Regional and local improvements might be considered to alleviate this deficiency. Regionally, the extension of AME to Bellevue Road could alter travel patterns, although simply completing that improvement may not result in conditions that satisfy the minimum standard, and funding for that improvement is not secured. Locally, widening the intersection to provide additional capacity would be needed to achieve LOS D. These improvements are consistent with the planned six lane facilities and include:

1. Reconstruct westbound Olive Avenue to provide dual westbound-to-southbound left turn lanes onto southbound SR 59.
2. Reconfigure the existing westbound right turn lane to create a combination westbound through & right turn lane, and extend that through lane across SR 59 to create a third departing westbound lane.
3. Reconstruct the existing northbound-to-eastbound right turn lane as a "free" right turn with a median island separating eastbound through traffic and right turning traffic.
4. Reconstruct the eastbound Santa Fe Drive approach to provide dual eastbound-to-northbound left turn lanes onto northbound SR 59.

This level of improvement would result in LOS C in the a.m. peak hour and LOS D in the p.m. peak hour.

Year 2035 Plus Project Conditions. The addition of project trips will increase the length of delays at study intersections. Under Cumulative Plus Project conditions, the intersection of Olive Avenue / Santa Fe Drive & SR 59 would operate at LOS F. Widening the intersection to provide additional capacity would be needed to achieve LOS D. These improvements are consistent with the planned six lane facilities and include:

1. Reconstruct westbound Olive Avenue to provide dual westbound-to-southbound left turn lanes onto southbound SR 59.
2. Reconfigure the existing westbound right turn lane to create a combination westbound through & right turn lane, and extend that through lane across SR 59 to create a third departing westbound lane.
3. Reconstruct the existing northbound-to-eastbound right turn lane as a “free” right turn with a median island separating eastbound through traffic and right turning traffic.
4. Reconstruct the eastbound Santa Fe Drive approach to provide dual eastbound-to-northbound left turn lanes onto northbound SR 59.

These improvements are the same as those recommended for Cumulative No Project conditions.

The improvements listed above would result in LOS C in the a.m. peak hour and LOS D in the p.m. peak hour.

SR 59 / Olive Avenue Intersection Queues

Table T16 compares queues at the intersection of Olive Avenue / Santa Fe Drive & SR 59 under Cumulative conditions with and without the proposed project. The Olive Avenue Mini-Storage project would result in slight increases in the length of queues. The improvements required to address cumulative intersection LOS impacts will reduce the length of queues.

Traffic Signal Warrants

The volume of traffic occurring at the project site access connection with Olive Avenue was again compared to MUTCD peak hour traffic signal warrants to determine whether a traffic signal may be justified. As shown in **Table T15**, traffic volumes at the intersection of Olive Avenue & Project Site Driveway would not reach a level that satisfies peak hour warrants under Cumulative No Project conditions or under Cumulative Plus Project conditions.

Table T14

Cumulative No Project and Cumulative Plus Project Roadway Segment Volumes and Level of Service

Street	From	To	Classification	Cumulative No Project		EPAP Plus Project		
				Daily Volume	Level of Service	Project Only	Daily Volume	Percentage Increase
Olive Avenue	State Route 59	Loughborough Drive	6 lane Arterial	37,179	C	74	37,253	0.20%
Notes: BOLD values exceed minimum Level of Service standard. HIGHLIGHTED values are significantly inconsistent with the General Plan								

Table T15. Intersection Level of Service - Cumulative No Project and Cumulative Plus Project Conditions

Study Intersections	Inters. Control	Signal Warrant Met?	AM Peak Hour			PM Peak Hour		
			Cumulative No Project	Cumulative Plus Project	LOS	Cumulative No Project	Cumulative Plus Project	LOS
1 Olive Avenue / Santa Fe Drive & State Route 59	Signal		F 89.4	F 90.1	F	F 165.8	F 167.0	F
2 Olive Avenue & Loughborough Drive	Signal		B 17.5	B 17.6	D	D 44.5	D 44.6	D
3 Olive Avenue & Project Site Driveway	Unsig	No	B 14.8	B 14.8	C	C 23.5	C 24.1	C

Notes: LOS = Level of Service. "Inters. Control" = Type of intersection control. "Signal" = Signalized light control. "Unsig" = Unsignalized stop-sign control. Delay is measured in seconds per vehicle.

Bold font indicates LOS is worse than D. **Highlighted** values are significantly inconsistent with the General Plan.

Table T16

Cumulative No Project and Cumulative Plus Project Peak Hour Queues at Olive Avenue / Santa Fe Drive & State Route 59

			AM Peak Hour				PM Peak Hour			
			Cumulative No Project		Cumulative Plus Project		Cumulative No Project		Cumulative Plus Project	
			Volume (vph)	95 th % Queue (feet)	Volume (vph)	95 th % Queue (feet)	Volume (vph)	95 th % Queue (feet)	Volume (vph)	95 th % Queue (feet)
Approach	Lane	Storage (feet)			Project Only	Total			Project Only	Total
Southbound	Left turn	150	46	64	1	47	88	132	1	89
Northbound	Left turn	200	247	380	0	247	253	476	0	253
Eastbound	Left turn	425	94	113	0	94	92	123	0	92
Westbound	Left turn	575	499	701	1	500	644	1038	3	647

Notes: Values highlighted in yellow exceed storage by 20 feet or more.
"vph" = vehicles per hour.

SITE ACCESS ASSESSMENT

The adequacy of site access has been evaluated within the context of the issues which can affect the operation of adjoining public streets.

The Olive Avenue Mini-Storage project would have access to the surrounding roadway network via a connection to Olive Avenue. Access to Olive Avenue would be provided by shared use of an existing driveway connection to Olive Avenue. The proposed project would share use of the driveway with an approximately 7,000 building square feet existing retail commercial land use which is adjacent to the west side of the Olive Avenue Mini-Storage project site.

A raised median is present along Olive Avenue in the vicinity of the project site. A left-turn pocket is present in the median, which allows for left-turn movements into the driveway. The following movements are allowed at the existing shared-use driveway, and would continue to be allowed with implementation of the Olive Avenue Mini-Storage project:

- eastbound-to-northbound left-turns entering the driveway,
- westbound-to-northbound right-turns entering the driveway, and
- southbound-to-westbound right-turns exiting the driveway.

Southbound-to-eastbound left-turns exiting the driveway are prevented by the raised median, and would not be allowed with implementation of the proposed project.

The configuration of the existing driveway provides protected storage areas for vehicles making right-turn and left-turn movements at the driveway connection. In the vicinity of the driveway connection, the roadway does not have vertical or horizontal curvature that would impair sight distance. As shown in **Table 3**, the Olive Avenue Mini-Storage project would generate a relatively low number of vehicle trips - five trips in the a.m. peak hour and eight trips in the p.m. peak hour. Because of these factors, the project is not considered to result in any conditions that would result in unacceptable site access or would adversely affect operation of adjoining public streets.

IMPROVEMENTS / RECOMMENDATIONS

The preceding analysis has identified impacts on traffic operations that would occur without roadway improvements or mitigation. The text that follows identifies measures for improving traffic operations with the goal of achieving the City's LOS D minimum standard.

Existing Conditions

Level of Service. All study intersections and roadway segment currently operate at LOS D or better, which satisfies the City's minimum LOS D threshold. No specific improvements are required.

Queuing. During the p.m. peak hour, 95th percentile queuing on the southbound-to-eastbound left-turn movement at the intersection of Olive Avenue / Santa Fe Drive & SR 59 exceed the storage length. Retiming of the signal at this intersection as a part of the City's pending SR 59 widening project would address the length of queues on this movement.

Existing Plus Olive Avenue Mini-Storage Project Conditions

Level of Service Effects. The traffic operational analysis concludes that all study intersections would continue to operate with LOS that satisfy the minimum LOS D standard.

Queuing Effects. The project would add a minor amount of traffic to the intersection of Olive Avenue / Santa Fe Drive & SR 59 resulting in a minor increase in the length of queuing on the southbound-to-eastbound left-turn movement at the intersection. Addressing the length of queuing on this approach may be undertaken with the City's pending SR 59 widening project.

Roadway Segment LOS Effects. The project would add traffic to the study roadway segment. However, the roadway segment would operate at LOS D or better, which satisfies the City's minimum LOS D threshold.

Existing Plus Approved Projects (EPAP) Plus Olive Avenue Mini-Storage Project Conditions

Level of Service Effects. The traffic operational analysis concludes that the intersection of Olive Avenue / Santa Fe Drive & SR 59 would operate at LOS E under EPAP No Project conditions and EPAP Plus Project conditions. Optimizing the traffic signal timing at this intersection after previously approved land use development projects on the northwest and northeast corners of the intersection are occupied is recommended.

Queuing Effects. Under both EPAP No Project conditions and EPAP Plus Project conditions, queuing on the southbound-to-eastbound left-turn movement and the northbound-to-westbound left-turn movement at the intersection of Olive Avenue / Santa Fe Drive & SR 59 would exceed the storage length. The project would add a minor amount of traffic to the intersection, resulting in a minor increase in the length of queuing. Retiming of the signal at this intersection as a part of recommended improvements to improve LOS would address the length of queues on these movements.

Roadway Segment LOS Effects. The project would add traffic to the study roadway segment. However, the roadway segment would operate at LOS D or better, which satisfies the City's minimum LOS D threshold.

Cumulative Year 2046 Plus Olive Avenue Mini-Storage Project Conditions

Level of Service Effects. The traffic operational analysis concludes that the intersection of Olive Avenue / Santa Fe Drive & SR 59 would operate at LOS F under Cumulative No Project conditions and Cumulative Plus Project conditions. Traffic studies for other projects under similar circumstances have recommended that development projects contribute a fair share to the cost of intersection improvements that include:

- Reconstruct westbound Olive Avenue to provide dual westbound-to-southbound left turn lanes onto southbound SR 59.
- Reconfigure the existing westbound right turn lane to create a combination westbound through & right turn lane, and extend that through lane across SR 59 to create a third departing westbound lane.
- Reconstruct the existing northbound-to-eastbound right turn lane as a “free” right turn with a median island separating eastbound through traffic and right turning traffic.
- Reconstruct the eastbound Santa Fe Drive approach to provide dual eastbound-to-northbound left turn lanes onto northbound SR 59.

This level of improvement would yield LOS C in the a.m. peak hour and LOS D in the p.m. peak hour under both Cumulative No Project conditions and Cumulative Plus Project conditions.

Any decisions regarding long term improvements to Merced's regional circulation system should be balanced by understanding of improvement issues that are outside of the control of the City of Merced. In this case, the timing for completion of AME to Bellevue Road has been uncertain and is reflected in this analysis. Extending AME would have the effect of altering future traffic volumes on SR 59. Thus, it is recommended that that long term intersection design issues be considered within the context of the City's pending of plans for SR 59 widening.

Queuing Effects. Under both Cumulative No Project conditions and Cumulative Plus Project conditions, queuing on the northbound-to-westbound left-turn movement and the westbound-to-southbound left-turn movement at the intersection of Olive Avenue / Santa Fe Drive & SR 59 would exceed the storage length. The Olive Avenue Mini-Storage project would add a minor amount of traffic to the intersection, resulting in a minor increase in the length of queuing. The recommended improvements listed above to improve LOS would address the length of queues on these movements.

Roadway Segment LOS Effects. The project would add traffic to the study roadway segment. However, the roadway segment would operate at LOS D or better, which satisfies the City's minimum LOS D threshold.

Improvement Summary

Table T20 summarizes recommended improvements.

**TABLE T20
IMPROVEMENT SUMMARY**

Location	Impact	Improvement	Ramification
<i>EXISTING AND EXISTING PLUS PROJECT CONDITIONS</i>			
Olive Avenue / Santa Fe Drive & State Route 59	Queuing exceeds storage length.	Retime traffic signal timing as part of City's pending SR 59 widening project	Requires Caltrans coordination and approval
<i>EPAP NO PROJECT AND EPAP PLUS PROJECT CONDITIONS</i>			
Olive Avenue / Santa Fe Drive & State Route 59	LOS E during p.m. peak hour, and queuing exceeds storage length.	Optimize traffic signal timing after approved projects adjacent to the intersection are occupied	Requires Caltrans coordination and approval
<i>CUMULATIVE NO PROJECT AND CUMULATIVE PLUS PROJECT CONDITIONS</i>			
Olive Avenue / Santa Fe Drive & State Route 59	LOS F during a.m. and p.m. peak hours, and queuing exceeds storage length.	Determine the feasibility of including long term improvements that are consistent with City's SR 59 widening project	

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Personal Communications

- Forte, Elizabeth. Director of Planning and Programming. Merced County Association of Governments (MCAG). January 30, 2023 E-mail message to Wayne Shijo, KD Anderson & Associates.

<p style="text-align: center;">ENVIRONMENTAL REVIEW #23-08 Revised Mitigation Monitoring Program</p>

MITIGATION MONITORING CONTENTS

This mitigation monitoring program includes a brief discussion of the legal basis and purpose of the mitigation monitoring program, a key to understanding the monitoring matrix, a discussion of noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resource Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The City of Merced has adopted its own “Mitigation Monitoring and Reporting Program” (MMC 19.28). The City’s program was developed in accordance with the advisory publication, *Tracking CEQA Mitigation Measures*, from the Governor’s Office of Planning and Research.

As required by MMC 19.28.050, the following findings are made:

- 1) The requirements of the adopted mitigation monitoring program for the General Plan Amendment #23-02, Site Utilization Plan (SUP) Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review #516 shall run with the real property. Successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program.
- 2) Prior to any lease, sale, transfer, or conveyance of any portion of the subject real property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

MITIGATION MONITORING PROCEDURES

In most cases, mitigation measures can be monitored through the City’s construction plan approval/plan check process. When the approved project plans and specifications, with mitigation measures, are submitted to the City Development Services Department, a copy of the monitoring checklist will be attached to the submittal. The Mitigation Monitoring Checklist will be filled out upon project approval with mitigation measures required. As project plans and specifications are checked, compliance with each mitigation measure can be reviewed.

In instances where mitigation requires on-going monitoring, the Mitigation Monitoring Checklist will be used until monitoring is no longer necessary. The Development Services Department will be required to file periodic reports on how the implementation of various mitigation measures is progressing or is being maintained. Department staff may be required to conduct periodic inspections to assure compliance. In some instances, outside agencies and/or consultants may be required to conduct necessary periodic inspections as part of the mitigation monitoring program. Fees may be imposed per MMC 19.28.070 for the cost of implementing the monitoring program.

GENERAL PLAN MITIGATION MEASURES

As a second-tier environmental document, Initial Study #23-08 incorporates some mitigation measures adopted as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (SCH# 2008071069), as mitigation for potential impacts of the Project.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Director of Development Services in written form providing specific information on the asserted violation. The Director of Development Services shall cause an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Director of Development Services shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue. Merced Municipal Code (MMC) Sections 19.28.080 and 19.28.090 outline the criminal penalties and civil and administrative remedies which may be incurred in the event of noncompliance. MMC 19.28.100 spells out the appeals procedures.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for General Plan Amendment #23-02, Site Utilization Plan Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review #516. The columns within the tables are defined as follows:

Mitigation Measure:	Describes the Mitigation Measure (referenced by number).
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation measure.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

**General Plan Amendment #23-02/Site Utilization Plan Revision #3 to Planned Development (P-D)
#12/Conditional Use Permit #1274/
Site Plan Review Permit #516
Mitigation Monitoring Checklist**

Project Name:	_____	File Number:	_____
Approval Date:	_____	Project Location	_____
Brief Project Description	_____		

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City of Merced’s Mitigation Monitoring Requirements (MMC 19.28) with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

1) Greenhouse Gas Emissions				
<i>Impact</i>	<i>Mitigation Measures</i>	<i>Timing</i>	<i>Agency or Department</i>	<i>City Verification (date and initials)</i>
<i>a</i>	GHG- 1)	Building Permit	Planning Department	

a	<p>GHG-1) The project applicant shall demonstrate compliance with the applicable BPS strategies to the Planning Division prior to the issuance of a building permit. The following BPS strategies are considered to be applicable, feasible, and effective in reducing GHG emissions generated by the project:</p> <ul style="list-style-type: none"> • The project will provide a pedestrian access network that internally links all uses and connects to existing external streets and pedestrian facilities. Existing facilities are defined as those facilities that are physically constructed and ready for use prior to the first 20% of the project's occupancy permits being granted. • Site design and building placement will minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation will be eliminated. Barriers to pedestrian access of neighboring facilities and sites will be minimized. This measure is not meant to prevent the limited use of barriers to ensure public safety by prohibiting access to hazardous areas. This measure is not meant to prevent features needed to securely operate a mini-storage facility. • Merced Regional Transit System The Bus Route M1 - Merced West - provides bus service with one-half hour headways. A bus stop for Route M1 is located at the Walmart store at Olive Avenue and 	Building Permit	Building / Engineering Departments	
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	<p>Loughborough Drive, directly south of the project site. The project will provide safe and convenient bicycle/pedestrian access to the bus stop and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).The project applicant shall plant trees to provide shade.</p> <ul style="list-style-type: none"> • The project will install light-colored/high/albedo roof materials on the portion of the project containing climate-controlled units. Light-colored/high/albedo roof materials reflect more of the sun's rays, decreasing the amount of heat transferred into a building. • The project will provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; OR use an open-grid pavement system (less than 50% impervious) for a minimum of 50% of the parking lot area. Unshaded parking lot areas, driveways, fire lanes, and other paved areas will have a minimum albedo of 0.3 or greater. 			
b	<i>GHG-2)</i> Implementation of Mitigation Measure of GHG-1.			

Certificate of Completion:

By signing below, the environmental coordinator confirms that the required mitigation measures have been implemented as evidenced by the Schedule of Tasks and Sign-Off Checklist, and that all direct and indirect costs have been paid. This act constitutes the issuance of a *Certificate of Completion*.

Environmental Coordinator

Date

<p style="text-align: center;">ENVIRONMENTAL REVIEW #23-08 Revised Mitigation Monitoring Program</p>

MITIGATION MONITORING CONTENTS

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As required by MMC 19.28.050, the following findings are made:

- 1) The requirements of the adopted mitigation monitoring program for the General Plan Amendment #23-02, Site Utilization Plan (SUP) Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review #516 shall run with the real property. Successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program.
- 2) Prior to any lease, sale, transfer, or conveyance of any portion of the subject real property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

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In most cases, mitigation measures can be monitored through the City’s construction plan approval/plan check process. When the approved project plans and specifications, with mitigation measures, are submitted to the City Development Services Department, a copy of the monitoring checklist will be attached to the submittal. The Mitigation Monitoring Checklist will be filled out upon project approval with mitigation measures required. As project plans and specifications are checked, compliance with each mitigation measure can be reviewed.

In instances where mitigation requires on-going monitoring, the Mitigation Monitoring Checklist will be used until monitoring is no longer necessary. The Development Services Department will be required to file periodic reports on how the implementation of various mitigation measures is progressing or is being maintained. Department staff may be required to conduct periodic inspections to assure compliance. In some instances, outside agencies and/or consultants may be required to conduct necessary periodic inspections as part of the mitigation monitoring program. Fees may be imposed per MMC 19.28.070 for the cost of implementing the monitoring program.

GENERAL PLAN MITIGATION MEASURES

As a second-tier environmental document, Initial Study #23-08 incorporates some mitigation measures adopted as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (SCH# 2008071069), as mitigation for potential impacts of the Project.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Director of Development Services in written form providing specific information on the asserted violation. The Director of Development Services shall cause an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Director of Development Services shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue. Merced Municipal Code (MMC) Sections 19.28.080 and 19.28.090 outline the criminal penalties and civil and administrative remedies which may be incurred in the event of noncompliance. MMC 19.28.100 spells out the appeals procedures.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for General Plan Amendment #23-02, Site Utilization Plan Revision #3 to Planned Development (P-D) #12, Conditional Use Permit #1274, and Site Plan Review #516. The columns within the tables are defined as follows:

Mitigation Measure:	Describes the Mitigation Measure (referenced by number).
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation measure.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

**General Plan Amendment #23-02/Site Utilization Plan Revision #3 to Planned Development (P-D)
#12/Conditional Use Permit #1274/
Site Plan Review Permit #516
Mitigation Monitoring Checklist**

Project Name:	_____	File Number:	_____
Approval Date:	_____	Project Location	_____
Brief Project Description	_____		

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City of Merced’s Mitigation Monitoring Requirements (MMC 19.28) with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

1) Greenhouse Gas Emissions				
<i>Impact</i>	<i>Mitigation Measures</i>	<i>Timing</i>	<i>Agency or Department</i>	<i>City Verification (date and initials)</i>
<i>a</i>	GHG- 1)	Building Permit	Planning Department	

a	<p>GHG-1) The project applicant shall demonstrate compliance with the applicable BPS strategies to the Planning Division prior to the issuance of a building permit. The following BPS strategies are considered to be applicable, feasible, and effective in reducing GHG emissions generated by the project:</p> <ul style="list-style-type: none"> • The project will provide a pedestrian access network that internally links all uses and connects to existing external streets and pedestrian facilities. Existing facilities are defined as those facilities that are physically constructed and ready for use prior to the first 20% of the project's occupancy permits being granted. • Site design and building placement will minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation will be eliminated. Barriers to pedestrian access of neighboring facilities and sites will be minimized. This measure is not meant to prevent the limited use of barriers to ensure public safety by prohibiting access to hazardous areas. This measure is not meant to prevent features needed to securely operate a mini-storage facility. • Merced Regional Transit System The Bus Route M1 - Merced West - provides bus service with one-half hour headways. A bus stop for Route M1 is located at the Walmart store at Olive Avenue and 	Building Permit	Building / Engineering Departments	
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	<p>Loughborough Drive, directly south of the project site. The project will provide safe and convenient bicycle/pedestrian access to the bus stop and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).The project applicant shall plant trees to provide shade.</p> <ul style="list-style-type: none"> • The project will install light-colored/high/albedo roof materials on the portion of the project containing climate-controlled units. Light-colored/high/albedo roof materials reflect more of the sun's rays, decreasing the amount of heat transferred into a building. • The project will provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; OR use an open-grid pavement system (less than 50% impervious) for a minimum of 50% of the parking lot area. Unshaded parking lot areas, driveways, fire lanes, and other paved areas will have a minimum albedo of 0.3 or greater. 			
b	<i>GHG-2)</i> Implementation of Mitigation Measure of GHG-1.			

Certificate of Completion:

By signing below, the environmental coordinator confirms that the required mitigation measures have been implemented as evidenced by the Schedule of Tasks and Sign-Off Checklist, and that all direct and indirect costs have been paid. This act constitutes the issuance of a *Certificate of Completion*.

Environmental Coordinator

Date

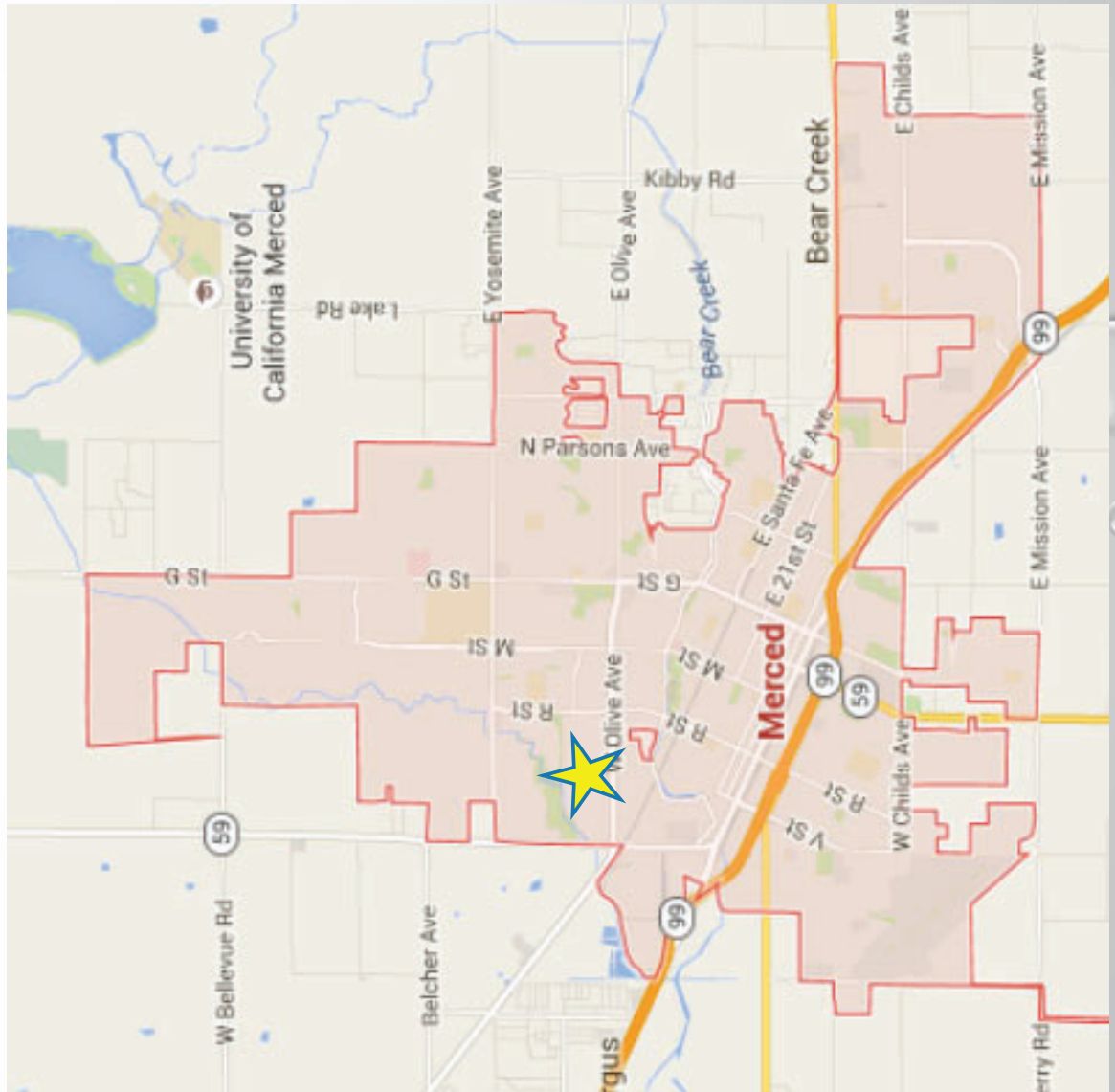
GPA #23-02/ SUP REV #3 (P-D #12)/ CUP #1274/SP #516

MERCED SECURITY STORAGE, INC.

NEW SELF-STORAGE & LONG TERM RV/BOAT PARKING

1965 W OLIVE AVENUE

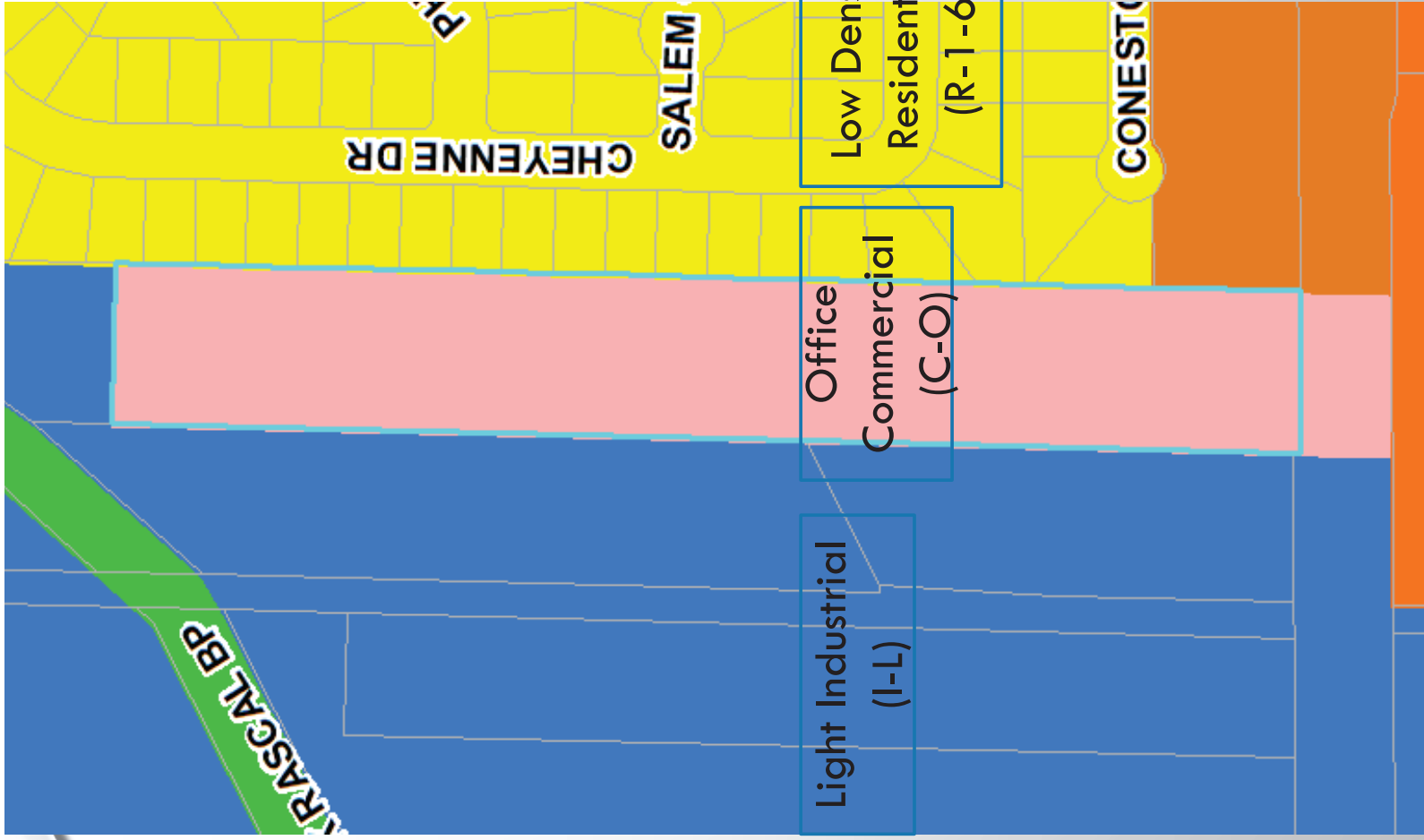
CITY-SCALE CONTEXT





BACKGROUND

- SUBJECT SITE (6 AC) ANNEXED INTO THE CITY IN 1970 AS PART OF FAHRENS CREEK ANNEXATION WHICH INCORPORATED 576 ACRES INTO CITY LIMITS.
- THE SUBJECT SITE HAS REMAINED VACANT FOR MAIN DECADES
- ONE OF THE CHALLENGES DEVELOPING THIS SITE HAS BEEN THAT THE SITE HAS BEEN IN A FLOODWAY
- THE PROPOSED BOAT AND RV PARKING WITHIN THE FLOODWAY DO NOT REQUIRE BUILDINGS MAKING IT A QUALIFYING USE WITHIN THE FLOODWAY (PENDING HYDROLOGIST REVIEW OF FENCING)



- Office Commercial acts as buffer between Industrial and Residential Zones
 - General Plan Change from Office Commercial to Business Park

ENTITLEMENTS

- **GENERAL PLAN AMENDMENT #23-02** FROM COMMERCIAL OFFICE (CO) TO BUSINESS PARK (BP) – RECOMMENDATION TO CITY COUNCIL
- **SITE UTILIZATION PLAN REVISION #3 TO PLANNED DEVELOPMENT #12** WOULD CHANGE THE LAND USE DESIGNATION FROM COMMERCIAL OFFICE TO SELF-STORAGE AND LONG TERM PARKING (BOAT AND RV) – RECOMMENDATION TO CITY COUNCIL
- **CONDITIONAL USE PERMIT #1274** TO ALLOW A LIVE-WORK UNIT FOR ONSITE MANAGER OF SELF-STORAGE – ACTION BY PLANNING COMMISSION
- **SITE PLAN REVIEW PERMIT #516** TO ALLOW 440 STORAGE UNITS AND 171 LONG TERM PARKING SPACES – ACTION BY PLANNING COMMISSION



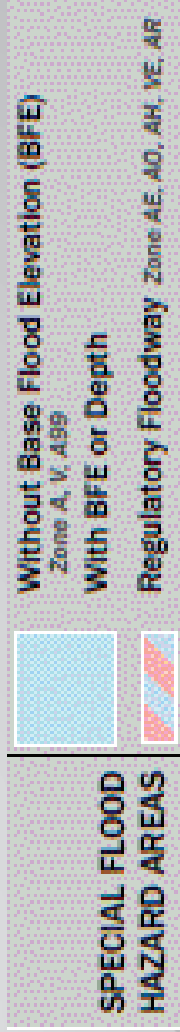
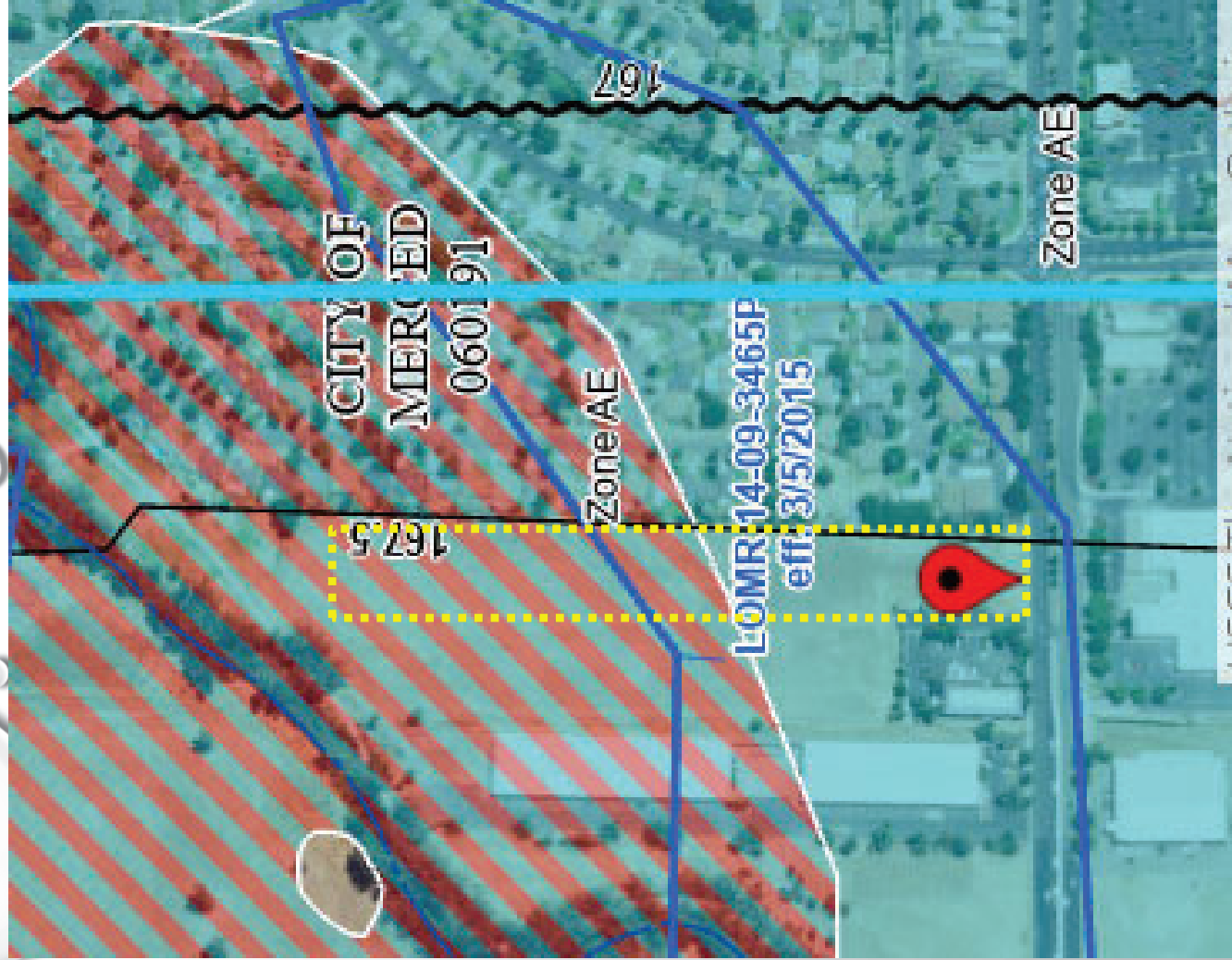
1,404 ft

189 ft

6 AC

FEMA MAP

- Floodway development (structures or fencing) will require a **No Rise Certificate** from a licensed Hydrologist
- There is a possibility that **no structures** may be allowed within this area (2/3 of site)



STREET VIEW



- Existing wood fence between project site and residential to the East
- Existing public improvements does not have street trees, streetlights, etc.
- Street corner ramp and sidewalk may need to be redone to comply with current ADA standards

PROPOSAL



CMU backwall at
property line

Drive Aisle
26.5 feet wide

Gate

Office

Drive Aisle
30 feet wide



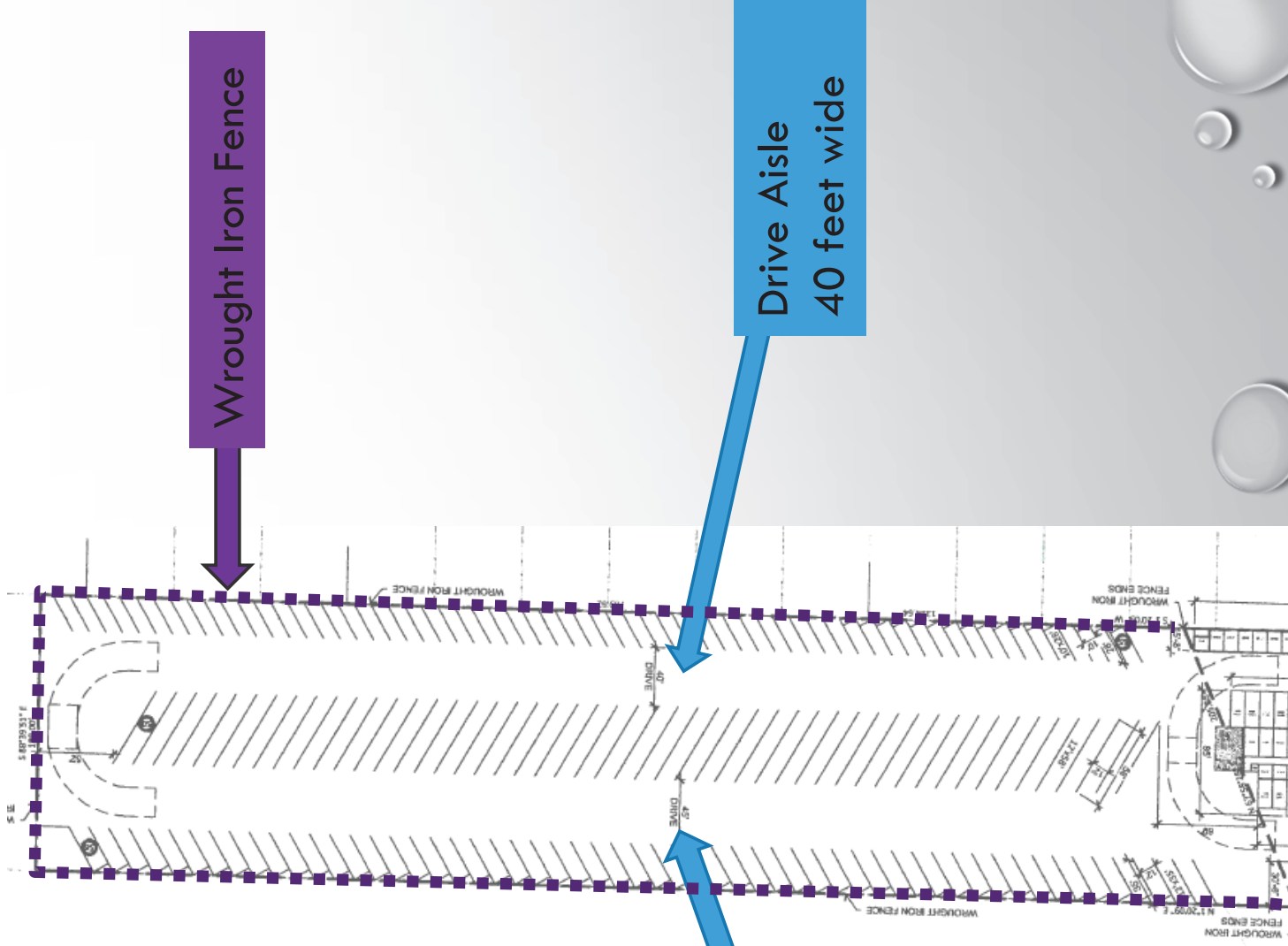
STORAGE BREAKDOWN

BUILDING A UNIT MIX				
G.S.F = 43,850 S.F.				
L.S.F. = 35,577 S.F.				
CLIMATE CONTROLLED UNIT MIX SUMMARY				
UNIT SIZE	TOTAL	S.F. PER	AREA	
INTERIOR STORAGE				
5'X5'	29	25	725	
5'X10'	57	50	2850	
10'X5'	32	50	1600	
10'X10'	132	100	13200	
10'X15'	11	150	1650	
10'X20'	15	200	3000	
SUBTOTAL	276		23025	
DRIVE UP STORAGE				
10'X5' NON	1	50	50	
10'X10' NON	42	100	4200	
10'X15' NON	3	150	450	
10'X20' NON	4	200	800	
10'X25' NON	28	250	7000	
SUBTOTAL	78		12500	
TOTAL STORAGE	354		35525	

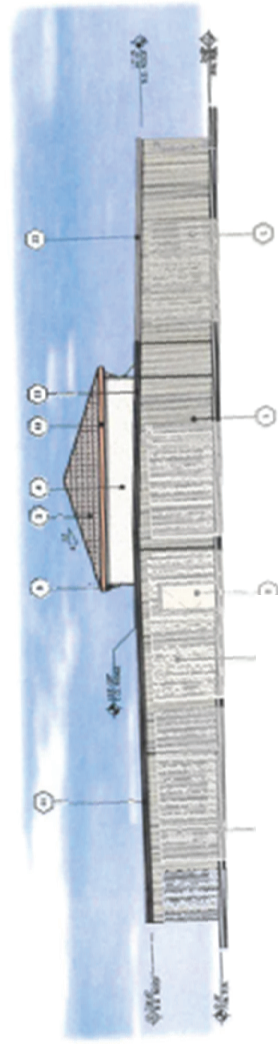
RV AND BOAT PARKING

*Driving aisles would be made out of paved surface.
Parking areas would be made of gravel or similar surface

171 parking stalls
(10'x28'-12'x58')
Long-term parking for Boat & Recreational Vehicles



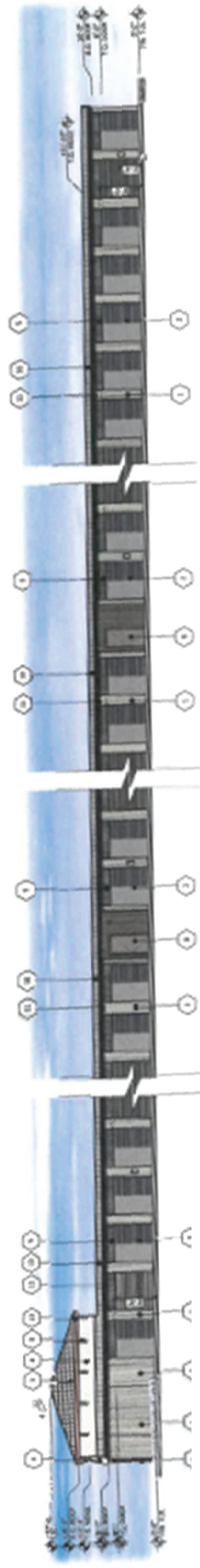
ELEVATIONS



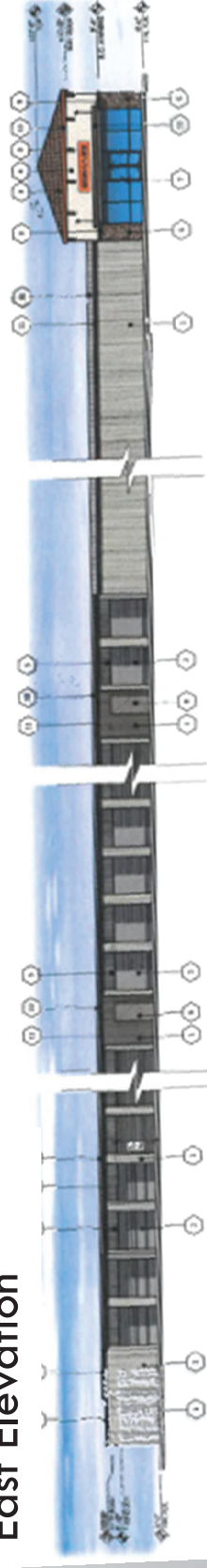
North Elevation



South Elevation



East Elevation



West Elevation

Building Details: Office = 23-ft. tall (top of roof), stucco and stone veneer finish)

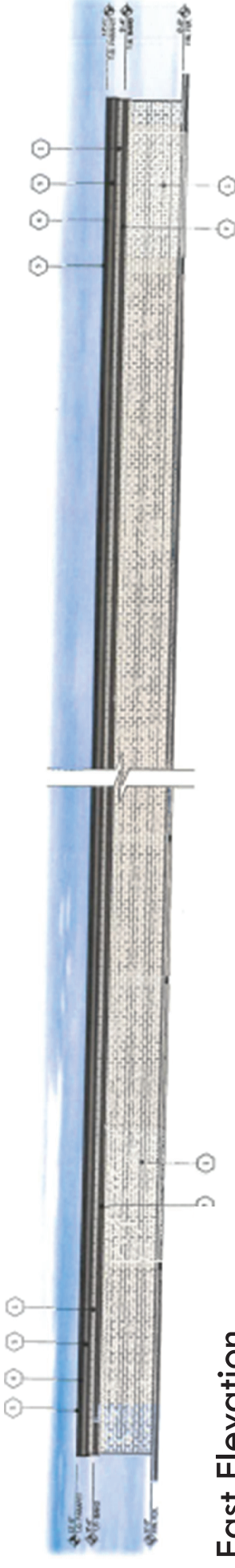
ELEVATIONS

MATERIALS	
1	MAINTENANCE WALLS
2	CONCRETE WALLS
3	CONCRETE WALLS
4	CONCRETE WALLS
5	CONCRETE WALLS
6	CONCRETE WALLS
7	CONCRETE WALLS
8	CONCRETE WALLS
9	CONCRETE WALLS
10	CONCRETE WALLS
11	CONCRETE WALLS
12	CONCRETE WALLS
13	CONCRETE WALLS
14	CONCRETE WALLS
15	CONCRETE WALLS
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18	CONCRETE WALLS
19	CONCRETE WALLS
20	CONCRETE WALLS

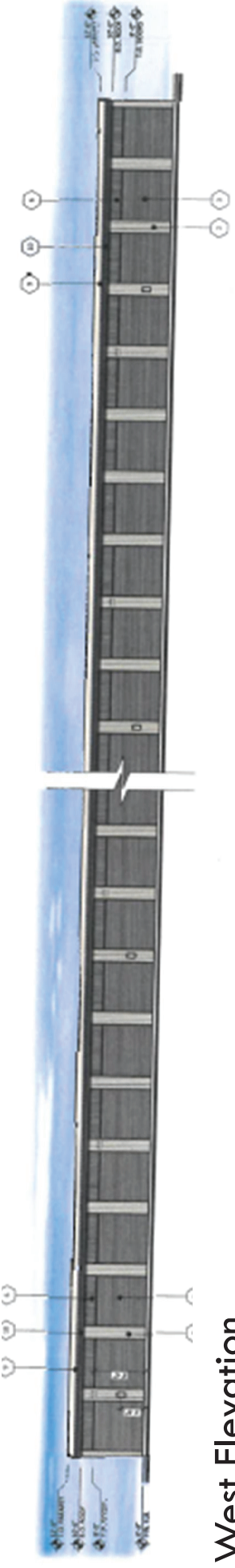


North Elevation

South Elevation



East Elevation

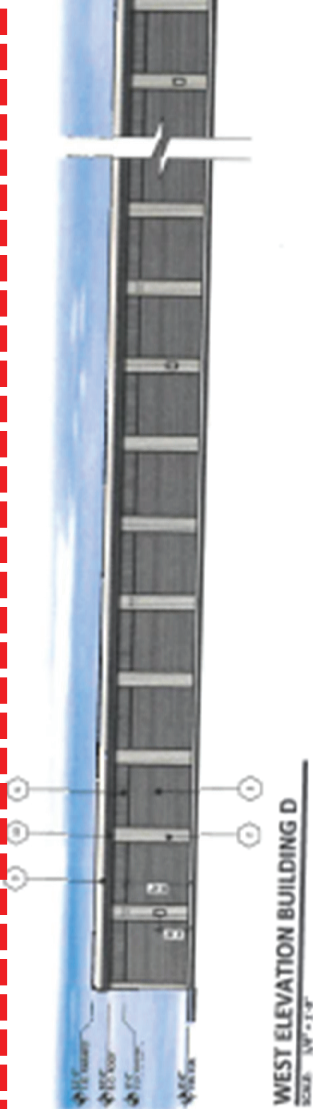
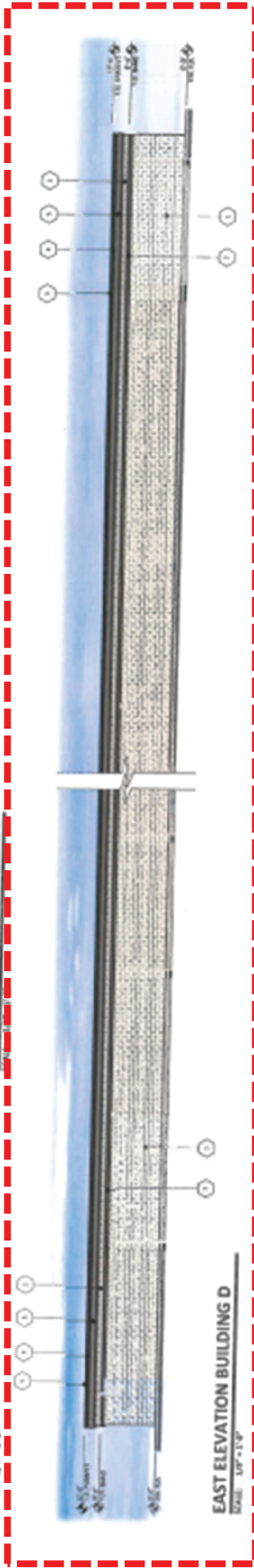
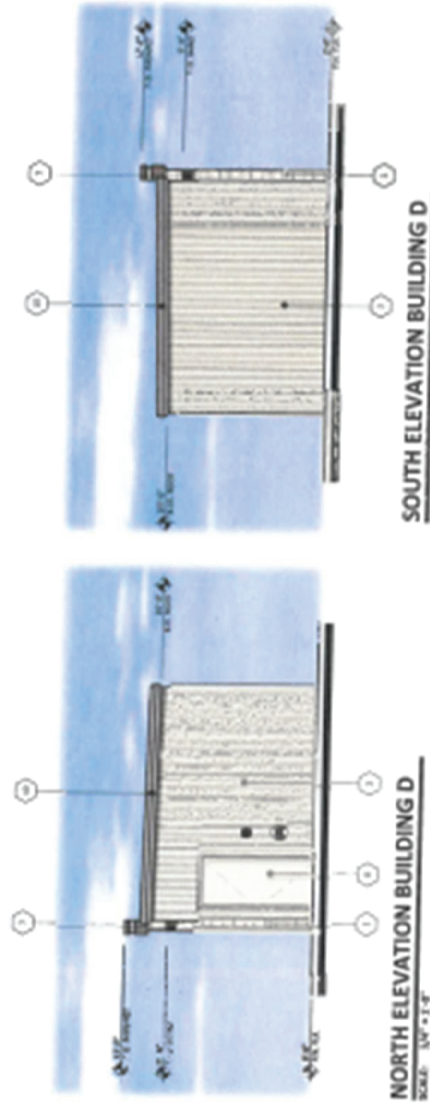


West Elevation

Building Details: Storage Bldgs. = 12-ft. tall (top of roof), metal garage doors, and
backside finished concrete masonry unit walls.

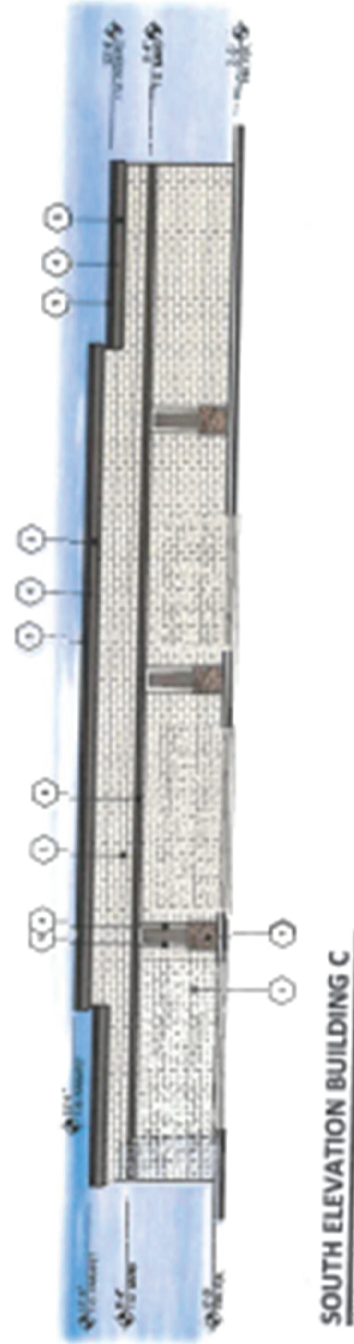
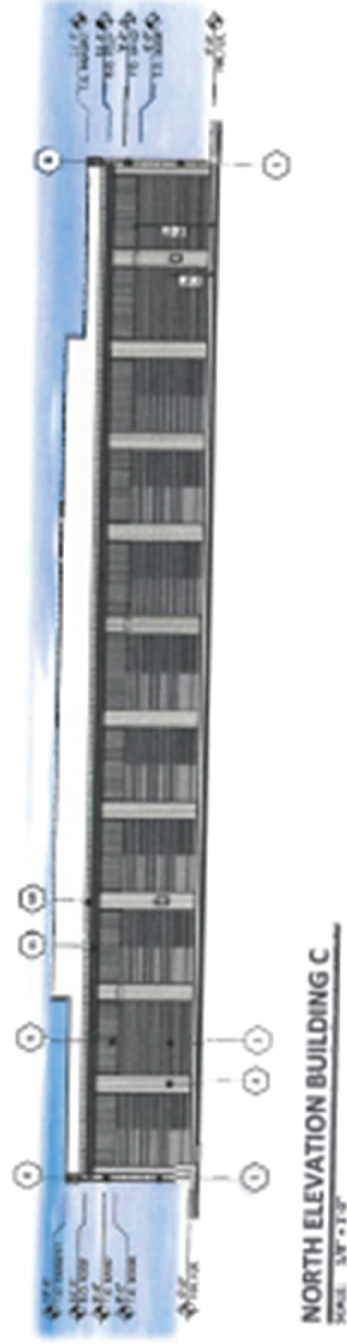
ELEVATIONS

G. MATERIALS	
1	BRICK (CLAY) 12" x 8" x 4"
2	CONCRETE BLOCK 12" x 8" x 4"
3	CEMENT PLASTER 1/2" THICK
4	CEMENT PLASTER 1/2" THICK
5	CEMENT PLASTER 1/2" THICK
6	CEMENT PLASTER 1/2" THICK
7	CEMENT PLASTER 1/2" THICK
8	CEMENT PLASTER 1/2" THICK
9	CEMENT PLASTER 1/2" THICK
10	CEMENT PLASTER 1/2" THICK
11	CEMENT PLASTER 1/2" THICK
12	CEMENT PLASTER 1/2" THICK
13	CEMENT PLASTER 1/2" THICK
14	CEMENT PLASTER 1/2" THICK
15	CEMENT PLASTER 1/2" THICK
16	CEMENT PLASTER 1/2" THICK
17	CEMENT PLASTER 1/2" THICK
18	CEMENT PLASTER 1/2" THICK
19	CEMENT PLASTER 1/2" THICK
20	CEMENT PLASTER 1/2" THICK



East elevation between subject site and residential. 12 ft tall CMU building wall.

ELEVATIONS



South elevation is most visible elevation from Olive Avenue. 13-15 ft tall.
CMU building wall, with ribbon accents and stone veneer accents

PLANNED DEVELOPMENT STANDARDS

DEVELOPMENT STANDARDS FOR OLIVE AVENUE SELF-STORAGE & BOAT/RV LONG TERM PARKING FACILITY

	PD-12
Setbacks for all primary and secondary structures	Zero-Lot Line
Off-Street Parking for Self-Storage and Boat/RV Long Term Parking Facility	5 parking stalls
Boat & RV Parking Surface	Gravel

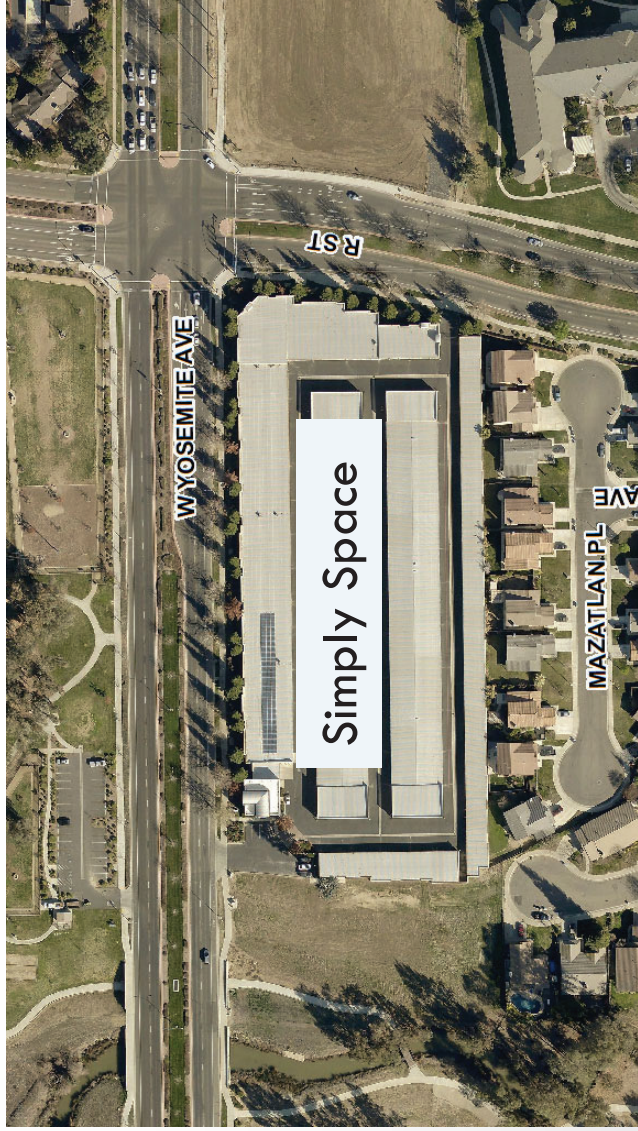
AFFORDABILITY REQUIREMENTS

- IN 2022, CITY COUNCIL APPROVED RESOLUTION #2022-15 REGARDING 12.5% AFFORDABILITY HOUSING FOR NEW SINGLE-FAMILY RESIDENTIAL PROJECTS IF THEY REQUIRE A LEGISLATIVE ACTION AGREEMENT (DUE TO ANNEXATION, GPA, SUP REVISION, ZONE CHANGE, ETC.) AND IF THE HOUSING THE PROJECT EXCEEDS OVER 60 UNITS.
- THIS PROJECT WILL NOT BE REQUIRED TO PROVIDE AFFORDABLE UNITS, EVEN THOUGH IT REQUIRES A LEGISLATIVE ACTION AGREEMENT IT IS UNDER 60 UNITS (AT 1 UNIT).

NEIGHBORHOOD IMPACT

- THERE MAY BE SOME VIBRATION AND NOISE DURING CONSTRUCTION.
- 12-FOOT-TALL BLOCK BUILDING WALL BETWEEN SUBJECT SITE AND RESIDENTIAL WOULD REDUCE IMPACTS REGARDING NOISE AND LIGHTING (ALSO REQUIRED LIGHTING TO BE SHIELDED) AND SHIELD STORAGE BUILDINGS.
- TRAFFIC STUDY INDICATED THAT THIS WOULD BE A “LOW IMPACT USE” BASED ON THRESHOLDS IDENTIFIED BY THE STATE **OFFICE OF PLANNING AND RESEARCH**, WITH 74 TRIPS PER DAY FALLING BELOW 110 DAILY TRIPS PER DAY. THIS IS CONSIDERED A “**SMALL PROJECT**” **EXEMPT FROM VMT** AND WOULD EXPECT REDUCED IMPACTS ON ADJACENT RESIDENTIAL.
- CONDITION INCLUDED TO LIMIT HOURS OF OPERATION BETWEEN 7 A.M. AND 10 P.M. (CONDITION #28)
- PUBLIC HEARING NOTICES WERE MAILED TO ADJACENT PROPERTY OWNERS 3 WEEKS PRIOR TO THIS MEETING. STAFF DID NOT RECEIVE ANY COMMENTS FROM THE PUBLIC.

MINI STORAGE NEXT TO RESIDENTIAL



CONDITIONS

- **CONDITION #20:** DRIVING AISLES SHALL BE DESIGNED TO MEET ALL FIRE DEPARTMENT REQUIREMENTS (INCLUDING TURNING RADIUS).
- **CONDITION #26:** PARKING LOT LIGHTS AND BUILDING LIGHTS SHALL BE SHIELDED TO NOT “SPILL OVER” ONTO ADJACENT PARCELS.
- **CONDITION #28:** SELF-STORAGE/BOAT & RV PARKING MAY OPERATE DAILY BETWEEN 7 A.M. AND 10 P.M. ONLY.
- **CONDITION #29:** DWELLING NOT ALLOWED WITHIN STORAGE FACILITY OR WITHIN BOATS/RV.
- **CONDITION #31:** THE PROPOSAL SHALL COMPLY WITH MITIGATION MONITORING TABLE AT ATTACHMENT K (REGARDING BEST PRACTICES TO REDUCE GREENHOUSE GAS EMISSIONS)
- **CONDITION #32:** CUP AND SPR CONTINGENT UPON CITY COUNCIL APPROVAL OF GPA AND SUP REV.

CONDITIONS (ENGINEERING)

- **CONDITION #12:** APPLICATION SHALL WORK WITH LICENSED HYDROLOGIST TO DETERMINE IF A “NO RISE CERTIFICATE” CAN BE ISSUED FOR FENCING WITHIN FLOODWAY AREA.
- **CONDITION #14:** DEVELOPER AND THEIR TRAFFIC ENGINEER SHALL WORK WITH ENGINEERING STAFF TO DETERMINE VEHICLE STACKING DISTANCE SO VEHICLES DO NOT BACK-UP ONTO OLIVE AVENUE (THIS MAY REQUIRE MINOR MODIFICATIONS TO SITE PLAN).
- **CONDITION #34:** THE APPLICANT SHALL WORK WITH CITY ENGINEER TO DETERMINE IF TRAFFIC SIGNAL TIMING AT OLIVE AVE./SANTA FE DR. & HWY 59 NEEDS TO BE OPTIMIZED.

RECOMMEND TO CITY COUNCIL

- APPROVE/DISAPPROVE/MODIFY:
 - ENVIRONMENTAL REVIEW #23-08 (MITIGATED NEGATIVE DECLARATION)
 - GENERAL PLAN AMENDMENT (GPA) #23-02
 - SITE UTILIZATION PLAN REVISION (SUP REV) #3 TO P-D #12

DIRECT ACTION

- APPROVAL/DISAPPROVE/MODIFY:
- ENVIRONMENTAL REVIEW #23-08 (MITIGATED
NEGATIVE DECLARATION)
- CONDITIONAL USE PERMIT (CUP)#1 274
- SITE PLAN REVIEW PERMIT #516
 - (APPROVALS WOULD BE CONTINGENT UPON CC
APPROVAL OF GPA, AND SUPR #3 TO P-D #12)

• QUESTIONS? COMMENTS? CONCERNS?





CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

File #: 23-585

Meeting Date: 7/5/2023

Report Prepared by: Scott McBride, Director of Development Services

SUBJECT: Cancellation of July 19, 2023, Planning Commission Meeting due to lack of items

ACTION:

Cancel the Planning Commission Meeting of July 19, 2023



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

File #: 23-583

Meeting Date: 7/5/2023

Planning Commission Staff Report

SUBJECT: Report by Director of Development Services of Upcoming Agenda Items

ACTION

Information only.



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

File #: 23-584

Meeting Date: 7/5/2023

Planning Commission Staff Report

SUBJECT: Calendar of Meetings/Events

July	3	City Council, 6:00 p.m.
	5	Planning Commission, 7:00 p.m.
	17	City Council, 6:00 p.m.
	19	Planning Commission, 7:00 p.m. (To be cancelled)
August	7	City Council, 6:00 p.m.
	9	Planning Commission, 7:00 p.m.
	21	City Council, 6:00 p.m.
	22	Bicycle and Pedestrian Advisory Commission, 4:00 p.m.
	23	Planning Commission, 7:00 p.m.