

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, November 12, 2015

Chairperson GONZALVES called the meeting to order at 1:30 p.m.

ROLL CALL

Committee Members Present: Director of Development Services Gonzalves, Land Engineer Cardoso (for City Engineer Elwin), and Assistant Chief Building Official Stephenson

Committee Members Absent: None

Staff Present: Planning Manager Espinosa, Associate Planner Nelson, Planner/Recording Secretary Mendoza-Gonzalez, and Economic Development Associate Mendoza

1. **MINUTES**

M/S STEPHENSON-CARDOSO, and carried by unanimous voice vote, to approve the Minutes of October 8, 2015, with changes to the motions on pages 2, 3, and 4 to show action by “Cardoso” instead of “Elwin.”

3. **COMMUNICATIONS**

None.

4. **ITEMS**

4.1 Site Plan Application #389, submitted by Roberto Martinez on behalf of NorCal Foods Merced, LH LLC, property owners, to modify the exterior of an existing building at 1798 W. Olive Avenue within Planned Development (P-D) #16, with a General Plan designation of Regional/Community Commercial (RC).

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Planner MENDOZA-GONZALEZ reviewed the application for this item. For further information, refer to Draft Site Plan Review Committee Resolution #389.

M/S STEPHENSON-GONZALVES, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #15-29, and approve Site Plan Application #389, subject to the Findings and eight (8) conditions set forth in the Draft Resolution #389:

AYES: Committee Members Cardoso, Stephenson, and Chairperson Gonzalves

NOES: None

ABSENT: None

4.2 Site Plan Application #390, submitted by Halferty Development, on behalf of KIF, LLC, property owner, to construct a 3,730-square-foot retail building to include a 1,800-square-foot coffee shop with a drive-thru and a future retail space at the southwest corner of West 16th Street and Martin Luther King, Jr. Way, within a Central Commercial (C-C) zone.

Associate Planner NELSON reviewed the application for this item. For further information, refer to Draft Site Plan Review Committee Resolution #390. A memorandum was distributed before the meeting showing that the Refuse Department would like to revise Condition #9 to improve their access to the trash enclosure. The proposed location and orientation of the trash enclosure is not appropriate and should be modified during the building permit stage.

M/S STEPHENSON-CARDOSO, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #15-31, and approve Site Plan Application #390, subject to the Findings and twenty-six (26) conditions set forth in the Draft Resolution #390 with a modification to Condition #9:

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

"9. The City Refuse Department does not approve the trash enclosure as shown on the Site Plan at Exhibit 2. The trash enclosure shall be

located in an area and oriented in such a way that allows sufficient access for the City's Refuse trucks. The developer shall work with the City's Refuse Department staff at the Building Permit stage to determine the best location and orientation for the refuse enclosure. If this requires significant modification to the site plan, the changes may be approved by the Development Services Director or referred back to the Site Plan Review Committee at the discretion of the Development Services Director ~~rotated approximately 120 degrees to be angled facing northwest. Details of the location and orientation of the enclosure shall be worked out with the City Refuse Department at Building Permit stage."~~

AYES: Committee Members Cardoso, Stephenson, and Chairperson Gonzalves

NOES: None

ABSENT: None

- 4.3 Site Plan Application #391, submitted by David McGhee on behalf of himself, Suzanne McGhee, Timothy Reusch, and Anita Reusch, property owners, to allow the construction of a 10,000-square-foot automotive shop, a future 4,750-square-foot shell building, and associated parking on a 1.1-acre vacant parcel located at 1535 W. 14th Street, within a General Commercial (C-G) Zone.

Planner MENDOZA-GONZALEZ reviewed the application for this item. For further information, refer to Draft Site Plan Review Committee Resolution #391.

The applicants informed the Committee that they would like to obtain design approval for the proposed shell building with this request. Initially, the applicants wanted design approval for the automotive shop only, but recent financing opportunities may allow them to construct the shell building sooner than expected. The shell building would be consistent with the proposed automotive shop using the same materials and a similar design.

The Committee had no issues with this request. They recommended adding Condition #30 so that Planning staff can review the design of the shell building during the building permit stage.

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Chairperson GONZALVES mentioned that Condition #15 should be corrected to show that the “Fire Department” will be responsible for reviewing the fire service water line, not the “Public Works Department.”

Moreover, Committee Member CARDOSO noted that the subject site may not have a sidewalk easement along 14th Street. He recommended adding Condition #31 so that a sidewalk easement would be created if there wasn’t one there.

Committee Member CARDOSO was concerned that W. 14th Street may not be wide enough to accommodate driving lanes and on-site parking (on both sides of the street). Chairperson GONZALVES recommended adding Finding G so that the Traffic Committee can review these matters and consider prohibiting parking on the south side of W. 14th Street (as the south side of the street is adjacent to an on-ramp for Highway 99 while the north side is adjacent to businesses) if needed.

M/S STEPHENSON-GONZALVES, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #15-32, and approve Site Plan Application #391, subject to the Findings and twenty-nine (29) conditions set forth in the Draft Resolution #391 with the additions of Finding G, Condition #30, and Condition #31 and a modification to Condition #15:

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

"G) The Site Plan Committee shall refer the consideration for no parking on the south side of W. 14th Street to the Traffic Committee.

"15. A fire service water line shall be installed on-site as required by the ~~Building~~ Fire Department.

"30. The proposed shell building shall be similar in design and materials to the auto shop building. Details to be worked out with Planning staff at the building permit stage.

"31. If the sidewalk is not already in an easement, then the developers shall dedicate an easement to the City for sidewalk purposes."

AYES: Committee Members Cardoso, Stephenson, and Chairperson Gonzalves

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NOES: None

ABSENT: None

- 4.4 Site Plan Application #392, submitted by Des Johnston, on behalf of the Transit Joint Powers Authority for Merced County, property owner, to construct a bus maintenance and operations yard to include a modular office building, metal maintenance building, a bus wash, employee and bus parking, and parking covers with future solar panels on top, at 1950 Wardrobe Avenue within a Light Industrial (I-L) zone.

Associate Planner NELSON reviewed the application for this item. For further information, refer to Draft Site Plan Review Committee Resolution #392.

The applicant informed the Committee that he would like to reconfigure the site plan to create additional parking spaces. The applicant provided a conceptual sketch showing the relocation and reorientation of the maintenance building (relocated towards the eastern portion of the parcel and rotated 180 degrees) and the new vehicular circulation pattern.

The Committee recommended modifying Condition #1 and adding Condition #26 so that the applicant can revise his site plan prior to submitting a building permit application. During the building permit stage, staff can review the project for compliance with both development and engineering standards.

M/S STEPHENSON-CARDOSO, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #15-34, and approve Site Plan Application #392, subject to the Findings and twenty-five (25) conditions set forth in the Draft Resolution #392 with a modification to Condition #1 and the addition of Condition #26:

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

- "1. The site shall be constructed as shown on Revised Exhibit B (revised site plan), Exhibits C, D, and E (conceptual elevations), except as modified by the conditions of approval within this resolution.

November 12, 2015

"26. The applicant shall work with the City's Refuse Department to determine the best location for the refuse enclosure and to determine if a recycling container would be required."

AYES: Committee Members Cardoso, Stephenson, and Chairperson
Gonzalves

NOES: None

ABSENT: None

5. **INFORMATION ITEMS**

5.1 Calendar of Meetings/Events

There was no discussion regarding the calendar of meetings/events.

6. **ADJOURNMENT**

There being no further business, Chairperson GONZALVES adjourned the meeting at 3:20 p.m.

Respectfully submitted,



Kim Espinosa, Secretary

Merced City Site Plan Review Committee

APPROVED:



David B. Gonzalves,

Chairperson/

Director of Development Services,

Merced City Site Plan Review Committee

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #389

<u>Roberto Martinez</u> APPLICANT	<u>Exterior remodel (Del Taco)</u> PROJECT
<u>3421 Tully Road, Ste. G1</u> ADDRESS	<u>1798 W. Olive Avenue</u> PROJECT SITE
<u>Modesto, CA 95350</u> CITY/STATE/ZIP	<u>058-220-045</u> APN
<u>(209) 521-9201</u> PHONE	<u>Planned Development (P-D) #16</u> ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and administratively approved Site Plan Application #389 on November 12, 2015, submitted by Roberto Martinez on behalf of NorCal Foods Merced, LH LLC, property owners, to modify the exterior of an existing building at 1798 W. Olive Avenue within Planned Development (P-D) #16, with a General Plan designation of Regional/Community Commercial (RC). Said property being more particularly described as Parcel A as shown on the map entitled "Parcel Map No. 98-03 for Zelman Merced, LLC," recorded in Volume 91, Page 47 of Merced County Records; also known as Assessor's Parcel Number (APN) 058-220-045.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15301 (a) (Exhibit E); and,

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

- A) The proposal complies with the General Plan designation of Regional/Community Commercial (RC) and the Zoning classification of Planned Development (P-D) #16.
- B) The proposal does not include any modifications to the site plan.
- C) The proposal does not include any modifications to the number of indoor or outdoor seats. Additional parking will not be required.
- D) In 2009, the subject site obtained Administrative Conditional Use Permit approval (#AS-124) to increase the allowable logo area from 25% to 50% of the total sign area allowed for this building.
- E) The proposed exterior art panels shall be considered signage if they depict any items sold by the restaurant (e.g. tacos, hamburgers, french fries, etc.). Art panels depicting abstract objects or objects not associated with the restaurant

shall not count as signage, as determined by Planning staff. The total sign area allowed for this site is 63 square feet.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #389 subject to the following conditions:

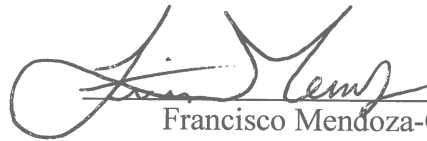
- 1) The site shall be constructed as shown on Exhibit B (site plan), Exhibit D (proposed elevations), and as modified by the conditions of approval within this resolution.
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan Review Application”) shall apply.
- 3) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes.
- 4) The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant’s project is subject to that other governmental entity’s approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
- 5) The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
- 6) Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.

- 7) All signing shall comply with the North Merced Sign Ordinance. Building permits shall be obtained prior to installing any permanent signing. A Temporary Sign Permit shall be obtained prior to installing any temporary signs or banners. Temporary freestanding or A-frame signs are not allowed.
- 8) The premises shall remain clean and free of debris and graffiti at all times

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

11-12-15

DATE



Francisco Mendoza-Gonzalez

Planner

TITLE

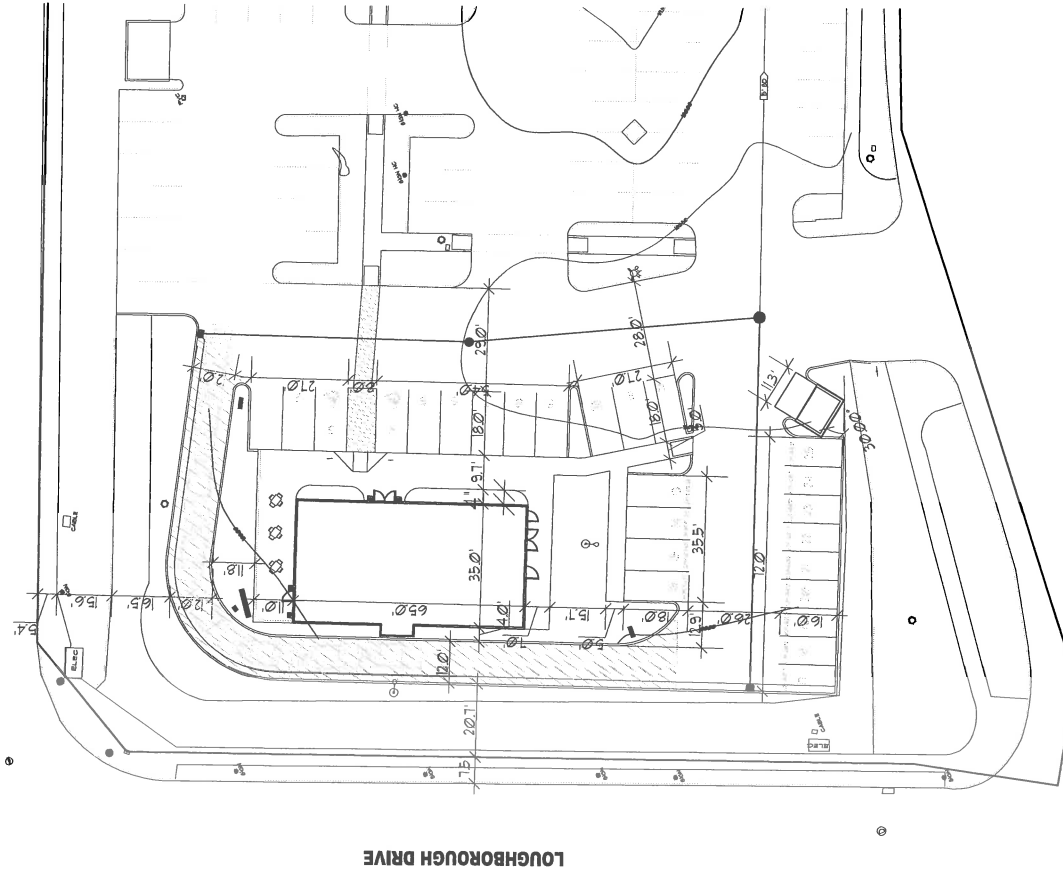
Exhibits

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



EXHIBIT A

W. OLIVE AVENUE

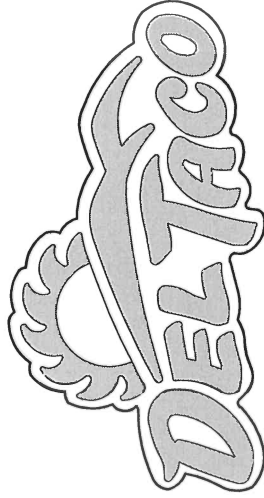


LOUGHBOROUGH DRIVE

SITE PLAN



* THE ONLY UPGRADES TO THE SITE IS THAT ALL SIGNAGE WILL BE
CLEANED AND PAINTED.



MERCED, CALIFORNIA
PROJECT DATA
1198 WEST OLIVE AVENUE
MERCED, CALIFORNIA
APN 058-210-028

OCCUPANCY GROUP (TABLE 3-A, 2006 CBC) A-3 (RESTAURANT)
CONSTRUCTION TYPE TYPE V-A, UNREINFORCED

BUILDING AREA (PER TABLE 3-B, 2006 CBC)

ALLOWABLE AREA 6000 SF
ACTUAL BUILDING AREA 500 SF
KITCHEN AREA 100 SF
DINING AREA 100 SF
EMPLOYEE OFFICE/TECH 100 SF
TOTAL 2300 SF

OCCUPANT LOAD
DINING AREA (48 FIXED SEATS) 48 OCCUPANTS
KITCHEN AREA (100K SF/1000 SF PER PERSON) 1 OCCUPANTS
TOTAL 50 OCCUPANTS
PARKING 25 SPACES
HANDICAPPED 2 SPACES

OWENS DESIGN CONSULTANTS
P.O. Box 965
Ripon, CA 95366
(209) 522-8031 - fax: (209) 522-4738 - www.owensdesign.com



PROFESSIONAL ENGINEER & ARCHITECT
No. 53530
Exp. 6/30/17
THOMAS J. OWENS
CA R.C.E. 53530
IN R.C.E. 20504
CA LS 8262

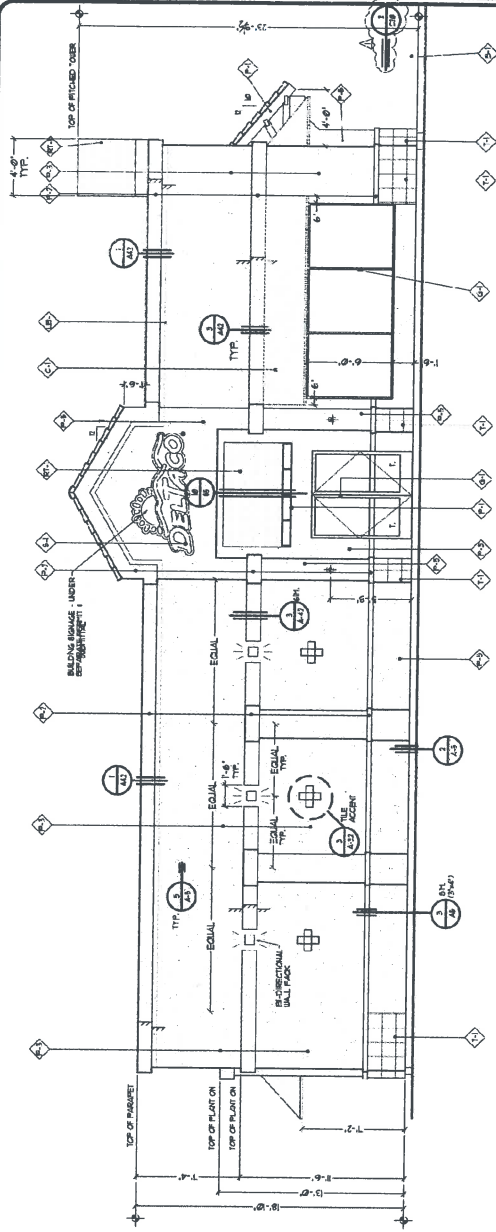
NORCAL FOODS, INC.
PROPOSED
EXTERIOR IMAGE
UPGRADE
FOR:
DEL TACO
1798 WEST OLIVE
AVENUE
MERCED, CA

Revisions:	Date
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Title:
SITE PLAN

Drawn By: TJO
Checked By: TJO
Scale: AS NOTED
Job No. 2015043
Date: OCT. 2015
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2015043.dwg
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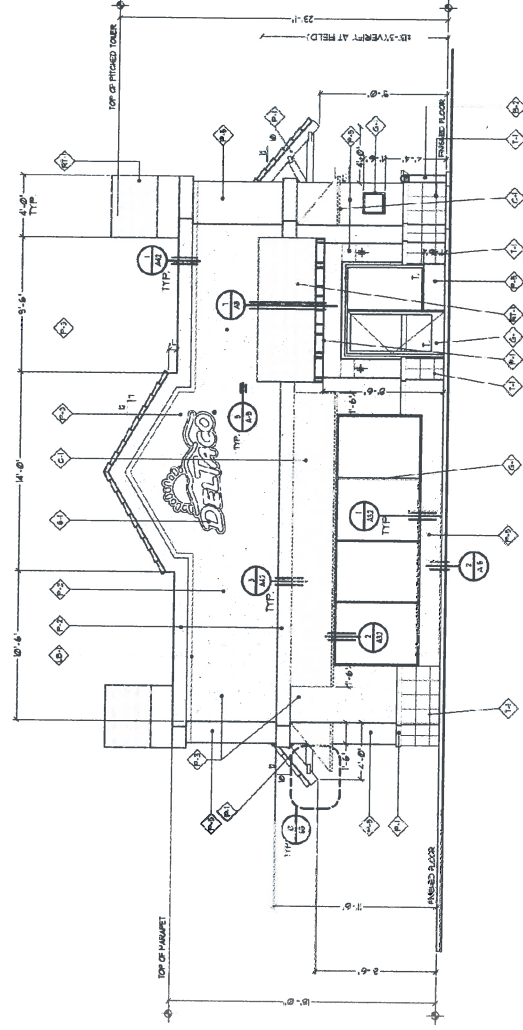
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NOTE: ALL HORIZONTAL FINISH ELEVATES TO FINISH GRADE UNLESS NOTED OTHERWISE.

ELEVATION

SCALE: 1/4" = 1'-0"



ENTRY ELEVATION

SCALE: 1/4" = 1'-0"

Owens Design Consultants
2200 McHenry Avenue, Suite C
Modesto, CA 95330
(209) 522-8031 Fax: (209) 522-4738 - www.owensdesign.com



THOMAS J. OWENS
No. 53530
Exp. 6/30/07

NEW
RESTAURANT

DEL TACO

MERCED
MARKET PLACE

MERCED
CALIFORNIA

DATE: 10/1/06
BY: J. OWENS

REVISIONS:
NO. DESCRIPTION
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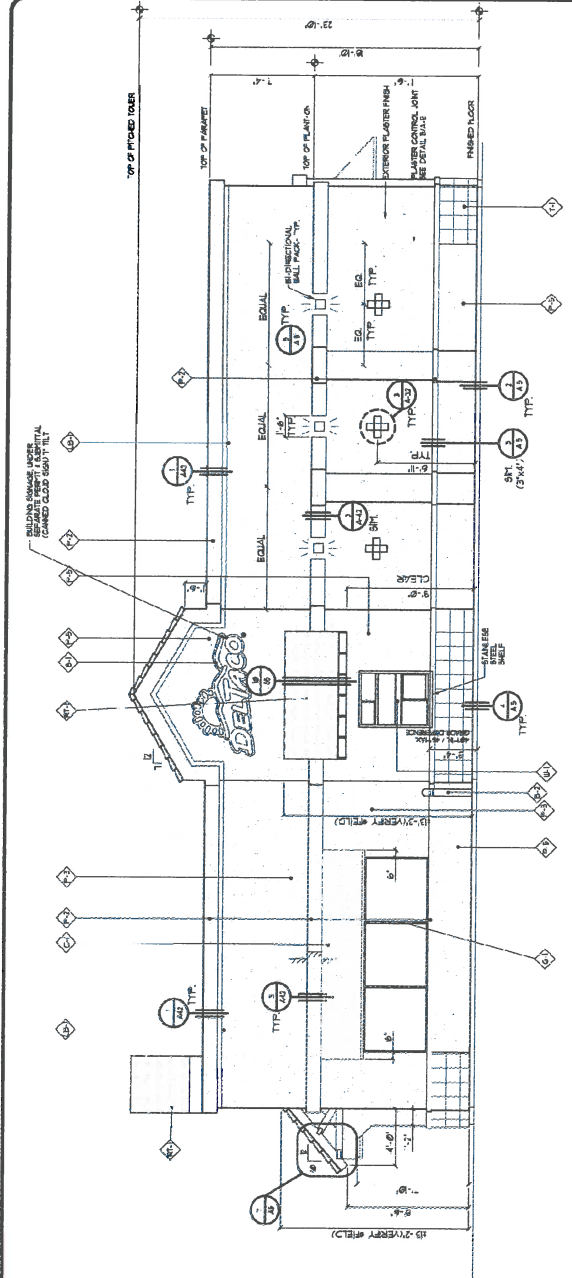
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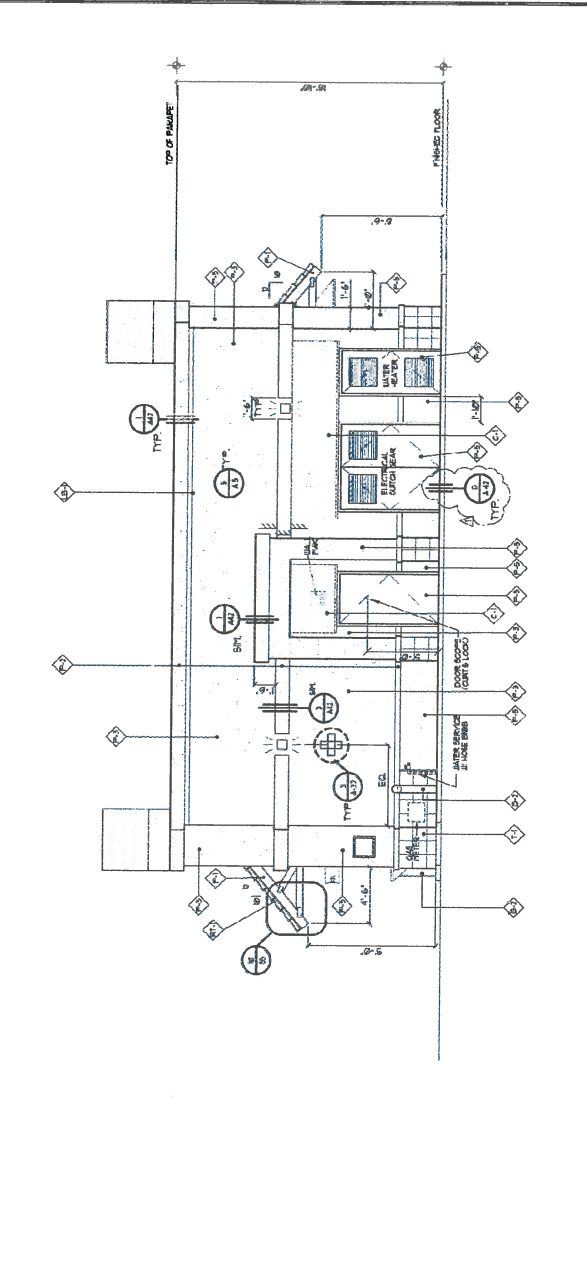
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DRIVE THRU ELEVATION



ELEVATION

OWENS Design Consultants
 2200 McHenry Avenue, Suite C
 Modesto, CA 95350
 (209) 522-8831 - fax: (209) 522-4738 - www.owensdc.com

NEW RESTAURANT FOR DEL TACO

MERCED MARKET PLACE

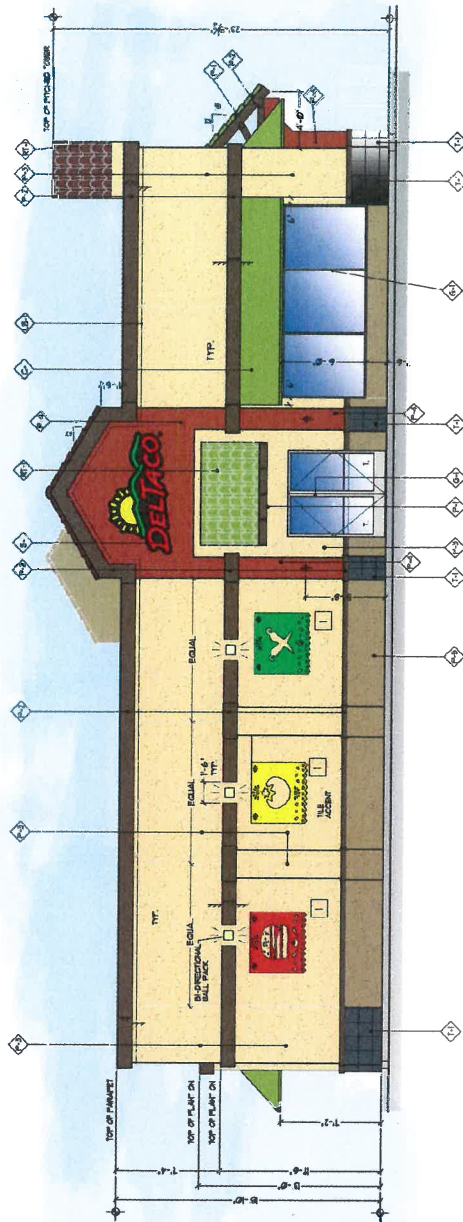
MERCED CALIFORNIA

Revisions:
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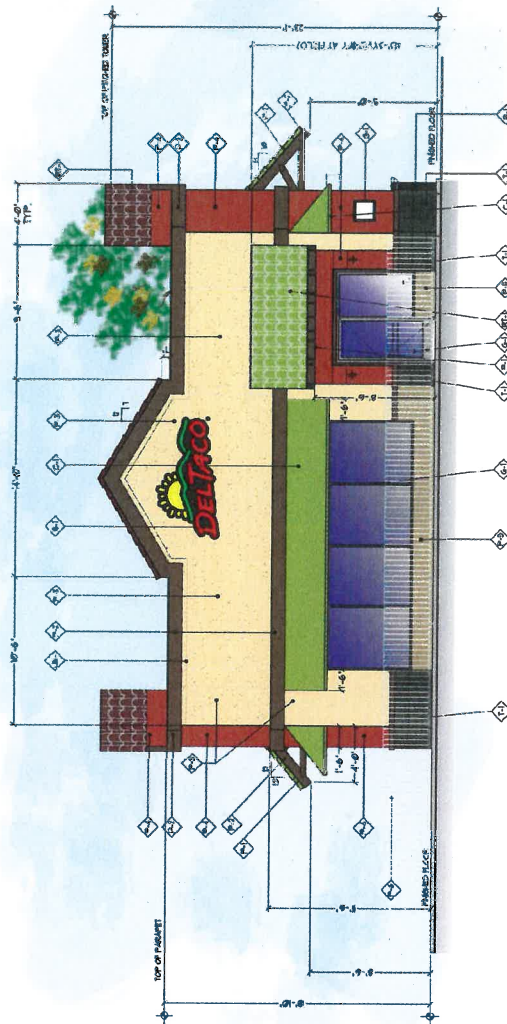
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| 1 | NEW EXTERIOR ARTWORKS / PANELS, AND PHOTO-GOODENCK LIGHT fixture over panel. |
| 2 | EXISTING WAVE NEW LIGHTS SHALL BE REMOVED RED BORDER NEW WILL BE "AN" |
| 3 | NEW SIGN IN SIGN CABINET PAINT DARK CABINET P-6 |
| 4 | NEW MOONCE LIGHTING - PER DEL TAZZO SPECIFICATION |
| 5 | REPAINT PATIO RAILING |
| 6 | RE SIGN EXISTING ALUMINUM UNOKO SUNDRELLA SUBRIC, PAINT PRATE P-8 |
| 7 | SERVICE EXISTING ACZENT TILES REPAIR STUCCO AND PAINT TO MATCH |
| 8 | REMOVE BACKLIT ADDRESS NUMBERS VISIBLE AT THE STREET. |
| 9 | POLY SIGN HIGHT POLY MONUMENT SIGN DIRECTIONAL SIGNS NEW BOARDER BREAKER P-3, TRASH CAN AND INFO SHALL BE PAINTED OR REPLACED AT OWNERS DISCRETION |
| 10 | EXTERIOR LIGHTING SHALL BE IMPROVED WITH LENSE CLEANING OR REPLACEMENT PAINTING AND MADE TO BE IN GOOD WORKING ORDER |
| 11 | REPAINT EXISTING BOLLARDS |
| 12 | EXISTING STORMDOOR WINDOW SYSTEMS SHALL BE CLEARED AND EXPANDED AS NEEDED. |
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SCALE	B
UNIT OF	



SCALE	A
UNIT	



NORCAL FOODS, INC.
PROPOSED
EXTERIOR IMAGE
IMPROVE

FOR:
DEL TACO
1798 WEST OLIVE
AVENUE
MERCED, CA

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ELEVATIONS

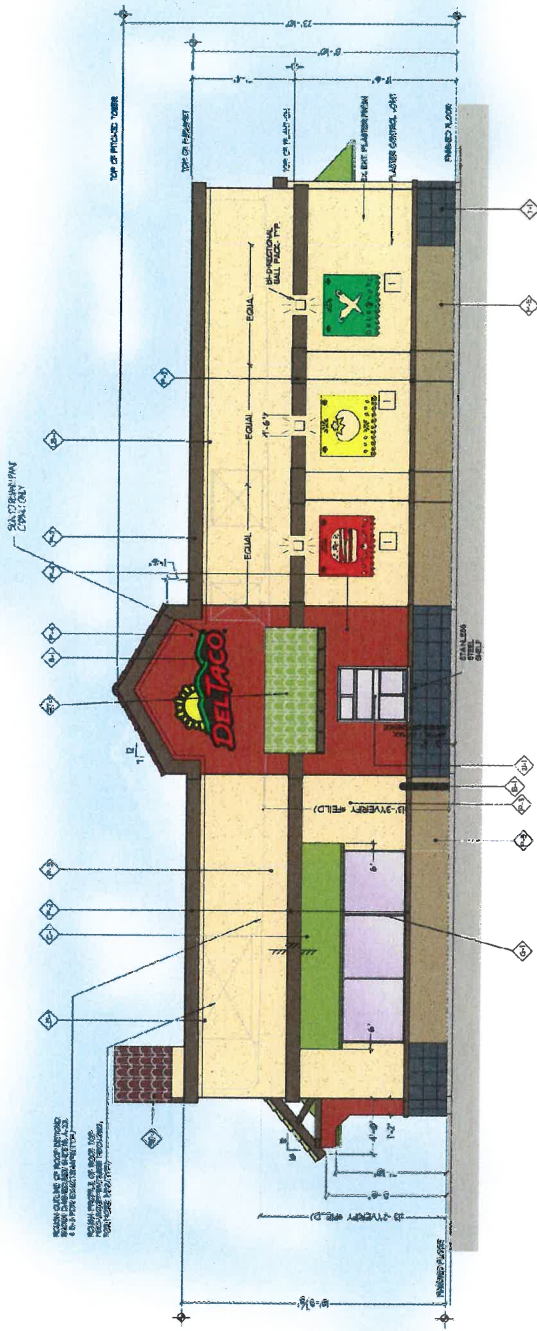
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Date: OCT. 2015
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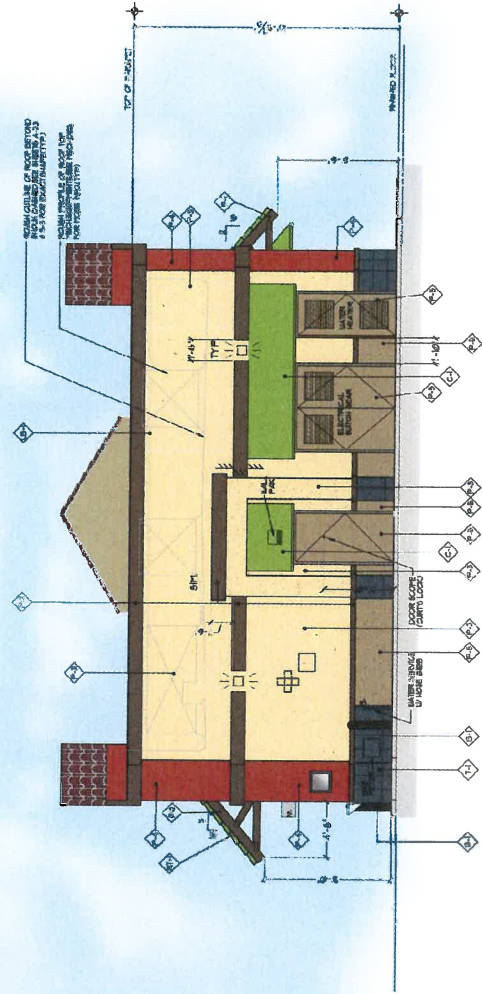
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A3.1



EXISTING WEST ELEVATION

SCALE	B
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EXISTING SOUTH ELEVATION

SCALE

1/16" = 1'-0"

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

 X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Site Plan Review #389 (Environmental Review #15-29)

Project Applicant: Roberto Martinez

Project Location (Specific): 1798 W. Olive Avenue **APN:** 058-220-045

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

Description of Nature, Purpose, and Beneficiaries of Project:

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Roberto Martinez

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ X Categorical Exemption. State Type and Section Number: 15301 (a)
☐ Statutory Exemptions. State Code Number: _____
☐ General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: As defined under the above referenced Section, the proposed project consists of minor interior and exterior alterations only, such as replacing canopies and repainting exterior walls, 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:** 11-03-2015 **Title:** Planner

 X Signed by Lead Agency **Date Received for Filing at OPR:** _____
(If applicable)

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

EXHIBIT E

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #390

<u>Halferty Development Co.</u> APPLICANT	<u>Construct a 3,730-square-foot retail building to include an 1,800-square-foot coffee shop with a drive-thru and a future retail space.</u> PROJECT
<u>199 S. Los Robles Ave., #840</u> ADDRESS	<u>360 W. 16th Street</u> PROJECT SITE
<u>Pasadena, CA 91101</u> CITY/STATE/ZIP	<u>031-360-079</u> APN
<u>626-405-0956</u> PHONE	<u>Central Commercial (C-C)</u> ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and administratively approved Site Plan Application #390 on November 12, 2015, submitted by Halferty Development, on behalf of KIF, LLC, property owner, to construct a 3,730-square-foot retail building to include a 1,800-square-foot coffee shop with a drive-thru and a future retail space at the southwest corner of West 16th Street and Martin Luther King, Jr. Way, within a Central Commercial (C-C) zone. Said property being described as Parcel 3 as shown on the Map entitled "Parcel Map for Family Dollar Store," recorded in Book 113, Page 40 of Merced County Records; also known as Assessor's Parcel Number (APN) 031-360-079.

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

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

- A) The proposal complies with the General Plan designation of Regional Community Commercial (RC) and the Zoning classification of Central Commercial (C-C).
- B) The site is part of a group of three parcels located at the southwest corner of West 16th Street and Martin Luther King, Jr. Way. The site is governed by Covenants, Conditions, and Restrictions (CC&R's) recorded as Document No. 2015-033809, Merced County Records that provide cross-access and reciprocal easements for all three parcels. These CC&R's shall be amended to reflect any changes made by this project (see Condition #20).
- C) The site shares vehicle access, parking, and some utility access with the entire shopping center.

- D) The coffee shop would occupy 1,800 square feet of the proposed building and provide 46 seats. The future retail tenant space would occupy the remainder of the building (1,930 square feet).
- E) The project site provides 24 parking spaces (including 2 handicap parking stalls). Refer to Exhibit B for the site plan.
- F) Based on the number of seats proposed for the coffee shop (46 seats), a minimum of 18 parking spaces are required (1 space for each 2.5 seats).
- G) Parking for the future retail space would be calculated at a rate of one space for each 300 square feet of floor area (except retail food stores). Using this ratio, the future retail use would require 6 parking spaces.
- H) Based on the information provided in Findings F and G above, sufficient parking is provided for the coffee shop and future retail use. However, if a use that requires parking at a ratio higher than 1 space for each 300 square feet of floor area occupies the retail space, additional parking may be required.
- I) No outdoor seating is proposed with this application. Any future outdoor seating proposed for the site must be approved by the Planning Department.
- J) The building exterior consists of a cement plaster finish with a cornice-type trim at the top and brick veneer along the bottom 6' 6" of the building (refer to Exhibit C).
- K) The materials and design are of a quality that complies with the requirements of the Design Review Area.
- L) The project complies with the 16th Street Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #390 subject to the following conditions:

- 1) The site shall be constructed as shown on Exhibit B (site plan) and Exhibit C (elevations), except as modified by the conditions of approval within this resolution.
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan Review Application”) shall apply.
- 3) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes.
- 4) The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or

- instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
- 5) The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
 - 6) All plans and support documentation submitted for building permit review shall comply with the requirements of the 2013 California Code Set or most recently adopted codes.
 - 7) Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
 - 8) Building colors shall be submitted at the Building Permit stage for approval by the Planning Department staff.
 - 9) The City Refuse Department does not approve the trash enclosure as shown on the Site Plan at Exhibit 2. The trash enclosure shall be located in an area and oriented in such a way that allows sufficient access for the City's Refuse trucks. The developer shall work with the City's Refuse Department staff at the Building Permit stage to determine the best location and orientation for the refuse enclosure. If this requires significant modification to the site plan, the changes may be approved by the Development Services Director or referred back to the Site Plan Review Committee at the discretion of the Development Services Director.
 - 10) Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
 - 11) 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.

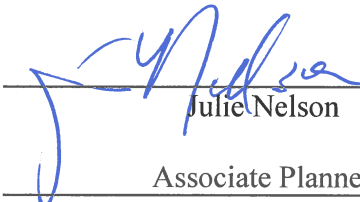
- 12) The project shall comply with all the Post Construction Standards required to comply with state requirements for the City's Phase II MS-4 Permit (Municipal Separate Storm Sewer System).
- 13) Parking lot trees are required at a minimum rate of one tree per each six parking spaces. The type of trees used for parking lot trees shall be selected from the City's approved tree list.
- 14) All landscaping in the public right-of-way and on-site 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.
- 15) All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
- 16) Detailed landscape plans, including irrigation plans, shall be submitted at the building permit stage.
- 17) Planning Department approval is required prior to any outdoor seating area being installed. This includes the addition of tables and/or chairs outdoors for patron use.
- 18) A grease interceptor shall be installed for the coffee shop and shall comply with all City standards and requirements.
- 19) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- 20) As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$85,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.
- 21) Bicycle racks shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces.
- 22) The existing Covenants, Conditions, and Restrictions (CC&R's) shall be modified as needed to ensure all cross-access and reciprocal easements are maintained and any new ownership is added. At time of building permit review, the developer shall provide documentation of all cross access and parking agreements for shared access and parking. In addition, documentation shall be provided confirming the joint use of the water, sewer, and storm drain lines on the property.
- 23) All mechanical equipment shall be screened from public view.

- 24) All signing shall comply with the City's Sign Ordinance. Signing on the building shall be calculated based on the tenant's primary and secondary building frontage. Each tenant shall be allowed 1-square-foot of signing for each lineal foot of primary frontage and ½ square-foot of signing for each lineal foot of secondary frontage. The maximum sign area for the site shall not exceed 500 square feet. The existing monument sign at the corner of parcel may be used for tenant signing, but no other free-standing signs shall be allowed.
- 25) 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.
- 26) The premises shall remain clean and free of debris and graffiti at all times.

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

11-12-15

DATE


Julie Nelson
Associate Planner
TITLE

Exhibits

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

Future Les
Schwab Tire

Family
Dollar

16TH

KFC

SUBJECT
SITE

MARTIN LUTHER KING JR

In 'n Out

15TH



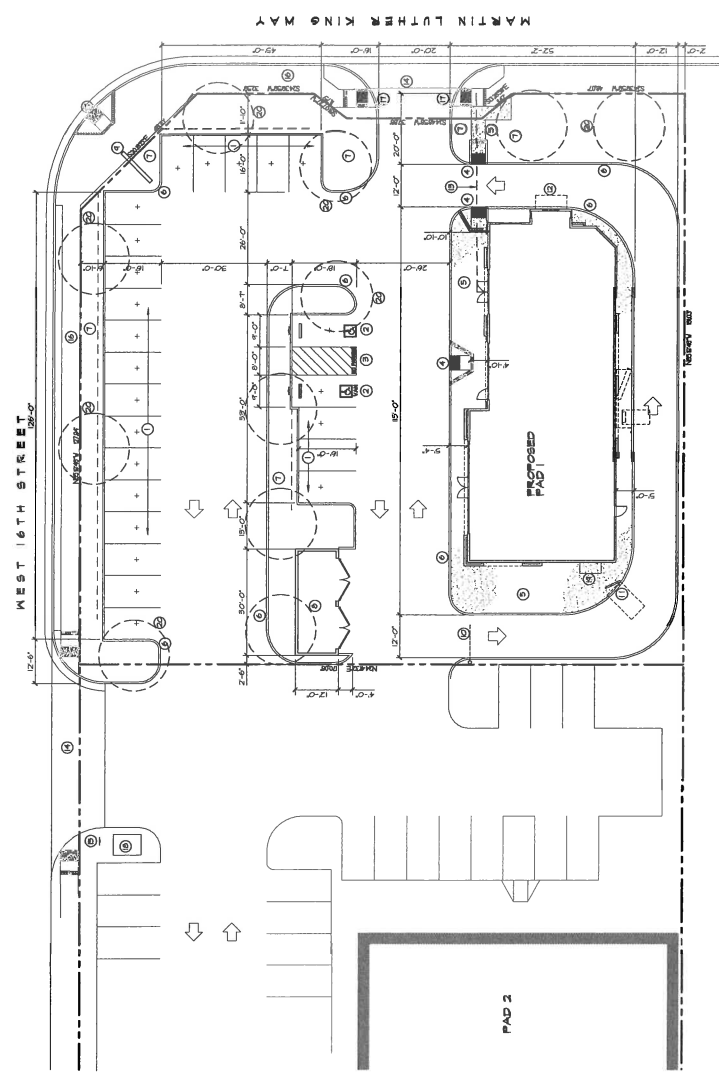
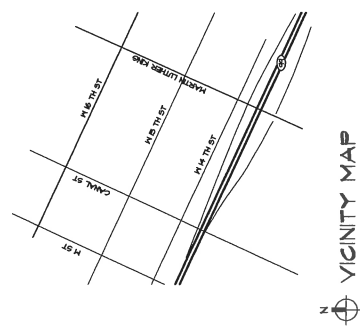
EXHIBIT A

DATE	ISSUED FOR
10-4-85	SITE PLAN REVIEW
NO.	REVISIONS
△	
△	
△	
△	


SITE PLAN

FILE NAME:	1531SPR
SHEET	

Q. T. S.

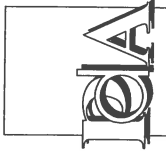


16

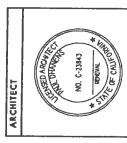


16TH ST AND MLK SHOPPING CENTER PAD I

- [illegible]



PAUL DHANENS - ARCHITECT



COPYRIGHT
 THIS DESIGN AND CONSTRUCTION OF THE BUILDING IS THE PROPERTY OF PAUL DHANENS ARCHITECT. NO PART OF THIS DESIGN OR CONSTRUCTION MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM PAUL DHANENS ARCHITECT.

PROJECT

MERCED RETAIL BUILDING
 1414 AND 16TH
 MERCED, CA

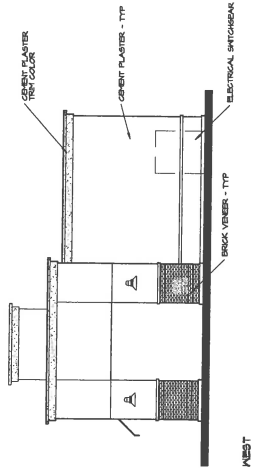
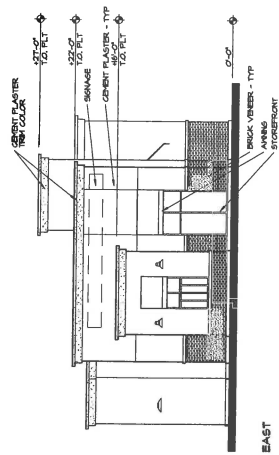
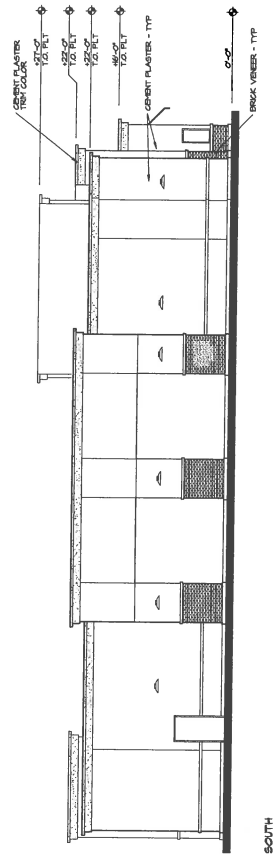
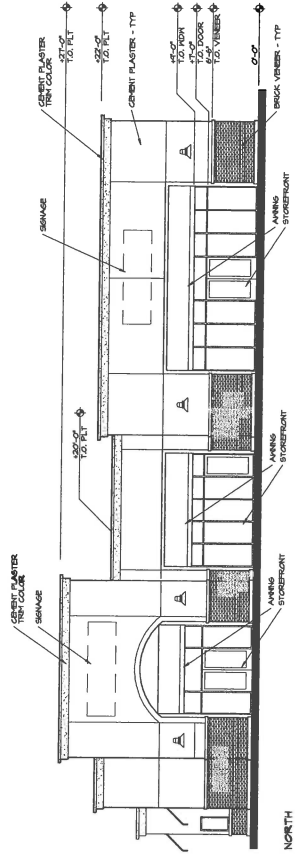
DATE	ISSUED FOR
04-10-11	WITH PLAN NO. 001
NO.	REVISIONS
1	
2	
3	
4	
5	

INTERIOR ELEVATIONS

FILE NAME: 1311291

SHEET

SPR-20



EXTERIOR ELEVATIONS

1/8"

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

 X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Site Plan Review #390 (Environmental Review #15-31)

Project Applicant: Halferty Development, Co. for KIF, LLC, property owner

Project Location (Specific): 360 W. 16th St. **APN: 031-360-079**

Project Location - City: Merced

Project Location - County: Merced

Description of Nature, Purpose, and Beneficiaries of Project:

The project involves the construction of an approximately 3,730-square-foot retail building to include a coffee shop with a drive-thru and a future retail space.

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Cassie Yee for Halferty Development on behalf of the property owner

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ X Categorical Exemption. State Type and Section Number: Section 15332
- ☐ Statutory Exemptions. State Code Number: _____.
- ☐ General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: As defined under the above referenced Section, the proposed project is considered an in-fill project. The project location is within the City limits on an approximately 1.32-acre parcel surrounded by urban uses. The site can be served by all required utilities and public services, and the project site has no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

Lead Agency: City of Merced

Contact Person: Julie Nelson, Planner

Area Code/Telephone: (209) 385-6858

Signature:  **Date:** 11-2-15 **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

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #391

<u>David McGhee</u>	<u>New 10,000-s.f. automotive shop and a 4,750-s.f. shell building for Super Shop Automotive.</u>
APPLICANT	PROJECT
<u>932 Martin Luther King Jr. Way</u>	<u>1535 W. 14th Street</u>
ADDRESS	PROJECT SITE
<u>Merced, CA 95341</u>	<u>031-181-010</u>
CITY/STATE/ZIP	APN
<u>(209) 726-0182</u>	<u>General Commercial (C-G)</u>
PHONE	ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and administratively approved Site Plan Application #391 on November 12, 2015, submitted by David McGhee on behalf of himself, Suzanne McGhee, Timothy Reusch, and Anita Reusch, property owners, to allow the construction of a 10,000-square-foot automotive shop and a 4,750-square-foot shell building on a 1.1-acre vacant parcel located at 1535 W. 14th Street, within a General Commercial (C-G) Zone. Said property being more particularly described as Parcel 2 as shown on the Map entitled "Parcel Map for Bernice Duffus," recorded in Volume 30, Page 21 of Merced County Records; also known as Assessor's Parcel Number (APN) 031-181-010.

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

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

- A) The proposal complies with the zoning designation of General Commercial (C-G) and with the General Plan designation of General Commercial (CG).
- B) As shown in Merced Municipal Code Section 20.86.140.B.7 – City Staff Functions, the Design Review Commission has delegated certain minor projects to City staff for review and approval or denial if the project is considered minor in nature at the discretion of the Director of Development Services. The Director of Development Services has determined that this request will not cause great impact to the area and could be reviewed by the Site Plan Review Committee.
- C) The proposal has thirty-seven parking spaces. The parking requirement for an automotive repair shop is one space for each four hundred square feet of floor area and one space for each vehicle used in the conduct of business. Based on this formula, twenty-five parking spaces are required for the automotive shop.

Additional parking may be required for future uses within the proposed 4,750-square-foot shell building. Future land uses may be limited by parking availability.

- D) The adjacent gas station located east of the subject site (1411 V Street) is overseen by the State Regional Water Quality Control Board and is considered a gasoline contaminated site. Until that site is remediated, the proposed 4,750-square-foot shell building may be limited to uses whose main occupants are not sensitive human receptors (children, elderly, etc.), at the discretion of the Director of Development Services.
- E) The applicant is requesting to paint the stucco panels "Charcoal Gray" and to paint the panel channels and the exposed metal framing "Crimson Red" (color samples shown on Exhibit D).
- F) Water service will be connected to the existing 2-inch water line. According the Public Works Department, a fire service water line does not exist on site (see Condition #15).
- G) The Site Plan Committee shall refer the consideration for no parking on the south side of W. 14th Street to the Traffic Committee.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #391 subject to the following conditions:

- 1) The site shall be constructed as shown on Exhibit B (site plan), Exhibit C (elevations), and as modified by the conditions of approval within this resolution.
- 2) All conditions contained in Site Plan Review #79-1 – Amended ("Standard Conditions for Site Plan Review Application") shall apply.
- 3) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply including, but not limited to, the California Building Code and Fire Codes.
- 4) 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, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.

- 6) The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
- 7) Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
- 8) As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$85,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, driveway approaches, 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.
- 9) All parking lot and building lighting shall be shielded or oriented in a way that does not allow "spill-over" onto adjacent lots in compliance with the California Energy Code requirements. Any lighting on the building shall be oriented to shine downward and not spill-over onto adjacent parcels.
- 10) Bicycle parking spaces shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces.
- 11) The developer shall work with the City Engineer to determine the requirements for storm drainage on the site and the method used to move the storm water to the City's storm drainage system. 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.
- 12) The applicant shall contact the City's Water Quality Control Division and comply with all requirements for this type of business and obtain all proper permits prior to opening for business, which may include obtaining an Industrial Storm Water Permit issued by the State Water Board. Certain containers shall be covered 100% and they shall be located on secondary containments as required by the Water Quality Control Division.
- 13) Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access. The developer shall work with the Fire

Department and Refuse Department at the building permit stage to ensure proper access is provided.

- 14) The developer shall work with the Fire Department to ensure that the gate contains a "Click-2-Enter" and a Knox override switch. Fire sprinklers shall contain a sprinkler monitoring system and the automotive shop shall contain a Knox box (as required by the Fire Department).
- 15) A fire service water line shall be installed on-site as required by the Fire Department.
- 16) All driveways into the site shall comply with City Standards and all handicap accessibility requirements.
- 17) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- 18) The applicant shall work with the City's Refuse Department to determine the exact location for a refuse enclosure. In addition, 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 it is required, the container shall be enclosed within a refuse enclosure built to City Standards. Prior to pouring the concrete for the refuse enclosure, the contractor shall contact the Refuse Department at 209-385-6800 to arrange an inspection by Refuse Department staff to verify the location and angle of the enclosure.
- 19) 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). Irrigation to these trees shall be provided through a drip irrigation or micro-spray system.
- 20) Street trees shall be provided per City Standards. Tree species shall be selected from the City's approved street tree list.
- 21) All landscaping 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.
- 22) Detailed landscape and irrigation plans shall be submitted at the building permit stage. These plans shall include all on-site landscaping and all required landscaping in the public right-of-way.

- 23) All mechanical equipment shall be screened from public view.
- 24) The outdoor storage area shall remain enclosed inside a fenced area and screened from public view.
- 25) 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.
- 26) All signing shall comply with the Merced Sign Ordinance. Sign permits shall be obtained prior to installing any permanent signing. A Temporary Sign Permit shall be obtained prior to installing any temporary signs or banners. Temporary freestanding or A-frame signs are not allowed.
- 27) The premises shall remain clean and free of debris and graffiti at all times.
- 28) The north and west elevations shall either contain stucco panels that match the south and east elevations or be shielded with landscaping as required by Planning staff.
- 29) The metal stucco panel channels shall be painted "Charcoal Gray" to match the color of the stucco panels, instead of "Crimson Red." "Crimson Red" is approved for the canopy.
- 30) The proposed shell building shall be similar in design and materials to the auto shop building. Details to be worked out with Planning staff at the building permit stage.
- 31) If the sidewalk is not already in an easement, then the developers shall dedicate an easement to the City for sidewalk purposes.

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

November 12, 2015

DATE



Francisco Mendoza-Gonzalez

Planner

TITLE

Exhibits

- A) Location Map
- B) Site Plan
- C) Floor Plan and Elevations
- D) Color Samples
- E) Categorical Exemption



EXHIBIT A

EXHIBIT B

Signature® 200

Siliconized Polyester



26 gauge material available in all colors • 29 gauge material only available in Polar White • 20 year limited warranty available upon written request except for Crimson Red (3/5 year warranty) • For warranty information outside the continental United States, please inquire. *Polar White is a Straight Polyester.

Signature® 300* **

Kynar 500® / Hylar 5000® - *26 Gauge Material - ** PBR, PBU, PBA, PBC, PBD Panels Only



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Atwater, CA 800-829-9324
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Lubbock, TX 800-758-6224
Memphis, TN 800-206-6224
Oklahoma City, OK 800-597-6224
Omaha, NE 800-458-6224
Phoenix, AZ 888-533-6224
Richmond, VA 800-729-6224

Rome, NY 800-559-6224
Salt Lake City, UT 800-874-2404
San Antonio, TX 800-598-6224
Tampa, FL Sales Office
800-359-6224

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05-06/120M

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

 X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Site Plan Review #391 (Environmental Review #15-32)

Project Applicant: David McGhee

Project Location (Specific): 1534 W. 14th Street **APN:** 031-181-010

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

Description of Nature, Purpose, and Beneficiaries of Project:

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: David McGhee

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State Type and Section Number: 15332
☐ Statutory Exemptions. State Code Number: _____
☐ General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt:

As defined under the above referenced Section, the proposed project is considered an in-fill project. The project location is within the City limits on an approximately 1.1-acre parcel surrounded by urban uses. The site can be served by all required utilities and public services, and the project site has no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from the construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

Lead Agency: City of Merced

Contact Person: Francisco Mendoza-Gonzalez **Area Code/Telephone:** (209) 385-6858

Signature:  **Date:** 11-03-2015 **Title:** Planner

 X Signed by Lead Agency **Date Received for Filing at OPR:** _____
(If applicable)

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

EXHIBIT E

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #392

<u>Transit Joint Powers Authority for Merced County</u> APPLICANT	<u>Construct a bus maintenance and operations yard including 2 buildings, a bus wash, and associated parking.</u> PROJECT
<u>369 W. 18th St.</u> ADDRESS	<u>1950 Wardrobe Ave.</u> PROJECT SITE
<u>Merced, CA 95340</u> CITY/STATE/ZIP	<u>059-300-059</u> APN
<u>209-723-3153</u> PHONE	<u>Light Industrial (I-L)</u> ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and administratively approved Site Plan Application #392 on November 12, 2015, submitted by Des Johnston, on behalf of the Transit Joint Powers Authority for Merced County, property owner, to construct a bus maintenance and operations yard to include a modular office building, metal maintenance building, a bus wash, employee and bus parking, and parking covers with future solar panels on top at 1950 Wardrobe Avenue, within a Light Industrial (I-L) zone. Said property being described as Lot 5 according to map entitled "Map of Grogan's Merced Tract No. 2," January 10, 1912, in Book 5 of Official Plats at Page 18, Merced County Records, excepting therefrom that portion lying within the boundaries as shown on the map entitled "Merced Airport Industrial Park" recorded October 16, 1982, in Volume 20 of Official Plats at Pages 49, 50, 51, 52, 53, and 54, Merced County Records; also known as Assessor's Parcel Number (APN) 059-300-059.

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

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

- A) The proposal complies with the General Plan designation of Industrial and the Zoning classification of Light Industrial (I-L).
- B) The proposed project would be constructed in two phases. Phase One would consist of a 5,760-square-foot operations building, 10,560-square-foot maintenance building, two fuel islands with a canopy (approximately 6,300 square feet), 112 parking stalls, and a drainage basin. Phase Two would consist of the addition of an approximately 2,400-square-foot bus wash, 77 bus parking

stalls, and canopy covers for the bus parking spaces. Solar panels may be added to the canopy covers in Phase Two or at a later date.

- C) The facility would employ approximately 80 people. The largest shift would consist of 59 employees on routes, 8 maintenance employees, and 13 general/office staff.
- D) Prior to the bus parking being constructed with Phase Two, the buses would be parked at 880 Thornton Road.
- E) The facility would operate 24 hours/day. Mechanical operations currently end at midnight, but could extend beyond that time.
- F) Mechanical work done onsite would primarily consist of general maintenance. However, replacement of transmissions, engines, and other large vehicle parts would take place as needed. No body work would be performed on site.
- G) The site would be fenced to prevent access beyond the operations building and employee parking lot.
- H) The operations building is proposed to be a modular-type building. The maintenance building would be a metal building. Elevations provided are conceptual plans only. Detailed plans would be submitted at the Building Permit stage.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #392 subject to the following conditions:

- 1) The site shall be constructed as shown on Revised Exhibit B (revised site plan), Exhibits C, D, and E (conceptual elevations), except as modified by the conditions of approval within this resolution.
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan Review Application”) shall apply.
- 3) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes.
- 4) The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against

- any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
- 5) The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
 - 6) Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
 - 7) All plans and supporting documents submitted for Building Permit review shall comply with the 2013 California Code set or most recently adopted codes.
 - 8) Fire sprinklers shall be provided in the operations and maintenance buildings. The fuel canopy may require fire sprinklers as well. Staff will make a final determination on this at the Building Permit stage. A fire hydrant may also be needed onsite. This will also be determined at the Building Permit stage.
 - 9) Monitoring systems shall be installed for the fire alarm and fire sprinkler systems. A Knox Box shall be provided to allow Fire Department access beyond the gated entrance.
 - 10) Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
 - 11) Prior to obtaining a building permit or business license, all required Fire Permits shall be obtained from the City of Merced Fire Department.
 - 12) Building Commissioning as required by the California Green Code is required for any building over 10,000 square feet in size.
 - 13) Bicycle racks shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces.
 - 14) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
 - 15) As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$85,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they

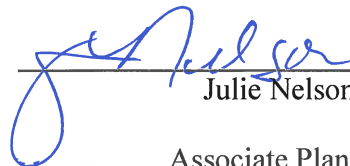
comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.

- 16) All mechanical equipment shall be screened from public view.
- 17) The premises shall remain clean and free of debris and graffiti at all times.
- 18) A backflow prevention device shall be provided for all water services (i.e., domestic, irrigation, and fire).
- 19) 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.
- 20) 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).
- 21) The operator of the facility shall obtain an Industrial Storm Water Permit from the California State Water Board and shall comply with all state and local requirements for storm water.
- 22) If in the future any communication equipment or towers are needed on the site, approval from the City of Merced shall be obtained prior to installation. No such equipment shall interfere with the Merced Regional Airport's communication equipment or the City's public safety radio frequencies.
- 23) All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
- 24) The premises shall remain clean and free of debris and graffiti at all times.
- 25) Final building elevations, colors, and signing shall be approved by the Planning Department at the building permit stage.
- 26) The applicant shall work with the City's Refuse Department to determine the best location for the refuse enclosure and to determine if a recycling container would be required.

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

11-12-15

DATE



Julie Nelson

Associate Planner

TITLE

Exhibits

- A) Location Map
- B) Site Plan
- C) Conceptual Elevations - Operations
- D) Conceptual Elevations – Maintenance
- E) Conceptual Design/Elevations – Bus Canopy
- F) Categorical Exemption



Merced City
School District

BEECHCRAFT

WARDROBE

SUBJECT
SITE

Label
Tech

RTS
Packaging

GROGAN

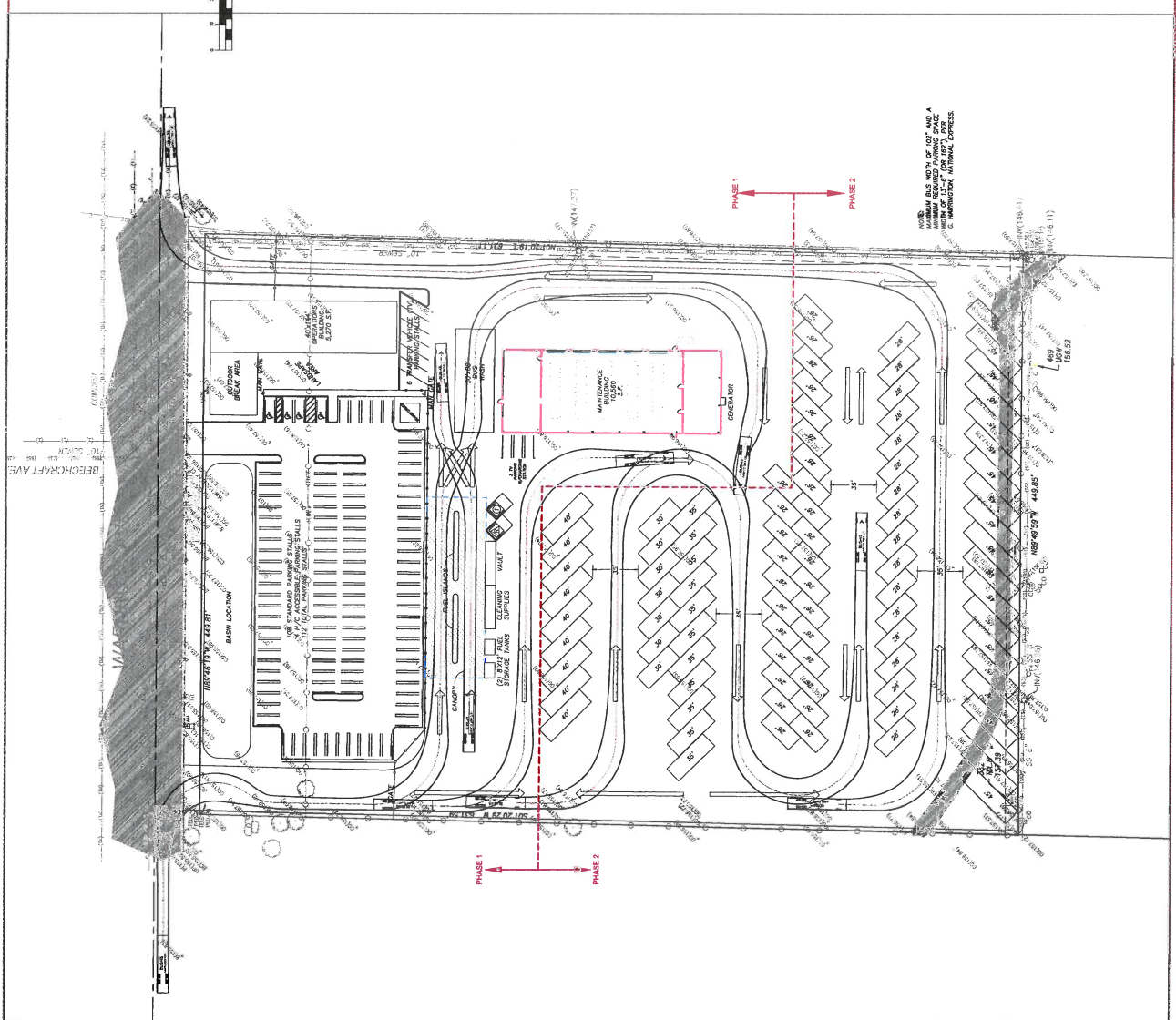
First
Student

Fine Line
Industries

O'Keeffe's

EXHIBIT A





LEGEND AND ABBREVIATIONS	
BC	BACK OF CURB
BSW	BACK OF SIDEWALK
C	CONCRETE ELEVATION
CC	CONCRETE CORNER
CE	CONCRETE EDGE
CO	CURB OUT
ELC	ELECTRIC
EP	EDGE OF PAVEMENT
FL	FLOWLINE
IRL	IRIGATION
IRW	IRIGATION BOX
IRW	IRIGATION
P	PAVEMENT ELEVATION
SS	SEWER
SS	SEWER MANHOLE
SD	STORM DRAIN
SD	STORM DRAIN MANHOLE
TOC	TOP OF CURB
W	WATER
W	WATER VALVE

EXHIBIT B-Revised

CONCEPTUAL ELEVATIONS FOR
THE OPERATIONS BUILDING

EXHIBIT C











CONCEPTUAL ELEVATIONS FOR
THE MAINTENANCE BUILDING

EXHIBIT D





CONCEPTUAL DESIGN OF BUS CANOPIES.



EXHIBIT E



NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

 X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Site Plan Review #392 (Environmental Review #15-34)

Project Applicant: Transit Joint Powers for Merced County, property owner

Project Location (Specific): 1950 Wardrobe Avenue . **APN: 059-300-059**

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

Description of Nature, Purpose, and Beneficiaries of Project:

The project involves the construction of an approximately 5,760-square-foot operations building, an approximately 10,560-square-foot maintenance building, a bus wash, and parking facilities (including parking covers with solar panels) to serve as the maintenance and operations yard for the bus transit system.

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Des Johnston for Quad Knopf on behalf of the 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: Section 15332
☐ Statutory Exemptions. State Code Number: _____
☐ General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: As defined under the above referenced Section, the proposed project is considered an in-fill project. The project location is within the City limits on an approximately 6.2-acre parcel surrounded by urban uses. However, because the development does not encompass the entire parcel, but covers 5 acres or less, this exemption applies. The site can be served by all required utilities and public services, and the project site has no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

Lead Agency: City of Merced

Contact Person: Julie Nelson, Planner

Area Code/Telephone: (209) 385-6858

Signature:  **Date:** 11-5-15 **Title:** Associate Planner

 X Signed by Lead Agency

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