

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, January 17, 2019

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

1. **ROLL CALL**

Committee Members Present: Plan Examiner II England (for Chief Building Official Frazier), Land Surveyor Cardoso (for City Engineer) and Director of Development Services McBride

Committee Members Absent: None

Staff Present: Planning Manager Espinosa, Economic Development Director Quintero, Police Lieutenant Struble, Public Works Director Elwin, Deputy Fire Chief England (for Item 4.2 only), and Planner/Recording Secretary Mendoza-Gonzalez

2. **MINUTES**

M/S McBRIDE-CARDOSO, and carried by unanimous voice vote, to approve the Minutes of December 13, 2018, as submitted.

[Secretary's Note: The Planning Department recently received a request to modify SP #329 (from the above minutes of December 13, 2018). This request will be reviewed by the Site Plan Review Committee on January 24, 2019.]

3. **COMMUNICATIONS**

None.

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4. **ITEMS**

- 4.1 Site Plan Application #430, submitted by Ron Drew, property owner, to modify an existing window manufacturing plant, O’Keefe’s, located at 220 S. R Street, within a Light Industrial (I-L) Zone.

Planner MENDOZA-GONZALEZ reviewed the application. Refer to Draft Site Plan Resolution #430 for further information.

The applicant and his engineer were attendance to answer questions from the Committee.

Committee Member CARDOSO recommended modifying Finding G to clarify that the improvements referred to in this section are about public improvements, not private improvements.

The applicant’s engineer requested modifying Condition #14 as emergency vehicle access around the building may not be necessary as the site is accessible from the northern portion of the property if an emergency access gate is installed along Parkwest Street.

Chairperson McBRIDE noted that this may be appropriate if approved by the Fire Department during the building permit stage.

The applicant’s engineer requested modifying Condition #26 as the site would not have any landscaping or require irrigation lines.

Committee Member CARDOSO noted that installing an irrigation line is optional, and would not be required. He agreed that Condition #26 could be modified.

Committee Member CARDOSO recommended modifying Condition #28 to add language acknowledging that this Project would be reviewed for post-construction standard requirements during the building permit stage.

The applicant’s engineer requested modifying Condition #30 as this site has an existing refuse enclosure and system that works well with

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the Refuse Department. Therefore, he sees no need to update their refuse enclosure.

Committee Member CARDOSO noted that this may be appropriate if approved by the City Engineer.

M/S CARDOSO - ENGLAND, and carried by the following vote to adopt a Categorical Exemption regarding Environmental Review #18-67, and approve Site Plan Application #430, subject to the Findings and thirty-two (32) conditions set forth in Draft Resolution #430 with modifications to Finding G and Conditions #14, #26, #28, and #30 as follows:

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

- “G. Due to the cost of some of the public improvements required to bring this site into compliance, the Site Plan Review Committee may allow these improvements to be installed/constructed in phases. A construction schedule shall be submitted by the applicant for approval by the Development Services Director. All improvements shall be installed in accordance with City Standards, the above schedule, and any applicable conditions below.
- “14. Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access. This includes providing a minimum 22-foot-wide emergency vehicle access roadway around the structures or as otherwise required by the Fire Department.
- “26. The Project ~~shall~~ may have a separate Irrigation and Domestic water service line going from the water main to the property line.
- “28. The retention basin shall be designed to meet City standards. The basin shall be large enough to accommodate the storm runoff required for this site. During the building permit stage, the application shall be reviewed for compliance with post-construction standard requirements.

“30. The refuse enclosure shall be designed to meet the City’s Engineering Standards for refuse enclosures (R-4) or as required by the City Engineer. The applicant shall not install any posts in front of the refuse enclosure. A side gate shall be provided with pedestrian access, as required by the City Engineering Division.”

AYES: Committee Members Cardoso, England, and Chairperson McBride

NOES: None

ABSENT: None

- 4.2 Site Plan Application #431, submitted by Cesar Perez, applicant for Tom E. Lawler, property owner, to construct a 7,500-s.f. shell warehouse, located at 2250 Cessna Way, within a Light Industrial (I-L) Zone.

Planner MENDOZA-GONZALEZ reviewed the application. Refer to Draft Site Plan Resolution #431 for further information.

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

The applicant’s engineer requested modifying Condition #14 to adjust emergency vehicle access requirements given that the building would meet the Fire Department’s 150-foot distance requirements for fire vehicle access. In addition, the applicant’s engineer noted that there would be a fire hydrant in front of the building, and that the building would be fully equipped with fire sprinklers.

Deputy Fire Chief ENGLAND noted that given the information provided by the applicant’s engineer, there would be no issues modifying Condition #14.

M/S ENGLAND - CARDOSO, and carried by the following vote to adopt a Categorical Exemption regarding Environmental Review #18-70, and approve Site Plan Application #431, subject to the Findings and thirty-five (35) conditions set forth in Draft Resolution #431 with a modification to Condition #14 as follows:

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

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“14. Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access. ~~This includes providing a minimum 22-foot-wide emergency vehicle access roadway around the structures.”~~

AYES: Committee Members Cardoso, England, and
Chairperson McBride

NOES: None

ABSENT: None

5. **INFORMATION ITEMS**

5.1 Calendar of Meetings/Events

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

6. **ADJOURNMENT**

There being no further business, Chairperson McBRIDE adjourned the meeting at 2:15 p.m.

Respectfully submitted,



Kim Espinosa, Secretary

Merced City Site Plan Review Committee

APPROVED:



Scott McBride, Chairperson/
Director of Development Services
Merced City Site Plan Review Committee

CITY OF MERCED
SITE PLAN APPLICATION
RESOLUTION #430

O’Keeffe’s, Inc.	Plant expansion with a 7,364-s.f. cold room addition, 30,651-s.f. manufacturing space addition, additional parking, and a new drainage basin.
APPLICANT	PROJECT
220 S. R Street	220 S. R Street
ADDRESS	PROJECT SITE
Merced, CA 95341	059-240-004
CITY/STATE/ZIP	APN
(415) 297-4552	Light Industrial (I-L)
PHONE	ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and approved Site Plan Application #430 on January 17, 2019, submitted by Ron Drew, property owner, to modify an existing window manufacturing plant located at 220 S. R Street, within a Light Industrial (I-L) Zone. Said property being more particularly described as Lot 28 as shown on that certain map entitled “Hartley Colony” recorded in Volume 4, Page 41 of Merced County Records; also known as Assessor’s Parcel Number (APN) 059-240-004.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15301 (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 (IND) and the Zoning classification of Light Industrial (I-L).
- B) Approval of this use shall be subject to approval from the Airport Land Use Commission or its staff designee (see Condition #23). The City Council may override the Commission’s determination.
- C) The subject site is currently occupied by O’Keeffe’s, Inc., a window manufacturer. The existing facility includes a 43,500 square feet facility and associated parking. The applicant is proposing to add 7,764 square feet to the existing cold room, 38,415 square feet to the existing manufacturing building, parking, and a new drainage basin.
- D) The parking requirement for a warehouse is 1 parking space per 2,000 square feet of floor area or 1 per 2 employees working during the largest shift, whichever is greater. The number of employees working during the largest

shift would be 60, which would require 30 parking stalls. However, if parking is based on the floor area of the building, the 81,515-square-foot building would require a minimum of 41 parking spaces. Therefore, this site would require a minimum of 41 parking stalls. The site exceeds the parking requirements by having a total of 88 parking stalls.

- E) Parking lot trees are not required, but are encouraged to be installed per the City's Parking Lot Landscape Standards. Trees should be a minimum of 15 gallons and be of a type that provides a 30-foot minimum canopy at maturity (trees should be selected from the City's approved tree list). Trees should be installed at a ratio of at least one tree for every six parking spaces. Street trees shall be planted as required by City Standards. Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State's Emergency Regulation for Statewide Urban Water Conservation or any other State or City mandated water regulations.
- F) Because the City street south of the southern most driveway does not meet City Standards, there is no traffic generated by this site in this area, and this section is adjacent to a sub-standard County roadway, the owner is not required to install a curb or a gutter along the frontage of the property in this area. This area may be required to be brought up to City Standards in the future if additional construction or improvements occur on the site.
- G) Due to the cost of some of the public improvements required to bring this site into compliance, the Site Plan Review Committee may allow these improvements to be installed/constructed in phases. A construction schedule shall be submitted by the applicant for approval by the Development Services Director. All improvements shall be installed in accordance with City Standards, the above schedule, and any applicable conditions below.
- H) The Site Plan Review Committee previously approved the addition of a cold room within the subject site. That resolution, SP #313, included conditions regarding public improvements similar to those shown above at Findings F and G (see Exhibit E and Condition #3).

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #430, subject to the following conditions:

1. All conditions contained in Site Plan Approval Resolution #79-1 ("Standard Conditions of Site Plan Approval") shall apply.
2. The proposed project shall be constructed as shown on Exhibit B (site plan), Exhibit C (floor plan), and Exhibit D (elevations).
3. The Project shall comply with all relevant conditions set forth for Site Plan Resolution #313, except as modified by the conditions of approval within this resolution.

4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes.
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. This may include adding a hydrant, as required by the Fire Department.
8. All plans and supporting documents submitted for building permits shall meet or exceed the Building Codes in effect at the time of building permit application submittal. Plans shall be drawn by a licensed design professional. The construction work shall be performed by an appropriately licensed Contractor (B-Contractor).
9. An encroachment permit shall be obtained for all work in the public right-of-way and a building permit shall be obtained for all on-site work.

10. All property not occupied by paving or landscaping (i.e., the rear portion of the site) shall be maintained to acceptable standards for health, fire safety, and aesthetic reasons. Grasses and weeds shall be kept to a maximum of six inches in height or as otherwise required by the Fire Department and County Health Department.
11. Slats or other approved screening shall be provided in the chain-link fence along the front of the property. Outdoor storage shall be located in an area that is screened by the slats in the fence or in an area that is not visible from the public right-of-way. The employee parking area shall not be used for storage purposes. All materials or landscaping used for screening shall be properly maintained and kept free of graffiti.
12. All signing for the site shall be approved and a building permit issued prior to installation. No free-standing "A-frame" or "sandwich board" signs shall be allowed.
13. The site shall be maintained free of graffiti. Any graffiti shall be removed immediately and painted over with a color that matches the existing surface color.
14. Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access. This includes providing a minimum 22-foot-wide emergency vehicle access roadway around the structures or as otherwise required by the Fire Department.
15. All required Fire Permits shall be obtained from the City of Merced Fire Department. Some of these permits will depend on the operations or functions conducted inside the building, and may be required after obtaining the certificate of occupancy for this development.
16. If the site is to be gated, there must be a minimum 22-foot-wide clearance for emergency vehicles to pass through when the gate is opened. If the gate requires manual operation, the applicant shall provide a Knox padlock. If the gate requires electronic operation, the applicant shall provide a Knox override switch with "Click-to-Enter."
17. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
18. As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repaired 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.
19. All mechanical equipment shall be screened from public view.

20. The applicant shall contact the City's Water Quality Control Division and comply with all requirements for this type of business and obtain all pertinent permits prior to issuance of certificate of occupancy. Said requirements may include, but may not be limited to, utilizing secondary containers and providing spill kits for leaks or spills.
21. All landscaping shall be kept healthy and maintained; any damaged or missing landscaping shall be replaced immediately.
22. The applicant shall submit an Industrial User Survey to the City's Water Quality Control Division during the building permit stage.
23. Approval of this application is subject to approval and/or recommendation by the Airport Land Use Commission, or its staff designee, to determine that the project is consistent with the Airport Land Use Compatibility Plan.
24. Parking lot and building lighting shall be shielded or oriented in a way that does not allow "spillover" onto adjacent lots in compliance with the California Energy Code requirements.
25. A change in use or increase in number of employees working during the largest shift may require additional parking in the future. Details to be worked out with City staff in that instance.
26. The Project may have a separate Irrigation and Domestic water service line going from the water main to the property line.
27. The applicant shall install a curb or fences along the perimeter of the retention basin to ensure vehicles do not drive into the basin.
28. The retention basin shall be designed to meet City standards. The basin shall be large enough to accommodate the storm runoff required for this site. During the building permit stage, the application shall be reviewed for compliance with post-construction standard requirements.
29. During the building permit stage, the applicant shall provide a site plan with a note indicating who will be installing landscaping for this site.
30. The refuse enclosure shall be designed to meet the City's Engineering Standards for refuse enclosures (R-4) or as required by the City Engineer. The applicant shall not install any posts in front of the refuse enclosure. A side gate shall be provided with pedestrian access, as required by the City Engineering Division.
31. The applicant shall work with the City's Refuse Department to determine the best location for the refuse enclosure and to determine if a recycling container would be required. This may include placing the refuse enclosure further from the street to allow the refuse truck to turn around within the subject site instead of out to the street.

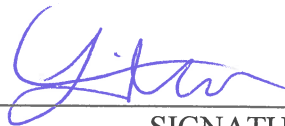
January 17, 2019

32. The Project shall comply with the City's Performance Standards for developments within Industrial Zones as outlined under Merced Municipal Code Section 20.12.030 (C) – Development Standards for Industrial Zoning Districts – Performance Standards (e.g. noise, air quality, odor, etc.).

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

1-17-2019

DATE



SIGNATURE

Planner

TITLE

Exhibits

- A) Location Map
- B) Site Plan
- C) Floor Plan
- D) Elevations
- E) Resolution for SP #313
- F) Categorical Exemption



EXHIBIT A

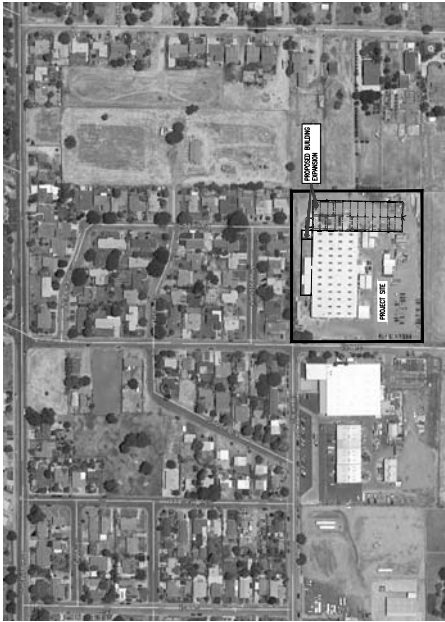


EXHIBIT B

PARKING ANALYSIS:

TOTAL PROPOSED:	87,178 TOTAL BUILDING S.F. / 1,000 S.F. = 87 PARKING STALLS
ACCESSIBLE PARKING STALLS:	87 REQUIRED: 4 PROVIDED (1 VAN ACCESSIBLE AND 3 ACCESSIBLE PER 2016 CBC TABLE 11B-204.1)
CLEAR AIR VEHICLE PARKING SPACES:	8 REQUIRED: 8 PROVIDED (GREEN CODE TABLE 5.105.2)
ELECTRICAL VEHICLE CHARGING STATION:	5 REQUIRED: 5 PROVIDED INCLUDING 1 VAN ACCESSIBLE, 1 ACCESSIBLE (GREEN CODE TABLE 5.105.2.1) & 3 REGULAR (2016 CBC TABLE 5.105.2.1)
BICYCLE PARKING SPACE:	4 REQUIRED: 4 PROVIDED (GREEN CODE 5.106.4.1)

KEY NOTES:

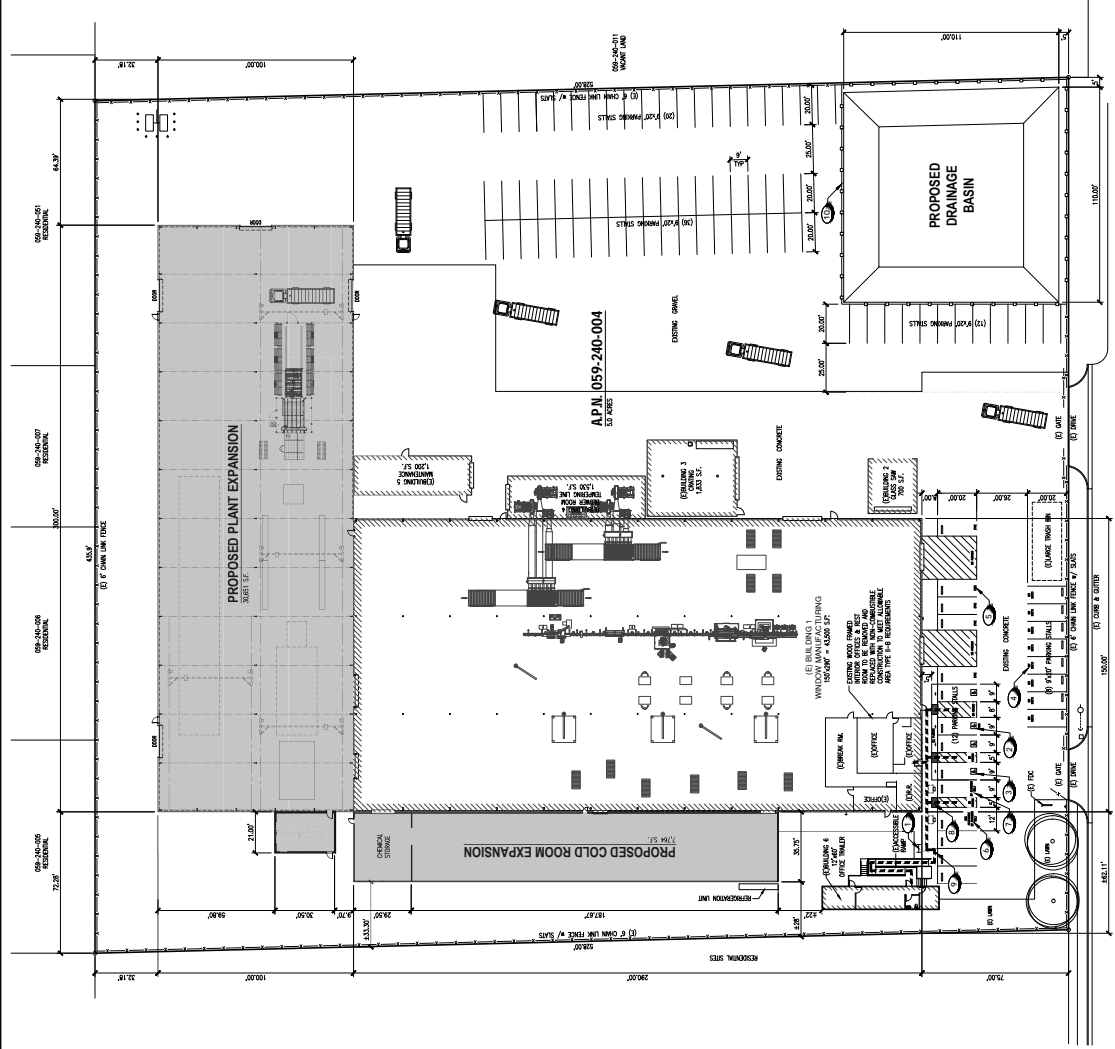
- (1) 4 BICYCLE CAPACITY RACK
- VAN ACCESSIBLE PARKING (TYP. OF 1)
- STANDARD ACCESSIBLE PARKING (TYP. OF 3)
- CLEAR AIR PARKING STALL (TYP. OF 8)
- EVCS PARKING STALL
- EVCS CHARGING ONLY STALL (VAN ACCESSIBLE)
- EVCS CHARGING ONLY STALL (VAN ACCESSIBLE)
- TRUNCATED DOME (TYP. OF 5)
- ACCESSIBLE PATH OF TRAVEL
- 6' WROUGHT IRON FENCING AROUND BASIN

PROJECT DATA:

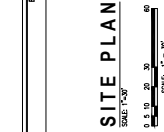
OWNER:	O'KEEFE'S, INC. 220 S. 'R' STREET MERCED, CA 95340 PH: (415) 297-4552
PROJECT:	BUILDING EXPANSION TO EXISTING FACILITY
PROJECT LOCATION:	220 S. 'R' STREET MERCED, CA 95340
APPLICABLE BUILDING CODES:	2016 CBC, CFC, CMC, CFC AND CFC, CAL. ELECTRICAL CODE, CAL. FIRE CODE, CAL. ENERGY CODE & THE CITY OF MERCED MUNICIPAL CODE
AUTOMATIC SPRINKLER SYSTEM:	YES
BUILDING AREA:	48,763 S.F. EXISTING + 38,415 S.F. EXPANSION
TOTAL:	87,178 S.F.
TYPE OF CONSTRUCTION:	TYPE II-B
FIRE SPRINKLER:	YES
OCCUPANCY GROUP:	F-2 (WHOLESALE MANUFACTURING)
ALLOWABLE BUILDING AREA:	87,178 S.F. (PER TABLE 502.2)
FLOOD ZONE:	NO
STORM DRAIN:	STORM DRAIN - CITY OF MERCED

PROJECT DATA:

OWNER:	O'KEEFE'S, INC. 220 S. 'R' STREET MERCED, CA 95340 PH: (415) 297-4552
PROJECT:	BUILDING EXPANSION TO EXISTING FACILITY
PROJECT LOCATION:	220 S. 'R' STREET MERCED, CA 95340
APPLICABLE BUILDING CODES:	2016 CBC, CFC, CMC, CFC AND CFC, CAL. ELECTRICAL CODE, CAL. FIRE CODE, CAL. ENERGY CODE & THE CITY OF MERCED MUNICIPAL CODE
AUTOMATIC SPRINKLER SYSTEM:	YES
BUILDING AREA:	48,763 S.F. EXISTING + 38,415 S.F. EXPANSION
TOTAL:	87,178 S.F.
TYPE OF CONSTRUCTION:	TYPE II-B
FIRE SPRINKLER:	YES
OCCUPANCY GROUP:	F-2 (WHOLESALE MANUFACTURING)
ALLOWABLE BUILDING AREA:	87,178 S.F. (PER TABLE 502.2)
FLOOD ZONE:	NO
STORM DRAIN:	STORM DRAIN - CITY OF MERCED



SITE PLAN



C1.0

GOLDEN VALLEY
ENGINEERING & SURVEYING
P.O. Box 540
N. 1st St. & 1st St. SW
PH: (206) 722-3200
FAX: (206) 722-3254

APR 11, 2018
PROJECT NO. 18-001
SHEET NO. 18-001

O'KEEFE'S, INC.
PLANT EXPANSION FOR
220 S. 'R' STREET
A.P.N. 059-240-004
CITY OF MERCED

O'KEEFE'S, INC.
220 S. 'R' STREET
MERCED, CA 95340
PH: (415) 297-4552

PROJECT DATA:
Date: 12/03/2018
Created By: X
Drawn By: JMD
Job No.: 18-001
SHEET NUMBER: C1.0

GOLDEN VALLEY
ENGINEERING & SURVEYING
 1400 S. R. STREET
 P.O. BOX 340
 RIVERVIEW, CA 95340
 PH: (925) 722-3200
 FAX: (925) 722-3254

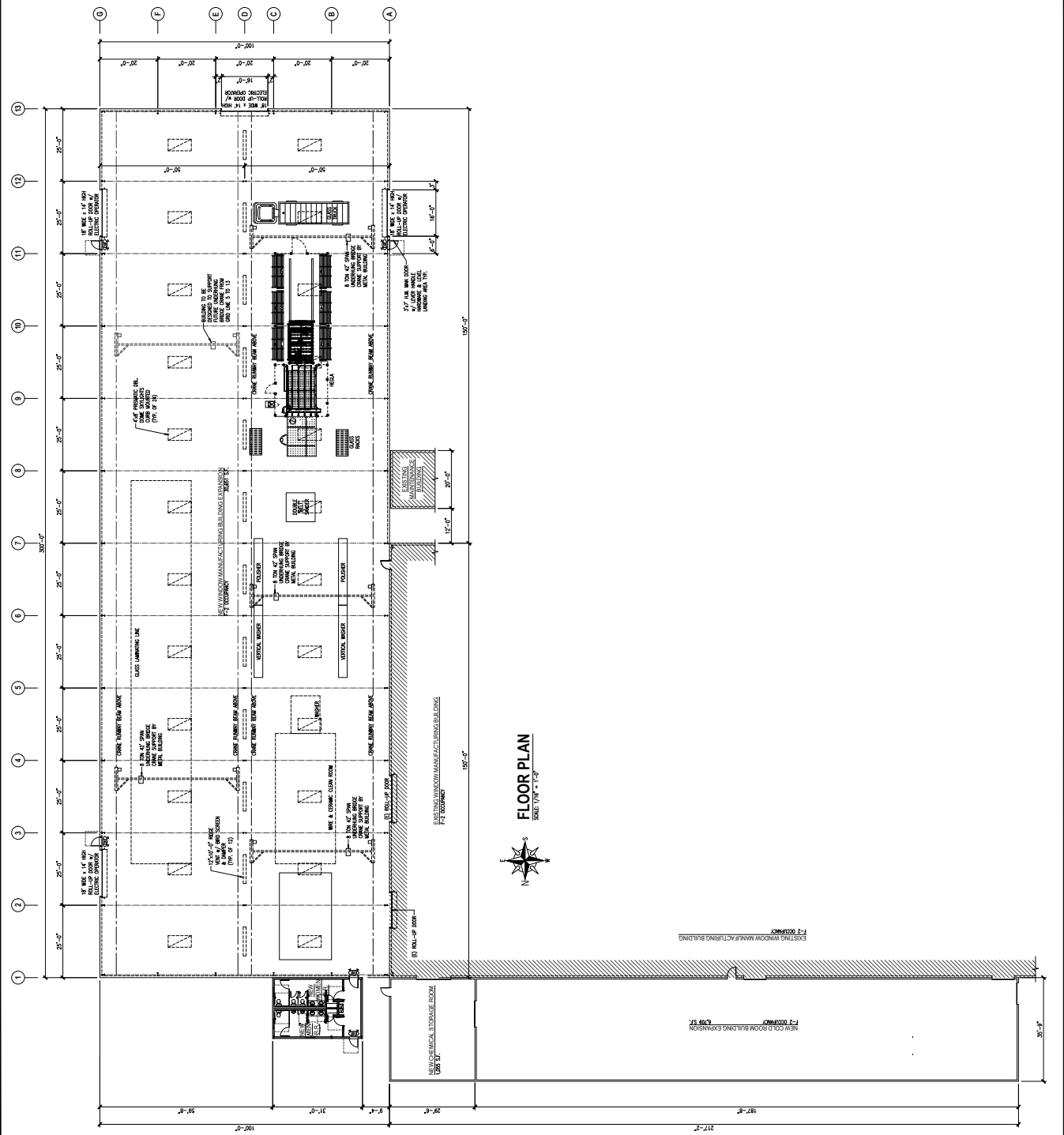
PROJECT:
 SHEET NO.:
 DATE:

PREPARED FOR:
O'KEEFE'S, INC.
 220 S. R. STREET
 RIVERVIEW, CA 95340
 PH: (415) 297-4552

PROJECT DATA:
 Date: 12/03/2018
 Checked By: X
 Drawn By: JMD
 Job No.: 18-205
 SHEET NAME:

CITY OF MERCED
 220 S. R. STREET
 A.P.N. 059-240-004

O'KEEFE'S, INC.
 PLANT EXPANSION FOR





CITY OF MERCED
SITE PLAN APPLICATION
RESOLUTION #313 – FINAL

<u>John Chandler</u> APPLICANT	<u>Addition of 3,087 s.f. “cold room” for O’Keeffe’s, Inc.</u> PROJECT
<u>220 South R St.</u> ADDRESS	<u>220 South R St.</u> PROJECT SITE
<u>Merced, CA 95341</u> CITY/STATE/ZIP	<u>059-240-004</u> APN
<u>209-388-9072</u> PHONE	<u>I-L (Light Industrial)</u> ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Merced City Site Plan Review Committee considered and approved Site Plan Application #313 and Environmental Review #09-41 (Categorical Exemption) on December 3, 2009, submitted by John Chandler, applicant for William O’Keeffe, Trustee, property owner. The approval allows for the construction of a 3,087-square-foot “cold room” addition to the existing building at 220 R St. Said property being more particularly described as Lot 28 as shown on that certain map entitled “Hartley Colony” recorded in Volume 4, Page 41 of Merced County Records; also known as Assessor’s Parcel Number (APN) 059-240-004.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15303 (e); and,

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

- A. The Site Plan Approval Committee is of the opinion that the requested use of the property does not constitute such magnitude to be a significant policy interpretation, and/or represent substantial special interest to surrounding property owners, or the Planning Commission, to warrant Conditional Use Permit review and amendment.
- B. The proposal complies with the City of Merced General Plan designation of Manufacturing/Industrial and the zoning designation of Light Industrial (I-L).
- C. The addition already exists and was constructed circa 2005 without proper permit approval (including Site Plan Review). Therefore, this approval, subject to the conditions below, will bring the addition into compliance with the current building and fire codes and zoning regulations.

- D. The owner has verbally committed to making other improvements to the building or constructing a new building within the near future. At that time, all required street trees and landscaping shall be installed along with any other improvements needed at that time.
- E. Because the city street south of the southern most driveway does not meet City Standards, there is no traffic generated by this site in this area, and this section is adjacent to a sub-standard county roadway, the owner is not required to install curb and gutter along the frontage of the property in this area. This area may be required to be brought up to City Standards in the future if additional construction or improvements occur on the site.
- F. Due to the cost of some of the improvements required to bring this site into compliance, the Site Plan Review Committee may allow these improvements to be installed/constructed in phases. A construction schedule shall be submitted by the applicant for approval by the Development Services Director. All improvements shall be installed in accordance with City Standards, the above schedule, and any applicable conditions below.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #313, subject to the following conditions:

- 1. All conditions contained in Site Plan Approval Resolution #79-1 ("Standard Conditions of Site Plan Approval") shall apply.
- 2. The proposed project shall be constructed as shown on Exhibit 2 (site plan) and; Exhibit 3 (elevations) (Attachments 2 and 3).
- 3. Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with zoning, building, and all other codes, ordinances, standards, and policies of the City of Merced.
- 4. The employee parking area on the south side of the parcel (Exhibit 2) shall be sealed with an approved material to eliminate dust and mud. Approval of material shall be obtained from the City Engineer or Chief Building Official prior to installation. Installation of the approved material shall be in compliance with all applicable City Standards.
- 5. The parking area in front of the building shall be striped per City Standards to provide at least 6 parking stalls.
- 6. Any damaged or missing curb and gutter shall be repaired.
- 7. Commercial driveways shall be installed at both entrances to the site. Driveways shall comply with City Standards.
- 8. An encroachment permit shall be obtained for all work in the public right-of-way and a building permit shall be obtained for all on-site work.
- 9. All property not occupied by paving or landscaping (i.e., the rear portion of the site) shall be maintained to acceptable standards for health, fire safety, and

December 3, 2009

aesthetic reasons. Grasses and weeds shall be kept to a maximum of six inches in height or as otherwise required by the Fire Department and County Health Department.

10. Slats or other approved screening shall be provided in the chain-link fence along the front of the property. Outdoor storage shall be located in an area that is screened by the slats in the fence or in an area that is not visible from the public right-of-way. The employee parking area shall not be used for storage purposes. All materials or landscaping used for screening shall be properly maintained and kept free of graffiti.
11. All signing for the site shall be approved and a building permit issued prior to installation. No free-standing "A-frame" or "sandwich board" signs shall be allowed.
12. The site shall be maintained free of graffiti. Any graffiti shall be removed immediately and painted over with a color that matches the existing surface color.

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

December 3, 2009

DATE



SIGNATURE

Planner

TITLE

jn:Site Plan/SPA#313

Attachments/Exhibits:

1. Location Map
2. Site Plan
3. Elevations
4. Categorical Exemption

Site Plan Review #313
220 S. "R" St.
O'keeffe's

CHILDS

WOODWARD

FIG

HOME

PARKWEST

HOME

MC GREGOR

WINDSOR

STUART

STAHL

Subject
Site

WEST

Legend

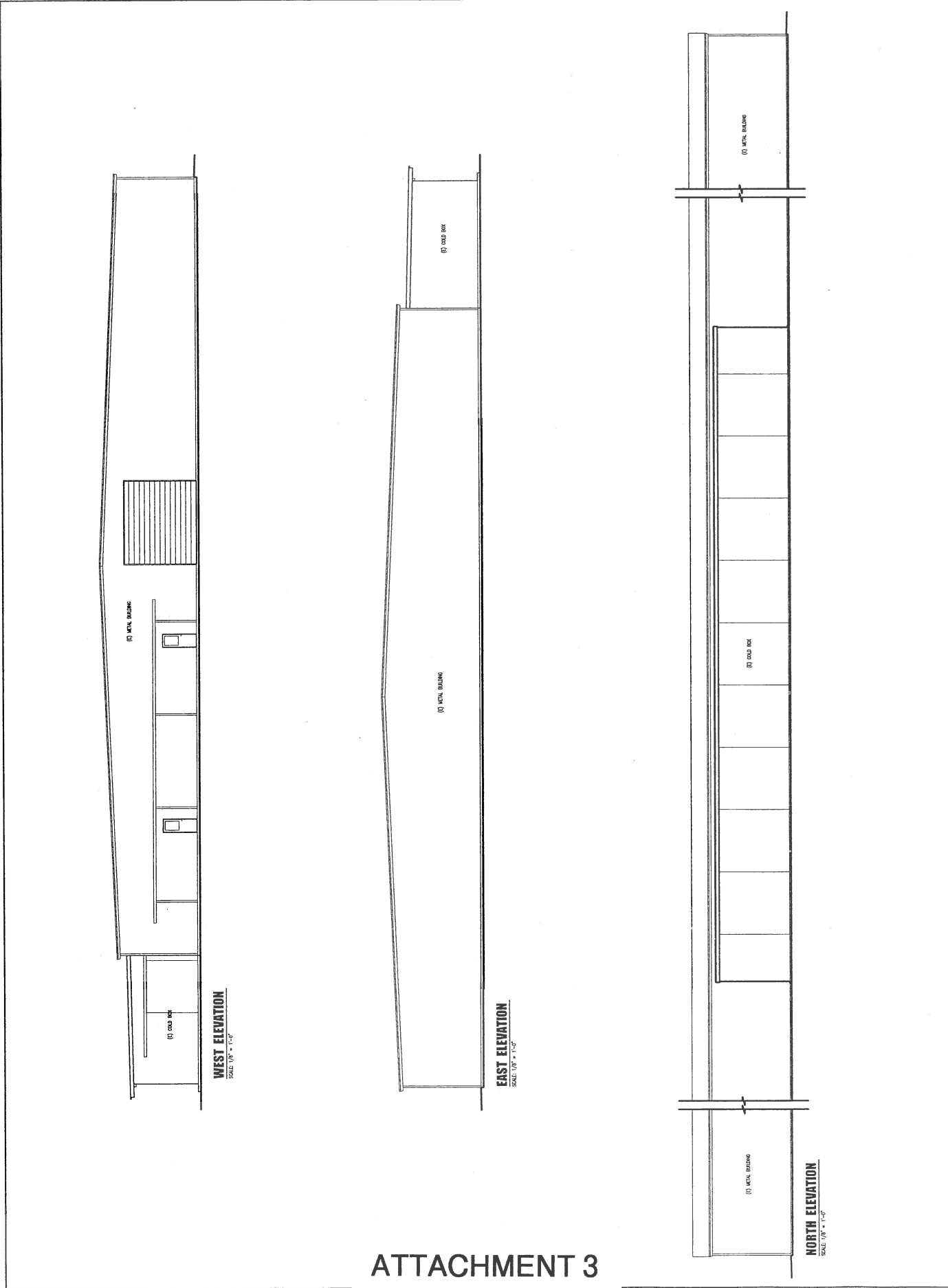


City Limits



ATTACHMENT 1

ATTACHMENT 3



REVISIONS

GOLDEN VALLEY
ENGINEERING & SURVEYING
L. 1998-09-01 • P.O. Box 349 • Merced, CA 95340
Phone (209) 722-3200 • Fax (209) 722-3254

O'KEEFE'S, Inc.
CONSTRUCTION PLANS FOR
220 SOUTH "R" STREET
A.P.N. 059-240-004
MERCED
CALIFORNIA

PREPARED FOR:
O'KEEFE'S, Inc.
c/o John Chandler
220 South "R" Street
Merced, CA 95340
Ph: (209) 388-9072
Fax: (209) 388-9138

SHEET CONTENTS
- Elevations

OWNER: O'KEEFE'S, INC.
DRAWN BY: R. ROWLAND
CHECKED: JAU
DATE: SEPTEMBER 2009
JOB NO.: 08-150

SHEET
A1

NOTICE OF EXEMPTION**Appendix I**

To: _____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Merced
678 West 18th Street
Merced, CA 95340

☒ County Clerk
County of Merced

Project Title: Site Plan Approval #313

Project Location: 220 South 'R' St.

APN: 059-240-004

Project Location - City: Merced

Project Location - County: Merced

Description of Project: The approval allows a 3,087 addition to an existing building, repairs made to existing public improvements, installation of street trees, paving of an existing driveway, and installation of parking lot trees.

Name of Public Agency Approving Project: City of Merced Planning

Name of Person Carrying Out Project: City of Merced Planning

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: Class 15301 (c) and (e)
☐ Statutory Exemptions

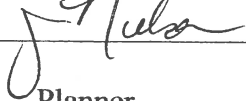
Reasons why Project is Exempt: The project consists of repairs to existing public improvements as exempt under Class 15301 (c), and an addition less than 10,000 s.f. that meets the following criteria for an exemption under CEQA guidelines (Class 15301 (e):

- A) Is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan;
B) The area in which the project is located is not environmentally sensitive.

Lead Agency: City of Merced

Contact Person: Julie Nelson, Planner

Area Code/Telephone: 209/385-6858

Signature: 
Planner

Date: November 23, 2009

☒ Signed by Lead Agency

ATTACHMENT 4

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 #430 (Environmental Review #16-67)

Project Applicant: O'Keeffe's, Inc.

Project Location (Specific): 220 S. R St. **APN:** 059-240-004

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

Description of Nature, Purpose, and Beneficiaries of Project: Building and parking stall additions.

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: O'Keeffe's, Inc.

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 only, such as expanding an existing manufacturing plant and adding parking stalls, 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:** 01-04-2019 **Title:** Planner

 X Signed by Lead Agency

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

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

CITY OF MERCED
SITE PLAN APPLICATION
RESOLUTION #431

Lawler Excavation & Pipeline	Construct a 7,500-s.f. shell warehouse on a vacant lot.
APPLICANT	PROJECT
405 W. 19 th St.	2250 Cessna Way.
ADDRESS	PROJECT SITE
Merced, CA 95341	059-640-006
CITY/STATE/ZIP	APN
(209) 722-3200	Light Industrial (I-L)
PHONE	ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and approved Site Plan Application #431 on January 17, 2019, submitted by Cesar Perez, applicant for Tom E. Lawler, property owner, to construct a 7,500-square foot shell warehouse at 2250 Cessna Way, within a Light Industrial (I-L) Zone. Said property being more particularly described as Parcel B as shown on that certain map entitled "Parcel Map for Skyview Industrial Park Phase 1" recorded in Volume 94, Page 16 of Merced County Records; also known as Assessor's Parcel Number (APN) 059-640-006.

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

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

- A) The proposal complies with the General Plan designation of Industrial (IND) and the Zoning classification of Light Industrial (I-L).
- B) Approval of this use shall be subject to approval from the Airport Land Use Commission or its staff designee (see Condition #27). The City Council may override the Commission's determination.
- C) The subject site is a 0.48-acre vacant lot located within a partially developed industrial park with surrounding industrial uses. This Project includes vehicle access from Cessna Way into a parking lot with 9 parking stalls on the western portion of the parcel. The shell warehouse would be 7,500-square foot, 20 feet tall, would include 2 access doors and a roll-up garage door on the east

elevation, and 1 access door on the north elevation. The building design includes a metal panel exterior with stone veneers, fabric awnings (see Condition #34), and skylights. The applicant has yet to find a tenant for the warehouse.

- D) The parking requirement for a warehouse is 1 parking space per 2,000 square feet of floor area or 1 space per 2 employees working during the largest shift, whichever is greater. The warehouse tenant has not been identified, so at this moment it is not possible to calculate parking requirements based on the number of employees working during the largest shift. However, the 7,500-square-foot building would require a minimum of 4 parking spaces (see Condition #29) based on the size of the building. This site exceeds parking requirements by having a total of 9 parking stalls.
- E) Parking lot trees are not required, but are encouraged to be installed per the City's Parking Lot Landscape Standards. Trees should be a minimum of 15 gallons and be of a type that provides a 30-foot minimum canopy at maturity (trees should be selected from the City's approved tree list). Trees should be installed at a ratio of at least one tree for every six parking spaces. Street trees shall be planted as required by City Standards. Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State's Emergency Regulation for Statewide Urban Water Conservation or any other State or City mandated water regulations.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #431, subject to the following conditions:

1. All conditions contained in Site Plan Approval Resolution #79-1 ("Standard Conditions of Site Plan Approval") shall apply.
2. The proposed project shall be constructed as shown on Exhibit B (site plan), and Exhibit C (elevations).
3. Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes. This may include adding a hydrant, as required by the Fire Department.
5. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative

body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.

6. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
7. All plans and supporting documents submitted for Building Permits shall meet or exceed the building codes in effect at the time of building permit application submittal. Plans shall be drawn by a licensed design professional. The construction work shall be performed by an appropriately licensed Contractor (B-Contractor).
8. Any damaged or missing curb and gutter shall be repaired.
9. An encroachment permit shall be obtained for all work in the public right-of-way and a building permit shall be obtained for all on-site work.
10. All property not occupied by paving or landscaping (i.e., the rear portion of the site) shall be maintained to acceptable standards for health, fire safety, and aesthetic reasons. Grasses and weeds shall be kept to a maximum of six inches in height or as otherwise required by the Fire Department and County Health Department.
11. Slats or other approved screening shall be provided in the chain-link fence along the western and southern property lines. The employee parking area shall not be used for storage purposes. All materials or landscaping used for screening shall be properly maintained and kept free of graffiti.
12. All signing for the site shall be approved and a building permit issued prior to installation. No free-standing "A-frame" or "sandwich board" signs shall be allowed.

13. The site shall be maintained free of graffiti. Any graffiti shall be removed immediately and painted over with a color that matches the existing surface color.
14. Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
15. All required Fire Permits shall be obtained from the City of Merced Fire Department. Some of these permits will depend on the operations or functions conducted inside the warehouse, and may be required after obtaining the certificate of occupancy for this development.
16. If the site is to be gated, there must be a minimum 22-foot-wide clearance for emergency vehicles to pass through when the gate is opened. If the gate requires manual operation, the applicant shall provide a Knox padlock. If the gate requires electronic operation, the applicant shall provide a Knox override switch with "Click-to-Enter."
17. Both short-term and long-term bicycle racks shall be provided at a minimum ratio equal to 8% of the vehicular parking spaces, as required by Merced Municipal Code Table 20.38-4 Required Bicycle Parking Spaces.
18. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
19. As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$100,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s) so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.
20. All mechanical equipment shall be screened from public view.
21. The applicant shall contact the City's Water Quality Control Division and comply with all requirements for this type of business and obtain all pertinent permits prior to issuance of certificate of occupancy. Said requirements may include, but may not be limited to, utilizing secondary containers and providing spill kits for leaks or spills.
22. A backflow prevention device shall be provided for all water services (i.e., domestic, irrigation, and fire) per Merced Municipal Code.
23. The developer shall work with the City's Engineering Division to determine the requirements for storm drainage on the site. The developer shall provide all necessary documentation for the City's Engineering Division to evaluate the storm drain system. All storm drain systems shall be installed to meet City Standards and State regulations.

24. All landscaping shall be kept healthy and maintained; any damaged or missing landscaping shall be replaced immediately.
25. The applicant shall submit an Industrial User Survey to the City's Water Quality Control Division during the building permit stage.
26. The business owner and their successors-in-interest shall be fully responsible for any Project-related contamination that may be found on the site or away from the site and for any necessary clean-up of such contamination. This includes all types of hazardous materials. The site plan permit may be subject to review and revocation by the City of Merced per the procedures in the Merced Municipal Code.
27. Approval of this application is subject to approval and/or recommendation by the Airport Land Use Commission, or its staff designee, to determine that the project is consistent with the Airport Land Use Compatibility Plan.
28. Parking lot and building lighting shall be shielded or oriented in a way that does not allow "spill-over" onto adjacent lots in compliance with the California Energy Code requirements. Any lighting on the building shall be oriented to shine downward and not spill over onto adjacent properties.
29. A change in use or increase in number of employees working during the largest shift may require additional parking in the future.
30. The Project shall have a separate Irrigation and Domestic water service line going from the water main to the property line.
31. During the building permit stage, the applicant shall provide a site plan with a note indicating who will be installing landscaping for this site.
32. The refuse enclosure shall be designed to meet the City's Engineering Standards for refuse enclosures (R-4). The applicant shall not install any posts in front of the refuse enclosure. A side gate shall be provided with pedestrian access, as required by the City Engineering Division.
33. The applicant shall work with the City's Refuse Department to determine the best location for the refuse enclosure and to determine if a recycling container would be required. This may include placing the refuse enclosure further from the street to allow the refuse truck to turn around within the subject site instead of out to the street.
34. Instead of providing round fabric awnings, the applicant shall provide flat canopies or overhangs made out of permanent/weather tolerant materials, as determined appropriate by Planning staff during the building permit stage.
35. The Project shall comply with the City's Performance Standards for developments within Industrial Zones as outlined under Merced Municipal Code Section 20.12.030 (C) – Development Standards for Industrial Zoning Districts – Performance Standards (e.g. noise, air quality, odor, etc.)

January 17, 2019

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

1-17-2019

DATE



SIGNATURE

Planner

TITLE

Exhibits

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



EXHIBIT A



1. ACCESSIBLE ROUTE SHALL HAVE A MIN. WIDTH OF 48".
2. ACCESSIBLE ROUTE SHALL HAVE A MAX. 2% CROSS SLOPE AND MAX. 5% SLOPE IN THE DIRECTION OF TRAVEL.
3. ACCESSIBLE ROUTE SHALL BE FREE OF CURBS AND JOISTS 1/2" WIDE AND 1/4" DEEP.
4. ACCESSIBLE ROUTE SHALL HAVE ELEVATION CHANGE NO GREATER THAN 1/4" VERTICAL ELEVATION CHANGE BETWEEN 1/4" - 1/2" SHALL HAVE A 2:1 SLOPE.

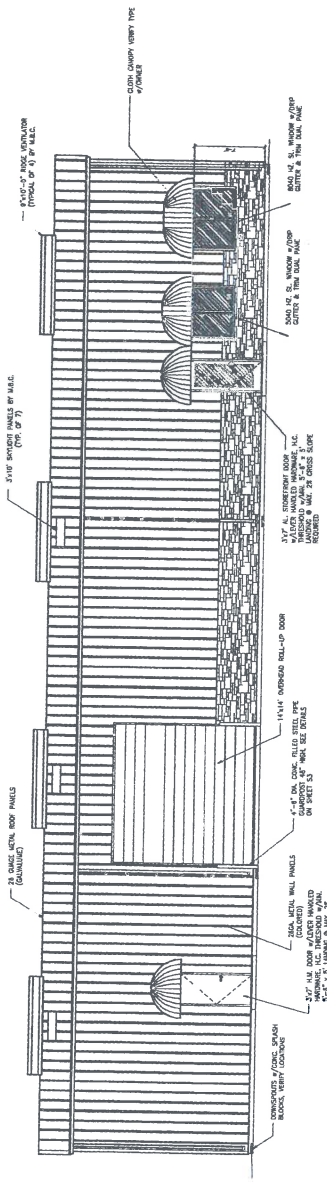
GOLDEN VALLEY
ENGINEERING & SURVEYING
10000 E. 10TH AVE.
SUITE 100
DENVER, CO 80231
TEL: (303) 755-5500
FAX: (303) 755-5501
WWW.GVENGINEERING.COM

TOM E. LAWLER
NEW BUILDING FOR
CESSNA WAY
APN: 059-640-006
CITY OF MERCED, CALIFORNIA

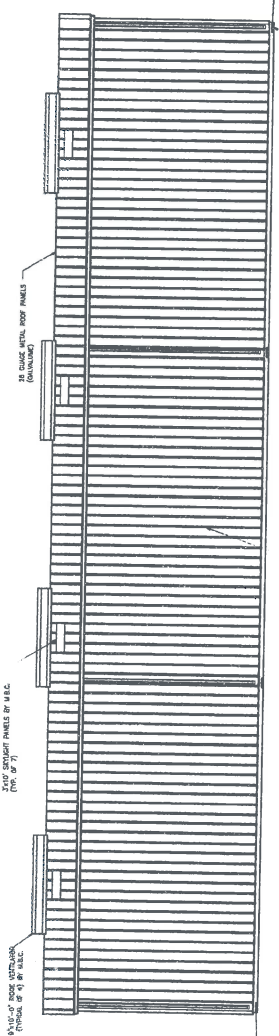


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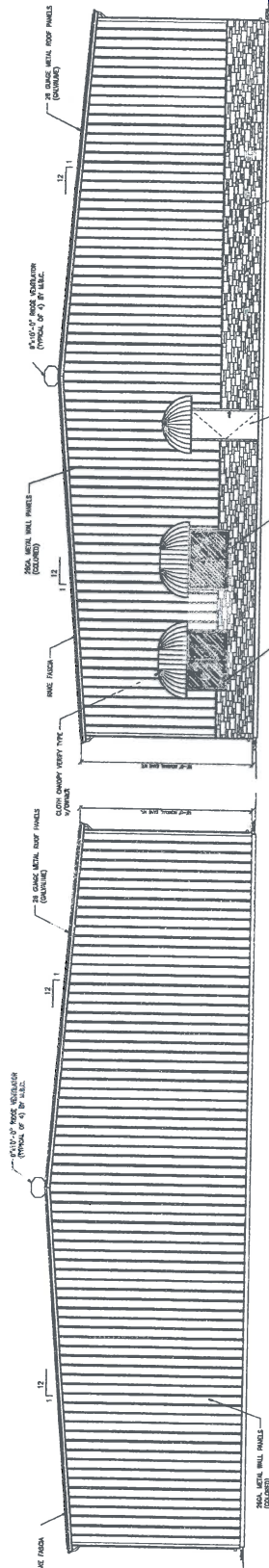
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EAST ELEVATION
SCALE 1/4" = 1'-0"



WEST ELEVATION
SCALE 1/4" = 1'-0"



SOUTH ELEVATION
SCALE 1/4" = 1'-0"

NORTH ELEVATION
SCALE 1/4" = 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 #431 (Environmental Review #18-70)

Project Applicant: Lawler Excavation & Pipeline

Project Location (Specific): 2250 Cessna Way. APN: 059-640-006

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

Description of Nature, Purpose, and Beneficiaries of Project: 7,500-s.f. warehouse

Name of Public Agency Approving Project: City of Merced

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

Exempt Status: (check one)

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

Reasons why Project is Exempt:

As defined under the above referenced Section, the proposed project is considered an in-fill Project. The project location is within the City limits on an approximately 0.48-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:** 1-4-2019 **Title:** Planner

X Signed by Lead Agency

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

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

EXHIBIT D