

**CITY OF MERCED**  
**Site Plan Review Committee**

**MINUTES**

Planning Conference Room  
2<sup>nd</sup> Floor Civic Center  
Thursday, November 14, 2019

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

1. **ROLL CALL**

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

Committee Members Absent: None

Staff Present: Economic Development Director Quintero, Fire Inspector Abeyta, Deputy City Clerk Levesque, Planning Manager Espinosa, and Associate Planner/Recording Secretary Mendoza-Gonzalez

2. **MINUTES**

M/S BELTRAN-FRAZIER, and carried by unanimous voice vote, to approve the Minutes of October 24, 2019, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

- 4.1 Site Plan Application #445, submitted by CSHQA, Inc., for Rhino Holdings I, LLC, property owner, to construct a 1,901-square-foot coffee shop (Starbucks) with a drive through at the southwest corner of Main Street and R Street, within a Central Commercial (C-C) Zone.

Associate Planner MENDOZA-GONZALEZ reviewed the application. Refer to Draft Site Plan Resolution #445 for further information.

The applicant's design team was in attendance to answer questions from the Committee.

M/S FRAZIER - BELTRAN, and carried by the following vote, to adopt Environmental Review #19-30 (Categorical Exemption), and approve Site Plan Application #445, subject to the Findings and thirty-four (34) conditions set forth in Draft Resolution #445:

AYES: Committee Members Beltran, Frazier, and Chairperson McBride

NOES: None

ABSENT: None

5. **INFORMATION ITEMS**

5.1 **Calendar of Meetings/Events**

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

6. **ADJOURNMENT**

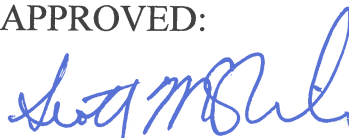
There being no further business, Chairperson McBRIDE adjourned the meeting at 1:50 p.m.

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 #445

CSHQA, Inc.	Construct a 1,901-square-foot coffee shop (Starbucks) with a drive through.
APPLICANT	PROJECT
1450 Harbor Blvd., Ste. A	Southwest corner of R Street and Main Street
ADDRESS	PROJECT SITE
West Sacrament, CA 95691	031-112-014
CITY/STATE/ZIP	APN
(916) 231-0881	Central Commercial (C-C)
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 #445 on November 14, 2019, submitted by CSHQA, Inc., for Rhino Holdings I, LLC, property owner, to construct a 1,901-square-foot coffee shop (Starbucks) with a drive-through at the southwest corner of Main Street and R Street, within a Central Commercial (C-C) Zone. Said property being more particularly described as portions of Lots 1,2,3, and 4 of Block 181 as shown on that Map entitled “Mondo Addition,” recorded in Volume 11, Page 35 of Merced County Records; also known as Assessor’s Parcel Number (APN) 031-112-014.

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) Lot Split #19-01 was recently approved for this site, and is in the process of being recorded. Lot Split #19-01 would create an outparcel for the subject site of 0.26-acres. The lot split resolution requires a cross-access agreement between the subject site and the shopping center to the west.
- C) As shown in Merced Municipal Code Section 20.68.030.C.F — Design Review Permit, the Development Services Department has the authority to

review new projects under 10,000 square feet that are deemed minor in nature by 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.

- D) Approval of this site plan review permit constitutes design review approval for this site, as required for properties within the Design Review Boundary by Merced Municipal Code Chapter 20.68.030 – Design Review Permit.
- E) The applicant is proposing to construct a 1,901-square-foot coffee shop (Starbucks) with a drive-through, at the southwest corner of Main Street and R Street. The building would be 24 feet tall, consist of a cement plaster finish with aluminum storefront architectural accents, and include access doors on the north and west elevations. This proposal includes using the existing driveways along R Street and Main Street. The site plan includes a 318-square-foot patio along the west elevation and a drive through queuing line that wraps around the south and east elevations (stacks approximately 7 vehicles). The refuse enclosure would be located near the southwest quadrant of the site plan.
- F) The parking requirement for Drive-Through Sales is 1 parking space per 350 square feet of floor area. The 1,901-square-foot building requires a minimum of 7 parking stalls. This site exceeds parking requirements by having a total of 19 parking stalls. Additional parking could be provided through the shopping center parking lot with any shared parking agreements that they may have or choose to execute.
- G) Per Merced Municipal Code Section 20.68.050 – Site Plan Review Permit, the Site Plan Review Committee may approve an application for a Site Plan Review Permit only if all of the following findings can be made:

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

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

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

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

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

With approval of the conditions found within this resolution, the building design and layout described in Finding E and shown at Exhibits B and C, would not interfere with the enjoyment of existing and future neighboring properties and structures.

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

As described under Findings C and D, this project is being considered for Design Review approval. It is of the opinion of the Site Plan Review Committee that this project is of high architectural quality and that the aesthetics of the proposed building and site plan are appealing and compatible with the surrounding buildings.

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

Conceptual landscape plans were submitted with this proposal, as shown on the Site Plan at Exhibit B. Detailed landscape plans shall be submitted during the building permit stage to ensure compliance with all applicable landscaping standards found under Merced Municipal Code Section 20.36 – Landscaping, and any other Municipal Code or State requirements.

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

The proposal meets City standards with approval of this permit and the conditions found within this resolution. The proposed project would not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #445, 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.
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 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.
11. The applicant shall submit design review applications prior to installing any permanent signs at this site.
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.
13. Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
14. Fire apparatus and emergency equipment access shall be provided within 150 feet of all portions of the building.
15. All required Fire Permits shall be obtained from the City of Merced Fire Department.
16. A Knox box shall be installed on exterior of the building with keys to enter the building, as required by the Fire Department during the building permit stage.
17. Fire protection systems shall be monitored by fire alarm systems, or as otherwise required by the Fire Department.
18. 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.
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/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.
21. The Project may have a separate Irrigation, Fire, and Domestic water service line going from the water main to the property line.

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. 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.
25. During the building permit stage, the applicant shall submit a detailed landscape plan for landscaping located within the subject site and along the public right-of-way.
26. Landscaping shall comply with all applicable standards and requirements found in Merced Municipal Code Section 20.36 – Landscaping.
27. 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. 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.
28. The applicant shall work with the City's Refuse Department to determine the best location and angle for the refuse enclosure and to determine if a recycling container would be required
29. The refuse enclosure shall be designed to meet the City's Engineering Standards for refuse enclosures (R-4). The refuse enclosure shall be covered from above to prevent direct access to refuse. 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. The enclosure may need to be relocated – details to be worked out with staff.
30. The applicant shall provide canopies or overhangs made out of permanent/weather tolerant materials, as determined appropriate by Planning staff during the building permit stage.
31. Parking lot trees shall 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



November 14, 2019

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.

32. The drive through circulation shall be redesigned to prevent vehicles backing into R Street. The trash enclosure may need to be relocated, and the drive-through barrier shall be extended so that drivers cannot make u-turns into the drive-through from the R Street driveway. The queuing line and parking lot shall be redesigned so that vehicles lineup from the interior of the site entering from Main Street instead of R Street. The applicant shall work with the Engineering Department to provide these details or to create an alternative design that is deemed acceptable by the City Engineer.
33. A Fats, Oil, and Grease (FOG) permit shall be obtained from the City's Water Quality Control Division for the restaurant prior to opening for business
34. A grease interceptor shall be installed for the restaurant.

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

11-14-2019

DATE



SIGNATURE

Associate Planner

TITLE

Exhibits

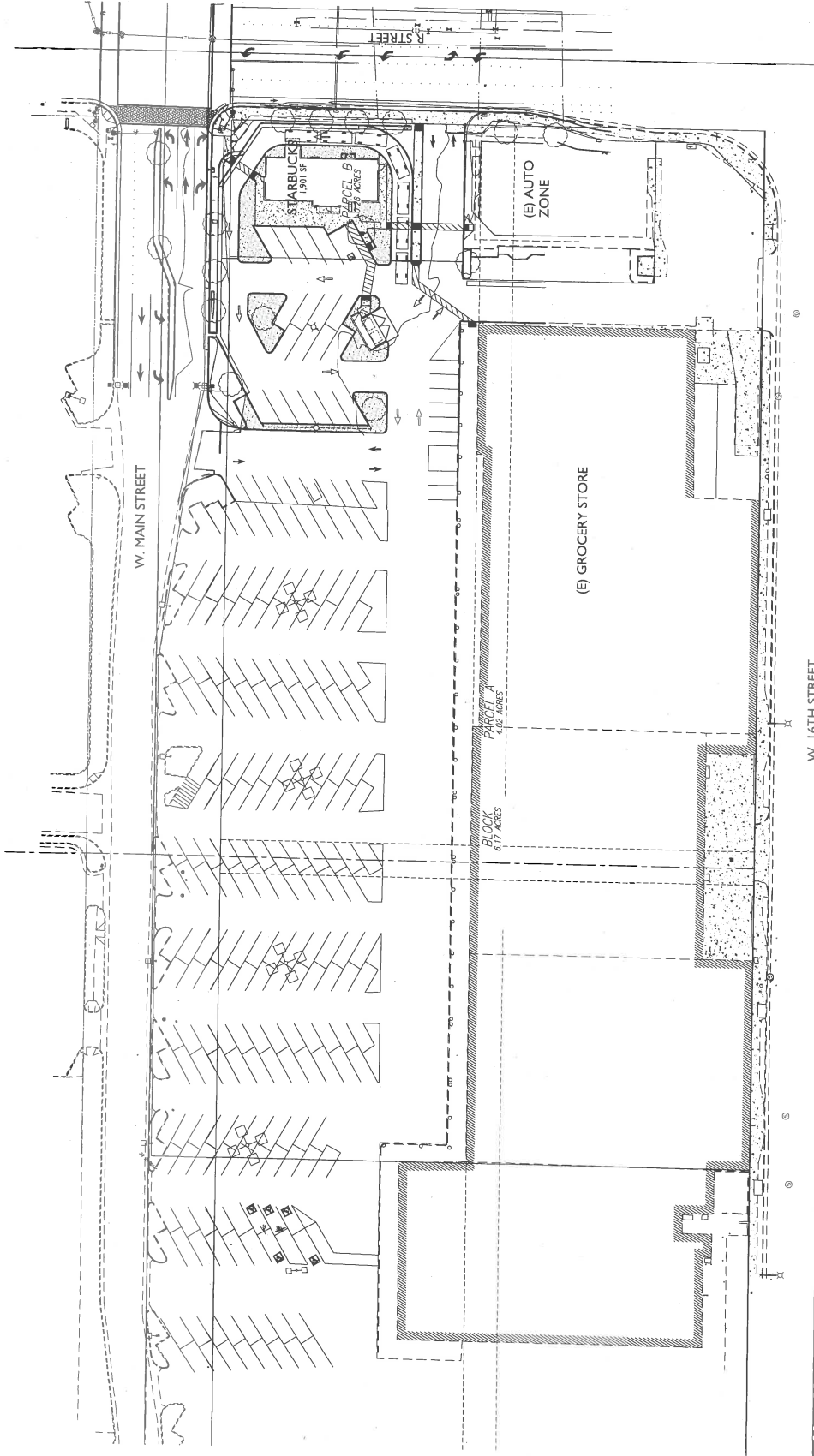
- A) Location Map
- B) Site Plan
- C) Elevations
- D) Categorical Exemption



EXHIBIT A



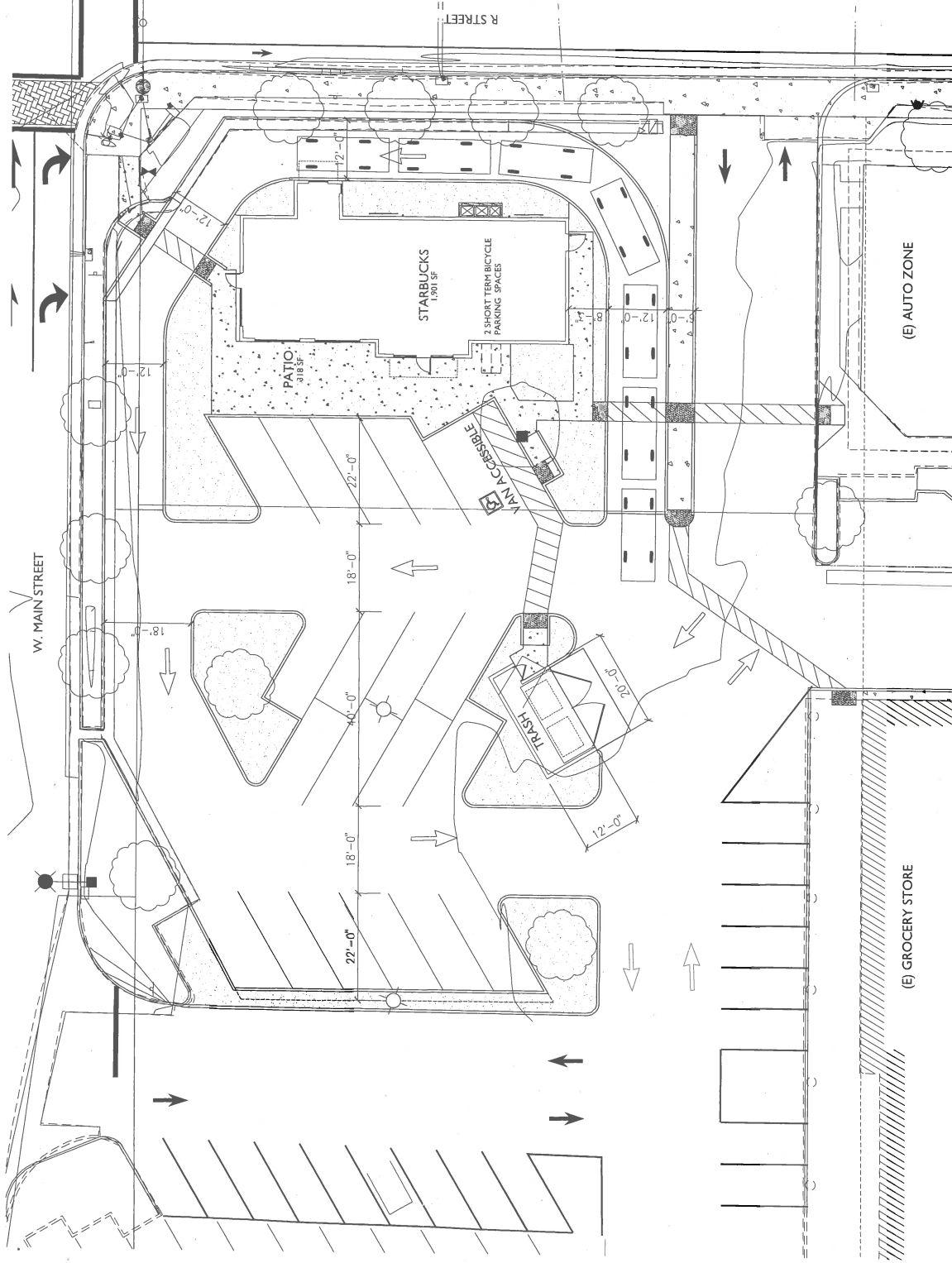
SWC Main Street & R Street



PARKING

EXISTING	246 SPACES
STANDARD	37 SPACES (4%)
COMPACT	12 SPACES
ACCESSIBLE	395 SPACES
TOTAL EXISTING	
REQUIRED	
EXISTING PARCEL A	321 SPACES
1,900 SF / 100' W	17 SPACES
5,055 SF / 100' W	17 SPACES
DRIVE THRU & DRIVE UP SALES	6 SPACES
1,900 / 350' W 6 SPACES	6 SPACES
TOTAL REQUIRED	344 SPACES
PROPOSED	
STANDARD	299 SPACES
COMPACT	13 SPACES (4.1%)
ACCESSIBLE	13 SPACES
TOTAL EXISTING (NET LOSS OF 46 SPACES)	349 SPACES
BICYCLE PARKING REQUIRED (BASED ON 19 NEW SPACES)	
SHORT TERM	2 SPACES
LONG TERM	0 SPACES
BICYCLE PARKING PROVIDED	
SHORT TERM	2 SPACES
LONG TERM	0 SPACES

EXHIBIT B





GRAPHIC SCALE  
1" = 30'



#### VICINITY MAP

#### PARCEL INFORMATION

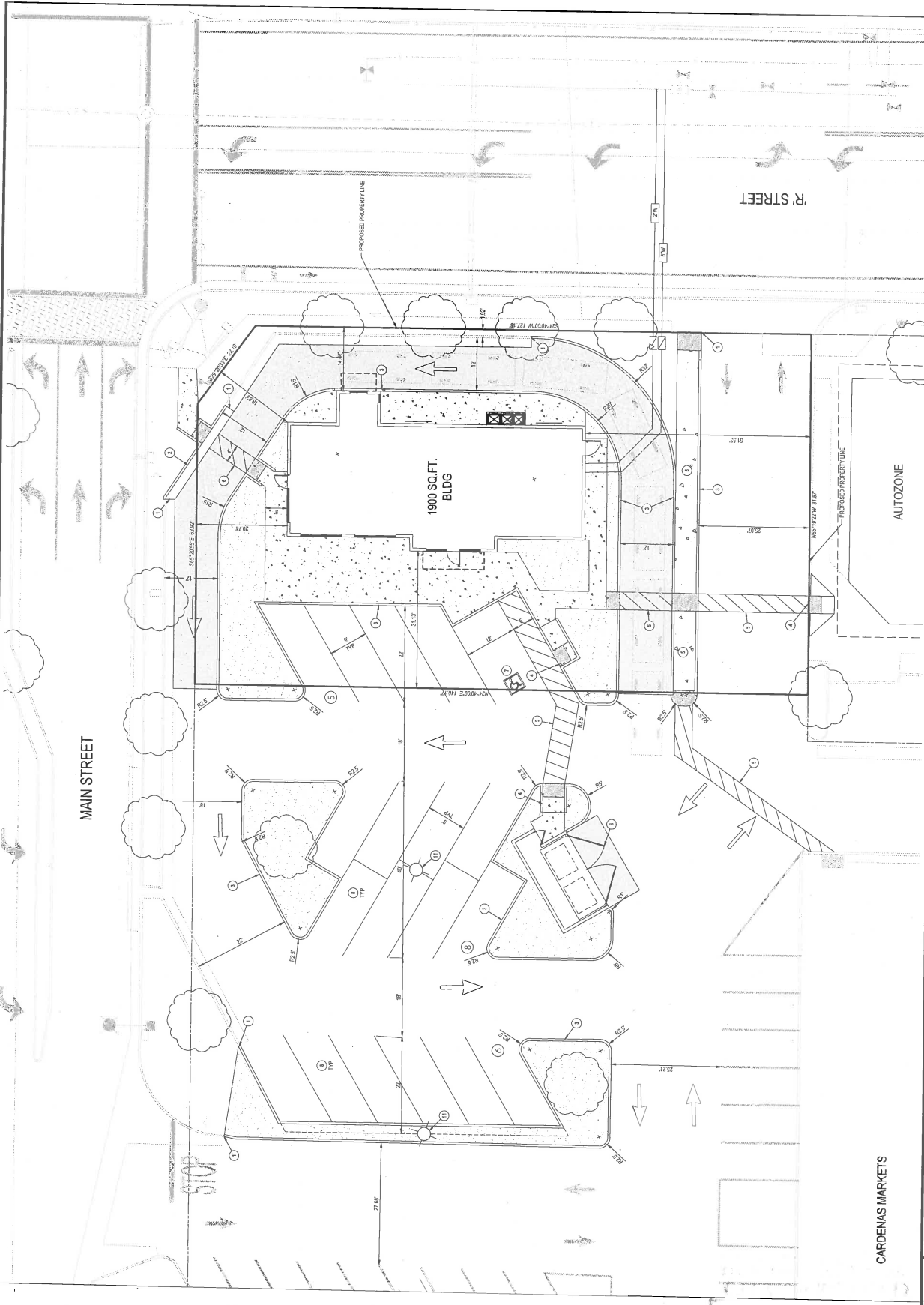
APN: 03-13-04-10-001-001  
FLOOD ZONE: A-1 (100 YR)  
FLOOD ZONE: A-2 (100 YR)  
PROPOSED PARKING STALLS: 9 (1 ACCESSIBLE STALL - 18 STALLS)  
REQUIRED PARKING STALLS:  
1. 1 PER 100 SQ. FT. FLOOR SPACE  
2. 1 PER 100 SQ. FT. FLOOR SPACE  
3. 1 PER 100 SQ. FT. FLOOR SPACE

#### LEGEND

- 4" PCC OVER 4" CLAS 3 A.S.B. (MIN. 8" C.J. PER CITY STD DTL 300-1)
- LANDSCAPE AREAS
- CONCRETE PAVEMENT
- # PARKING STALLS GROUPED TOGETHER

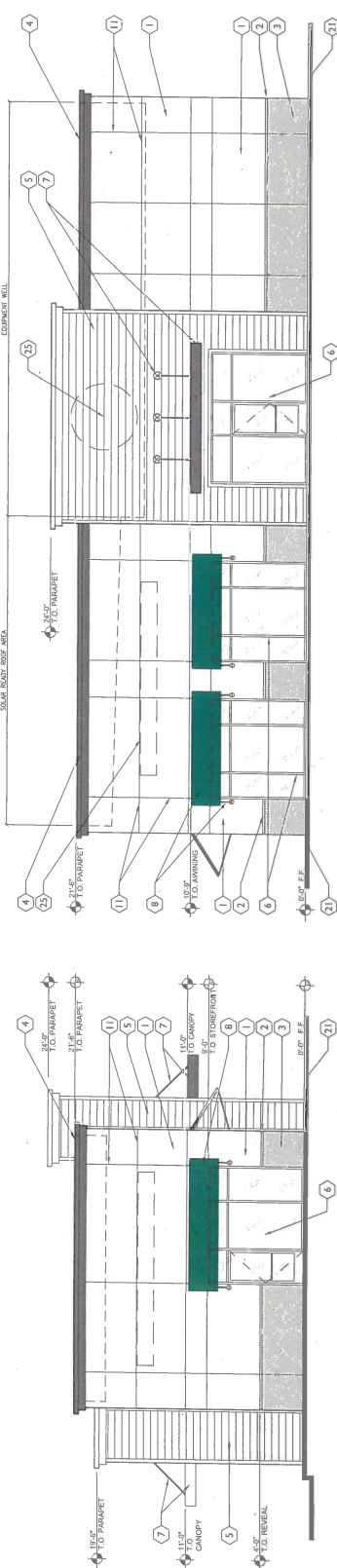
#### KEYNOTES

1. MATCH EXISTING
2. CONSTRUCT CURB AND GUTTER PER CITY STD DTL 300-1.
3. CONSTRUCT 4" CUBIC PER CALTRANS STD DTL A-4.
4. CONSTRUCT ADA CURB RAMP
5. ADA PATH
6. CONSTRUCT ADA ACCESSIBLE TRASH ENCLOSURE
7. ADA PARKING STALL
8. 8" PARKING STALL PER CITY STD TC-10
9. CONNECT TO EXISTING WATER MAIN IN R STREET. INSTALL 55' WATER SERVICE CONNECTION PER CITY STD DTL W-4.6
10. CONNECT TO EXISTING WATER MAIN IN R STREET. INSTALL 27' WATER SERVICE CONNECTION PER CITY STD DTL W-4.6
11. INSTALL AREA LIGHT



DATE: OCTOBER 23, 2019		SHEET 1 OF 1		JOB NO. 19-0055-00	
SITE PLAN FOR		STARBUCKS		SOUTHWEST CORNER OF MAIN STREET & R STREET	
CIVIL ENGINEERING - LAND PLANNING - LAND SURVEYING		MORTON & PITALO, INC.		CITY OF BERKELEY, CALIFORNIA	
Folsom • Sacramento • Fresno		2411 K STREET, SUITE 1120		Sacramento, CA 95833	
Survey email: stopgap@stopgap.com		Survey website: www.mtceng.com			
COMPUTED	DESIGNED	DRAWN	PROJ. ENGR.		
SCALE:		BENCH MARK			
HORIZ. 1" = 30'		VERT. 1" = 10'			

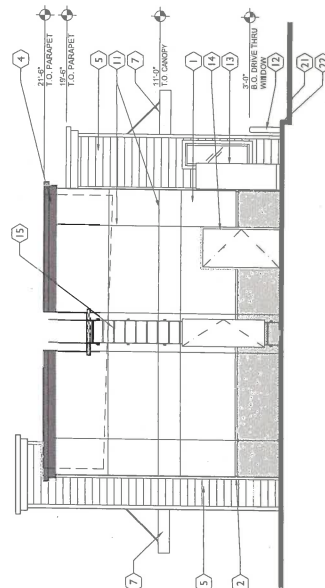
SWC Main Street & R Street



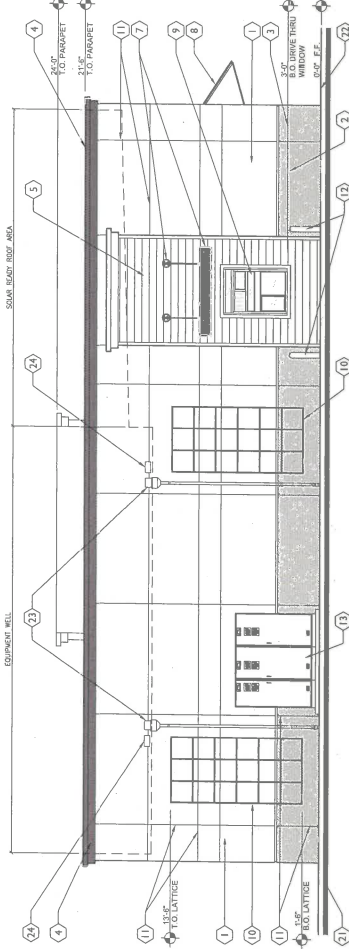
Northeast Elevation

Northwest Elevation

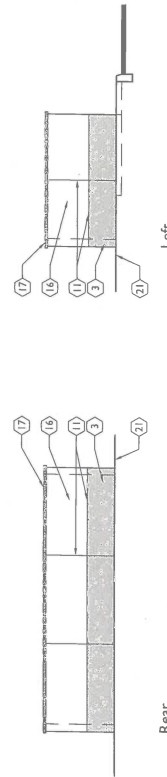
EXHIBIT C



Southwest Elevation

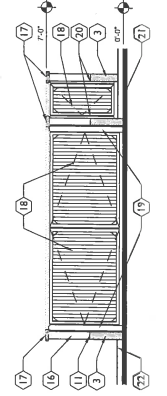


Southeast Elevation

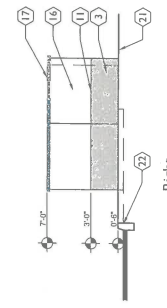


Rear

Trash Enclosure Elevations



Left



Right

- SHEET NOTES**
- 1 EXTERIOR CERAMIC PLASTER FINISH OVER WOOD STUD FRAMING
  - 2 ALUMINUM BENT - CLEAR ANODIZED
  - 3 EXTERIOR CERAMIC PLASTER WALL BASE
  - 4 EXTERIOR CERAMIC PLASTER WALL CORNICE
  - 5 CERAMIC TILE BOARD LAMINATE WITH EDGE TRIM OVER WOOD STUD FRAMING - PAINTED
  - 6 ALUMINUM STOREFRONT SYSTEM - CLEAR ANODIZED
  - 7 METAL CANOPY WITH TIE RODS - PAINTED
  - 8 METAL AWNING WITH METAL FRAME - PAINTED
  - 9 ALUMINUM DRIVE THRU WINDOW ASSEMBLY - CLEAR ANODIZED
  - 10 STEEL PLANT LATTICE - PAINTED
  - 11 PLASTER CORNICE JOINT
  - 12 CONCRETE FILLER STEEL PIPE BOLLARD - PAINTED SAFETY YELLOW
  - 13 ELECTRICAL SWITCH GEAR
  - 14 HOLLOW METAL DOOR AND FRAME - PAINTED
  - 15 STEEL ROOF ACCESS LADDER WITH LOCKING COVER
  - 16 EXTERIOR CERAMIC PLASTER FINISH OVER CONCRETE MASONRY WALL
  - 17 EXTERIOR CERAMIC PLASTER WALL CAP
  - 18 STEEL GATES WITH ANGLE FRAME AND CORRUGATED METAL PANELS
  - 19 CONCRETE FILLER STEEL PIPE GATE POSTS - PAINTED
  - 20 STEEL CHANNEL GATE JAMBS
  - 21 FINISH GRADE
  - 22 CONCRETE CURB
  - 23 ROOF DRAIN SCUPPER WITH SHEET METAL COLLECTOR AND DOWNPOUT
  - 24 OVERFLOW SCUPPER
  - 25 AREA FOR STORAGE

## 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 #445 (Environmental Review #19-30)

**Project Applicant:** CSHQA, Inc., for Rhino Holdings I, LLC

**Project Location (Specific):** Southwest Corner of R St. and Main St. **APN:** 031-112-014

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

**Description of Nature, Purpose, and Beneficiaries of Project:** Constructing a coffee shop  
with a drive through.

**Name of Public Agency Approving Project:** City of Merced

**Name of Person or Agency Carrying Out Project:** CSHQA, Inc., for Rhino Holdings I, LLC

**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 constructing a building pad, and modifying the parking lot, 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:** 11-5-2019 **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