

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #17-07

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: Mar. 22, 2017

PREPARED BY: Francisco Mendoza-Gonzalez, Planner

SUBJECT: **Design Review #17-01**, initiated by Robert DeGrasse, on behalf of Stephen G. Tinetti and Joan M. Tinetti, Trustee. This application involves a request to develop a 5,538-square-foot car wash (Prime Shine Car Wash) on a vacant 1.7-acre parcel located at 930 W. 16th Street. The subject site is generally located on the south side of W. 16th Street, approximately 525 feet east of R Street, within a General Commercial (C-G) Zone. *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #17-03 (Categorical Exemption)
- 2) Design Review Application #17-01

SUMMARY

Prime Shine Car Wash is requesting approval to develop a 5,538-square-foot car wash on a vacant 1.7-acre parcel located at 930 W. 16th Street. This infill lot is located on the south side of W. 16th Street, 525 feet east of R Street, within a General Commercial (C-G) Zone (Attachment A). A car wash is considered a principally permitted use within the C-G Zone. However, because the subject site is located within the City's Design Review Boundary (generally located in Downtown and west of Downtown – Attachment H), the proposal requires a design review permit from the Planning Commission. The design review permit generally focuses on aesthetics, but it may be used to address other issues regarding the site plan, noise, lighting, hours of operation, etc. General factors to consider when reviewing a car wash include the number/location of driveways, vehicle stacking from the queuing line into the public road, appropriate turning radius for vehicle circulation, and compliance with City Noise Standards (particularly if washing/drying equipment abuts residential zones). Staff has reviewed this proposal and the factors listed above, and is recommending approval of this application subject to the conditions within the staff report.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #17-03 (Categorical Exemption) and Design Review #17-01, subject to the following conditions, in accordance with the draft Resolution at Attachment J:

- *1) The proposed project shall be constructed/designed as shown on Attachment B (Site Plan), Attachment C (Landscape Plan), Attachment D (Floor Plan), Attachment E (Elevations), and Attachment F (Materials and Colors List), except as modified by the conditions.

- *2) The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
- *3) The Project shall comply with all relevant conditions set forth in Resolution #574 for Lot Split Application #94-02, 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) 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.
- *8) 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, or as otherwise approved by the Refuse Department. If the refuse enclosure is located at the southeast corner of the parcel, it shall be screened from public view with doors, which shall remain closed when not in use.

- *9) 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.
- 10) All landscaping shall be installed prior to occupancy and shall thereafter be maintained in a healthy and aesthetic manner and any damaged or missing landscaping shall be replaced immediately.
- 11) Parking lot trees shall be installed per the City's Parking Lot Landscape Standards. Trees 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). Trees shall be installed at a ratio of at least one tree for each six parking spaces. In addition, street trees shall be planted as required by City Standards.
- 12) All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
- 13) Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
- 14) The project shall comply with all City Standards for storm drainage. 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.
- 15) A sand and oil separator (or equivalent technology) shall be installed as required by the City's Engineering Department.
- 16) Parking shall be provided at a minimum ratio of one parking space for every employee working during the largest shift (at this time, it is 5 employees). An increase in the number of employees working during the largest shift shall require additional parking at the above-mentioned ratio.
- 17) Bicycle racks shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces. The City recommends the use of an inverted "U" shaped bicycle rack.
- 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 \$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.
- 20) All mechanical equipment shall be screened from public view.
- 21) The premises shall remain clean and free of debris and graffiti at all times.

- 22) The beams below the tower roofs shall be painted a color that either matches or complements the mosaic diamond façade on the north elevation. Beam color samples shall be reviewed and approved by Planning staff during the building permit stage.
- 23) All signing shall comply with the City's 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. A Design Review Permit (staff approval) shall be required for all signs.
- 24) The applicant shall paint or replace metal siding, canopies, and wall panels uniformly as weathering and sun exposure fades or damages this material (as determined by the Planning Manager).
- 25) The applicant shall work with the Engineering Department to enter into a Licensing Agreement to develop a driveway, driving aisle, and parking spaces within the 40-foot-wide sewer easement on the east side of the parcel.
- 26) The developer shall contact the Merced Irrigation District (MID) to review the project and determine if the project would be required to comply with any conditions applied by MID.
- 27) The new driveway on 16th Street shall be designed to align with P Street, or as otherwise required by the Engineering Department.

(*) Denotes non-discretionary conditions.

PROJECT DESCRIPTION

Site Plan

The subject site is a vacant 1.7-acre parcel surrounded by developed sites, located along the 16th Street corridor, between R Street and O Street. The parcel has a rectangular shape that is 436 feet long by 170 feet wide. Pedestrian access is available from a path-of-travel that connects the sidewalk along W. 16th Street to the car wash building. Vehicle access is available from one 35-foot-wide driveway along W. 16th Street that aligns with P Street. The queuing line is over 540 feet long and wraps around the north and west property lines, accommodating approximate 27 vehicles. The queuing line includes an emergency exit into the parking lot, prior to entering the car wash. Employee parking is available near the eastern portion of the parcel, and customer parking is available near the center and western portions of the parcel. Customer parking is covered by solar canopies and includes complimentary vacuums. Parking spaces located within the City's 40-foot sewer easement (along the eastern property line) shall require a Licensing Agreement with the City (Condition #25). Landscaping will be provided along all four sides of the parcel and is proposed to satisfy the City's Water Efficient Landscape Ordinance (Attachment C). A double door trash enclosure will be located on the southeast corner of the parcel, designed to match the car wash building in material and color (Attachment E).

Building Design

The 5,538-square-foot car wash building includes a storage room, cashier room, manager's office, bathroom, equipment room, vacuum room, a pre-wash area, and a tunnel for vehicle washing and drying. The car wash building has an industrial design made out of wood stud framing and CMU

block walls, with an exterior finish of metal siding and aluminum panels. The car wash has three different building masses, one identifying the vehicle entrance, another identifying employee quarters (at the center of the north elevation), and the last identifying the vehicle exit. The vehicle entrance and vehicle exit exteriors have similar designs that include flat angled roofs (27 feet tall and 22 feet tall respectively), “Slate Gray” metal siding, and “Bronze Aluminum” trellises. The center of the south elevation has an orthogonal parapet roofline (18 feet tall) and aluminum diamond panels with a variety of sizes and colors such as “Glad Yellow,” “Daffodil,” “Blue,” “Pulsating Blue,” “Frosty White,” and “Sensible Hue” (Attachment F).

Surrounding Zones and Land Uses (Attachment A):

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	New Thai Cuisine	Central Commercial (C-C)	Regional/Community Commercial (RC)
South	Merced City School District Building (across Railroad Tracks)	General Commercial (C-G)	General Commercial (CG)
East	Roger’s Self-Serve Car Wash	General Commercial (C-G)	General Commercial (CG)
West	El Bajio Market	General Commercial (C-G)	General Commercial (CG)

BACKGROUND

The subject site was originally part of a five-parcel lot split approved by the Merced Minor Subdivision Committee in 1994 (Lot Split #94-02). The other four parcels have since been developed and are now occupied by Victoria’s Mexican Food, Merced Smog Center, El Bajio Market, and Roger’s Self-Serve Car Wash. The conditions of approval from Lot Split #94-02 required that the subject site include a 15-foot-wide sewer easement along the south property line, a 40-foot-wide sewer and storm drain easement along the east property line, and a 7-foot-wide public facilities easement along the north property line.

This would be the second Prime Shine Car Wash developed in Merced. The other Prime Shine Car Wash is located on the southwest corner of Olive Avenue and Loughborough Drive, and has been in operation since 1998 (according to City business license records). The applicant anticipates that developing a second Prime Shine Car Wash will help alleviate the traffic and vehicle stacking at the original location.

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of General Commercial (CG) and the zoning designation of General Commercial (C-G).

The Project would achieve the following General Plan Land Use Goals and Policies:

- 1) Land Use Policy L-2.1: Encourage further development of appropriate commercial and industrial uses throughout the City.
- 2) Land Use Policy L-2.10: Encourage well-planned freeway oriented developments.
- 3) Land Use Policy L-3.2.A: Encourage infill development and compact urban form.

Land Use

- B) The General Commercial Zone is designated to provide areas for heavy commercial and light industrial uses that may impact neighboring uses and often require large parcels and benefits from separation from retail uses. Some auto-related uses, such as a car wash, are considered principally permitted uses in the C-G Zone.

16th Street Design Guideline Requirements:

- C) 1. Streets and Sidewalks (and other Public Improvements):
- *“Sidewalks shall be continuously adjacent to the curb with landscaping and street trees filling out the remainder of the right-of-way width. This will result in approximately 5-foot-wide sidewalks with 3 feet of landscaping.”*

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 (Condition #19).

2. Landscaping:
- *“Landscaping shall consist of ground cover, shrubs, and trees sufficient to soften building lines and break up large expanses of pavement. Berming and art shall be used wherever practical.”*

The Landscape Plan includes a mix of sod, mulch, shrubs, and trees along all four sides of the parcel. The Landscape Plan is designed to comply with the City’s Water Efficient Landscape Ordinance and will incorporate water efficient irrigation systems, such as fully automatic sprinklers with wireless weather sensors that shut-off the sprinklers during rain, freezing temperatures, high wind speeds, and over-flow conditions. The Landscape Plan will be revised to have the same layout as the Site Plan shown at Attachment B.

- *“Landscaping within parking lots shall conform to the Zoning Ordinance requirements.”*

Parking lot trees are required at a rate of one tree for every six required parking spaces. As shown on the “Parking” section of this report, Prime Shine Car Wash is required to have five parking spaces, and thus one parking lot tree. Where there are shade structures, no

trees are required. The Landscape Plan at Attachment C shows three parking lot trees located within the western portion of the parking lot. The location of the parking lot trees may change as the Site Plan at Attachment B was recently revised to relocate the driveway 50 feet east to align with P Street. This resulted in minor changes to the parking lot layout. The applicant shall be required to provide a revised Landscape Plan during the building permit stage that shows at least one parking lot tree from the City's approved tree list (Condition #11).

3. Architectural Theme / Building Materials / Colors

- *“Buildings should be simple and reflect geometric forms and horizontal lines. Roofs shall be a variety of shapes, which have simple geometric shapes, such as hips, shed, gables, or flat. Relief or accent features (overhangs, columns, window trim, offsets, entryways) are strongly encouraged;”*
- *“Suggested Building Materials: Textured Concrete, slumpstone, brick, stucco, or lap siding;*
- *“Suggested Roof Materials: Tile, shakes/shingles, ribbed metal, architectural grade composition shingles;*
- *“The general color scheme shall emphasize earth tones, greys and pastels that represent a “light Mediterranean” palette. Accent color may include blues, greens, rusts, and golds.”*

The proposed car wash building has an industrial design with a metal finish and flat-angled roofs reaching 27 feet in height. A portion of the north elevation helps give the building visual interest by including a variety of diamond shaped panels with multiple colors (proposed colors are within the required Mediterranean color scheme – Attachment F). Canopies and wall variations also help add the visual interest requirements found in the 16th Street Design Guidelines.

The majority of the building and solar canopies have a grey color scheme. To help break-up this monolithic color scheme, the applicant is proposing to paint the metal roof beams “yellow” or another color that matches or complements the diamond shaped panels. The colors of the beams are not shown on the renderings, but they will be reviewed and approved by Planning Staff during the building permit stage (Condition #22).

4. Fencing:

- *“Fencing shall be located at the rear of the building and/or site or to connect buildings, if desired. No chain link, slatted, or barbed wire fences are permitted which are visible from street frontages.”*

This proposal does not including fencing. Should the applicant wish to install fencing in the future, the applicant would be required to submit a staff level Design Review Application. Staff would then consider the design, color, and materials of the fence to ensure that it matches or complements the site. Also, the Fire and Building Departments would review the fence to ensure that it complies with Fire and Building Codes.

Parking

- D) The Zoning Ordinance does not provide parking requirements for a car wash. However, because this is not a self-serve car wash and there would be employees at the site, parking spaces are needed for the employees. Staff has traditionally required one parking space for every employee working during the largest shift. Based on the five employees working during the largest shift, Prime Shine Car Wash is required to have a minimum of five parking spaces. Prime Shine Car Wash exceeds this requirement by providing eight employee parking spaces on the eastern portion of the parcel, near the refuse enclosure. The vacuum parking stalls are not required parking, but may be converted into employee parking stalls in the future to comply with parking requirements if necessary.

Signage

- E) There are currently two legal non-conforming billboards onsite, and the developer has indicated that he plans on removing them. The applicant is not proposing any official signage at this time. Signage shown in the renderings (Attachment G) are not official sign proposals and are being provided for conceptual purposes only. Signage will be reviewed by Planning Staff with a staff-level Design Review Permit (Condition #23).

Neighborhood Impact/Interface

- F) A car wash is a principally permitted use within a General Commercial Zone. However, this Project requires a discretionary use permit from the Planning Commission, because it is located within the City's Design Review Boundary. The subject site is surrounded by both retail and auto-related uses (a self-serve car wash, automotive repairs, dealerships, etc.). AutoZone, Merced Tires and Wheels, Western Motors, Merced Collision and Paint Center, Crown Tires, Smith Auto Parts, Auto Resources, AAMCO Transmissions and Total Care, Les Schwab Tire Center, etc., are all located along the 16th Street corridor. Given the abundance of auto-related business along 16th Street, staff does not anticipate that Prime Shine Car Wash will create any unusual circumstances for the neighborhood.

A Public Hearing Notice was circulated in the Merced County Times and mailed to property owners within 300 feet of the subject site three weeks prior to this meeting. At the time that this staff report was written, staff had not receive any comments or questions from the public regarding this proposal.

Environmental Clearance

- G) Planning staff has conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and Categorical Exemption is being recommended (Attachment I).

Attachments:

- A) Location Map
- B) Site Plan
- C) Landscape Plan

- D) Floor Plan
- E) Elevations
- F) Materials and Colors List
- G) Renderings
- H) Design Review Boundary
- I) Categorical Exemption
- J) Draft Planning Commission Resolution



Taste of Little India

Walgreens

El Bajio Market

Subject Site
(Prime Shine Car Wash)

Doras Fashion Bounce House

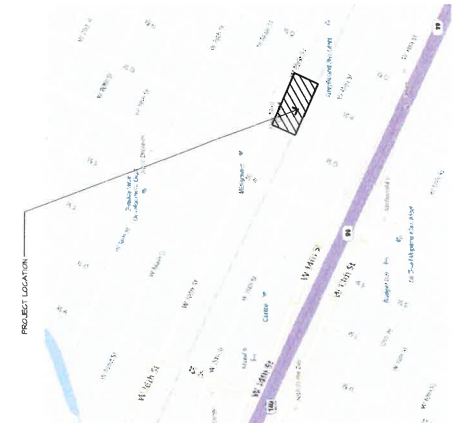
ATTACHMENT A



PRIME SHINE CAR WASH

PROPOSED NEW PROJECT FOR
 18TH STREET
 MERCED, CALIFORNIA

DATE:	06/16/20
SCALE:	AS-1
PROJECT NO.:	18-001
CLIENT:	PRIME SHINE
DESIGNER:	STREET ARCHITECTS
DATE:	06/16/20

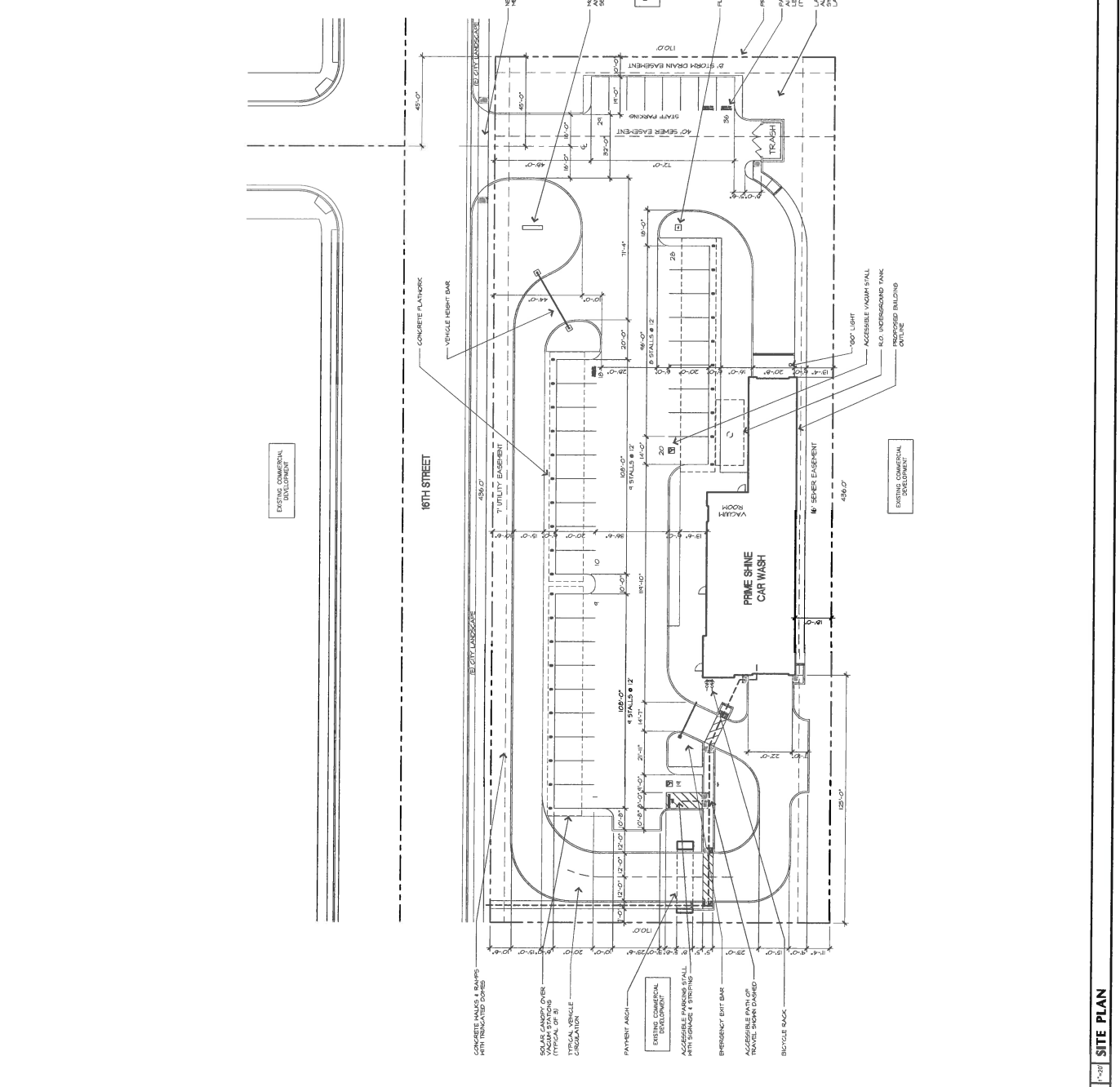


PROJECT INFORMATION:

APN:	09-19-004
SITE ADDRESS:	18TH STREET MERCED, CALIFORNIA
OCCUPANCY CATEGORY:	B
OCCUPANT LOAD:	94 PERSONS (9' x 4' STALL)
NUMBER OF STORIES:	1
TYPE OF CONSTRUCTION:	VB
FIRE SPRINKLERS:	NO
ZONING:	OC (GENERAL COMMERCIAL)
GENERAL PLAN LAND USE:	COMMERCIAL
SITE AREA:	74,000 SQ. FT. OR 170 ACRES
LANDSCAPE AREA:	10,000 SQ. FT.
CAR WASH BAY AREA:	2,000 SQ. FT.
TOTAL BAY AREA:	2,000 SQ. FT. (8' x 25' BAY)
CAR WASH BAY HEIGHT:	21'-0"
PAVED AREA:	47,000 SQ. FT. (8' x 25' BAY)
LANDSCAPE AREA:	2,000 SQ. FT. (8' x 25' BAY)
PARKING REQUIRED:	1 FIRE EXITS (4 MAX. 4 STALLS)
PARKING PROVIDED:	36 PARKING STALLS PROVIDED (24 VANDERGRAD & 12 TYPICAL)
ACCESSIBLE PARKING CALCS:	2 PARKING STALLS REQUIRED 54 STALLS (28 TO 50) + 2 STALLS REQUIRED
CLEAN ACCESSIBLE CALCS:	5 PARKING STALLS PROVIDED 56 STALLS (28 TO 50) + 3 STALLS REQUIRED
BIKE PARKING CALCS:	32 STALLS (14 TYPICAL) + 32 STALLS 32 STALLS (7.5' x 11' REQUIRED)
BIKE PARKING PROVIDED:	32 STALLS (7.5' x 11' REQUIRED)
BIKE PARKING CALCS:	NO PARKING REQUIRED
BIKE PARKING PROVIDED:	NO PARKING REQUIRED

SHEET INDEX:

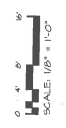
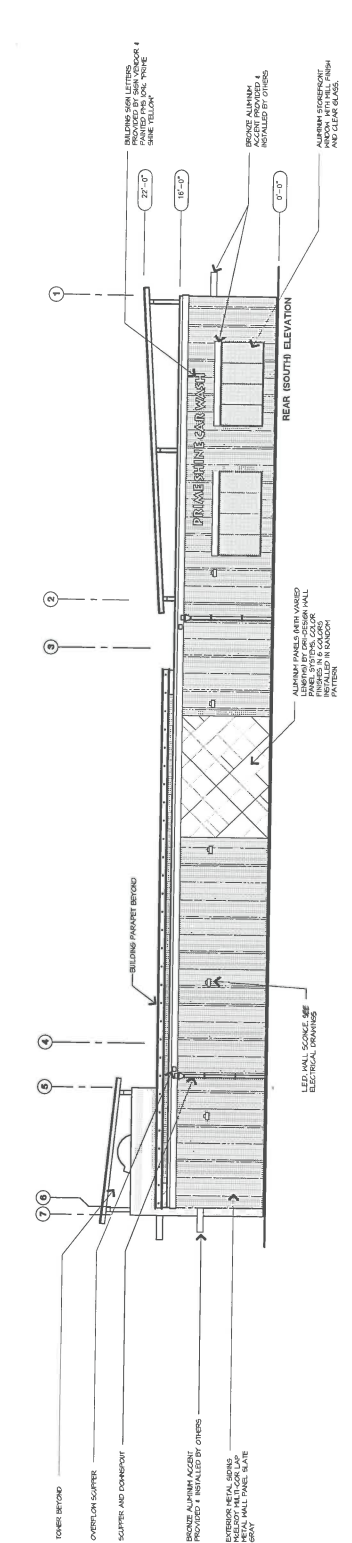
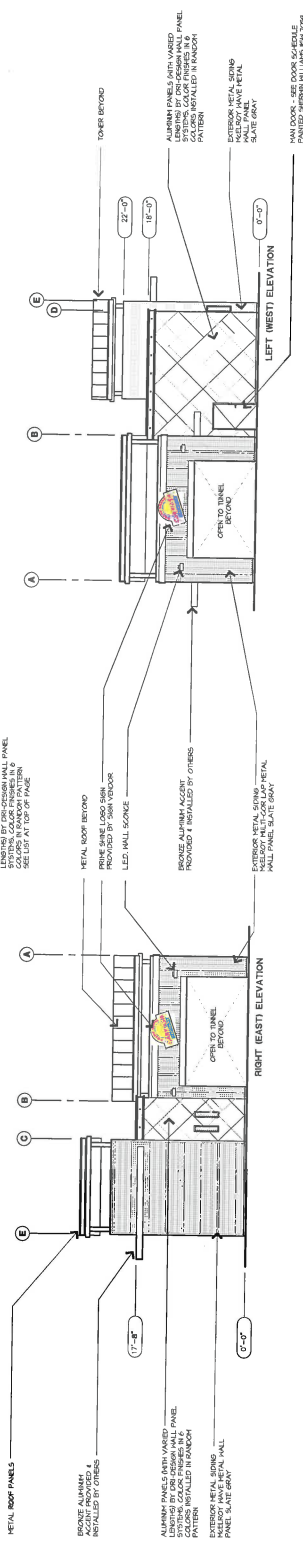
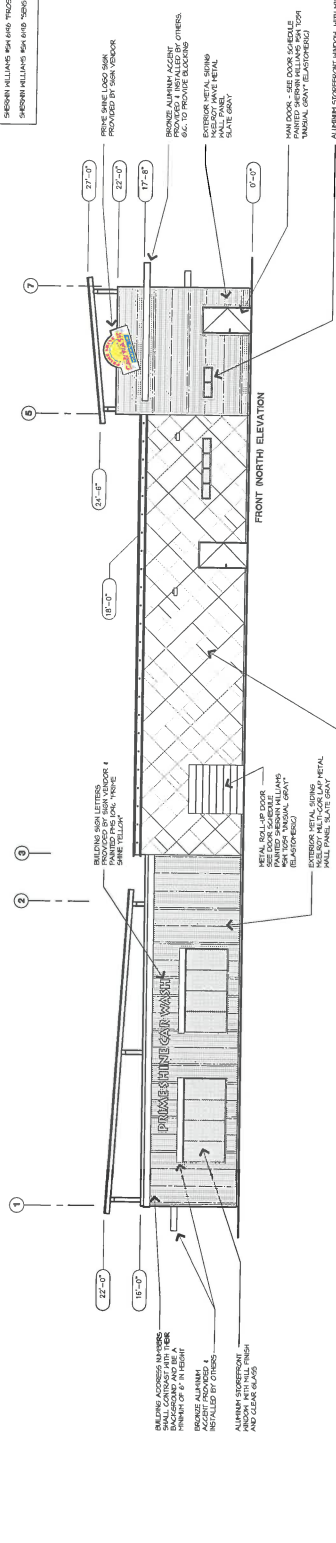
A1)	ARCHITECTURAL SITE PLAN
A2)	ARCHITECTURAL FLOOR PLAN
A3)	SECTION
A4)	CAR WASH EXTERIOR ELEVATIONS
A5)	CANDY KIOSK EXTERIOR ELEVATIONS
A6)	TRASH ENCLOSURE ELEVATIONS
A7)	PRELIMINARY LANDSCAPE PLAN



ATTACHMENT B



ALUMINUM PANEL COLORS:
 SERRANO HILLSIDES BRN GRAY, SLEDO YELLOW
 SERRANO HILLSIDES BRN GRAY, TANTALUM
 SERRANO HILLSIDES BRN GRAY, TANTALUM BLUE
 SERRANO HILLSIDES BRN GRAY, TANTALUM BLUE
 SERRANO HILLSIDES BRN GRAY, TANTALUM BLUE



ATTACHMENT E

COLORS AND MATERIALS LIST

Prime Shine Car Wash

16th Street Merced, California

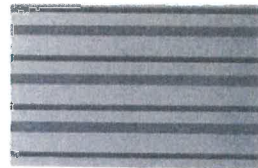
EXTERIOR PAINT COLOR #1
FOR PLASTER, METALS, DOORS AND TRIM
Sherwin Williams Paints
Unusual Gray #SW7059



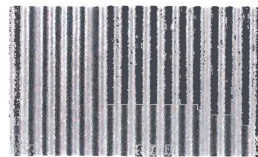
EXTERIOR PAINT COLOR #2
ACCENT ELEMENTS, WAVE, ROOFING
& BLDG LETTERS
PMS 109c "Prime Shine Yellow"



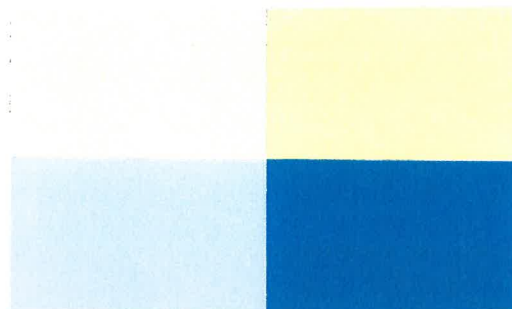
EXTERIOR METAL SIDING
McElroy Wave Metal Wall Panel
Slate Gray



EXTERIOR METAL SIDING
Corrugated Vertical Metal Wall Panel
Natural Galvanized



EXTERIOR METAL PANELS
Dri-Design Painted Aluminum Panels
12" High - Lengths vary
To match Sherwin Williams Colors
SW #6694 Glad Yellow
SW #6901 Daffodil
SW #Pool Blue
SW #6964 Pulsating Blue
SW #6196 Frosty White
SW#6198 Sensible Hue



ALUMINUM TRELLIS
Frame - Bronze Aluminum

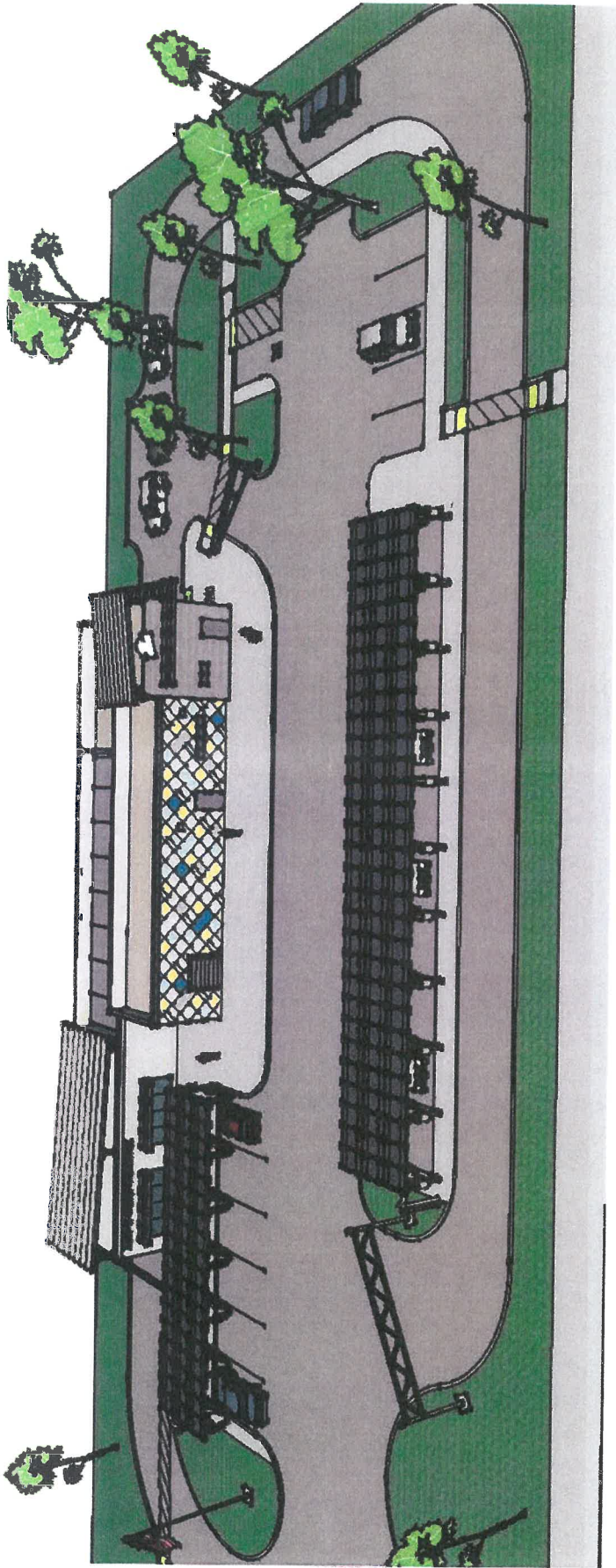


ALUMINUM WINDOWS & DOORS
Frame - Clear Aluminum

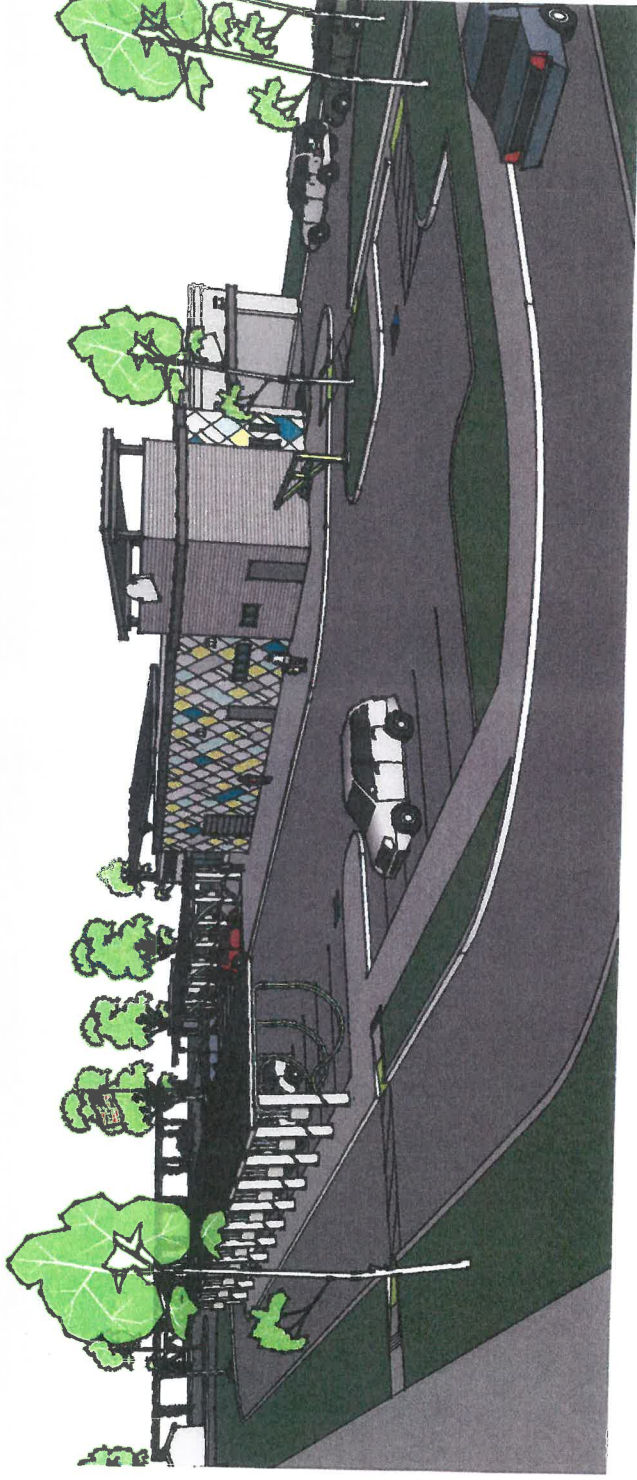


L Street Architects, Limited

ATTACHMENT F

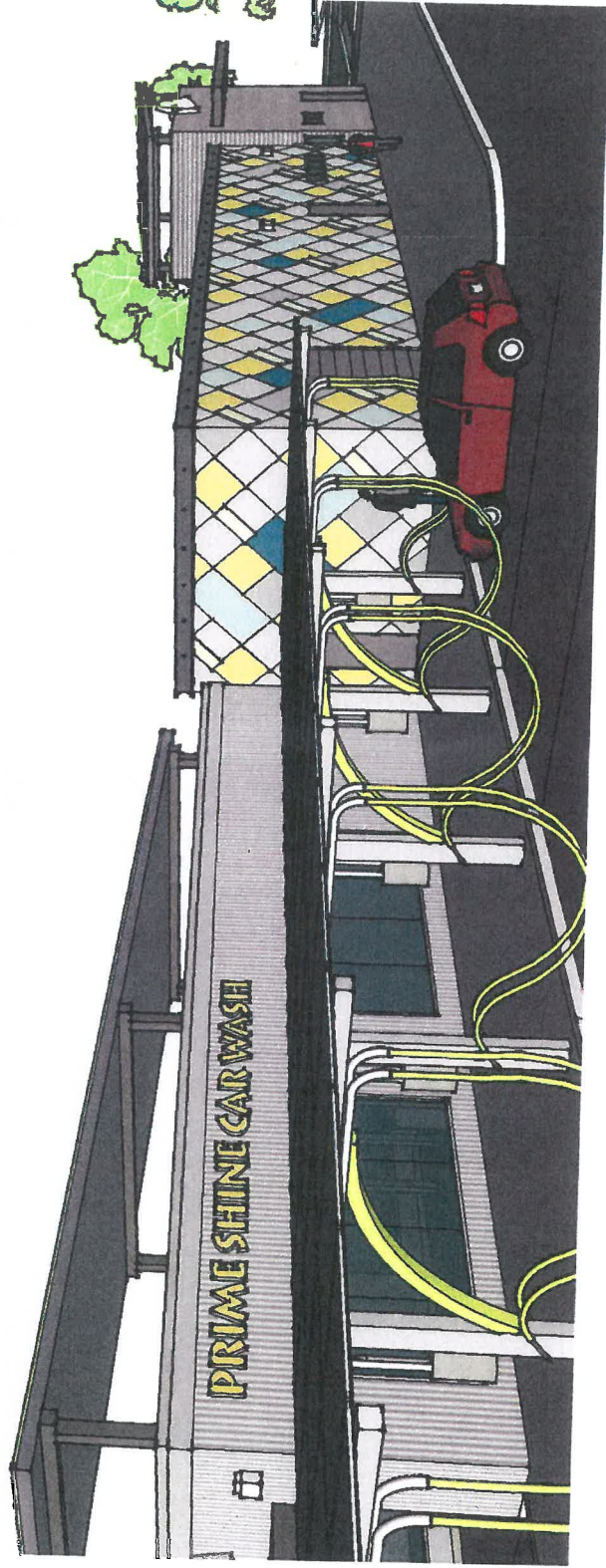


Prime Shine Car Wash – Merced, California
L Street Architects, Limited



Prime Shine Car Wash – Merced, California

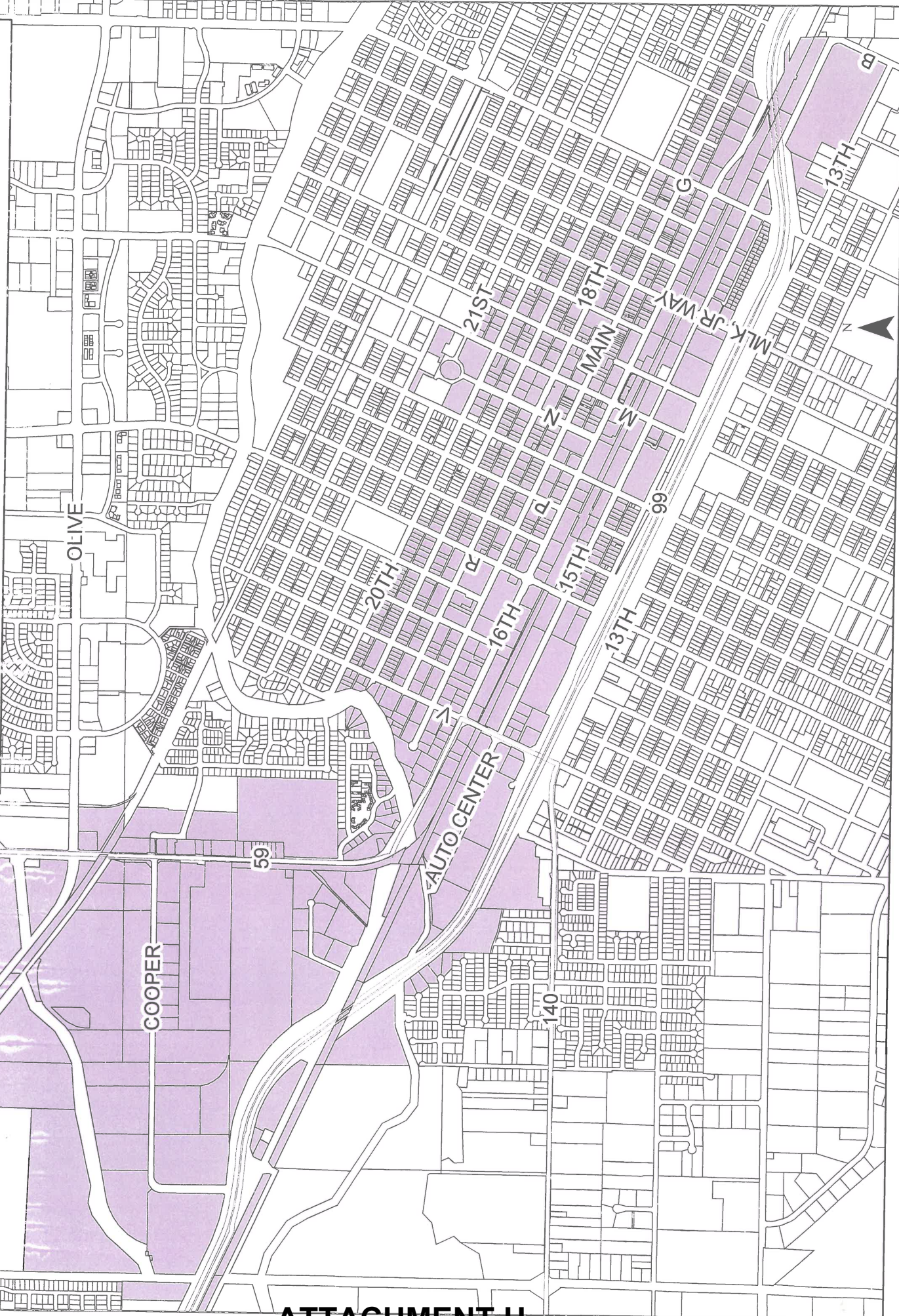
L Street Architects, Limited



Prime Shine Car Wash – Merced, California

L Street Architects, Limited

Design Review Boundary (including 300 Ft. Buffer)



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: Design Review Permit #17-01 (Environmental Review #17-03)

Project Applicant: Stephen G. Tinetti and Joan M. Tinetti, Trustee

Project Location (Specific): 930 W. 16th Street APN: 031-173-004

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: Stephen G. Tinetti and Joan M. Tinetti, Trustee

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 1.7-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: 02-27-2017

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
Planning Commission

Resolution #3080

WHEREAS, the Merced City Planning Commission at its regular meeting of March 22, 2017, held a public hearing and considered **Design Review #17-01**, initiated by Robert DeGrasse, on behalf of Stephen G. Tinetti and Joan M. Tinetti, Trustee. This application involves a request to develop a 5,538-square-foot car wash (Prime Shine Car Wash) on a vacant 1.7-acre parcel located at 930 W. 16th Street. The subject site is generally located on the south side of W. 16th Street, approximately 525 feet east of R Street, within a General Commercial (C-G) Zone; also known as Assessor's Parcel No. 031-173-004; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through G of Staff Report #17-07; and,

NOW THEREFORE, after reviewing the City's Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #17-03, and approve Design Review #17-01, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

PLANNING COMMISSION RESOLUTION #3080

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March 22, 2017

Adopted this 22nd day of March 2017

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Attachment:

Exhibit A – Conditions of Approval

n:shared:planning:PC Resolutions:DR#17-01 Prime Shine Car Wash (930 W. 16th St.)

Conditions of Approval
Planning Commission Resolution # 3080
Design Review #17-01

1. The proposed project shall be constructed/designed as shown on Attachment B (Site Plan), Attachment C (Landscape Plan), Attachment D (Floor Plan), Attachment E (Elevations), and Attachment F (Materials and Colors List) of Staff Report #17-07, except as modified by the conditions.
2. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
3. The Project shall comply with all relevant conditions set forth in Resolution #574 for Lot Split Application #94-02, 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. 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.
8. 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, or as otherwise approved by the Refuse Department. If the refuse enclosure is located at the southeast corner of the parcel, it shall be screened from public view with doors, which shall remain closed when not in use.
9. 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.
10. All landscaping shall be installed prior to occupancy and shall thereafter be maintained in a healthy and aesthetic manner and any damaged or missing landscaping shall be replaced immediately.
11. Parking lot trees shall be installed per the City’s Parking Lot Landscape Standards. Trees 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). Trees shall be installed at a ratio of at least one tree for each six parking spaces. In addition, street trees shall be planted as required by City Standards.

12. All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
13. Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
14. The project shall comply with all City Standards for storm drainage. 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.
15. A sand and oil separator (or equivalent technology) shall be installed as required by the City's Engineering Department.
16. Parking shall be provided at a minimum ratio of one parking space for every employee working during the largest shift (at this time, it is 5 employees). An increase in the number of employees working during the largest shift shall require additional parking at the above-mentioned ratio.
17. Bicycle racks shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces. The City recommends the use of an inverted "U" shaped bicycle rack.
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 \$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.
20. All mechanical equipment shall be screened from public view.
21. The premises shall remain clean and free of debris and graffiti at all times.
22. The beams below the tower roofs shall be painted a color that either matches or complements the mosaic diamond façade on the north

elevation. Beam color samples shall be reviewed and approved by Planning staff during the building permit stage.

23. All signing shall comply with the City's 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. A Design Review Permit (staff approval) shall be required for all signs.
24. The applicant shall paint or replace metal siding, canopies, and wall panels uniformly as weathering and sun exposure fades or damages this material (as determined by the Planning Manager).
25. The applicant shall work with the Engineering Department to enter into a Licensing Agreement to develop a driveway, driving aisle, and parking spaces within the 40-foot-wide sewer easement on the east side of the parcel.
26. The developer shall contact the Merced Irrigation District (MID) to review the project and determine if the project would be required to comply with any conditions applied by MID.
27. The new driveway on 16th Street shall be designed to align with P Street, or as otherwise required by the Engineering Department.

n:shared:planning:PC Resolutions: DR #17-01 Exhibit A