# CITY OF MERCED DESIGN REVIEW BOARD/ HISTORIC PRESERVATION COMMISSION

#### MINUTES

CITY COUNCIL CHAMBERS 678 WEST 18TH STREET MERCED, CALIFORNIA

WEDNESDAY February 15, 2012

Vice-Chairperson DAKE called the meeting of the Design Review Board and Historic Preservation Commission to order at 4:04 p.m.

#### (B) ROLL CALL

Present: Harlan Dake (Vice-Chairperson)

Carole Luhring Walter Lopes John Hofmann

Absent: Jack Lemen, Chairperson (two vacancies)

Staff Present: Julie Nelson, Planner/Recording Secretary

# (C) ADDITIONS/DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

# (D) APPROVAL OF MINUTES

M/S LOPES/LUHRING and carried by unanimous voice vote (one absent, two vacancies), to approve the Minutes of September 14, 2011, as submitted.

# (E) ORAL COMMUNICATIONS

There were no persons in the audience wishing to speak on any matter which was not listed on the agenda.

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#### (F) DESIGN REVIEW ITEMS

1. DR #12-01 - FINAL REVIEW for the demolition of an existing building and the construction of a new car showroom for KIA Motors at 1575 W. 16<sup>th</sup> Street and Categorical Exemption #12-05.

Planner NELSON presented the project giving an overview of the building to be demolished and the features of the proposed 2,000 square-foot showroom. After the presentation, Ms. NELSON answered questions from the Commission.

There were no members of the public who wished to comment on this project.

- M/S LOPES/LUHRING and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #12-05, and Approve DR #12-01, for the construction of a 2,000 square-foot car showroom at 1575 W. 16<sup>th</sup> Street, subject to the following conditions:
  - 1. The proposed project shall be constructed/designed as shown on Exhibits 1 through 3 -- Attachments B, C, and D of Staff Report DR#12-01.
  - 2. The project shall comply with all applicable State laws and local codes and regulations of the current Editions of the California Building and Fire Codes, Plumbing and Mechanical Codes, National Electrical Codes, and State Accessibility (ADA) requirements, including but not limited to, bathrooms, parking, and site accessibility. A building permit is required prior to construction.
  - 3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
  - 4. 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.
  - 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 (with counsel selected by the City), 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 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. A soils report shall be submitted with the building permit application to address any issues associated with this area's expansive soils (details to be worked out with Inspection Services staff).
- 7. A joint access agreement shall be obtained with the property to the west (1595 W. 16<sup>th</sup> Street) in order to have a shared driveway on 16<sup>th</sup> Street. If this agreement currently exists, a copy shall be provided to the City Planning Department.
- 8. Public improvements may be required prior to issuance of the Certificate of Occupancy. These include, but are not limited to, street trees, driveway approaches, street lights, alley repair/replacement, sidewalk repair/replacement, and curb and gutter repair/replacement, where needed. These improvements will be determined at the building permit stage. All work done along the 16<sup>th</sup> Street frontage will require approval and permits from Caltrans.
- 9. A final landscape and sprinkler plan is required at the building permit stage to include new landscaping in all planter areas, with details to be

reviewed by staff. All landscaping shall be installed prior to occupancy and shall thereafter be maintained in a healthy and aesthetic manner. Parking lot trees are required at a minimum of one tree per each six parking spaces.

- 10. In accordance with the bicycle parking guidelines set forth in the 2008 Merced Bicycle Plan for commercial developments, the site plan shall provide a minimum of one bicycle parking space for public use (minimum 5% of all vehicle spaces), plus one space for each ten estimated employees on the largest working shift. The applicant shall install the bike rack(s) in an area that 1) has sufficient space to accommodate the placement and removal of bicycles (including tandem bicycles or bicycles with trailers); and 2) that is closely located to the entrance(s) of the building; and 3) provides proper ADA-accessible pedestrian clearances around the rack when it is at full capacity. The bike parking area shall be shaded/sheltered from sun and rain, if possible, and the rack itself shall be designed with at least two, preferably three, contact points on at least one wheel and the bicycle frame to provide stability to the parked bicycle, such as the "inverted-U" rack design.
- 11. Parking lot lighting will be required, with light oriented downward to prevent light spillage onto adjacent properties. All lighting shall comply with the California Energy Code.
- 12. Any signage shall comply with the requirements of the City's Redevelopment Area Sign Ordinance. Temporary banners shall be properly approved by Planning staff for increments not longer than thirty days, whereby re-application is required. However, in no event shall temporary banners be displayed for more than 120 days per calendar year. Prohibited signs, including moving, moveable, flashing, or other such signs, shall not be permitted at any time and shall be subject to immediate removal by the City of Merced Development Services Director or his designee.
- 13. Construction and site location of the refuse enclosure shall comply with City Standards and receive the final approval of the Refuse Department.
- 14. All required permits and approvals shall be obtained from the San Joaquin Valley Air Pollution Control District and the City of Merced Inspection Services Department prior to demolition of the existing building.

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- 15. The applicant shall maintain a clean and respectable appearance of the building at all times, and any graffiti or other vandalism done to any building or accessory structure shall be rectified or repaired within a reasonable amount of time.
- 16. The site shall be maintained free of trash, weeds, and other debris.
- 17. This approval is in effect for one year. The applicant shall apply for a building permit within one year of this approval, with all work to be completed within eighteen (18) months.

AYES:

Commissioners LOPES, LUHRING, HOFMANN, and Vice-

Chairperson DAKE

NOES:

None

ABSENT: Chairperson Lemen (two vacancies)

ABSTAIN: None

#### (G) HISTORIC PRESERVATION ITEMS

There were no Historic Preservation items to report on at this time.

### (H) INFORMATION ITEMS

There were no information items to report on at this time.

#### (I)**ADJOURNMENT**

There being no further business, Vice-Chairperson DAKE adjourned the meeting at 4:22 p.m.

Prepared by:

Approved by:

Recording Secretary

Harlan Dake

Vice-Chairperson