

**CITY OF MERCED**  
**Planning & Permitting Division**

**STAFF REPORT:** #15-14

**AGENDA ITEM:** 4.2

**FROM:** Kim Espinosa,  
Planning Manager

**PLANNING COMMISSION**  
**MEETING DATE: July 22, 2015**

**PREPARED BY:** Julie Nelson,  
Associate Planner

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**SUBJECT:** **Conditional Use Permit #1202**, initiated by America's Tire Company on behalf of The Campisi Family Partners, LLC, property owner. This application involves a request to demolish the existing restaurant building and construct a new 7,373-square-foot tire store for America's Tire Company at the southwest corner of Olive and Meadows Avenues (1204 West Olive Avenue). This parcel is located within Planned Development (P-D) #16 and has a Regional/Community Commercial (RC) General Plan designation. \*PUBLIC HEARING\*

**ACTION:** Approve/Disapprove/Modify

- 1) Environmental Review #15-14 (Categorical Exemption)
- 2) Conditional Use Permit #1202

**SUMMARY**

The project site is located at the southwest corner of Olive Avenue and Meadows Drive (Attachment A). This site is part of the Olivewood Shopping Center (Food Maxx, Hobby Lobby, Sizzler, etc.) and has historically been used as a restaurant. The proposal includes the demolition of the existing 4,200-square-foot restaurant and the construction of a new 7,373-square-foot retail tire store for America's Tire (Attachment B). Access to the site would remain the same, but the parking lot would be modified. Retail uses such as the tire store are allowed within Planned Development #16. However, new construction requires a Conditional Use Permit.

The building would have a split-face concrete masonry units (C.M.U.) exterior with a brown/tan color scheme (Attachment C). The floor plan would include three service bays, a retail sales area, a customer waiting area, an office, restrooms, a mezzanine for storage of new tires, and a storage area for used tires (Attachment D).

Staff is recommending approval of Conditional Use Permit #1202 subject to the conditions contained in the staff report.

**RECOMMENDATION**

Planning staff recommends that the Planning Commission approve Environmental Review #15-14 (Categorical Exemption) and Conditional Use Permit #1202 (including the adoption of the Resolution at Attachment K), subject to the following conditions:

- \*1) The proposed project shall be constructed/designed as shown on Exhibit 1 (site plan) and Exhibit 2 (elevations) -- Attachments B and C, except as modified by the conditions.
- \*2) All conditions contained in Resolution #1249-Amended (“Standard Conditional Use Permit Conditions”—except for Condition #16 which has been superseded by Code) shall apply.
- \*3) The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
- \*4) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, except the Post Construction Standards for Storm Water that became effective July 1, 2015, since this application was deemed complete prior to that date.
- \*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) Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
- \*8) 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. However, based on the date this application was submitted (prior to July 1, 2015), the project is not required to comply with the Post Construction Standards for Storm Water which became effective July 1, 2015.

- \*9) Prior to any demolition work being done (interior or exterior), the applicant shall obtain all necessary approvals from the San Joaquin Valley Air Pollution Control District and a demolition permit from the City of Merced Inspection Services Department if required.
- \*10) Bicycle racks shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces. The style of rack shall be consistent with the recommendations of the City's most recently adopted Bike Plan.
- \*11) Any missing or damaged improvements along the property frontage shall be installed/repared to meet City Standards. Any improvements that don't meet current City Standards shall be replaced to meet all applicable standards.
- \*12) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- \*13) 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.
- \*14) All signing shall comply with the North Merced Sign Ordinance. All wall-mounted signs shall be individual letters. In compliance with the North Merced Sign Ordinance, the total allowable sign area shall be calculated using the two building elevations closest to the street (the north and east elevations). The north elevation is allowed 27 square feet of signing and the east elevations is allowed 42 square feet of signing for a total allowable sign area of 69 square feet. Any signing not used on the elevation for which it was calculated may be used on another elevation or on a monument sign. However, the maximum size of a sign on any one building elevation shall not exceed 50% of the overall sign area or the maximum amount of signing allowed on that elevation as described above.
- \*15) A monument sign is allowed if sufficient sign area is available. The monument sign shall comply with the provisions of Merced Municipal Code Section 17.36.
- \*16) Prior to opening for business, all required Fire Permits shall be obtained from the City of Merced Fire Department.
- 17) All work done on vehicles shall be conducted within the building.
- 18) No exterior displays of merchandise shall be allowed. All merchandise shall be kept indoors unless a temporary outdoor use permit is obtained for a special event.
- 19) At time of building permit review, the developer shall provide documentation of all cross access agreements and parking agreements allowing the use of the shopping center access points and parking for this business.
- 20) Sufficient lighting shall be provided throughout the site to provide a safe environment for patrons of the business.
- 21) All mechanical equipment shall be screened from public view.

- 22) All landscaping in the public right-of-way shall comply with State Water Resources Control Board Resolution No. 2015-0032 “To Adopt an Emergency Regulation for Statewide Urban Water Conservation” and the City’s Water Conservation Ordinance (Merced Municipal Code Section 15.42). Xeriscape or artificial turf shall be used in place of natural sod or other living ground cover. If turf is proposed to be installed in park-strips or on-site, high quality artificial turf (approved by the City Engineer and Development Services Director) shall be installed. All irrigation provided to street trees, parking lot trees, or other landscaping shall be provided with a drip irrigation or micro-spray system.
- 23) All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
- 24) Detailed landscape plans, including irrigation plans, shall be submitted at the building permit stage.
- 25) The premises shall remain clean and free of debris and graffiti at all times.
- 26) It is recommended that the exterior building walls be treated with an anti-graffiti coating to make graffiti removal easier. In any case, graffiti removal shall take place within 24 hours of appearing and shall be painted over with a paint color that matches the existing color of the building wall.
- 27) A temporary banner permit shall be obtained prior to installing any temporary signs. Free-standing temporary signs (i.e., sandwich boards, A-frame signs, etc.) are prohibited.

(\* Denotes non-discretionary conditions.

### **PROJECT DESCRIPTION**

The proposed project is to demolish the existing restaurant building (approximately 4,200 square feet) and construction of a 7,373-square-foot retail tire store. The site would remain unchanged with the exception of modifying some of the parking area (Attachment B). The building would have an exterior finish of split-face concrete masonry units (C.M.U.) with a brown and tan color scheme (Attachment C).

The business would provide retail tire sales and service. Three service bays would be provided on the western elevation. A sales area, customer waiting area, offices, and restrooms are provided within the building (Attachment D). America’s Tire Store typically operates Monday through Friday, 8:00 a.m. to 6:00 p.m., and Saturday, 8:00 a.m. to 5:00 p.m. Stores are typically closed on Sundays. Vehicles serviced are passenger vehicles and light trucks. No Recreational Vehicles (RV’s) or large trucks are serviced.

Surrounding Uses  
(Attachment A)

<b>Surrounding Land</b>	<b>Existing Use of Land</b>	<b>City Zoning Designation</b>	<b>City General Plan Land Use Designation</b>
North	Multi –family Residential (across Olive Avenue)	P-D #7	High-Medium Density Residential (HMD)
South	Commercial	P-D #16	Regional Community Commercial (RC)
East	Pet Smart (across Meadows Avenue)	P-D #16	Regional/Community Commercial (RC)
West	Sizzler (Olivewood Shopping Center)	P-D #16	Regional/Community Commercial (RC)

**BACKGROUND**

In 1987, the Planning Commission approved Conditional Use Permit #716 to allow the construction of a 4,200-square-foot restaurant on a vacant pad at the southwest corner of Olive and Meadows Avenues within the Olivewood Shopping Center. Construction of the restaurant (Mandarin Shogun/Hunan Lions) was completed in June 1988. In 1990, Conditional Use Permit #787 was approved allowing dancing within the existing restaurant from 10:00 p.m. to 1:30 a.m.

In 2008, Mandarin Shogun/Hunan Lions closed. Sushi Cuisine re-opened the restaurant in 2009, but closed in 2012. The building has been vacant since Sushi Cuisine closed.

**FINDINGS/CONSIDERATIONS:**

**General Plan Compliance and Policies Related to This Application**

- A) The proposed project complies with the General Plan designation of Regional/Community Commercial (RC) and will comply with the zoning designation of Planned Development (P-D) #16 if the Conditional Use Permit is approved.

**Traffic/Circulation**

- B) The project site is located at the southwest corner of Olive and Meadows Avenues. Olive Avenue is an Arterial roadway and Meadows Avenue is a Collector road. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual (8<sup>th</sup> Edition), the average rate used to determine Average Daily Trips (ADT's) for "Automobile Parts Sales" on a weekday is 61.91 trips per 1,000 square-feet of floor area. For Peak Hour Trips (PHT's) (one hour between 4 and 6 p.m.), the average rate is 5.98 trips per 1,000 square feet of floor area. Based on these formulas, the Average Daily Trips are estimated to equal 456 trips and the Peak Hour Trips are estimated to equal 44 trips. In comparison, the restaurant use is estimated to have generated 580 Average Daily Trips and 49 Peak Hour Trips.

The site can be accessed from Meadows Avenue, Olive Avenue, and Austin Avenue (Attachment E). The closest driveway to the project site would be on Meadows Avenue. The addition of the projected traffic from this site would not reduce the Level of Service (LOS) on Olive Avenue below the acceptable level of service (LOS D). Traffic on

Meadows Avenue might increase slightly. However, because the entrance is within 200 feet of the intersection with Olive Avenue (a signalized intersection), it's unlikely that traffic entering and exiting on Meadows Avenue would go southbound through the adjacent neighborhood unless they have a specific destination in that area.

### **Parking**

- C) The parking requirement for a retail store is one space for every three hundred square feet of floor area and one space for each vehicle used in the conduct of the business. Based on the proposed 7,373-square-foot building, 25 parking spaces are required. As shown on the site plan, 31 parking spaces would be provided on the project site which is more than the minimum number of spaces required. The project area currently has 47 parking spaces (Attachment G). Although this is a reduction in the number of spaces, the proposed use requires fewer parking spaces than the previous restaurant. The site is part of the shopping center which shares parking among all the tenants. The shopping center provides over 750 parking spaces. Based on a previous parking analysis provided, sufficient parking would still be provided throughout the shopping center with the proposed reduction of 16 spaces.

### **Public Improvements/City Services**

- D) All required public improvements have been installed. However, in accordance with Section 17.04.050 and 17.04.060 of the Merced Municipal Code, any damaged or missing public improvements shall be repaired if the permit value of the project exceeds \$85,000. The need for repairs or replacement of any missing improvements would be evaluated at the building permit stage.

### **Building Design**

- E) The proposed 7,373-square-foot building would have a split-face concrete masonry unit (C.M.U.) finish painted Sherwin Williams "Oak Barrel" with a stucco-type finish [Exterior Insulation Finish System (E.I.F.S.)] used for the top cornice painted Sherwin Williams "Antique White" and a trim band around the upper portion of the building painted Sherwin Williams "Sundried Tomato" (Attachment C). The building would be 26 feet tall with the trim band approximately 5 feet below the top of the cornice. The north elevation facing Olive Avenue would have store-front windows with "Banner Red" framing covering the full width of the elevation (approximately 60 feet). The west elevation would be the entrance to the building and have three roll-up doors for the service bays. The service bays are flanked on each side by an accent area with the stucco-type finish (E.I.F.S.) to provide relief from the service doors and add interest to the elevation. The east elevation facing Meadows Avenue has the same accent areas as the west elevation. There are two pedestrian doors on the east side as well as the electrical cabinet which will be painted to match the building color.

The southern elevation has a roll-up door and pedestrian door. The accent band around the top of the building extends along this elevation, but no other trim or accents are proposed for the southern elevation. The required trash enclosure would be connected to the building along the southern elevation. The proposed trash enclosure would be

constructed of the same split-face C.M.U. as the building. All doors, except the main entrance and exit doors to the sales/retail area would be painted to match the building color. The entrance/exit doors to the retail sales area would be glass doors with a metal frame to match the store-front windows. A materials board will be available at the Planning Commission Meeting.

### **Site Design**

- F) The project site is located at the southwest corner of Olive and Meadows Avenues within the Olivewood Shopping Center. Primary access to the site would be from the existing driveway on Meadows Avenue (Attachment E). Additional driveways providing access to the site are located on Olive Avenue and Austin Avenue. No changes are proposed to the access to the site or to the parking area within the shopping center. However, the parking layout would be reconfigured which would result in a loss of 16 parking spaces as discussed in Finding C above.

The building would be 28 feet from the property line on Olive Avenue and 28' 4" from the property line at the farthest point on Meadows Avenue and approximately 18' at the nearest point (Attachment B). A sidewalk at the southeast corner of the building would connect the building to the public sidewalk on Meadows Avenue. Another sidewalk is provided at the north end of the building to provide access to Olive Avenue.

### **Landscaping**

- G) The proposal includes landscaping adjacent to the building on the north, south, and east sides (Attachment H). The proposed landscaping would include a mixture of ground cover, shrubs, and trees. However, due to the ongoing drought, the City is requiring new landscaping to consist of a xeriscape design or include the use of artificial turf. All plant species are required to be drought tolerant and all irrigation systems must comply with the latest requirements for water conservation (Condition #22).

### **Neighborhood Impact/Interface**

- H) The project site is part of a developed shopping center. The site is surrounded by retail uses to the east, west, and south. There are multi-family residential uses to the north across Olive Avenue. Additional multi-family and single-family homes are located approximately 450 feet to the south and southeast of the site.

All work on vehicles is required to be conducted within the building (Condition #17) to reduce any noise that might impact the area. The business would operate Monday through Friday, 8:00 a.m. to 6:00 p.m., and Saturday, 8:00 a.m. to 5:00 p.m. These are typical business hours for most businesses and would not create an impact on the adjacent area.

The building is larger than the existing restaurant, but is expected to generate less traffic than the previous restaurant use. Therefore, no additional impacts are expected as a result of traffic to the area.

Public hearing notices were sent to all property owners within 300 feet of the site. As of the date this report was prepared, staff had not received any comments on this project.

### **Signage**

- I) According to the City's Sign Ordinance, the allowable sign area for a retail commercial use in North Merced is based on the building frontage and setback. For a building with two frontages, the sign area may be calculated using both frontages. As such, this building would be eligible for 27 square feet of signing on the Olive Avenue frontage and 42 square feet of signing on the Meadows Avenue frontage for a total allowable sign area of 69 square feet (Condition #14). Any signing not used on a building wall may be counted toward a monument sign.

The applicant is proposing three wall-mounted signs and a monument sign (Attachment I). The wall-mounted signs are proposed for the north, east, and west elevations and the monument site would be located along Olive Avenue. As currently proposed on Attachment H, the proposed wall-mounted signs are larger than would be allowed. At the time of building permit issuance, a revised plan must be submitted complying with the allowable sign area. A monument sign is allowed. Condition #15 approves a monument sign as long as it complies with the requirements of Merced Municipal Code Section 17.36.665. Staff will work with the applicants to make sure the signage will meet their needs, but still meet code requirements.

### **Lot Split Application**

- J) The shopping center is comprised of four separate parcels. The applicant has also applied for a Lot Split to allow the site occupied by the America's Tire building and a portion of the parking to be separated from the existing parcel. The Lot Split would split the parcel where this site is located into two separate parcels – Parcel 1 would be 2.96 acres and Parcel 2 (where America's Tire would be located) would be a 0.89-acre parcel. A map showing the different parcels within the shopping center is found at Attachment D and a copy of the proposed Tentative Map for the Lot Split is provided at Attachment E. The Minor Subdivision Committee will review the Lot Split on July 29, 2015, if the Conditional Use Permit is approved.

### **Environmental Clearance**

- K) The Planning staff has conducted an environmental review (Environmental Review #15-14) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption is being recommended (Attachment J).

### **Attachments:**

- A) Location Map
- B) Site Plan
- C) Elevations
- D) Floor Plan

- E) Shopping Center Map
- F) Tentative Parcel Map
- G) Aerial Photo – Existing Parking
- H) Landscape Plan
- I) Signs
- J) Categorical Exemption
- K) Draft Planning Commission Resolution

Ref: N:\SHARED\PLANNING\STAFFREP\SR2015\SR #15-14\_CUP #1202\_1204 W Olive Ave.docx



CONESTOGA

DENVER

APARTMENTS

MEADOWS

OLIVE

SUBJECT SITE

PET SMART

HOBBY LOBBY

FOOD MAXX

OLIVEWOOD

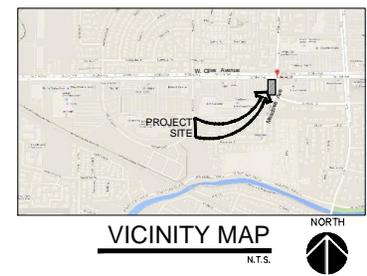
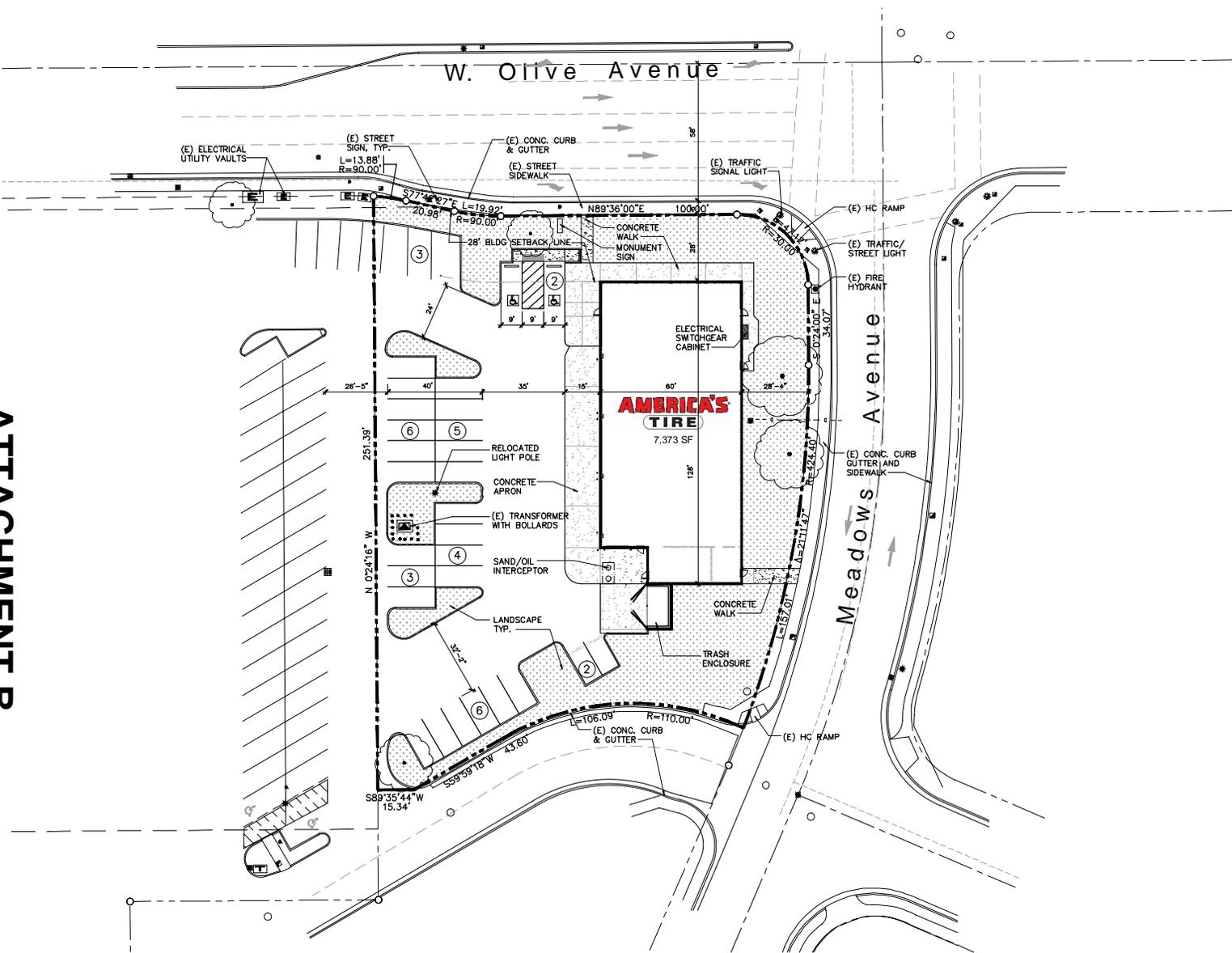
ATTACHMENT A

LYNN

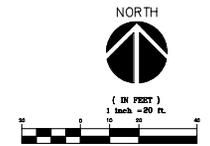
PIRA

JUNE

ATTACHMENT B



PROJECT DATA		
<b>SITE ADDRESS:</b>	1204 W. Olive Avenue MERCED, CA 95348	
<b>PARCEL AREA:</b>	38,828 SF (0.89 ac)	
<b>ZONING:</b>	PD-16 (Planned Development)	
<b>TYPE OF CONSTRUCTION:</b>	118 (FULLY SPRINKLERED)	
<b>OCCUPANCY CLASSIFICATION:</b>	M-RETAIL / S1- SERVICE & TIRE STORAGE	
<b>BUILDING AREA:</b>	7,373 SF (AGGREGATE BLDG AREA) 19 FAR	
<b>NUMBER OF STORES:</b>	ONE STORY (WITH MEZZANINE LEVEL)	
<b>HEIGHT OF BUILDING:</b>	26'-0" (MAIN BUILDING)	
<b>LOT COVERAGE</b>	<b>SQUARE FEET</b>	<b>PERCENTAGE</b>
BUILDING:	7,373 SF	19%
PARKING:	19,729 SF	50.8%
LANDSCAPING:	11,726 SF	30.2%
<b>PARKING REQUIREMENTS:</b>		
(REQUIREMENT: 4 SPACES PER BAY)		
REQUIRED = 4 SPACES PER BAY (8 BAYS) = 24 SPACES		
PROVIDED = 31 SPACES (2 HANDICAP)		
<b>PROJECT DESCRIPTION:</b>		
DEVELOP AN EXISTING VACANT PIECE OF LAND AND CONSTRUCT A SINGLE STORY AUTOMOTIVE RETAIL FACILITY WITH A MEZZANINE FLOOR. PROPOSED FACILITY IS USED ENTIRELY FOR TIRES AND WHEELS SALES AND INSTALLATION ONLY.		
<b>APPLICANT:</b>	AMERICA'S TIRE CO. 2025 N. SCOTTSDALE RD. SCOTTSDALE, AZ 85255 (480) 608-1600 CONTACT: DON THRAULKILL	
<b>ARCHITECT:</b>	PLUMP GROUP J. CHRISTOPHER SCHNEIDER, NCARB 914 E. KATELLA AVENUE ANAHEIM, CA 92805 (714) 385-1835 CONTACT: NOEL AMASCO	
<b>CIVIL ENGINEER:</b>	KIMLEY-HORN & ASSOCIATES 11919 FOUNDATION PLACE, STE 200 GOLD RIVER, CA 95670 (916) 869-3809 CONTACT: TOM COPPIN	



REV: #1 - 05.29.15  
DATE: 05.15.15  
JOB # A.150335

ALT - 1LA



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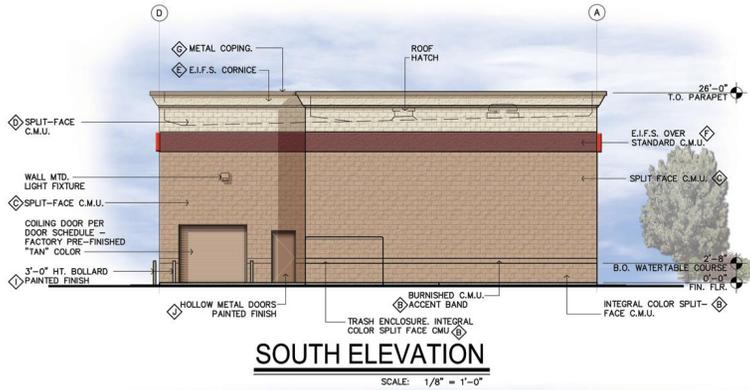
CONCEPTUAL SITE PLAN

1204 W. Olive Avenue  
MERCED, CA 95348

a division of Plump Engineering, Inc.  
914 E. KATELLA AVENUE, ANAHEIM, CA 92805  
P (714) 385-1835 F (714) 385-1834  
www.plumpgroup.com

Sheet No.

A.1



**SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



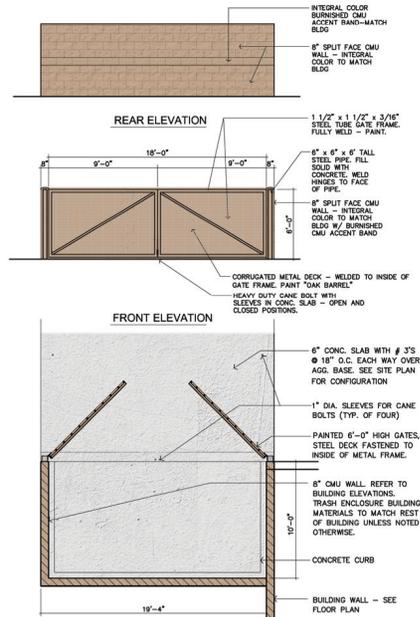
**NORTH ELEVATION (W. Olive Ave.)**  
SCALE: 1/8" = 1'-0"

FINISH LEGEND	
◇	ANODIZED ALUMINUM STOREFRONT SYSTEM MANUFACTURER'S STANDARD COLOR TO MATCH "BANNER RED"
◇	INTEGRAL COLOR C.M.U. (SPLIT-FACE OR BURNISHED AS NOTED) TO MATCH "OAK BARREL"
◇	GRAY SPLIT-FACE C.M.U. PAINTED TO MATCH "OAK BARREL"
◇	GRAY SPLIT-FACE C.M.U. PAINT SHERWIN WILLIAMS "ANTIQUE WHITE"
◇	PAINT - SHERWIN WILLIAMS #8119 "ANTIQUE WHITE"
◇	E.I.F.S. BAND, PAINT - SHERWIN WILLIAMS SW 7585 "SUNRISED TOMATO"
◇	METAL COPINS - FACTORY PAINTED / INTEGRAL COLOR TO MATCH "SIERRA TAN" COLOR
◇	EXPOSED STEEL LINTEL - PAINTED TO MATCH "OAK BARREL"
◇	3'-0" HIGH STEEL BOLLARD - PAINT TO MATCH "OAK BARREL"
◇	HOL. METAL DOORS - PAINT SHERWIN WILLIAMS SW 7714 "OAK BARREL"

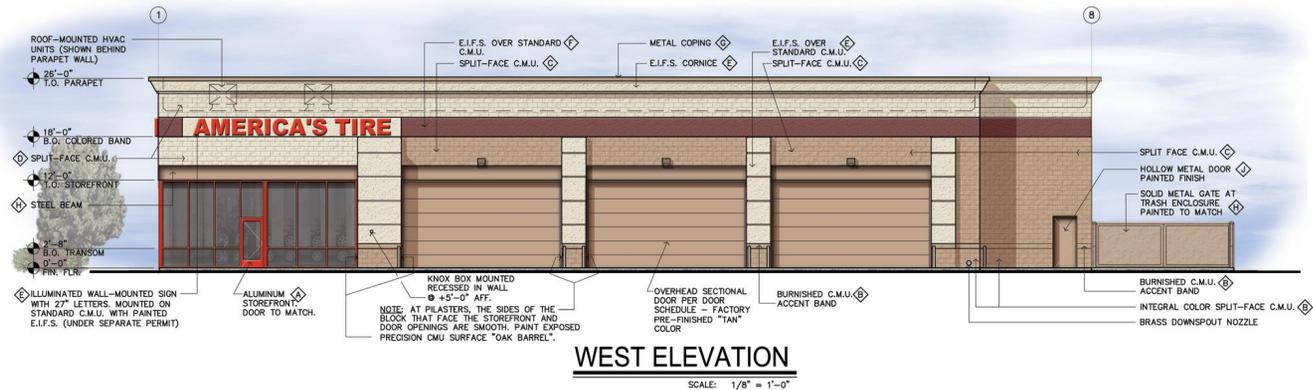
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**EAST ELEVATION (Meadows Ave.)**  
SCALE: 1/8" = 1'-0"



**TRASH ENCLOSURE PLAN / ELEVATIONS**



**WEST ELEVATION**  
SCALE: 1/8" = 1'-0"

REV: #1 - 05.29.15  
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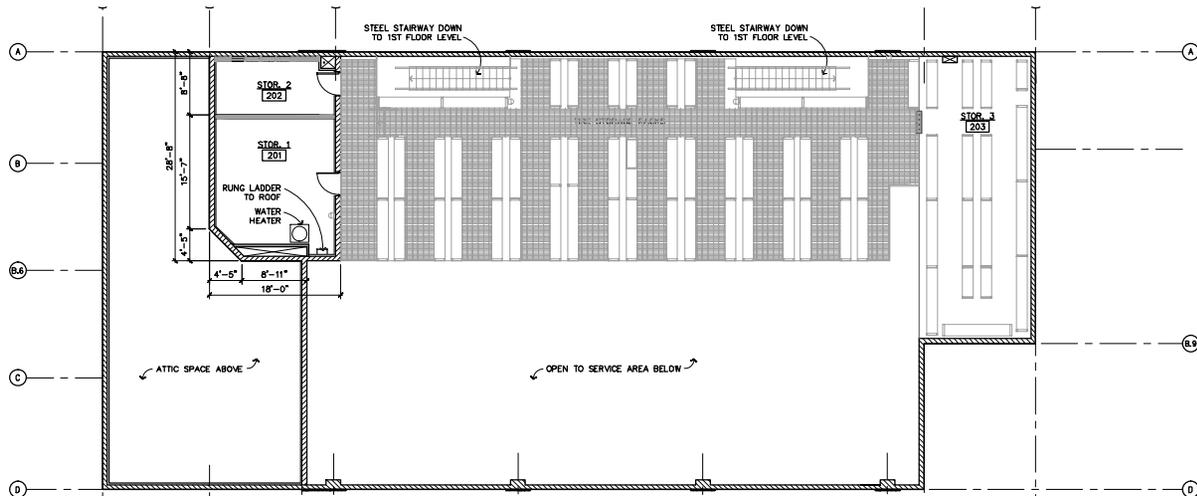
**CONCEPTUAL ELEVATIONS**

1204 W. Olive Avenue  
MERCED, CA 95348



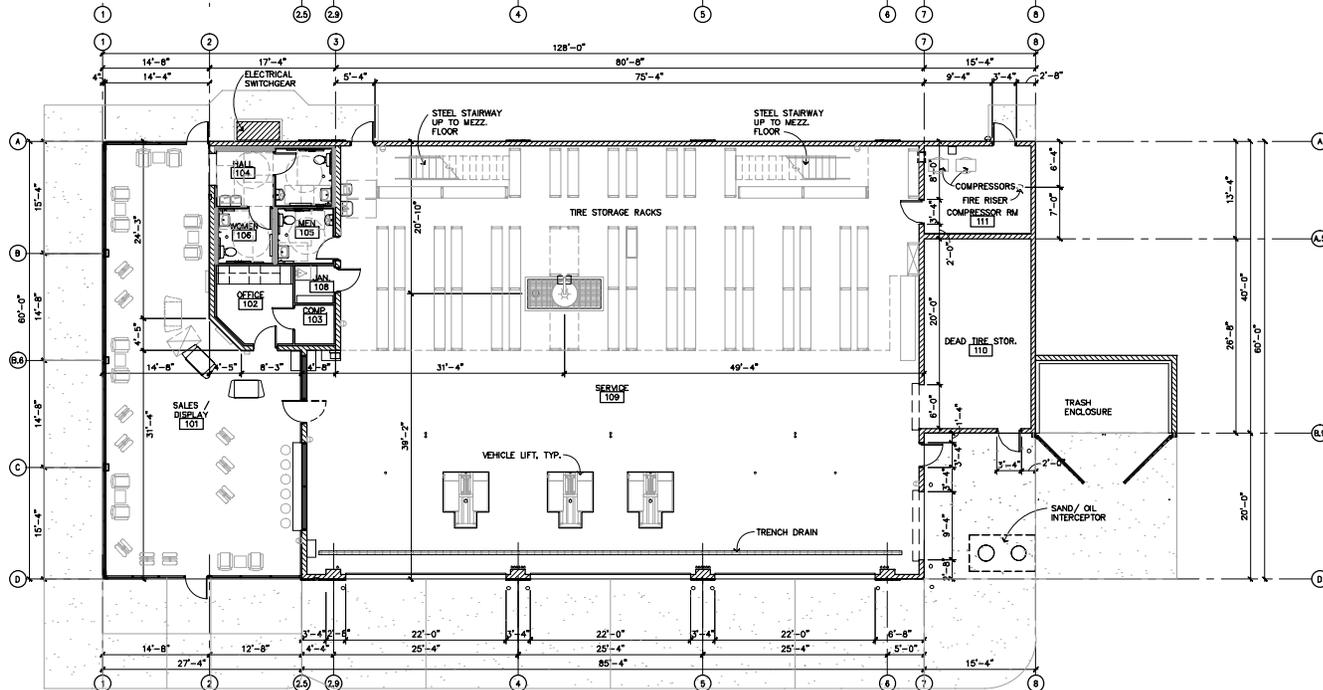
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**A.4**



**CONCEPTUAL MEZZ. FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**CONCEPTUAL 1ST FLOOR PLAN**

SCALE: 1/8" = 1'-0"

REV: #1 - 05.29.15  
DATE: 05.15.15  
JOB # A.150335

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**CONCEPTUAL FLOOR PLANS**

1204 W. Olive Avenue  
MERCED, CA 95348



a division of Plump Engineering, Inc.  
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Sheet No.

**A.2**

# OLVIEWOOD SHOPPING CENTER

CONESTOGA

MEADOWS

OLIVE

SUBJECT SITE

AUSTIN

OLIVEWOOD

Hobby Lobby

Food Maxx

LYNN

PIRA

Driveway Locations







3

7

7

8

8

6

8

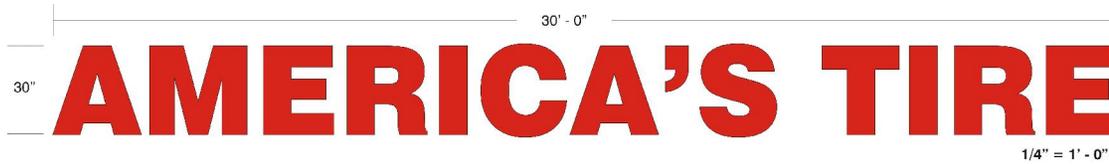
MEADOWS

OLIVEWOOD

N

ATTACHMENT G

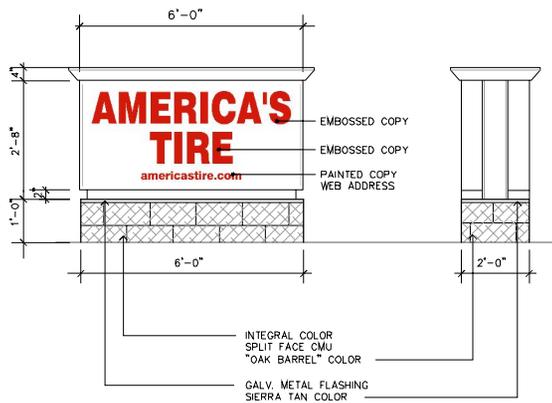




**BUILDING SIGNAGE**

SCALE: NOT TO SCALE

ATTACHMENT I



**MONUMENT SIGN**

SCALE: NOT TO SCALE

**MANUFACTURE AND INSTALL:**

ONE DIF INTERNALLY ILLUMINATED SIGN AS FOLLOWS:

ALL ALUMINUM CONSTRUCTION

.125 ROUTED OUT ALUMINUM FACES WITH STUCCO TEXTURE PAINTED TO MATCH 'ANTIQUE WHITE' MATCHING THE BUILDING COLOR

1/2" CLEAR PLEX 'PUSH-THROUGH' COPY WITH 1ST SURFACE #33 RED TRANSLUCENT VINYL & #211-1 RED PLEX PANEL STUCCOED TO INSIDE SURFACE BEHIND LETTERS TO DIFFUSE LIGHT

0.63 ALUMINUM CABINET WITH ALUMINUM ANGLE FRAME. STUCCO AND PAINT TO MATCH FACE PANELS.

0.63 ALUMINUM CORNICE TOP - STUCCO TEXTURE BOTTOM PORTION OF CORNICE AND PAINT TO MATCH "OAK BARREL".

INTERNAL FLUORESCENT TUBE ILLUMINATION 8-F42T12CWHO LAMPS.

ADEQUATE 120V PRIMARY POWER TO BASE OF SIGN BY CONTRACTOR

120 VOLT - 4.6 AMPS

**SPECIFICATIONS:**

.063 BACKS / .040 RETURNS - ALUMINUM PAN CHANNEL LETTERS

5" RETURNS - 'DISCOUNT TIRE' GLOSS RED

3/16" #211-1 RED PLEXIGLAS FACES

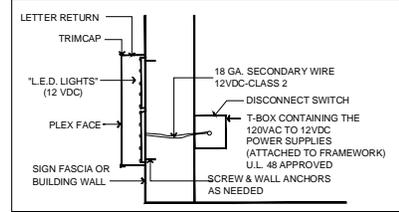
1" RED TRIMCAP

INTERNAL ILLUMINATION WITH "L.E.D. LIGHTS" (ONE STROKE EVERY 4" OR PORTION THEROF)

12 VDC SECONDARY WIRING

REMOTE 120 VAC TO 12VDC TRANSFORMERS (U.L. RECOGNIZED, UL 48)

120 VOLT PRIMARY TO SIGN LOCATIONS BY OTHERS



**BUILDING SIGNAGE SPECS**

REV: Rev #1-05.29.15

DATE: 05.15.15

JOB # A.150335

ALT - 1L.A



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**CONCEPTUAL SIGNAGE DESIGN**

1204 W. Olive Avenue  
MERCED, CA 95348



a division of Plump Engineering, Inc.  
914 E. KATELLA AVENUE, ANAHEIM, CA 92805  
P (714) 385-1935 F(714) 385-1934  
www.plumpgroup.com

Sheet No.

A5

**NOTICE OF EXEMPTION**

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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:** Conditional Use Permit #1202 (Environmental Review #15-14)

**Project Applicant:** America’s Tire on behalf of the Campisi Family Partners, LLC, property owner

**Project Location (Specific):** 1204 West Olive Avenue **APN: 058-230-014**

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

**Description of Nature, Purpose, and Beneficiaries of Project:**

The project involves the construction of an approximately 7,373-square-foot tire store and related parking.dsfl

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

**Name of Person or Agency Carrying Out Project:** Don Thraikill for America’s Tire

**Exempt Status: (check one)**

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

**Reasons why Project is Exempt:** As defined under the above referenced Section, the proposed project is considered an in-fill project. The project location is within the City limits on an approximately 0.89-acre portion of a 3.85-acre parcel surrounded by urban uses. The site can be served by all required utilities and public services, and the project site has no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

**Lead Agency:** City of Merced

**Contact Person:**  Julie Nelson, Planner

**Area Code/Telephone:** (209) 385-6858

**Signature:**   \_\_\_\_\_  **Date:**  7-2-15  **Title:**  Associate Planner

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

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

**CITY OF MERCED**  
**Planning Commission**

**Resolution #\_\_\_\_\_**

**WHEREAS**, the Merced City Planning Commission at its regular meeting of July 22, 2015, held a public hearing and considered **Conditional Use Permit #1202**, initiated by America’s Tire Company on behalf of The Campisi Family Partners, LLC, property owner. This application involves a request to demolish the existing restaurant building and construct a new 7,373-square-foot tire store for America’s Tire Company at the southwest corner of Olive and Meadows Avenues (1204 West Olive Avenue). This parcel is located within Planned Development (P-D) #16 and has a Regional/Community Commercial (RC) General Plan designation; also known as Assessor’s Parcel No. 058-230-014; and,

**WHEREAS**, the Merced City Planning Commission concurs with Findings A through K of Staff Report #15-14; 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 #15-14, and approve Conditional Use Permit #1202, 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)

ATTACHMENT K

PLANNING COMMISSION RESOLUTION # \_\_\_\_\_

Page 2

July 22, 2015

Adopted this 22<sup>nd</sup> day of July 2015

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Chairperson, Planning Commission of  
the City of Merced, California

ATTEST:

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Secretary

Attachment:

Exhibit A – Conditions of Approval

n:\shared\planning\PC Resolutions\CUP#1202 America's Tire

**Conditions of Approval**  
**Planning Commission Resolution # \_\_\_\_\_**  
**Conditional Use Permit #1202**

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (site plan) and Exhibit 2 (elevations) -- Attachments B and C of Staff Report #15-14, except as modified by the conditions.
2. All conditions contained in Resolution #1249-Amended (“Standard Conditional Use Permit Conditions”—except for Condition #16 which has been superseded by Code) shall apply.
3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, except the Post Construction Standards for Storm Water that became effective July 1, 2015, since this application was deemed complete prior to that date.
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. Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
8. 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. However, based on the date this application was submitted (prior to July 1, 2015), the project is not required to comply with the Post Construction Standards for Storm Water which became effective July 1, 2015.
9. Prior to any demolition work being done (interior or exterior), the applicant shall obtain all necessary approvals from the San Joaquin Valley Air Pollution Control District and a demolition permit from the City of Merced Inspection Services Department if required.
10. Bicycle racks shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces. The style of rack shall be consistent with the recommendations of the City's most recently adopted Bike Plan.
11. Any missing or damaged improvements along the property frontage shall be installed/repared to meet City Standards. Any improvements that don't meet current City Standards shall be replaced to meet all applicable standards.
12. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
13. 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.

14. All signing shall comply with the North Merced Sign Ordinance. All wall-mounted signs shall be individual letters. In compliance with the North Merced Sign Ordinance, the total allowable sign area shall be calculated using the two building elevations closest to the street (the north and east elevations). The north elevation is allowed 27 square feet of signing and the east elevations is allowed 42 square feet of signing for a total allowable sign area of 69 square feet. Any signing not used on the elevation for which it was calculated may be used on another elevation or on a monument sign. However, the maximum size of a sign on any one building elevation shall not exceed 50% of the overall sign area or the maximum amount of signing allowed on that elevation as described above.
15. A monument sign is allowed if sufficient sign area is available. The monument sign shall comply with the provisions of Merced Municipal Code Section 17.36.
16. Prior to opening for business, all required Fire Permits shall be obtained from the City of Merced Fire Department.
17. All work done on vehicles shall be conducted within the building.
18. No exterior displays of merchandise shall be allowed. All merchandise shall be kept indoors unless a temporary outdoor use permit is obtained for a special event.
19. At time of building permit review, the developer shall provide documentation of all cross access agreements and parking agreements allowing the use of the shopping center access points and parking for this business.
20. Sufficient lighting shall be provided throughout the site to provide a safe environment for patrons of the business.
21. All mechanical equipment shall be screened from public view.
22. All landscaping in the public right-of-way shall comply with State Water Resources Control Board Resolution No. 2015-0032 "To Adopt an Emergency Regulation for Statewide Urban Water Conservation" and the City's Water Conservation Ordinance (Merced Municipal Code Section 15.42). Xeriscape or artificial turf shall be used in place of natural sod or other living ground cover. If turf is proposed to be

EXHIBIT A

of Planning Commission Resolution # \_\_\_\_\_

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.

23. All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
24. Detailed landscape plans, including irrigation plans, shall be submitted at the building permit stage.
25. The premises shall remain clean and free of debris and graffiti at all times.
26. It is recommended that the exterior building walls be treated with an anti-graffiti coating to make graffiti removal easier. In any case, graffiti removal shall take place within 24 hours of appearing and shall be painted over with a paint color that matches the existing color of the building wall.
27. A temporary banner permit shall be obtained prior to installing any temporary signs. Free-standing temporary signs (i.e., sandwich boards, A-frame signs, etc.) are prohibited.