

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #15-18

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: Sept. 23, 2015

PREPARED BY: Francisco Mendoza-Gonzalez,
Planner

SUBJECT: **Conditional Use Permit #1204**, initiated by Amie Marchini, property owner. This application involves a request to construct an approximately 5,000-square-foot office building and to allow for a future 20,000-square-foot assisted living facility, with a maximum of thirty-six beds, as an expansion of the Mission Gardens residential care facility at 1450 E. 27th Street, generally located on the south side of E. 27th Street, approximately 150 feet west of Green Street, within a Low Density Residential (R-1-6) zone. *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #15-23 (Categorical Exemption)
- 2) Conditional Use Permit #1204

SUMMARY

Amie Marchini is requesting approval to construct a 5,000-square-foot office building (Phase I) and to allow for a future 20,000-square-foot assisted living facility (Phase II), with up to thirty-six beds, on a parcel of 3.0-acres at 1450 E. 27th Street (Attachment A). This site is currently occupied by the Mission Gardens residential care facility and historically has been used as a convent for Our Lady of Mercy Parochial School and as an outpatient hospice for the Diocese of Fresno. The office will operate Monday through Friday from 8:00 a.m. to 5:00 p.m. and will be used for training and administrative purposes. The floor plan includes a reception area, a conference room, nine offices, six cubicles, a break room, and three bathrooms (Attachment E). The building will have a lodge-style design and several architectural elements (design, materials, scale, and color scheme) that allow it to blend-in with the surrounding residential properties (Attachment D). The proposed building setbacks and concrete block fence help reduce impacts related to noise and lighting.

Phase II of this project includes the construction of a single-story, 20,000-square-foot assisted living facility with a maximum of thirty-six beds. Due to low market demands, the applicant does not anticipate constructing the assisted living facility anytime soon. However, the applicant is seeking conceptual approval for Phase II with the understanding that project details (site plan, landscape plan, elevations, operation specifics, etc.) shall be reviewed and approved by the Site Plan Review Committee in the future to ensure compatibility with the surrounding neighborhood and to ensure compliance with the City's development standards and parking requirements.

Staff is recommending approval of Conditional Use Permit #1204 subject to the conditions contained in the staff report.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #15-23 (Categorical Exemption) and Conditional Use Permit #1204 (including the adoption of the Resolution at Attachment G), subject to the following conditions:

- *1) The proposed project shall be constructed/designed as shown on Exhibit 1 (site plan), Exhibit 2 (landscape plan), and Exhibit 3 (elevations) -- Attachments B, C, and D 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, including the Post Construction Standards for Storm Water that became effective July 1, 2015.
- *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.
- *9) 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.
- *10) 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.
- *11) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- *12) The applicant shall work with the City's Refuse Department to determine the proper location for a trash enclosure and 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.
- 13) Signage shall be reviewed and approved with an Administrative Conditional Use Permit. Signage facing residential properties shall be non-illuminated.
- 14) Sufficient lighting shall be provided throughout the site to provide a safe environment for employees of the business.
- *15) 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.
- *16) All mechanical equipment shall be screened from public view.
- 17) 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.
- 18) All landscaping shall be kept healthy and maintained in good condition and any damaged or missing landscaping shall be replaced immediately.
- 19) Detailed landscape plans, including irrigation plans, shall be submitted at the building permit stage.

- *20) The applicant shall obtain Site Plan Review approval prior to submitting building permit applications to construct the 20,000-square-foot assisted living facility. Site Plan Review approval shall allow a maximum of thirty-six beds. Additional parking shall be required at time of building construction.
- *21) A six-foot-tall concrete block fence shall be constructed on the portions of the eastern property line between the parking lot and the adjacent residential uses per MMC 20.58.450.A.2.
- 22) The premises shall remain clean and free of debris and graffiti at all times.
- 23) 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.
- 24) 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.
- 25) The building's exterior color scheme shall match or complement the colors of the existing residential care facility. Color samples shall be reviewed and approved by planning staff during the building permit stage.
- 26) 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, installing traffic calming measures, 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.
- 27) The parking lot layout shall comply with all applicable City Standards. Parking lot trees shall be provided at a ratio of one tree for every six parking spaces. These trees shall be installed per the City's Parking Lot Landscape Standards, 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).

(*) Denotes non-discretionary conditions.

PROJECT DESCRIPTION

Amie Marchini is requesting approval to construct a 5,000-square-foot office building (Phase I) and to allow for a future 20,000-square-foot assisted living facility (Phase II), with up to thirty-six beds, as an expansion for the Mission Gardens residential care facility at 1450 E. 27th Street (Attachment B). The proposed office will operate Monday through Friday from 8:00 a.m. to 5:00 p.m. and will be used for training and administrative purposes. The floor plan includes a reception area, a conference room, nine offices, six cubicles, a break room, and three bathrooms. Phase II of this project includes the construction of a future assisted living facility with a maximum of thirty-six beds. Due to low market demands, the applicant does not anticipate constructing the assisted living facility anytime soon. However, the applicant is seeking conceptual approval for Phase II with the understanding that project details (site plan, elevations,

etc.) shall be reviewed and approved by the Site Plan Review Committee to ensure compatibility with the surrounding neighborhood and to ensure compliance with the City’s development standards and parking requirements.

Surrounding Uses
(Attachment A)

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	Single-Family Residential (across E. 27 th Street)	R-1-6	Low Density Residential (LD)
South	Our Lady of Mercy School	R-1-6	School (SCH)
East	Single-Family Residential	R-1-6	Low Density Residential (LD)
West	Our Lady of Mercy School	R-1-6	School (SCH)

BACKGROUND

On April 20, 1960, the Planning Commission reviewed and approved a request by Our Lady of Mercy (OLM) Parochial School to construct several building on their school grounds (CUP #18). For several years, the 7,000-square-foot building located within the subject site was used by OLM as a convent for nuns. As time passed, this building turned into a multi-purpose facility with an administration center, a conference room, and living quarters.

On February 5, 1996, the Planning Commission approved a request by the Diocese of Fresno to convert the existing convent to an outpatient hospice (CUP #925). In 1999, Amie Marchini obtained approval to convert the hospice into a residential care facility that allowed a maximum of 15 beds. Soon after, in 2002, Amie Marchini purchased the subject site and obtained approval from the Merced Minor Subdivision Committee to create an outparcel of three acres. Two acres of that parcel have remained undeveloped since its creation.

FINDINGS/CONSIDERATIONS:

General Plan/Zoning Compliance and Policies Related to This Application

- A) The subject site has a zoning designation of Low Density Residential (R-1-6) and a General Plan designation of School (SCH). The project complies with the R-1-6 zone as it consists of an accessory use (office) and an expansion (future assisted living facility) to a residential care facility that obtained land use approval from the Planning Commission in 1996 (CUP #925). Given that the office will be used for training and administrative purposes, staff believes that the proposed project is compatible with the General Plan designation of School. The project site was also part of the adjacent school site in the past and most schools are located in R-1-6 zones in the City.

Traffic/Circulation

- B) The project site is located on the south side of E. 27th Street, approximately 150 feet west of Green Street. E. 27th Street is a collector road that connects to both Glen Avenue (a collector road located 1,200-feet west of the subject site) and Parsons Avenue (a minor

arterial road located 1,700-feet east of the subject site). According to the Institute of Transportation Engineers Trip Generation Manual (8th Edition), the average rate used to determine Average Daily Trips for “Single Tenant Office” on a weekday is 3.62 trips per employee. For Peak Hour Trips (one hour, varies between 8:00 a.m. 12:00 p.m.), the average rate is 0.53 trips per employee. Based on these formulas, the Average Daily Trips are estimated to equal 75 trips and the Peak Hour Trips are estimated to equal 11 trips. The office will be closed during the weekends.

The average rate used to determine ADT for an “Assisted Living Facility” on a weekday is 2.20 trips per occupied bed. For Peak Hour Trips (one hour between 9:00 a.m. and 12:00 p.m.), the average rate is 0.38 trips per occupied bed. Based on these formulas, the Average Daily Trips are estimated to equal 80 trips and the Peak Hour Trips are estimated to equal 14 trips. The traffic created by the care facility and office may be evenly dispersed on Glen Avenue and Parsons Avenue. As such, staff anticipates that the existing City streets can adequately serve the proposed office and the future residential care facility.

Parking

- C) The parking requirement for an office is one space for every two hundred and fifty square feet of floor area and one space for each vehicle used in the conduct of the business. Based on the proposed 5,000-square-foot building, 20 parking spaces are required. As shown on the site plan, 21 parking spaces would be provided on the project site, which is more than the minimum number of spaces required. Additional parking would need to be added in the future for the residential care facility expansion (Phase II).

Public Improvements/City Services

- D) 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 (Condition #26).

Building Design

- E) The proposed 5,000-square-foot, single-story office building has a lodge-style design that consists of several different building materials, such as stucco, cultured stone, and wood. The building will have an earth tone color scheme that matches or complements the existing residential care facility (Condition #25). The cross gable roof will be covered with fiberglass shingles and will peak at a maximum height of 23-feet. Doors and windows will feature dual-pane gridded glass to add architectural interest. Overall, the office’s lodge-style design, height, and color scheme contain several architectural features that allow it to blend-in with the existing residential care facility and the surrounding residential properties.

Site Design

- F) The project site is located on the south side of E. 27th Street, 150 feet west of Green Street. Primary vehicle access is available from the existing driveway on E. 27th Street.

The proposed 5,000-square-foot office would be located on the northeastern portion of the parcel, 20 feet south from the property line on E. 27th Street and 30 feet west from the property line to the east (where residential properties are located). The proposed building setbacks create a buffer space between the office and the existing residential properties that help reduce impacts related to noise and lighting. A six-foot-tall concrete fence will be provided along the eastern portion of the parking lot to further reduce impacts related to noise and lighting (Condition #21). Moreover, a new sidewalk path will be installed along the western portion of the building connecting the main entrance of the office to the public sidewalk along E. 27th Street.

Landscaping

- G) The proposal includes landscaping adjacent to the building on the south, east, and west elevations (Attachment C). 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 #17). In addition, parking lot trees shall be installed as required by the City's Parking Lot Landscape Standards at a ratio of one tree for every six parking spaces. Parking lot trees shall be selected from the City's approved tree list, providing a 30-foot minimum canopy at maturity (Condition #27).

Neighborhood Impact/Interface

H) Land Use Compatibility:

The project site is part of the existing Mission Gardens residential care facility at 1450 E. 27th Street. There is a school, Our Lady of Mercy, located to the south and west of the subject site. There are single-family residential properties to the north (across E. 27th Street) and east of the subject site. The proposed office will operate Monday through Friday from 8:00 a.m. to 5:00 p.m. and will be used for training and administrative purposes. Given the limited hours of operation and the similarities in use with the adjacent school, this request would not create any unusual circumstances for the existing neighborhood. Public hearing notices were sent to all property owners within 300 feet of the site. As of the date that this report was prepared, staff had not received any comments on this project.

Development Compatibility:

The proposed 5,000-square-foot office would be located on the northeastern portion of the parcel, twenty feet from the property line along E. 27th Street and thirty feet from the property line to east (adjacent to residential properties). The building setbacks create a buffer space between the proposed office and the existing residential properties that help reduce impacts related to noise and lighting. A six-foot-tall concrete fence will be provided along the eastern portion of the parking lot to further reduce impacts related to noise and lighting. All lighting (including parking lot lighting and signage) shall be shielded or oriented in a way that does not allow "spill-over" onto adjacent residential lots in compliance with the California Energy Code requirements (Condition #15). In

regards to design compatibility with the surrounding neighborhood, the office's lodge-style design, height, and color scheme consists of several architectural elements that allow it to blend-in with the surrounding residential buildings.

Signage

- I) The applicant is not proposing signage at this time. Signage is generally proposed after a project has obtained land use approval. Signage may be reviewed with an Administrative Conditional Use Permit to ensure compliance with the City's Sign Ordinance and to ensure that signage facing residential properties does not contain direct illumination or anything else that could be a nuisance to residential properties (Condition #13).

Environmental Clearance

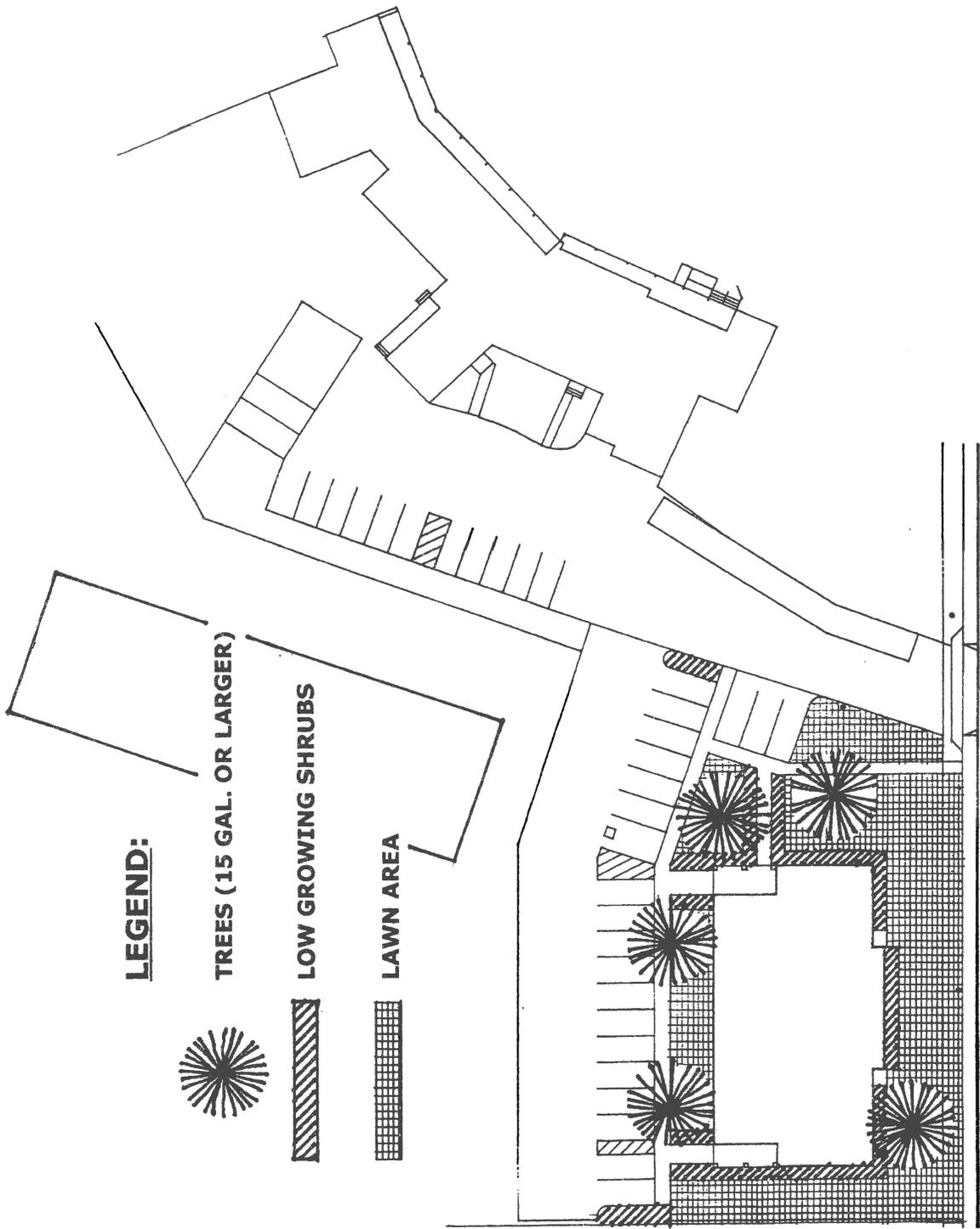
- J) Planning staff has conducted an environmental review (Environmental Review #15-23) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption is being recommended (Attachment F).

Attachments:

- A) Location Map
- B) Site Plan
- C) Landscape Plan
- D) Elevations
- E) Floor Plan
- F) Categorical Exemption
- G) Draft Planning Commission Resolution



ATTACHMENT A



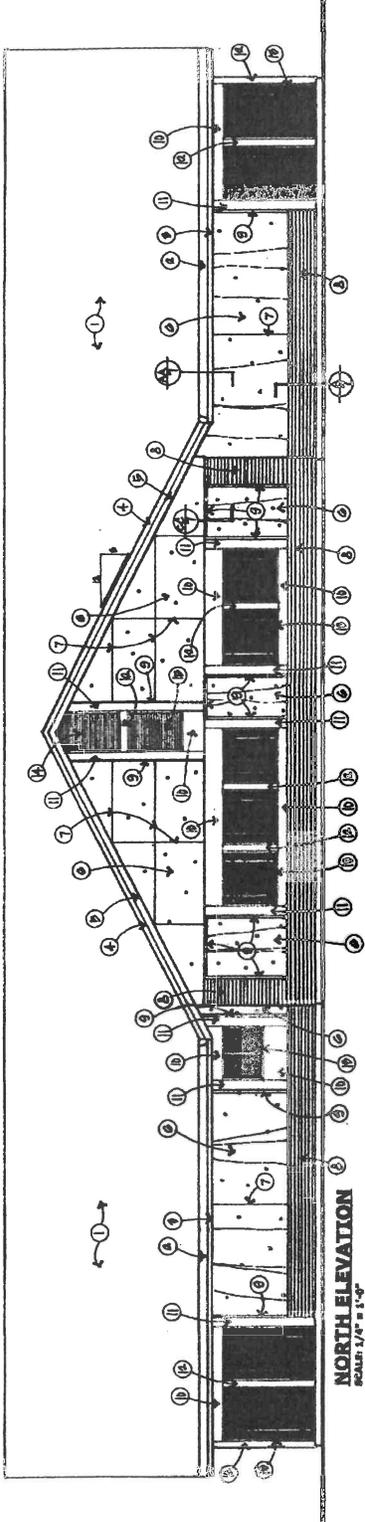
LEGEND:

TREES (15 GAL. OR LARGER)

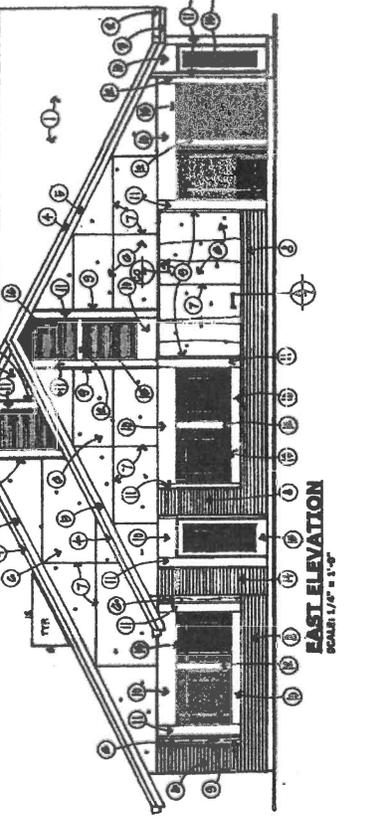
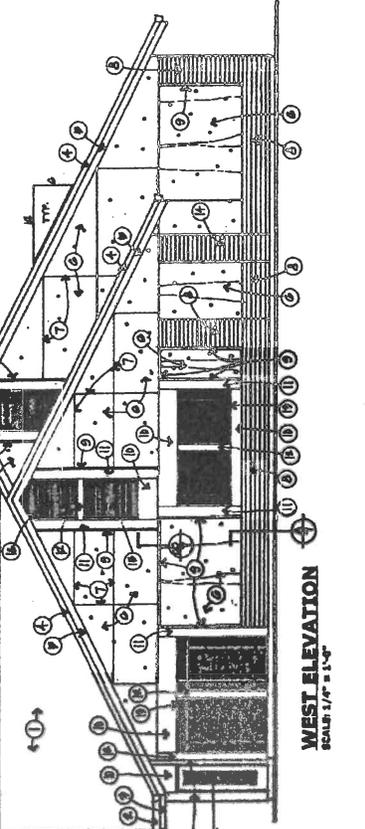
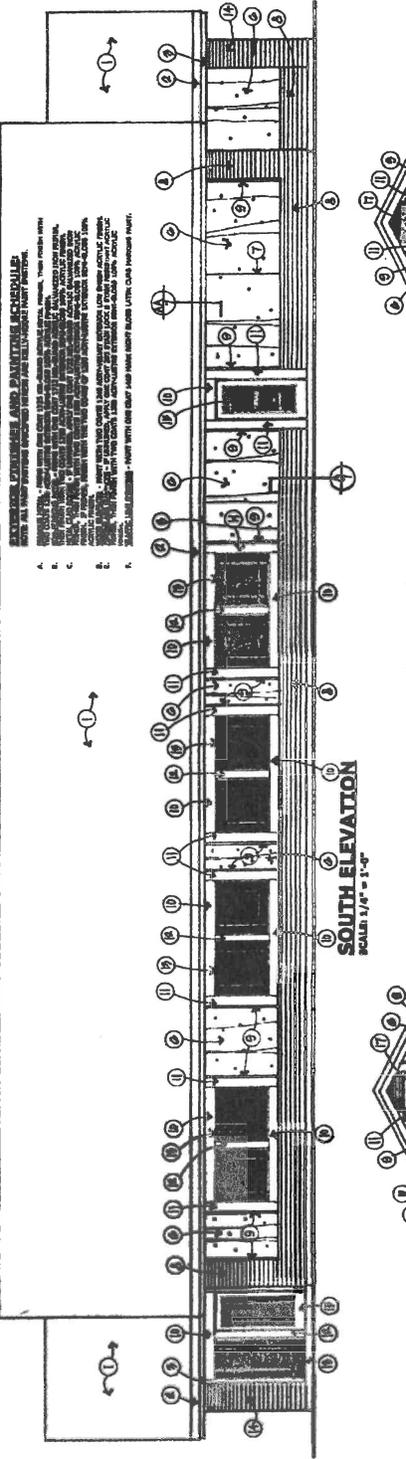
LOW GROWING SHRUBS

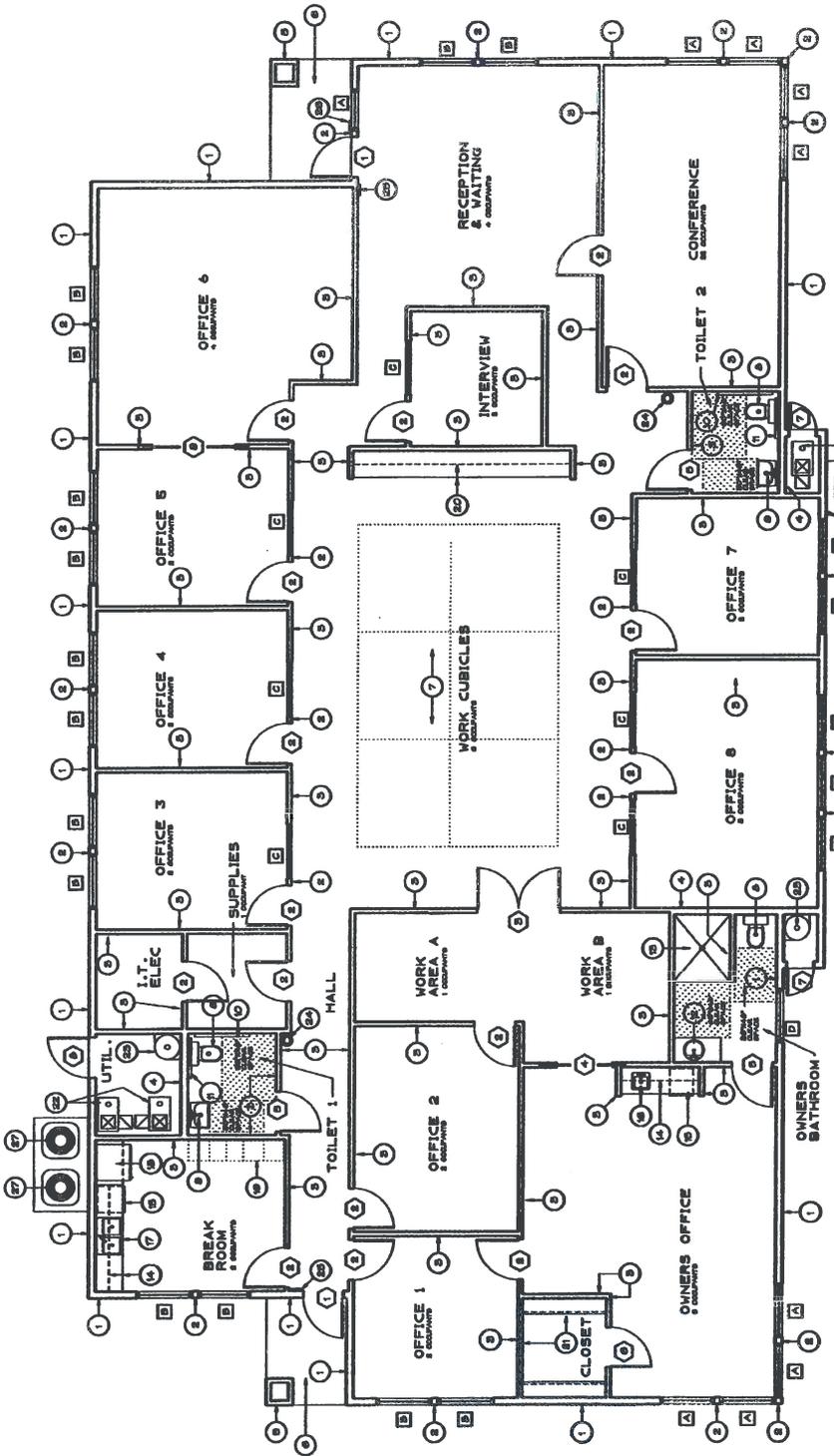
LAWN AREA

SCHEMATIC LANDSCAPE PLAN



- EXTERIOR ELEVATIONS NOTES:**
1. OVERALL CORNER "QUARTER" FINISHES OVER 24" MINIMUM. FINISHES TO BE MATCHED TO INTERIOR FINISHES. FINISHES TO BE MATCHED TO INTERIOR FINISHES.
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 14. FINISHES TO BE MATCHED TO INTERIOR FINISHES. FINISHES TO BE MATCHED TO INTERIOR FINISHES.





INFORMATION FLOOR PLAN



- GENERAL EXPLANATORY NOTES:**
1. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL INTERIOR WALLS TO BE FINISHED WITH 5/8\"/>

- EXPLANATION FLOOR PLAN NOTES:**
1. OFFICE 1: 10'0\"/>

- EXPLANATION FLOOR PLAN NOTES:**
1. OFFICE 2: 10'0\"/>

16. OFFICE 3: 10'0\"/>

ATTACHMENT E

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: Conditional Use Permit #1204 (Environmental Review #15-23)

Project Applicant: Amie Marchini

Project Location (Specific): 1450 E. 27th Street APN: 033-120-029

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: Amie Marchini

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 3.0-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:** 08-24-2015 **Title:** Planner

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 #3055

WHEREAS, the Merced City Planning Commission at its regular meeting of September 23, 2015, held a public hearing and considered **Conditional Use Permit #1204**, initiated by Amie Marchini, property owner. This application involves a request to construct an approximately 5,000-square-foot office building and to allow for a future 20,000-square-foot assisted living facility, with a maximum of thirty-six beds, as an expansion of the Mission Gardens residential care facility at 1450 E. 27th Street, generally located on the south side of E. 27th Street, approximately 150 feet west of Green Street, within a Low Density Residential (R-1-6) zone; also known as Assessor's Parcel No. 033-120-029; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through J of Staff Report #15-18; 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 #15-23, and approve Conditional Use Permit #1204, 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 G

PLANNING COMMISSION RESOLUTION #3055

Page 2

September 23, 2015

Adopted this 23rd day of September 2015

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Attachment:

Exhibit A – Conditions of Approval

n:shared:planning:PC Resolutions:CUP#1204 Marchini Mission Gardens

Conditions of Approval
Planning Commission Resolution #3055
Conditional Use Permit #1204

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (site plan), Exhibit 2 (landscape plan), and Exhibit 3 (elevations) -- Attachments B, C, and D of Staff Report #15-18, 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, including the Post Construction Standards for Storm Water that became effective July 1, 2015.
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.
9. 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.
10. 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.
11. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
12. The applicant shall work with the City's Refuse Department to determine the proper location for a trash enclosure and 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.
13. Signage shall be reviewed and approved with an Administrative Conditional Use Permit. Signage facing residential properties shall be non-illuminated.
14. Sufficient lighting shall be provided throughout the site to provide a safe environment for employees of the business.

15. 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.
16. All mechanical equipment shall be screened from public view.
17. 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.
18. All landscaping shall be kept healthy and maintained in good condition and any damaged or missing landscaping shall be replaced immediately.
19. Detailed landscape plans, including irrigation plans, shall be submitted at the building permit stage.
20. The applicant shall obtain Site Plan Review approval prior to submitting building permit applications to construct the 20,000-square-foot assisted living facility. Site Plan Review approval shall allow a maximum of thirty-six beds. Additional parking shall be required at time of building construction.
21. A six-foot-tall concrete block fence shall be constructed on the portions of the eastern property line between the parking lot and the adjacent residential uses per MMC 20.58.450.A.2.
22. The premises shall remain clean and free of debris and graffiti at all times.
23. 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.

24. 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.
25. The building's exterior color scheme shall match or complement the colors of the existing residential care facility. Color samples shall be reviewed and approved by planning staff during the building permit stage.
26. 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, installing traffic calming measures, 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.
27. The parking lot layout shall comply with all applicable City Standards. Parking lot trees shall be provided at a ratio of one tree for every six parking spaces. These trees shall be installed per the City's Parking Lot Landscape Standards, 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).

n:shared:planning:PC Resolutions: CUP#1204 Exhibit A