

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, August 24, 2017

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

ROLL CALL

Committee Members Present: Director of Development Services McBride, Acting City Engineer Son, and Plan Examiner Frazier (for the Assistant Chief Building Official)

Committee Members Absent: None

Staff Present: Planning Manager/Secretary Espinosa, Principal Planner Hren, Planner Mendoza-Gonzalez, Economic Development Director Quintero, and Deputy Fire Marshal Slamon

1. **MINUTES**

M/S SON - MCBRIDE, and carried by unanimous voice vote, to approve the Minutes of July 27, 2017, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

4.1 Site Plan Application #412, submitted by Aldi Food Market, applicant for NF Merced, LH LLC, property owner, to remodel an existing 22,204-square-foot building located at 1720 W. Olive Avenue within Planned Development (P-D) #16, with a General Plan designation of Regional/Community Commercial (RC).

Planner MENDOZA-GONZALEZ reviewed the application for this item. For further information, refer to Draft Site Plan Review Committee Resolution #412.

The applicant's architect questioned whether Condition #16 could be modified to allow smaller delivery trucks onsite during the store's hours of operation. Acting City Engineer SON confirmed that Condition #16 could be modified to allow delivery trucks that do not exceed 40 feet in length.

Principal Planner HREN noted that some of the language on Finding I should be modified to further clarify that providing additional bike racks is being recommended by City staff and not being required.

M/S SON – McBride, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #17-08, and approve Site Plan Application #412, subject to the Findings and sixteen (16) Conditions set forth in the Draft Resolution #412 with modifications to Condition #16 and Finding I as follows:

(Note: ~~Strikethrough~~ deleted language, underline added language.)

Conditions

"16) To prevent conflict of movement between the delivery trucks and drivers entering the shopping center from Austin Avenue, deliveries to this site (by trucks in excess of 40 feet) shall be made outside the store's regular hours of operation.

Findings

"I) The bicycle parking spaces shown on the site plan at Exhibit B do not meet current City design standards. Because this is a remodel of an existing retail use, the addition of bicycle parking is recommended, but not required. Based on the proposed use and size of the building, the applicant ~~shall~~ should provide short-term bicycle parking spaces equivalent to 8% of required parking spaces and long-term bicycle parking spaces equivalent to 8% of required parking spaces. In addition, the bicycle parking spaces ~~shall~~ should meet the City's design standards for bicycle racks, including those pertaining to installing covered shelters. Based on the required 89 parking spaces, the applicant ~~shall~~ should provide 8 short-term and 8 long-term

Site Plan Review Committee Minutes

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bicycle parking spaces. Details to be worked out with Planning staff at the building permit stage.”

AYES: Committee Members Frazier, Son, and Chairperson McBride

NOES: None

ABSENT: None

5. **INFORMATION ITEMS**

5.1 Calendar of Meetings/Events

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

6. **ADJOURNMENT**

There being no further business, Chairperson McBride adjourned the meeting at 1:52 p.m.

Respectfully submitted,



Kim Espinosa, Secretary

Merced City Site Plan Review Committee

APPROVED:



Scott McBride, Chairperson/

Director of Development Services,

Merced City Site Plan Review Committee

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #412

<u>Aldi Food Market</u> APPLICANT	<u>Store remodel (22,204 s.f.) and new loading dock (Aldi Food Market).</u> PROJECT
<u>12661 ALDI Place</u> ADDRESS	<u>1720 W. Olive Avenue</u> PROJECT SITE
<u>Moreno Valley, CA 92555</u> CITY/STATE/ZIP	<u>058-220-033</u> APN
<u>(951) 530-5750 Ext. 153</u> PHONE	<u>Planned Development (P-D) #16</u> ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and administratively approved Site Plan Application #412 on August 24, 2017, submitted by Aldi Food Market, applicant for NF Merced, LH LLC, property owner, to remodel an existing 22, 204-square-foot building located at 1720 W. Olive Avenue within Planned Development (P-D) #16, with a General Plan designation of Regional/Community Commercial (RC). Said property being more particularly described as Parcel E as shown on the Map entitled "Parcel Map for Zelman Merced, LLC," recorded in Volume 91, Page 47 of Merced County Records; also known as Assessor's Parcel Number (APN) 058-220-033.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15301 (a) (Exhibit F); and,

WHEREAS, the Merced City Site Plan Review Committee makes the following Findings:

- A) The proposal complies with the General Plan designation of Regional/Community Commercial (RC) and the Zoning classification of Planned Development (P-D) #16.
- B) The signage shown on the elevations is provided for conceptual purposes only and is not to be considered with this request (Exhibit D). A sign permit application will be submitted to the Inspection Services Department at a later date. All signing shall comply with the North Merced Sign Ordinance and/or any specific sign programs approved for the Merced Marketplace Shopping Center. 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 (see Condition #7).
- C) This proposal includes modifications to the interior and exterior of the existing building. Said modifications include new exterior paint and installing new

canopies, metal/aluminum panels and masonry stone veneers, and replacing several existing windows with an opaque stucco finish.

- D) This proposal includes a new loading dock near the south elevation (see Condition #16). Besides this, the applicant is not proposing any other modifications to the existing site plan or driveways.
- E) This application does not include a request to serve alcohol for off-site consumption. Alcohol sales for off-site consumption shall require a Finding of Public Convenience or Necessity to be reviewed and approved by the City Council (see Condition #12). This is required because the subject site is located within an Alcoholic Beverage Control Census Tract that is considered over-concentrated with businesses selling alcohol for off-site consumption.
- F) The subject site has 107 parking spaces. The parking requirement for a food market is 1 parking space per 250 square feet of floor area. Based on the building size (22, 204 square feet), this business would be required to have a minimum of 89 parking spaces. The existing 107 parking spaces are sufficient to serve this use and satisfies City parking requirements.
- G) The applicant has indicated that Aldi Food Market will not have a deli, meat section, or be cooking hot meals or frying food (see Condition #15).
- H) As shown on Exhibit E, the subject site has a LOMAR that puts the building in Flood Zone X. Based on this, further flood requirements will not be needed for this proposal. The existing LOMAR should be submitted with the proposal during the building permit stage.
- I) The bicycle parking spaces shown on the site plan at Exhibit B do not meet current City design standards. Because this is a remodel of an existing retail use, the addition of bicycle parking is recommended, but not required. Based on the proposed use and size of the building, the applicant should provide short-term bicycle parking spaces equivalent to 8% of required parking spaces and long-term bicycle parking spaces equivalent to 8% of required parking spaces. In addition, the bicycle parking spaces should meet the City's design standards for bicycle racks, including those pertaining to installing covered shelters. Based on the required 89 parking spaces, the applicant should provide 8 short-term and 8 long-term bicycle parking spaces. Details to be worked out with Planning staff at the building permit stage.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #412 subject to the following conditions:

- 1) The site shall be constructed as shown on Exhibit B (site plan), Exhibit C (floor plan), Exhibit D (elevations), and as modified by the conditions of approval within this resolution.

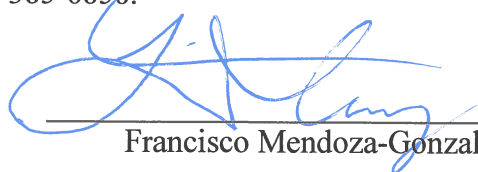
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan Review Application”) shall apply.
- 3) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building code and Fire codes.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) All signing shall comply with the North Merced Sign Ordinance and/or any specific sign programs approved for the Merced Marketplace Shopping Center. 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.
- 8) Minor deviations from the proposed design or colors may be reviewed and approved by the Planning Manager, or if deemed necessary, be referred to the Site Plan Review Committee for consideration.

- 9) The premises shall remain clean and free of debris and graffiti at all times.
- 10) 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.
- 11) The applicant shall work with the City's Refuse Department to determine the best location/angle for the refuse enclosure and to determine if a recycling container would be required for this use.
- 12) Prior to selling alcohol for off-site consumption, the applicant shall apply for a Finding of Public Convenience or Necessity to be reviewed and approved by the City Council. Said review shall require compliance with requirements from Alcoholic Beverage Control and the Merced County Health Department.
- 13) The parking lot layout shall comply with City of Merced Engineering Standards.
- 14) The applicant shall be responsible for recovering any shopping carts that are taken off-site, as requested by Code Enforcement and to meet all the requirements of MMC 8.30 "Regulation of Shopping Carts."
- 15) If in the future the applicant decides to carry a deli, a meat section, hot food, fried food, or similar meals, the applicant shall be required to install a grease interceptor as mandated by the City's Water Quality Control Division.
- 16) To prevent conflict of movement between the delivery trucks and drivers entering the shopping center from Austin Avenue, deliveries to this site (by trucks in excess of 40 feet) shall be made outside the store's regular hours of operation.

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

8-24-17

DATE



Francisco Mendoza-Gonzalez

Planner

TITLE

Exhibits

- A) Location Map
- B) Site Plan
- C) Floor Plan
- D) Elevations
- E) LOMAR
- F) Categorical Exemption



EXHIBIT A

GreenbergFarrow

19000 MacArthur Blvd, Suite 250
Irvine, CA 92612
t: 949 296 0450 f: 949 296 0479

PROJECT INFORMATION

SITE AREA

ALDI NET SITE AREA

±2.15 AC

BUILDING AREA

ALDI

±22,204 SF

ALDI SITE COVERAGE

±23,711 (0.327 SF/AC)

PARKING SUMMARY

USER	RATIO REQUIRED	SPACES PROVIDED	SPACES REQUIRED
ALDI	1 SP/250 SF	89	107
TOTAL		89	107

ALDI RATIO PROVIDED:

±4.82 SP/1000 SF

TOTAL NET PARKING LOSS

2 SPACES

ZONING INFORMATION

JURISDICTION: CITY OF MERCED, CA
EXISTING ZONING: P.D. 18 PLANNED DEVELOPMENT 18
PROPOSED ZONING: N/A

BUILDING SETBACKS

FRONT: TSV
SIDE: TSV
REAR: TSV

PROJECT NOTES

1. THIS SITE PLAN IS BASED ON A PDF OF THE ASSESSOR'S PARCEL MAP A PDF OF THE AS-BUILT FLOOR PLAN PREPARED BY PERKOWITZ + RUTH, DATED 03-07-2003, AND AN AERIAL.

DRAWING ISSUE/REVISION RECORD

DATE	INITIALS	REVISION
04/03/2017	JEFFREY LUNA	PREP SP-1
05/07/2017	JEFFREY LUNA	PREP SP-2
06/07/2017	JEFFREY LUNA	PREP SP-2a
06/07/2017	JEFFREY LUNA	PREP SP-2b
06/07/2017	JEFFREY LUNA	PREP SP-3
07/12/2014	JEFFREY LUNA	REV SP-3

CLIENT REPRESENTATIVE: ALDI
CLIENT: ALDI
SITE PLANNER: JEFFREY LUNA
SITE DEV. COORDINATOR: DOUG COOPER



MERCED, CA
SWC OLIVE AVENUE
& AUSTIN AVENUE

GFA PROJECT NUMBER: 20170459.0

SCALE: 1" = 30'



SP 3

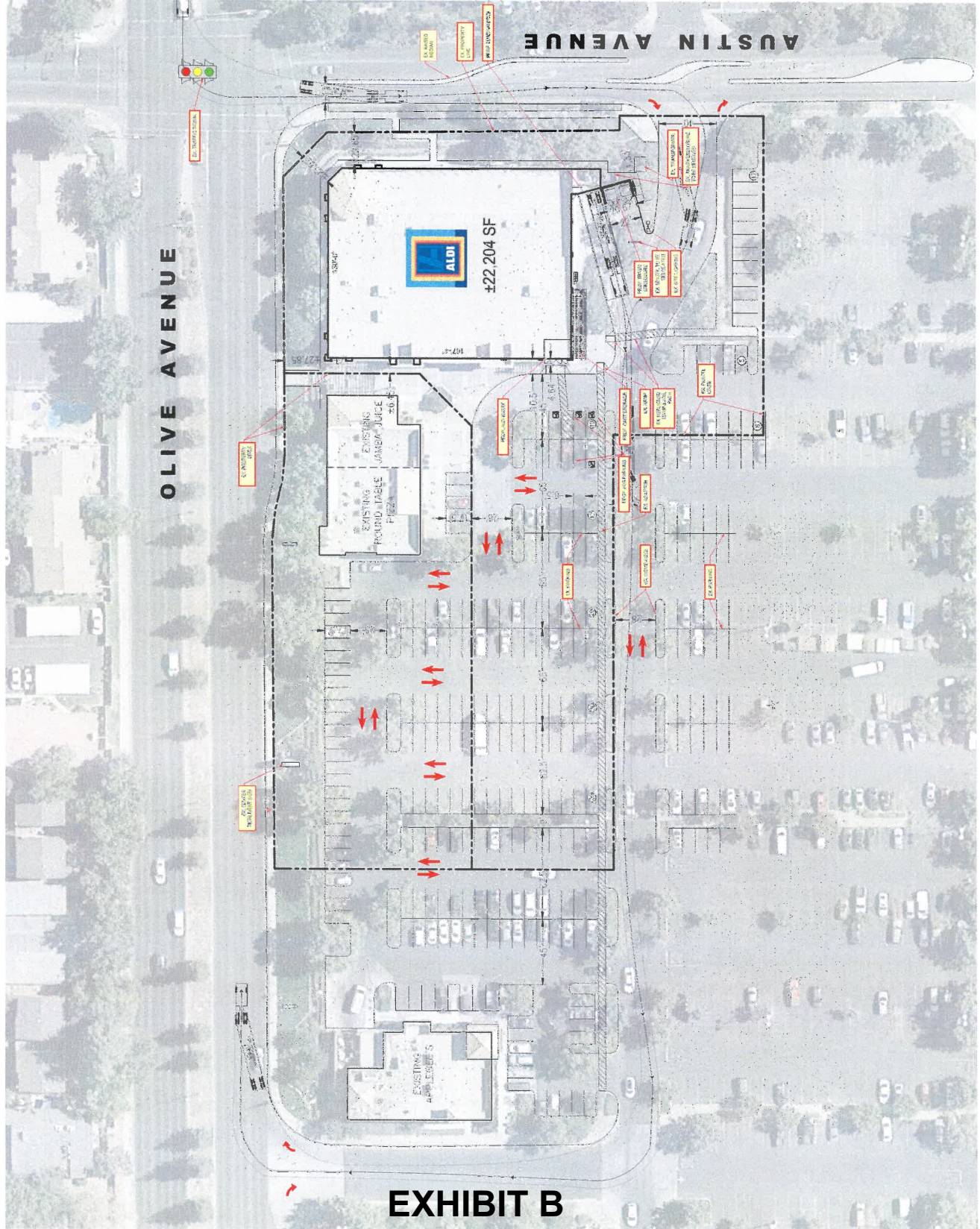
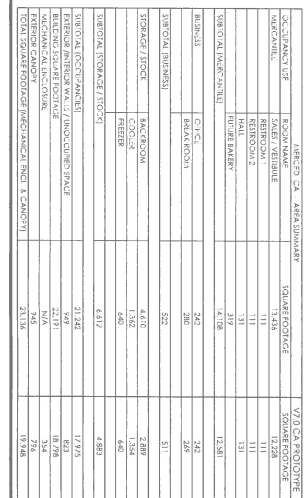


EXHIBIT B



1 Concept Floor Plan
SCALE: 1/8" = 1'-0"

Scale: As Noted	Drawing No.	CFP-3	Type: CAV-1	Date: 05/22/17	Project No.	17-0225/	 ALDI Inc 1241 N. 10th St. Merino, NM, CA 87555-0070 505.637.7777
				Drawing Name: Concept Floor Plan			
							ALDI Inc. Store # XX Merced CA 1720 N Olive Ave. Merced, CA 95348 Merced County Project Name & Location:

[illegible]

Please note that this color shown here is a graphical representation to show contrast in materials only. Due to the nature of electronic media, colors may vary depending on computer or printer used.

NOT FOR CONSTRUCTION

PROJECT DESIGNER _____ DATE _____

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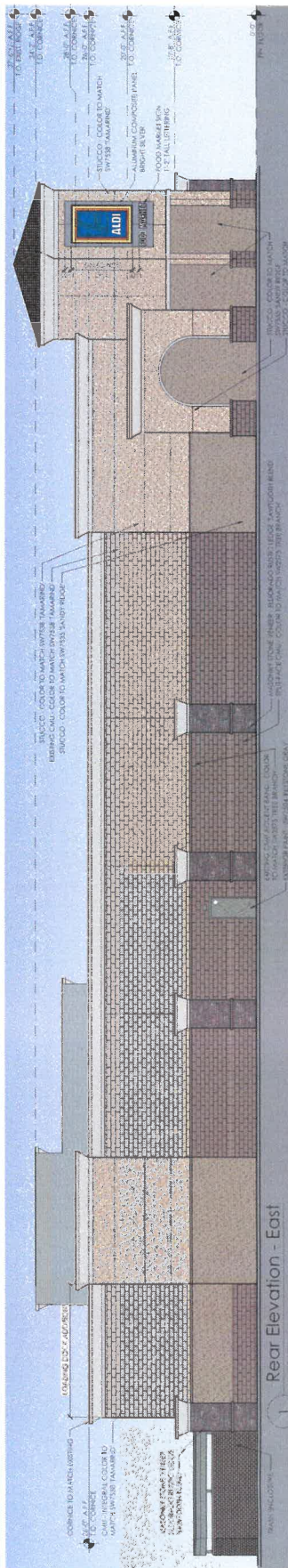
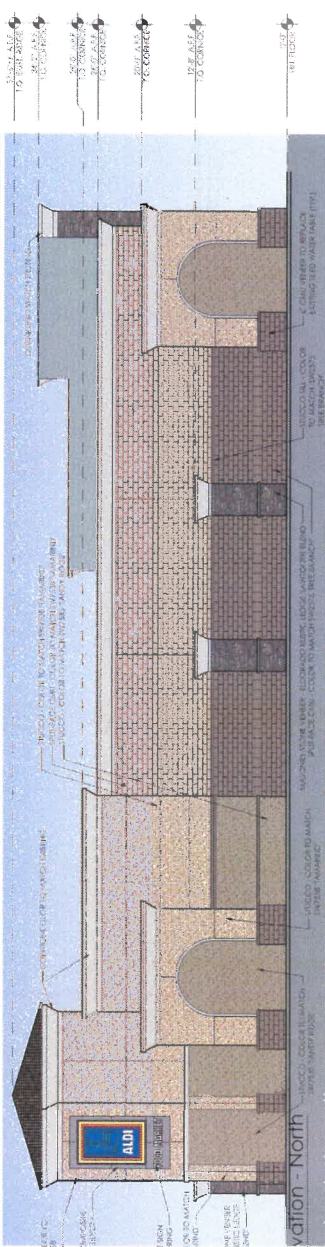
DO NOT SCALE PLANS



Merced, CA 95348
Merced County
Project Name & Location:

Project No. 17-0225A
 Date: 05/22/17

Scale: As Noted	Drawing No.
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[illegible]



Federal Emergency Management Agency

Washington, D.C. 20472

March 1, 2004

THE HONORABLE HUBERT WALSH
MAYOR, CITY OF MERCED
CITY HALL
678 WEST 18TH STREET
MERCED, CA 95340-0000

CASE NO.: 04-09-0148A
COMMUNITY: CITY OF MERCED, MERCED COUNTY,
CALIFORNIA
COMMUNITY NO.: 060191

DEAR MAYOR WALSH:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Revision based on Fill (LOMR-F) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMR-Fs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

Sincerely,

Doug Bellomo, P.E., CFM, Acting Chief
Hazard Identification Section, Mitigation Division
Emergency Preparedness and Response Directorate

LIST OF ENCLOSURES:

LOMR-F-DEN DETERMINATION DOCUMENT (NON-REMOVAL)
LOMR-F DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region
Mr. William F. Strand, P.E.

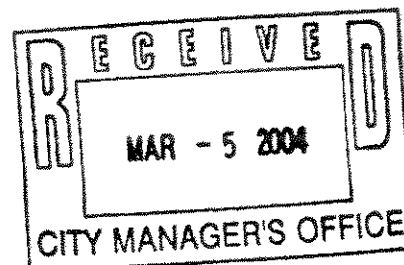


EXHIBIT E



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP REVISION BASED ON FILL
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

DETERMINATION TABLE (CONTINUED)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
E	—	Parcel Map No. 98-03	<i>Recorded PM 9/1/47</i>	Structure	X (shaded)	165.1 feet	166.0 feet	—
H West	—	Parcel Map No. 98-03	—	Structure	X (unshaded)	165.1 feet	166.5 feet	—

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 3 Properties.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

[Signature]

Doug Bellomo, P.E., CFM, Acting Chief
Hazard Identification Section, Mitigation Division
Emergency Preparedness and Response Directorate

Version 1.3.3

102061CBMLTNOV03092550148

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

 X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Site Plan Review #412 (Environmental Review #17-08)

Project Applicant: Aldi Food Market

Project Location (Specific): 1720 W. Olive Ave. **APN:** 058-220-033

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: Aldi Food Market

Exempt Status: (check one)

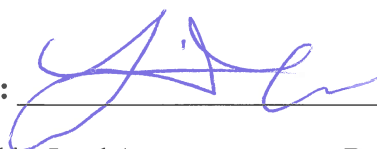
- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ X Categorical Exemption. State Type and Section Number: 15301 (a)
☐ Statutory Exemptions. State Code Number: _____.
☐ General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: As defined under the above referenced Section, the proposed project consists of minor interior and exterior alterations only, such as a façade remodel and adding a loading dock, which are considered to be exempt under the CEQA Guidelines per Section 15301 (a).

Lead Agency: City of Merced

Contact Person: Francisco Mendoza-Gonzalez

Area Code/Telephone: (209) 385-6858

Signature:  **Date:** 08-24-2017 **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