

**CITY OF MERCED**  
**Site Plan Review Committee**

**MINUTES**

Planning Conference Room  
2<sup>nd</sup> Floor Civic Center  
Thursday, June 20, 2019

Chairperson McBRIDE called the meeting to order at 1:32 p.m.

**1. ROLL CALL**

Committee Members Present: Chief Building Official Frazier, Land Surveyor Cardoso (for Acting City Engineer Beltran), and Director of Development Services McBride

Committee Members Absent: None

Staff Present: Economic Development Director Quintero, Development Associate Mendoza, Deputy Fire Chief Wilson, Principal Planner Hren, Planning Manager Espinosa, and Associate Planner/Recording Secretary Mendoza-Gonzalez

**2. MINUTES**

M/S FRAIZER - BELTRAN, and carried by unanimous voice vote, to approve the Minutes of June 13, 2019, as submitted.

**3. COMMUNICATIONS**

None.

**4. ITEMS**

4.1 Site Plan Application #440, submitted by Seritage SRC Finance, LLC, property owner, to modify the interior/exterior of an existing building, and to construct two new building pads at 1011 W. Olive Avenue within Planned Development (P-D) #1, with a General Plan designation of Regional/Community Commercial (RC).

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Associate Planner MENDOZA-GONZALEZ reviewed the application. Refer to Draft Site Plan Resolution #440 for further information.

Associate Planner MENDOZA-GONZALEZ provided a memo regarding signage and approval from adjoining properties. This memo affected Findings F and G, and Conditions #7 and #17.

Director of Development Services McBRIDE recommended modifying Condition #10 to allow discretion for landscape requirements.

Land Surveyor CARDOSO recommended adding Condition #19 to ensure compliance with Post Construction Standards for storm drainage.

M/S CARDOSO - FRAIZER, and carried by the following vote to adopt a Categorical Exemption regarding Environmental Review #19-14, and approve Site Plan Application #440, subject to the Findings and eighteen (18) conditions set forth in Draft Resolution #440 with modifications to Findings G and E, Conditions #7, #10, #17, and the addition of Condition #19 as follows:

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

“F) The signage shown on the façade is being provided for conceptual purposes only and is not to be considered with this request (Exhibits C and D) and is specifically excluded from this request. A sign program for the entire Merced Mall Shopping Center site shall be submitted for Planning Staff approval through the Administrative Conditional Use Permit for Signs process. However, any new “Shopping Center” signs as defined by the City’s Ordinance are subject to the Planning Commission approval as well. A Sign permit applications for individual signs will be submitted to the Inspection Services Department after the approval of the Sign Program. at a later date. All signing shall comply with the North Merced Sign Ordinance. Building permits shall be obtained prior to installing any permanent signing. A

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Temporary Sign Permit shall be obtained prior to installing any temporary signs or banners (see Condition #7).

- “G) The proposed new building pads are being reviewed and approved in concept with this Site Plan Review Permit, but may also be subject to approval of the parties to that certain Declaration of Establishment of Restrictions and Covenants Affecting Land recorded October 15, 1968 as Document #18774, as amended. The exterior elevations have yet to be provided. The exterior elevations shall be reviewed and approved by the Director of Development Services during the building permit stage (Condition #17). Significant changes to this site plan may require referral to the Site Plan Review Committee, at the discretion of the Director of Development Services.
- “7) The signage as shown on Exhibits C and D is excluded from this request. The applicants shall submit a sign program for the entire Merced Mall Shopping Center site for Planning staff approval through the Administrative Conditional Use Permit for Signs process. However, any new “Shopping Center” signs as defined by the City’s Ordinance are subject to the Planning Commission approval as well. All signing shall comply with the North Merced Sign Ordinance. Building permits shall be obtained prior to installing any permanent signing. A Temporary Sign Permit shall be obtained prior to installing any temporary signs or banners. Temporary freestanding or A-frame signs are not allowed.
- “10) 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 within this site, or as otherwise required by the Director of Development Services. 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).

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- “17) The final site plan and elevations of the proposed new building pads shall be reviewed and approved by the Director of Development Services, or, if deemed necessary, the Site Plan Review Committee. These pads may also be subject to the approval of the of the parties to that certain Declaration of Establishment of Restrictions and Covenants Affecting Land recorded October 15, 1968 as Document #18774, as amended.
- “19) The subject site shall comply with all applicable MS IV permit storm drain requirements for post-construction standards.”

AYES: Committee Members Cardoso, Fraizer, 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 1:58 p.m.

Respectfully submitted,



Kim Espinosa, Secretary  
Merced City Site Plan Review Committee

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APPROVED:

A handwritten signature in blue ink, appearing to read "Scott McBride".

Scott McBride, Chairperson/  
Director of Development Services  
Merced City Site Plan Review Committee

CITY OF MERCED  
SITE PLAN REVIEW COMMITTEE  
RESOLUTION #440

<u>Seritage Growth Properties</u>	Façade/interior remodel of an existing building, and constructing two new building pads.
<u>APPLICANT</u>	<u>PROJECT</u>
<u>500 Fifth Ave., Suite 1530</u>	<u>1011 W. Olive Avenue</u>
<u>ADDRESS</u>	<u>PROJECT SITE</u>
<u>New York, NY 10110</u>	<u>236-220-031</u>
<u>CITY/STATE/ZIP</u>	<u>APN</u>
<u>(212) 355-7800</u>	<u>Planned Development (P-D) #1</u>
<u>PHONE</u>	<u>ZONING</u>

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and approved Site Plan Application #440 on June 20, 2019, submitted by Seritage SRC Finance, LLC, property owner, to modify the interior/exterior of an existing building, and to construct two new building pads at 1011 W. Olive Avenue within Planned Development (P-D) #1, with a General Plan designation of Regional/Community Commercial (RC). Said property being more particularly described as Parcel A as shown on the Map entitled "Parcel Map for Sears, Roebuck, and Co.," recorded in Book 78, Page 14 of Merced County Records; also known as Assessor's Parcel Number (APN) 236-220-031.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15301 (a) (Exhibit E); 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) #1.
- B) This Project consist of two phases. The first phase includes remodeling the interior and exterior of an existing building to allow for multiple retail suites at 1011 W. Olive Avenue. Façade improvements include installing new storefront windows, adding new entryways/parapets, and painting the exterior of the building. The second phase of this Project involves developing two new building pads on the southern portion of the parcel (see Exhibits B, C, and D).
- C) Site Plan modifications include modifying the parking lot, adding pedestrian path-of-travels, installing an additional trash enclosure (on the southeast portion

of the parcel), and providing a new loading zone (on the northeast portion of the parcel).

- D) The applicant will provide landscape plans during the building permit stage (see Conditions #10 and #11).
- E) The applicant shall provide short-term bicycle parking spaces for the new building pads 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. Details to be worked out with Planning staff during the building permit stage. Bicycle parking spaces are not required for the remodeled building, but they are encouraged at the ratio and standards described above.
- F) The signage shown on the façade is being provided for conceptual purposes only and is not to be considered with this request (Exhibits C and D) and is specifically not approved with this request. A sign program for the entire Merced Mall Shopping Center site shall be submitted for Planning Staff approval through the Administrative Conditional Use Permit for Signs process. However, any new "Shopping Center" signs as defined by the City's Ordinance are subject to the Planning Commission approval as well. Sign permit applications for individual signs will be submitted to the Inspection Services Department after the approval of the Sign Program. All signing shall comply with the North Merced Sign Ordinance. Building permits shall be obtained prior to installing any permanent signing. A Temporary Sign Permit shall be obtained prior to installing any temporary signs or banners (see Condition #7). The proposed building pads are being reviewed and approved in concept with this Site Plan Review Permit. The exterior elevations have yet to be provided. The exterior elevations shall be reviewed and approved by the Director of Development Services during the building permit stage (Condition #17). Significant changes to this site plan may require referral to the Site Plan Review Committee, at the discretion of the Director of Development Services.
- G) The proposed new building pads are being reviewed and approved in concept with this Site Plan Review Permit, but may also be subject to approval of the parties to that certain Declaration of Establishment of Restrictions and Covenants Affecting Land recorded October 15, 1968 as Document #18774, as amended. The exterior elevations have yet to be provided. The exterior elevations shall be reviewed and approved by the Director of Development Services during the building permit stage (Condition #17). Significant changes to this site plan may require referral to the Site Plan Review Committee, at the discretion of the Director of Development Services.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #440 subject to the following conditions:

- 1) The site shall be constructed as shown on Exhibit B (site plan), Exhibit C (elevations), and Exhibit D (renderings), 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) The signage as shown on Exhibits C and D is excluded from this site plan review application. The applicants shall submit a sign program for the entire Merced Mall Shopping Center site for Planning staff approval through the Administrative Conditional Use Permit for Signs process. However, any new “Shopping Center” signs as defined by the City’s Ordinance are subject to the Planning Commission

approval as well. All signing shall comply with the North Merced Sign Ordinance. Building permits shall be obtained prior to installing any permanent signing. A Temporary Sign Permit shall be obtained prior to installing any temporary signs or banners. Temporary freestanding or A-frame signs are not allowed.

- 8) Exterior color schemes be similar to those submitted by the applicant for site plan review (see Exhibits C and D).
- 9) Existing parking spaces shall be re-painted with a fresh coat of paint.
- 10) 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 within this site, or as otherwise required by the Director of Development Services. 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).
- 11) Detailed landscape plans shall be submitted for review during the building permit stage. Landscape plans shall comply with all relevant landscape standards for commercial properties as shown in Merced Municipal Code Chapter 20.36 – Landscaping.
- 12) The premises shall remain clean and free of debris and graffiti at all times.
- 13) As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repaired if the permit value of the project exceeds \$100,000.00. 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
- 14) All plans and supporting documents submitted for building permits shall meet or exceed the Building Codes in effect at the time of building permit application submittal. Plans shall be drawn by a licensed design professional. The construction work shall be performed by an appropriately licensed Contractor (B-Contractor).
- 15) The applicant shall provide parking lot lighting throughout the parking lot in a manner that satisfies California Building Code requirements and does not spill-over onto adjacent parcels.
- 16) The trash enclosures shall comply with the requirements of the Public Works Department - Refuse Division.
- 17) The final site plan and elevations of the proposed new building pads shall be reviewed and approved by the Director of Development Services, or, if deemed necessary, the Site Plan Review Committee. These pads may also be subject to the approval of the parties to that certain Declaration of Establishment of Restrictions

Site Plan Review Resolution #440

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and Covenants Affecting Land recorded October 15, 1968 as Document #18774, as amended.

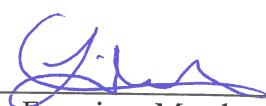
- 18) The use of the new building pads may be limited by parking availability.
- 19) The subject site shall comply with all applicable MS IV permit storm drain requirements for post-construction standards.

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

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6-20-2019

DATE



Francisco Mendoza-Gonzalez

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Associate Planner

TITLE

Exhibits

- A) Location Map
- B) Proposed Site Plan
- C) Proposed Elevations
- D) Renderings
- E) Categorical Exemption



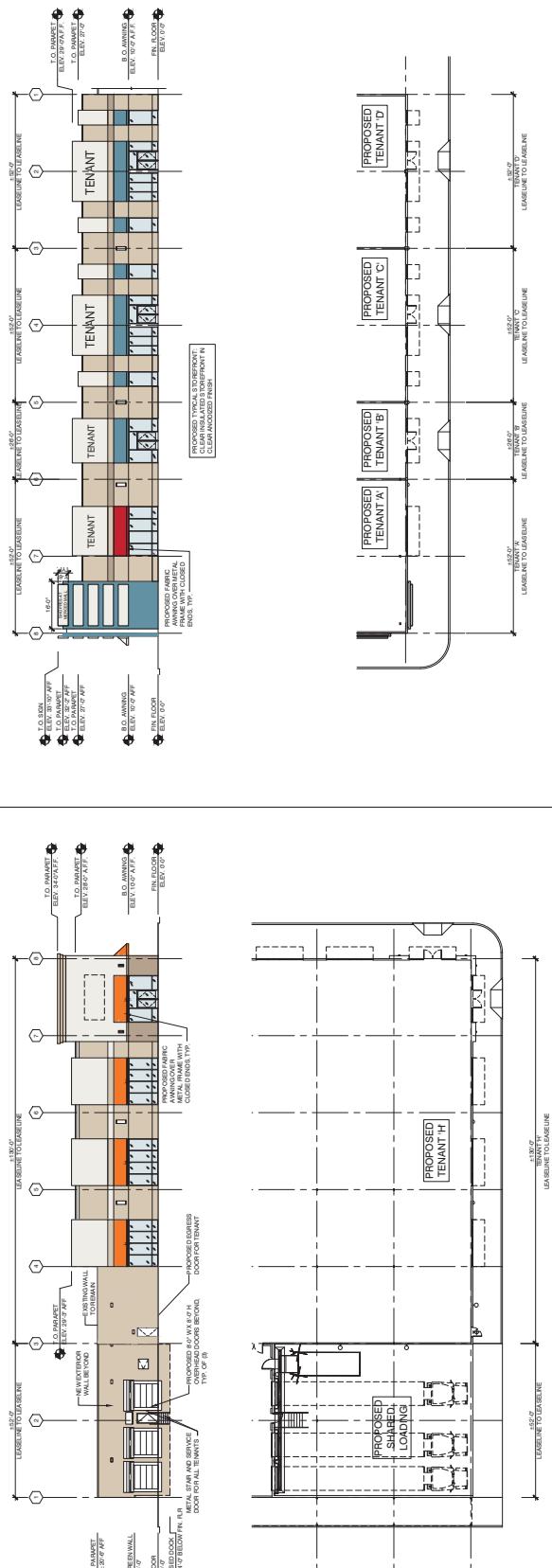
**EXHIBIT A**





MERCED, CA 95348  
1101 WEST OLIVE AVENUE  
FORMER SEARS  
MERCED MALL

Prelim. Ex.



# EXHIBIT C

**SERITAGE GROWTH  
PROPERTIES**

11601 WILSHIRE BOULEVARD  
SUITE 400  
LOS ANGELES, CA 90025

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Client: **REVIEW** Date: **06-18-2019**

Review: **CODE/CLIENT REVIEW**

1000

This architectural floor plan illustrates the layout of the 1st floor. The plan features a central corridor with various rooms and openings. Five proposed tenant areas are outlined and labeled: 'PROPOSED TENANT A' is located in the top center; 'PROPOSED TENANT E' is on the left side; 'PROPOSED TENANT P' is in the middle left; 'PROPOSED TENANT G' is in the middle right; and 'PROPOSED TENANT H' is at the bottom. The plan also includes a legend on the right side with symbols for 'WALL', 'DOOR', 'OPEN DOOR', and 'CLOSET'.

PROPOSED WEST ELEVATION      SCALE 1" = 0' 0"



**EXHIBIT D**

**MERCED MALL - MERCED, CA - RENDERING**

DATE: 03/17/19  
MCG JOB #: 1654210  
RENDERING  
REVISIONS  
Scale: NTS  
0 25' 50' 75' 100' 125' 150' 175' 200'  
RENDERING  
REVISIONS  
Scale: NTS  
0 25' 50' 75' 100' 125' 150' 175' 200'  
RENDERING  
REVISIONS  
Scale: NTS  
0 25' 50' 75' 100' 125' 150' 175' 200'



7100 East Pleasant Valley Road, Suite 200  
Cleveland, OH 44131  
T 216.320.1551 F 216.320.1567  
mcpartner@mcpartner.com

**SERITAGE GROWTH PROPERTIES**

50 FIFTH AVE, 15TH FLOOR  
NEW YORK, NEW YORK



MERCED MALL - MERCED, CA - RENDERING

DATE: 03/17/19  
MCG JOB #: 12-582-10  
RENDERING  
ECSGARD

DATE: 03/17/19  
RENDERING  
ECSGARD

SERITAGE GROWTH PROPERTIES

50 FIFTH AVE, 15TH FLOOR  
NEW YORK, NEW YORK

7100 East Pleasant Valley Road, Suite 320  
Cleveland, Ohio 44131  
T 216.520.1551 | F 216.520.1567  
mcgarchitects.com

7100 East Pleasant Valley Road, Suite 320  
Cleveland, Ohio 44131  
T 216.520.1551 | F 216.520.1567  
mcgarchitects.com

DATE: 03/17/19  
RENDERING  
ECSGARD

DATE: 03/17/19  
RENDERING  
ECSGARD

## **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

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

**Project Title:** Site Plan Review #440 (Environmental Review #19-14)

**Project Applicant:** Seritage Growth Properties

**Project Location (Specific):** 1011 W. Olive Avenue **APN:** 236-220-031

**Project Location - City:** Merced

**Project Location - County:** Merced

**Description of Nature, Purpose, and Beneficiaries of Project:** Building remodel, building additions, and site plan modifications to the parking lot.

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

**Name of Person or Agency Carrying Out Project:** Seritage Growth Properties

**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: 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 remodeling existing building, constructing two building pads, and modifying the parking lot, 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:** 06-13-2019 **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

**EXHIBIT E**