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. **<u>ITEMS</u>**

4.1 <u>Site Plan Application #412, submitted by Aldi Food Market,</u> <u>applicant for NF Merced, LH LLC, property owner, to remodel an</u> <u>existing 22,204-square-foot building located at 1720 W. Olive</u> <u>Avenue within Planned Development (P-D) #16, with a General Plan</u> <u>designation of Regional/Community Commercial (RC).</u> Site Plan Review Committee Minutes Page 2 August 24, 2017

> 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, <u>underline</u> 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 Page 3 August 24, 2017

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

AYES:Committee Members Frazier, Son, and Chairperson McBrideNOES:NoneABSENT: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

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

Site Plan Review Resolution #412 August 24, 2017 Page 4

- 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/repaired 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

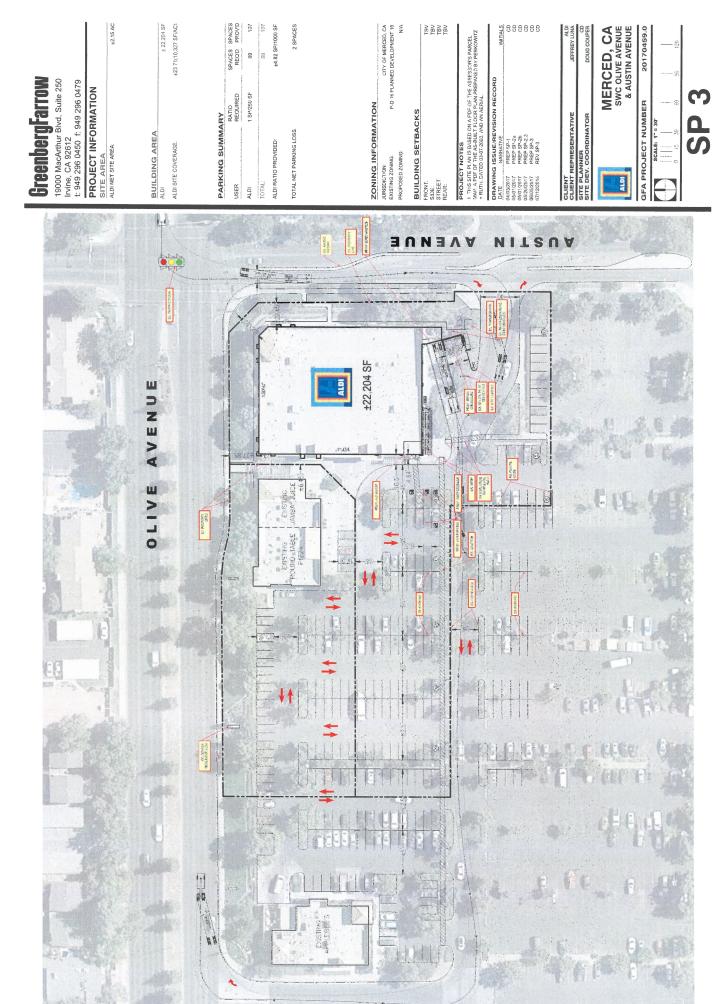
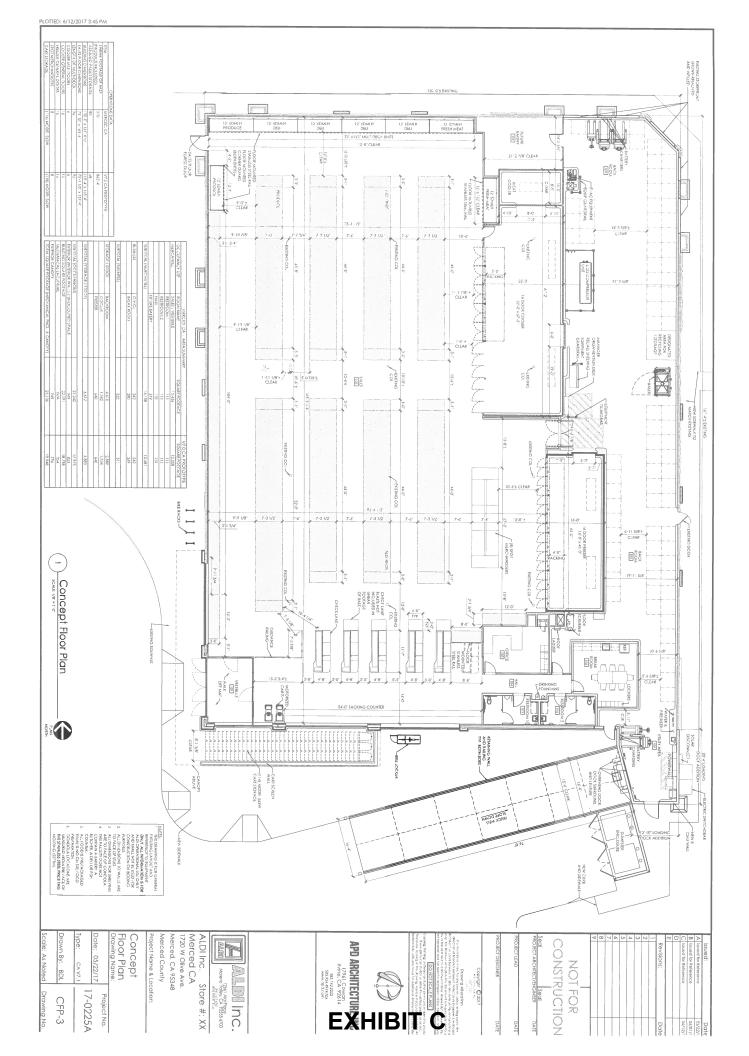


EXHIBIT B

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1720W.01ive



Federal Emergency Management Agency

Washington, D.C. 20472

March 1, 2004

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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)

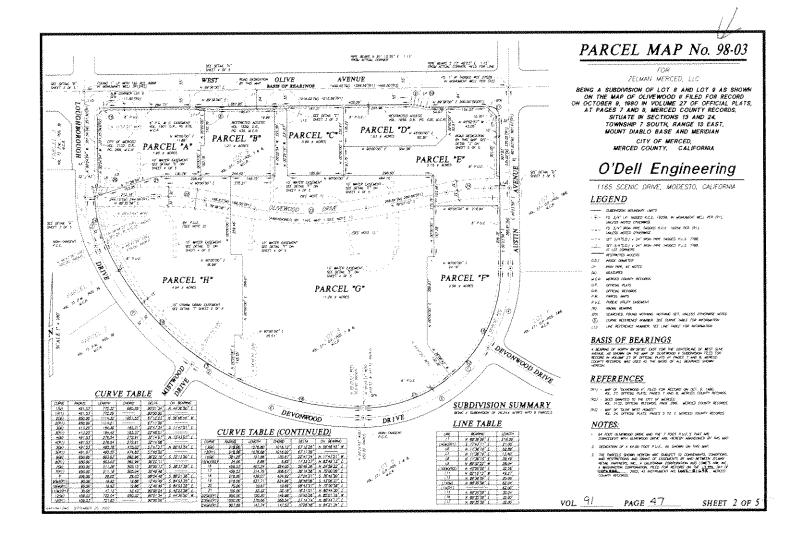
cc: State/Commonwealth NFIP Coordinator Community Map Repository Region Mr. William F. Strand, P.E.



EXHIBIT E

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	(THE STORE		nington, D.C				
			ER OF MAP R					
			ERMINATION I					
DETE	RMINATION	I TABLE (CONTINU	UED)					
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	- 610-11	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	
State	/Commonwe	ealth, and local regu	lations for floodplair	n managemei	nt.		ins subject to	reuerai,
State	/Commonwe	ealth, and local regu	lations for floodplair	n managemei	nt.			reuerai,
		ealth, and local regu	Ition regarding this reque 7 (877-FEMA MAP) or by	n managemei	nt.	out this attachme	Int. please contain	ct the FEMA Map

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NOTICE OF EXEMPTION

P.O. Sacr X Cour Cour 2222	ce of Planning an Box 3044 amento, CA 9581 nty Clerk nty of Merced 2 M Street ced, CA 95340		From: (Publi	c Agency) City of Merced 678 West 18th St. Merced, CA 95340
Project Title:	Site Plan Re	eview #412	(Environmental Revi	ew #17-08)
Project Applicant:	: Aldi Food M	Iarket		
Project Location (Specific): 1720	W. Olive Ave.	APN: 058-220-033	
Project Location -	City: Merce	ed	Project Location - C	County: Merced
Description of Nat	ure, Purpose, a	and Beneficiari	es of Project:	
Name of Public Ag	gency Approvi	ng Project:	City of Merced	
Name of Person or	Agency Carry	ying Out Projec	et: Aldi Food Market	
Declared Emergen _X Categorie Statutory	ial (Sec. 21080(b l Emergency (Sec. cy Project (Sec. 2 cal Exemption. 5	c. 21080(b)(3); 15 21080(b)(4); 1526 State Type and Se ate Code Number		
Reasons why Project is Exempt:		project consist only, such as which are co	sts of minor interior a a façade remodel and	ed Section, the proposed and exterior alterations adding a loading dock, npt under the CEQA
Lead Agency: Contact Person:	City of Merc Francisco M	ed endoza-Gonzale	z Area Code/Tel	ephone:(209) 385-6858

	2	_	
Signature:	Date:	08-24-2017	Title: Planner
X Signed by Lead Agency	Date Received (If applicable)	for Filing at OPR:	

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

EXHIBIT F