

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

**STAFF REPORT: #20-17**

**AGENDA ITEM: 4.2**

**FROM:** Kim Espinosa,  
Planning Manager

**PLANNING COMMISSION**  
**MEETING DATE:** August 19, 2020

**PREPARED BY:** Francisco Mendoza-Gonzalez,  
Associate Planner

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**SUBJECT:** Vesting Tentative Subdivision Map #1313 and Conditional Use Permit #1244 (“Sage Creek”), initiated by Lamplight Capital & Asset Management, LLC, property owner. This application involves a request to subdivide one parcel (approximately 16 acres) into 103 single-family lots ranging in size from 4,600 square feet to 5,100 square feet, generally located on the north side of Monaco Drive, between El Redondo Drive and Horizons Avenue, within Planned Development (P-D) #50, with a General Plan designation of Village Residential (VR). \*PUBLIC HEARING\*

**ACTION:** Approve/Disapprove/Modify

- 1) Environmental Review #20-11 (CEQA Section 15162 Findings)
- 2) Vesting Tentative Subdivision Map #1313
- 3) Conditional Use Permit #1244

**SUMMARY**

The subject site is located north of Monaco Drive, between El Redondo Drive and Horizons Avenue (Attachment A). The applicant is proposing to subdivide one parcel (approximately 16 acres) into 103 small single-family lots. The subject site is located within the Planned Development (P-D) #50 Zone with a General Plan designation of Village Residential (VR). The proposed lots range in size between 4,600 square feet and 5,100 square feet (Attachment B). Merced Municipal Code Section 20.16.020 – Land Use Regulation for the Urban Village Zoning Districts, requires conditional use permit approval to allow single family homes within an Urban Village designation. Per the General Plan Section 3.3.3 - Summary of General Plan Land Use Designations, Village Residential designations should have an average density between 7 and 30 dwelling units per acre. This subdivision has a density of approximately 7 dwelling units per acre. Staff is recommending approval with conditions.

**RECOMMENDATION**

Planning staff recommends that the Planning Commission approve Environmental Review #20-11 (CEQA Section 15162 Findings), Vesting Tentative Subdivision Map #1313 (“Sage Creek”), and Conditional Use Permit #1244 subject to the following conditions (and the Draft Resolution at Attachment I):

- 1) The proposed project shall be constructed/designed as shown on Exhibit 1 (Proposed Vesting Tentative Map at Attachment B) and Exhibit 2 (Development Standards at Attachment C), and as modified by the conditions of approval within this resolution.
- 2) All conditions contained in *Resolution #1175-Amended ("Standard Tentative Subdivision Map Conditions")* shall apply. 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) The Project shall comply with all applicable conditions set forth in the resolutions for Annexation No. 190 (Fahrens Creek North Annexation) and Expanded Initial Study #01-32 previously approved for this site.
- 5) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
- 6) Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, street lights, parks and open space. CFD procedures shall be initiated before final map approval. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
- 7) 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 (with counsel selected by the City), 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 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.
- 8) 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.
- 9) All public improvements shall be provided as required by the City Engineer along Monaco Drive, El Redondo, and Horizons Avenue, as well as the new cul-de-sacs. All improvements shall meet City Standards.
  - 10) A 7-foot-high concrete block wall shall be installed along El Redondo Drive and Horizons Avenue. The wall shall be treated to allow easy removal of graffiti or the developer shall plant fast-growing vines to cover the wall to deter graffiti.
  - 11) Landscaping shall be provided along El Redondo Drive/Horizons Avenue between the block wall and the sidewalk. This strip of land shall be dedicated to the City and maintained through the Community Facilities District during the Final Map stage, as required by the City Engineer.
  - 12) The applicant shall dedicate interior street rights-of-way and all necessary easements as needed for irrigation, utilities, drainage, landscaping, and open space during the Final Map stage as required by the City Engineer.
  - 13) Fire hydrants shall be installed along the street frontage to provide fire protection to the area. The hydrants shall meet all City of Merced standards and shall comply with all requirements of the City of Merced Fire Department. Final location of the fire hydrants shall be determined by the Fire Department.
  - 14) All undeveloped areas shall be maintained free of weeds and debris.
  - 15) Street names shall be approved by the City Engineer.
  - 16) Compliance with the “corner visual triangle” provisions of MMC 20.30.030 is required for corner lots, and may result in the applicant constructing smaller homes on these lots or increasing the front yard setbacks.
  - 17) Valley Gutters may be installed in this subdivision per City standards.
  - 18) Rolled curbing may be installed in this subdivision consistent with City Standard Design ST-1, as approved by the City Engineer.
  - 19) At the building permit stage, the site plans for each lot shall include a minimum 3-foot by 6-foot concrete pad located in the side yard or backyard for the storage of 3 refuse containers. A paved access to the street from this pad shall be provided.
  - 20) 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 \$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.
  - 21) The applicant shall provide a minimum 30 inches of coverage between the top of the sewer line and the surface of the street, or as required by the City Engineer.
  - 22) The cul-de-sacs shall be designed with a minimum 48-foot radius to meet City Fire Department Standards.

- 23) Floor plans and elevations for the single-family homes shall require a Site Plan Review approval.
- 24) Pedestrian access at the end of each cul-de-sac to establish a direct pedestrian path to the future commercial developments to the north, is not required but it is encouraged. Gates may be installed as long as public access is still maintained. If pedestrian access is included with this project, details would be worked out with staff during the building permit stage.
- 25) The project shall comply with all the Post Construction Standards required to comply with State requirements for the City's Phase II MS-4 Permit (Municipal Separate Storm Sewer System).
- 26) Sewer manholes shall be installed at the center of the new courts (cul-de-sacs).
- 27) To utilize the storm drain basin located southeast of the subject site (Assessor's Parcel Number 206-030-012), the developer shall provide all required calculations to the Engineering Department.
- 28) The water line shall include a loop system designed as required by the Public Works Department, unless otherwise approved by the City Engineer.
- 29) A temporary turnaround shall be installed along El Redondo Drive. The turnaround shall be designed as required by the City Engineer. Frontage improvements shall be required up to the end of where the project site terminates along El Redondo Drive (the end of Lot 13 as shown at Attachment B of Planning Commission Staff Report #20-17), even if the temporary turnaround is installed south of this area near Lots 7 and 8.
- 30) The applicant shall comply with the Traffic Study Mitigation Table shown at Attachment F of Planning Commission Staff Report #20-17, except as modified by the conditions.
- 31) The developer shall install missing roadway improvements as determined by the City Engineer for the western portion El Redondo Drive, between Monaco Drive and Avignon Drive (unless installed first by the Lantana West subdivision on Assessor's Parcel Number 206-030-021). The missing surface improvements along the eastern portion of El Redondo Drive, between Monaco Drive and Pettinotti Road (future extension) shall be installed by the developer to meet the City Standard 74-foot-wide Collector Road, to include surface improvements to the centerline, 12-foot-wide paved lane, and a 4-foot-wide bench on the west side of the centerline. The developer shall utilize slip rock to provide drainage in this area, as required by the City Engineer.
- 32) The developer shall install missing or deteriorated roadway improvements as determined by the City Engineer for the northern and southern portions of Monaco Drive, between El Redondo Drive and Horizons Avenue.
- 33) Monaco Drive may be designed to be an "Alternative Collector Road" per City Standard ST-2D.

**PROJECT DESCRIPTION**

The 16-acre subject site is located in northwest Merced, specifically north of Monaco Drive, between El Redondo Drive and Horizons Avenue. The subject site is located within Planned Development (P-D) #50, with a General Plan designation of Village Residential (VR). Village Residential is generally intended for high density residential multi-family developments or high density residential single-family lots. The applicant is requesting to subdivide the existing 16-acre parcel into 103 small single-family lots (Attachment B). The 4 new cul-de-sacs would connect with Monaco Drive and subsequently to the nearest major arterial road, Yosemite Avenue. The small lots would range in size between 4,600 square feet and 5,100 square feet.

**Surrounding uses are noted at Attachment A**

<b>Surrounding Land</b>	<b>Existing Use of Land</b>	<b>City Zoning Designation</b>	<b>City General Plan Land Use Designation</b>
North	Undeveloped Parcel	Planned Development (P-D) #50	Office Commercial (CO) and Neighborhood Commercial (CN)
South	Single-Family Homes (across Monaco Drive)	Planned Development (P-D) #50	Low Density (LD) Residential
East	Undeveloped Parcel (across future Horizons Avenue)	Residential Planned Development (P-D) #50	Village Residential (VR)
West	Undeveloped Parcel (across future El Redondo Drive)	Planned Development (P-D) #57	Village Residential (VR)

**Background**

The subject site and surrounding area were annexed into the City in 2002 under the Fahrens Creek North Annexation. In 2005, the Planning Commission approved Vesting Tentative Subdivision Map (VTSM) #1276 to subdivide the subject site in to 160 lots, ranging in size between 2,500 square feet and 4,900 square feet. This VTSM was subsequently extended several times by the State and the City. That VTSM has since expired. The density for that VTSM was 10 dwelling units per acre, compared to the proposed 7 dwelling units per acre for this subdivision. The reduced density results in reduced impacts to vehicle traffic and correlated air quality, green house gas emission, noise, etc.

**FINDINGS/CONSIDERATIONS:**

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

- A) The proposed development complies with the General Plan designation of Village Residential (VR) and the Zoning Classification of Planned Development (P-D) #50. The proposed Tentative Subdivision Map, with conditions of approval, will help achieve the following General Plan land use policies:

Policy L-1.5: Protect existing neighborhoods from incompatible developments.

- Policy L-1.6: Continue to pursue quality single-family residential development.
- Policy L-1.8: Create livable and identifiable residential neighborhoods.
- Policy L-9: Ensure connectivity between existing and planned urban areas.

It should also be noted that the applicants have applied for a Site Plan Review Permit for 248 apartment units on 13.5 acres at the northeast corner of Monaco Drive and Horizons Avenue, which is also designated Village Residential. This 18.37 dwelling unit per acres development will bring the overall density in the VR area up to the required average of 10 dwelling units per acre.

### **Traffic/Circulation**

- B) It is anticipated that the proposal would generate approximately 985.71 Average Daily Trips (ADT) based on an average daily rate of 9.57 trips per dwelling unit. The subject would be accessed via a collector street, Monaco Drive (Attachment B of Planning Commission Staff Report #20-17) which connects with other collector streets, El Redondo Drive and Horizons Avenue. The traffic generated by this subdivision should not exceed the current and projected capacity for the surrounding street system as the area was designed to accommodate a higher density of residential units (up to 30 dwelling units per acre, compared to the proposed 7 dwelling units per acre). Improvements would need to be installed to connecting streets such El Redondo Drive, Monaco Drive, and Horizons Avenue to ensure residents have a direct path to the nearest developed major arterial road, Yosemite Avenue (Conditions #31 and #32 of Planning Commission Staff Report #20-17). In addition, the developer shall install the public improvements shown at Attachment F of Planning Commission Staff Report #20-17 which includes paying their fair share contributions towards traffic signals, re-timing existing traffic signals, and paying fair share contributions towards future roads improvements.

The right-of-way widths of the new cul-de-sacs would be 49 feet (even though Attachment B of Planning Commission Staff Report #20-17 shows 48 feet), including 5.5 feet on each side of the street to accommodate sidewalks. This meets the City's right-of-way requirement for local streets. However, the cul-de-sac bulb needs to have a minimum 48-foot-radius to accommodate Fire engine/refuse truck turning radius (Condition #22 of Planning Commission Staff Report #20-17).

### **Site Design**

- C) The subdivision is designed with homes along the interior of the cul-de-sacs with direct access to Monaco Drive. Concrete block walls would be installed along El Redondo Drive and Horizons Avenue, with landscaping along the walls (Condition #10 of Planning Commission Staff Report #20-17).

At the moment, the applicant is not proposing any specific floor plans, site plans, or elevations. Prior to constructing the homes, they will be required to obtain a Site Plan Review Permit so that the Site Plan Review Committee may review the aesthetics and emergency accessibility of the homes. Attachment C of Planning Commission Staff Report #20-17 shows the proposed parameters, or development standards for the

Planning Commission's consideration. The proposed development standards include a front yard setback of 15 feet, a garage setback of 20 feet, side yard setbacks of 5 feet and 10 feet (different for corner lots), a maximum building height of 40 feet (and maximum of 3 stories), maximum lot coverage of 60%, and a minimum parking requirement of 2 stalls. The proposed development standards are consistent with other developed subdivisions within the City which includes the Highland Park subdivision (behind the Merced Marketplace), the Horizons at Compass Pointe subdivision (at the southeast corner of El Redondo Drive and Pacific Drive), the Sunrise at Compass Pointe subdivision (at the northwest and northeast corner of Pacific Drive and Horizons Avenue), the Bellevue Ranch West Village 2 subdivision (at the southwest and southeast corners of Bancroft Drive and W. Cardella Road), and the Paseo subdivision (at northwest corner of Bellevue Road and G Street).

### **Municipal Code Compliance - Tentative Subdivision Map Requirements**

- D) Per Merced Municipal Code (MMC) Section 18.16.080 – Information Required, a tentative subdivision map shall include all of the requirements shown at Attachment D of Planning Commission Staff Report #20-17. Said requirements include stating the location of the subject site, the name of the subdivision, and showing the layout of the proposed lots. MMC 18.16.090 – Required Statement, requires the applicant to provide a statement that explicitly states any deviations from tentative subdivision map requirements, standard drawings, or Zoning laws. In this case, the applicant is not requesting any deviations from City requirements. MMC 18.16.100 - Public Hearing – Generally, requires a public hearing to review and approve a tentative subdivision map in conformance with the Subdivision Map Act. Per the California Environmental Quality Act a public hearing notice was mailed to property owners within 300 feet of the subject site and published in a qualifying newspaper, Merced County Times, three weeks prior to this meeting. In addition, staff reached out to local utility companies, local school districts, and other relevant government agencies to solicit comments. Staff did not receive any comments regarding this application.

### **Elevations**

- E) The applicant is not providing elevations at this moment. They would like to proceed with the tentative subdivision map process, and provide elevations at a later time when they are prepared to submit an application for Final Map approval. At that time, they would like to submit elevations for review and propose an exterior design and floor plan. The developer would be required to submit said plans for review and approval from the Site Plan Review Committee. The Site Plan Review Committee would review the plans to ensure they meet the development standards approved by the Planning Commission (at Attachment C of Planning Commission Staff Report #20-17), to confirm compliance with Fire Department standards, and ensure that the architecture is of high quality that provide a variety of colors, textures, materials, and building forms. Staff would also review the elevations to confirm that they meet the Zoning Ordinance's minimum design standards for single-family homes as shown under Merced Municipal Code 20.46 – Residential Design Standards (Attachment E of Planning Commission Staff Report #20-17).

### **Public Improvements/Services**

- F) All public improvements will be necessary for the new street and lots. All utilities are available in the area.

*Sanitary Sewer* collection, treatment, and disposal will be provided by the City.

*Storm Drainage and Streetscape:* Storm drainage collection, retention and discharge shall conform to City Standards and be subject to Engineering Department approval.

*Public Safety Costs:* In response to significant growth in Merced without a corresponding increase in the General Fund and other revenues, the City Council adopted public facilities impact fees in 1998 and also established a requirement for Community Facilities Districts (Condition #6 of Planning Commission Staff Report #20-17) to help fund roadway, police, fire, and park infrastructure to help fund operating costs for police and fire services.

There are several areas surrounding the site that are missing infrastructure. The photographs at Attachment G of Planning Commission Staff Report #20-17 depict some of the missing infrastructure surrounding the site or near the site. Some of this infrastructure needs to be installed in order to connect the project site to the existing street network, even though some of these areas not fronting the project site. For example, the portion of El Redondo Drive, between Monaco Drive and Avignon Drive, does not contain complete roadways. If this development is constructed prior to Lantana West subdivision, or any other fronting project(s) fronting this site, the applicant would be responsible for installing the complete road (not sidewalk or streetlights) and be in position to be reimbursed by other developers fronting this site if they develop within 15 years per City Code requirements. In addition, the southern portion Monaco Drive, between El Redondo Drive and Horizons Avenue, has roadway that is either deteriorated or needs to be completed. Should the developer desire to use this existing roadway, the Public Works Department would need to assess the road conditions to determine if this infrastructure can be salvaged or need to be redone completely. Conditions #31, #32, and #33 address these issues.

### **Schools**

- G) The Project site falls within the jurisdiction of the Merced City School District (elementary and middle schools) and the Merced Union High School District (MUHSD). Students from the subdivision would attend elementary schools, middle schools, and the high school surrounding the area. School fees per State law requirements are considered to be full mitigation for the impacts on schools from new development.

### **Parking**

- H) Merced Municipal Code Section 20.40.B.2 – Small Lot Single-Family Homes Development Standards and Guidelines, recommends that small lots provide a minimum of 2 onsite parking stalls (with at least one being covered) setback at least 20 feet from the front property line. Typically, single-family homes require a minimum of 1 parking stall. However, because small lots tend to be narrower,



driveway curb cuts will occupy a larger percentage of the lot frontage resulting in less on-street parking. To compensate for the reduction in street parking, the Zoning Ordinance recommends that small lots have at least 2 onsite parking stalls. As part of the development standards shown at Attachment C of Planning Commission Staff Report #20-17, the Sage Creek subdivision would require at least 2 onsite parking stalls and a 20-foot-long driveway for backing space.

### **Conditional Use Permit Required Findings**

I) Section 20.68.020 sets forth specific Findings that must be made in order for the Planning Commission to approve a Conditional Use Permit. These Findings are provided below.

- 1. The proposed use is consistent with the purpose and standards of the zoning district, the General Plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

As described under Finding A of Planning Commission Staff Report #20-17, the project meets the requirements of the General Plan. This area is designated as Village Residential in the Fahrens Creek North Specific Plan as well.

- 2. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.*

There are existing single-family homes to the south across Monaco Drive, but the remaining parcels surrounding the site are currently undeveloped. The parcels to the east and west of the site are designated for Village Residential (VR) which is intended for high density residential uses ranging between 7 and 30 dwelling units per acre. Based on the proposed density for the Sage Creek subdivision (approximately 7 dwelling units per acres), this proposal would generally be consistent with future developments to the east and west. The parcel to the north is designated Office Commercial (CO) and Neighborhood Commercial (CN). To improve connectivity with those future developments, staff is recommending that a walking path would be installed at the ends of the courts to provide a direct pedestrian path to these commercial sites (Condition #24 of Planning Commission Staff Report #20-17).

At the moment, the applicant is not proposing any specific floor plans, site plans, or elevations. Prior to constructing the homes the developer will be required to obtain a Site Plan Review Permit so that the Site Plan Review Committee may review the aesthetics and functionality of the homes. Attachment C of Planning Commission Staff Report #20-17 show the proposed parameters, or development standards for Planning Commission consideration. The proposed development standards show a front yard setback of 15 feet, a garage setback of 20 feet, side yard setbacks of 5 feet and 10 feet (different for corner lots), a maximum building height of 40 feet (and 3 stories), maximum lot coverage of 60%, and a minimum of 2 parking stalls. With the implementation of the proposed conditions of approval and the conditions approved with this request, the proposed project would be required to be in compliance with the design standards single-family

dwellings (MMC Sections 20.46.230). The proposed project meets the minimum design and zoning standards. Therefore, with the implementation of the conditions of approval, the proposed project would not interfere with the enjoyment of the existing and future land uses in the vicinity.

3. *The proposed use will not be detrimental to the public health, safety, and welfare of the City.*

The proposed subdivision does not include any uses that would be detrimental to the public health, safety, and welfare of the City. The project would be required to be annexed into the City's Community Facilities District to pay for costs related to police and fire safety (Condition #6 of Planning Commission Staff Report #20-17). Implementation of the conditions of approval and adherence to all Building and Fire Codes, and City Standards would prevent the project from having any detrimental effect on the health safety, and welfare of the City.

4. *The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure.*

The project site is an in-fill site surrounded by residential uses. The project would be adequately served by the City's water and sewer systems. Through the implementation of the conditions of approval, the project would be adequately served by the City's sewer and storm water systems. Additionally, the project would be required to pay Public Facilities Impact Fees to help pay for future improvements needed to the City's infrastructure.

### **Public Facilities Impact Fee Program**

- J) The section of Cardella Road from Highway 59 to R Street is not included the City's current Public Facilities Financing Impact Fee Program for road improvements (albeit traffic signals are included). The developer would be responsible for paying their fair share contribution towards road improvements in this area, as shown at Attachment F. However, if in the future, the City updates the Public Facilities Impact Fee Program to include Cardella Road from Highway 59 to R Street, the developer would be able to apply their impact fees to meet their mitigation obligations instead of paying their fair share contribution for road improvements in this area.

### **Environmental Clearance**

- K) Infill projects over 5 acres require an Initial Study, per the California Environmental Quality Act (CEQA). An Initial Study includes a wide range of analysis required by the State covering an array of subjects including, but not limited to impacts on traffic, biological resource, public services, cultural resources, utilities, etc. Per CEQA, a future developer may utilize an existing adopted Initial Study, through what is known as a Section 15162 Findings, if the new project is consistent with Zoning/General Plan, and if the scope of the new project is equal to or lesser than the previous project studied and approved for this site.

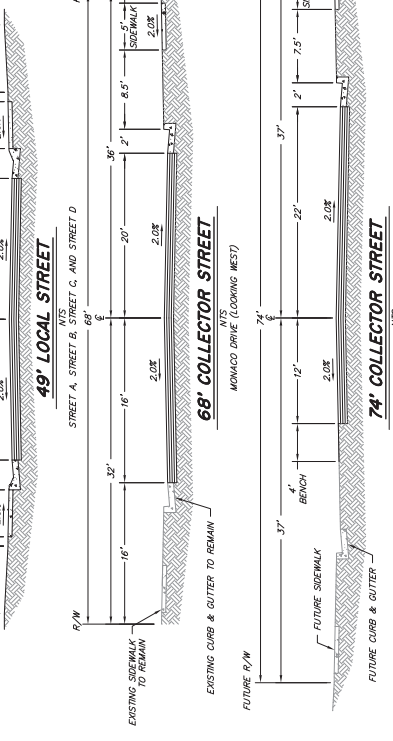
Planning staff conducted an environmental review of the project in accordance with the requirements of CEQA, and concluded that Environmental Review #20-11 is a second tier environmental document, based upon the City's determination that the proposed development remains consistent with the current General Plan and provision of CEQA Guidelines, Section 15162 (Initial Study #20-11 for CUP #1244 and TSM #1313). A Copy of the Section 15162 Findings can be found at Attachment H of Planning Commission Staff Report #20-17.

Attachments:

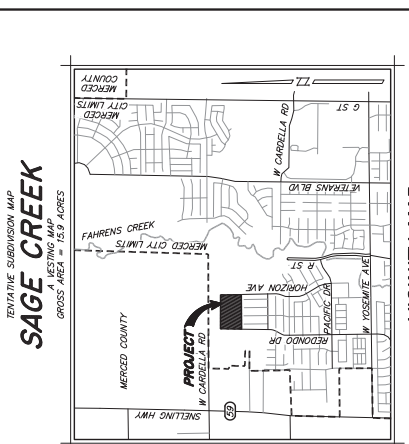
- A) Location Map
- B) Vesting Tentative Subdivision Map Layout
- C) Proposed Development Standards
- D) MMC 18.16.080 – Information Required
- E) MMC 20.46.020 – Design Standards for Single-Family Dwellings and Mobile Homes
- F) Traffic Study Mitigation Summary Table
- G) Missing Infrastructure Surrounding the Site
- H) CEQA Section 15162 Finding
- I) Draft Planning Commission Resolution



**WEST CARDELLA ROAD**  
 50' WIDE FOR THE NORTHEAST  
 1/4 OF SECTION 12.  
 APN 206-010-012  
 SHIMMER KAHR WPK  
 VACANT, UNDEVELOPED

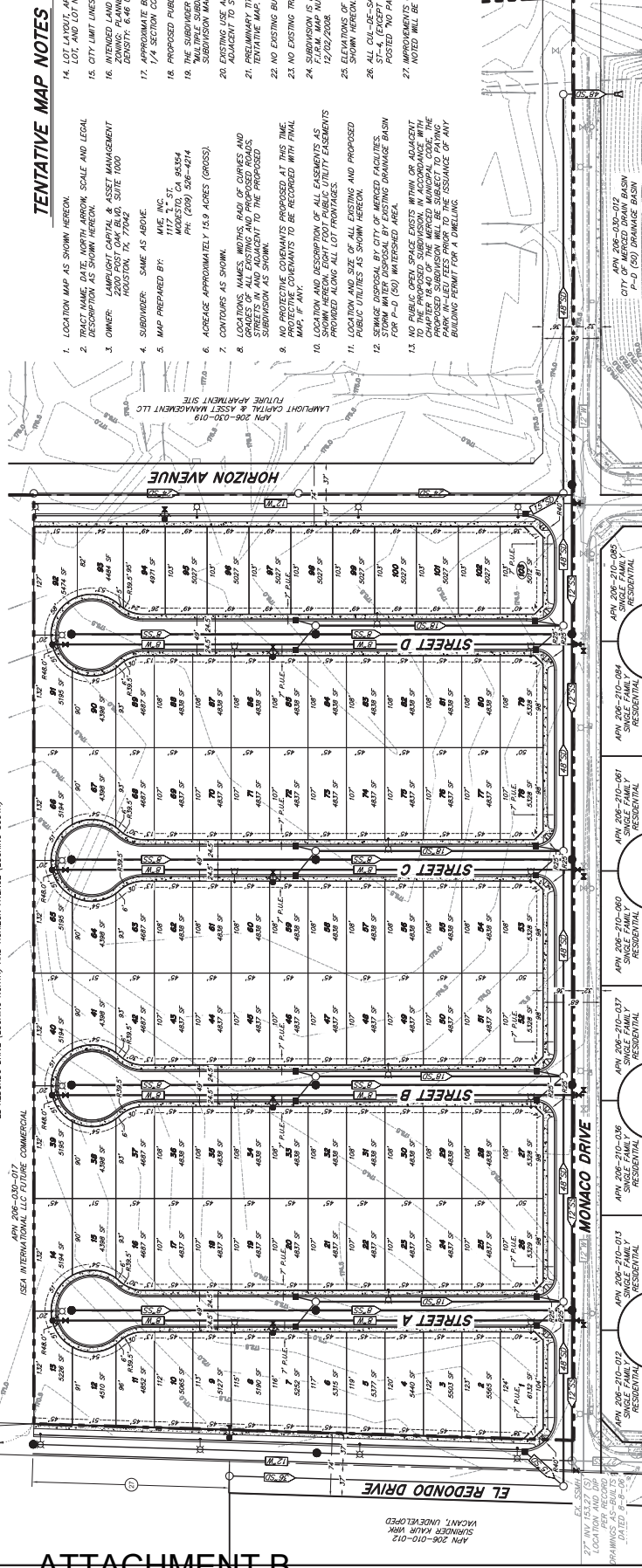


- LEGEND**
- PUBLIC UTILITY EASEMENT
  - LOT LINES
  - PROJECT BOUNDARY LINE
  - EXISTING STORM LINE
  - EXISTING SANITARY SEWER LINE
  - EXISTING FIRE HYDRANT
  - EXISTING FIRE HYDRANT
  - EXISTING STREET LIGHT
  - PROPOSED STORM LINE
  - PROPOSED SANITARY SEWER LINE
  - PROPOSED WATER LINE
  - PROPOSED FIRE HYDRANT
  - PROPOSED DRAIN INLET
  - PROPOSED STREET LIGHT
  - EXISTING CONTOUR
  - EXISTING SIDEWALK
  - PROPOSED SIDEWALK
  - SQUARE FOOT
  - ASSESSORS PARCEL NUMBER
  - PUBLIC UTILITY EASEMENT
  - APN
  - P.U.E.



**TENTATIVE MAP NOTES**

1. LOCATION MAP AS SHOWN HEREON.
2. LOT LAYOUT, APPROXIMATE DIMENSIONS, AREA OF EACH LOT, AND LOT NUMBERS AS SHOWN.
3. OWNER: LAMPOUT CAPITAL & ASSET MANAGEMENT, 2200 FOST OAK BLVD, SUITE 1000, HOUSTON, TX 77042.
4. SUBDIVIDER: SAME AS ABOVE.
5. MAP PREPARED BY: MVE, INC., 1117 S. ST., #2554, PHOENIX, AZ 85042.
6. ACREAGE APPROXIMATELY 15.9 ACRES (GROSS).
7. CONTOURS AS SHOWN.
8. LOCATIONS, NAMES, WIDTHS, RADII OF CURVES AND STREETS IN AND ADJACENT TO THE PROPOSED SUBDIVISION AS SHOWN.
9. NO PROTECTIVE COVENANTS PROPOSED AT THIS TIME.
10. LOCATION AND DESCRIPTION OF ALL EASEMENTS AS SHOWN HEREON, EIGHT FOOT PUBLIC UTILITY EASEMENTS PROVIDED ALONG ALL LOT FRONTS.
11. LOCATION AND SIZE OF ALL EXISTING AND PROPOSED PUBLIC UTILITIES AS SHOWN HEREON.
12. STORM WATER DISPOSAL BY EXISTING DRAINAGE BASIN FOR P-D (50) WATERSHED AREA.
13. NO PUBLIC OPEN SPACE EXISTS WITHIN OR ADJACENT TO THE PROPOSED SUBDIVISION. IN ACCORDANCE WITH THE PROPOSED SUBDIVISION MAP, THE PROPOSED SUBDIVISION WILL BE SUBJECT TO FILING, RECORDING, AND THE ISSUANCE OF ANY BUILDING PERMIT FOR A DWELLING.
14. LOT LAYOUT, APPROXIMATE DIMENSIONS, AREA OF EACH LOT, AND LOT NUMBERS AS SHOWN.
15. CITY LIMIT LINES AS SHOWN.
16. INTENDED LAND USE: RESIDENTIAL.
17. APPROXIMATE BEARINGS AND DISTANCES TO NEAREST 1/4 SECTION CORNER AS SHOWN HEREON.
18. PROPOSED PUBLIC IMPROVEMENTS PER CITY STANDARDS.
19. THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE "MULTIPLE SUBDIVISION MAPS" AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 040601.1, ADJACENT TO SUBDIVISION AS SHOWN HEREON.
20. PRELIMINARY TITLE REPORT TO BE SUBMITTED WITH TENTATIVE MAP.
21. NO EXISTING BUILDINGS WITHIN SUBDIVISION.
22. NO EXISTING TREES WITHIN SUBDIVISION.
23. SUBDIVISION IS LOCATED IN FEMA FLOOD ZONE "X" PER 12/02/2008 NUMBER 0604704068, EFFECTIVE ON 12/02/2008.
24. ELEVATIONS OF SEWERS AT PROPOSED CONNECTIONS AS SHOWN HEREON.
25. ALL CUL-DE-SACS PER CITY OF MERCED STANDARD POSTED "NO PARKING".
26. IMPROVEMENTS ON EL REDONDO DRIVE IN THE AREA SHOWN WILL BE CONSTRUCTED TO GOVERNOR.



**MVE**  
 MVE, INC.  
 Northern California Southern California | Nevada  
 1117 S. Street, Modesto, CA 95351 | 956.000.0241 | www.mve.net  
 09/07/2020

**REVISIONS**

NO.	DATE	ISSUED FOR	BY
1	08/07/2020	RESIDENTIAL	AE
2	08/07/2020	RESIDENTIAL	AE
3	08/07/2020	RESIDENTIAL	AE
4	08/07/2020	RESIDENTIAL	AE
5	08/07/2020	RESIDENTIAL	AE
6	08/07/2020	RESIDENTIAL	AE
7	08/07/2020	RESIDENTIAL	AE
8	08/07/2020	RESIDENTIAL	AE
9	08/07/2020	RESIDENTIAL	AE
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11	08/07/2020	RESIDENTIAL	AE
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97	08/07/2020	RESIDENTIAL	AE
98	08/07/2020	RESIDENTIAL	AE
99	08/07/2020	RESIDENTIAL	AE
100	08/07/2020	RESIDENTIAL	AE

**DMC**  
**TM1**  
**SHEET**  
**1**  
**CITY OF MERCED**  
**CALIFORNIA**  
**OF 1**

## DEVELOPMENT STANDARDS

### SAGE CREEK SUBDIVISION

Lamplight Capital & Asset Management

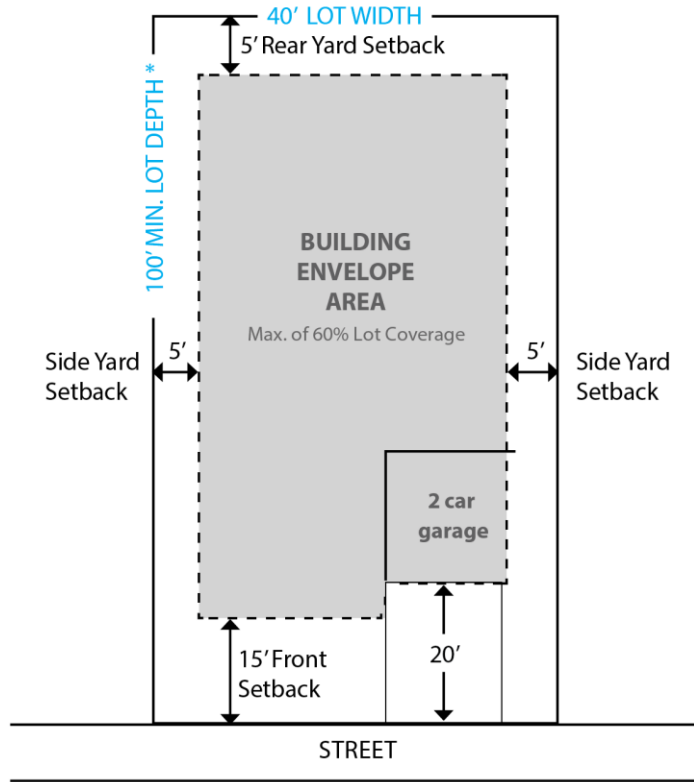
*Merced, California*

The Sage Creek Subdivision is proposed as a 103 lot Single-Family development. In order to provide for a creative and more efficient use of land, this proposal includes a Planned Development Overlay Zone (PD) which will provide slight deviations from the underlying Zoning District and incorporate the provisions within the City’s Small Lot Single-Family ordinance (Chapter 20.40). The following information contains the Development Standards from Table 20.40.050 and the proposed standards for the Sage Creek Subdivision. The typical lot layout of both an interior lot and corner lot are shown on Page 2 as well as building envelopes with the minimum setback requirements.

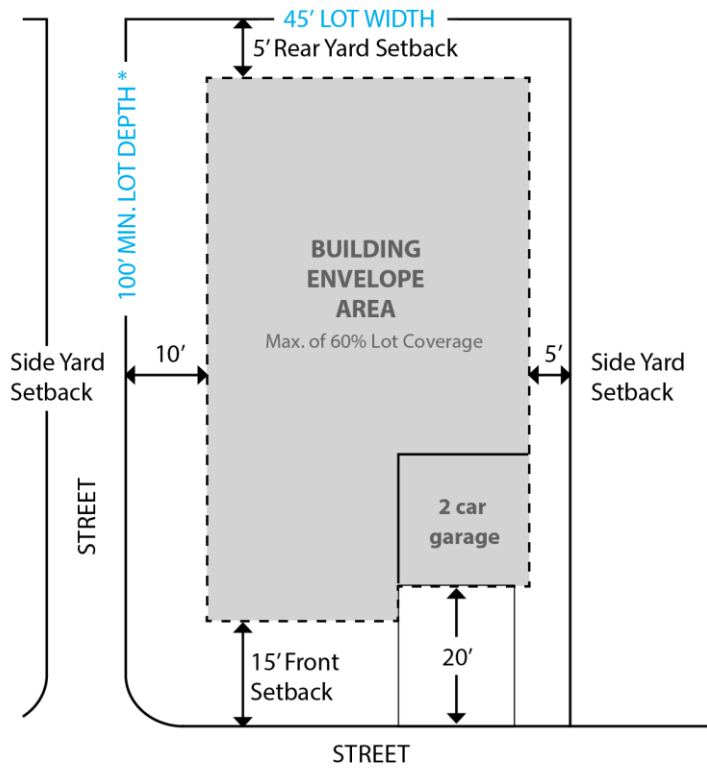
<b>SAGE CREEK SUBDIVISION</b> <b>DEVELOPMENT STANDARDS FOR SMALL LOT SINGLE-FAMILY HOMES</b> Source: TABLE 20.40.050
----------------------------------------------------------------------------------------------------------------------------

	PD-1-3	Additional Standards
<b>Lot and Density Standards (Minimums)</b>		
Lot Area	3,000 sq. ft.	-
Lot Width	40 ft.	-
Lot Width (Corner Lots)	45 ft.	-
Lot Depth	100 ft.*	-
<b>Primary Structure Standards</b>		
Setbacks (min.)		
Front	15 ft.	-
Side Yard	5 ft	-
Side Yard - Street Side Corner Lot	10 ft	-
Rear Yard	5 ft.	-
Garage Opening Facing Street	20 ft.	-
<b>Height (max.)</b>		
Feet	40 ft.	Section 20.62.020
Stories	3	Section 20.62.020
Lot Coverage	60%	-
<b>Parking</b>		
Two (2) off-street spaces/dwelling	Section 20.40.050(B)	
<b>Landscaping &amp; Irrigation</b>		
Per Merced Municipal Code	Chapter 17.60 & Chapter 20.36	
<b>Architecture / Design Guidelines</b>		
Per Small Lot Residential Design Guidelines	Section 20.40.050	

## TYPICAL INTERIOR LOT



## TYPICAL CORNER LOT



*\* Except in areas where Cul-de-Sacs occur, only the minimum Lot Area shall apply.*

18.16.080 - Information required.

Every tentative map shall be clearly and legibly reproduced. The following information shall be shown on, or accompanying, the map:

1. A key or location map on which is shown the general area including adjacent property, subdivisions and roads;
2. The tract name, date, north point, scale and sufficient legal description to define location and boundaries of the proposed subdivision;
3. Name and address of recorded owner or owners;
4. Name and address of the subdivider;
5. Name and business address of the person who prepared the map;
6. Acreage of proposed subdivision to the nearest tenth of an acre;
7. Contours at six-inch intervals to determine the general slope of the land and the high and low point thereof;
8. The locations, names, widths, approximate radii of curves and grades of all existing and proposed roads, streets, highways, alleys and ways in and adjacent to the proposed subdivision or subdivision to be offered for dedication;
9. Proposed protective covenants;
10. Location and description of all easements;
11. Locations and size of all existing and proposed public utilities;
12. Proposed method of sewage and stormwater disposal;
13. Location and character of all existing and proposed public open space in and adjacent to the subdivision and a statement of intention with regard to park land dedication or payment of a fee in lieu thereof;
14. Lot layout, approximate dimensions and area in square feet of each irregular lot and lot numbers;
15. City limit lines occurring within the general vicinity of the subdivision;
16. Classification of lots as to intended land use, zone, and density;
17. Approximate bearings and distances to quarter-section bounds within the general vicinity of the subdivision;
18. Proposed public improvements;
19. Statement as to whether the subdivision is to be recorded in stages;
20. Existing use and ownership of land immediately adjacent to the subdivision;
21. Preliminary title report issued not more than sixty days prior to filing of the tentative map;
22. The outline of any existing buildings and indication of any to remain in place and their locations in relation to existing or proposed street and lot lines;



23. Location of all existing trees and indication of those proposed to remain in place, standing within the boundaries of the subdivision;
24. Location of all areas subject to inundation or storm water overflow, the location, width and direction of flow of all watercourses and indicate flood zone classification;
25. Elevations of sewers at proposed connection.

(Ord. 1533 § 1, 1984: Ord. 1358 § 3, 1980: Ord. 1342 § 2 (part), 1980: prior code § 25.32(c)).

#### 18.16.090 - Required statement.

A statement shall be presented by the subdivider in written form accompanying the map and shall contain justification and reasons for any exceptions to provisions of this title, the standard drawings or for any amendments to or variation from the zoning law, which may be requested in conjunction with the subdivision proposed.

(Ord. 1533 § 2, 1984: Ord. 1342 § 2 (part), 1980: prior code § 25.33).

#### 18.16.100 - Public hearing—Generally.

The planning commission shall review the tentative map at a public hearing to determine whether it is in conformity with the provisions of law and of this title and upon that basis, within the time allowed in the Subdivision Map Act.

(Ord. 1358 § 4, 1980: Ord. 1342 § 2 (part), 1980: prior code § 25.34(a)).

## Chapter 20.46 - RESIDENTIAL DESIGN STANDARDS

### Sections:

20.46.010 Purpose

20.46.020 Design Standards for Single-Family Dwellings and Mobile Homes

20.46.030 General Design Standards for Multi-Family Dwellings

20.46.040 Specific Design Standards for Multi-Family Dwellings

### 20.46.010 Purpose

This chapter establishes design standards for residential uses, in addition to regulations set forth in Chapter 20.08 (Residential Zones).

### 20.46.020 Design Standards for Single-Family Dwellings and Mobile Homes

- A. Applicability.** The following standards shall apply to all single-family developments and mobile homes.
- B. Siding.** No shiny or reflective exterior siding materials, which are more reflective than semi-gloss paint, shall be permitted.
- C. Exterior Walls.**
1. Materials shall extend to the ground where a unit is mounted at grade-level or the top of the solid concrete or masonry perimeter foundation where an above-grade foundation is used.
  2. Materials shall be limited to stucco, wood, brick, stone, glass, or decorative concrete block. No tin or other metallic exterior wall material shall be used.
  3. Materials shall be the same as or complementary to the wall materials and roofing materials of the dwelling unit.
- D. Windows.**
1. All windows, doors, and gable ends shall be architecturally treated with a trim.
  2. No shiny or reflective materials shall be permitted for trim which are more reflective than semi-gloss paint.



**E. Roof.**

1. **Roof Pitch Slope.** The slope or inclination of a pitched roof shall be no less than a ratio of 4 inches vertical rise for each 12 inches horizontal run (4:12).



2. **Projection.** Overhanging eaves shall be at least 12 inches from the exterior vertical walls.

3. **Materials.**

- a. Roofs shall be composed of shingles, shake shingles, non-reflective and matte-finish metal, rock or concrete or adobe or composition tile, or other similar materials commonly used in the area.

- b. Fascia boards shall be used on all sides of the structure to screen exposed elements, like rafters and vents, and to give the roof a finished edge.

- c. Roofing materials for a garage or carport shall be the same as the wall materials and roofing materials of the dwelling unit.

4. **Mechanical and Utility Equipment.** All mechanical and utility equipment shall be screened from the public right-of-way.

**F. Parking.** Each unit shall have at least 200 square feet of off-street parking outside of required setback areas.

**G. Width.** Each unit shall have a width of at least 20 feet.

**H. Location.** Each dwelling shall face or have frontage upon a street or permanent means of access to a street by way of a public or private easement other than an alley. Such easements shall not be less than 10 feet in width.



**I. Landscaping.** All front yards, and all side yards exposed to public view on corner lots, shall be landscaped with drought-tolerant ground cover, trees, and shrubs, including but not limited to, City street trees. Underground irrigation of the required landscaping shall be required. All shall be installed prior to occupancy. (Refer to Chapter 20.36.)

**J. Foundation.** All homes and mobile homes must be attached to a permanent foundation system that complies with all building codes of the City.

**K. Addresses.** The street address number of the house shall be displayed on the front wall of the house clearly visible from the street and shall be a minimum height of 4 inches with a ½ inch stroke (or as otherwise required in the California Residential and Fire Codes.)

<b>TABLE A1 MITIGATION SUMMARY</b>		
<b>Location</b>	<b>Impact</b>	<b>Mitigation</b>
<b>EXISTING PLUS APPROVED PROJECTS PLUS SAGE CREEK APARTMENTS / SFR CONDITIONS</b>		
Yosemite Avenue / R Street	Exacerbate LOS F conditions during peak hours based on delay	Fund Northbound right turn overlap phase and re-time traffic signal with 50% allocated to the SFR project and 50% allocated to the future project on APN 206-030-019 (Apartments)
<b>CUMULATIVE YEAR 2035 PLUS PROJECT CONDITIONS</b>		
SR 59 / Cardella Road	Exacerbate LOS F conditions during peak hours based on delay	Pay adopted traffic impact fees. (SFR and Apartments)
Cardella Road from SR 59 to R St	Arterial Street needed per General Plan	Construct 2 lanes and frontage improvements along on APN 206-030-019 (Apartments) and pay adopted traffic impact fees (SFR and Apartments)
Cardella Road / El Redondo Dr	LOS F and Traffic signal eventually needed	Pay adopted traffic impact fees. (SFR and Apartments)
Cardella Road / Horizon Ave	LOS F and Traffic signal eventually needed	Fund 1/8 <sup>th</sup> of the signal cost based on City policy for APN 206-030-019 (Apartments) and pay adopted traffic impact fees. (SFR and Apartments)



**Horizon / Monaco Intersection  
looking West**



**Monaco looking East**





**El Redondo / Monaco Intersection  
looking South**

**El Redondo / Monaco Intersection  
looking East**





**El Redondo looking North**





**El Redondo looking North**

**The California Environmental Quality Act  
(CEQA) Section 15162 Findings:**

**Application: Conditional Use Permit #1244 and Tentative Subdivision Map #1313 – Environmental Review #20-11**

**Assessor Parcel Number or Location:** Assessor’s Parcel Number (APN): 206-030-018

**Previous Initial Study/EIR Reference:** This site was previously reviewed through SCH #20011101082, for Expanded Initial Study #01-32 for Fahrens North Annexation. The current proposal to construct a single-family subdivision (103 lots) is consistent with the previous environmental review and the project remains in conformance with the City’s *Merced Vision 2030 General Plan*.

**Original Project Date:** Initial Study #01-32, resulting in a Mitigated Negative Declaration, adopted by the Merced City Council in December 2002.

**Section A - Previous Studies**

- |                                                                                                                                                                                                                                                                                                  |                          |                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
|                                                                                                                                                                                                                                                                                                  | <b>Yes</b>               | <b>No</b>                           |
| 1. Substantial changes are proposed in the project that will require major revisions of the previous project EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Comment/Finding:** The proposed single-family subdivision (103 lots) are consistent with the previous environmental review. This site was identified in the previous environmental review for a Village Residential development which allows a density between 10 and 30 dwelling units per acre. This proposal contains a density of approximately 7 dwelling units per acre. Residential density of this scale do not exceed the density allowed for Village Residential designations, thus, the project remains consistent with the previous environmental review.

- |                                                                                                                                                                                                                                                                                                                                                    |                          |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                    | <b>Yes</b>               | <b>No</b>                           |
| 2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Comment/Finding:** There have been no changes in the circumstances under which the project is undertaken that would require major revisions in the previous Mitigated Negative Declaration. There are no new significant environmental effects or substantial increases in the severity of previously identified environmental effects, and the area under consideration remains the same area previously evaluated.

- |                                                                                                                                                                                                                                                                                                          |                          |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
|                                                                                                                                                                                                                                                                                                          | <b>Yes</b>               | <b>No</b>                           |
| 3. New information of substantial importance that was not known and could not have been know with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, has been revealed? (If “Yes” is checked, go to Section “B” below) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Comment/Finding:** There is no new information of substantial importance that was not known and could not have been known with the reasonable diligence at the time the previous Mitigated Negative Declaration was adopted.

**Section B - New Information**

- |                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                            |     |    |  |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|--|---|
| A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration.                                                                                                                                                               | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px; text-align: center;"> </td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> | Yes | No |  | X |
| Yes                                                                                                                                                                                                                                                                               | No                                                                                                                                                                                                                                                                                         |     |    |  |   |
|                                                                                                                                                                                                                                                                                   | X                                                                                                                                                                                                                                                                                          |     |    |  |   |
| B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.                                                                                                                                                                      | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px; text-align: center;"> </td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> | Yes | No |  | X |
| Yes                                                                                                                                                                                                                                                                               | No                                                                                                                                                                                                                                                                                         |     |    |  |   |
|                                                                                                                                                                                                                                                                                   | X                                                                                                                                                                                                                                                                                          |     |    |  |   |
| C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.           | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px; text-align: center;"> </td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> | Yes | No |  | X |
| Yes                                                                                                                                                                                                                                                                               | No                                                                                                                                                                                                                                                                                         |     |    |  |   |
|                                                                                                                                                                                                                                                                                   | X                                                                                                                                                                                                                                                                                          |     |    |  |   |
| D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px; text-align: center;"> </td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> | Yes | No |  | X |
| Yes                                                                                                                                                                                                                                                                               | No                                                                                                                                                                                                                                                                                         |     |    |  |   |
|                                                                                                                                                                                                                                                                                   | X                                                                                                                                                                                                                                                                                          |     |    |  |   |

**Comment/Finding:** All previously identified mitigation measures will be enforced with this project including payment of Public Facility Impact Fees. Therefore, the resulting impacts are no greater than those previously analyzed and the previously imposed mitigation measures remain sufficient to address all impacts from this project.

**On the basis of this evaluation, in accordance with the requirements of Section 15162 of the CEQA Guidelines:**

- |   |                                                                                |
|---|--------------------------------------------------------------------------------|
|   | 1. It is found that subsequent negative declaration will need to be prepared.  |
|   | 2. It is found that an addendum Negative Declaration will need to be prepared. |
|   | 3. That a subsequent EIR will need to be prepared.                             |
| X | 4. No further documentation is required.                                       |

Date: July 9, 2020  
 Prepared By:



Francisco Mendoza-Gonzalez,  
 Associate Planner

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

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

**WHEREAS**, the Merced City Planning Commission at its regular meeting (held via teleconference) of August 19, 2020, held a public hearing and considered **Vesting Tentative Subdivision Map #1313 and Conditional Use Permit #1244**, initiated by Lamplight Capital & Asset Management, LLC, property owner. This application involves a request to subdivide one parcel (approximately 16 acres) into 103 single-family lots ranging in size from 4,600 square feet to 5,100 square feet, generally located on the north side of Monaco Drive, between El Redondo Drive and Horizons Avenue, within Planned Development (P-D) #50 with a General Plan designation of Village Residential (VR). Said property being more particularly described as Parcel 2 as shown on that certain Parcel Map for YCH, recorded in Volume 102, Page 46 of Merced County Records; also known as Assessor's Parcel Number (APN) 206-030-018; and,

**WHEREAS**, the Merced City Planning Commission concurs with Findings/Considerations A through K (Exhibit B) of Staff Report #20-17; and,

**WHEREAS**, the Merced City Planning Commission concurs with the Findings for Conditional Use Permits in Merced Municipal Code Section 20.68.020 (E), and Findings for Tentative Subdivision Map in Merced Municipal Code 18.16.080 (F), and other Considerations as outlined in Exhibit B; 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 Finding of 15162 regarding Environmental Review #20-11, and approve Conditional Use Permit #1244 and Tentative Subdivision Map #1313, 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:

NOES:

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

Page 2

August 19, 2020

ABSENT:

ABSTAIN:

Adopted this 19<sup>th</sup> day of August 2020

\_\_\_\_\_  
Chairperson, Planning Commission of  
the City of Merced, California

ATTEST:

\_\_\_\_\_  
Secretary

Attachment:

Exhibit A – Conditions of Approval

Exhibit B - Findings

**Conditions of Approval**  
**Planning Commission Resolution # \_\_\_\_\_**  
**Vesting Tentative Subdivision Map #1313 and Conditional Use Permit**  
**#1244**

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (Proposed Vesting Tentative Map at Attachment B) and Exhibit 2 (Development Standards at Attachment C), and as modified by the conditions of approval within this resolution.
2. All conditions contained in *Resolution #1175-Amended ("Standard Tentative Subdivision Map Conditions")* shall apply. 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. The Project shall comply with all applicable conditions set forth in the resolutions for Annexation No. 190 (Fahrens Creek North Annexation) and Expanded Initial Study #01-32 previously approved for this site.
5. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
6. Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, street lights, parks and open space. CFD procedures shall be initiated before final map approval. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
7. 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 (with counsel selected by the City), 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 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.

8. 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.
9. All public improvements shall be provided as required by the City Engineer along Monaco Drive, El Redondo, and Horizons Avenue, as well as the new cul-de-sacs. All improvements shall meet City Standards.
10. 10) A 7-foot-high concrete block wall shall be installed along El Redondo Drive and Horizons Avenue. The wall shall be treated to allow easy removal of graffiti or the developer shall plant fast-growing vines to cover the wall to deter graffiti.
11. Landscaping shall be provided along El Redondo Drive/Horizons Avenue between the block wall and the sidewalk. This strip of land shall be dedicated to the City and maintained through the Community Facilities District during the Final Map stage, as required by the City Engineer.
12. The applicant shall dedicate interior street rights-of-way and all necessary easements as needed for irrigation, utilities, drainage, landscaping, and open space during the Final Map stage as required by the City Engineer.
13. Fire hydrants shall be installed along the street frontage to provide fire protection to the area. The hydrants shall meet all City of Merced standards



and shall comply with all requirements of the City of Merced Fire Department. Final location of the fire hydrants shall be determined by the Fire Department.

14. All undeveloped areas shall be maintained free of weeds and debris.
15. Street names shall be approved by the City Engineer.
16. Compliance with the “corner visual triangle” provisions of MMC 20.30.030 is required for corner lots, and may result in the applicant constructing smaller homes on these lots or increasing the front yard setbacks.
17. Valley Gutters may be installed in this subdivision per City standards.
18. Rolled curbing may be installed in this subdivision consistent with City Standard Design ST-1, as approved by the City Engineer.
19. At the building permit stage, the site plans for each lot shall include a minimum 3-foot by 6-foot concrete pad located in the side yard or backyard for the storage of 3 refuse containers. A paved access to the street from this pad shall be provided.
20. 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 \$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.
21. The applicant shall provide a minimum 30 inches of coverage between the top of the sewer line and the surface of the street, or as required by the City Engineer.
22. The cul-de-sacs shall be designed with a minimum 48-foot radius to meet City Fire Department Standards.
23. Floor plans and elevations for the single-family homes shall require a Site Plan Review approval.
24. Pedestrian access at the end of each cul-de-sac to establish a direct pedestrian path to the future commercial developments to the north, is not required but it is encouraged. Gates may be installed as long as public access is still maintained. If pedestrian access is included with this project, details would be worked out with staff during the building permit stage.

25. The project shall comply with all the Post Construction Standards required to comply with State requirements for the City's Phase II MS-4 Permit (Municipal Separate Storm Sewer System).
26. Sewer manholes shall be installed at the center of the new courts (cul-de-sacs).
27. To utilize the storm drain basin located southeast of the subject site (Assessor's Parcel Number 206-030-012), the developer shall provide all required calculations to the Engineering Department.
28. The water line shall include a loop system designed as required by the Public Works Department, unless otherwise approved by the City Engineer.
29. A temporary turnaround shall be installed along El Redondo Drive. The turnaround shall be designed as required by the City Engineer. Frontage improvements shall be required up to the end of where the project site terminates along El Redondo Drive (the end of Lot 13 as shown at Attachment B of Planning Commission Staff Report #20-17), even if the temporary turnaround is installed south of this area near Lots 7 and 8.
30. The applicant shall comply with the Traffic Study Mitigation Table shown at Attachment F of Planning Commission Staff Report #20-17, except as modified by the conditions.
31. The developer shall install missing roadway improvements as determined by the City Engineer for the western portion El Redondo Drive, between Monaco Drive and Avignon Drive (unless installed first by the Lantana West subdivision on Assessor's Parcel Number 206-030-021). The missing surface improvements along the eastern portion of El Redondo Drive, between Monaco Drive and Pettinotti Road (future extension) shall be installed by the developer to meet the City Standard 74-foot-wide Collector Road, to include surface improvements to the centerline, 12-foot-wide paved lane, and a 4-foot-wide bench on the west side of the centerline. The developer shall utilize slip rock to provide drainage in this area, as required by the City Engineer.
32. The developer shall install missing or deteriorated roadway improvements as determined by the City Engineer for the northern and southern portions of Monaco Drive, between El Redondo Drive and Horizons Avenue.
33. Monaco Drive may be designed to be an "Alternative Collector Road" per City Standard ST-2D.

**Findings and Considerations**  
**Planning Commission Resolution # \_\_\_\_\_**  
**Tentative Subdivision Map #1313 and Conditional Use Permit #1244**

**FINDINGS/CONSIDERATIONS:**

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

- A) The proposed development complies with the General Plan designation of Village Residential (VR) and the Zoning Classification of Planned Development (P-D) #50.

The proposed Tentative Subdivision Map, with conditions of approval, will help achieve the following General Plan land use policies:

Policy L-1.5: Protect existing neighborhoods from incompatible developments.

Policy L-1.6: Continue to pursue quality single-family residential development.

Policy L-1.8: Create livable and identifiable residential neighborhoods.

Policy L-9: Ensure connectivity between existing and planned urban areas.

It should also be noted that the applicants have applied for a Site Plan Review Permit for 248 apartment units on 13.5 acres at the northeast corner of Monaco Drive and Horizons Avenue, which is also designated Village Residential. This 18.37 dwelling unit per acres development will bring the overall density in the VR area up to the required average of 10 dwelling units per acre.

**Traffic/Circulation**

- B) It is anticipated that the proposal would generate approximately 985.71 Average Daily Trips (ADT) based on an average daily rate of 9.57 trips per dwelling unit. The subject would be accessed via a collector street, Monaco Drive (Attachment B of Planning Commission Staff Report #20-17) which connects with other collector streets, El Redondo Drive and Horizons Avenue. The traffic generated by this subdivision should not exceed the current and projected capacity for the surrounding street system as the area was designed to accommodate a higher density of residential units (up to 30 dwelling units per acre, compared to the proposed 7 dwelling units per acre). Improvements would need to be installed to connecting streets such El Redondo Drive, Monaco Drive, and Horizons Avenue to ensure residents have a direct path to the nearest developed major arterial road, Yosemite Avenue (Conditions #31 and #32 of Planning Commission Staff Report #20-17). In addition, the developer shall install the public improvements shown at Attachment F of Planning Commission Staff Report #20-17 which includes paying their fair share contributions towards traffic signals, re-timing existing

traffic signals, and paying fair share contributions towards future roads improvements.

The right-of-way widths of the new cul-de-sacs would be 49 feet (even though Attachment B of Planning Commission Staff Report #20-17 shows 48 feet), including 5.5 feet on each side of the street to accommodate sidewalks. This meets the City's right-of-way requirement for local streets. However, the cul-de-sac bulb needs to have a minimum 48-foot-radius to accommodate Fire engine/refuse truck turning radius (Condition #22 of Planning Commission Staff Report #20-17).

### **Site Design**

- C) The subdivision is designed with homes along the interior of the cul-de-sacs with direct access to Monaco Drive. Concrete block walls would be installed along El Redondo Drive and Horizons Avenue, with landscaping along the walls (Condition #10 of Planning Commission Staff Report #20-17).

At the moment, the applicant is not proposing any specific floor plans, site plans, or elevations. Prior to constructing the homes, they will be required to obtain a Site Plan Review Permit so that the Site Plan Review Committee may review the aesthetics and emergency accessibility of the homes. Attachment C of Planning Commission Staff Report #20-17 shows the proposed parameters, or development standards for the Planning Commission's consideration. The proposed development standards include a front yard setback of 15 feet, a garage setback of 20 feet, side yard setbacks of 5 feet and 10 feet (different for corner lots), a maximum building height of 40 feet (and maximum of 3 stories), maximum lot coverage of 60%, and a minimum parking requirement of 2 stalls. The proposed development standards are consistent with other developed subdivisions within the City which includes the Highland Park subdivision (behind the Merced Marketplace), the Horizons at Compass Pointe subdivision (at the southeast corner of El Redondo Drive and Pacific Drive), the Sunrise at Compass Pointe subdivision (at the northwest and northeast corner of Pacific Drive and Horizons Avenue), the Bellevue Ranch West Village 2 subdivision (at the southwest and southeast corners of Bancroft Drive and W. Cardella Road), and the Paseo subdivision (at northwest corner of Bellevue Road and G Street).

### **Municipal Code Compliance - Tentative Subdivision Map Requirements**

- D) Per Merced Municipal Code (MMC) Section 18.16.080 – Information Required, a tentative subdivision map shall include all of the requirements shown at Attachment D of Planning Commission Staff Report #20-17. Said requirements include stating the location of the subject site, the name of the subdivision, and showing the layout of the proposed lots. MMC 18.16.090 – Required Statement, requires the applicant to provide a statement that explicitly states any deviations from tentative subdivision map requirements, standard drawings, or Zoning laws. In this case, the applicant is not requesting any deviations from City

requirements. MMC 18.16.100 - Public Hearing – Generally, requires a public hearing to review and approve a tentative subdivision map in conformance with the Subdivision Map Act. Per the California Environmental Quality Act a public hearing notice was mailed to property owners within 300 feet of the subject site and published in a qualifying newspaper, Merced County Times, three weeks prior to this meeting. In addition, staff reached out to local utility companies, local school districts, and other relevant government agencies to solicit comments. Staff did not receive any comments regarding this application.

### **Elevations**

- E) The applicant is not providing elevations at this moment. They would like to proceed with the tentative subdivision map process, and provide elevations at a later time when they are prepared to submit an application for Final Map approval. At that time, they would like to submit elevations for review and propose an exterior design and floor plan. The developer would be required to submit said plans for review and approval from the Site Plan Review Committee. The Site Plan Review Committee would review the plans to ensure they meet the development standards approved by the Planning Commission (at Attachment C of Planning Commission Staff Report #20-17), to confirm compliance with Fire Department standards, and ensure that the architecture is of high quality that provide a variety of colors, textures, materials, and building forms. Staff would also review the elevations to confirm that they meet the Zoning Ordinance’s minimum design standards for single-family homes as shown under Merced Municipal Code 20.46 – Residential Design Standards (Attachment E of Planning Commission Staff Report #20-17).

### **Public Improvements/Services**

- F) All public improvements will be necessary for the new street and lots. All utilities are available in the area.

*Sanitary Sewer* collection, treatment, and disposal will be provided by the City.

*Storm Drainage and Streetscape:* Storm drainage collection, retention and discharge shall conform to City Standards and be subject to Engineering Department approval.

*Public Safety Costs:* In response to significant growth in Merced without a corresponding increase in the General Fund and other revenues, the City Council adopted public facilities impact fees in 1998 and also established a requirement for Community Facilities Districts (Condition #6 of Planning Commission Staff Report #20-17) to help fund roadway, police, fire, and park infrastructure to help fund operating costs for police and fire services.

There are several areas surrounding the site that are missing infrastructure. The photographs at Attachment G of Planning Commission Staff Report #20-17 depict some of the missing infrastructure surrounding the site or near the site.

Some of this infrastructure needs to be installed in order to connect the project site to the existing street network, even though some of these areas not fronting the project site. For example, the portion of El Redondo Drive, between Monaco Drive and Avignon Drive, does not contain complete roadways. If this development is constructed prior to Lantana West subdivision, or any other fronting project(s) fronting this site, the applicant would be responsible for installing the complete road (not sidewalk or streetlights) and be in position to be reimbursed by other developers fronting this site if they develop within 15 years per City Code requirements. In addition, the southern portion Monaco Drive, between El Redondo Drive and Horizons Avenue, has roadway that is either deteriorated or needs to be completed. Should the developer desire to use this existing roadway, the Public Works Department would need to assess the road conditions to determine if this infrastructure can be salvaged or need to be redone completely. Conditions #31, #32, and #33 address these issues.

### **Schools**

- G) The Project site falls within the jurisdiction of the Merced City School District (elementary and middle schools) and the Merced Union High School District (MUHSD). Students from the subdivision would attend elementary schools, middle schools, and the high school surrounding the area. School fees per State law requirements are considered to be full mitigation for the impacts on schools from new development.

### **Parking**

- H) Merced Municipal Code Section 20.40.B.2 – Small Lot Single-Family Homes Development Standards and Guidelines, recommends that small lots provide a minimum of 2 onsite parking stalls (with at least one being covered) setback at least 20 feet from the front property line. Typically, single-family homes require a minimum of 1 parking stall. However, because small lots tend to be narrower, driveway curb cuts will occupy a larger percentage of the lot frontage resulting in less on-street parking. To compensate for the reduction in street parking, the Zoning Ordinance recommends that small lots have at least 2 onsite parking stalls. As part of the development standards shown at Attachment C of Planning Commission Staff Report #20-17, the Sage Creek subdivision would require at least 2 onsite parking stalls and a 20-foot-long driveway for backing space.

### **Conditional Use Permit Required Findings**

- I) Section 20.68.020 sets forth specific Findings that must be made in order for the Planning Commission to approve a Conditional Use Permit. These Findings are provided below.

1. *The proposed use is consistent with the purpose and standards of the zoning district, the General Plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

As described under Finding A of Planning Commission Staff Report #20-17, the project meets the requirements of the General Plan. This area is

designated as Village Residential in the Fahrens Creek North Specific Plan as well.

2. *The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.*

There are existing single-family homes to the south across Monaco Drive, but the remaining parcels surrounding the site are currently undeveloped. The parcels to the east and west of the site are designated for Village Residential (VR) which is intended for high density residential uses ranging between 7 and 30 dwelling units per acre. Based on the proposed density for the Sage Creek subdivision (approximately 7 dwelling units per acres), this proposal would generally be consistent with future developments to the east and west. The parcel to the north is designated Office Commercial (CO) and Neighborhood Commercial (CN). To improve connectivity with those future developments, staff is recommending that a walking path would be installed at the ends of the courts to provide a direct pedestrian path to these commercial sites (Condition #24 of Planning Commission Staff Report #20-17).

At the moment, the applicant is not proposing any specific floor plans, site plans, or elevations. Prior to constructing the homes the developer will be required to obtain a Site Plan Review Permit so that the Site Plan Review Committee may review the aesthetics and functionality of the homes. Attachment C of Planning Commission Staff Report #20-17 show the proposed parameters, or development standards for Planning Commission consideration. The proposed development standards show a front yard setback of 15 feet, a garage setback of 20 feet, side yard setbacks of 5 feet and 10 feet (different for corner lots), a maximum building height of 40 feet (and 3 stories), maximum lot coverage of 60%, and a minimum of 2 parking stalls. With the implementation of the proposed conditions of approval and the conditions approved with this request, the proposed project would be required to be in compliance with the design standards single-family dwellings (MMC Sections 20.46.230). The proposed project meets the minimum design and zoning standards. Therefore, with the implementation of the conditions of approval, the proposed project would not interfere with the enjoyment of the existing and future land uses in the vicinity.

3. *The proposed use will not be detrimental to the public health, safety, and welfare of the City.*

The proposed subdivision does not include any uses that would be detrimental to the public health, safety, and welfare of the City. The project would be required to be annexed into the City's Community Facilities District to pay for costs related to police and fire safety (Condition #6 of Planning Commission Staff Report #20-17). Implementation of the conditions of approval and adherence to all Building and Fire Codes, and City Standards

would prevent the project from having any detrimental effect on the health safety, and welfare of the City.

4. *The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure.*

The project site is an in-fill site surrounded by residential uses. The project would be adequately served by the City's water and sewer systems. Through the implementation of the conditions of approval, the project would be adequately served by the City's sewer and storm water systems. Additionally, the project would be required to pay Public Facilities Impact Fees to help pay for future improvements needed to the City's infrastructure.

#### **Public Facilities Impact Fee Program**

- J) The section of Cardella Road from Highway 59 to R Street is not included the City's current Public Facilities Financing Impact Fee Program for road improvements (albeit traffic signals are included). The developer would be responsible for paying their fair share contribution towards road improvements in this area, as shown at Attachment F. However, if in the future, the City updates the Public Facilities Impact Fee Program to include Cardella Road from Highway 59 to R Street, the developer would be able to apply their impact fees to meet their mitigation obligations instead of paying their fair share contribution for road improvements in this area.

#### **Environmental Clearance**

- K) Infill projects over 5 acres require an Initial Study, per the California Environmental Quality Act (CEQA). An Initial Study includes a wide range of analysis required by the State covering an array of subjects including, but not limited to impacts on traffic, biological resource, public services, cultural resources, utilities, etc. Per CEQA, a future developer may utilize an existing adopted Initial Study, through what is known as a Section 15162 Findings, if the new project is consistent with Zoning/General Plan, and if the scope of the new project is equal to or lesser than the previous project studied and approved for this site.

Planning staff conducted an environmental review of the project in accordance with the requirements of CEQA, and concluded that Environmental Review #20-11 is a second tier environmental document, based upon the City's determination that the proposed development remains consistent with the current General Plan and provision of CEQA Guidelines, Section 15162 (Initial Study #20-11 for CUP #1244 and TSM #1313). A Copy of the Section 15162 Findings can be found at Attachment H of Planning Commission Staff Report #20-17.