

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #18-08

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: April 4, 2018

PREPARED BY: Julie Nelson,
Associate Planner

SUBJECT: **Vesting Tentative Subdivision Map #1306 (“Stone Ridge South”)**, initiated by Golden Valley Engineering, applicant for Biltmore Financial, Inc., property owner. This application involves the subdivision of approximately 29.75 acres of an approximately 39.7-acre parcel into 160 single-family lots. This property is generally located approximately 620 feet east of G Street between Winder Avenue and Mission Avenue, within Planned Development (P-D) #58 and has a General Plan Designation of Village Residential (VR). *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #18-07 (CEQA Section 15162 Findings)
- 2) Vesting Tentative Subdivision Map #1306

SUMMARY

The project site is located between Winder and Mission Avenues approximately 620 feet east of G Street (Attachment A). The proposed subdivision would subdivide approximately 29.75 acres of the 39.7 acre parcel into 160 single-family lots (Attachment B). A multi-family development is expected to be constructed on the remaining 10 acres in the future.

The project site is zoned Planned Development (P-D) #58 and has a General Plan designation of Village Residential (VR). The VR designation allows a range of densities and dwelling types as long as the average minimum density is 10 dwelling units per acre. The proposed development provides for 5 dwelling units per gross acre which is below the minimum density of 10 dwelling units per acre, but because the requirement is for an average, the future multi-family development would bring the total development into compliance with the minimum density.

The subdivision proposes a mixture of lot sizes ranging from 3,733 square feet to 6,554 square feet (refer to the Tentative Map provided at Attachment B). The table below shows the mixture of lot sizes:

Number of Lots	Lot Size (S.F)
1	3,733
57	4,057 to 4,999
83	5,000 to 5,878
19	6,056 to 6,554

Planning staff along with the other City staff including the Engineering and Fire Departments, have reviewed the project and recommend approval subject to the conditions below.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #18-07 (CEQA Section 15162 Findings) and Tentative Subdivision Map #1306 (including the adoption of the Resolution at Attachment E) subject to the following conditions:

- *1) The proposed project shall be constructed/designed as shown on Exhibit 1 (Vesting Tentative Subdivision Map), -- Attachment A of Planning Commission Staff Report #18-08, except as modified by the conditions.
- *2) All conditions contained in "Standard Tentative Subdivision Map Conditions" 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 the conditions set forth in Resolution #2808 for the Mission Avenue Annexation and all conditions of the Pre-Annexation Development Agreement for the Mission Annexation (Pre-Annexation #04-03) previously approved for this project including all applicable mitigation measures.
- *5) All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
- *6) 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.
- *7) 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.

- *8) 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.
- *9) A secondary access road for emergency vehicle access shall be provided with the first phase of construction. The secondary access shall be approved by the City of Merced Fire Department.
- *10) A permanent emergency vehicle access shall be installed at the end of "I" Court as shown on Vesting Tentative Subdivision Map (VTSM) #1306. The access road shall meet all Fire Department requirements.
- *11) All cul-de-sac bulbs shall have a minimum diameter of 96 feet and shall be posted as "no parking" in compliance with Fire Department Standards adopted by Merced Municipal Code Section 17.32.
- *12) All public improvements shall be provided along all new roadways and any damaged or missing improvements along Winder and Mission Avenues within the project area's frontage shall be repaired/replaced as required by the City Engineer.
- *13) Developer shall construct full public improvements including, but not limited to, curb and gutter, pavement, sidewalk and one drive approach per lot, street lights, landscaping, and utilities on all new streets within the subdivision and on Winder Avenue. A minimum 10-foot-wide landscape strip and block wall shall be installed along Winder Avenue.
- *14) Developer shall coordinate with the City Engineer on the construction of Mission Avenue. Mission Avenue shall ultimately be constructed to the full 128-foot width plus a minimum 10-foot-wide landscape strip along the block wall. At the discretion of the City Engineer, security in the form of cash or surety bond may be substituted for the actual construction of the required improvements.
- *15) Fire hydrants shall be installed along street frontages 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.
- *16) 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).
- *17) All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
- *18) No residential driveways shall front on any arterial or collector street.

- *19) The project shall comply with all requirements of the California Building Code and all flood requirements of the Federal Emergency Management Agency (FEMA). All necessary documentation related to the construction of the residential uses shall be provided at the building permit stage.
- *20) All mechanical equipment shall be screened from public view.
- *21) Dedication by Final Map of all interior street rights-of-way and all necessary easements will be made as shown on Vesting Tentative Subdivision Map #1306 and as needed for irrigation, utilities, drainage, landscaping, and open space.
- *22) All landscaping shall comply with State Water Resources Control Board Resolution No. 2015-0032 “To Adopt an Emergency Regulation for Statewide Urban Water Conservation” or the most recent water regulations adopted by the State and City addressing water conservation measures. If turf is proposed to be installed in park strips, high quality artificial turf (approved by the City Engineer and Development Services Director) shall be installed. All irrigation provided to street trees or other landscaping shall be provided with a drip irrigation or micro-spray system and shall comply with the City’s Water Efficient Landscape Ordinance (MMC Section 20.36.030).
- *23) Prior to final inspection of any home, all front yards and side yards exposed to public view shall be provided with landscaping to include, ground cover, trees, shrubs, and irrigation in accordance with Merced Municipal Code Section 20.36.050. Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State’s Emergency Regulation for Statewide Urban Water Conservation or any other state or City mandated water regulations dealing with the current drought conditions. All landscaping shall comply with the City’s Water Efficient Landscape Ordinance (MMC Section 20.36.030).
- *24) All entryway and subdivision signs shall be administratively approved by Planning Staff prior to the issuance of a building permit.
- *25) Traffic control signs, street markings, and striping shall be as directed by the City Engineer.
- *26) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- *27) Provide all utility services to each lot, including sanitary sewer, water, electric power, gas, telephone, and cable television. All new utilities are to be undergrounded.
- *28) Install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
- *29) Developer shall provide construction plans and calculations for all landscaping and public maintenance improvements. All such plans shall conform to City standards and meet approval of the City Engineer.

- *30) Per Mitigation Measure 11.1 of Expanded Initial Study (EIS) #04-13 for the Mission Annexation area, the applicant shall provide a noise attenuation study prepared by an acoustical engineer to show that the noise levels within this development meet the City's adopted noise level standards. This study shall be provided prior to the construction of Phase 5 of the development.
- *31) Per Mitigation Measure 3-a of Expanded Initial Study #04-13 for the Mission Annexation area, a survey shall be conducted for special status species prior to the disturbance of potentially suitable habitat. All surveys shall be conducted in accordance with applicable state and federal guidelines.
- *32) Per Mitigation Measures 15.1, 15.3, 15.4, 15.5, and 15.6 of Expanded Initial Study #04-13 for the Mission Annexation area, a fee of \$1,002.61 shall be collected with each building permit issued within this subdivision to cover the costs of traffic improvements identified in EIS #04-13.
- *33) The future apartment complex to the east of the proposed subdivision shall be developed at a density high enough to provide an average minimum density of 10 units per acre for the entire 39.7 acre parcel.
- *34) Prior to building permits being issued, all building elevations shall be approved by Planning Staff. The building facades shall be of high-quality design providing varied elevations and color schemes.
- 35) Traffic calming measures, as approved by the City Engineer, shall be installed in the north/south street connecting Winder and Mission Avenues.
- 36) No driveways shall be allowed on the north-south street connecting Winder and Mission Avenue. All driveways shall be placed on the cul-de-sac streets.
- 37) The storm drain basin shall be constructed per City Standards and as approved by the City Engineer with Phase One of construction. All discharge from the basin shall be approved by the Merced Irrigation District and the City of Merced.
- 38) A minimum 10-foot-wide landscape strip shall be provided along Mission Avenue and Winder Avenue. This landscape strip shall be included in the public right-of-way and dedicated to the City of Merced.
- 39) A 6-foot tall block wall shall be installed along Mission Avenue and Winder Avenue. The wall on Winder Avenue shall be installed with Phase One and the wall on Mission Avenue shall be installed no later than Phase 5.
- 40) A two-way stop sign stopping northbound and southbound traffic shall be installed at the intersection of Winder Avenue and La Habra Street. Improvements on Mission Avenue shall extend across the project frontage as well as the frontage of the "Remainder" parcel.
- 41) Mission Avenue is an arterial roadway and shall be eligible for reimbursement as provided for in Section 17.62 of the Merced Municipal Code.

- 42) 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.
- 43) All utilities shall be extended across the full frontage of the subdivision property in Winder Avenue and looped to Mather Road.
- 44) Landscaping and irrigation details shall be provided by the applicant with final maps for each phase and are subject to approval by the City.

(*) Denotes non-discretionary conditions.

PROJECT DESCRIPTION

The project site is located between Mission and Winder Avenues east of G Street. The proposed project would subdivide approximately 29.55 acres into 160 single family lots. The layout of the subdivision includes an extension of La Habra Street running north and south connecting Winder Avenue to Mission Avenue. Ten cul-de-sac streets would branch off of La Habra Street (extended) with five cul-de-sacs to the east and five to the west). Condition #36 prohibits driveways on the north-south street (La Habra Street extended).

Surrounding uses are noted at Attachment A.

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	Single-Family Dwellings (across Winder Avenue)	Single-Family R-1-5	Low Density Residential (LD)
South	Single-Family Dwellings & Vacant Land (across Mission Avenue)	County	County (outside the City's SOI/SUDP)
East	Single Family Dwellings	Urban Transition (U-T)	Low Density Residential (LD)
West	Farmdale School	P-D #58	School

BACKGROUND

The project site was part of the Mission Avenue Annexation which was approved by the City Council on April 4, 2005. Currently, there is a house and barn on the site. These structures would be demolished to make way for the proposed subdivision.

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of Village Residential (with the implementation of Condition #33) and the zoning designation of Planned Development (P-D) #58.

The proposed subdivision would achieve the following General Plan Land Use Policies:

L-1.2 Encourage a diversity of building types, ownership, prices, designs, and site plans for residential areas throughout the City.

L-1.3 Encourage a diversity of lot sizes in residential subdivisions.

L-1.6 Continue to pursue quality single-family and higher density residential development.

L-1.8 Create livable and identifiable residential neighborhoods.

Traffic/Circulation

- B) The subdivision is bounded by Winder Avenue (a Collector Street) to the north and Mission Avenue (an Arterial Street) to the south. The proposed local street (La Habra Street extended) would connect Winder Avenue to Mission Avenue and provide access to each cul-de-sac. A 22-foot-wide emergency vehicle access (EVA) is provided from the end of I Court to Mission Avenue to provide a secondary access for emergency vehicles.

Staff expressed concern regarding the extension of La Habra Street as a straight roadway connecting Mission and Winder Avenues. Due to the location of the school to the west of the proposed subdivision, staff feels it is likely that La Habra Street (extended) will be highly traveled during the hours before school starts and when school lets out. It's also likely that vehicles will travel at speeds higher than what would normally be safe within a residential neighborhood. Therefore, staff recommends some type of traffic calming measures be implemented to help mitigate this concern. Condition #35 requires the developer to work with the City Engineer to determine what type of traffic calming measures would be implemented.

In order to meet the Fire Department standards for cul-de-sac bulbs, the diameter of each bulb shall be a minimum of 96 feet. Additionally, there shall be no parking allowed on the cul-de-sac bulbs (see Condition #11).

Mission Avenue will eventually be widened to the full width of 128 feet. Because the City will be doing other improvements in the area in the future, it is uncertain at this point how much of Mission Avenue would have to be constructed at this point. Condition #14 gives discretion to the City Engineer to determine if the road would be constructed with the subdivision or if security in the form of cash or surety bonds would be provided to cover the subdivision's responsibility for the improvements. Because the City will be undertaking future projects in the area, the City Engineer wants to coordinate the construction between the City and the developer to ensure the improvements are installed in the most cost-efficient manner. However, it should be noted that as an arterial roadway, the developer would be eligible for reimbursement for the construction of Mission Avenue in accordance with the City's Public Facility Financing Plan (PFFP).

Public Improvements/City Services

- C) As part of the annexation of this area, several mitigation measures were adopted to address traffic impacts from future development. Some of the improvements required by these mitigation measures have been installed and some are still required as development in the

area progresses. In order to fund these future improvements, a fee of \$1,002.61 is required at the issuance of each building permit. The funds collected will be used to fund the improvements described in Appendix F Amended of Expanded Initial Study #04-13 found at Attachment C.

As described above, Winder Avenue as well as all internal streets would be constructed with this subdivision. Mission Avenue would be constructed at the City Engineer's discretion.

The area is currently served by the City's sewer and water facilities and sufficient capacity is available to serve the subdivision. All improvements are required to be installed per City Standards.

Building Design

- D) Because this site has a Planned Development zoning designation (P-D #58), the building design and elevations shall be approved by the Planning Staff. Condition #34 requires approval of the design and elevations prior to issuance of a building permit for this subdivision.

Site Design

- E) Four of the five cul-de-sacs on the west side of La Habra Street (extended) (Courts A, C, E, and G,) are approximately 450 feet long allowing for 20 lots on each cul-de-sac. The longest cul-de-sac in the subdivision (I Court) is approximately 740 feet long with 28 lots. On the east side of the subdivision Courts B, D, F, and H are approximately 320 feet long with 12 lots on each street. The street leading to the drainage basin in the northeast corner of the site would only have 4 lots and be approximately 122 feet long.

Landscaping

- F) Each lot within the subdivision shall be provided with front yard landscaping in compliance with Zoning Ordinance Section 20.36.050 which states that all required exterior setback areas, excluding areas required for access to the property to be landscaped.

The developer shall install a minimum 10-foot-wide landscape strip along Mission and Winder Avenues. Conditions #13, #14, #22 and #23 address the landscaping requirements for the right-of-way areas and the landscaping on each individual lot.

Neighborhood Impact/Interface

- G) There are residential uses to the north and east of the site within the city limits. Across Mission Avenue, there are a few homes that are outside the city limits in the County's jurisdiction. To the west is Farmdale School. Refer to the location map at Attachment A for reference.

The density of the proposed subdivision is in keeping with the surrounding neighborhoods and is not expected to disrupt the residential feel of the area. The additional traffic created

by the subdivision should not disrupt the existing neighborhood as the traffic would be primarily on G Street, or La Habra Street, or Mission or Winder Avenue which bypasses the majority of the homes in the area.

The width of Winder and Mission Avenues [74 feet and 128 feet (ultimately)] provides sufficient distance between the existing residences and the proposed subdivision to mitigate noise impacts. The homes on Mather Road to the east are all set back from the subdivision by approximately 100 feet or more.

Public hearing notices were sent out to all property owners within 300 feet of the site. To date, staff has not received any comments or concerns from the neighborhood.

Land Use/Density Issues

- H) The proposed subdivision would provide a density of 5 units per acre based on the gross acreage of the site. The density would be slightly more for the net acreage. However, the Village Residential (VR) General Plan designation requires a minimum of 10 dwelling units per acres. The City can allow a lower density in one area if the density for the overall area designated Village Residential meets the minimum density requirements. Therefore, the future apartment complex would need to provide a high enough density to meet the minimum density of 10 units per acre for the entire Village Residential area (approximately 39.7 acres). Condition #33 requires the future apartment project to meet this requirement.

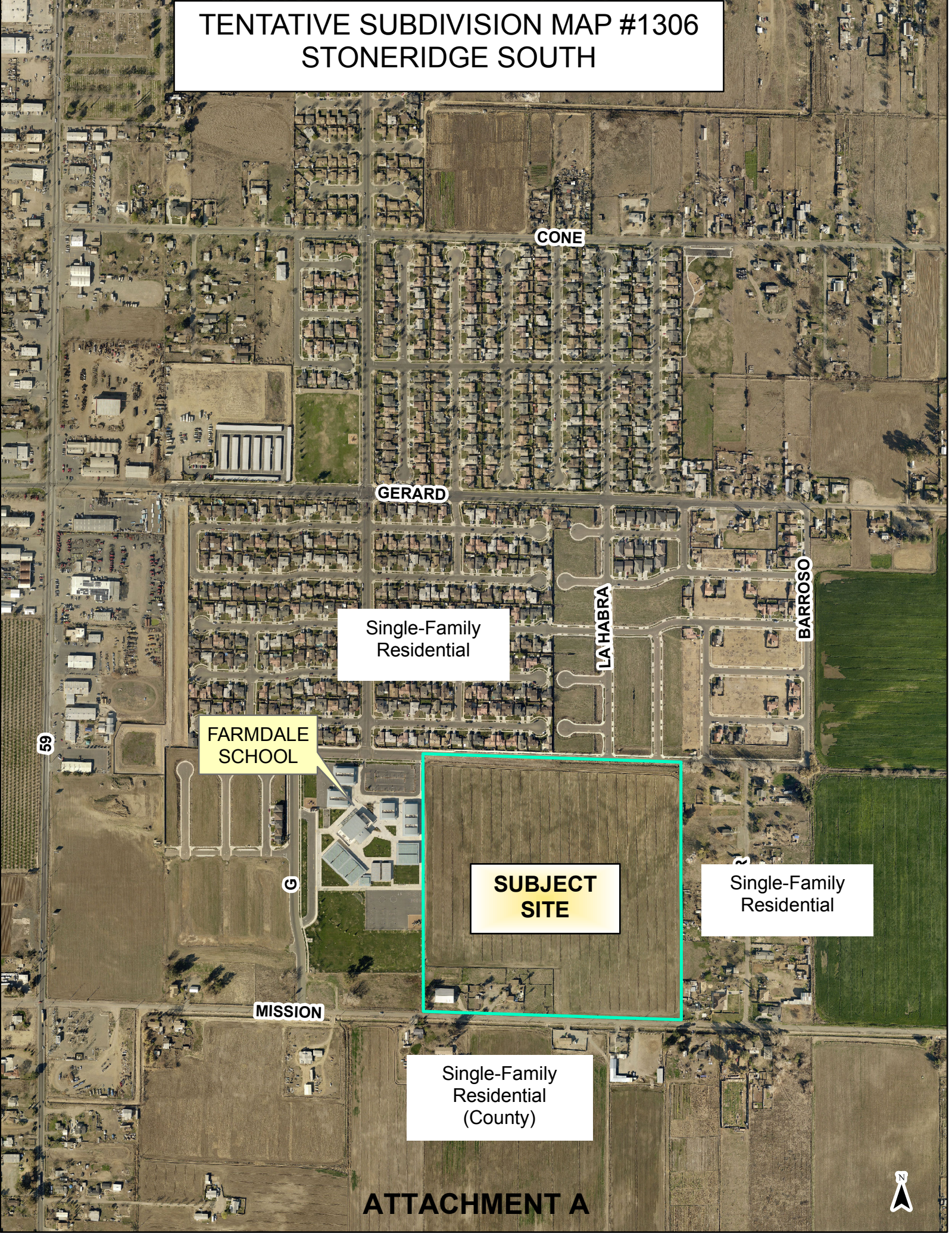
Environmental Clearance

- I) The Planning staff has conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and concluded that Environmental Review #18-07 is a second tier environmental document, based upon the City's determination that the proposed development remains consistent with the current general plan and provisions of CEQA Guidelines, Section 15162 (Expanded Initial Study #04-13 for the Mission Avenue Annexation). A copy of the Section 15162 Findings can be found at Attachment D.

Attachments:

- A) Location Map
- B) VTSM #1306 – Stone Ridge South
- C) Appendix F of Initial Study #04-13
- D) CEQA Section 15162 Findings
- E) Draft Planning Commission Resolution

TENTATIVE SUBDIVISION MAP #1306
STONERIDGE SOUTH



CONE

GERARD

Single-Family Residential

FARMDALE SCHOOL

LA HABRA

BARROSO

SUBJECT SITE

Single-Family Residential

MISSION

Single-Family Residential (County)



**EXPANDED INITIAL STUDY #04-13
 for
 MISSION AVENUE ANNEXATION TO THE
 CITY OF MERCED**

***Appendix F Amended (January 17, 2006)**
 Mitigation Fees***

MITIGATION FEES

Appendix F is to be used in conjunction with Section 15 (Transportation and Traffic) of the Mitigation Monitoring Program (Appendix A) for the Mission Avenue Annexation Project. While Appendix F lists specific mitigation fee amounts, Appendix A specifies who pays and collects the fee as well as a description of when it is paid and collected.

TABLE F-1				
Transportation Related Mitigation Fees of the Mission Avenue Annexation Project				
Improvement	Dwelling Unit	School	Neighborhood Commercial	Manufacturing - Warehousing
Hwy 59 / Childs	\$30.76	\$1,600	\$13,200	\$2,800
Hwy 59 / Gerard	\$77.88	\$7,350	\$34,650	\$6,300
Hwy 59 / Mission	\$61.25	\$1,820	\$37,310	\$7,280
Hwy 59 Widening	\$823.11	\$43,580	\$370,430	\$76,265
Childs / "G" Street	\$9.61	\$400	\$2,200	\$400
TOTALS	918.14 (formerly) new fee \$1,002.61	54,750	457,790	93,045

** The purpose of this administrative amendment is to update the "Dwelling Unit" fee due to the change in the overall number of dwelling units in the Mission Avenue Annexation area. The original Appendix F was based on a unit count of 795 units whereas more recent data based on tentative map submittals indicate approximately 728 dwelling units. Whereas the overall cost has not changed, the fee per dwelling unit has increased due to the smaller number of units.

TABLE F-2
Cumulative Fair Share Cost Allocation (Post Impact Fee Reimbursement)

Improvement	Total Cost	-	Impact Fee Reimbursement	=	Project Share	X	Cumulative Impact	=	Project Fair Share Cost
59 / Childs Signal	500,000	-	250,000	=	250,000	X	16%	=	40,000
Childs/G Signal	250,000	-	125,000	=	125,000	X	8%	=	10,000
59/Gerard Signal	500,000	-	125,000	=	375,000	X	28%	=	105,000
59/Mission Signal	600,000	-	250,000	=	350,000	X	26%	=	91,000
59 Widening	4,035,200	-	0	=	4,035,200	X	27%	=	1,089,500

1. Site Improvement Name: **Signal at Childs and "G" Street**

2. Estimated Total Cost (subject to change with Caltrans review): \$250,000

3. Project Fair Share Cost (from Table 3): 10,000

	Data Category	Residential Units ¹	School ²	Neigh - Commercial ¹	General Commercial ¹
4	Total Peak Trips	260	21	81	15
5	Fair Share %	70%	4%	22%	4%
6	Fair Share Cost (multiply #5 and #3).	\$7,000	\$400	\$2,200	\$400
7	Cost Per DU (#6 divided by total number of DU, which is 728)	\$9.61	NA	NA	NA

1. Site Improvement Name: **Signal at 59 and Gerard Street**

2. Estimated Total Cost (subject to change with Caltrans review): \$500,000

3. Project Fair Share Cost (from Table 3): 105,000

	Data Category	Residential Units ¹	School ²	Neigh - Commercial ¹	General Commercial ¹
4	Total Peak Trips	505	83	310	59
5	Fair Share %	54%	7%	33%	6%
6	Fair Share Cost (multiply #5 and #3).	\$56,700	\$7,350	\$34,650	\$6,300
7	Cost Per DU (#6 divided by total number of DU, which is 728)	\$77.88	NA	NA	NA

1. Site Improvement Name: Signal at 59 and Mission Street					
2. Estimated Total Cost (subject to change with Caltrans review): \$600,000					
3. Project Fair Share Cost (from Table 3): 91,000					
	Data Category	Residential Units¹	School²	Neigh - Commercial₁	General Commercial₁
4	Total Peak Trips	452	ADT43	ADT382	ADT73
5	Fair Share %	49%	2%	41%	8%
6	Fair Share Cost (multiply #5 and #3).	\$44,590	\$1,820	\$37,310	\$7,280
7	Cost Per DU (#6 divided by total number of DU, which is 728)	\$61.25	NA	NA	NA

1. Site Improvement Name: Signal at 59 and Childs					
2. Estimated Total Cost (subject to change with Caltrans review): \$700,000					
3. Project Fair Share Cost (from Table 3): 40,000					
	Data Category	Residential Units¹	School²	Neigh - Commercial₁	General Commercial₁
4	Total Peak Trips	428	43	252	48
5	Fair Share %	56%	4%	33%	7%
6	Fair Share Cost (multiply #5 and #3).	\$22,400	\$1,600	\$13,200	\$2,800
7	Cost Per DU (#6 divided by total number of DU, which is 728)	\$30.76	NA	NA	NA

1 PM Peak Hour Trips
 2 AM Peak Hour Trips

1. Site Improvement Name: 59 Roadway Widening					
2. Estimated Total Cost (subject to change with Caltrans review): \$4,000,000					
3. Project Fair Share Cost (from Table 3): 1,089,500					
	Data Category	Residential Units	School	Neigh - Commercial	General Commercial
4	Total Peak Trips	445	44	277	53
5	Fair Share %	55%	4%	34%	7%
6	Fair Share Cost (multiply #5 and #3).	\$599,225	\$43,580	\$370,430	\$76,265
7	Cost Per DU (#6 divided by total number of DU, which is 728)	\$823.11	NA	NA	NA

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

Application: Tentative Subdivision Map #1306 – Environmental Review #18-07

Assessor Parcel Number or Location: Assessor’s Parcel Number (APN): 259-130-018

Previous Initial Study/EIR Reference: This site was previously reviewed through Expanded Initial Study #04-13 for Mission Avenue Annexation.

Original Project Date: The Expanded Initial Study was approved by Resolution #2005-46 by the Merced City Council on April 4, 2005

Section A - Previous Studies

- | | | |
|--|--------------------------|-------------------------------------|
| | Yes | No |
| 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 project is consistent with the previous environmental review. No substantive changes are proposed.

- | | | |
|--|--------------------------|-------------------------------------|
| | Yes | No |
| 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 environmental review. 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.

- | | | |
|---|--------------------------|-------------------------------------|
| | Yes | No |
| 3. New information of substantial importance that was not known and could not have been known 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 environmental review 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. | Yes
<input type="checkbox"/> | No
<input checked="" type="checkbox"/> |
| B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration.. | Yes
<input type="checkbox"/> | No
<input checked="" type="checkbox"/> |
| 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. | Yes
<input type="checkbox"/> | No
<input checked="" type="checkbox"/> |
| D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental review would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. | Yes
<input type="checkbox"/> | No
<input checked="" type="checkbox"/> |

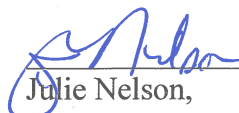
Comment/Finding: All previously identified mitigation measures will be enforced with this project including payment of Public Facility Impact Fees. Therefore, the resulting impacts are no greater than those previously analyzed and the previously imposed mitigation measures remain sufficient to address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

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

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | 1. It is found that subsequent negative declaration will need to be prepared. |
| <input type="checkbox"/> | 2. It is found that an addendum Negative Declaration will need to be prepared. |
| <input type="checkbox"/> | 3. That a subsequent EIR will need to be prepared. |
| <input checked="" type="checkbox"/> | 4. No further documentation is required. |

Date: March 9, 2018

Prepared By:



 Julie Nelson,
 Associate Planner

CITY OF MERCED
Planning Commission

Resolution # _____

WHEREAS, the Merced City Planning Commission at its regular meeting of April 4, 2018, held a public hearing and considered **Vesting Tentative Subdivision Map #1306 (“Stone Ridge South”)**, initiated by Golden Valley Engineering, applicant for Biltmore Financial, Inc., property owner. This application involves the subdivision of approximately 29.75 acres of an approximately 39.7-acre parcel into 160 single-family lots and dedicating approximately 6.4 acres of land for a future park. This property is generally located approximately 620 feet east of G Street between Winder Avenue and Mission Avenue, within Planned Development (P-D) #58 and has a General Plan Designation of Village Residential (VR); also known as Assessor’s Parcel No. (APN) 259-130-018; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through I of Staff Report #18-08; and,

NOW THEREFORE, after reviewing the City’s Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby find that the previous environmental review (Expanded Initial Study #04-13 for the Mission Avenue Annexation) remains sufficient and no further documentation is required (subsequent EIR/ND 15162 Findings), and approve Vesting Tentative Subdivision Map #1306, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

Upon motion by Commissioner _____ seconded by Commissioner _____, and carried by the following vote:

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

PLANNING COMMISSION RESOLUTION # _____

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April 4, 2018

Adopted this 4th day of April 2018

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Attachment:

Exhibit A – Conditions of Approval

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Conditions of Approval
Planning Commission Resolution # _____
Vesting Tentative Subdivision Map # 1306

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (Vesting Tentative Subdivision Map), -- Attachment A of Planning Commission Staff Report #18-08, except as modified by the conditions.
2. All conditions contained in "Standard Tentative Subdivision Map Conditions" 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 the conditions set forth in Resolution #2808 for the Mission Avenue Annexation and all conditions of the Pre-Annexation Development Agreement for the Mission Annexation (Pre-Annexation #04-03) previously approved for this project including all applicable mitigation measures.
5. All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
6. 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.

7. 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.
8. 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.
9. A secondary access road for emergency vehicle access shall be provided with the first phase of construction. The secondary access shall be approved by the City of Merced Fire Department.
10. A permanent emergency vehicle access shall be installed at the end of "T" Court as shown on Vesting Tentative Subdivision Map (VTSM) #1306. The access road shall meet all Fire Department requirements.
11. All cul-de-sac bulbs shall have a minimum diameter of 96 feet and shall be posted as "no parking" in compliance with Fire Department Standards adopted by Merced Municipal Code Section 17.32.
12. All public improvements shall be provided along all new roadways and any damaged or missing improvements along Winder and Mission Avenues within the project area's frontage shall be repaired/replaced as required by the City Engineer.
13. Developer shall construct full public improvements including, but not limited to, curb and gutter, pavement, sidewalk and one drive approach per lot, street lights, landscaping, and utilities on all new streets within the subdivision and on Winder Avenue. A minimum 10-foot-wide landscape strip and block wall shall be installed along Winder Avenue.

14. Developer shall coordinate with the City Engineer on the construction of Mission Avenue. Mission Avenue shall ultimately be constructed to the full 128-foot width plus a minimum 10-foot-wide landscape strip along the block wall. At the discretion of the City Engineer, security in the form of cash or surety bond may be substituted for the actual construction of the required improvements.
15. Fire hydrants shall be installed along street frontages 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.
16. 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).
17. All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
18. No residential driveways shall front on any arterial or collector street.
19. The project shall comply with all requirements of the California Building Code and all flood requirements of the Federal Emergency Management Agency (FEMA). All necessary documentation related to the construction of the residential uses shall be provided at the building permit stage.
20. All mechanical equipment shall be screened from public view.
21. Dedication by Final Map of all interior street rights-of-way and all necessary easements will be made as shown on Vesting Tentative Subdivision Map #1306 and as needed for irrigation, utilities, drainage, landscaping, and open space.
22. All landscaping shall comply with State Water Resources Control Board Resolution No. 2015-0032 "To Adopt an Emergency Regulation for Statewide Urban Water Conservation" or the most recent water regulations adopted by the State and City addressing water conservation measures. If turf is proposed to be installed in park strips, high quality artificial turf (approved by the City Engineer and Development Services Director) shall be installed. All irrigation provided to street trees or other landscaping shall be provided with a drip irrigation or micro-spray system and shall comply with the City's Water Efficient Landscape

Ordinance (MMC Section 20.36.030).

23. Prior to final inspection of any home, all front yards and side yards exposed to public view shall be provided with landscaping to include, ground cover, trees, shrubs, and irrigation in accordance with Merced Municipal Code Section 20.36.050. Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State's Emergency Regulation for Statewide Urban Water Conservation or any other state or City mandated water regulations dealing with the current drought conditions. All landscaping shall comply with the City's Water Efficient Landscape Ordinance (MMC Section 20.36.030).
24. All entryway and subdivision signs shall be administratively approved by Planning Staff prior to the issuance of a building permit.
25. Traffic control signs, street markings, and striping shall be as directed by the City Engineer.
26. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
27. Provide all utility services to each lot, including sanitary sewer, water, electric power, gas, telephone, and cable television. All new utilities are to be undergrounded.
28. Install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
29. Developer shall provide construction plans and calculations for all landscaping and public maintenance improvements. All such plans shall conform to City standards and meet approval of the City Engineer.
30. Per Mitigation Measure 11.1 of Expanded Initial Study (EIS) #04-13 for the Mission Annexation area, the applicant shall provide a noise attenuation study prepared by an acoustical engineer to show that the noise levels within this development meet the City's adopted noise level standards. This study shall be provided prior to the construction of Phase 5 of the development.
31. Per Mitigation Measure 3-a of Expanded Initial Study #04-13 for the Mission Annexation area, a survey shall be conducted for special status species prior to the disturbance of potentially suitable habitat. All

surveys shall be conducted in accordance with applicable state and federal guidelines.

32. Per Mitigation Measures 15.1, 15.3, 15.4, 15.5, and 15.6 of Expanded Initial Study #04-13 for the Mission Annexation area, a fee of \$1,002.61 shall be collected with each building permit issued within this subdivision to cover the costs of traffic improvements identified in EIS #04-13.
33. The future apartment complex to the east of the proposed subdivision shall be developed at a density high enough to provide an average minimum density of 10 units per acre for the entire 39.7 acre parcel.
34. Prior to building permits being issued, all building elevations shall be approved by Planning Staff. The building facades shall be of high-quality design providing varied elevations and color schemes.
35. Traffic calming measures, as approved by the City Engineer, shall be installed in the north/south street connecting Winder and Mission Avenues.
36. No driveways shall be allowed on the north-south street connecting Winder and Mission Avenue. All driveways shall be placed on the cul-de-sac streets.
37. The storm drain basin shall be constructed per City Standards and as approved by the City Engineer with Phase One of construction. All discharge from the basin shall be approved by the Merced Irrigation District and the City of Merced.
38. A minimum 10-foot-wide landscape strip shall be provided along Mission Avenue and Winder Avenue. This landscape strip shall be included in the public right-of-way and dedicated to the City of Merced.
39. A 6-foot tall block wall shall be installed along Mission Avenue and Winder Avenue. The wall on Winder Avenue shall be installed with Phase One and the wall on Mission Avenue shall be installed no later than Phase 5.
40. A two-way stop sign stopping northbound and southbound traffic shall be installed at the intersection of Winder Avenue and La Habra Street. Improvements on Mission Avenue shall extend across the project frontage as well as the frontage of the "Remainder" parcel.

41. Mission Avenue is an arterial roadway and shall be eligible for reimbursement as provided for in Section 17.62 of the Merced Municipal Code.
42. 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.
43. All utilities shall be extended across the full frontage of the subdivision property in Winder Avenue and looped to Mather Road.
44. Landscaping and irrigation details shall be provided by the applicant with final maps for each phase and are subject to approval by the City.