

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

**STAFF REPORT: #18-16**

**AGENDA ITEM: 4.1**

**FROM:** Kim Espinosa,  
Planning Manager

**PLANNING COMMISSION**  
**MEETING DATE: Aug. 8, 2018**

**PREPARED BY:** Julie Nelson,  
Associate Planner

**CITY COUNCIL**  
**MEETING DATE: Sept. 17, 2018**  
**(Tentatively)**

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**SUBJECT:** **General Plan Amendment #18-01, Site Utilization Plan Revision #13 to Planned Development (P-D) #42, and Vesting Tentative Subdivision Map #1307**, initiated by Benchmark Engineering, on behalf of Baxter Ranches, LLC, property owner. The application is a request to change the General Plan designation for approximately 5.58 acres of land at the southwest corner of M Street and Arrow Wood Drive from Open Space/Park (OS) to Low-Medium Density Residential (LMD) to allow the construction of 43 single-family lots and to change the General Plan designation for approximately 5 acres of land located west of M Street and north of Arrow Wood Drive from Low-Medium Density Residential (LMD) to Open Space/Park (OS). The Site Utilization Plan Revision would change the land use designation for the 5.58 acres at M Street and Arrow Wood Drive from “Park” to “Single-Family Residential” and change the designation for the approximately 5.0 acres west of M Street and north of Arrow Wood Drive from “Single-Family Residential” to “Park.” Vesting Tentative Subdivision Map #1307 would allow the subdivision of the 5.58 acres located at the southwest corner of M Street and Arrow Wood Drive into 43 single-family lots. \*PUBLIC HEARING\*

**ACTION:** PLANNING COMMISSION:

Recommendation to City Council

- 1) Environmental Review #18-44 (CEQA Section 15162 Findings)
- 2) General Plan Amendment (GPA) #18-01
- 3) Site Utilization Plan (SUP) Revision #13 to Planned Development (P-D) #42

Approve/Disapprove/Modify

- 1) Vesting Tentative Subdivision Map #1307 (subject to City Council’s approval of GPA #18-01 and SUP Rev #13)

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #18-44 (CEQA Section 15162 Findings)
- 2) General Plan Amendment (GPA) #18-01
- 3) Site Utilization Plan (SUP) Revision #13 to Planned Development (P-D) #42

## **SUMMARY**

This application involves two project sites – 1) the southwest corner of M Street and Arrow Wood Drive (extended); and 2) the southeast corner of Freemark Drive (extended) and the future Catherine A. Hostetler Boulevard (Attachment A). Site #1 (Lot A) is currently designated as Open Space/Park (OS) on the General Plan Land Use Map and Site #2 is currently designated as Low-Medium Density Residential (LMD). The property owner is requesting to swap the land use designations for the properties. That is, the land use designation for Lot A would be changed to Low-Medium Density Residential (LMD) and the designation for Site #2 would be changed to Open Space/Park (OS) (Attachment B). The same changes are proposed for the Site Utilization Plan (SUP) for Planned Development (P-D) #42 which would change the designation for Lot A from Park to Single Family Residential and the designation for Site #2 would be changed from Single Family Residential to Park (Attachment C). Lot A is approximately 5.58 acres and Site #2 is approximately 5.0 acres. The new location for the park would place it adjacent to the designated school site (Attachment B) instead of across the street from the school site.

In addition to the land use changes, the property owner is requesting approval of Vesting Tentative Subdivision Map (VTSM) #1307 for Lot A which would allow the property to be subdivided into 43 single family lots (Attachment D). The majority of the lots would be between 4,520 square feet and 5,200 square feet. However, one lot is 7,670 square feet. This subdivision would be adjacent to and an extension of the tentative subdivision for Bellevue Ranch West, Village 12 (Attachment E).

Below are two sets of conditions - one for the General Plan Amendment and Site Utilization Plan Revision and another for the Vesting Tentative Subdivision map (some of the standard conditions may be duplicated). Staff is recommending approval of all the applications. If the Vesting Tentative Subdivision Map is approved by the Planning Commission, it would be subject to the approval of the General Plan Amendment and Site Utilization Plan Revision being approved by City Council.

## **RECOMMENDATION**

Planning staff recommends that the Planning Commission recommend approval of Environmental Review #18-44 (CEQA Section 15162 Findings), General Plan Amendment #18-01 and Site Utilization Plan Revision #13 to Planned Development (P-D) #42 (including the adoption of the Resolution at Attachment K), and approve Vesting Tentative Subdivision Map #1307 (including the adoption of the Resolution at Attachment L) subject to the following conditions:

### **Conditions for General Plan Amendment and Site Utilization Plan Revision #13 to P-D #42**

- \*1) The General Plan designation shall be changed from Open Space/Park (OS) to Low-Medium Density Residential (LMD) for Lot A and changed from Low-Medium Density Residential (LMD) to Open Space/Park for 5 acres located at the southeast corner of the

future Catherine A Hostetler Boulevard and Freemark Avenue (extended) as shown on Exhibit A. The Site Utilization Plan for Planned Development (P-D) #42 shall be modified to change the designation from Park to Single-Family Residential for Lot A and from Single-Family Residential to Park for the 5 acres located at the southeast corner of the future Catherine A Hostetler Boulevard and Freemark Avenue (extended), also shown on Exhibits 1 and 2 - Attachments B and C.

- \*2) All previously adopted conditions, mitigation measures, and guiding principles contained in Appendices D, E, and F of the Bellevue Ranch Master Development Plan (BRMDP) adopted by the Merced City Council on May 15, 1995, which are applicable to this project, shall apply to this tentative map and all subsequent final maps, improvement plans, building permits, and discretionary approvals.
- \*3) All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
- \*4) Approval of the General Plan Amendment and Site Utilization Plan Revision is subject to the applicant's entering into a written (developer) agreement that they agree to all the conditions and shall pay all City and school district fees, taxes, and/or assessments, in effect on the date of any subsequent subdivision and/or permit approval, any increase in those fees, taxes, or assessments, and any new fees, taxes, or assessments, which are in effect at the time the building permits are issued, which may include public facilities impact fees, a regional traffic impact fee, Mello-Roos taxes—whether for infrastructure, services, or any other activity or project authorized by the Mello-Roos law, etc. Payment shall be made for each phase at the time of building permit issuance for such phase unless an Ordinance or other requirement of the City requires payment of such fees, taxes, and or assessments at an earlier or subsequent time. Said agreement to be approved by the City Council prior to the adoption of the ordinance, resolution, or minute action.
- \*5) 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.

- \*6) 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.
  - \*7) The new park site shall be dedicated by separate deed for "Park Purposes."
  - \*8) The dedication of Lot A as a park shall be vacated by the City. The applicant shall submit an application to the Planning Department to initiate this process.
  - \*9) The new park site at the southeast corner of Freemark Avenue and Catherine A Hostetler Blvd. shall be dedicated for park use by a separate document. This shall occur either prior to or simultaneously with the recordation of the City's vacation of Lot A.
  - \*10) Street frontage improvements, including curb, gutter, sidewalks, and park strips for the new park site at the southeast corner of Catherine A Hostetler Boulevard and Freemark Avenue shall be installed with the construction of Lot 17-C (consistent with the approval of Tentative Map #1308 for Bellevue Ranch West).
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Conditions for Vesting Tentative Subdivision Map #1307

- \*1) The proposed project shall be constructed/designed as shown on Exhibit 1 (VTSM #1307), - Attachment D, except as modified by the conditions.
- \*2) The approval of the VTSM #1307 is subject to City Council approval of General Plan Amendment #18-01 and Site Utilization Plan Revision #13 to P-D #42 and will not become effective until the date of the City Council approval.
- \*3) All conditions contained in Resolution #1175-Amended ("Standard Tentative Subdivision Map Conditions") shall apply.
- \*4) The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
- \*5) All previously adopted conditions, mitigation measures, and guiding principles contained in Appendices D, E, and F of the Bellevue Ranch Master Development Plan (BRMDP) adopted by the Merced City Council on May 15, 1995, which are applicable to this project, shall apply to this tentative map and all subsequent final maps, improvement plans, building permits, and discretionary approvals.
- \*6) All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
- \*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) Should any conflicts arise between the tentative map conditions contained herein and those conditions, mitigation measures, and guiding principles contained in the BRMDP, Appendices D, E, and F, or any other pertinent Sections/Appendices of the BRMDP, said conditions, mitigation measures, guiding principles, and sections/appendices shall take precedence.
- \*10) All public improvements shall be provided along all new roadways and any damaged or missing improvements along M Street within the project area's frontage shall be repaired/replaced.
- \*11) 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.
- \*12) 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.
- \*13) Unless another funding mechanism is put into place, a fee of \$861 per dwelling unit shall be collected at time of building permit issuance to fund the future construction of the bridge at Fahrens Creek and Bellevue Road. This fee is in addition to all other permit and impact fees.
- \*14) Prior to recordation of a final map, the dedication of Lot A as a park shall be vacated by the City. The applicant shall submit an application to the Planning Department to initiate this process.

- \*15) 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).
- \*16) 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.
- \*17) Prior to the recording of a final map, proper documentation shall be provided to the satisfaction of the City Engineer, showing how storm water will be managed on the site and directed to the City's storm water system. Storm water shall be collected on-site and metered into the City's system. The developer shall provide calculations to confirm there is capacity in the existing storm water system to serve the proposed project. If there is not sufficient capacity, the developer shall provide an alternative to using the existing lines and drainage basin.
- \*18) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- \*19) 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).
- \*20) 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.
- \*21) Install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
- \*22) 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.
- \*23) Per the BRMDP, all exterior building materials shall consist of stucco, masonry, or architectural grade wood siding, and roofing materials shall consist of tile, wood shake (with acceptable fire rating), and architectural composition shingles.
- \*24) The building facades shall be of high quality design providing varied elevations and color schemes. All designs shall be consistent with the requirements of the BRMDP and Planned Development (P-D) #42.
- \*25) 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.

- \*26) All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
- \*27) All garages shall have a minimum setback of 20 feet measured from the property line or back of sidewalk, whichever is closest to the front of the garage. Per the BRMDP, the setback for the living area portion of the house may be reduced to 15 feet and shall also be measured from the property line or back of sidewalk, whichever is closest to the living area portion of the house. Lot coverage shall not exceed 45% for all lots 6,000 square feet or larger and 55% for lots less than 6,000 square feet.
- \*28) All mechanical equipment shall be screened from public view.
- \*29) No residential driveways shall front any arterial or collector street.
- \*30) A 6-foot-tall masonry wall and a minimum 10-foot-wide landscape strip shall be installed along M Street and Arrow Wood Drive consistent with the requirements of the Bellevue Ranch Master Development Plan.

(\* ) Denotes non-discretionary conditions.

**PROJECT DESCRIPTION**

The proposed project involves changing the General Plan land use designation and Site Utilization Plan designation for Lot A (approximately 5.5 acres) located at the southwest corner of M Street and Arrow Wood Drive (extended) from Open Space/Park (OS) to Low-Medium Density Residential (LMD). Additionally, approximately 5 acres of land located generally at the southeast corner of the future Catherine A Hostetler Boulevard and Freemark Avenue (extended) would be changed from LMD to OS.

The change in the land use would allow the subdivision of Lot A into 43 single-family lots. This subdivision would be adjacent to Village 12 that was approved by the Planning Commission in 2016. The land use change would allow the park to be adjacent to the school site on the north side of Arrow Wood Drive (extended) (Attachment B).

Surrounding Uses  
(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	Vacant Land	P-D #42	Low Density Residential (LD)/Low Medium Density Residential (LMD)/ School (SCH)
South	Residential	P-D #42	Low Density Residential
East	Residential	P-D #42	Low Density Residential
West	Vacant	P-D #42	Open Space/Park (OS-P)

## **BACKGROUND**

The Bellevue Ranch Master Development Plan (BRMDP) was approved by the City Council in 1995. The BRMDP provided a vision and standards for the development of a 1,385-acre area that would include commercial, transit, and low and high density residential uses (Attachment F). In 1996, Tentative Subdivision Map (TSM) #1213 (Attachment G) was approved subdividing approximately 801 acres within the Bellevue Ranch MDP area into 2,063 individual parcels (including the project site). Subsequently, Final Subdivision Maps were recorded for all of the lots east of M Street (Bellevue Ranch East) and a portion of the lots west of M Street (Bellevue Ranch West). However, in 2006, the Tentative Map expired, requiring a new map to be approved for any area that had not obtained Final Map approval.

*Existing Development in Bellevue Ranch:* There are approximately 1,016 single family lots in Bellevue Ranch East and approximately 469 single-family lots currently in Bellevue Ranch West, with another 242 approved with Village 12 in 2016. Of the existing lots in Bellevue Ranch East and West, approximately 932 lots (roughly 54%) have houses on them or are currently under construction.

As mentioned above, in 2016, the Planning Commission approved Village 12 in Bellevue Ranch West (Attachment E). Lot A as shown on the map for Village 12 was dedicated to the City as a Park with the recordation of the Final Map for Bellevue Ranch West, Village 12, Phase 1.

*Standards and Guiding Principles:* As part of the approval of the Bellevue Ranch Master Development Plan (BRMDP), Final Conditions of Approval and Final Guiding Principles were adopted that continue to apply to new developments within the Master Development Plan Area. The MDP provided standards for the location of single-family dwellings as well as General Development Guidelines for the development and siting of the homes on individual lots. Section 2.8.1 provides details on density, lot size, lot configurations, and setbacks for single-family homes (Attachment H).

There are also a number of Mitigation Measures adopted as part of the Bellevue Ranch Environmental Impact Report (EIR) that would apply to all developments within the MDP area. This project would be required to comply with all previous approvals that are applicable to this project (Condition #5).

*Off-Site Infrastructure:* The BRMDP includes a Minor Phasing Plan that lists off-site infrastructure such as bridges, roads, and traffic signals to be installed with different phases. Lot A is located within Minor Phase 12 (commonly referred to as “Village 12”). Site #2 is located within Minor Phase 17. The BRMDP requires certain improvements to be done with each phase of development. The minor phasing plan (referred to as Table 6.1, Attachment I) adopted as part of the BRMDP area calls for infrastructure to be installed in sequential order of the phases of development. The infrastructure required with the previous phases of development has been installed.

## **FINDINGS/CONSIDERATIONS:**

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

- A) If the General Plan Amendment is approved, the proposed land use designation changes would comply with the General Plan designations of Low-Medium Density Residential and Open Space/Park. If the Site Utilization Plan Revision is approved, the project would

have the zoning designation of Planned Development (P-D) #42. The Vesting Tentative Subdivision Map would also comply with the General Plan and Zoning if the General Plan Amendment and Site Utilization Plan Revision are approved.

The project would help achieve the following General Plan Goals and Policies:

Policy L-1.5	<u>Protect existing neighborhoods from incompatible developments.</u>
Policy L-1.6	<u>Continue to pursue quality single-family development.</u>
Policy L-1.8	<u>Create livable and identifiable residential neighborhoods.</u>
Policy OS-3.1	<u>Provide High-Quality Park and Open Space Facilities to Serve the Needs of a Growing Population.</u>

#### Implementing Actions

3.1.d – Continue to encourage joint use agreements between the City and local school districts to combine the design and use of park and school facilities when feasible.

3.1.e – Use the City’s Park Dedication Ordinance to develop the City’s park system.

b) Parks should be located adjacent to schools as much as feasible.

#### Traffic/Circulation

B) Lot A is located at the southwest corner of M Street and Arrow Wood Drive. The internal streets proposed with the subdivision of Lot A would be accessed from the local roads constructed as part of the Village 12 subdivision. The subdivision of Lot A would include extending and connecting roads that were previously approved with Village 12.

Site #2, the proposed Park site, would have access from the future Catherine A Hostetler Boulevard and Freemark Avenue. When Village 17 is subdivided and developed, a local road would front the park on the southwest side of the site.

According to the Institute of Traffic Engineers (ITE) Manual, detached single-family dwellings are estimated to generate 9.57 trips per unit on a weekday. Therefore, the proposed subdivision would generate 369 average daily trips (ADT’s). Vehicle trips generated by the proposed project were accounted for in the Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan, and were the basis for the required road improvement projects listed in the BRMDP mitigation measures and conditions of approval. Construction of planned project roadways, payment of Public Facility Impact Fees, payment of a portion of the cost of construction for the Bellevue Road bridge at Fahrens Creek, and implementation of the Infrastructure Phasing Plan (Table 6.1) for the BRMDP will adequately mitigate the project’s traffic impacts.

#### Public Improvements/City Services

C) Lot A Subdivision: Development of Lot A would include the installation of all internal streets, sidewalks, utilities, etc. The construction of Arrow Wood and M Street were required with the approval of Village 12. Additionally, all other infrastructure required by the BRMDP was required as part of the development of Village 12. Therefore, Lot A has no additional requirements other than to pay a fee toward the cost of the Fahrens Creek bridge on Bellevue Road unless another financing mechanism is in place prior to building

permits being issued for this subdivision (refer to Condition #13 of the conditions for VTSM #1307).

- D) Proposed Park Site: Street improvements for the park site would be required at the time Village 17 is subdivided (Condition #11 of the conditions for the General Plan Amendment and Site Utilization Plan Revision). This is consistent with the approval of the large lot tentative map for Bellevue Ranch West. Condition #10 requires the developer provide turf and irrigation for the park.
- E) Water/Sewer Supply: The City has sufficient water supply and sewer capacity to serve the proposed 43-lot subdivision. Existing services being constructed for Village 12 would be extended into the Lot A Subdivision.
- F) Storm Drainage: Storm water would be directed to the existing storm drain system (a 54-inch pipe exists in Freemark Avenue) and delivered to the existing drainage basin to the south at the northwest corner of Freemark Avenue and Cardella Road. Condition #17 requires the developer to provide documentation as needed by the City Engineer to confirm sufficient capacity exists in the existing storm drain system. Condition #15 requires the project to adhere to the City's Post Construction Standards required to comply with state requirements for the City's Phase II MS-4 Permit (Municipal Separate Storm Sewer System).
- G) Bellevue Bridge at Fahrens Creek: Staff has determined that each remaining development within the Bellevue Ranch area south of Bellevue Road has a financial obligation towards the construction of the Bellevue Road Bridge over Fahrens Creek. This improvement is planned to be installed with Village 21, the commercial property on the south side of Bellevue Road. Staff determined the fair-share fee is \$861.00 per dwelling unit. However, staff is currently working with the developer to develop an alternate plan to fund the bridge and other large infrastructure items. If an alternate plan is developed and approved by the City Council, this per lot fee would no longer be required (Condition #13).

### **Building Design**

- H) All homes constructed within this subdivision would be required to meet all development standards identified by the BRMDP. The BRMDP approves the following exterior building materials: stucco, masonry, or architectural grade wood siding. Approved roofing materials include tile, wood shake (with acceptable fire rating), and architectural composition shingles (Condition #23). The building facades shall be of high quality design providing varied elevations and color schemes. All designs shall be consistent with the requirements of the BRMDP and Planned Development (P-D) #42 (Condition #24).

### **Site Design**

- I) The proposed subdivision consists of an extension of the roads within Village 12. There is a short north/south road and an east/west road that would connect to the street network being constructed for Village 12. The proposed lots within the subdivision would be consistent in size with those within the rest of Village 12 ranging in size from approximately 4,300 square feet to approximately 7,600 square feet. Per the BRMDP, standard single family lots shall be a minimum of 4,000 square feet. Therefore, this proposal is in compliance with this requirement.

Individual lots would be required to meet the setback requirements set forth in the BRMDP which requires a 20-foot setback from the public street right-of-way for all garages, but allows the setback for the living area to be reduced to 15 feet (refer to the diagram at Attachment H and Condition #27).

### **Park/School**

- J) The developer is currently working with the Merced City School District on the acquisition of the designated school site on the north side of Arrow Wood Drive at M Street. The relocation of the park site from the south side of Arrow Wood Drive to north of Arrow Wood Drive, adjacent to the school would achieve the policies and implementing actions described in Finding A. Ideally, the City prefers to have parks and schools adjacent to each other. Although the proposed park site is approximately 0.5 acres smaller than the existing park site, being able to have a joint use facility with the school would help make up that difference. Additionally, the better location adjacent to the school helps to offset the slight difference in size.

### **Neighborhood Impact/Interface**

- K) The proposed subdivision is adjacent to a single-family subdivision to the south and east (across M Street). Vacant land exists to the north and south (refer to the location map at Attachment A). The proposed use is consistent with the surrounding development and is consistent with the Bellevue Ranch Master Development Plan. There are no land uses adjacent to the new proposed park site.

Public hearing notices were sent out to all property owners within 300 feet of both sites. As of the writing of this report, staff had one phone call inquiring about the development, but no opposition to the development has been voiced.

### **Environmental Clearance**

- L) 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 #16-02 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 [Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH #9212055)]. A copy of the Section 15162 Findings can be found at Attachment J.

### **Attachments:**

- A) Location Map
- B) Proposed General Plan Land Use Designations
- C) Proposed Changes to Site Utilization Plan
- D) VTSM #1308 – Lot A
- E) TSM for BRW V 12
- F) BRMDP Area
- G) TSM #1213 for BR

- H) Section 2.8.1 of BRMDP
- I) Table 6.1 of BRMDP
- J) CEQA Section 15162 Findings
- K) Draft Planning Commission Resolution for GPA and SUP Revision
- L) Draft Planning Commission Resolution for VTSM #1307

Ref: *N:\SHARED\PLANNING\STAFFREP\SR2018\SR 18-16 - GPA #18-01\_SUP REv #13 to P-D #42\_VTSM #1307 (BRW).docx*





BELLEVUE

VACANT COMMERCIAL

VACANT COMMERCIAL

VACANT MULTI-FAMILY RESIDENTIAL

COUNTY

Proposed New Park Site

Lot A - Proposed Subdivision

SINGLE FAMILY RESIDENTIAL

SINGLE FAMILY RESIDENTIAL

CARDELLA

MERCED COLLEGE

City Limit

ATTACHMENT A





# GENERAL PLAN LAND USE CHANGES

High Density Residential

High Density Residential

GENERAL PLAN:  
Change from Low-Medium Density Residential (LMD) to Open Space/Park (OS) (Approximately 5.0 Acres)

Low-Medium Density Residential

Future School

Low-Medium Density Residential

Low Density Residential

GENERAL PLAN:  
Change from OpenSpace/Park (OS) to Low-Medium Density Residential (LMD) (Approximately 5.58 Acres)

ARROW WOOD





# Proposed Site Utilization Plan Revision

High Density Residential

High Density Residential

SITE UTILIZATION PLAN:  
Change from Single-Family Residential to Park (Approximately 5.0 Acres)

Low-Medium Density Residential

Future School

Low-Medium Density Residential

Low Density Residential

SITE UTILIZATION PLAN:  
Change from Park to Single Family Residential (Approximately 5.58 Acres)

SITE UTILIZATION PLAN:  
Change from Park to Single Family Residential (Approximately 5.58 Acres)

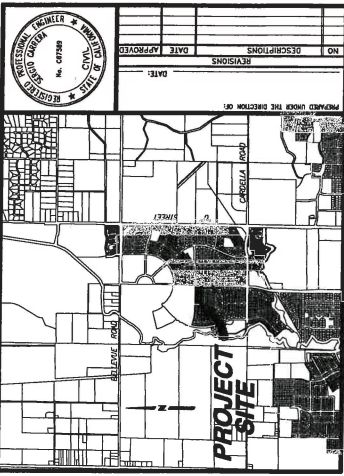
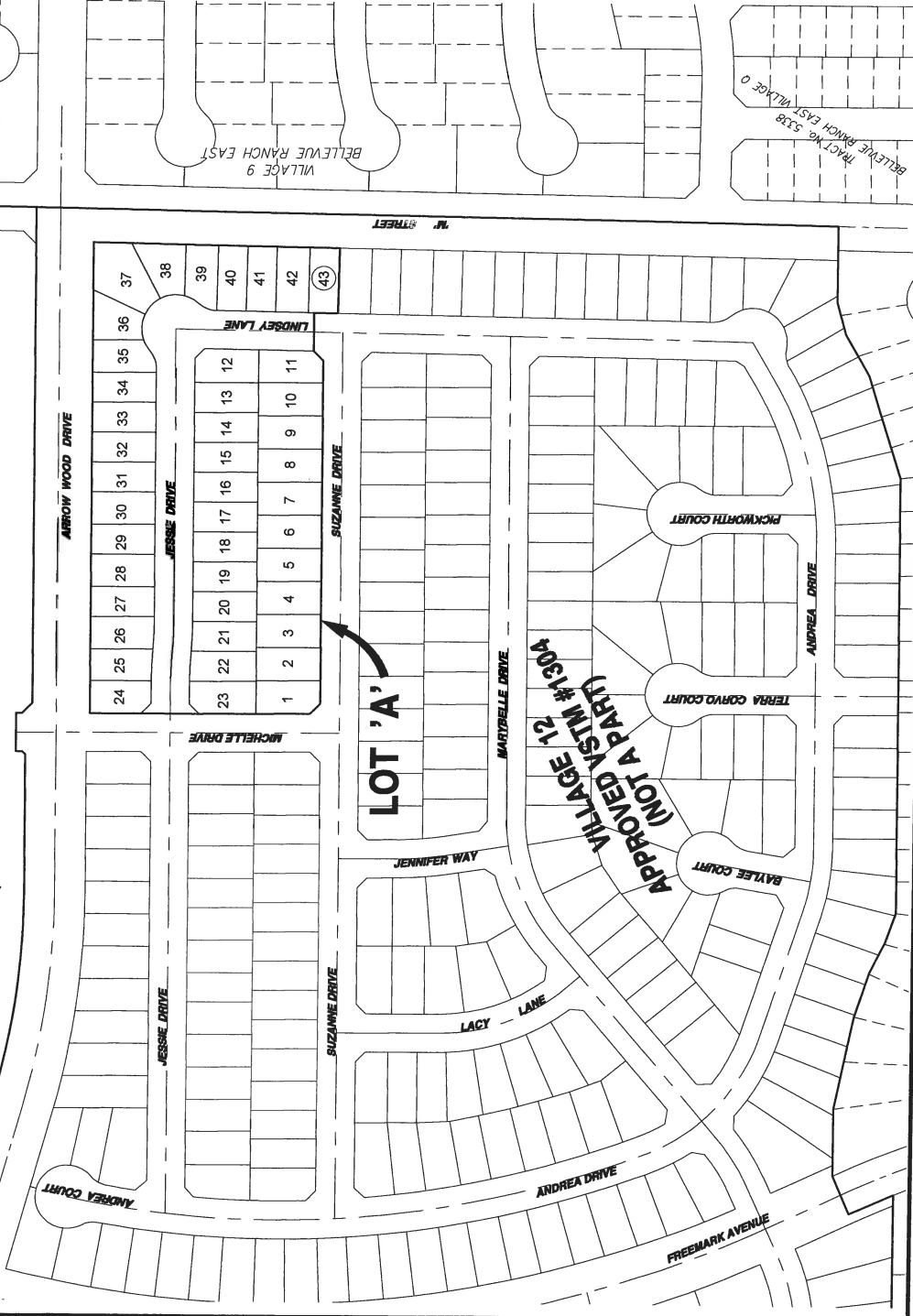
ARROW WOOD





**VESTING TENTATIVE SUBDIVISION MAP FOR:  
 BELLEVUE RANCH WEST  
 LOT 'A' OF VILLAGE 12**  
 MERCED, CALIFORNIA

BEING SUBDIVISION OF A PORTION OF SECTION 6, T.7S., R.14E., M.D.M.,  
 ALSO BEING A PORTION OF LOTS 2, 3 AND THE DESIGNATED REMAINDER AS  
 SHOWN IN BOOK 95 OF PARCEL MAPS, AT PAGE 50, MERCED COUNTY RECORDS



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 FAX: (209) 848-8908

**CIVIL ENGINEERING & LAND SURVEYING**

APPROVED UNDER THE SUPERVISION OF:  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 47789  
 State of California

NO. \_\_\_\_\_ DATE \_\_\_\_\_  
 REVISIONS \_\_\_\_\_ DATE \_\_\_\_\_  
 APPROVED \_\_\_\_\_

**PROJECT SITE**  
 BELLEVUE RANCH EAST VILLAGE 9  
 BELLEVUE RANCH WEST VILLAGE 12  
 CRESSEL ROAD  
 MARKET  
 BELLEVUE ROAD

**VICINITY MAP**  
 N7S

**SHEET INDEX**

1. COVER SHEET
2. LOT DIMENSION PLAN
3. GRADING PLAN & DETAILS
4. COMPOSITE UTILITY PLAN

**OWNER & SUBDIVIDER**  
 BENCHMARK ENGINEERING, INC.  
 822 E. MARCOSS BLVD., SUITE C  
 LOS BANOS, CA 98968-4127

**STATEMENT OF SUBDIVIDER**

1. EXISTING ZONING: P-1
2. EXISTING ZONING: P-1
3. EXISTING ZONING: P-1
4. EXISTING ZONING: P-1
5. EXISTING ZONING: P-1
6. EXISTING ZONING: P-1
7. EXISTING ZONING: P-1
8. EXISTING ZONING: P-1
9. EXISTING ZONING: P-1

**NOTES:**

1. STREET IMPROVEMENTS SHALL BE INSTALLED PER CITY OF MERCED STANDARD SPECIFICATIONS.
2. ALL EXISTING WELLS AND SEPTIC TANKS SHALL BE DESTROYED PER COUNTY HEALTH DEPT. STANDARDS.
3. ALL EXISTING UTILITIES SHALL BE DELETED UNLESS OTHERWISE SHOWN.
4. PORTION OF PROPERTY SUBJECT TO SPECIAL FLOOD HAZARD AREAS AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NUMBER 880724066C.
5. THIS SUBDIVISION IS A RESIDENCE CONTAINING 4 RESIDENTIAL LOTS.
6. THE SUBDIVIDER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ALL UTILITIES AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 66468.1.

**COVER SHEET**

**BELLEVUE RANCH WEST**  
 VESTING TENTATIVE SUBDIVISION MAP  
 LOT 'A' OF VILLAGE 12  
 MERCED, CALIFORNIA

JOB NO. 133571  
 DATE: 3-16-18  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 SCALE: AS SHOWN

SHEET NUMBER  
**1**  
 OF 4 SHEETS

**LEGEND**

EXISTING	PROPOSED
WATER MAIN	WATER MAIN
FIRE HYDRANT	FIRE HYDRANT
SEWER MAIN	SEWER MAIN
STANDARD MANHOLE	STANDARD MANHOLE
WATER LINE	WATER LINE
SEWER LINE	SEWER LINE
TYPICAL STREET LIGHT	TYPICAL STREET LIGHT
DIRECTION OF FLOW	DIRECTION OF FLOW
TOP OF CURB ELEVATION	TOP OF CURB ELEVATION
GROUND CONTOURS	GROUND CONTOURS
BOUNDARY	BOUNDARY
SEWERAL	SEWERAL
PROPERTY LINE	PROPERTY LINE
MANHOLE	MANHOLE



NO.	DESCRIPTIONS	DATE APPROVAL

**BENCHMARK ENGINEERING & LAND SURVEYING, INC.**  
 827 J STREET • LOS BANOS, CALIFORNIA 93836  
 (209) 787-0800 FAX: (209) 546-8928

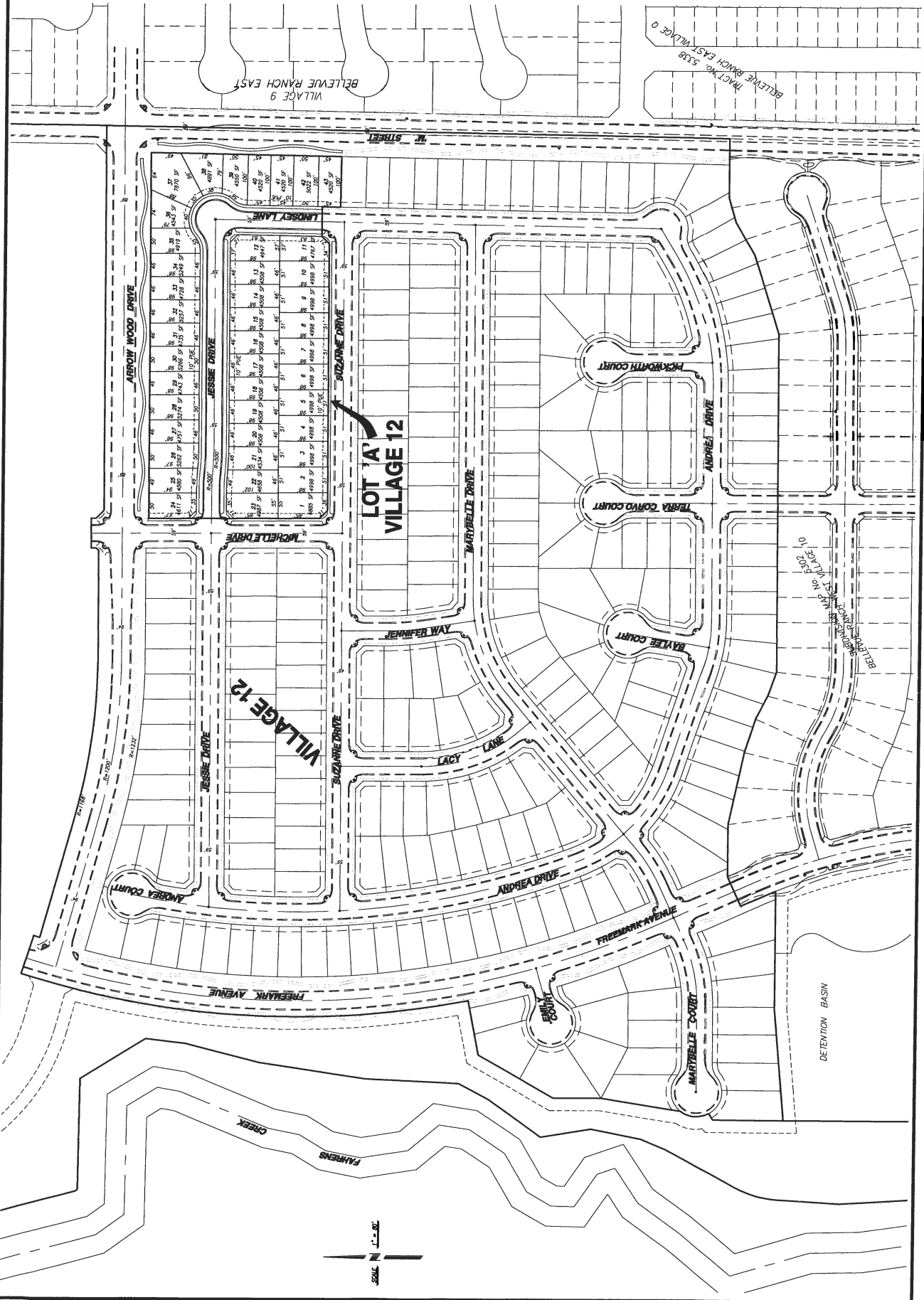


**LOT DIMENSION PLAN**  
 BELLEVUE RANCH WEST  
 LOT 1A OF VILLAGE 12  
 MERCED, CALIFORNIA

JOB NO. 120271  
 DATE: 3-16-18  
 DRAWN BY: DJ  
 CHECKED BY: JAV  
 SCALE: AS SHOWN

SHEET NUMBER  
**2**  
 OF 4 SHEETS

FILE: A:\2018\120271\DWG\LOT 1A.DWG





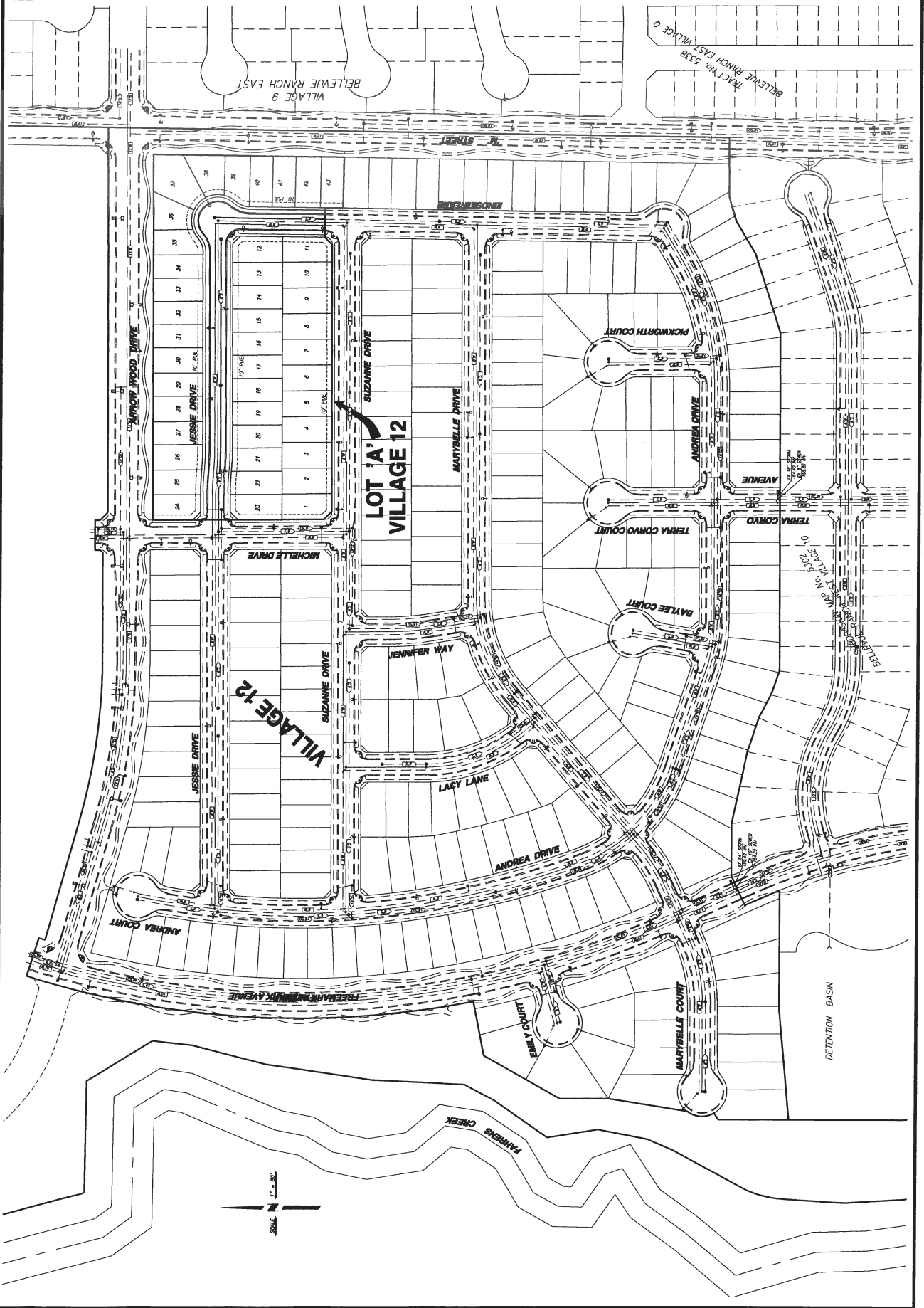
NO.	DESCRIPTIONS	DATE	APPROVER

**BENCHMARK ENGINEERING & LAND SURVEYING, INC.**  
 507 S STREET • LOS BANOS, CALIFORNIA 93830  
 (209) 787-0800  
 FAX (209) 548-8808



**COMPOSITE UTILITY PLAN**  
 BELLEVUE RANCH WEST  
 LOT 'A' OF VILLAGE 12  
 MERCED, CALIFORNIA

JOB NO.	228721
DATE	04/12/18
DRAWN BY	BM
CHECKED BY	BM
SCALE	AS SHOWN
SHEET NUMBER	4
TOTAL SHEETS	4

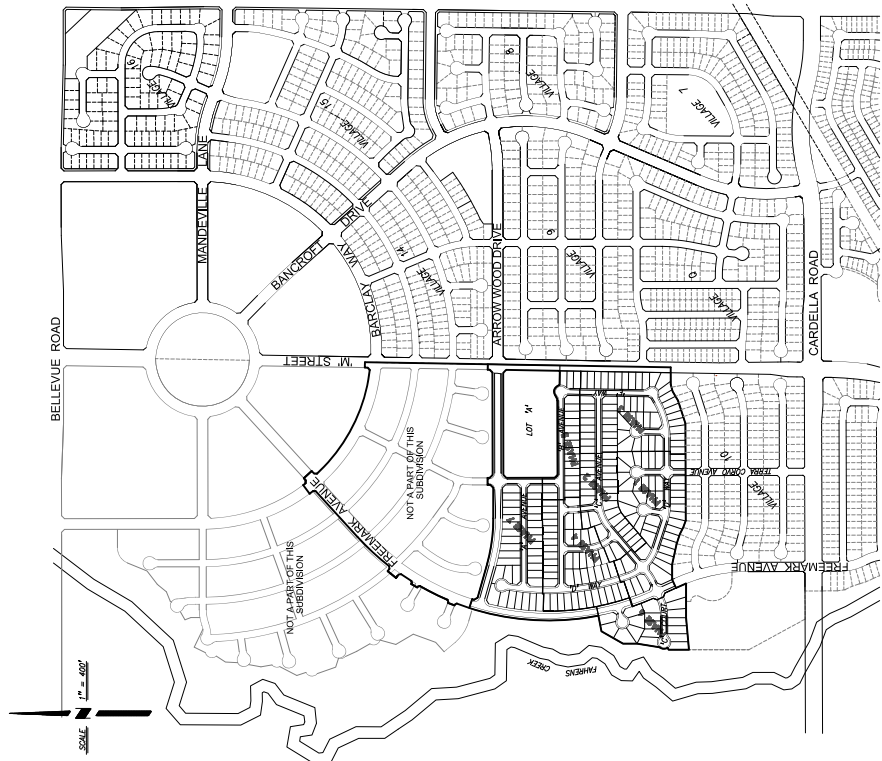
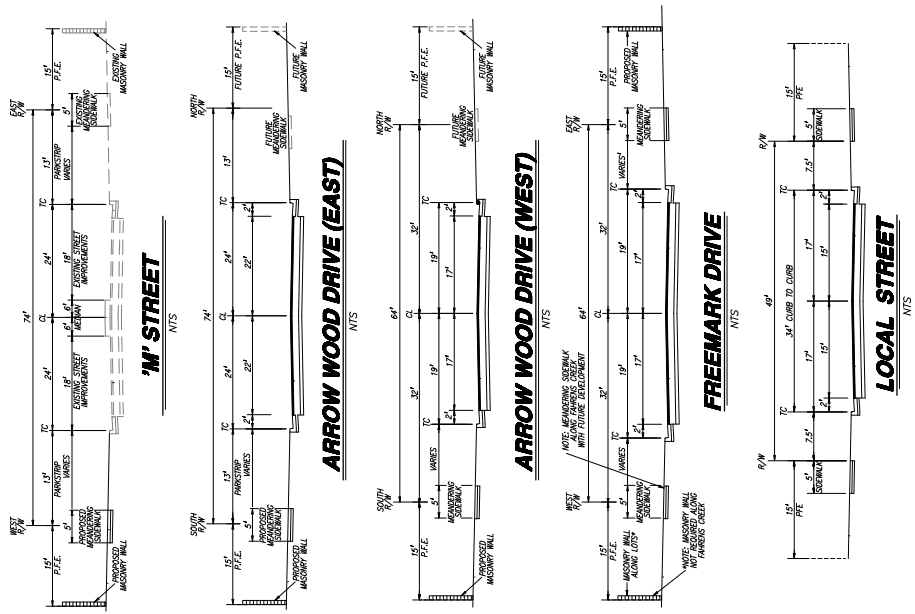




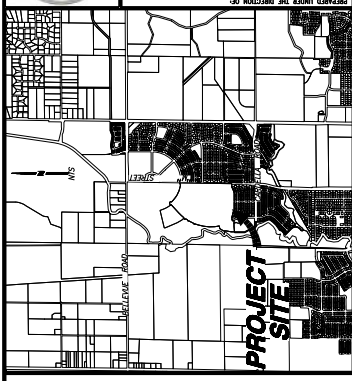
VESTING TENTATIVE SUBDIVISION MAP FOR:

# BELLEVUE RANCH WEST VILLAGE 12

MERCED, CALIFORNIA  
 BEING SUBDIVISION OF A PORTION OF LOTS 2 AND 3 AND  
 A PORTION OF THE DESIGNATED REMAINDER AS SHOWN ON  
 THE MAP FILED IN BOOK 95 OF PARCEL MAPS, AT PAGE  
 50, MERCED COUNTY RECORDS



**PROJECT SITE**



- OWNER & SUBDIVIDER**  
 BAYVIEW RANCHES LLC  
 1500 S. BAYVIEW AVENUE  
 LOS ANGELES, CA 90048
- STATEMENT OF SUBDIVIDER**  
 1. EXISTING ZONING: P-0  
 2. EXISTING ZONING: P-0  
 3. EXISTING ZONING: P-0  
 4. EXISTING ZONING: P-0  
 5. EXISTING ZONING: P-0  
 6. EXISTING ZONING: P-0  
 7. EXISTING ZONING: P-0  
 8. EXISTING ZONING: P-0  
 9. EXISTING ZONING: P-0
- NOTES:**  
 1. STREET IMPROVEMENTS SHALL BE INSTALLED PER CITY OF MERCED STANDARD  
 2. ALL EXISTING BELLS AND SEPTIC TANKS SHALL BE DESTROYED PER COUNTY  
 3. ALL EXISTING UTILITIES SHALL BE DESTROYED PER COUNTY  
 4. PORTION OF PROPERTY SUBJECT TO SPECIAL FLOOD HAZARD AREAS AS  
 INDICATED BY FLOOD INSURANCE RATE MAP PANEL NUMBER 000700000000  
 5. LOT 14 SHALL BE DESIGNATED AS A PARK  
 6. THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE MULTIPLE SUBDIVISION  
 MAPS AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 00406.1.

**LEGEND**

EXISTING	PROPOSED	TO BE REMOVED
WATER VALVE	WATER VALVE	WATER VALVE
FIRE HYDRANT	FIRE HYDRANT	FIRE HYDRANT
SLIDING VALVE	SLIDING VALVE	SLIDING VALVE
DRAIN INLET	DRAIN INLET	DRAIN INLET
STANDARD MANHOLE	STANDARD MANHOLE	STANDARD MANHOLE
WATER LINE	WATER LINE	WATER LINE
SEWER LINE	SEWER LINE	SEWER LINE
STORM DRAIN	STORM DRAIN	STORM DRAIN
TYPICAL STREET LIGHT	TYPICAL STREET LIGHT	TYPICAL STREET LIGHT
STANDARD DRIVEWAY	STANDARD DRIVEWAY	STANDARD DRIVEWAY
DIRECTION OF FLOW	DIRECTION OF FLOW	DIRECTION OF FLOW
TOP OF CURB ELEVATION	TOP OF CURB ELEVATION	TOP OF CURB ELEVATION
ORIGINAL GROUND	ORIGINAL GROUND	ORIGINAL GROUND
CURBS, GUTTERS AND SEWER	CURBS, GUTTERS AND SEWER	CURBS, GUTTERS AND SEWER
TYPICAL RETURN WITH HANDICAP RAMP	TYPICAL RETURN WITH HANDICAP RAMP	TYPICAL RETURN WITH HANDICAP RAMP





NO.	DESCRIPTIONS	DATE APPROVED

**BENCHMARK ENGINEERING, INC.**  
 507 J STREET • LOS BANOS, CALIFORNIA • 98985  
 (209) 787-0900  
 FAX: (209) 545-9005

**LOT DIMENSION PLAN**  
 WESTING TRIVANTINE SUBDIVISION MAP FOUR  
 BELLEVUE RANCH VILLAGE 12  
 BELLVUE, CALIFORNIA

DATE: 11/25/2014  
 DRAWN BY: JAC/JAC  
 CHECKED BY: JAC/JAC  
 SCALE: AS SHOWN  
 SHEET NUMBER: 2  
 OF 4 SHEETS



FOR DMS: 02/25/2015 09:41 FILE: E:\2014\Map\40000000.dwg PLOT: 04



# BELLEVUE RANCH MASTER DEVELOPMENT PLAN AREA

NEVADA

OLD LAKE

R

BELLEVUE

MANDELA

M

BARCLAY  
B-LE  
G

FOOTHILL





ARROW WOOD

BANCROFT

CARDELLA

LEHIGH

MERCED  
COLLEGE

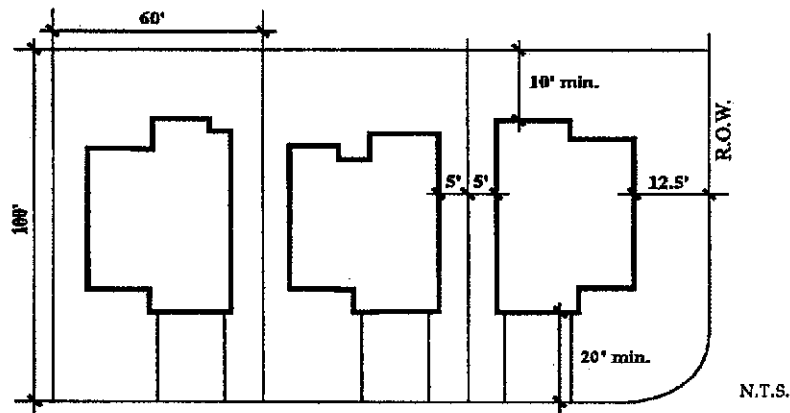
-  Bellevue Ranch MDP Area
-  Bellevue Ranch East
-  Bellevue Ranch West
-  Bellevue Ranch North

## ATTACHMENT G

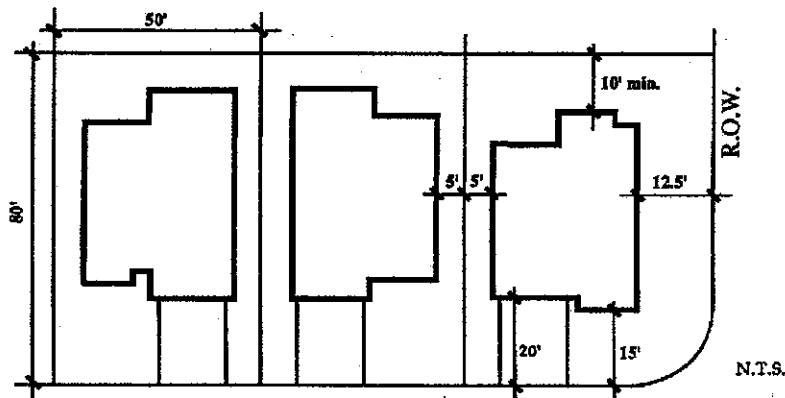


## 2.8.1 Standard Single Family

The standard single family detached homes may be built to an average of 4.0 to 5.0 dwelling units per gross acre. Variations in lot sizes, configurations and densities shall be permitted. Densities for the various housing types may fall above or below the density range, as shown on Table 2.1 on page 8, provided that the total units fall within the total dwelling unit range for the standard single family category. Typical lotting configurations for standard single family are illustrated below. These configurations and dimensions are examples only and do not represent specific standards. The underlying standards consistent with the proposed density shall apply to all standard single family lots, with the exception of front setbacks and lot area. Setbacks from the public street right-of-way shall be a minimum of 20 feet from the garage and 15 feet from the living area. The lot area for standard single family shall be a minimum of 4,000 square feet. Acceptable building materials for single family homes may include stucco, masonry, and architectural grade wood siding. Acceptable roof materials may include tile, wood shake and architectural composition shingles.



**Typical Lot Layout for Standard Single Family**



**Typical Lot Layout for Standard Single Family,  
Wide-Shallow Configuration**



**Bellevue Ranch Master Development Plan (MDP) Table 6.1  
Major Infrastructure Phasing**

~~(Revised & Adopted by City Council on June 21, 2004)~~

~~(Revision & Adopted by Planning Staff on August 17, 2005)~~

(Revision & Adopted by Planning Commission on June 18, 2008)

The following table shows the same circulation and major infrastructure improvements listed in the MDP Table 6.1, adopted by the City Council May 15, 1995, in the columns for contiguous and non-contiguous improvements. Two new columns have been added to show the village interior improvements as well as concurrent construction phasing. This table indicates when certain improvements are **warranted** by Sub-Phase development. It does not address funding sources or the timing of available funding. In general, each Developer shall be responsible for construction of the warranted improvements, with the exception of wells, which the City will construct.

The Sub-Phases have been reorganized to show the order in which the Villages are now expected to be developed by Crosswinds and Woodside, for the area south of Bellevue Road. North of Bellevue Road the order shown in the adopted Table 6.1 shall be maintained except as noted. MDP Villages 6, 11, 13 and 19 have been excluded from this proposed sequence due to floodplain constraints.

<b>Bellevue Ranch Master Development Plan Table 6.1—Major Infrastructure Phasing</b>				
<b>Sub-Phase (Village)</b>	<b>Contiguous Improvements</b>	<b>Non-Contiguous Improvements</b>	<b>Interior Improvements</b>	<b>Villages Able to Construct out of sequence with this sub-phase</b>
<b>BIIP I</b>	<b>None</b>	<ul style="list-style-type: none"> <li>• <b>M St (Barclay Rd. to Lehigh)(1/2 street)</b></li> <li>• <b>M St Cottonwood Creek Bridge (1/2 Street)</b></li> <li>• <b>Well Site (G St/ Cardella Rd)</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>BIIP I Collectors</b></li> <li>• <b>Sewer, Drain and Water</b></li> <li>• <b>Detention Basins DB-P, T and U</b></li> <li>• <b>Storm Drain and Sewer Pump Stations Outfalls</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Village 15, 16, 8A, 14 and 9</b></li> </ul>
<b>8A</b>	<b>None</b>	<b>None</b>	<ul style="list-style-type: none"> <li>• <b>V-8A streets and utilities</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Concurrent with BIIP I</b></li> </ul>
<b>15</b>	<b>None</b>	<ul style="list-style-type: none"> <li>• <b>Fire Station Dedication</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Village-15 streets and utilities</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Concurrent with BIIP I</b></li> </ul>
<b>1</b>	<ul style="list-style-type: none"> <li>• M St: Lehigh to Cottonwood Ck (1/2 Street)</li> <li>• M St: Cottonwood Bridge (1/2 street) and bike crossing</li> </ul>	<ul style="list-style-type: none"> <li>• M St: Cottonwood Ck to Cardella Rd intersection (1/2 street)</li> </ul>	<ul style="list-style-type: none"> <li>• V-1 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul> <p>Note: Sub-Phase (Village) 1 is not dependent on Sub-Phases BIIP I, 8A, and 15.</p>
<b>9</b>	<b>None</b>	<b>None</b>	<ul style="list-style-type: none"> <li>• <b>V-9 streets and utilities</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Concurrent with BIIP I</b></li> </ul>

**Bellevue Ranch Master Development Plan**  
**Table 6.1—Major Infrastructure Phasing**  
**June 18, 2008 Version, Page 2**

3	<ul style="list-style-type: none"> <li>Cardella Road: M St to Bancroft Dr (1/2 street)</li> <li>Cottonwood Ck bike path/imp.</li> <li>Cardella Rd (Bancroft Dr to G St) (1/2 street)</li> </ul>	None	<ul style="list-style-type: none"> <li>V-3 streets and utilities</li> <li>V-11 drainage basin</li> </ul>	<ul style="list-style-type: none"> <li>Village 2</li> </ul> <p>Note: Sub-Phase (Village) 3 is not dependent on Sub-Phases BBIP I, 8A, 9, and 15.</p>
2	<ul style="list-style-type: none"> <li>Cottonwood Ck bike path/improvements</li> </ul>	None	<ul style="list-style-type: none"> <li>V-2 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>Concurrent with Village 3</li> </ul>
5	<ul style="list-style-type: none"> <li>Cardella: (M St to Round Hill Dr (Freemark)) (4 lanes total)</li> <li>Well site (Cardella Rd/Fahrens Ck.)</li> </ul>	None	<ul style="list-style-type: none"> <li>V-5 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>Villages 4, 10, &amp; 12</li> </ul> <p>Note: Sub-Phase (Village) 5 is not dependent on Sub-Phases BBIP I, 8A, 15 and 9.</p>
<b>14</b>	<b>None</b>	<b>None</b>	<ul style="list-style-type: none"> <li><b>Village-14 streets and utilities</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Concurrent with BIIP I</b></li> </ul>
<b>16</b>	<ul style="list-style-type: none"> <li><b>Well Site (G Street/Bellevue Road)</b></li> </ul>	<ul style="list-style-type: none"> <li><b>M St: Cardella to Barclay (remainder to full improvements)</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Village-16 streets and utilities</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Concurrent with BIIP I</b></li> </ul>
<b>BIIP II</b>	<b>None</b>	<b>None</b>	<ul style="list-style-type: none"> <li><b>BIIP II Collector Roadways</b></li> <li><b>Sewer, Drain and Water</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Village 8B, 7 and Lot Q</b></li> </ul>
4	<ul style="list-style-type: none"> <li>Cottonwood Ck pedestrian bridge</li> </ul>	None	<ul style="list-style-type: none"> <li>V-4 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>Concurrent with Village 5</li> </ul>
<b>8B</b>	<b>None</b>	<b>None</b>	<ul style="list-style-type: none"> <li><b>V-8B streets and utilities</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Concurrent with BIIP II</b></li> </ul>
<b>7</b>	<ul style="list-style-type: none"> <li><b>Cardella Rd (M St to G St)(1/2 street)</b></li> <li><b>Cardella Road/G Street signal</b></li> </ul>		<ul style="list-style-type: none"> <li><b>V-7 streets and utilities</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Concurrent with BIIP II</b></li> </ul>
10	None	None	<ul style="list-style-type: none"> <li>V-10 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>Concurrent with Villages 5 and BBIP I (M Street component only)</li> </ul>
12	None	<ul style="list-style-type: none"> <li>M St/Cardella Rd signal<sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>V-12 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>Concurrent with Village 10</li> </ul>

**Bellevue Ranch Master Development Plan**  
**Table 6.1—Major Infrastructure Phasing**  
**June 18, 2008 Version, Page 3**

17	None	<ul style="list-style-type: none"> <li>R St (Yosemite to Cardella)(4 lanes total)<sup>1,8</sup></li> <li>Cardella Rd (Round Hill Dr (Freemark) to R St) (4 lanes total)<sup>1,8</sup></li> <li>Fahrens Ck Bridge at /Cardella Rd (4 lanes total)<sup>1,8</sup></li> <li>R St/Cardella Rd Signal<sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>V-17 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>Villages 18 &amp; 19</li> <li>Note: Sub-Phase (Village) 17 is not dependent on Sub-Phases BBIP I, 8A, 15, 9, 14, 16, BBIP II, 8B and 7. Excepting "M" Street portion of BBIP I.</li> </ul>
18	None	<ul style="list-style-type: none"> <li>R Street: Cardella Rd to Franciscan Dr (4 lanes total)<sup>1,8</sup></li> <li>R Street: Franciscan Dr to Bellevue Rd (4 lanes total)<sup>1,8</sup></li> <li>Cardella Rd/Bancroft Signal</li> <li>Franciscan Dr/R St signal<sup>1,8</sup></li> <li>R St/Bellevue Rd Signal<sup>1</sup></li> <li>Cardella Rd/Round Hill Dr (Freemark) signal</li> </ul>	<ul style="list-style-type: none"> <li>V-18 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>Concurrent with Village 17</li> </ul>
19	None	<ul style="list-style-type: none"> <li>Franciscan Dr (Freemark Ave to R St)<sup>1,8</sup></li> <li>Fahrens Creek Bridge at Franciscan Dr<sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li>V-19 streets and utilities</li> </ul>	<ul style="list-style-type: none"> <li>Concurrent with Village 17</li> </ul>
<b>Lot Q</b>	<b>None</b>	<ul style="list-style-type: none"> <li><b>None</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Lot Q streets &amp; utilities</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Concurrent with BIIP II</b></li> </ul>
22 <sup>6</sup> (MFR)	<ul style="list-style-type: none"> <li><del>M Street (Barclay Drive to Bellevue Road) (2 lanes) including Transit Circle w/ V-21 segments</del></li> </ul>	<ul style="list-style-type: none"> <li><del>Bellevue/G Signal<sup>1</sup></del></li> <li><del>Well site (Bellevue/R St)<sup>7</sup></del></li> <li><del>Fahrens Creek Bridge at Bellevue Rd(3 lanes)<sup>8</sup></del></li> <li><del>Bellevue Rd: R St to G St (3 lanes)<sup>8</sup></del></li> </ul>	<ul style="list-style-type: none"> <li><b>None</b></li> </ul>	<ul style="list-style-type: none"> <li><b>None</b></li> </ul>
<u>22-East<sup>6</sup></u> (MFR)	<ul style="list-style-type: none"> <li><u>M Street (Barclay Drive to Bellevue Road) (2 lanes) on east side including Transit Circle w/ V-21 segments</u><sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li><u>Bellevue/G Signal<sup>1,8</sup></u></li> <li><u>Bellevue Rd: M St to G St (3 lanes)<sup>8,9</sup></u></li> </ul>	<ul style="list-style-type: none"> <li><u>None</u></li> </ul>	<ul style="list-style-type: none"> <li><u>None</u></li> </ul>



**Bellevue Ranch Master Development Plan  
Table 6.1—Major Infrastructure Phasing  
June 18, 2008 Version, Page 4**

<p><u>22-West (MFR)</u></p>	<ul style="list-style-type: none"> <li>• <u>M Street (Barclay Drive to Bellevue Road) (2 lanes) on west side including Transit Circle w/ V-21 segments</u><sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Well site (Bellevue/R St)</u><sup>7,8</sup></li> <li>• <u>Bellevue Rd: R St to M St (3 lanes)</u><sup>8,9</sup></li> </ul>	<p align="center"><u>None</u></p>	<p align="center"><u>None</u></p>
<p>21<sup>6</sup> (Comm)</p>		<ul style="list-style-type: none"> <li>• M &amp; Bellevue Signal<sup>1</sup></li> <li>• G St: Bellevue to Merced College (4 lanes total)<sup>3</sup></li> <li>• G &amp; Foothill (Harvest) Signal<sup>1</sup></li> <li>• <u>Fahrens Creek Bridge at Bellevue Rd(3 lanes)</u><sup>8</sup></li> <li>•</li> </ul>	<p align="center">None</p>	



**Bellevue Ranch Master Development Plan**  
**Table 6.1—Major Infrastructure Phasing**  
**June 18, 2008 Version, Page 5**

<b>Above Bellevue Road</b>	Same as adopted in the MDP, 5/15/95 (see below)	<b>Non-Contiguous Improvements</b>	Each village's streets and utilities
20	<ul style="list-style-type: none"> <li>• Fahrens Creek Bypass (Drainage Phase 3)</li> </ul>	<ul style="list-style-type: none"> <li>• <del>G St: 2 lanes Bellevue to Yosemite (4 lanes total)</del></li> <li>• <del>G St/Bellevue Traffic Signal</del></li> <li>• <del>G St/Cardella Traffic Signal</del></li> <li>• <del>G St/Collector St. Traffic Signal (in Phase 15)</del></li> <li>• Fahrens Creek Bypass (Phase 3)</li> </ul>	<ul style="list-style-type: none"> <li>• V. 20 streets and utilities</li> </ul>
23	None	None	<ul style="list-style-type: none"> <li>• V. 23 streets and utilities</li> </ul>
24	<ul style="list-style-type: none"> <li>• Well Site No. 6</li> <li>• Old Lake Rd (2 lanes)</li> </ul>	None	<ul style="list-style-type: none"> <li>• V. 24 streets and utilities</li> </ul>
25	<ul style="list-style-type: none"> <li>• Collector St./Fahrens Cr. Bridge (near Phase 23/24)</li> <li>• Collector St./Fahrens Cr. Bridge (near Phase 20)</li> </ul>	None	<ul style="list-style-type: none"> <li>• V. 25 streets and utilities</li> </ul>
26	<ul style="list-style-type: none"> <li>• Old Lake Rd: 2 lanes</li> <li>• Old Lake Rd/Fahrens Creek Bridge</li> </ul>	<ul style="list-style-type: none"> <li>• G St: 2 lanes Old Lake Rd to Bellevue Rd (4 lanes total)</li> <li>• G St/Collector St Traffic Signal (near Phase 20/23)</li> </ul>	<ul style="list-style-type: none"> <li>• V. 26 streets and utilities</li> </ul>
27	<ul style="list-style-type: none"> <li>• M St: 2 lane ultimate section</li> </ul>	<ul style="list-style-type: none"> <li>• Collector St/Fahrens Cr. Bridge (near Phase 20/23)</li> <li>• N/S Collector/Bellevue Signal</li> </ul>	<ul style="list-style-type: none"> <li>• V. 27 streets and utilities</li> </ul>
28	None	None	<ul style="list-style-type: none"> <li>• V. 28 streets and utilities</li> </ul>
29	<ul style="list-style-type: none"> <li>• M St: 2 lane ultimate section</li> </ul>	<ul style="list-style-type: none"> <li>• N/S Collector/Fahrens Creek Bridge (between M &amp; R Sts.)</li> <li>• M St: 2 lanes (So. To Bellevue)</li> <li>• M St/Fahrens Creek Bridge</li> </ul>	<ul style="list-style-type: none"> <li>• V. 29 streets and utilities</li> </ul>
30	<ul style="list-style-type: none"> <li>• R St: 2 lanes</li> <li>• Fire Station</li> </ul>	<ul style="list-style-type: none"> <li>• R St: 2 lanes ½ mile north of Bellevue to</li> </ul>	<ul style="list-style-type: none"> <li>• V. 30 streets and utilities</li> </ul>

**Bellevue Ranch Master Development Plan**  
**Table 6.1—Major Infrastructure Phasing**  
**June 18, 2008 Version, Page 6**

		Bellevue Rd <ul style="list-style-type: none"> <li>• R St: 2 lanes Bellevue to ½ mile south of Bellevue (4 lanes total)</li> <li>• R St/Fahrens Creek Bridge: 2 lanes (4 lanes total)</li> <li>• R St/Collector St Traffic Signal (near Phases 13/18)</li> </ul>	
31	None	None	<ul style="list-style-type: none"> <li>• V. 31 streets and utilities</li> </ul>
32	None	None	<ul style="list-style-type: none"> <li>• V. 32 streets and utilities</li> </ul>
33	<ul style="list-style-type: none"> <li>• R St: 2 lanes</li> <li>• Old Lake Rd: 2 lanes</li> </ul>	<ul style="list-style-type: none"> <li>• Old Lake Rd: 2 lanes (in Phase 35)</li> </ul>	<ul style="list-style-type: none"> <li>• V. 33 streets and utilities</li> </ul>
34	None	None	<ul style="list-style-type: none"> <li>• V. 34 streets and utilities</li> </ul>
35	None	None	<ul style="list-style-type: none"> <li>• V. 35 streets and utilities</li> </ul>
36	None	None	<ul style="list-style-type: none"> <li>• V. 36 streets and utilities</li> </ul>

Color Coding of Responsible Areas:

**Red Bold=Bellevue Ranch East Improvements (Crosswinds)**

Blue Underlined=Bellevue Ranch West Improvements (Woodside)

**Black Bold=Bellevue Ranch Improvements, joint responsibility in Villages 21 and 22**

**Black=Bellevue Ranch Improvements, North of Bellevue Road (unchanged since May 15, 1995).**

[Phases are as noted on Minor Phasing Diagram in Master Development Plan—page 60 and Attachment B of Planning Commission Staff Report #04-13 2<sup>nd</sup> Addendum]

Notes:

1. The R Street improvements as well as the staging of signal improvements throughout the plan area have been revised as recommended by the memorandum dated December 2, 2004 entitled “Timing of off-site roadway improvements for Bellevue Ranch” prepared by Fehr & Peers.
2. Not used.
3. The G Street improvements have been revised as recommended by the memorandum dated December 2, 2004 entitled “Timing of off-site roadway improvements for Bellevue Ranch” prepared by Fehr & Peers.
4. Projects revised due to lack of Corps of Engineers drainage projects:
  - a. Cottonwood Creek Bypass (Drainage Phase 1, 2): By Bellevue Ranch West, Villages 1-3.
  - b. Fahrens Creek Bypass (Drainage Phase 1, 2, 3): deleted
5. Project moved to a later phase: Bellevue Rd: M to R (last 1 of 6 lanes) is moved into Phase 3/4.
6. The timing and responsibility (Crosswinds or Woodside) for these improvements in Villages 21 (commercial) and 22 (multi-family) will be determined at the time of conditional use permit approval for these areas this village.
7. Well site may be required sooner if deemed necessary by the City Engineer.

**Bellevue Ranch Master Development Plan**  
**Table 6.1—Major Infrastructure Phasing**  
**June 18, 2008 Version, Page 7**

8. Improvements shall be completed prior to occupancy of any unit in this village.
9. Frontage improvements per Table B (Attachment H) of PC Staff Report #07-32 – 3<sup>rd</sup> Addendum.

**The California Environmental Quality Act  
Environmental Review #18-44 - (CEQA) Section 15162 Findings:**

**Application:** General Plan Amendment #18-01, Site Utilization Plan Revision #13 to Planned Development (P-D) #42, and Vesting Tentative Subdivision Map #1307 – Environmental Review #18-44

**Assessor Parcel Number or Location:** Assessor’s Parcel Numbers (APN): 224-030-031 and 224-010-022.

**Previous Initial Study/EIR Reference:** This site was previously reviewed through Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH #9212055)

**Original Project Date:** The Environmental Impact Report was approved on May 15, 1995, by the Merced City Council.

**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? |            | <b>X</b>  |

**Comment/Finding:** The proposed project is consistent with the previous environmental review. No substantive changes are proposed. The change in land use designations results in approximately the same number of acres being designated for Park and Single Family Residential as is currently designated.

- |  |            |           |
|--|------------|-----------|
|  | <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? |            | <b>X</b>  |

**Comment/Finding:** There have been no changes in the circumstances under which the project is undertaken that would require major revisions in the previous EIR. 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 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) |            | <b>X</b>  |

**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 EIR 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**  **No**

B) Significant effects previously examined will be substantially more severe than shown in the previous EIR. **Yes**  **No**

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**  **No**

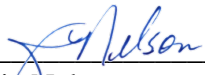
D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. **Yes**  **No**

**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.                             |
| <b>X</b> | 4. No further documentation is required.                                       |

Date: July 5, 2018  
 Prepared By:

  
 \_\_\_\_\_  
 Julie Nelson,  
 Associate Planner

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

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

**WHEREAS**, the Merced City Planning Commission at its regular meeting of August 8, 2018, held a public hearing and considered **General Plan Amendment #18-01 and Site Utilization Plan Revision #13 to Planned Development (P-D) #42**, initiated by Benchmark Engineering, on behalf of Baxter Ranches, LLC, property owner. The application is a request to change the General Plan designation for approximately 5.58 acres of land at the southwest corner of M Street and Arrow Wood Drive from Open Space/Park (OS) to Low-Medium Density Residential (LMD) to allow the construction of 43 single-family lots and to change the General Plan designation for approximately 5 acres of land located west of M Street and north of Arrow Wood Drive from Low-Medium Density Residential (LMD) to Open Space/Park (OS). The Site Utilization Plan Revision would change the land use designation for the 5.58 acres at M Street and Arrow Wood Drive from “Park” to “Single-Family Residential” and change the designation for the approximately 5.0 acres west of M Street and north of Arrow Wood Drive from “Single-Family Residential” to “Park.” Vesting Tentative Subdivision Map #1307 would allow the subdivision of the 5.58 acres located at the southwest corner of M Street and Arrow Wood Drive into 43 single-family lots; also known as Assessor’s Parcel No. 224-030-018; and,

**WHEREAS**, the Merced City Planning Commission concurs with Findings A through L of Staff Report #18-16; 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 [Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH#9212055)] remains sufficient and no further documentation is required (subsequent EIR/ND 15162 Findings), and recommend to City Council approval of General Plan Amendment #18-01 and Site Utilization Plan Revision #13 to Planned Development #42, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

**ATTACHMENT K**

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

Page 2

August 8, 2018

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)

Adopted this 8<sup>th</sup> day of August 2018

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

ATTEST:

\_\_\_\_\_  
Secretary

Attachment:

Exhibit A – Conditions of Approval

**Conditions of Approval**  
**Planning Commission Resolution # \_\_\_\_\_**  
**General Plan Amendment #18-01 and Site Utilization Plan #13 to**  
**Planned Development (PD) #42**

1. The General Plan designation shall be changed from Open Space/Park (OS) to Low-Medium Density Residential (LMD) for Lot A and changed from Low-Medium Density Residential (LMD) to Open Space/Park for 5 acres located at the southeast corner of the future Catherine A Hostetler Boulevard and Freemark Avenue (extended) as shown on Exhibit A. The Site Utilization Plan for Planned Development (P-D) #42 shall be modified to change the designation from Park to Single-Family Residential for Lot A and from Single-Family Residential to Park for the 5 acres located at the southeast corner of the future Catherine A Hostetler Boulevard and Freemark Avenue (extended), also shown on Exhibits 1 and 2 - Attachments B and C of Staff Report #18-16.
2. All previously adopted conditions, mitigation measures, and guiding principles contained in Appendices D, E, and F of the Bellevue Ranch Master Development Plan (BRMDP) adopted by the Merced City Council on May 15, 1995, which are applicable to this project, shall apply to this tentative map and all subsequent final maps, improvement plans, building permits, and discretionary approvals.
3. All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
4. Approval of the General Plan Amendment and Site Utilization Plan Revision is subject to the applicant's entering into a written (developer) agreement that they agree to all the conditions and shall pay all City and school district fees, taxes, and/or assessments, in effect on the date of any subsequent subdivision and/or permit approval, any increase in those fees, taxes, or assessments, and any new fees, taxes, or assessments, which are in effect at the time the building permits are issued, which may include public facilities impact fees, a regional traffic impact fee, Mello-Roos taxes—whether for infrastructure, services, or any other activity or project authorized by the Mello-Roos law, etc. Payment shall be made for each phase at the time of building permit issuance for such phase unless an Ordinance or other requirement of the City requires payment of such

EXHIBIT A  
OF PLANNING COMMISSION RESOLUTION # \_\_\_\_\_



fees, taxes, and or assessments at an earlier or subsequent time. Said agreement to be approved by the City Council prior to the adoption of the ordinance, resolution, or minute action.

5. 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.
6. 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.
7. The new park site shall be dedicated by separate deed for "Park Purposes."

8. The dedication of Lot A as a park shall be vacated by the City. The applicant shall submit an application to the Planning Department to initiate this process.
9. The new park site at the southeast corner of Freemark Avenue and Catherine A Hostetler Blvd. shall be dedicated for park use by a separate document. This shall occur either prior to or simultaneously with the recordation of the City's vacation of Lot A.
10. Street frontage improvements, including curb, gutter, sidewalks, and park strips for the new park site at the southeast corner of Catherine A Hostetler Boulevard and Freemark Avenue shall be installed with the construction of Lot 17-C (consistent with the approval of Tentative Map #1308 for Bellevue Ranch West).

n:shared:planning:PC Resolutions:GPA#18-01/SUP Rev#13 to PD #42 Exhibit A

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

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

**WHEREAS**, the Merced City Planning Commission at its regular meeting of August 8, 2018, held a public hearing and considered **Tentative Subdivision Map #1307**, initiated by Benchmark Engineering, on behalf of Baxter Ranches, LLC, property owner. The application is a request to change the General Plan designation for approximately 5.58 acres of land at the southwest corner of M Street and Arrow Wood Drive from Open Space/Park (OS) to Low-Medium Density Residential (LMD) to allow the construction of 43 single-family lots and to change the General Plan designation for approximately 5 acres of land located west of M Street and north of Arrow Wood Drive from Low-Medium Density Residential (LMD) to Open Space/Park (OS). The Site Utilization Plan Revision would change the land use designation for the 5.58 acres at M Street and Arrow Wood Drive from “Park” to “Single-Family Residential” and change the designation for the approximately 5.0 acres west of M Street and north of Arrow Wood Drive from “Single-Family Residential” to “Park.” Vesting Tentative Subdivision Map #1307 would allow the subdivision of the 5.58 acres located at the southwest corner of M Street and Arrow Wood Drive into 43 single-family lots; also known as Assessor’s Parcel No. 224-030-018; and,

**WHEREAS**, the Merced City Planning Commission concurs with Findings A through L of Staff Report #18-16; 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 [Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH#9212055)] remains sufficient and no further documentation is required (CEQA Section 15162 Findings), and approve Vesting Tentative Subdivision Map #1307, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

**ATTACHMENT L**

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

Page 2

August 8, 2018

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)

Adopted this 8<sup>th</sup> day of August 2018

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

ATTEST:

\_\_\_\_\_  
Secretary

Attachment:

Exhibit A – Conditions of Approval

**Conditions of Approval**  
**Planning Commission Resolution # \_\_\_\_\_**  
**Vesting Tentative Subdivision Map # 1307**

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (VTSM #1307), - Attachment D of Staff Report #18-16, except as modified by the conditions.
2. The approval of the VTSM #1307 is subject to City Council approval of General Plan Amendment #18-01 and Site Utilization Plan Revision #13 to P-D #42 and will not become effective until the date of the City Council approval.
3. All conditions contained in Resolution #1175-Amended ("Standard Tentative Subdivision Map Conditions") shall apply.
4. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
5. All previously adopted conditions, mitigation measures, and guiding principles contained in Appendices D, E, and F of the Bellevue Ranch Master Development Plan (BRMDP) adopted by the Merced City Council on May 15, 1995, which are applicable to this project, shall apply to this tentative map and all subsequent final maps, improvement plans, building permits, and discretionary approvals.
6. All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
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

EXHIBIT A  
OF PLANNING COMMISSION RESOLUTION # \_\_\_\_\_

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. Should any conflicts arise between the tentative map conditions contained herein and those conditions, mitigation measures, and guiding principles contained in the BRMDP, Appendices D, E, and F, or any other pertinent Sections/Appendices of the BRMDP, said conditions, mitigation measures, guiding principles, and sections/appendices shall take precedence.
10. All public improvements shall be provided along all new roadways and any damaged or missing improvements along M Street within the project area's frontage shall be repaired/replaced.
11. 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.
12. 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.
13. Unless another funding mechanism is put into place, a fee of \$861 per dwelling unit shall be collected at time of building permit issuance to fund the future construction of the bridge at Fahrens Creek and Bellevue Road. This fee is in addition to all other permit and impact fees.

14. Prior to recordation of a final map, the dedication of Lot A as a park shall be vacated by the City. The applicant shall submit an application to the Planning Department to initiate this process.
15. 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).
16. 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.
17. Prior to the recording of a final map, proper documentation shall be provided to the satisfaction of the City Engineer, showing how storm water will be managed on the site and directed to the City's storm water system. Storm water shall be collected on-site and metered into the City's system. The developer shall provide calculations to confirm there is capacity in the existing storm water system to serve the proposed project. If there is not sufficient capacity, the developer shall provide an alternative to using the existing lines and drainage basin.
18. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
19. 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).
20. 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.

21. Install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
22. 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.
23. Per the BRMDP, all exterior building materials shall consist of stucco, masonry, or architectural grade wood siding, and roofing materials shall consist of tile, wood shake (with acceptable fire rating), and architectural composition shingles.
24. The building facades shall be of high quality design providing varied elevations and color schemes. All designs shall be consistent with the requirements of the BRMDP and Planned Development (P-D) #42.
25. 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.
26. All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
27. All garages shall have a minimum setback of 20 feet measured from the property line or back of sidewalk, whichever is closest to the front of the garage. Per the BRMDP, the setback for the living area portion of the house may be reduced to 15 feet and shall also be measured from the property line or back of sidewalk, whichever is closest to the living area portion of the house. Lot coverage shall not exceed 45% for all lots 6,000 square feet or larger and 55% for lots less than 6,000 square feet.
28. All mechanical equipment shall be screened from public view.
29. No residential driveways shall front any arterial or collector street.
30. A 6-foot-tall masonry wall and a minimum 10-foot-wide landscape strip shall be installed along M Street and Arrow Wood Drive consistent with the requirements of the Bellevue Ranch Master Development Plan.