

CITY OF MERCED
Planning Commission

Resolution #4009

Extension on 11/12/20. See page 3.

WHEREAS, the Merced City Planning Commission at its regular meeting of October 3, 2018, held a public hearing and considered **Tentative Subdivision Map #1309**, initiated by Golden Valley Engineering, applicant for Rucker Construction Inc. Profit Sharing Plan, property owner. This application involves the subdivision of approximately 20.6 acres into 99 single-family residential lots, generally located on the south side of Pettinotti Road (extended) between El Redondo Drive (extended) and San Augustine Drive (extended), within an R-1-5 zone with a General Plan designation of Low-Density Residential (LD); also known as Assessor's Parcel Numbers (APN's) 206-030-021 and -022; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through K of Staff Report #18-28; 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 Review #04-22 for Barnell Annexation [a supplement to Expanded Initial Study #01-32 for Fahrens Creek North Annexation (SCH#2001101082)] remains sufficient and no further documentation is required (CEQA Section 15162 Findings), and approve Vesting Tentative Subdivision Map #1309, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

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

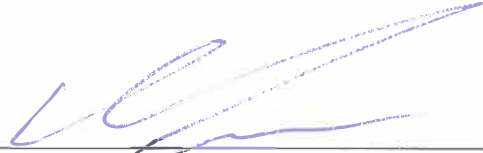
AYES: Commissioners Camper, Drexel, Harris, Padilla, Rashe, and Chairperson Dylina
NOES: None
ABSENT: Commissioner Martinez
ABSTAIN: None

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October 3, 2018/Nov. 12, 2020

Adopted this 3rd day of October 2018



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary

Attachment:

Exhibit A – Conditions of Approval

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Oct. 3, 2018/Nov. 12, 2020

November 12, 2020: On November 12, 2020, the Site Plan Review Committee approved the extension of Vesting Tentative Subdivision Map #1309 (“Lantana Estates Phases 2 & 3”) for one year. The new expiration date is Oct 3, 2021.

Conditions of Approval
Planning Commission Resolution # 4009
Vesting Tentative Subdivision Map # 1309

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (Vesting Tentative Map #1309) -- Attachment B of Staff Report #18-28, except as modified by the conditions.
2. All conditions contained in Resolution #1175-Amended ("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 applicable conditions (as determined by City Staff) set forth for the approval of the Fahrens Creek Specific Plan. Specifically, application approvals for the Barnell Annexation #04-06, Pre-Zoning #04-06, and Mitigation Measures identified in Expanded Initial Study #04-22 (a supplement to Expanded Initial Study #01-32), and Exhibit D ("Public Benefits") Section of the Pre-Annexation Development Agreement as they apply to this particular site and previously approved for this project development, except as modified.
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.

General Subdivision

8. 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 #1309 and as needed for irrigation, utilities, drainage, landscaping, and open space.
9. Open-ended cul-de-sacs (combination of decorative walls/wrought iron with pedestrian gates) are required along the south side of Pettinotti Road (Lots 118, 119, 130, and 131) and the west side of El Redondo Drive (Lots 13, 14, 25, 26, 37, and 38).
10. City Engineer shall approve street names.
11. Traffic control signs, street markings, and striping shall be as directed by the City Engineer.
12. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
13. 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.
14. All undeveloped areas shall be maintained free of weeds or other debris.
15. Fire hydrants to be provided and spaced in accordance with City of Merced Standards. Additional fire hydrants are needed in the following

locations: On El Redondo Drive between Pettinotti Road and Cassis Drive; on Pettinotti Road between Bayonet and Cinnibar Court; and on Bayonet near Cassis Drive.

Street Improvements

16. Due to the existing poor condition of La Cava, Cardella and Pettinotti Roads, a complete reconstruction of these County roads will be ultimately necessary. This Project's share of these improvements shall be the north/south portion of La Cava Road (San Augustine Drive). The owner/developer shall work with the County to vacate all or a portion of La Cava Road to prevent dual roadways within the limited space available.
17. Streetlights per City Standards are required on La Cava Road (San Augustine Drive), Cardella, and Pettinotti Roads as required by the City Engineer.
18. 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.
19. All improvements along the subdivision frontage shall be installed, including but not limited to, sidewalk, curb, gutter, streetlights, and street trees, except as indicated by Conditions #20 and #28.
20. Pettinotti Road shall be improved to three-quarters (3/4) of the ultimate width along the project frontage with each phase of construction. These improvements shall include all improvements to the center-line of the street, plus one 12-foot-wide travel lane, plus 4 feet of shoulder backing at a minimum with final design to be approved by the City Engineer.
21. El Redondo Drive shall be extended with full improvements to Pettinotti Road with Phase 2 of the subdivision map.
22. All easements shall be large enough to provide room for all utilities without utilities being placed underneath the City sidewalk.
23. Developer shall coordinate with all utility companies and include utility information on the improvement plans at the time of Final Map submittal.
24. Developers at each adjacent corner of a collector/arterial intersection are responsible for 50 percent of the cost of a traffic signal designated in the City of Merced Public Facilities Impact Fees, at each quarter-mile/half-

mile collector intersection with Cardella Road as warrants are met in the judgment of the City Engineer. As such, this Developer shall be responsible for 12.5 percent of the signal at Cardella Road and San Augustine Drive or a proportionate share based on a traffic study provided by the applicant (with scope of work approved by the City of Merced). At the time of the first final map, the owner's engineer shall provide a cost estimate for these improvements (subject to the approval of the City Engineer) and shall provide cash security in an amount equal to 12.5% or a proportionate share as determined by a traffic study of the cost of the improvements. Improvements made by the developer that are reimbursable by the City may be subject to prevailing wage.

25. Mitigation Measure M-6 for the Barnell Annexation which included this property, required the construction of 2 travel lanes on Cardella Road west of San Augustine to State Highway 59. Because this development is not solely responsible for the traffic being generated on Cardella Road and at the intersection of Cardella Road and State Highway 59, the development shall only be required to pay a proportionate share of the cost of the 2 travel lanes required by Mitigation Measure M-6. The proportionate share shall be determined by the proportionate acreage included within the Barnell Annexation area or the proportionate share of this development's contribution to the traffic in this area based on a traffic study provided by the project developer (the scope of work to be approved by the City). At the time of the first final map, the owner's engineer shall provide a cost estimate for these improvements (subject to the approval of the City Engineer). Prior to the first final map being approved, the property owner shall provide cash security in an amount equal to the development's proportional share of the cost of the improvements.
26. Mitigation Measure M-6 of the Barnell Annexation, a traffic signal is required at State Highway 59 and Cardella Road. This traffic signal is eligible for 100% reimbursement through the City's Public Facilities Financing Plan. However, the cost of installation of the signal is required to be paid up front by the owner/developer. Therefore, this project is required to contribute its proportional share of the cost of the traffic signal. The proportionate share of the cost shall be determined by the proportionate share of acres within the annexation area or by a traffic study provided by the developer (scope of work to be approved by the City). Reimbursement may be requested in accordance with the

provisions of the City's Public Facilities Financing Plan. At the time of the first final map, the owner's engineer shall provide a cost estimate for these improvements (subject to the approval of the City Engineer) and shall provide cash security in an amount equal to the development's proportionate share of the cost of the improvements. Improvements made by the developer that are reimbursable by the City may be subject to prevailing wage.

27. The owner/developer shall either provide a traffic study (with scope of work to be approved by the City) to determine the project's contribution to the traffic at the intersection of Yosemite Avenue and San Augustine Drive to determine the project's fair share of the cost of the traffic signal at this intersection or, the owner/developer may choose to pay 12.5% of this traffic signal. The cost of the traffic signal shall be approved by the City Engineer. At the time of the first final map, the owner's engineer shall provide a cost estimate for these improvements (subject to the approval of the City Engineer) and the owner shall provide cash security in an amount equal to the development's proportional share or 12.5% of the cost of the improvements.
28. The developer is responsible for acquiring necessary right-of-way (R-O-W.) and constructing the extension of San Augustine Drive along the west property line with full R-O-W on the east side of San Augustine Drive, two travel lanes, and curb and gutter on the west side of San Augustine Drive (currently the north/south portion of La Cava Road). San Augustine Drive shall be constructed with each phase of construction.

Water/Sewer/Storm Drain

29. Developer shall demonstrate, to the satisfaction of the City Engineer, that adequate water and sewer systems are part of the project improvements. The Developer shall extend water and sewer from existing facilities as may be necessary.
30. Prior to the approval of the first Final Map, the applicant shall demonstrate to the City that storm drainage facilities are adequate to meet project demands and that improvements are consistent with the draft City of Merced Storm Drainage Master Plan.
31. 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). These requirements may be met for the subdivision as a whole or on a lot-by-lot basis.

32. Prior to the first final map approval, the owner shall provide confirmation that Lantana Estates has paid its share of the storm basin/pump station (located south of Monaco Drive and west of Horizons Avenue) that was installed by the Provence Subdivision, which the Lantana Estates Subdivision utilizes.

Building/Site Design

33. All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
34. No residential driveways shall front on any arterial or collector street (San Augustine Drive, Pettinotti Road, El Redondo Drive, and Cassis Drive).
35. All driveways shall provide a minimum length of 20 feet beyond the sidewalk. If a sidewalk is located within an easement area, the 20 feet shall be measured from the back of the sidewalk.
36. 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.
37. Compliance with the visual triangle requirements for corner lots is required and may result in the applicant constructing smaller homes on these lots or increasing the front yard setbacks. A 4-foot encroachment for the porch area may be allowed within this area. Details to be worked out with staff.
38. Refuse containers shall be stored out of site of the general public. A concrete pad (3 x 6 foot minimum with a paved access to the street) shall be installed in the side or back yard of each unit to house refuse containers.
39. The following R-1-5 Zone “Façade Design” Provisions per Merced Municipal Code Section 20.10.070 G shall be added to the elevations for the homes throughout the subdivision:

- a. Garage frontage. A minimum of twenty-five (25%) percent of the front elevations along a street shall have a minimum twenty-five (25) foot setback for the garages.
- b. A minimum of twenty-five (25%) percent of the garages along a street with the standard twenty-foot setback shall have recessed doors.
- c. No three-car garages shall be allowed on 5,000-square-foot lots, except on lots with alley access or lots exceeding 60 feet in width.
- d. Front elevations. All subdivisions shall provide a variety of dwelling elevations appropriate for the scale of the project. Elevations shall be approved by the Development Services Director or his designee. At a minimum, the same elevations shall not be repeated for adjacent houses. Varied front setbacks and same two-story houses are encouraged as ways of achieving variety.
- e. Windows, doors, and garage doors (except recessed garage doors) on the front elevation shall have raised trim in order to provide visual interest and relief.
- f. Two-story dwelling units. Plans for two story structures to be constructed at the exterior boundary of a 5,000-square-foot or smaller lot subdivision adjoining a developed R-1 residential zoned area shall be reviewed by the Development Services Director or designee. The Director or designee shall consider the relationship of second-story windows, doors, and balconies with the privacy of neighbors, and may require that these features be redesigned or omitted from second-story rear walls.

Landscape

40. Developer shall submit landscape/irrigation/wall plans for areas to be maintained by the City for approval by City Engineer. All walls shall be solid masonry and 7 feet in height. Full landscaped designs are required for the Community Facilities District (CFD) areas. All landscaped areas along Cassis, San Augustine, and El Redondo Drives, as well as Pettinotti Road, shall be included in the CFD.
41. All landscaping shall comply with State Water Resources Control Board Resolution No. 2015-0032 "To Adopt an Emergency Regulation for

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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).

42. 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).
43. A decorative wall and a 10-foot-wide landscape area along San Augustine Drive as required on collectors may be difficult to achieve with 80-foot length lots (Lots 1 – 7 and Lots 157 – 159). As such, a few lots may be lost, smaller homes built on the lots, or shifting the lots to the east may be required. Details to be worked out with staff.