

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #15-05-3rd Addendum

AGENDA ITEM: 4.2

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: May 20, 2015
(Cont'd from March 4, and April 22, 2015)

PREPARED BY: Julie Nelson,
Associate Planner

CITY COUNCIL
MEETING DATE: July 6 or July 20, 2015 (Tentative)

SUBJECT: **General Plan Amendment #14-04, Revision #2 to the Fahrens Creek Specific Plan, and Site Utilization Plan Revision #4 to Planned Development (P-D) #46**, initiated by Golden Valley Engineering, on behalf of Barbara Bruno, property owner. This application is a request to modify the designations of the General Plan, Fahrens Creek Specific Plan, and Site Utilization Plan for Planned Development (P-D) #46 for an approximately 10.42 acre parcel generally located at the southwest corner of Pacific Drive and Horizons Avenue. The requested changes include changing the General Plan designation for approximately 6.2 acres of the parcel from Low Density (LD) Residential to Village Residential (VR) and changing the designation within the Fahrens Creek Specific Plan and the Site Utilization Plan for Planned Development #46 for approximately 6.76 acres of the property from Low Density Residential to Multi-Family Residential. These changes would allow the future construction of an apartment complex with 136 units on an approximately 5.9-acre portion of the property. *PUBLIC HEARING*

ACTION: **PLANNING COMMISSION:**

Recommendation to City Council

- 1) Environmental Review #14-26 (Mitigated Negative Declaration)
- 2) General Plan Amendment #14-04
- 3) Revision #2 to the Fahrens Creek Specific Plan
- 4) Site Utilization Plan Revision #4 to Planned Development #46

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #14-26 (Mitigated Negative Declaration)
- 2) General Plan Amendment #14-04
- 3) Revision #2 to the Fahrens Creek Specific Plan
- 4) Site Utilization Plan Revision #4 to Planned Development #46

SUMMARY

The applicant is requesting changes to the land use designations for a portion of a 10.42-acre parcel located at the southeast corner of Pacific Drive and Horizons Avenue within Planned Development (P-D) #46 (Attachment A). If approved, the applicant is proposing to construct a 136-unit apartment complex on an approximately 5.9-acre portion of the parcel (Attachment B). The parcel has a variety of land use designations according to the City's General Plan Land Use Diagram (Attachment C). Approximately 4 acres of the parcel have a General Plan designation of Village Residential (VR), approximately 6.2 acres have a Low Density Residential (LD) designation, and approximately 0.22 acres have an Open Space/Parks designation. The Fahrens Creek Specific Plan and Site Utilization Plan for Planned Development #46 identify approximately 3.66 acres of the site as Village Residential and the remaining area as Low-Density Residential (Attachment D). The proposed apartment complex would be marketed to students attending UC Merced, but could also be rented to the general public.

If the General Plan Amendment and Site Utilization Plan Revision are approved, the developer would apply for a Conditional Use Permit to approve the construction of the 136-unit apartment complex including the required parking, an office/lounge building, and a swimming pool (Attachment B). The apartment complex would have a total of 17 buildings with 8 units each (4 units downstairs and 4 units upstairs). Covered parking would be provided for all units. Approximately 4.5 acres of the site have been designated as a "floodway" on the Flood Insurance Rate Map (FIRM) making it undevelopable for structures (Attachment E). Therefore, the project area only encompasses approximately 5.9 acres. A small portion of the parking area would encroach into the floodway which would be allowable if proper documentation is provided and approved per Merced Municipal Code Section 17.48.190 (Attachment I). However, the applicant has provided an alternative site plan that reduces the number of units and removes all structures out of the flood way at Attachment L. This option may be presented at the Conditional Use Permit stage for approval.

Although a preliminary site plan has been provided with this application, the Planning Commission's action is to make a recommendation on the General Plan Amendment, Specific Plan Revision, and Site Utilization Plan Revision. The site plan could be changed at the Conditional Use Permit stage as per Condition #1 below. At the Conditional Use Permit stage, staff would provide details on the actual development including the number of bedrooms, parking, amenities, etc. Staff is recommending approval subject to the conditions below.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend: a) approval of Environmental Review #14-26 (Mitigated Negative Declaration); b) General Plan Amendment #14-04; c) Revision #2 to the Fahrens Creek Specific Plan; and, d) Site Utilization Plan Revision #4 to Planned Development #46 (including the amendment to Planning Commission Resolution #2675 deleting Condition #18), and (including the adoption of the Resolution at Attachment M) subject to the following conditions:

- *1) The proposed project shall be constructed/designed as shown on Exhibit 1 (site plan) - Attachment B of Planning Commission Staff Report #15-05-3rd Addendum, except as modified by the conditions below or subsequent Conditional Use Permit approval.

- *2) The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
- *3) The Project shall comply with the conditions set forth in Planning Commission Resolution #2675 (Attachment F of Planning Commission Staff Report #15-05-3rd Addendum) for Annexation Application #00-03, Pre-Zone Application #00-03, General (including Specific) Plan Amendment #00-09, and Environmental Review #00-31 (including the Mitigation Monitoring Program found at Attachment G of Planning commission Staff Report #15-05-Addendum #3) previously approved for this project, except as amended by this action (which includes the deletion of Condition #18).
- *4) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
- *5) Approval of the General Plan Amendment, Revision to the Fahrens Creek Specific Plan, and Site Utilization Plan Revision are 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.
- *6) In accordance with Merced Municipal Code Section 20.42.130, this project will be constructed according to the following development schedule: construction shall begin no later than January 1, 2016 with completion of construction by June 1, 2017. On each anniversary of the approval of this application until the entire project is constructed, an updated development schedule shall be submitted to the Planning Division.
- *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, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or

proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.

- *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) Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, street lights, parks and open space. CFD procedures shall be initiated before final map approval or the issuance of a building permit. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
- *10) Conditional Use Permit approval is required prior to development of any project on this site.
- *11) At the time this site is developed, all public improvements shall be installed along the property frontage (including frontage on Pacific Drive, Stinson Drive, Horizons Avenue, and Compass Pointe Avenue).
- *12) Any development on the site shall comply with all mitigations measures outlined in Initial Study #14-26 (Attachment H of Planning Commission Staff Report #15-05 – 3rd Addendum) and described in the mitigation monitoring program found at Attachment L of Attachment H of Planning Commission Staff Report #15-05 – 3rd Addendum.

(*) Denotes non-discretionary conditions.

PROJECT DESCRIPTION

The project request is to allow a change to the General Plan land use designation, Fahrens Creek Specific Plan designation and the designation on the Site Utilization Plan for Planned Development (P-D) #46 for a portion of the 10.42-acre parcel. The applicant is requesting the land use designation for the parcel be changed to Village Residential and Multi-family Residential to allow the construction of a 136-unit apartment complex. The applicant's request includes the following changes:

Requested Changes

Plan	Area	Existing Designation	Proposed Designation
General Plan	6.2 acres (+/-)	Low Density Residential (LD)	Village Residential (VR)
Fahrens Creek Specific Plan	6.76 acres (+/-)	Low Density Residential (LD)	Village Residential (VR)
Site Utilization Plan for Planned Development (PD) #46	6.76 acres (+/-)	Low Density Residential (LD)	Village Residential (VR)

If the requested changes to the land use designations are approved, the applicant would submit an application for a Conditional Use Permit to allow the construction of the proposed 136 apartment units. The apartment complex would have a total of 17 buildings with 8 units each (4 units downstairs and 4 units upstairs). Covered parking would be provided for all units. The complex would also include an office/lounge building and a swimming pool. Refer to Attachment B for a site plan of the proposed complex.

Approximately 5 acres of the project site is located within an area that has been designated as a “Floodway” on the Flood Insurance Rate Map (FIRM). As such, this area is not available for development of structures. The proposed site plan does not show any structures located within the floodway. However, a portion of the parking lot would be within the floodway. According to the Merced Municipal Code (MMC) Section 17.48.190, if certification is provided by a registered professional engineer or architect demonstrating that encroachments would not result in any increase in the flood levels during the occurrence of the base flood discharge, construction of certain types of improvements (including a parking lot as proposed) may be allowed within the floodway area.

The project site is located within close proximity to property designated for commercial development (Attachment A) and is across the street from the Compass Pointe Apartments which should be under construction within the next few months. The Compass Pointe Apartments are required to install a bus stop along their property frontage on Horizons Drive. This bus stop could also be utilized by this proposed development.

Surrounding Uses
(Attachment A)

Surrounding Land	Existing Use of Land	Zoning Designation	City General Plan Land Use Designation
North	Single-Family Residential (across Pacific Drive)	P-D #46	Low Density Residential (LD)
South	Dog Park (across Fahrens Creek)	P-D #46	Open Space/Recreation (OS)
East	Vacant	P-D #46	Low Density Residential (LD)
West	Future Apartment Complex (across Horizons Avenue)/ Vacant and Single-Family Residential (across Compass Pointe Avenue)	P-D #46	Village Residential (VR)/Neighborhood Commercial Office (CN)

BACKGROUND

The project site was annexed into the City in January 2003, as part of an approximately 273.6-acre area that created the Fahrens Creek Specific Plan and established Planned Development (P-D) #46. The Fahrens Creek Specific Plan includes the area bounded by Highway 59 to the west, Lehigh Drive (extended) to the north, R Street to the east, and Yosemite Avenue to the south (with the exception of the northeast corner of Highway 59 and Yosemite Avenue which remains in the County). Planned Development (P-D) #46 is within those same boundaries. The subject site had two land use designations as part of the Fahrens Creek Specific Plan and Planned Development (P-D) #46. As shown on the map at Attachment D, a portion was designation for Village Residential (VR) and another portion was designated for Low Density Residential (LD).

This project was originally scheduled to come before the Planning Commission on February 4, 2015. However, due to an error found in the report and environmental document regarding the flood map provided, staff advised the item should be tabled and re-noticed to allow the re-circulation of the revised environmental document.

New public hearing notices were sent out for this item to be heard on March 4, 2015. However, prior to the meeting, the owner requested the item be continued to the Planning Commission meeting of April 22, 2015, to allow the owner and developer time to work out some issues that had arisen. Prior to that meeting, staff had received a letter from Keith Tetangco which expressed his concern with the change from Low-Density Residential to High Density Residential. This letter can be found at Attachment J.

Prior to the meeting of April 22, 2015, staff received another request from the property owner requesting this project be continued to the meeting of May 20, 2015.

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The applicants are requesting to change the land use designation for a 6.2-acre portion of the 10.42-acre subject property from Low Density Residential (LD) to Village Residential (VR) and to amend the land use designations of the Fahrens Creek Specific Plan and Site Utilization Plan for Planned Development (P-D) #46 from single-family residential to multi-family residential. The rest of the property, with the exception of the small portion designated as Open Space/Park (OS), is already designated as Village Residential (VR).

The proposed changes would achieve the following General Plan land use policies:

- | | |
|------------------------|---|
| <u>Land Use 1.2.a:</u> | Encourage higher-density residential developments within walking distance (approximately ¼ mile) of commercial centers. |
| <u>Land Use 2.8.e:</u> | Preserve the existing housing stock and build a mix of new higher density housing. |
| <u>Land Use 3.1.c:</u> | Plan areas for higher density development within ¼ mile of locations identified as transit hubs and commercial centers. |
| <u>Land Use 3.1.d:</u> | Encourage higher densities in areas served by the full range of urban services. Consider higher housing densities for areas around existing and planned transit hubs. |
| <u>Housing H-1.1:</u> | Support increased densities in residential areas. |

Traffic/Circulation

- B) The project consists of 136 future apartments and is located at the southeast corner of Pacific Drive (Collector Road) and Horizons Avenue (Local road). The project also has frontage along Stinson Drive (local road) between Compass Pointe Avenue (Collector Road) and Horizons Avenue (refer to location map at Attachment A). The subject site consists of 10.4 acres, but because of the floodway on the southern end of the property, only 6.4 acres (approximately) are developable. Access to the site would be from the main driveway on Horizons Avenue or the secondary driveway on Stinson Drive.

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual (8th Edition), the Average Daily Trips (ADT's) for Apartments based on the number of units is 6.65 trips per unit. Based on this rate, the project would generate 904 Average Daily Trips. Peak Hour Trips (PHT's) for one hour between 4 and 6 p.m. are calculated at a rate of 0.62 trips per unit, resulting in 84 PHT's.

If the gross site area was developed at maximum density under the current land use designations (without a reduction due to the floodway), the area designated for Village Residential would generate 798 ADT's and 74 PHT's. The area designated as Low Density Residential would generate 345 Average Daily Trips and 36 Peak Hour Trips. Based on this, the total Average Daily Trips for this site would equal 1,143 ADT's and the Peak Hour Trips would equal 110 PHT's. Therefore, if the site was developed at

maximum density under the current land use designations, the traffic generated would be more than that of the proposed development.

Level of Service (LOS)

The major roadways surrounding the site are R Street to the east, North Highway 59 to the west, and Yosemite Avenue to the south. According to Table 4.4 (Merced SUDP/SOI Arterial Street System Traffic Volume & Level of Service) of the *Merced Vision 2030 General Plan*, R Street and Yosemite Avenue are currently operating at an acceptable level of service. The General Plan designates a Level of Service (LOS) D as an acceptable level for traffic flow. Based on projections for 2030 (General Plan Buildout), R Street would be operating at an LOS F between Olive Avenue and Yosemite Avenue and would be operating at an LOS C+ from Yosemite Avenue to Cardella Road. Yosemite Avenue is expected to maintain its current level of service of C+ at General Plan Buildout. North Highway 59 is currently operating at an LOS F from Olive Avenue to Yosemite Avenue which is below the acceptable level of service (LOS) established by the General Plan. According to the projections for 2030, this roadway segment is expected to improve to an acceptable level of LOS D.

Although the level of service for R Street is expected to drop below an acceptable level at General Plan Buildout, it would not be due to this proposed change. Therefore, this project is not responsible for any future improvements to R Street. The same is true for North Highway 59. Even though it currently operates at an unacceptable level (LOS F), this project is not responsible for any improvements to this roadway. The proposed project would not generate enough traffic on any of the City's major roadways to reduce the level of service below an acceptable level. The Public Facilities Impact Fees and Regional Transportation Impact Fees for the project will pay for its impacts to regional and City roadways.

It should also be noted that a bus stop will be constructed on Compass Pointe Avenue as part of the Compass Pointe Apartments project. This will provide an alternative transportation method within close proximity to the proposed project site. This should help reduce some of the traffic in the area.

Parking

- C) Parking requirements for apartments are 1.75 spaces for each unit up to 30 units and 1.5 spaces for each unit thereafter. Based on this ratio, the proposed apartments would be required to provide 212 parking spaces. The proposed site plan shows 228 parking spaces. Information on the parking is provided for information only. The parking for the site would be approved with the Conditional Use Permit.

Public Improvements/City Services

- D) Water

An 8-inch water line exists in Horizons Avenue near Pacific Drive. There is also an 8-inch line in Compass Pointe Avenue and a 16-inch water line in Pacific Drive. The development would be able to connect to any of these locations to provide water service to the site.

Wastewater

Sewer lines are also located in these same streets. There is sufficient capacity within these lines to serve the proposed development.

Storm Drainage

Storm drain lines exist in Pacific Drive and Compass Pointe Avenue. The project would be required to provide storage of storm water on the site and meter it into the City's storm drain system. The developer would be required to provide calculations to confirm there is capacity in the existing system to serve the proposed project. If there is not sufficient capacity, the developer would be required to provide an alternative to using the existing lines.

Streets

The project would be required to install all missing street improvements, including streets, sidewalk, curb, gutter, and street trees along the property frontage. Currently, Stinson Drive and the portion of Horizons Avenue south of Pacific Drive do not exist. These roadways would be installed with the Compass Pointe Apartment project to the west, but the proposed project on this site would be responsible for reimbursing the owners of the Compass Pointe Apartments for a portion of the road and for installing curb, gutter, sidewalk, and street trees along the property frontage.

Flood Zone/Floodway

- E) The project site has three different flood zones. The northern portion (approximately 1.5 acres) is not located outside the 100 year flood plain and is designated as a Flood Zone X on the Flood Insurance Rate Map (FIRM), revised December 2, 2008. Moving south from the northern corner, approximately 1.7 acres are designated as a Shaded X (0.2% chance of flooding). Continuing south, approximately 3.1 acres are within an AE Flood Zone. The remaining portion of the parcel, approximately 4 acres is within a designated floodway (see map at Attachment E). The construction of the apartment buildings would be within the X, Shaded X, and AE designated areas. However, a small portion of the parking area (pavement only) would be located within the floodway. In order to ensure the construction of the parking area would not affect the floodway and increase the risk of flooding to the area, the developer would be required to provide certification as required by MMC Section 17.48.190 (Attachment I). In addition, all other mitigation measures approved with the annexation of the site would be implemented (Attachment G). Some of the residential structures would be constructed within a flood zone. All measures required by the California Building Code (CBC) and the Federal Emergency Management Agency (FEMA) would be required to ensure the finished floor of the residential structures are above the flood level.

Building Design

- F) The applicant has not submitted detailed building plans at this point. If this request is approved, the applicant would apply for a Conditional Use Permit at which time the building design would be reviewed as well as information provided on the number of bedrooms, parking, and other amenities.

Site Design

- G) The following information on the site design is being provided for information only. The site design would be reviewed at the Conditional Use Permit stage.

The site includes 17 apartment buildings, an office/lounge building and a swimming pool. The project proposes the main driveway entrance to be on Horizons Avenue, just south of Pacific Drive and a secondary driveway on Stinson Drive, east of Compass Pointe Avenue. Nine of the seventeen buildings are located along the street. The other six apartment buildings and the office/lounge building are on the interior of the lot.

The site plan option provided at Attachment L reduces the number of buildings to 13 and the number of units to 104. This option removes all buildings from the floodway. The applicant would determine at the Conditional Use Permit stage which option they wish to submit for approval.

Neighborhood Impact/Interface

- H) The site is located on the south side of Pacific Avenue. Currently, there are no uses adjacent to the site, but the Compass Pointe Apartments (96 units) will begin construction in the near future. There are single-family dwellings to the north of the site across Pacific Drive.

Given the roadway design, there would only be 3 buildings visible from Pacific Drive and two on Compass Pointe Avenue (Attachment B). All the buildings would be two-story buildings, but are separated from the single-family homes by a roadway. All the houses along Pacific Drive would be at least 100 feet from the nearest building. The nearest building to the homes along Compass Pointe Avenue would be approximately 88 feet away.

Although there is a parcel to the east that is designated for Low-Density Residential development, an application has been submitted requesting a change to the land use designation for that property to also allow multi-family development. If approved, there would be no single-family dwellings adjacent to this site. This application will likely be considered by the Planning Commission and City Council in the next few months.

The proposed project would add traffic to the area, but given the fact that traffic would not have to enter the surrounding single-family neighborhoods to access the project site, the impact from traffic would be mostly limited to Pacific Drive and Compass Pointe Avenue. Pacific Drive is a Collector Street and intended to carry a larger volume of traffic. Given the fact that the primary entrance is closer to Pacific Drive than Compass Pointe and the fact that only right turns could be made on Yosemite Avenue from Compass Pointe Avenue, it's anticipated that the majority of the traffic would be using Pacific Drive.

At the time of the Conditional Use Permit review, conditions could be placed on the project to limit potential impacts to the neighborhood and ensure the design is compatible with the surrounding neighborhoods.

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

on January 22, 2015, the applicant held a neighborhood meeting. Notices were sent to all property owners within 300 feet of the site. No one attended the meeting.

Prior to the April 22, 2015, Planning Commission meeting, staff received a letter from Keith Tetango expressing his concern about the land use change (Attachment J).

On May 1, 2015, Joan Porter hand-delivered a letter to the Planning Department regarding construction in the floodplain (Attachment K). Although the letter does not identify this project as the subject of her letter, this is the only project staff is currently working on that involves the flood plain. Therefore, staff has included the letter as part of this report.

Deletion of Condition #18 of Planning Commission Resolution #2675

- I) As previously discussed, this property was part of an annexation that consisted of 273.6 acres. At the time of annexation, the Fahrens Creek Specific Plan and the establishment of Planned Development (P-D) #46 were also approved. One of the conditions placed on development at that time included Condition #18 of Planning Commission Resolution #2675 as follows (Attachment F):

- 18) No approvals will be adopted or permits issued by the City of Merced, for actual construction on the portion of the Fahrens Creek Specific Plan depicted on Attachment 3* and Exhibit 1*, as further described as that portion outlined by heavy dashed line, until authorization has been received from, or a waiver acceptable to the City has been granted by, the U.S. Army Corps of Engineers (the “Corps”) regarding flood control measures to be taken to comply with that portion of the Merced Streams Group Project located within the Fahrens Creek Specific Plan. If the Corps does not authorize construction in that portion of the property, or grant a satisfactory waiver by December 31, 2005, the applicant may request review of this condition by the City Planning Commission to determine whether, at that time, an extension of this condition is necessary or advisable (*Attachment 3 to City Manager Administrative Report on Fahrens Creek Specific Plan Adoption, dated December 10, 2001; and Planning Commission/City Council Exhibit 1: Fahrens Creek Specific Plan).

Currently there is no approved plan, alignment, or concept for a flood channel, and channelization is not considered to be feasible at this time. Therefore, staff is recommending that the previously approved Condition #18 from Planning Commission Resolution #2675 be deleted.

Land Use/Density Issues

- J) The project site currently has three land use designations: Village Residential, Low Density Residential, and Open Space/Park. The proposal is a request to change the site (excluding the area designated as Open Space/Park – approximately 0.22 acres) to Village Residential. If approved, 10.2 acres would be available to develop multi-family residential units. The proposed 136-unit apartment complex would equal a density of 13 units per acre. The applicant is requesting a Village Residential (VR) land use designation which allows 7 to 30 units per acre for a minimum average of 10 dwelling units per acre.

Currently, approximately 6.2 acres of the site is designated for Low Density Residential (LD). This land use designation would allow 2 to 6 dwelling units per acre. As such, under the current LD designation, a maximum of 37 units would be allowed on this portion of the site.

Approximately 4 acres of the site are already designated for Village Residential. Based on the maximum density allowed (30 units/acre), 120 units could be allowed on this 4 – acre portion of the site.

Based on the above information, the maximum density for the site could be 157 units. The proposed project would construct 136 units which is within the density allowed for Village Residential (VR).

It should also be noted that because of the awkward shape of this parcel, “a reverse L,” it would be difficult to develop the site with a traditional single-family development. Its proximity to future commercial development also makes it desirable for multi-family development. For these reasons, staff is recommending approval of the change in land use.

Environmental Clearance

- K) The Planning staff has conducted an environmental review (Initial Study # 14-26) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Draft Mitigated Negative Declaration (i.e., no significant effects in this case because of the mitigation measures and/or modifications described in Initial Study #14-26) is being recommended (Attachment H).

Attachments:

- A) Location Map – Refer to Attachment 1 of Administrative Report
- B) Site Plan – Refer to Attachment 2 of Administrative Report
- C) General Plan Land Use Diagram – Refer to Attachment 3 of the Administrative Report
- D) Fahrens Creek Specific Plan/Site Utilization Plan Map - Refer to Attachment 4 of the Administrative Report
- E) Flood Map - Refer to Attachment 6 of the Administrative Report
- F) Planning Commission Resolution #2675 (with proposed amendment) - Refer to Attachment 8 of the Administrative Report
- G) Mitigation Monitoring Program for Expanded Initial Study #00-31
- H) Initial Study #14-26 - Refer to Attachment 9 of the Administrative Report
- I) Merced Municipal Code Section 17.48.190 - Refer to Attachment 7 of the Administrative Report
- J) Letter from Keith Tetangco - Refer to Attachment 10 of the Administrative Report
- K) Letter from Joan Porter - Refer to Attachment 11 of the Administrative Report
- L) Optional Site Plan - Refer to Attachment 5 of the Administrative Report
- M) Draft Planning Commission Resolution – Refer to Attachment 12 of the Administrative Report.

REFER TO ADMINISTRATIVE REPORT ATTACHMENTS FOR PLANNING
COMMISSION STAFF REPORT #15-05 – 3RD ADDENDUM ATTACHMENTS
A THROUGH F AND H THROUGH M.

EXPANDED INITIAL STUDY #00-31

for FAHRENS CREEK ANNEXATION TO THE CITY OF MERCED

Appendix C

Mitigation Monitoring Program

MITIGATION MONITORING CONTENTS

This mitigation monitoring program includes a brief discussion of the legal basis and purpose of the mitigation monitoring program, a key to understanding the monitoring matrix, a discussion of noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resource Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The City of Merced has adopted its own "Mitigation Monitoring and Reporting Program" (MMC 19.28). The City's program was developed in accordance with the advisory publication, *Tracking CEQA Mitigation Measures*, from the Governor's Office of Planning and Research.

As required by MMC 19.28.050, the following findings are made:

- 1) The requirements of the adopted mitigation monitoring program for the Fahrens Creek Annexation shall run with the real property that is the subject of Annexation Application #00-31 to the City of Merced. Successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program.
- 2) Prior to any lease, sale, transfer, or conveyance of any portion of the subject real property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

MITIGATION MONITORING PROCEDURES

In most cases, mitigation measures can be monitored through the City's construction plan approval/plan check process. When the approved project plans and specifications, with mitigation measures, are submitted to the City Development Services Department, a copy of the monitoring checklist will be attached to the submittal. The Fahrens Creek Annexation Mitigation Monitoring Checklist will be filled out upon project approval with mitigation measures required. As project plans and specifications are checked, compliance with each mitigation measure can be reviewed.

In instances where mitigation requires on-going monitoring, the Mitigation Monitoring Checklist will be used until monitoring is no longer necessary. The Development Services Department will be required to file periodic reports on how the implementation of various mitigation measures is progressing or is being maintained. Department staff may be required to conduct periodic inspections to assure compliance. In some instances, outside agencies and/or consultants may be required to conduct necessary periodic inspections as part of the mitigation monitoring program. Fees may be imposed per MMC 19.28.070 for the cost of implementing the monitoring program.

Fahrens Creek Annexation to the City of Merced Expanded Initial Study #00-31: Mitigation Monitoring Program (2)

GENERAL PLAN MITIGATION MEASURES

As a second tier environmental document, the *Expanded Initial Study for the Fahrens Creek Annexation to the City of Merced* incorporates some mitigation measures adopted as part of the *Merced Vision 2015 General Plan Program Environmental Impact Report* (SCH# 95082050), as mitigation for potential impacts of the Project. Therefore, following the Fahrens Creek Annexation Mitigation Monitoring Checklist (starting on page A-15) is a list of these relevant General Plan mitigation measures along with the General Plan Mitigation Monitoring Checklists (Forms A and B) to be used to verify that the General Plan mitigation measures have been met.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the City Planner in written form providing specific information on the asserted violation. The City Planner shall cause an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the City Planner shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue. Merced Municipal Code (MMC) Sections 19.28.080 and 19.28.090 outline the criminal penalties and civil and administrative remedies which may be incurred in the event of noncompliance. MMC 19.28.100 spells out the appeals procedures.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for the Fahrens Creek Annexation. The columns within the tables are defined as follows:

Mitigation Measure: Summarizes the Mitigation Measure (referenced by number) identified in Expanded Initial Study #00-31.

Timing: Identifies at what point in time or phase of the project that the mitigation measure will be completed.

Agency/Department Consultation: This column references any public agency or City department with which coordination is required to satisfy the identified mitigation.

Verification: These columns will be initiated and dated by the individual designated to verify adherence to the project specific mitigation.

Fahrens Creek Annexation Mitigation Monitoring Checklist

Project Name: _____
 File Number: _____
 Approval Date: _____
 Project Location: _____

Brief Project Description: _____

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City of Merced's Mitigation Monitoring Requirements (MMC 19.28) with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

	<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
	A. EARTH			
A-1	Grading and excavation shall be conducted according to City of Merced standards to reduce the effects of disruptions, displacement, compactions, and over-covering of soils.	<i>Building Permits</i>	<i>City Inspection Services, Engineering, & Public Works</i>	
A-2	The Project applicants shall prepare grading plans for individual projects for review and approval by the City of Merced Inspection Services, Engineering, and Public Works Departments prior to approval of building permits. The grading plans shall include the nature and extent of work proposed, phasing, and minimize the effects of disruptions, displacement, compaction, and over-covering of soils.	<i>Building Permits</i>	<i>City Inspection Services, Engineering, & Public Works</i>	
A-3	Prior to approval of any improvement or building plans, the City shall review plans for drainage and storm water run-off control systems and their component facilities, as required, to ensure that these systems are non-erosive in design.	<i>Tentative Map Building Permit</i>	<i>City Engineering & Public Works</i>	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
A-4 Upon completion of construction, subsequent Projects shall re-vegetate all exposed soil surfaces within 30 days, or as otherwise approved by the City, to minimize potential topsoil erosion. Reasonable alternatives to re-vegetation may be employed, especially during peak high temperature periods, subject to the approval of the City.	<i>Certificate of Occupancy</i>	<i>City Inspection Services</i>	
A-5 Projects under review shall be required to submit temporary erosion control plans for construction activities.	<i>Building Permits</i>	<i>City Inspection Services</i>	
A-6 Prior to the issuance of a building permit, the applicant shall design all structures according to the Uniform Building Code Seismic Section 3.	<i>Building permits</i>	<i>City Inspection Services</i>	
A-7 A soils report shall be prepared by a qualified soils or civil engineer, consistent with the provisions of the State Subdivision Map Act, prior to approval of a final subdivision map or building permit, if applicable as required by Merced Municipal Code.	<i>Final Maps</i>	<i>City Engineering & Public Works</i>	
A-8 Building plans shall be reviewed by a registered engineer specializing in geo-technical assessments to ensure that the soils can support the load.	<i>Building Permits</i>	<i>City Inspection Services, Engineering, & Public Works</i>	
B. AIR			
B-1 All active portions of construction sites, earthen access roads, and material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Where feasible, reclaimed water shall be used.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-2 All clearing, grading, earth moving, or excavation activities shall cease during periods of winds greater than 20 miles per hour averaged over one hour.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-3 All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-4 The area disturbed by clearing, earth moving, or excavation activities shall be minimized at all times. This can be accomplished by mowing instead of disking for weed control and seeding and watering inactive portions of the construction site until grass is evident, if construction time frames warrant.	<i>Building Permits</i>	<i>City Inspection Services</i>	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
B-5 Construction site vehicle speeds shall be limited to 15 miles per hour.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-6 If used, petroleum-based dust palliatives shall meet the road oil requirements of the District's rule regarding Cutback Asphalt Paving Materials.	<i>Building Permits</i>	<i>SJVUAPCD</i>	
B-7 Streets adjacent to the Project site shall be swept as needed to remove silt and/or mud that may have accumulated from construction activities. The streets are required to be wet prior to or in conjunction with rotary sweeping.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-8 All internal combustion engine-driven equipment shall be properly maintained and well tuned according to the manufacturer's specifications.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-9 When reasonably available and economically feasible, diesel powered or electric equipment shall be utilized in lieu of gasoline powered engines.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-10 Construction activities shall minimize obstruction of through traffic lanes adjacent to the site and a flag person shall be retained to maintain safety adjacent to existing roadways.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-11 Prior to issuance of a grading permit, the project will be required to comply with District Regulation VIII. Specifically, the rules that apply to this project are: Rule 8010 (Administrative Requirements) and Rule 8020 (Construction, Demolition, Excavation, and Extraction Activities). Additional rules that may apply to this project depending on construction practices employed are: Rule 8030 (Handling and Storage of Bulk Materials), Rule 8060 (Paved and Unpaved Roads), and Rule 8070 (Parking, Shipping, Receiving, Transfer, Fueling, and Service Areas).	<i>Building Permits</i>	<i>SJVUAPCD</i>	
B-12 At the City Planner's discretion, subsequent projects within the Project boundaries may be required to submit an air quality analysis to the City prior to construction. Such studies shall outline any impacts associated with specific processes or activities to be present on-site.	<i>Site Plan Approval</i>	<i>City Planning</i>	
(B-13) (General Plan I-d) Development construction activity shall implement appropriate dust (PM10) suppression techniques as required by the SJVRAPCD.	<i>Building Permit/Construction</i>	<i>City Inspection Services</i>	

Mitigation Measure	Timing	Agency or Department Consultation	City Verification (date and initials)
C. WATER			
C-1 Prior to approval of a Final Map or subsequent development projects, the applicant shall demonstrate to the City that storm drainage facilities are adequate to meet Project demands and that improvements are consistent with the <i>Merced County Critical Area Flooding and Drainage Plan</i> and any updates.	Tentative Maps	City Engineering & Public Works	
C-2 Prior to alteration or removal of the existing elevated YVRR roadbed in the eastern portion of the project area, the property owner shall demonstrate, through competent analysis acceptable to the City of Merced, what effect removal of the roadbed will have on area flood waters delineated in the Special Flood Hazard Area identified on the east side of the roadbed, including impacts to other properties.	Tentative Maps Building Permits Conditional Use Permits/Site Plan Approvals	City Engineering & Public Works	
C-3 Prior to approval of subsequent development projects, the applicants shall demonstrate to the City that temporary erosion control measures will be followed during construction.	Building Permits	City Inspection Services	
C-4 As individual projects are determined, the applicants shall provide detailed information to the City regarding projected water usage. The applicants shall provide all water system needs (including wells, water mains, etc.) for individual projects or pay equivalent fees to insure the construction of the necessary water infrastructure.	Building Permits/ Parcel Maps	City Engineering & Public Works	
C-5 Industrial users shall recycle their own water if feasible and implement water conservation measures and techniques as determined for individual projects.	Building Permits	City Engineering & Public Works	
C-6 Areas within 100-year flood plains will be required to comply with all pertinent provisions of the City's Flood Damage Prevention Ordinance (MMC 17.48) and all updates. (C-7) (General Plan 2-a) When site-specific development proposals with direct discharge into the area's surface water system are submitted to the City for review and action, Best Management options should be evaluated to determine need and feasibility.	Building Permits Subdivision maps/Parcel maps/ Building permits	City Inspection Services & Engineering Engineering	
(C-8) (General Plan 2-b) Water conservation policy of the City should be periodically reviewed to determine need, appropriateness, and feasibility of implementing conservation practices suggested in the Merced Water Supply Plan.	Subdivision maps/Parcel maps/ Conditional Use Permits	Engineering/Public Works/ City Planning	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
E. ANIMAL LIFE			
E-1 If any future development takes place during the Swainson's Hawk nesting season (late March through July), a pre-construction survey should be conducted by a qualified biologist to determine whether nesting activities are taking place within appropriate portions of the project area covered by this species assessment (Appendix A) (Fahrens Creek corridor from the west edge of "R" Street to the north edge of Yosemite Avenue).	<i>Final Maps</i> <i>Building Permits</i>	<i>City Planning</i> <i>CA Dept of Fish & Game</i>	
E-2 With regard to the Giant Garter Snake, for any development taking place in proximity to the Fahrens Creek corridor, from the west edge of "R" Street to the north edge of Yosemite Avenue: a) provide environmental awareness training to contractors doing work in this area; b) restrict construction along the Creek to only the snake's active season (May 1 through September 30); and c) have a qualified biologist conduct pre-construction surveys 24 hours in advance of construction activities.	<i>Final Maps</i> <i>Building Permits</i>	<i>City Planning</i> <i>CA Dept of Fish & Game</i>	
F. NOISE			
F-1 A 6 foot or higher sound wall or earthen berm (or combination of both), or some other acceptable method for achieving comparable noise reduction, may need to be constructed to meet the City's outdoor noise level standards of DNL 60dB for new residential development adjacent to perimeter arterials (Yosemite Avenue and "R" Street). Depending upon the DNLs and the acoustical shielding provided by the first row of buildings (if any), existing and new residential development located a greater distance from the perimeter arterials may require lower sound walls or a combination of sound attenuation measures. As an alternative to sound walls, new dwelling units may be oriented so that the outdoor use areas would be shielded by the building. As necessary detailed noise projections should be prepared to corroborate earlier noise studies/projections and actual height requirements for sound walls, prior to recordation of final maps for each phase of residential development falling within applicable noise zones.	<i>Final Maps</i> <i>Building Permits</i>	<i>City Planning</i>	

Mitigation Measure	Timing	Agency or Department Consultation	City Verification (date and initials)
F-2 Project residential developments constructed within pertinent noise zones in proximity to Yosemite Avenue and "R" Street would require sound-rated windows, as well as sound-rated exterior wall assemblies where necessary, or other acceptable methods of sound attenuation to achieve comparable noise reductions, to be consistent with the 45 dB interior noise level maximum.	<i>Final Maps Building Permits</i>	<i>City Planning</i>	
F-3 Trucks used for the development of Fahrens Creek will be required to use the City's designated truck routes, to be demonstrated by the project applicant through the submittal of a construction traffic plan to the City Engineer prior to the issuance of grading permits.		<i>City Planning City Inspection Services</i>	
F-4 All construction activity shall be conducted in accordance with City of Merced standards for times of operation.	<i>Building Permits</i>	<i>City Inspection Services</i>	
F-5 Grading and construction activity shall be limited to daylight hours (between 7 a.m. and 7 p.m.) in areas where noise sensitive receptors are located.	<i>Building Permits</i>	<i>City Inspection Services</i>	
F-6 In noise sensitive areas, construction equipment, compressors, and generators shall be fitted with heavy duty mufflers specifically designed to reduce noise impacts.	<i>Building Permits</i>	<i>City Inspection Services</i>	

Mitigation Measure		Timing	Agency or Department Consultation	City Verification (date and initials)
G. LIGHT AND GLARE				
G-1	The applicants shall utilize lighting fixtures of minimal wattage necessary to provide adequate lighting for security, industrial operations, and circulation. Light spill shall be controlled by baffles, cut-off lenses, and fixture height necessary to minimize spill-over onto adjacent properties. Prior to building permit approvals, lighting plans shall be submitted for review by the City which specifies lighting type, location, and methods for minimizing spill.	Building Permits	City Planning	
M. TRANSPORTATION /CIRCULATION				
M-1	The Project shall pay all fees as required under the City's Public Facilities Impact Fees (Chapter 17.62 of the Merced Municipal Code).	Certificate of Occupancy	City Planning & City Engineer	
M-2	The developer shall construct all collector, local, or cul-de-sac streets within the Project boundaries to their ultimate right-of-way with full frontage improvements as defined by the City of Merced Standard Designs for all Engineering Structures and the Merced Vision 2015 General Plan and any amendments thereto. This will include its proportional share of the proposed Reverse Frontage Road North-South Collector to be located along the west boundary of AREA A/east boundary of AREA B (and, if included, along the east boundary of AREA C), and any new interior streets within the Project boundaries. The timing of construction of the improvements is to be governed by the Subdivision Map Act and/or local ordinance.	Tentative Maps/ Parcel Maps/ Site Plan Reviews	City Planning & Engineering	
M-3	The developer shall dedicate half the required right-of-way for all arterial and higher order streets adjacent to the Project boundaries as defined in the <i>Merced Vision 2015 General Plan</i> . This includes both Yosemite Avenue and "P" Street (each adjacent to AREA A), as well as Highway 59 (currently several design concepts are under study/evaluation by Caltrans) adjacent to AREA B (and, if included, AREA C). Consistent with Mitigation Measure 7.b of the Merced Vision 2015 General Plan EIR, where the extent of right-of-way dedication exceeds the City's development standards for a collector street (currently 74 feet for a collector street located entirely within the Project and 37 feet for a collector abutting the Project), then the developer is eligible for reimbursements in accordance with the City's Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project's traffic impacts require additional dedication.	Tentative Maps/Site Plan Reviews	City Planning & Engineering	

Mitigation Measure	Timing	Agency or Department Consultation	City Verification (date and initials)
<p>M-4 The developer shall construct the "collector equivalent" (74 feet) portion of the right-of-way, along with full frontage improvements along the Project boundaries and at least one travel lane in each direction, for all arterial and higher order streets within the Project boundaries. Consistent with Mitigation Measure 7b of the Merced Vision 2015 General Plan EIR, where the extent of street improvements exceeds one-half of a "collector equivalent" street for a project fronting only one side of the street, the project is eligible for reimbursement for the cost of improvements exceeding the one-half "collector equivalent" in accordance with the City's Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project's traffic impacts require additional improvements.</p>	<p>Tentative Maps/ Parcel Maps/ Site Plan Reviews</p>	<p>City Planning & Engineering</p>	
<p>M-5 The owner of each adjacent corner within AREA A shall be responsible for one-quarter of the cost of a traffic signal, to City standards and the satisfaction of the City Engineer, at each quarter mile/half-mile collector intersection with Yosemite Avenue, as well as the intersection of Lehigh Drive (extended) with "R" Street, whenever warrants are met in the judgment of the City Engineer. In such a case, installation of an intersection traffic signal by one developer could even be required at any of these locations by the City Engineer prior to full build-out and adjacent properties, if warrants are met, subject to adopted reimbursement requirements. Security shall be determined at the time of first subdivision map or other discretionary action.</p>	<p>Tentative Maps/ Parcel Maps/ Site Plan Reviews</p>	<p>City Planning & Engineering</p>	
<p>(M-6) (General Plan 7a) Appropriate traffic studies shall be prepared for all development projects which can be expected to reduce a road segment or intersection level of service below "D." (Note: Studies are not anticipated, based upon current projections, but could be required in the event of future changes).</p>	<p>Subdivision Map/ Conditional Use Permit</p>	<p>Engineering</p>	
<p>(M-7) (General Plan 7b) The City shall require all development proposals to contribute, based on their proportionate share of impact, to circulation system improvements necessary to maintain at least a level of service "D" on all road segments and intersections impacted by the development project.</p>	<p>Subdivision Map/ Conditional Use Permit</p>	<p>Engineering/Planning/ Finance</p>	

N. PUBLIC SERVICES				
FIRE				
N-1	The applicants shall be required to provide a level of accessibility and rangeland management (firebreaks and/or disking) for fire suppression that is acceptable to the City of Merced.	Tentative Maps/ Parcel Maps Building Permits	City Planning & Fire	
SCHOOLS				
N-2	Careful coordination is required between City, developer(s), and School District regarding phasing of infrastructure improvements within the general area, to achieve safe, adequate access for both school construction and operation.	Tentative Maps/ Parcel Maps Building Permits	Planning staff, City Engineer, and City School District	
N-3	Prior to the issuance of building permits, the applicant shall be responsible for the payment of school facility impact fees as adopted by the Merced City School District and Merced Union High School District.	Building Permits	City School District and MUHSD	
(N-4)	(General Plan 8-c) Site designs will need to be reviewed to assure that development does not hinder efficient and cost-effective public services delivery.	Tentative Maps/ Parcel Maps/ Conditional Use Permits	Planning staff, City Engineer, and City School District	
(N-5)	(General Plan 8-d) Development projects will be required to pay public facilities impact fees as established by the City in accordance with the requirements of State law.	Building Permit	Planning Staff/ Finance	

Mitigation Measure				
T. CULTURAL RESOURCES				
T-1	If evidence of archaeological artifacts is discovered during construction, all operations within an area at and adjacent to the discovered site shall halt until a qualified archaeologist determines the extent of significance of the site.	Building Permits	City Inspection Services	
T-2	On-site preservation of a resource is the preferred alternative. Preserving a cultural deposit maintains the artifacts in context and may prevent inadvertent discovery of, or damage to, human burials. Preservation may be accomplished through a number of means such as capping or covering the site with a layer of soil, fencing the site area, and/or incorporation of the resource in a park area.	Building Permits	City Inspection Services	

Copies of This Form Distributed To:

City Council _____ City Manager _____ City Planner _____ Public Works Dir. _____ City Engineer _____ Fire Chief _____
Police Chief _____ Leisure Serv. Dir. _____ County of Merced (Dept. _____) Other (List _____)
Responsible Agency: (List _____)

I hereby certify that I have inspected the project site and that the above information is true to the best of my knowledge.

Name: (Print) _____ Representing: (Agency/Firm) _____

Signature: _____ Date: _____