

CITY OF MERCED  
SITE PLAN APPLICATION  
RESOLUTION #518

Stonefield Home, Inc.	Establishment of Design Standards for the Mission 108 Subdivision (formerly Mission 106), approval of the proposed architecture for the subdivision, and a minor modification to VTSM #1319 (Mission 106) to add two additional lots.
APPLICANT	PROJECT
133 Old Wards Ferry Rd., Ste. G	South side of Winder Avenue, east of G Street
ADDRESS	PROJECT SITE
Sonora, CA 95370	259-130-045
CITY/STATE/ZIP	APN
209-533-3333	Planned Development (P-D) #58
PHONE	ZONING

In accordance with Chapter 20.68.050 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and approved Site Plan Application #518 on April 13, 2023, submitted by Benchmark Engineering on behalf of Stonefield Home, Inc., property owner, to establish the design standards for the Mission 108 subdivision (formerly known as Mission 106), allow a minor modification to the approved Vesting Tentative Subdivision Map #1319, and approve the proposed architecture for the Mission 108 subdivision. This site is generally located on the south side of Winder Avenue, east of G Street. The site has a General Plan designation of Village Residential (VR) and is zoned Planned Development (P-D) #58. Said property being more particularly described as POR 205 (Remainder) as shown on the map entitled “Stoneridge South Phase 5,” recorded in Book 84, Pages 22-26 of Merced County Records; also known as Assessor’s Parcel Number (APN) 259-130-045.

WHEREAS, The Planning staff has conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption (i.e., no further environmental review is needed) is being recommended (Exhibit I); and,

WHEREAS, the Merced City Site Plan Review Committee makes the following Findings:

- A) The project site is located on the south side of Winder Avenue, east of G Street (Exhibit A). The proposal complies with the General Plan designation of Village Residential (VR) and the Zoning classification of Planned Development (P-D) #58.

- B) On May 18, 2022, the Planning Commission approved Vesting Tentative Subdivision Map (VTSM) #1319 for the Mission 106 Subdivision (refer to the tentative map at Exhibit B and Planning Commission Resolution #4091 at Exhibit C). This map approved the subdivision of approximately 9.71 acres into 106 small, single-family lots ranging in size from 1,875 square feet to 5,011 square feet. The table below shows the lot size range and number of lots within that range approved for VTSM #1319.

No. of Lots	Lot Size (S.F.)
51	1,877
2	1,958 to 1,977
8	2,619 to 2,663
41	2,751 to 2,884
3	3,089 to 3,249
1	5,011
106	

- C) The proposal includes a minor modification to VTSM #1319 to add two additional lots, increasing the lot count to 108 lots (Exhibit D). One lot was gained along the west property line and another along the east property line. With the addition of the two additional lots, the lot sizes vary from 1,650 square feet to 5,688. Due to this change, the subdivision is now being called Mission 108.

The table below shows the lot size range and number of lots within that range proposed by this modification:

No. of Lots	Lot Size (S.F.)
36	1,650
18	1,651 to 1,769
48	2,775 to 2,995
6	3,097 to 5,688
108	

- D) The developer is proposing to build two-story zero lot line townhomes. The homes would be in clusters of 4 units throughout the subdivision (refer to the Site Plan at Exhibit D and the floor plans at Exhibit E). Each cluster would contain a mixture of 2 and 3 bedroom units. There are three unit types – A, C, and D. Plan A contains 1,617 s.f. with a 2-car garage. Plan C contains 1,259 s.f. with a single-car garage, and Plan D contains 1,355 s.f. with a single car garage. The units on the end of each cluster would be Plan A. The interior units would be the smaller units (Plans C and D) with single-car garages. The setbacks for each unit are shown on the building plans provided on pages 5 and 6 of Exhibit E (floor plans).
- E) Condition #9 of Planning Commission Resolution #4091 (approved for VTSM #1319 requires the developer to obtain a Site Plan Review Permit to determine the design standards for building heights, setbacks, lot coverage, etc., and to

review the architectural design of the homes. The building elevations are to be substantially consistent with the conceptual elevations approved with VTSM #1319. The conceptual elevations are provided at Exhibit F.

- F) The proposed elevations are provided at Exhibit G. The proposed elevations use a variety of materials (cement plaster, horizontal siding, board and batten, stone veneer, and composition roof shingles) which is consistent with the conceptual elevations approved with VTSM #1319. All the units are two-story units as shown in the conceptual elevations. The character and style of the homes are also consistent. As described in Finding D, the units on the end of the 4-unit clusters have two-car garages and the 2 interior units have single-car garages.
- G) As required by Condition #9 of Planning Commission Resolution #4091, Design Standards are required. The proposed Design Standards are provided at Exhibit H and would be consistent with the setbacks shown on the proposed site plan at Exhibit D.
- H) The proposed modifications to the tentative map, the architectural design, and design standards would be in compliance with the conditions of approval for VTSM #1319 as provided in Planning Commission Resolution #4091, with the exception of Condition #1. The modified map at Exhibit D would supersede Exhibit 1 of Staff Report #22-360 presented to the Planning Commission on May 18, 2022.

Required Findings for Minor Modification

- I) Per Merced Municipal Code Section 20.72.050 (C), the Director of Development Services may approve a minor change to an approved project if the change complies with the following criteria:

1. *The requested changes are consistent with all applicable requirements of the Zoning Ordinance.*

The requested change to Vesting Tentative Subdivision Map (VTSM) #1319 would add two additional lots to the subdivision and modify the size of the lots within the subdivision. The site is zoned Planned Development (P-D) #58. There are no minimum lot sizes established for this Planned Development. The Design Standards being proposed with this Site Plan Review Permit establish the minimum lot size for the development. The Design Standards would also establish the setbacks, lot coverage, and parking requirements for this development. Therefore, if the Design Standards are approved, the project would be consistent with the Zoning Ordinance.

2. *The requested changes are consistent with the spirit and intent of the original approval.*

The requested changes do not change the spirit or intent of the original approval. The subdivision would still provide a small lot single-family development with zero lot line townhomes.

3. *The requested changes do not involve a feature of the project that was a basis for findings in a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report for the project.*

The Environmental Review for the approval of VTSM #1319 was a Categorical Exemption based on CEQA Section 15183. The requested changes do not change the fact that the project is exempt based on this section.

4. *The requested changes do not involve a feature of the project that was a basis for conditions of approval for the project.*

The proposed changes increase the number of lots from 106 to 108. Although the basis for the approval of VTSM #1319 was 106 lots, the requested increase is very minor and no conditions were placed on the approval based on the number of lots.

5. *The requested changes do not involve a feature of the project that was a specific consideration by the review authority in granting the approval.*

As described in #4 above, the proposed change is to increase the number of lots by 2. Although the Planning Commission was aware of the number of lots being proposed with VTSM #1319, the specific number of lots was not a basis for granting the approval. Therefore, the increase in the number of lots would not be considered a feature that was a consideration by the review authority.

6. *The requested changes do not involve any expansion or intensification of the use or structure by no more than 10 percent.*

The requested increase in the number of units from 106 to 108 is less than a 10% increase. Although the size of some of the lots is smaller than originally proposed, they are adequate to fit the proposed zero lot line townhomes with front and rear setbacks that are typical of other zones.

#### Required Findings for Site Plan Review

- J) Per Merced Municipal Code Section 20.68.050 – Site Plan Review Permit, the Site Plan Review Committee may approve an application for a Site Plan Review Permit only if all of the following findings can be made:

1. *The proposed project is consistent with the General Plan, and any adopted area, specific, community, or neighborhood plan.*

The site has a General Plan designation of Village Residential and is zoned Planned Development (P-D) #58. The Village Residential designation requires an average of 10 dwelling units/acre. The density with the increase of two units is 11 units/acre. The proposed architecture

is of high quality to be consistent with the requirements of the P-D zoning. Therefore, the proposed project is consistent with the General Plan and Planned Development.

2. *The proposed project complies with all applicable provisions of the Zoning Ordinance and Municipal Code.*

With approval of the conditions found within this resolution and Planning Commission Resolution #4091, the proposal would comply with all applicable provisions of the Zoning Ordinance and Municipal Code.

3. *The design and layout of the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.*

The site is located between Winder Avenue and Mission Avenue. To the east is the Farmdale Elementary School and to the west is a single-family subdivision. The proposed zero lot line townhome development would be consistent with the residential uses in the area. The townhomes would have a minimum 10-foot rear yard setback which is consistent with the requirements for the subdivision to the east. Therefore, the proposed project would not interfere with the use and enjoyment of neighboring properties.

4. *The proposed architectural design makes use of appropriate materials, texture and color, and will remain aesthetically appealing and appropriately maintained.*

As described under Finding F the proposed design of the townhomes uses a variety of materials, textures, and colors to provide an aesthetically pleasing development. Condition #22 requires that the exterior of the buildings and landscape areas will remain aesthetically appealing and appropriately maintained (refer to Condition #10).

5. *Any proposed landscaping design, including color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection landscaping elements, will complement structures and provide an attractive environment.*

Landscape plans for the subdivision and individual lots have not been submitted. Conditions #13 and #14 of Planning Commission Resolution #4091 require that all landscaping comply with state and local requirements and that all front yards and side yards exposed to public view be provided with landscaping prior to final inspection.

6. *The proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.*

The proposed project would not be materially detrimental to the public health, safety or welfare, or be injurious to the property or improvements in the vicinity. The project would develop a vacant lot with a much-needed housing development. The proposed subdivision is consistent with the land use designation for the site and the other residential uses in the area.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #518, subject to the following conditions:

1. All conditions contained in Site Plan Approval Resolution #79-1 ("Standard Conditions of Site Plan Approval") shall apply.
2. The proposed project shall be constructed as shown on Exhibit D (revised VTSM and site plan), Exhibit E (floor plans with setbacks), Exhibit H (Design Standards), and as otherwise modified by the conditions within this resolution.
3. All conditions of approval for VTSM #1319 as provided in Planning Commission Resolution #4091 shall apply with the exception of Condition #1 which requires the project to be constructed as shown on Exhibit 1 (Attachment C of Planning Commission Staff Report #22-360. Exhibit 1 shall be superseded by the revised map at Exhibit C of Site Plan Review #518.
4. Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
5. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes. This may include adding a hydrant, as required by the Fire Department.
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, 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, suits, or proceeding. Developer/applicant shall be responsible to immediately prefund the litigation

cost of the City including, but not limited to, City's attorney's fees and costs. If any claim, action, suits, or proceeding is filed challenging this approval, the developer/applicant shall be required to execute a separate and formal defense, indemnification, and deposit agreement that meets the approval of the City Attorney and to provide all required deposits to fully fund the City's defense immediately but in no event later than five (5) days from that date of a demand to do so from City. In addition, the developer/applicant shall be required to satisfy any monetary obligations imposed on City by any order or judgment.

7. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
8. Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, street lights, parks, and open space. This property was designated as a "Future Annexation" area with CFD Annexation No. 14. Prior to recording a final map, the property shall be fully annexed into the CFD.
9. All plans and supporting documents submitted for Building Permits shall meet or exceed the building codes in effect at the time of building permit application submittal. Plans shall be drawn by a licensed design professional. The construction work shall be performed by an appropriately licensed Contractor. The plans shall indicate the flood zone for the project (AO-1). A flood elevation certificate shall be provided at the time of building permit submittal.
10. The lots and subdivision as a whole shall remain clean and free of debris at all times. The exterior of the buildings shall be appropriately maintained and maintain an aesthetically appealing appearance.

If there are any questions concerning these conditions and recommendations, please contact Julie Nelson at (209) 385-6858.

4/13/2023

DATE



SIGNATURE

Senior Planner

TITLE

Exhibits

- A) Location Map
- B) VTSM #1319
- C) Planning Commission Resolution #4091
- D) Revised VTSM & Site Plan
- E) Floor Plans

Site Plan Approval #518

Page 8

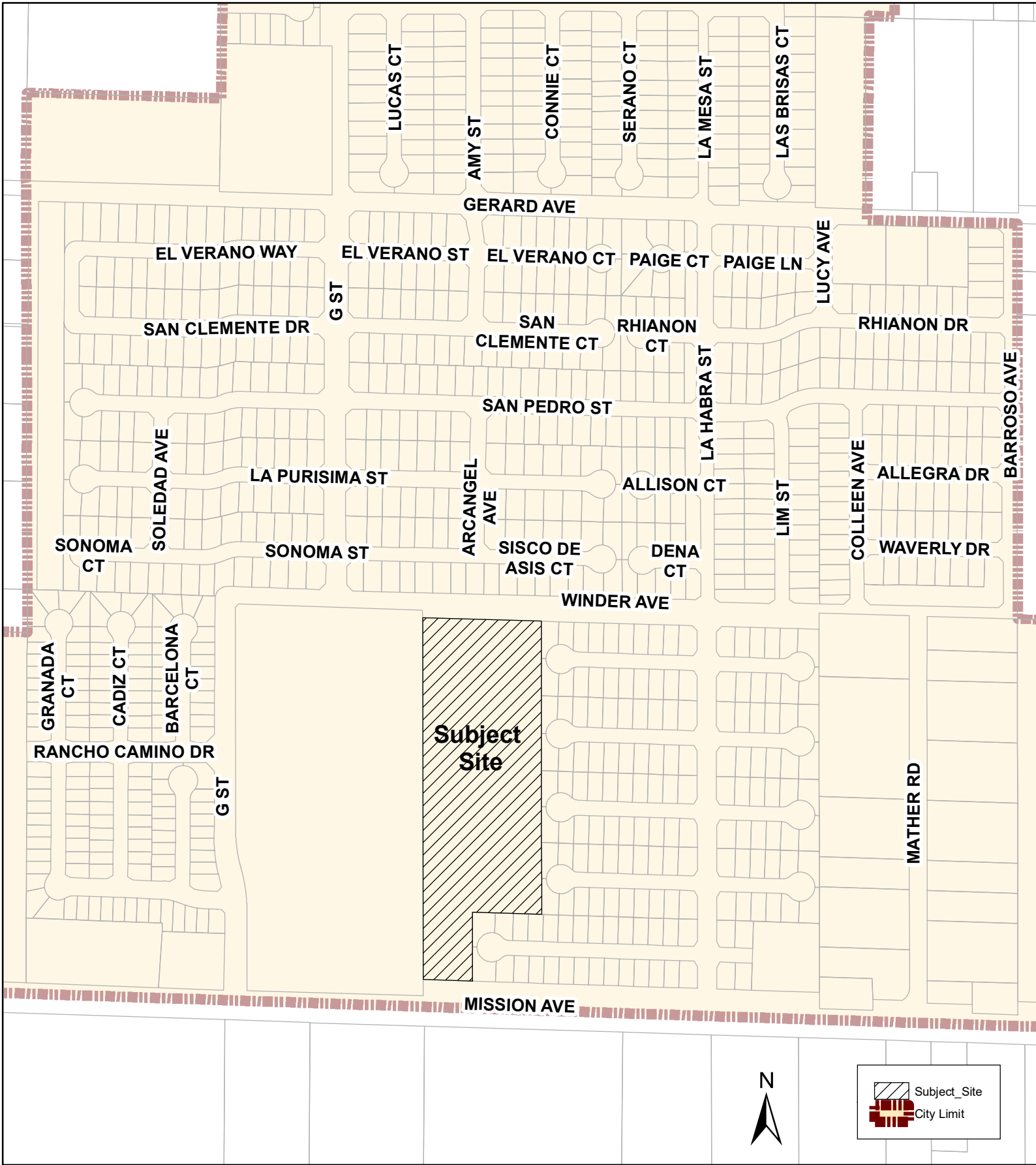
April 13, 2023

F) Approved Conceptual Elevations

G) Proposed Elevations

H) Design Standards

I) Categorical Exemption



Disclaimer: This document was prepared for general inquiries only. The City of Merced is not liable for errors or omissions that might occur. Official information concerning specific parcels should be obtained from recorded or adopted City documents.

Site Plan Review #518  
Mission 108

EXHIBIT A



# VESTING TENTATIVE SUBDIVISION MAP FOR:

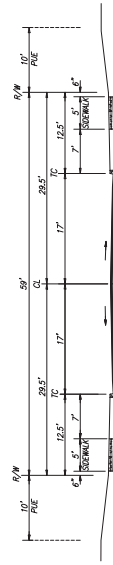
## MISSION 106 MERCED, CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF THE REMAINDERS OF LOTS 205 & 206 OF "MAP OF MERCED COLONY" RECORDED IN VOLUME 4 OF OFFICIAL PLATS AT PAGE 24, MERCED COUNTY RECORDS, AS SHOWN ON MAP OF "STONE RIDGE SOUTH PHASE 3" RECORDED IN VOLUME 83 OF OFFICIAL PLATS AT PAGES 43-46 MERCED COUNTY RECORDS, LYING IN SECTION 31, TOWNSHIP 7 SOUTH, RANGE 14 EAST, MOUNT DIABLO BASE & MERIDIAN, IN THE CITY OF MERCED, STATE OF CALIFORNIA



### INTERIOR STREET WITH PARKING

NTS  
EX: F,G STREET



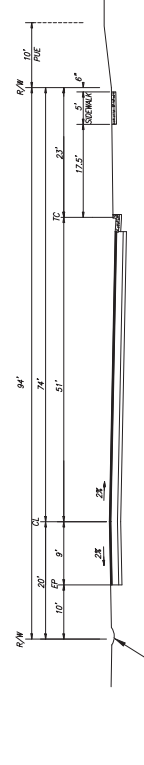
### 59' LOCAL STREET

NTS  
EX: A,B,C,D,E STREET



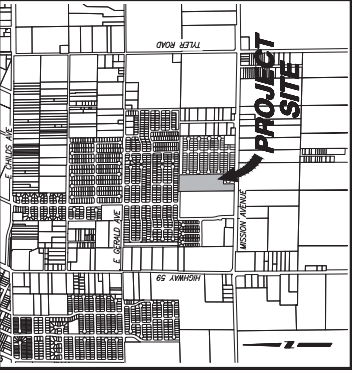
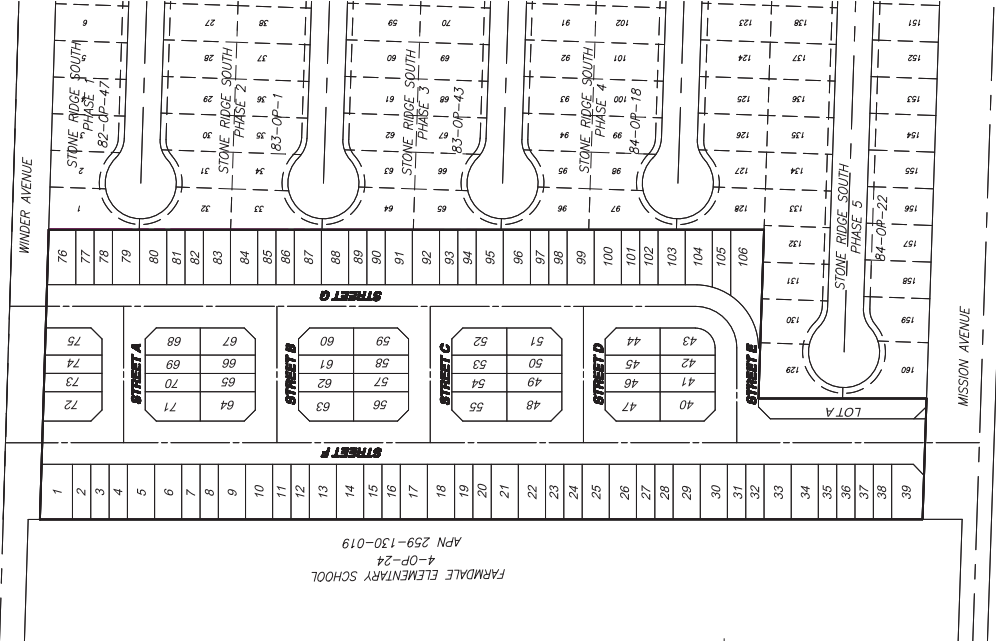
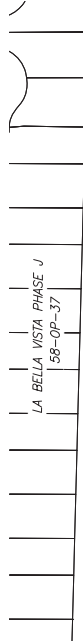
### 59' LOCAL STREET WITH PARKING

NTS  
EX: F STREET



### MISSION AVENUE

SCALE  
1" = 80'



### VICINITY MAP

NTS

OWNER  
STANFELD HOME INC.  
803 E. PACIFIC BLVD. SUITE C  
LOS ANGELES, CA 90001-4027

SUBDIVIDER  
STANFELD HOME INC.  
803 E. PACIFIC BLVD. SUITE C  
LOS ANGELES, CA 90001-4027

STATEMENT OF SUBDIVIDER  
1. ASSASSOR'S PARCEL NO.: 299-150-046  
2. THE SUBDIVISION IS A RESUBDIVISION OF THE SUBDIVISION OF LOTS 205 & 206 OF "MAP OF MERCED COLONY" RECORDED IN VOLUME 4 OF OFFICIAL PLATS AT PAGE 24, MERCED COUNTY RECORDS, AS SHOWN ON MAP OF "STONE RIDGE SOUTH PHASE 3" RECORDED IN VOLUME 83 OF OFFICIAL PLATS AT PAGES 43-46 MERCED COUNTY RECORDS, LYING IN SECTION 31, TOWNSHIP 7 SOUTH, RANGE 14 EAST, MOUNT DIABLO BASE & MERIDIAN, IN THE CITY OF MERCED, STATE OF CALIFORNIA.

1. FROM THE DEEDS AND BUILDING SETBACK LINES PER CITY OF MERCED.
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39. FROM THE DEEDS AND BUILDING SETBACK LINES PER CITY OF MERCED.

NOTES:

1. STREET IMPROVEMENTS SHALL BE INSTALLED PER CITY OF MERCED STANDARD SPECIFICATIONS.
2. THE SUBDIVISION IS A RESUBDIVISION OF THE SUBDIVISION OF LOTS 205 & 206 OF "MAP OF MERCED COLONY" RECORDED IN VOLUME 4 OF OFFICIAL PLATS AT PAGE 24, MERCED COUNTY RECORDS, AS SHOWN ON MAP OF "STONE RIDGE SOUTH PHASE 3" RECORDED IN VOLUME 83 OF OFFICIAL PLATS AT PAGES 43-46 MERCED COUNTY RECORDS, LYING IN SECTION 31, TOWNSHIP 7 SOUTH, RANGE 14 EAST, MOUNT DIABLO BASE & MERIDIAN, IN THE CITY OF MERCED, STATE OF CALIFORNIA.
3. THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE MULTIPLE SUBDIVISION MAPS AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 66406.1.
4. OWNERS WILL EXCEED SIZE OF LOT PROVIDED, DEPARTING FROM CITY STANDARD 66411.1(a).

### INDEX

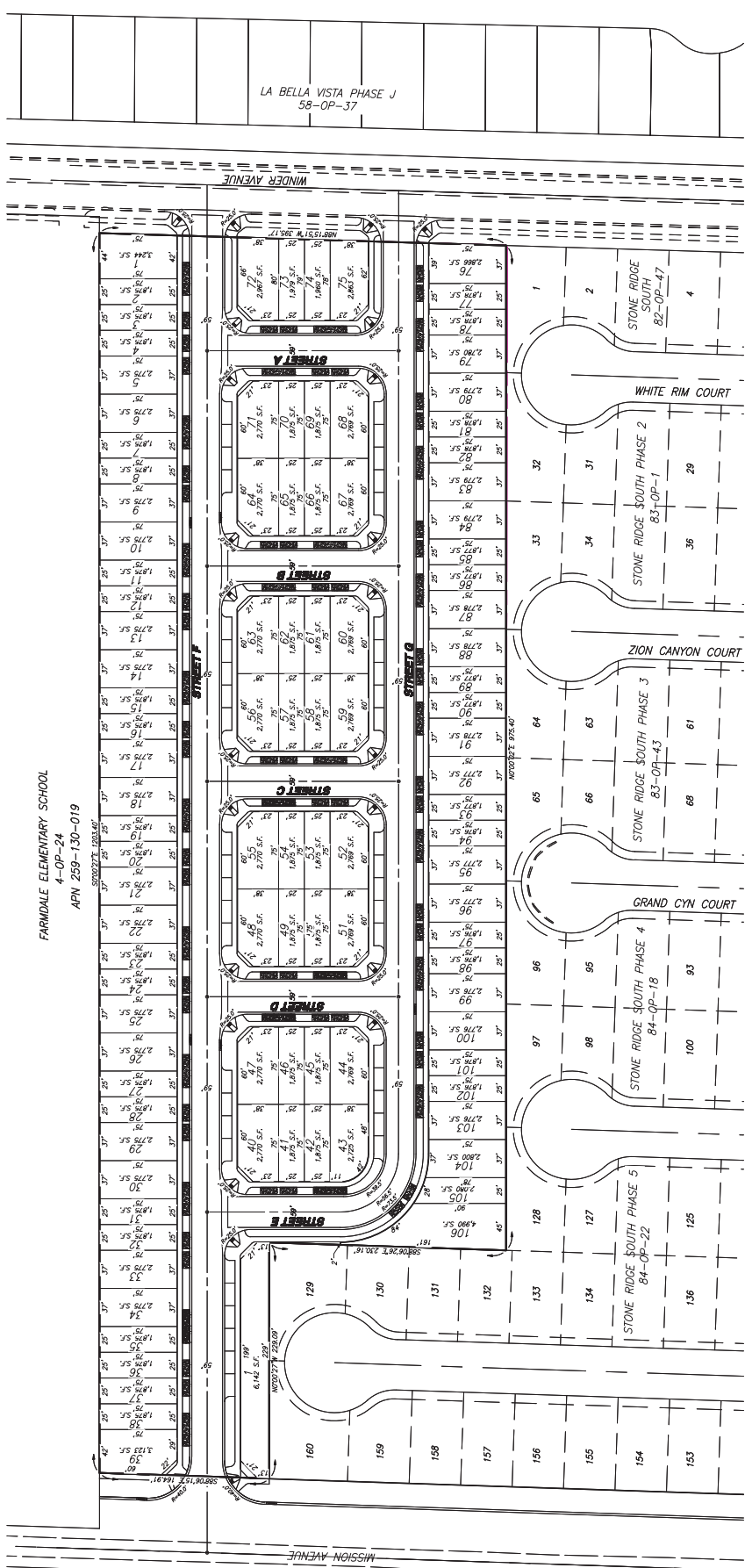
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	LOT DIMENSION PLAN
3	CONCEPTUAL GRADING PLAN
4	CONCEPTUAL COMPOSITE UTILITY PLAN

### LEGEND

EXISTING	PROPOSED
WATER VALVE	WATER VALVE
DRAIN INLET	DRAIN INLET
STANDARD MANHOLE	STANDARD MANHOLE
WATER LINE	WATER LINE
SANITARY SEWER	SANITARY SEWER
STORM DRAIN	STORM DRAIN
6" W STREET LIGHT	6" W STREET LIGHT
6" W STREET LIGHT	6" W STREET LIGHT
DIRECTION OF FLOW	DIRECTION OF FLOW
TOP OF CURB ELEVATION	TOP OF CURB ELEVATION
GROUND CONTOURS	GROUND CONTOURS
CURB, GUTTER AND SIDEWALK	CURB, GUTTER AND SIDEWALK
TYPICAL SECTION WITH PARALLEL DRIVE	TYPICAL SECTION WITH PARALLEL DRIVE



NO.	DESCRIPTIONS	DATE	APPROVED



FARMDALE ELEMENTARY SCHOOL  
4-OP-24  
APN 259-130-019



NO.	DESCRIPTIONS	DATE	APPROVED

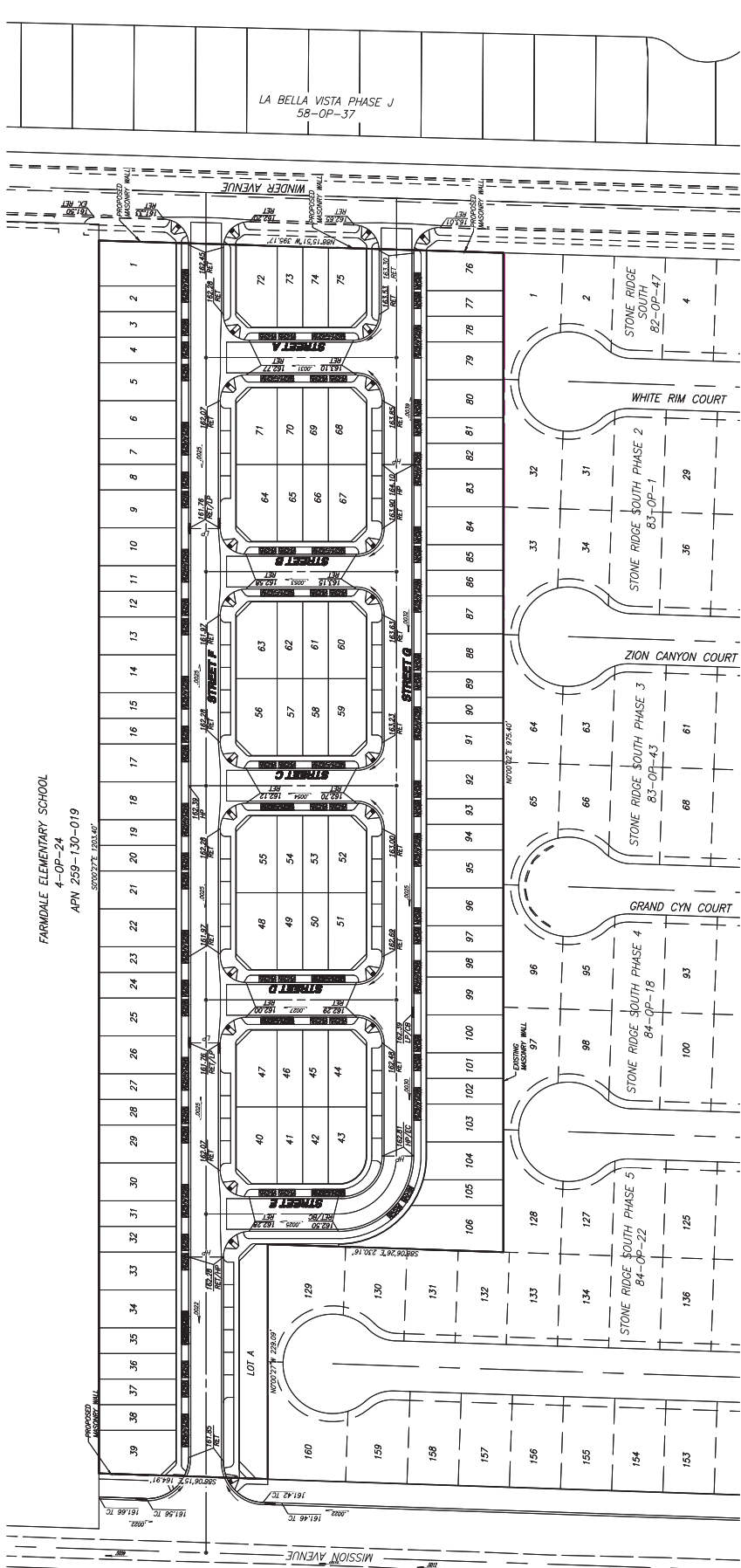
**BENCHMARK ENGINEERING, INC.**  
CIVIL ENGINEERING & LAND SURVEYING  
915 17th STREET • MODESTO, CALIFORNIA • 95354  
(209) 548-8300 FAX(209) 548-8305

**CONCEPTUAL GRADING PLAN**

**MISSION 106**  
VERTING TRAFFIC SUBMITTAL MAP  
BERKELEY, CALIFORNIA

JOB NO.	100000
DATE	04-26-22
DRAWN BY	JS
CHECKED BY	MR
SCALE	AS SHOWN
SHEET NUMBER	3
SHEETS	4

FILE: K:\20003 FARMDALE SOUTH\PLAN\CON



PRELIMINARY



NO.	DESCRIPTIONS	DATE	APPROVED

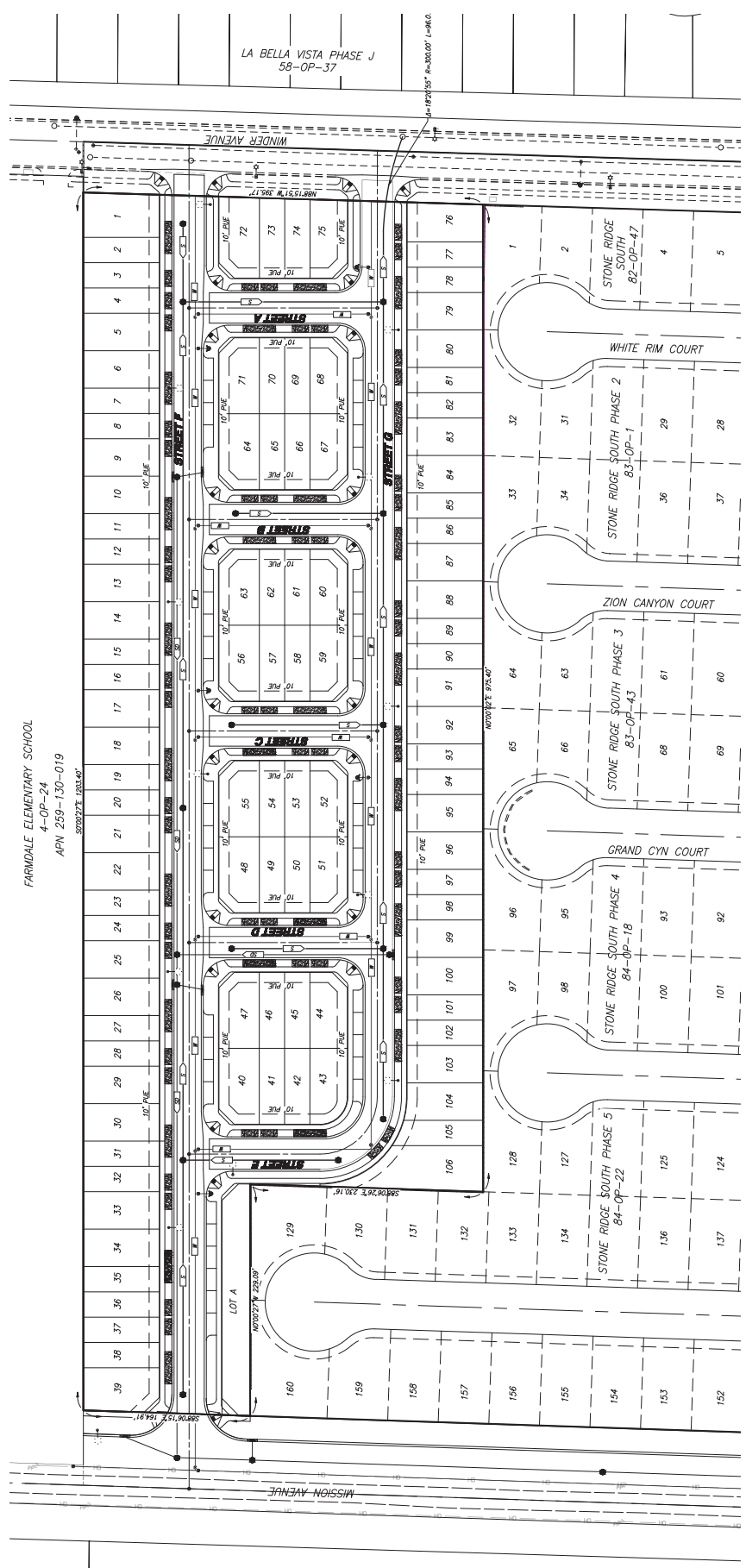
**BENCHMARK ENGINEERING, INC.**  
CIVIL ENGINEERING & LAND SURVEYING  
915 17th STREET • MODESTO, CALIFORNIA • 95354  
(209) 548-8300 FJC(209) 548-8305

**CONCEPTUAL COMPOSITE UTILITY PLAN**  
VERTING TRIBUTARY SUBDIVISION MAP  
**MISSION 106**  
BERKELEY, CALIFORNIA

JOB NO. 100000  
DATE 04-26-22  
DRAWN BY  
CHECKED BY  
SCALE AS SHOWN

**4**  
OF 4 SHEETS  
SHEET NUMBER

FILE: K:\200033 FARMDALE SOUTH\PLAN\PLAN106



SCALE  
1" = 90'

FARMDALE ELEMENTARY SCHOOL  
4-OP-24  
APN 259-130-019

PRELIMINARY

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

**Resolution #4091**

**WHEREAS**, the Merced City Planning Commission at its regular meeting of May 18, 2022, held a public hearing and considered **Vesting Tentative Subdivision Map #1319**, initiated by Benchmark Engineering, on behalf of Stonefield Home, Inc., property owner. This application involves a request to subdivide 9.71 acres of land into 106 small single-family lots ranging in size from 1,875 square feet to 5,011 square feet. The site is located south of Winder Avenue, approximately 650 feet east of G Street and has a General Plan Designation of Village Residential (VR) and a Zoning designation of Planned Development (P-D) #58; also known as Assessor's Parcel No. 259-130-045; and,

**WHEREAS**, the Merced City Planning Commission concurs with Findings/Considerations A through M of Staff Report #22-360 (Exhibit B); and,

**WHEREAS**, the Merced City Planning Commission concurs with the Findings for Tentative Subdivision Map Requirements in Merced Municipal Code Section 18.16.80, 18.16.90, and 18.16.100 as outlined in Exhibit B; and,

**NOW THEREFORE**, after reviewing the City's Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #22-21 and approve Vesting Tentative Subdivision Map #1319, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

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

AYES: Commissioners Camper, DeAnda, Delgadillo, Dylina, Greggains, White, and Chairperson Harris

NOES: None

ABSENT: None


ABSTAIN: None

PLANNING COMMISSION RESOLUTION #4091

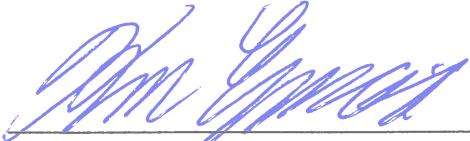
Page 2

May 18, 2022

Adopted this 18th day of May 2022.

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

ATTEST:

  
\_\_\_\_\_  
Secretary

Exhibits:

Exhibit A – Conditions of Approval

Exhibit B – Findings/Considerations

**Conditions of Approval**  
**Planning Commission Resolution # 4091**  
**Vesting Tentative Subdivision Map #1319**

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (Vesting Tentative Subdivision Map for “Mission 106”)—Attachment C of Planning Commission Staff Report #22-360, except as modified by the conditions herein.
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, except as modified by the Planning Commission to grant a deviation from City Standard D-8.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
5. The project shall comply with the conditions set forth in Resolution #2808 for the Mission Avenue Annexation and all applicable conditions of the Pre-Annexation Development Agreement for the Mission Annexation (Pre-Annexation #04-03) previously approved for this project including all applicable mitigation measures.
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, 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, suits, or proceeding. Developer/applicant shall be responsible to immediately prefund the litigation cost of the City including, but not limited to, City's attorney's fees and costs. If any claim, action, suits, or proceeding is filed challenging this approval, the developer/applicant shall be required to execute a separate and formal defense, indemnification, and deposit agreement that meets the approval of the City Attorney and to provide all required deposits to fully fund the City's defense immediately but in no event later than five (5) days from that date of a demand to do so from City. In addition, the developer/applicant shall be required to satisfy any monetary obligations imposed on City by any order or judgment.

7. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
8. Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, street lights, parks, and open space. This property was designated as a "Future Annexation" area with CFD Annexation No. 14. Prior to recording a final map, the property shall be fully annexed into the CFD.
9. A Site Plan Review Permit shall be obtained prior to construction to determine design standards for building heights, setbacks, lot coverage, etc. and architectural design. The building elevations shall be substantially consistent with the conceptual elevations provided at Attachment D of Planning Commission Staff Report #22-360.
10. The project shall comply with all requirements of the California Building Code and all flood requirements of the Federal Emergency Management Agency (FEMA), as well as the requirements for the California Urban Level of Flood Protection (CA 200-year flood).
11. All necessary documentation related to the construction of the residential uses shall be provided at the building permit stage.
12. The project shall comply with all the Post Construction Standards required to comply with state requirements for the City's Phase II MS-IV Permit (Municipal Separate Storm Sewer System).

13. All landscaping within the public right-of-way shall comply with state and local requirements for water conservation. 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). Landscape plans for all public landscaping shall be provided with the Improvement Plans.
14. 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).
15. Compliance with the "corner vision triangle" per MMC 20.30.030 is required for corner lots, and may result in the applicant constructing smaller homes on these lots or increasing the front yard setbacks.
16. Winder Avenue shall be designed and constructed with a 6-foot-tall decorative wall and a 23-foot-wide landscape strip with a 5-foot-wide sidewalk along the project's frontage (consistent with the subdivision to the east). The Developer shall submit landscape/irrigation/wall plans for approval by City Engineer. All walls shall be solid masonry. Fast-growing vines or other plants shall be planted on or near the wall to deter graffiti and/or a graffiti resistant coating applied to the wall. Details to be worked out with staff.
17. Mission Avenue shall ultimately be constructed to the full 128-foot width plus a minimum 10-foot-wide landscape strip with a minimum 6-foot-tall block wall. In lieu of constructing the roadway improvements, the developer may pay their fair share of the cost of the improvements as determined by the City Engineer. The developer shall install the block wall and landscaping along the project frontage on Mission Avenue.
18. Mission Avenue is an arterial roadway. Construction of Mission Avenue would be eligible for reimbursement from the Public Facilities Impact Fees as provided for in Section 17.62 of the Merced Municipal Code.
19. Refuse containers shall be stored out of the public view.

20. All street widths shall comply with City Standards. All turning radii shall comply with City Standards and applicable Fire Department Standards.
21. 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.
22. Traffic control signs, street markings, and striping shall be as directed by the City Engineer.
23. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
24. The developer shall provide all utility services to each lot, including sanitary sewer, water, electric power, gas (if designed to use gas), telephone, and cable television. All new utilities are to be undergrounded, except on-ground transfer boxes for cable, telephone, and/or power, as necessary.
25. The developer shall install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
26. 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.
27. Dedication by Final Map of all necessary easements will be made as shown on Vesting Tentative Subdivision Map #1319 and as needed for irrigation, utilities, drainage, landscaping, open space, and access.
28. The developer shall be responsible for construction and dedication of all interior collector and local streets within the Project Boundaries.
29. Developer shall provide storm drainage calculations as required by the City Engineer to confirm that the existing basin east of the project site constructed as part of the Stoneridge South Subdivision, has sufficient volume to serve this development.
30. All mechanical equipment shall be screened from public view.
31. Per Mitigation Measure 11.1 of Expanded Initial Study (EIS) #04-13 for the Mission Annexation area, the applicant shall provide a noise attenuation study prepared by an acoustical engineer to show that the noise levels within this development meet the City's adopted noise level standards. This study shall

- be provided prior to submitting for building permits for any phase within the subdivision.
32. Per Mitigation Measure 3-a of Expanded Initial Study #04-13 for the Mission Annexation area, a survey prior to any construction on site shall be conducted for special status species prior to the disturbance of potentially suitable habitat. All surveys shall be conducted in accordance with applicable state and federal guidelines.
  33. Per Mitigation Measures 15.1, 15.3, 15.4, 15.5, and 15.6 of Expanded Initial Study #04-13 for the Mission Annexation area, a fee of \$1,002.61 shall be collected with each building permit issued within this subdivision to cover the costs of traffic improvements identified in EIS #04-13.
  34. The water lines shall extend across the full project frontage on Mission Avenues. The water line shall be looped to Mather Road. Any oversizing of the water lines shall be eligible for reimbursement or credit per Merced Municipal Code Section 15.40.090 (Water). MMC Section 15.40.090 provides that reimbursement may be given for any water line in excess of 8-inches, provided that the installing applicant does not need more than an eight-inch diameter water line to serve his own premises. Water lines extended beyond the project development shall be eligible for reimbursement from a subsequent applicant per MMC Sections 15.40.070 and 15.40.080. Per MMC Section 15.40.080, no reimbursement shall be given after the 10th anniversary of the date the water lines were accepted by the City.
  35. A deviation from City Standard D-8 is approved allowing more than 50% of the lot to be open for a curb-cut. The curb-cut width shall be approved by the Engineering Department at the Building Permit stage.

**Findings and Considerations  
Planning Commission Resolution #4091  
Vesting Tentative Subdivision Map #1319**

**FINDINGS/CONSIDERATIONS:**

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

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

The proposed subdivision would be constructed on 9.71 acres of vacant land. The gross density for the site, would be 11 units/acre. The Village Residential land use designation has a density range of 7 to 30 units per acre with an average minimum density of 10 units per acre.

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

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

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

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

*L-1.8 Create livable and identifiable residential neighborhoods.*

**Zoning Code Compliance**

- B) Zoning Ordinance Section 20.20.020(Q) requires that individual projects within a Planned Development obtain a Site Plan Review Permit to address conformance with the Site Utilization Plan for the Planned Development. In this case, because the Planned Development does not include development standards, the Site Plan Review will also address development standards for this particular development. These standards will include setbacks, lot coverage, architecture, building height, etc. Condition #9 requires the developer to obtain a Site Plan Review Permit prior to construction of any homes.

**Traffic/Circulation**

- C) The subdivision has access from Winder and Mission Avenues. Internal circulation includes an additional north/south street connecting to Winder

Avenue and four east/west streets dividing the subdivision into four separate blocks.

According to the Institute of Traffic Engineers (ITE) Manual, a condominium/townhouse generates 5.81 trips per weekday. Based on the proposed 106 lots within this subdivision, a total of 616 trips per weekday would be generated. This would be consistent with the estimates made in the *Merced Vision 2030 General Plan* for this area.

### **Parking**

- D) Each lot is provided with a driveway that would lead to a two-car garage for parking. Per the Zoning Ordinance, each home would be required to provide one space of off-street parking. Due to the compact development, there would be very little street parking in front of the homes. Therefore, parking spaces have been provided in clusters along the street. There are five parking clusters along the east side of Street F and four clusters on the west side of Street G (refer to the tentative map at Attachment C of Planning Commission Staff Report #22-360). In total, these spaces provide 38 parking spaces. These spaces are in addition to on-street parking areas between some of the driveways. .

### **Public Improvements/City Services**

- E) The developer would be required to install all streets, utilities, and other improvements within the subdivision. City water and sewer lines would be extended from Winder Avenue to serve this subdivision. Each lot would be required to pay the required connection fees for sewer and water connections at the building permit stage.

Each lot within the subdivision would be required to meet the City's storm drainage and run-off requirements for the City's MS-IV permit (Condition #12). All storm water would ultimately be delivered to the storm drain basin constructed to the east currently serving the Stoneridge South subdivision.

#### *Mission Avenue*

The City is currently working on a project to improve Mission Avenue from Hwy 99 to G Street. This project would widen Mission Avenue to a four-lane arterial with a 128-foot right of way, plus a 10-foot landscape strip on each side. As an arterial roadway, Mission Avenue is eligible for reimbursement through the City's Public Facilities Impact Fees. However, the developer is responsible for paying for a portion of the roadway (the collector equivalent or a 74-foot width). Condition #17 requires the developer to pay the

#### **EXHIBIT B**

#### **OF PLANNING COMMISSION RESOLUTION #4091**

developer's fair share of improvements along the project's Mission Avenue frontage. This amount would be determined by the improvement costs approved by the City Engineer.

### *Refuse Collection*

Each homeowner would place their refuse container along the street for pick-up. Due to the compact development, some containers may need to be placed in the parking clusters along F and G Streets as shown on the tentative map at Attachment C of Planning Commission Staff Report #22-360. There is also space between some of the driveways to allow for containers to be placed for pickup without blocking access to the homes. The streets within the subdivision are standard width local roads (59-foot right-of-way) which should provide sufficient room for the Refuse Department to service the area.

The property will be annexed into the City's Community Facilities District (CFD) for Services (No. 3002-2) as required by Condition #8. The CFD covers costs related to police and fire, as well as maintenance of landscaping, streetlights, storm drains, etc.

### **Building Design**

- F) Conceptual building elevations are provided at Attachment D. These elevations show zero-lot line homes constructed on individual lots. The architecture and design standards will be reviewed by the Site Plan Review Committee prior to construction (Condition #9).

### **Site Design**

- G) As previously described, the proposed design of the subdivision includes two north/south streets and four east-west streets (all local streets). The proposed lots range in size from 1,877 to 5,011 square feet. Each lot would be connected by sidewalks throughout the subdivision. The table below shows the mixture of lot sizes in the subdivision.

Number of Lots	Lot Size (S.F)
51	1,877
2	1,958 to 1,977
8	1,619 to 2,663
41	2,751 to 2,884
3	3,089 to 3,249
1	5,011

A concrete block wall would be required along the project's Mission Avenue frontage along with a 10-foot-wide landscape strip (Condition #17). A concrete block wall would also be constructed along Winder Avenue with a 5-foot-wide landscape strip between the wall and sidewalk to match the Stoneridge South subdivision to the east of the project site.

As described in Finding B, the specific design standards for each site will be established through the Site Plan Review permit process.

### **Landscaping**

- H) Each lot within the subdivision shall be provided with front yard landscaping in compliance with Zoning Ordinance Section 20.36 – Landscaping. Section 20.36.050 requires all exterior setback areas, excluding areas required for access to the property to be landscaped (Condition #14).

A 10-foot-wide landscape area will be provided on Mission Avenue (Condition #17) and a 5-foot-wide landscape area will be provided on Winder Avenue. Lot A near the southwest corner of the subdivision will provide an open space area with landscaping. The landscape areas along these roads and Lot A would be maintained through the Communities Facilities District (CFD).

### **Neighborhood Impact/Interface**

- I) As shown on the location map at Attachment B of Planning Commission Staff Report #22-360, the site is adjacent to the Farmdale Elementary School to the west, the Stoneridge South subdivision to the east, and single-family homes to the north across Winder Avenue. There are two single-family homes to the south across Mission Avenue in the County.

The construction of the proposed subdivision would add two-story buildings to the area and an increase in the number of units in the area which would result in more traffic. However, the additional traffic was anticipated with the General Plan and would not cause a major impact or reduce the level of service for the roads in the area.

The proposed small-lot subdivision is consistent with the General Plan and Zoning for the site. The density of 11 units per acre is consistent with the Village Residential land use designation.

Public hearing notices were sent to all property owners within 300 feet of the project site. At the time of this report, the City had not received any comments regarding this project.

### **Land Use/Density Issues**

- J) As discussed in Finding A of this resolution, the density is found to be consistent with the Village Residential (VR) land use designation.

### **Tentative Subdivision Map Requirements/Public Comments Received**

- K) Per Merced Municipal Code (MMC) Section 18.16.080 – Information Required, a tentative subdivision map shall include all of the requirements shown at Attachment E of Planning Commission Staff Report #22-360. Said requirements include stating the location of the subject site, the name of the subdivision, and showing the layout of the proposed lots. MMC 18.16.090 – Required Statement requires the applicant to provide a statement that explicitly states any deviations from tentative subdivision map requirements, standard drawings, or Zoning laws. In this case, the applicant is requesting a deviation from City Standards for driveway approaches (see Finding L below). MMC 18.16.100 - Public Hearing – Generally, requires a public hearing to review and approve a tentative subdivision map in conformance with the Subdivision Map Act.

Per the California Environmental Quality Act a public hearing notice was mailed to property owners within 300 feet of the subject site and published in a qualifying newspaper, Merced County Times, three weeks prior to this meeting. In addition, staff reached out to local utility companies, local school districts, and other relevant government agencies to solicit comments. At the time this report was prepared, staff had received comments from PG&E and the Merced Irrigation District (MID). Their comments are provided at Attachment F of Planning Commission Staff Report #22-360.

### **Deviation from City Standard**

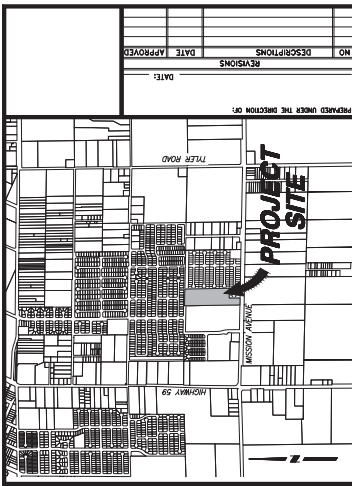
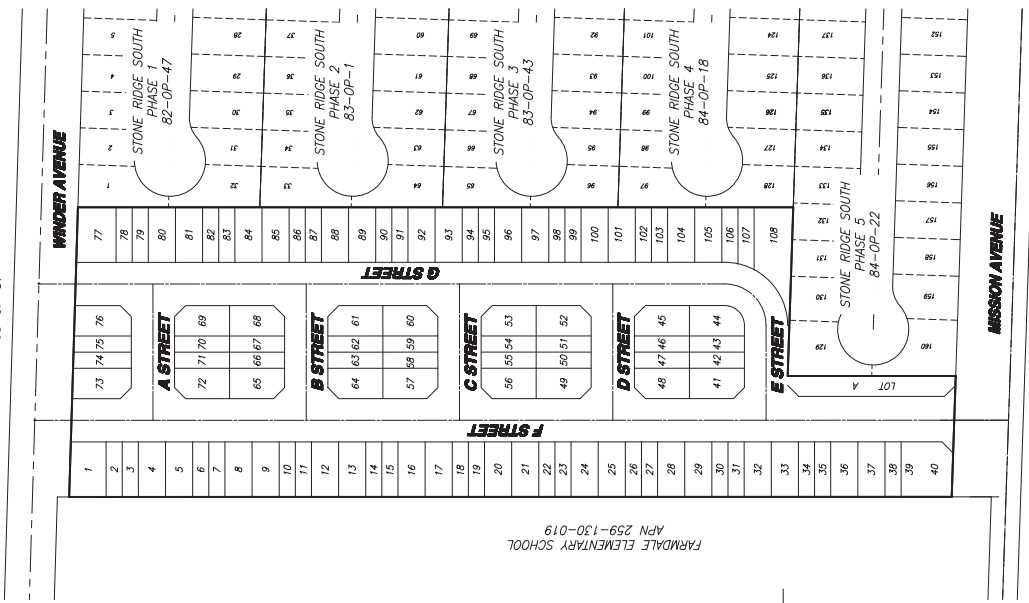
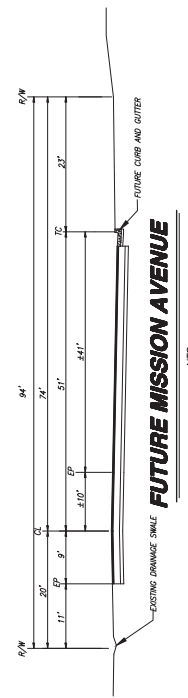
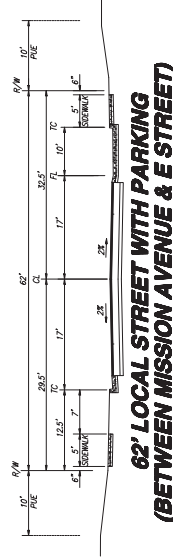
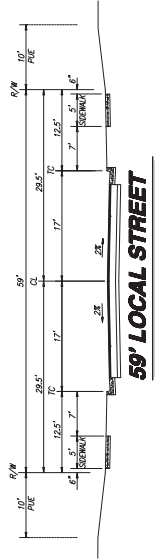
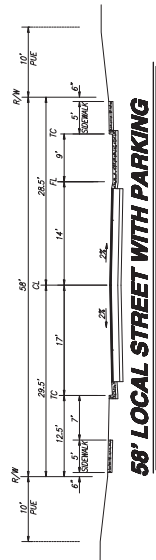
- L) City Standard D-8, item 1(a) states that a curb opening for a residential driveway shall not exceed 50% of the width of the lot. Because these are very small lots and the width of the lots varies between 25 feet and 37 feet, the width of a driveway approach would be more than 50% of the lot width for many if not all of the lots. Therefore, the developer is requesting a deviation from this standard.

The City Engineer has reviewed this request and agrees to the granting of the deviation (Condition #35).

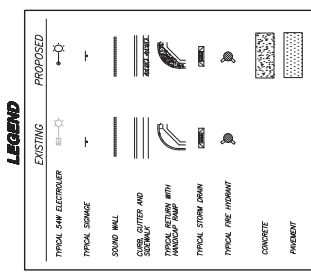
**Environmental Clearance**

- M) Planning staff has conducted an environmental review of the project (Environmental Review #22-21) in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption (i.e., no further environmental review is needed) is being recommended (Attachment G of Staff Report #22-360).

BEING A SUBDIVISION OF THE REMAINDER OF LOT 205 AS SHOWN ON SUBDIVISION MAP NO. 5386, STONE RIDGE SOUTH PHASE 5, FILED FOR RECORD IN VOLUME 84 OF OFFICIAL PLATS, AT PAGES 22 TO 26, MERCER COUNTY RECORDS, LYING IN A POSITION OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 14 EAST, MOUNT DIABLO MERIDIAN CITY OF MERCER, COUNTY OF MERCER, STATE OF CALIFORNIA

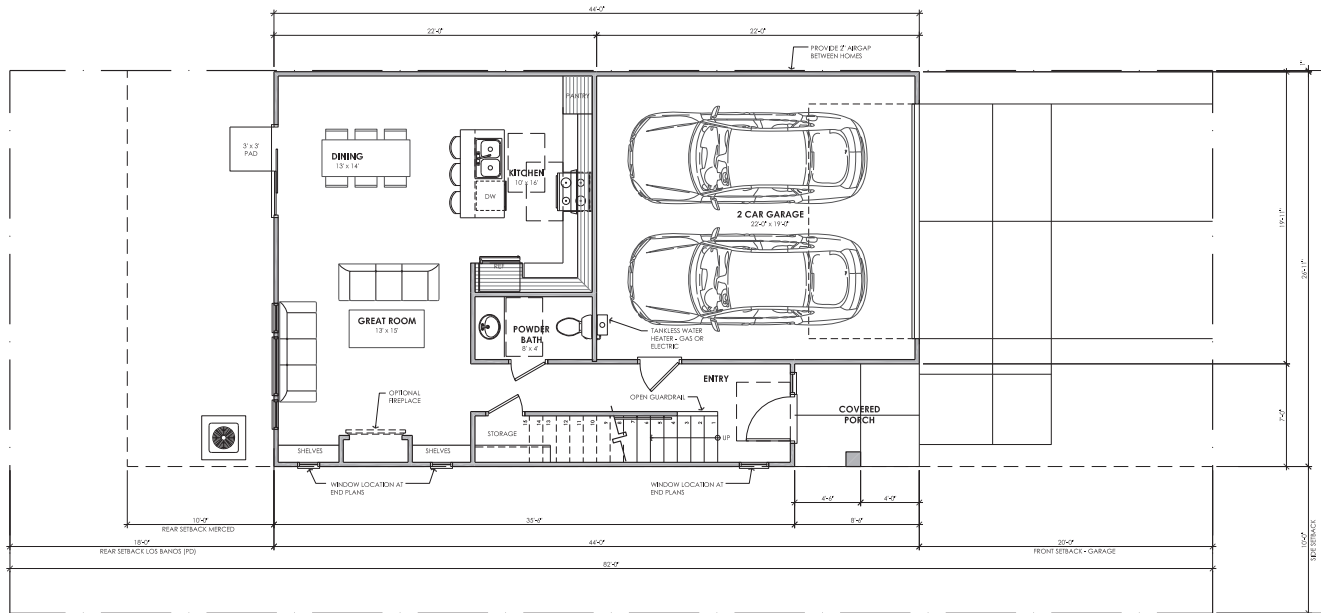
[illegible]

SHEET NO	DESCRIPTION
1	COVER SHEET
2	SITE PLAN





SCALE: 1/4" = 1'-0"

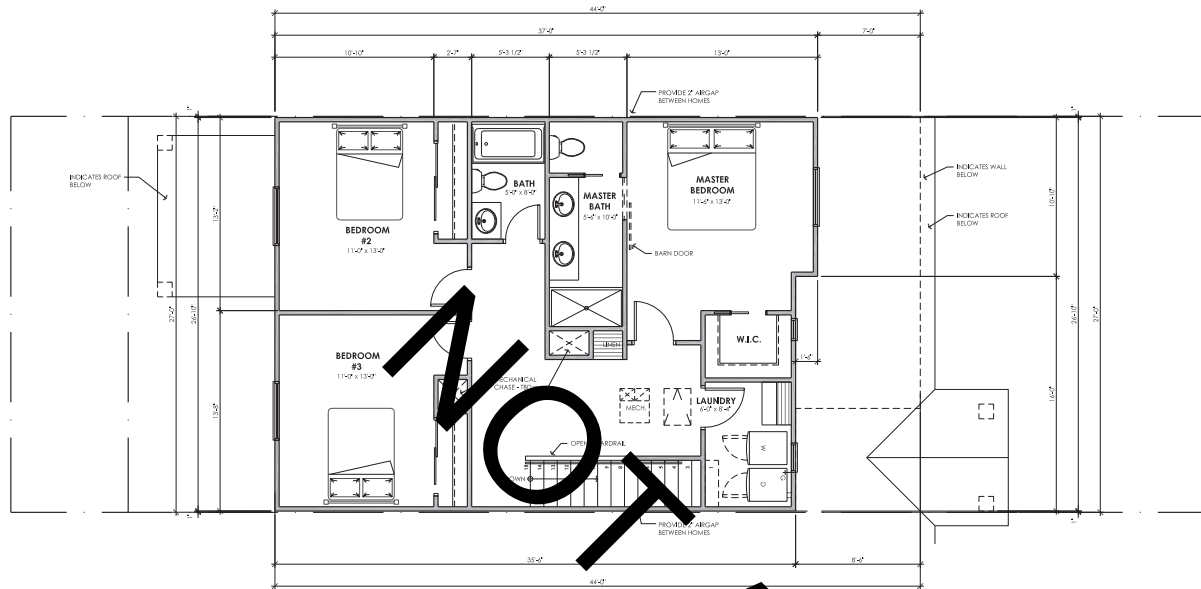


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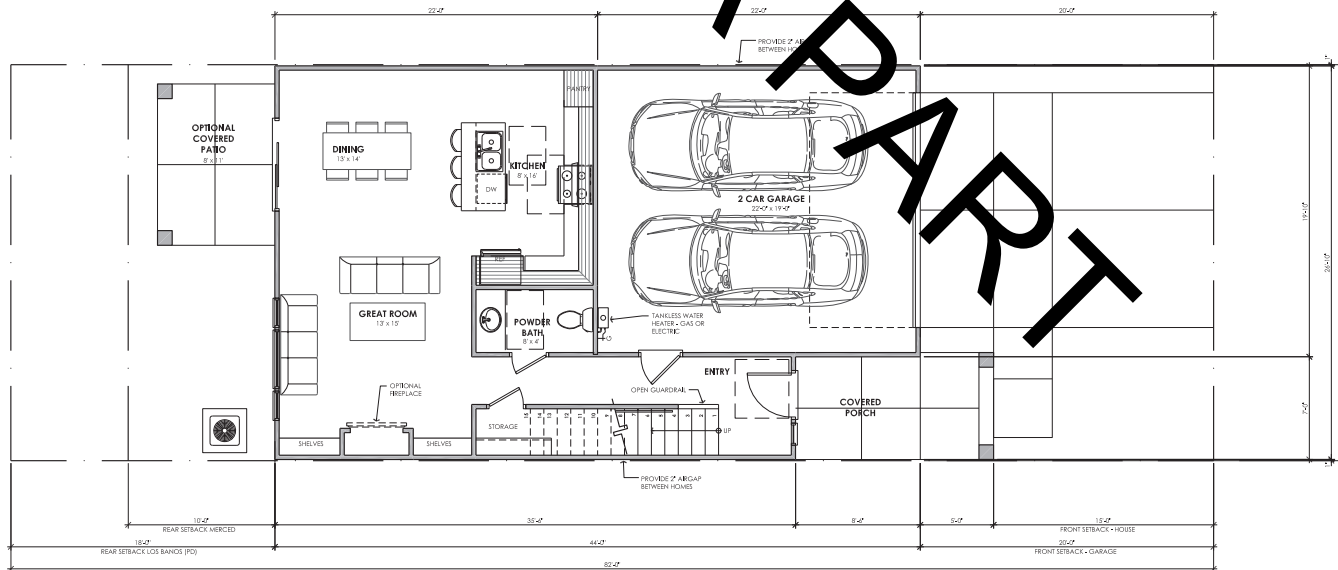
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SCALE: 1/4" = 1'-0"

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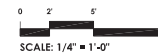


REVISED: 22-10-26 J.S.  
REVISED: 22-09-29 J.S.  
**PLAN B - UPPER FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



REVISED: 22-10-26 J.S.  
REVISED: 22-09-29 J.S.  
**PLAN B MAIN FLOOR PLAN - INTERIOR PLAN**  
SCALE: 1/4" = 1'-0"

FLOOR AREAS:  
MAIN FLOOR - 689 S.F.  
UPPER FLOOR - 228 S.F.  
TOTAL - 917 S.F.  
GARAGE - 432 S.F.



PROPOSED  
DEVELOPMENT:  
**STONEFIELD  
TOWNHOMES**

PLANNING  
ARCHITECTURE  
**api**

ARCHITECTURE PLUS INC.  
4335-B NORTH STAR WAY  
MODESTO, CA 95356

ph. 209.577.4661  
fx. 209.577.0213

www.aplarc.com

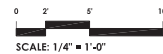
**PLAN C - UPPER FLOOR PLAN**

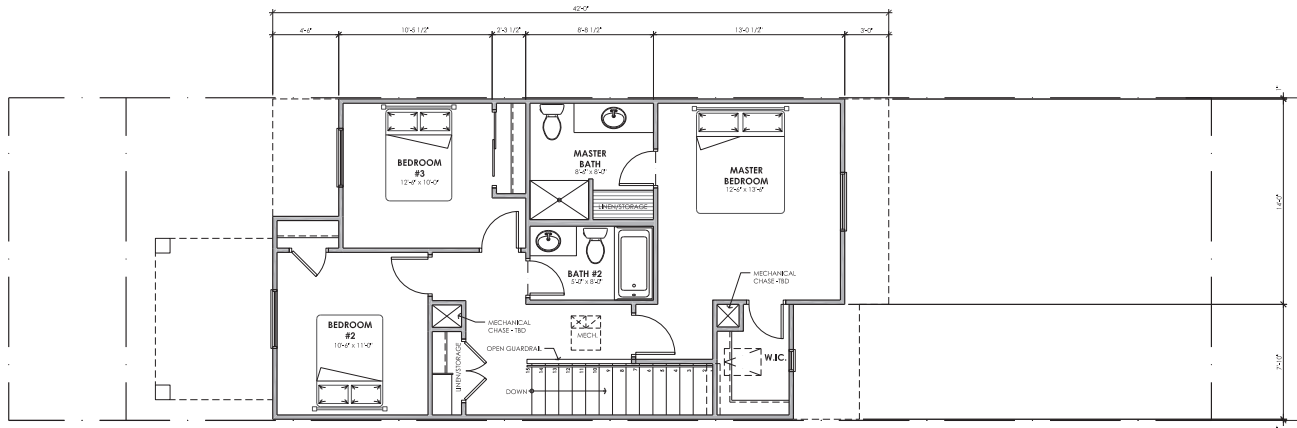
SCALE: 1/4" = 1'-0"

PLAN C - MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

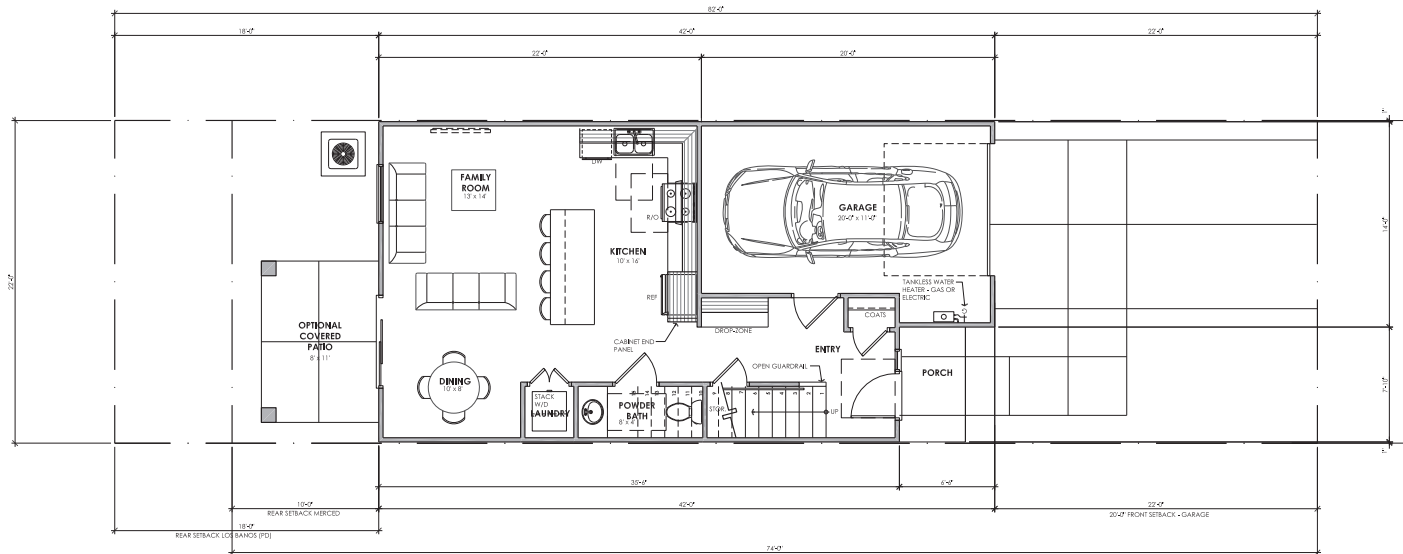
FLOOR AREAS:	
MAIN FLOOR	- 590 S.F.
UPPER FLOOR	- 669 S.F.
TOTAL	- 1,259 S.F.
GARAGE - 276 S.F.	





PLAN D UPPER FLOOR PLAN

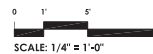
SCALE: 1/4" = 1'-0"



PLAN D MAIN FLOOR PLAN- INTERIOR PLAN

SCALE: 1/4" = 1'-0"

FLOOR AREAS:  
MAIN FLOOR - 617 S.F.  
UPPER FLOOR - 735 S.F.  
TOTAL - 1352 S.F.  
GARAGE - 249 S.F.



PROPOSED  
DEVELOPMENT:  
**STONEFIELD  
TOWNHOMES**

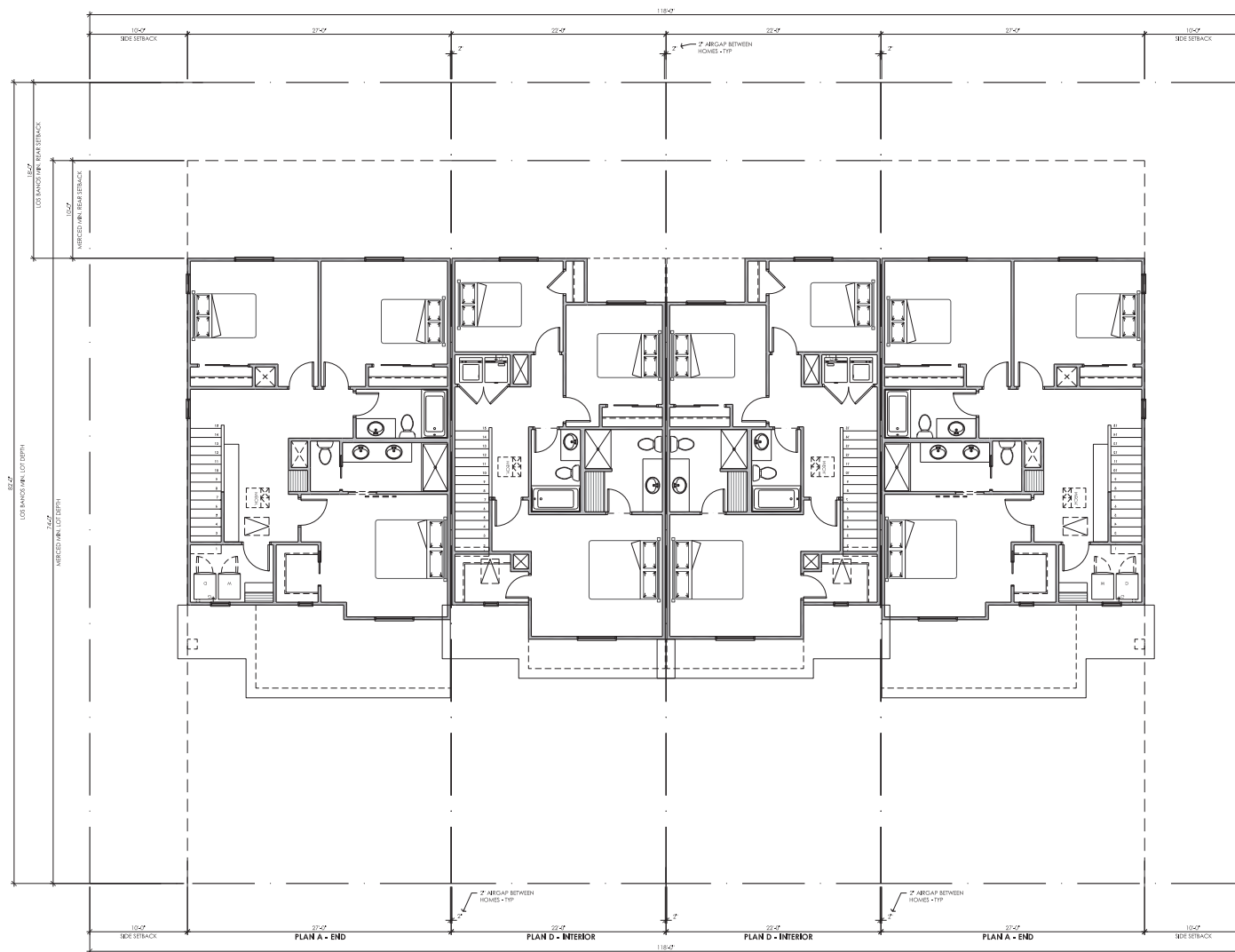
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SCALE:  $3/16" = 1'-0"$



0 2' 5' 10'

SCALE: 3/16" = 1'-0"

PROPOSED  
DEVELOPMENT:  
**STONEFIELD  
TOWNHOMES**

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ARCHITECTURE ■ ■ ■

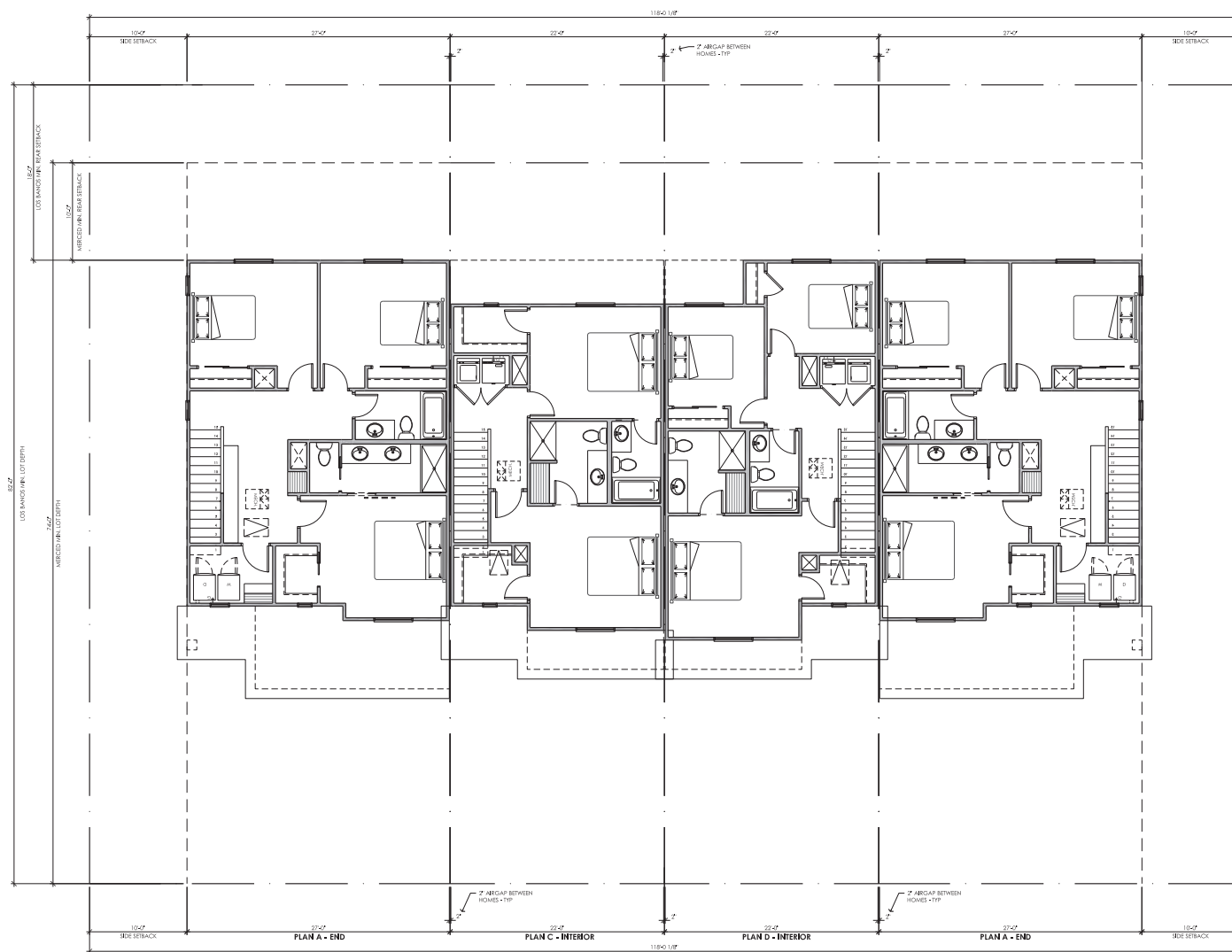
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SCALE: 3/16" = 1'-0"



0 2' 5' 10'

SCALE: 3/16" = 1'-0"

PROPOSED  
DEVELOPMENT:  
**STONEFIELD  
TOWNHOMES**

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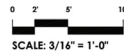
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fx. 209.577.0213

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EXHIBIT F



SCALE: 3/16" = 1'-0"



SCALE: 3/16" = 1'-0"

- 1 EXTERIOR CEMENT PLASTER
- 2 HORIZONTAL SIDING
- 3 BOARD AND BATTEN
- 4 MANUFACTURED STONE VENEER
- 5 COMPOSITION SHINGLE ROOFING
- 6 FASCIA AND GUTTER

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**A#**



**BUILDING 5 SIDE ELEVATION - OPTION 1**

SCALE: 3/16" = 1'-0"



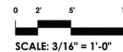
**BUILDING 5 SIDE ELEVATION - OPTION 2**

SCALE: 3/16" = 1'-0"



**BUILDING 5 REAR ELEVATION - OPTIONS 1 & 2**

SCALE: 3/16" = 1'-0"



SCALE: 3/16" = 1'-0"

### REFERENCE KEY

- 1 EXTERIOR CEMENT PLASTER
- 2 HORIZONTAL SIDING
- 3 BOARD AND BATTEN
- 4 MANUFACTURED STONE VENEER
- 5 COMPOSITION SHINGLE ROOFING
- 6 FASCIA AND GUTTER

### FINISH LEGEND



A



B



C



D



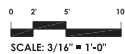
E



F



C



1. COMPOSITION SHINGLE ROOFING
2. EXTERIOR CEMENT PLASTER
3. HORIZONTAL SIDING
4. BOARD AND BATTEN SIDING
5. FASCIA AND GUTTER
6. MANUFACTURED STONE VENEER

PLANNING  
ARCHITECTURE

api

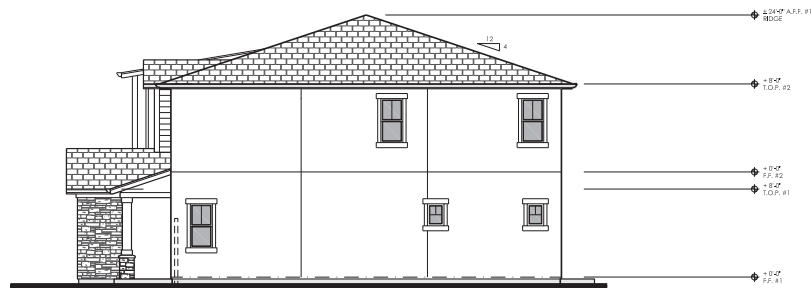
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ph. 209.577.4661  
fx. 209.577.0213

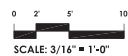
www.aplarc.com



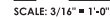
### BUILDING 5 TYPICAL SIDE ELEVATION



### BUILDING 5 TYPICAL SIDE ELEVATION



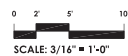
**BUILDING 5 REAR ELEVATION**



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Development Standards Mission 108 Subdivision	
Units/Acres	108/9.71
Density	11 units/acre (minimum of 10 units/acre)
Lot Size	1,650 s.f. to 5,688
Building Type	Zero Lot Line Townhomes Clusters of 4 units
Setbacks (minimum distance)	Zero Lot Line between individual units in 4-unit cluster.  Setback between clusters: Exterior: 20 ft. Exterior Corner: 15 ft. Interior (side): 5 ft. Interior (rear): 10 ft. Driveway: 20 feet
Building Heights	24 ft.
Lot Coverage	55%
Parking Requirements	1 space

## EXHIBIT H

# Notice of Exemption

## Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific: \_\_\_\_\_

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project: \_\_\_\_\_

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

☐ Ministerial (Sec. 21080(b)(1); 15268);

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption. State type and section number: 15183

☐ Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt: \_\_\_\_\_

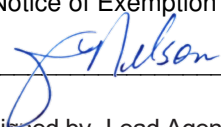
Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

**The California Environmental Quality Act  
(CEQA) Section 15183 Findings:**

**Application:** Site Plan Review #518

**Environmental Review** #23-10

**Location:** South of Winder Avenue, 650 feet east of G Street

**Assessor's Parcel Number:** APN: 259-130-045

**General Plan Designation:** Village Residential (VR)      **Zoning:** Planned Development P-D #58

State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

The *Merced Vision 2030 General Plan* and its associated EIR (SCH# 2008071069) were certified in January 2012. The document comprehensively examined the potential environmental impacts that may occur as a result of build-out of the 28,576-acre Merced SUDP/SOI. For those significant environmental impacts (Loss of Agricultural Soils and Air Quality) for which no mitigation measures were available, the City adopted a Statement of Overriding Considerations (City Council Resolution #2011-63). This document herein incorporates by reference the *Merced Vision 2030 General Plan*, the *General Plan Program EIR* (SCH# 2008071069), and Resolution #2011-63.

**The following findings are made in compliance with CEQA Section 15183 – Project consistent with a Community Plan or Zoning.**

In approving a project meeting the requirements of CEQA Section 15183, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

1. Is the project consistent with the General Plan and Zoning designations for the site (including density for residential developments)? Yes X No

If yes, please explain below. If no, the project does not qualify for this exemption.

***Comment/Finding:***

The General Plan designation for this site is Village Residential (VR) which allows 7 to 30 dwelling units per acre, with an average of 10 units per acre. The proposed Site Plan Review which would modify VTSM #1319 adds one additional lot and would maintain the previous density of 11 units/acre which is consistent with the General Plan.

The site is zoned Planned Development (P-D) #58 and has a residential land use designation. The proposed Site Plan Review is consistent with the zoning and establishes the design standards for this development. The Site Plan Review would also review the architecture for the development.

2. Are there any impacts that weren't evaluated in the General Plan EIR that are peculiar to the project or the parcel on which the project would be located? Yes        No X

If yes, an initial study or detailed analysis is necessary to determine if specific impacts will need to be mitigated.

If no, continue with CEQA Section 15183 Exemption.

***Comment/Finding:***

All potential impacts from this development were evaluated with the General Plan EIR. The site is consistent with the General Plan and zoning and has no unique features that were not evaluated with the General Plan EIR.

3. Are there project specific impacts which the General Plan EIR failed to analyze as significant effects.

Yes \_\_\_\_\_ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

***Comment/Finding:***

The proposed Site Plan Review would not result in any additional impacts that were not evaluated with the General Plan EIR.

4. Is there substantial new information which would result in more severe impacts than anticipated by the General Plan EIR?

Yes \_\_\_\_\_ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

***Comment/Finding:***

There is no new information as a result of the proposed Site Plan Review that would result in more severe impacts. The proposed changes to the tentative map and design standards are consistent with the General Plan density and circulation element and the land use designation for Planned Development (P-D) #58. All potential impacts were evaluated with the General Plan EIR.

**On the basis of this evaluation, in accordance with the requirements of Section 15183 of the CEQA Guidelines:**

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

Date: 4/3/23

Prepared By:



Julie Nelson,  
Senior Planner

*Prepare a notice of exemption using CEQA section 15183 based on this analysis.*