

CITY OF MERCED
Planning Commission

Resolution #4017

WHEREAS, the Merced City Planning Commission at its regular meeting of February 20, 2019, held a public hearing and considered **Tentative Subdivision Map #1310 (“Bellevue Ranch West, Villages 17 & 18”)**, initiated by Benchmark Engineering, applicant for Baxter Ranches, LLC, property owner. This application involves the subdivision of approximately 32.7 acres of land into 188 lots (“Bellevue Ranch West, Village 18-A”) and approximately 11.4 acres into 61 single-family lots (“Bellevue Ranch West, Village 17-C”). This property is generally located on the west side of M Street, north of Arrow Wood Drive, within Planned Development (P-D) #42 and has a Low-Medium Density (LMD) and Low Density (LD) Residential General Plan Designation; also known as Assessor’s Parcel Numbers (APN) 224-010-021 and -022 ; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through M of Staff Report #19-07; and,

NOW THEREFORE, after reviewing the City’s Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby find that the previous environmental review [Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH #9212055)] remains sufficient and no further documentation is required (CEQA Section 15162 Findings), and approve Vesting Tentative Subdivision Map #1310, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

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

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

PLANNING COMMISSION RESOLUTION #4017

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February 20, 2019

Adopted this 20th day of February 2019



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary

Attachment:

Exhibit A – Conditions of Approval

Conditions of Approval
Planning Commission Resolution #4017
Vesting Tentative Subdivision Map # 1310

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (site plan) - Attachment B of Staff Report #19-07, except as modified by the conditions.
2. All conditions contained in Resolution #1175-Amended ("Standard Tentative Subdivision Map Conditions") shall apply.
3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
4. The Project shall comply with the conditions set forth in Bellevue Ranch Master Development Plan (BRMDP) previously approved for this project by City Council Resolution #95-24, adopted May 15, 1995.
5. All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
6. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify,

defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.

7. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
8. Should any conflicts arise between the tentative map conditions contained herein and those conditions, mitigation measures, and guiding principles contained in the BRMDP, Appendices D, E, and F, or any other pertinent Sections/Appendices of the BRMDP, said conditions, mitigation measures, guiding principles, and sections/appendices shall take precedence.
9. Each Village shall install the improvements currently required by Table 6.1 of the Bellevue Ranch Master Development Plan, or as subsequently modified and approved by the City Council or by the authority granted the Development Services Director's designee to approve minor modifications as described in Section 1.6.2 of the BRMDP.
10. Prior to any phase of this Vesting Tentative Map recording, the Large Lot Map for Bellevue Ranch West (FM #5368) shall be recorded.
11. Per the BRMDP, all exterior building materials shall consist of stucco, masonry, or architectural grade wood siding, and roofing materials shall consist of tile and architectural composition shingles.
12. All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
13. All garages shall have a minimum setback of 20 feet measured from the property line or back of sidewalk, whichever is closest to the front of the garage. Per the BRMDP, the setback for the living area portion of the house may be reduced to 15 feet and shall be measured from the property line, whichever is closest to the living area portion of the house. Lot coverage shall not exceed 55% for all lots.
14. The building facades shall be of high quality design providing varied elevations and color schemes. All designs shall be consistent with the

requirements of the BRMDP and Planned Development (P-D) #42 and shall be approved by Planning Staff at the building permit stage.

15. All mechanical equipment shall be screened from public view.
16. 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).
17. All necessary documentation related to the construction of the residential uses shall be provided at the building permit stage.
18. The project shall comply with all the Post Construction Standards required to comply with state requirements for the City's Phase II MS-4 Permit (Municipal Separate Storm Sewer System).
19. 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).
20. 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).
21. A 6-foot-tall masonry wall and required landscaping shall be installed along all lots abutting Freemark Avenue and Arrow Wood Drive.
22. At the building permit stage, the site plans for each lot shall include a minimum 3-foot by 6-foot concrete pad located in the side yard or backyard for the storage of 3 refuse containers.
23. Prior to building permit issuance, a fee of \$861 per dwelling unit shall be collected to fund the future construction of the bridge at Fahrens Creek and Bellevue Road. This fee is in addition to all other permit and impact fees.

24. All cul-de-sac bulbs shall have a minimum diameter of 96 feet and shall be posted as “no parking” in compliance with Fire Department Standards adopted by Merced Municipal Code Section 17.32, unless otherwise approved by the Fire Department.
25. 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.
26. Traffic control signs, street markings, and striping shall be as directed by the City Engineer.
27. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
28. Provide all utility services to each lot, including sanitary sewer, water, electric power, gas, telephone, and cable television. All new utilities are to be undergrounded.
29. Install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
30. 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.
31. The bike path required by the BRMDP shall be constructed from Arrow Wood Drive north, along the perimeter of the subdivision and be connected to the sidewalk on Stephanie Drive. The construction of the bike path shall commence at the time the 200th building permit is issued and shall be completed prior to the Certificate of Occupancy is issued for the last home in the subdivision.
32. Dedication by Final Map of all necessary easements will be made as shown on Vesting Tentative Subdivision Map #1310 and as needed for irrigation, utilities, drainage, landscaping, and access.
33. All entryway and subdivision signs shall be administratively approved by Planning Staff prior to the issuance of a building permit.
34. Landscaping and irrigation details shall be provided by the applicant with final maps for each phase and are subject to approval by the City.

35. Should the Tentative Map trigger any improvements/alternations to any water way, the applicant shall have completed all Federal and State permitting requirements for such phase. Documentation of such permits shall be provided to the City prior to approval of a final map.
36. Should the Federal and/or State permitting process relative to wetlands and/or waters of the United States cause the design of the Tentative map to be modified, the applicant shall reconcile the modification(s) with the City of Merced through an amended tentative map process.

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