

**CITY OF MERCED
Planning Commission**

Resolution #2792

Extended on 12/1/06, 11/20/07, 7/15/08, 7/15/09, 7/15/11, 7/11/13, 10/10/15, 10/24/19, 12/10/20, 1/11/24. See Pages 5-6

WHEREAS, the Merced City Planning Commission at its regular meeting of December 8, 2004, held a public hearing and considered **Vesting Tentative Subdivision Map #1263** (“Crossing at River Oaks”), initiated by Golden Valley Engineering, engineers for Ridge Sutter, developer, to allow the subdivision of a 66.76-acre area of land into approximately 277 single-family residential lots plus 3 remainder lots for commercial, multi-family, and a school. The project is located between Dinkey Creek (extended) and Childs Avenues and east of Coffee Street within R-1-5 and R-1-6 single-family residential zones; also known as Assessor’s Parcel No. 58-020-010; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through N of Staff Report # 04-47; and,

WHEREAS, 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 adopt the Section 15162 Findings (Environmental Review #04-57), and approve Vesting Tentative Subdivision Map #1263 (“Crossing at River Oaks”) subject to the following conditions:

1. The proposed project shall be constructed/designed as shown on Exhibit 1 as supplemented by Exhibit 2 (Proposed Vesting Tentative Map) – Attachment B2 of Staff Report, subject to conditioned changes.
2. All conditions contained in Resolution #1175 Amended (“Standard Tentative Subdivision Conditions”) shall apply
3. The proposed project shall comply with all standard Merced Municipal Code and Subdivision Map Act requirements as applied by the Engineering Department.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply including R-1-5 standards, MMC 20.10.070 (G)
5. 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. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City

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Engineer to be sufficient to cover procedure cost and maintenance costs expected prior to first assessments being received.

6. The developer/applicant shall indemnify, protect, defend, 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, or proceedings 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. 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. Street names to be approved by City Engineer.
9. Dedicate, by Final Map, all interior street rights-of way and all necessary easements and as needed for irrigation, utilities, drainage, landscaping, and open space.
10. Developer shall conform to existing sanitary sewer master plan established for the area east of Coffee Road between Baker Drive and Gerard Avenue.
11. Developer shall provide storm drainage calculations including retention volumes where such volume is proposed and share proportionally in the cost of the storm pump station located southeast of the proposed vesting tentative map.

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12. Developer shall pay the project's proportionate share of traffic signal (12 ½ percent) at the intersection of Childs Avenue and Coffee Street.
13. Wall end points shall match front of house on corner lots (Lots #20, 86, 87, 102, 103, 118, 214, 215, 240 and 244) per City policy. Wall heights closer to corner shall "step down" to 4 feet and 2 ½ feet per City Zoning Ordinance.
14. All cul-de-sac bulbs, except Coldwater Court shall be open-end style including sidewalk connectors to adjacent streets and walls from front of house to front of house. Any wall openings shall be a minimum of 20 feet with wrought iron gates to allow pedestrian access per City design practices.
15. Lot A is not a legal parcel. It shall become part of Lot 58 or the parcel to the north.
16. Developers shall install all Childs Avenue improvements, except landscaping and wall, between Lot 57 and Lot 68.
17. Reconstruct Coffee Street pavement to meet City Standards for Collector Streets. Local streets and roadways may utilize alternative designs as shown and described in the *Merced Vision 2015 General Plan*.
18. Reconstruct Childs Avenue pavement to meet City Standards for Arterial streets.
19. Dedicate additional Coffee Street right of way and easements to match *Merced Vision 2015 General Plan* requirements for a collector road (74 feet) plus ten feet of landscape and public facilities easement (Attachment C).
20. Dedicate additional Childs Avenue right of way and easements to match *Merced Vision 2015 General Plan* requirements for 94-foot wide arterial, plus landscape and public facilities easements varying from 12-feet to 15-feet in width.
21. Provide for City review and approval of landscape/irrigation plans, prepared by a licensed landscape architect, for all areas of landscaping that are to be maintained by City.

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21. Provide for City review and approval of landscape/irrigation plans, prepared by a licensed landscape architect, for all areas of landscaping that are to be maintained by City.
22. At the building permit stage, the site plans for each lot shall include paved side yard or backyard location for storage of 3 refuse cans/containers.
23. Developer shall install the Childs Avenue curb, gutter and pavement along the frontage of the "Commercial" and "R-3-2" parcels (along the south side of Childs Avenue).
24. Compliance with the 40-foot visual corner is required for corner lots (approximately 48 lots), and may result in the applicant constructing smaller homes on these lots or increasing the front yard setbacks. A 4-foot encroachment for the porch area can be allowed within this area. Details to be worked out with staff.
25. Front yard setbacks for the homes of 15 feet are approved for all R-1-5 lots except for the 48 corner-lots, but the driveways must remain 20 feet in length. Lots 1 through 36 will need to retain a front yard setback of 20 feet, as per R-1-6 zoning requirements.

Upon motion by Commissioner SHANKLAND, seconded by Commissioner POLLARD and carried by the following vote:

AYES: Commissioners Conte, Eisenhart, Pollard, Shankland, Acheson, and Vice Chairman Fisher

NOES: None

ABSENT: Chairman Burr

Adopted this 8th day of December, 2004


Chairman, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

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~~**December 1, 2006:** On December 1, 2006, the Minor Subdivision Committee approved a one-year extension for Vesting Tentative Subdivision Map #1263 (“Crossing at River Oaks”), to December 8, 2012.~~

See Secretary's
Note on Page 6

November 20, 2007: On September 10, 2007, the developer requested an additional 3-years be approved under Subdivision map Act Section 66452.6 due to pipelining of an off-site, off-frontage irrigation canal. The Minor Subdivision Committee, on November 20, 2007, verified the 3-year request as correct and substantiated and approved the 3-year extension from ~~December 8, 2007 to December 8, 2010~~. The developer still has four one-year extensions remaining. Correct dates are December 8, 2012 to December 8, 2015.

~~**July 15, 2008/July 15, 2009:** On July 15, 2008, the State of California gave a one-year extension to all active (not expired) tentative maps that were otherwise scheduled to expire on or before December 30, 2010. On July 15, 2009, the State of California gave a second, two-year extension. Therefore, this Tentative Map #1263 hereby has its expiration date extended to December 8, 2013.~~

The revised expiration date no longer qualifies this map for State Extension under SB 1185 and AB 333.

~~**July 15, 2011:** On July 15, 2011, the State of California gave a 24-month extension to all active (not expired) tentative maps that were otherwise scheduled to expire on or before January 1, 2014. Therefore, Vesting Tentative Subdivision Map #1263 hereby has its expiration date extended to December 8, 2015.~~

The revised expiration date no longer qualifies this map for State Extension under AB 208.

July 11, 2013: On July 11, 2013, the State of California gave a 24-month extension to all active (not expired) tentative maps that were approved on or after January 1, 2000. Therefore, Vesting Tentative Subdivision Map #1263 hereby has its expiration date extended to December 8, 2017.

October 10, 2015: On October 10, 2015, the State of California gave a 24-month extension to all active (not expired) tentative maps that were approved on or after January 1, 2002, and not later than July 11, 2013. Therefore, Vesting Tentative Subdivision Map #1263 hereby has its expiration date extended to December 8, 2019.

October 24, 2019: On October 24, 2019, the Site Plan Review Committee approved the extension of Vesting Tentative Subdivision Map #1263

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("Crossing at River Oaks") for one year. The new expiration date is December 8, 2020.

December 10, 2020: On December 10, 2020, the Site Plan Review Committee approved the extension of Vesting Tentative Subdivision Map #1263 ("Crossing at River Oaks") for three years. The new expiration date is December 8, 2023.

Secretary's Note: This map is included under the Weaver Annexation and is entitled to a 7-year initial map life rather than the standard 2-year map life. Therefore, with this granted extension request, the expiration date is December 8, 2012.

January 11, 2024: On September 28, 2020, the State of California granted an automatic 18-month extension for certain maps under AB 1561. This map meets the criteria set forth in AB 1561 and is hereby retroactively extended for 18 months. The new expiration date is June 8, 2025.