



CITY OF MERCED

City Council Chamber
Merced Civic Center
678 W. 18th Street
Merced, CA 95340

Minutes Planning Commission

Wednesday, March 4, 2026

6:00 PM

A. CALL TO ORDER

Chairperson GONZALEZ called the meeting to order at 6:00 PM.

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

Commissioner OCHOA led the Pledge of Allegiance to the Flag.

B. ROLL CALL

Clerk's Note: The Commission has 1 vacancy at this time.

Present: 6 - Chair Anthony Gonzalez, Member Walter Smith, Member Emanuelle Ochoa, Vice Chair Jeremiah Greggains, Member Jerry Vue, and Member Conchita Swiggart

Absent: 0

C. PUBLIC COMMENT

There were no public comments.

D. CONSENT CALENDAR

D.1. **SUBJECT:** Planning Commission Minutes of January 21, 2026

ACTION:

Approving and filing the Planning Commission Minutes of January 21, 2026

A motion was made by Member Ochoa, seconded by Vice Chair Greggains and carried by the following vote, to approve the Consent Agenda.

Aye: 6 - Chair Gonzalez
Member Smith
Member Ochoa
Vice Chair Greggains
Member Vue
Member Swiggart

No: 0

Absent: 0

E. PUBLIC HEARINGS AND ACTION ITEMS

E.1. SUBJECT: Vesting Tentative Subdivision Map #25-0011 (“Virginia Smith Trust (VST) Phase 1D”) and Environmental Review #25-0036 (Categorical Exemption) initiated by applicant. Board of Education of the County of Merced, Trustee, property owner. This application involves a request to subdivide approximately 58.17 acres into 197 lots. The subject site is generally located on the east side of Lake Road, approximately 5,000 feet north of E. Yosemite Avenue, within Planned Development (P-D) #80, with a General Plan designation of Virginia Smith Trust Specific Plan (VST SP); *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #25-0036 (CEQA Findings 15162 Subsequent EIR)
- 2) Vesting Tentative Subdivision Map #25-0011

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #25-0036 (CEQA Findings 15162 Subsequent EIR) and Vesting Tentative Subdivision Map #25-0011 - “VST Phase 1D” (including the adoption of the Draft Resolution) subject to the conditions in Exhibit A and the Findings and Considerations in Exhibit C of Draft Resolution #4177 at Attachment A of this report (“Planning Commission Staff Report #25-1071”).

Clerk’s Note: Due to an administrative error, Staff Report #25-1071 was cited as the report for this item from a previous agenda. The report for this item is Staff Report #26-188.

Associate Planner RENTERIA reviewed the report on this item. For further information, refer to Staff Report #26-188.

Public Testimony was opened at 6:12 PM.

Speaker from the Audience in Favor

STEVE TIETJEN, VST Director, Merced County

There were no speakers in opposition to the project.

Public Testimony was closed at 6:15 PM.

A motion was made by Member Ochoa, seconded by Vice Chair Greggains and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #25-0036, and approve Vesting Tentative Subdivision Map #25-0011, subject to the Findings and thirty-nine (39) Conditions set forth in Staff Report #26-188 (RESOLUTION #4177).

Aye: 6 - Chair Gonzalez
Member Smith
Member Ochoa
Vice Chair Greggains
Member Vue
Member Swiggart

No: 0

Absent: 0

F. BUSINESS

F.1. SUBJECT: Report by Planning Manager of Upcoming Agenda Items

ACTION

Information only.

Planning Manager RASHE went over the items for the next several Planning Commission meetings.

F.2. SUBJECT: Calendar of Meetings/Events

Mar.	2	City Council, 6:00 p.m.
	4	Planning Commission, 6:00 p.m.
	16	City Council, 6:00 p.m.
	18	Planning Commission, 6:00 p.m.
Apr.	6	City Council, 6:00 p.m.
	8	Planning Commission, 6:00 p.m.
	20	City Council, 6:00 p.m.
	22	Planning Commission, 6:00 p.m.

F.3. SUBJECT: Planning Commission Comments

REPORT IN BRIEF

Provides an opportunity for Commissioners to make a brief announcement on any activity(ies) she/he has attended on behalf of the City and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.

G. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 6:18 PM.

A motion was made by Member Swiggart, seconded by Vice Chair Greggains and carried by the following vote, to adjourn the Regular Meeting.

Aye: 6 - Chair Gonzalez
Member Smith
Member Ochoa
Vice Chair Greggains
Member Vue
Member Swiggart

No: 0

Absent: 0

BY:



SAM RASHE, SECRETARY
MERCED CITY PLANNING COMMISSION

APPROVED:



ANTHONY GONZALEZ, CHAIRPERSON
MERCED CITY PLANNING COMMISSION

CITY OF MERCED
Planning Commission

Resolution #4177

WHEREAS, the Merced City Planning Commission at its regular meeting of March 4, 2026, held a public hearing and considered Vesting Tentative Subdivision Map #25-0011 (“Virginia Smith Trust (VST) Phase 1D”) and Environmental Review #25-0036, initiated by applicant, Board of Education of the County of Merced, Trustee, property owner. This application involves a request to subdivide approximately 58.17 acres into 197 lots. The subject site is generally located on the east side of Lake Road, approximately 5,000 feet north of E. Yosemite Avenue, also known as Assessor’s Parcel Numbers (APN) 060-020-056. The subject site has a General Plan designation of Virginia Smith Trust Specific Plan (“VST SP”), within Planned Development (“P-D”) #80; and,

WHEREAS, the Merced City Planning Commission concurs and adopts Planning Staff Report #25-1071 Findings as follows: 1) Finding A – General Plan Compliance and Policies Related to this Application; 2) Finding B – Land Use Plan for entire VST SP; 3) Finding C – Land Use Plan for Phase 1D; 4) Finding D – Parks and Open Space; 5) Finding E – Building Design and Development Standards; 6) Finding F – Phasing Plan; 7) Finding G – Vesting Tentative Subdivision Map #25-0011 Virginia Smith Trust (VST Phase 1D); 8) Finding H – Infrastructure for Entire VST SP; 9) Finding I – Infrastructure for Phase 1D; 10) Finding J – City Impact Fees and Specific Plan Impact Fees; 11) Finding K – Vehicle Miles Traveled; 12) Finding L —Biological Resources; 13) Finding M – Agriculture Resource and Interface; 14) Finding N – Affordable Housing Plan; 15) Finding O – Tentative Subdivision Map Requirements; 16) Finding P – Public Comments Received; 17) Finding Q – Environmental Review #25-0036; 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 fully discussing all the issues, the Merced City Planning Commission does resolve to hereby find that the previous environmental review for the Focused Subsequent Environmental Impact Report (EIR) prepared for the University Community Plan Update and VST Specific Plan (SCH #2001021056) remains sufficient and no further documentation is required (California Environmental Quality Act Section 15162 Findings and Categorical Exemption), and approve Vesting Tentative Subdivision Map #25-0011, subject to the Conditions set forth in Exhibit A, Exhibit B, and Findings and Considerations set forth in Exhibit C, all attached hereto and incorporated herein by this

PLANNING COMMISSION RESOLUTION #4177

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reference and adopts Environmental Review #25-0036 (CEQA Section 15162 Findings and Categorical Exemption).

Upon motion by Commissioner Ochoa, seconded by Commissioner Greggains, and carried by the following vote:

AYES: Commissioners Smith, Ochoa, Greggains, Vue, Swiggart, and Chairperson Gonzalez

NOES: None

ABSENT: None

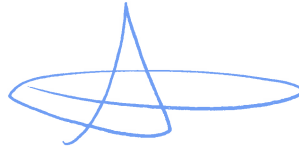
ABSTAIN: None

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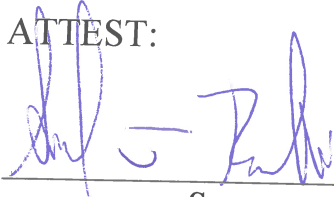
March 4, 2026

Adopted this 4th day of March 2026



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary

Attachment:

Exhibit A – Conditions of Approval

Exhibit B – Resolution #1175-Amended (“Standard Tentative Subdivision Map
Conditions”)

Exhibit C – Findings and Considerations

Conditions of Approval
Planning Commission Resolution #4177
Vesting Tentative Subdivision Map # 25-0011

1. The proposed project shall be constructed/designed as shown on Attachment C of Planning Commission Report #25-1059 (Vesting Tentative Subdivision Map for Virginia Smith Trust (“VST”) Phase 1D).
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. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
5. All previously adopted conditions, mitigation measures, and guiding principles approved with the VST Specific Plan (“VST SP”), VST Development Agreement, the Focused Subsequent Environmental Impact Report (EIR) prepared for the University Community Plan Update and VST Specific Plan (SCH #2001021056), and VST Annexation (Annexation #204) for this site and VST SP adopted by the Merced City Council (City Council Resolution #2024-14), which are applicable to this project, shall apply to this vesting tentative map and all subsequent final maps, improvement plans, building permits, and discretionary approvals
6. 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.
7. Should any conflicts arise between the tentative map conditions contained herein and those conditions, mitigation measures, and guiding principles contained in the Virginia Smith Trust Specific Plan, said conditions, mitigation measures, guiding principles, standards, regulations and sections/appendices in the Specific Plan and/or Development Agreement shall take precedence.

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. CFD procedures shall be completed 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 Development Services Director to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
9. All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
10. 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.
11. Plans shall meet current codes at the time of building permit application submittal. Building permit applications shall comply with the newest enacted California Building Codes. Plans shall be drawn by a licensed California design professional.
12. 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.
13. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
14. The development shall comply with the development standards and design standards found within the VST SP and the VST Development Agreement.
15. A variety of colors, textures, and materials shall be offered by the builder for the front elevations of the homes, including at least one option that is not stucco. Elevations shall be reviewed and approved by the Planning Division during the building permit stage for its consistency with the design standards within the VST SP.
16. Each lot shall provide a parking garage for a minimum of one vehicle.
17. All mechanical equipment shall be screened from public view.

18. No residential driveways shall front on any arterial or collector street, except for multi-family housing developments within R-3 and R-4 land use designations.
19. 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).
20. 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).
21. The applicant shall provide a minimum 36 inches of coverage between the top of the sewer line and the surface of the street, or as otherwise required by the City Engineer.
22. 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) and the landscape standards found within the VST Specific Plan. Should there be any conflicts in stands, those found within the specific plan shall prevail.
23. All undeveloped areas shall be maintained free of weeds and debris.
24. 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).
25. A 7-foot-tall masonry wall shall be installed along Campus Parkway, for the portions adjacent to residential zones. The height of the wall shall be measured from the adjacent sidewalk along Campus Parkway. The wall shall include anti-graffiti coating. Graffiti shall be removed within 7 days

or as determined to be a reasonable timeframe by the Director of Development Services.

26. Landscaping shall be provided between the block wall and the sidewalk. This strip of land shall be dedicated to the City and maintained through the Community Facilities District after Final Map approval.
27. Sewer manholes shall be installed as required by the Engineering Department (if needed).
28. The applicant shall dedicate all necessary street right-of-way and easements as needed for irrigation, utilities, drainage, landscaping, and open space during the Final Map stage as required by the City Engineer.
29. Dedication of all necessary easements will be made as shown on Vesting Tentative Subdivision Map #25-0011 and as needed for irrigation, utilities, drainage, landscaping, open space, and access.
30. The developer shall 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.
31. 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.
32. The developer shall install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
33. Full public improvements shall be installed/repared if the permit value of the project exceeds \$100,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.
34. All public improvements shall be provided as required by the City Engineer. All improvements shall meet City Standards, unless provided otherwise in the Specific Plan and/or Development Agreement.
35. The 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, unless provided otherwise in Specific Plan and/or Development Agreement.

36. All entryway and subdivision signs shall be administratively approved by Planning Staff prior to the issuance of a building permit. Said sign shall be consistent with those found in the VST Specific Plan.
37. Minor modifications to the development standards or building elevations (as determined by the Director of Development Services), may be reviewed and approved through a Minor Use Permit, or as otherwise required by Development Agreement for this development.
38. A final map within Phase 1D cannot be recorded until the Final Map for the Large Lot Subdivision Map (VTSM #25-0008) for this site is recorded.
39. A 100-foot buffer shall be maintained between any agricultural activity and habitable structures within the project site, or as otherwise required by the VST SP.

**CITY OF MERCED
Planning Commission**

Resolution #1175 - AMENDED

AMENDED Planning
Commission on August 22, 2007

WHEREAS, the Merced City Planning Commission at its regular meeting of November 8, 2000, considered modification to Resolution #1175 (Tentative Subdivision Map Standard Conditions) to reflect recent revisions in procedures and code requirements.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Planning Commission does approve the following conditions which shall hereafter be referred to and become a part of approval of each Tentative Subdivision Map in the City of Merced:

Amended
and
renumbered
(see page 5)

- ~~1. Improvement plans shall be submitted to the City Engineer for approval, prior to approval of the Final Map. Full public improvements shall be constructed. Improvements include, but are not necessarily limited to, streets; street lights; curb and gutter; sidewalks; handicap ramps; driveways; water, sewer and storm drainage systems; traffic signs and markings; survey monuments; utilities; pavement; grading; street trees; and any required landscaping.~~
- ~~2. A preliminary soils report prepared by a Civil or Soils Engineer registered in this state shall be submitted to the City Engineer prior to approval of the improvement plans. The soils report shall include recommendations for the structural sections for streets and compaction and moisture controls for native soil beneath curb, gutter, street and sidewalk sections. The report shall also contain recommendations for engineered fill, building pads, footings, and soil bearing values and lateral pressures. A final soils report (or certificate of compliance with the preliminary soils report and its amendments and with City construction standards) shall be submitted to the City Engineer prior to recording a Notice of Completion.~~
- ~~3. Developer shall make any and all arrangements for storm drainage directed into any non-City facilities, pay any and all costs incurred, and furnish evidence of same to the City prior to approval of improvement plans.~~
- ~~4. The proposed subdivision and its improvements shall comply with all Merced Municipal Code and Subdivision Map Act requirements as well as conform to the appropriate sections of the legally applicable edition of the City of Merced publication entitled "Standard Designs for Common Engineering Structures" including any modifications, as required by the City Engineer.~~

PLANNING COMMISSION RESOLUTION #1175 – AMENDED

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5. ~~Prior to approval of the Final Map, the subdivider shall:
 - a. ~~Enter into an agreement with the City to install all improvements in accordance with the improvement plans and conditionally approved tentative map;~~
 - b. ~~Furnish improvement securities in accordance with Section 66499 Et. Seq. of the Government Code (Subdivision Map Act);~~
 - c. ~~Pay all required inspection fees;~~
 - d. ~~Dedicate all street rights of way and all necessary easements and dedications as shown on said map or as otherwise required by the City Engineer, public utilities and other agencies, including but not necessarily limited to those needed for irrigation, utilities, drainage, landscaping, open space, and public facilities easements.~~~~
6. ~~The City Engineer shall have the authority to order any work done which is necessary or convenient for the protection and convenience of the public, during the construction of public improvements.~~
7. ~~All public improvements shall be completed within 12 months of the Final Map approval date by the Merced City Council. In the event that a time extension is requested by a developer, the City reserves the right to review the adequacy of improvement securities, inspection fees and the Subdivision Agreement, and may require additional improvement security, new condition(s), and/or inspection fees.~~
8. ~~Street names shall be as approved by staff prior to Final Map approval.~~
9. ~~Installation of appropriate street name signs, traffic control signs, and markings shall conform to the State Traffic Manual and the Manual of Uniform Traffic Control Devices (MUTCD). Locations, names and types of traffic control devices shall be approved by the City Engineer.~~
10. ~~One temporary on-site subdivision sign (not to exceed 80 square feet) will be allowed for a period not to exceed six (6) months after filing of the Notice~~

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~~of Completion on the subdivision improvements, or two (2) years from the time the first building permit is issued, whichever time is less, subject to applicable provisions of Merced Municipal Code Sections 17.36.720 and 17.36.740.~~

- ~~11. The developer shall notify new purchasers of any assessment obligations that are to be re-spread within the subdivision, special districts, fees, or maintenance assessment obligations prior to sale.~~
- ~~12. All utility services shall be provided to each lot. Utility services include, but are not necessarily limited to, sanitary sewer, domestic water, fire protection water, electric power, gas, telephone and cable television. All new utilities are to be underground.~~
- ~~13. Final Map approval may be subject to reasonable requirements that may be received from any utility and/or other agencies~~
- ~~14. For a dwelling on any given lot within the subdivision, all required on and off-site improvements, including streets trees, permanent utilities, public access, and frontage improvements, shall be completed prior to the issuance of a certificate of occupancy.~~
- ~~15. Developer shall coordinate and, if necessary, pay for the relocation of existing public utilities as required.~~
- ~~16. Valley gutters shall not cross collector or higher order streets. Valley gutters on local streets may be approved by the Merced City Planning Commission on a case-by-case basis.~~
- ~~17. The proposed subdivision shall annex to an existing Merced City Maintenance District or shall form a new maintenance district, simultaneously with approval of the Final Map. The developer shall pay all costs of formation of, or annexation to, a maintenance district. The developer shall also pay for the first two years of maintenance cost created by any particular phase of development.~~
- ~~18. Notwithstanding the above, all construction and improvements shall be in accordance with zoning, building and all other applicable codes, ordinances, standards, and policies of the City of Merced.~~

PLANNING COMMISSION RESOLUTION #1175 – AMENDED

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

AYES: Commissioners Lopez, Pollard, Burr, Osorio, Love and
Chairman Eisenhart
NOES: None
ABSENT: Commissioner Riordan

Adopted this 8th day of November, 2000



Chairman, Planning Commission of
the City of Merced, California

ATTEST:



Secretary

tl/P.RES:#1175 - Amended

August 22, 2007: At their regularly scheduled meeting of August 22, 2007, the Planning Commission considered amendments to the Standard Conditions for Tentative Subdivision Maps.

M/S SHANKLAND-ACHESON, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #07-29, and approve amendments to the Standard Conditions as follows:

PLANNING COMMISSION RESOLUTION #1175 – AMENDED

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1. Improvement plans shall be submitted to the City Engineer for approval, prior to approval of the Final Map. Full public improvements shall be constructed. Improvements include, but are not necessarily limited to, streets; street lights; curb and gutter; sidewalks; handicap ramps; driveways; water, sewer and storm drainage systems; traffic signs and markings; survey monuments; utilities; pavement; grading; street trees; and any required landscaping.
2. 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.
3. 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.
4. A preliminary soils report prepared by a Civil or Soils Engineer registered in this state shall be submitted to the City Engineer prior to approval of the improvement plans. The soils report shall include recommendations for the structural sections for streets and compaction and moisture controls for native soil beneath curb, gutter, street and sidewalk sections. The report shall also contain recommendations for engineered fill, building pads, footings, and soil bearing values and lateral pressures. A final soils report (or certificate of compliance with the preliminary soils report and its amendments and with City construction standards) shall be submitted to the City Engineer prior to recording a Notice of Completion.
5. Developer shall make any and all arrangements for storm drainage directed into any non-City facilities, pay any and all costs incurred, and

PLANNING COMMISSION RESOLUTION #1175 – AMENDED

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- furnish evidence of same to the City prior to approval of improvement plans.
6. The proposed subdivision and its improvements shall comply with all Merced Municipal Code and Subdivision Map Act requirements as well as conform to the appropriate sections of the legally applicable edition of the City of Merced publication entitled “Standard Designs for Common Engineering Structures” including any modifications, as required by the City Engineer.
 7. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
 8. Prior to approval of the Final Map, the sub-divider shall:
 - a. Enter into an agreement with the City to install all improvements in accordance with the improvement plans and conditionally approved tentative map;
 - b. Furnish improvement securities in accordance with Section 66499 Et. Seq. of the Government Code (Subdivision Map Act);
 - c. Pay all required inspection fees;
 - d. Dedicate all street rights-of-way and all necessary easements and dedications as shown on said map or as otherwise required by the City Engineer, public utilities and other agencies, including but not necessarily limited to those needed for irrigation, utilities, drainage, landscaping, open space, and public facilities easements.
 9. The City Engineer shall have the authority to order any work done which is necessary or convenient for the protection and convenience of the public, during the construction of public improvements.
 10. All public improvements shall be completed within 12 months of the Final Map approval date by the Merced City Council. In the event that a time extension is requested by a developer, the City reserves the right to review the adequacy of improvement securities, inspection fees and the Subdivision Agreement, and may require additional improvement security, new condition(s), and/or inspection fees.
 11. Street names shall be approved by the City Engineer.
 12. Installation of appropriate street name signs, traffic control signs, and markings shall conform to the State Traffic Manual and the Manual of Uniform Traffic Control Devices (MUTCD). Locations, names and types of traffic control devices shall be approved by the City Engineer.

PLANNING COMMISSION RESOLUTION #1175 – AMENDED

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13. Storm drainage shall comply with City of Merced storm drainage standards and be compatible with the City's Storm Drainage Master Plan, Phase II Storm Drainage regulations and all other applicable City, State, and Federal requirements. The developer shall demonstrate that the development will function as part of a Regional Drainage System that is efficiently designed to include several properties. Developer shall pay its pro-rata share of regional system items, such as pump station, discharge facilities, and certain conveyance facilities.
14. One temporary on-site subdivision sign (not to exceed 80 square feet) will be allowed for a period not to exceed six (6) months after filing of the Notice of Completion on the subdivision improvements, or two (2) years from the time the first building permit is issued, whichever time is less, subject to applicable provisions of Merced Municipal Code Sections 17.36.720 and 17.36.740.
15. 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 petition and deposit agreement agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Finance Director to be sufficient to cover procedure cost and maintenance costs expected prior to first assessments being received. (Note: Applicant has submitted a petition and deposit for initiation of CFD.) The developer shall notify new purchasers of any assessment obligations that are to be re-spread within the subdivision, special districts, fees, or maintenance assessment obligations prior to sale.
16. All utility services shall be provided to each lot. Utility services include, but are not necessarily limited to, sanitary sewer, domestic water, fire protection water, electric power, gas, telephone and cable television. All new utilities are to be underground.
17. Refuse containers shall be stored out of site of the general public, including those homes located on the private driveways. A concrete pad (3 x 6 foot minimum) shall be installed in the side or back yard of each unit to house refuse containers.
18. Final Map approval may be subject to reasonable requirements that may be received from any utility and/or other agencies
19. For a dwelling on any given lot within the subdivision, all required on and off-site improvements, including streets trees, permanent utilities, public access, and frontage improvements, shall be completed prior to the issuance of a certificate of occupancy.

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20. Developer shall coordinate and, if necessary, pay for the relocation of existing public utilities as required.
21. Valley gutters shall not cross collector or higher order streets. Valley gutters on local streets may be approved by the Merced City Planning Commission on a case-by-case basis.
22. The proposed subdivision shall annex to an existing Merced City Maintenance District or shall form a new maintenance district, simultaneously with approval of the Final Map. The developer shall pay all costs of formation of, or annexation to, a maintenance district. The developer shall also pay for the first two years of maintenance cost created by any particular phase of development.
23. Notwithstanding the above, all construction and improvements shall be in accordance with zoning, building and all other applicable codes, ordinances, standards, and policies of the City of Merced.

AYES: Commissioners Shankland, McCoy, Amey, Cervantes, Williams, Acheson, and Chairperson Ward

NOES: None

ABSENT: None

**Findings and Considerations
Planning Commission Resolution #4177
Vesting Tentative Subdivision Map #25-0011**

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan/Specific Plan designation of Virginia Smith Trust Specific Plan (“VST SP”) and the Zoning classification of Planned Development (“P-D”) #80. This specific plan consists of approximately 654 acres and includes a variety of residential uses, commercial uses, parks, fire station, police station, and a school. This small lot map, Phase 1D, would subdivide 58.17 acres into 197 lots and include a variety of residential densities, commercial lots and parks.

The proposed project, with conditions of approval, will help achieve the following General Plan land use policies:

Urban Expansion Policy

UE-1.4 Continue joint planning efforts on the UC Merced and University Community plans

The VST SP is a community plan located just south of University of California Merced (“UC Merced”). The proposal was annexed into the City in 2024 and included approval of the specific plan. The proposed land use plan and architectural design standards for this development are designed to complement UC Merced and the site is located just south of UC Merced.

Housing Policies

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

The VST SP includes a variety of residential housing types. This includes planning for single-family homes, cluster development, and multifamily development. Different neighborhoods include various design standards that create a diversity of building types, and design (see Finding E – Building Design and Development Standards of Resolution #4177 and Staff Report #25-1071). The development of single-family homes also encourages ownership.

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

The VST SP includes a variety residential subdivision types with various residential lot sizes. The overall specific plan includes lots generally ranging from 12,500 square feet and 3,500 square feet.

L-1.7 Encourage the location of multi-family developments on sites with good access to transportation, shopping, employment centers, and services.

As shown under Finding B of Resolution #4177 and Staff Report #25-1071, the VST SP Land Use Plan includes multi-family land uses that are generally located on the northern and central portions of the specific plan which are in close proximity to the proposed “Town Center” and are in close proximity to a variety of commercial uses offering shopping, employment, and services.

Economic & Business Development Policy

- *L-2.6 Provide neighborhood commercial centers in proportion to residential development in the City.*

As shown under Finding B – Land Uses for Entire VST SP the specific plan includes a variety of land uses, which includes 3,560 residential units (not including density bonus) and 44 acres of commercial. (See Resolution #4177 and Staff Report #25-1071). The development creates a commercial center that is intended to serve residents living in the neighborhood and those driving toward UC Merced.

Urban Growth and Design Policy

- *L-3.1 Create land use patterns that will encourage people to walk, bicycle, or use public transit for an increased number of their daily trips.*

The VST SP includes a variety of bicycle lanes and walking trails that will connect various neighborhoods to various parks and commercial development, providing alternative modes of transportation and reducing vehicle trips.

Schools Policy

- *P-7.1 Cooperate with Merced area school districts to provide elementary, intermediate and high school sites that are centrally located to the populations they serve and adequate to serve community growth.*

The VST SP includes a school as part of the development. This will be a K through 8 elementary school that would accommodate residents living in the neighborhood and possibly others living outside the specific plan boundary.

Land Use Plan for Entire VST Specific Plan

- B) The proposed land uses for the VST SP are illustrated at Planning Commission Staff Report #25-1071 Attachments D and (Phasing with Land Use Map and Land Use Plan for Each Phase, respectively). Generally, the land uses are arranged as follows: very low-density residential is located along the western edge of the map; medium to high-density residential located along the northern boundary; commercial and office uses located north-south through the central part of the map; and low to medium-density residential on the southern portion of the specific plan.

The VST SP at Planning Commission Staff Report #25-1071 Attachment F contains a Land Use Plan and Framework section between Pages 23 and 29. Attachment F, Table 2 at page 39 contains a breakdown of project buildout by land use type and phase. Below is an outline of land uses included within the plan:

- Residential Uses - 410 acres (approximately 3,560 residential units not including density bonus units)
- Commercial Uses - 44 acres (approximately 856,200 square feet of retail/office space)
- Open Space and Parks - 113 acres for open space and parks, 78 acres specifically for parks
- K-8 Elementary School - 19 acres
- Roads and other Infrastructure - 79 acres

Residential areas—ranging from low to high density—will be built along planned collector and local roadways. Community amenities would include:

- A community recreation center
- 39 mini-parks and pocket parks
- Two community parks (one each for Phase 1 and Phase 2)
- A 36-acre regional sports park

Land Use for Phase 1D

- C) Phase 1D includes a mix of land uses, as shown in Planning Commission Staff Report #25-1071 at Attachments D and E (Phasing Map with Land Use Map and Land Use Plan for each Phase, respectively), which were approved as part of the VST SP. The proposed small lot map for Phase 1D has some minor deviations from the VST SP – primarily in the site layout. However, the layout of the small lot map is generally consistent with the specific plan.

Land Use Types

Phase 1D is located in the south and center portion of the specific plan and would subdivide approximately 58.17 acres into 197 lots. Phase 1D includes a range of residential and complimentary land uses as listed below:

- Low Medium Density Residential (R-1-5)
- Medium Density Residential (R-2 – Cluster)
- Neighborhood Commercial (CR – Neighborhood)
- Open Space Park

(See also Planning Commission Staff Report #25-1071 at Attachments D and E (Phasing Map with Land Use Map and Land Use Plan for each Phase, respectively).

Parks and Open Space

- D) Parks within Phase 1D

The Parks and Open Space Land Use Map is provided in Staff Report #25-1071 at Attachment F (VST SP) at page 32, Figure 4. Phase 1D will include an open space park.

Parks for Entire VST

The VST SP includes approximately 113 acres of parks and open space. This includes 39 mini-parks and pocket parks, two community parks (one located in Phase 1 and the other partially in Phase 1 and partially in Phase 2), a community recreation center, and a 36-acre regional sports park. The VST SP provides parks at a rate of 8.8 acres per 1,000 residents, which is approximately 75% higher than the City's General Plan requirement of 5 acres per 1,000 residents.

Funding for the parks will be provided through Specific Plan Impact Fees (see Finding H, below, for additional information about these fees) collected during the building permit and inspection stages. The park-related portion of these fees is identified at Planning Commission Staff Report #25-1071 at Attachment H (VST Development Agreement) at Exhibit E, which was adopted as part of the VST Development Agreement. These fees will remain in effect for the duration of the Development Agreement—currently through 2054, with a possible 10-year extension to 2064. Park maintenance will be funded through a Community Facilities District (CFD) established specifically for the VST SP. (Resolution #4177, Exhibit A at Condition #8).

The VST SP shall be followed, with specific details refined as the development nears construction. Specifically, Figures 5 and 6 of Planning Commission Staff Report #25-1071 Attachment F , pages 33 and 34.

Building Design and Development Standards

- E) The VST SP includes detailed design and development standards that guide the overall character and built environment within the plan area. These standards address architectural character, scale and massing, façade treatments, materials, and colors shall be followed. See Planning Commission Staff Report #25-1071 Attachment F at pages 59-70.

Residential Development

According to the VST SP, the northern portion of the project area will feature a modern and contemporary architectural style, consistent with the design of the adjacent UC Merced campus to the north. In contrast, the eastern portion will incorporate a rural architectural style.

For residential development, the VST SP encourages the use of the following architectural styles: agrarian, bungalow, craftsman, contemporary/mid-

century modern, and spanish mission. Diagrams illustrating the defining elements of each architectural style can be found in the VST SP at Planning Commission Staff Report #25-1071 Attachment F on Pages 60–62 and shall be followed.

Commercial Development

Commercial development within the VST SP area is intended to feature a contemporary prairie architectural style, complementing the surrounding design themes.

In addition to design guidelines, the VST SP establishes development standards that define site and building requirements. These standards are outlined in the Planning Commission Staff Report #25-1071 at Attachment F between Pages 41 and 59 and shall be followed.

Phasing Plan

- F) The Phasing Plan for the VST SP, established through the Development Agreement between VST and the City, identifies the following phases: Phase 1A, Phase 1B, Phase 1C, Phase 1D, Phase 1E, and Phase 2. See also Planning Commission Staff Report #25-1071 Attachments D and E (Phasing Map with Land Use Map and Land Use Plan for each Phase, respectively).

Phase 2 represents approximately 45% of the Specific Plan area and is generally located east of Fairfield Canal. The applicant intends to develop Phases 1A through 1E in sequential (alphabetical) order, evaluating factors such as sewer capacity and product mix before proceeding with Phase 2. A separate Large Lot Subdivision Map will be required for Phase 2.

Vesting Tentative Subdivision Map

- G) A Final Map within Phase 1D cannot be recorded until the Large Lot Final Map (VTSM #25-0008) for this site has been recorded Condition #40. Final maps for the development of the small lot subdivision maps triggers the installation of specific backbone infrastructure requirements for traffic improvements, sewer improvements, water improvements, storm drain improvements, and other off-site improvements identified with more specificity at Section H, below.

The VST Development Agreement, the Vesting Subdivision Maps within the VST SP area will have a lifespan that will go with the duration of the Development Agreement (currently through 2054 with a possibility of a 10 year extension). See Planning Commission Staff Report #25-1071 at

Attachment H. Minor Modifications to these maps may be approved administratively by the Director of Development Services, or may be referred to either the Site Plan Review Committee or the Planning Commission for consideration . See Planning Commission Staff Report #25-1071 at Attachment H.

Infrastructure for Phase 1D

- H) The backbone infrastructure for the VST project is outlined in the VST Development Agreement, which ties specific improvements to individual development phases. See Planning Commission Staff Report #25-1071 Attachment H. at Exhibit G. Phase 1D requires a variety of circulation improvements, sewer improvements, storm drain improvements, and water improvements.

Circulation Improvements

For Phase 1D, the applicant is required to construct all internal and boundary roadways associated with the phase. This includes:

- Full-width construction of Center Street, and Kibby Road within the project boundaries
- Partial improvements to Cardella Road to provide appropriate access

Sewer and Storm Drainage

The developer must install storm drain infrastructure and basins along Cardella Road between Kibby Road and Golden Bobcat Avenue.

Additionally, gravity sewer and storm drain infrastructure must be constructed along the portions of the following roads that cross the project site:

- Center Street
- Cardella Road

Water Improvements

Water infrastructure for Phase 1D includes:

- Installation of water main lines along the portions of Center Street, Kibby Road and Cardella Road within the Phase 1D boundary.

City Impact Fees and Specific Plan Impact Fees

- I) In lieu of paying the City's standard impact fees, this project's City Impact Fees and Specific Plan Impact Fees are unique and established by and contained in the VST Development Agreement.

The City Impact Fee is charged as a flat rate per residential unit, based on zoning classifications such as R-1, R-2, and R-3. For retail mixed-use, office, retail, and community commercial spaces, the fee is charged per square foot of development. These fees are allocated to support Fire, Police, Public Works, and Information Technology (I.T.) services. The full City Impact Fee schedule is provided in Planning Commission Staff Report #25-1071 Attachment H (VST Development Agreement at Exhibit D). These fees apply throughout the duration of the Development Agreement, currently through 2054, with the possibility of an extension to 2064.

The applicable Specific Plan Impact Fees, which are also based on land use, are dedicated to traffic and park improvements within the VST SP area. The Specific Plan Impact Fees may be used for the development of parks as well. (See Finding C-Parks and Open Space, above.) These fees remain in effect for the entire term of the VST Development Agreement, currently through 2054, with the possibility of an extension to 2064.

Vehicle Miles Traveled

- J) The residential areas of the project are expected to generate 4.9 vehicle miles per person per day, which is lower than the City of Merced's average of 9.9 vehicle miles per person per day. For the non-residential components, the development is projected to generate 12.5 vehicle miles per employee per day, compared to the City's average of 37.9 miles.

Overall, because of its location, design, and land use plan, the project is expected to reduce Vehicle Miles Traveled by approximately 25% compared to the baseline levels for the rest of the city.

Biological Resources

- K) All onsite impacts to wetlands and fairy shrimp have been fully mitigated through offsite conservation easements in compliance with the project's approved Permits 401 and 404.

The offsite mitigation area is located adjacent to UC Merced and is managed by the university. See Planning Commission Staff Report #25-1071 Attachment I (UC Merced Conservation Easement for Wetlands and Fairy Shrimp). See also, Planning Commission Staff Report #25-1071 Attachment G (VST Mitigation Measures) for a list of mitigation measures that address other biological resource-related matters.

Agriculture Resources and Interface

- L) As the VST SP is developed, agricultural use is intended to gradually phase out on the project site. To address potential impacts from nearby agriculture on the new development, the applicant has established a set of policies and strategies to minimize these effects, including the requirement of a 100-foot buffer between any agricultural activity and habitable structures within the project site. See Resolution #4177 Exhibit A at Condition #40.

Affordable Housing Plan

- M) Planning Commission Staff Report #25-1071 Attachment H, VST Development Agreement at Exhibit K contains two implementation options for the necessary affordable housing plan for Phase 1D.

Option 1

Option 1 proposes a multi-faceted approach that combines several programs and incentives to create affordable housing opportunities for both ownership and rental units including a “UC Workers First” program prioritizing University-related employees and imposing owner-occupancy restrictions with a 10-year deed restriction that resets upon resale of the affordable unit; a downpayment assistance program; affordable homeownership opportunities through the Self-Help Housing Program; and a density bonus request for 42.4 acres designated R-4. The applicant would also dedicate 10.47 acres of land for the development of approximately 300 R-4 units targeted to Extremely Low-, Very Low-, and Low-Income households.

Option 2

Option 2 allows the applicant to deliver on-site affordable housing and/or pay in-lieu fees in accordance with the City’s Affordable Housing In-Lieu Fee Program following the City’s Regional Housing Needs Allocation (RHNA) Unit Production Policy, adopted by City of Merced City Council Resolution No. 2023-83 on November 20, 2023.

Implementation of this option is expected to generate between \$6.68 million and \$8 million in fees, which would support the production of roughly 150 affordable housing units serving Extremely Low-, Very Low-, and Low-Income households.

Tentative Subdivision Map Requirements

- N) The Planning Commission finds all items required for a tentative subdivision map, according to Merced Municipal Code (MMC) Section 18.16.080 – Information Required, are listed in Planning Commission Staff Report #25-1071 Attachment J have been met.

The Planning Commission finds MMC Section 18.16.090 – Required Statement and MMC Section 18.16.100 – Public Hearing – have also been satisfied.

Public Comments Received

- O) The Planning Commission finds all notice and hearing requirements in both MMC and the California Environmental Quality Act (“CEQA”) have been satisfied. Planning Commission Staff Report #25-1071 Attachment K contains all comments received at the time this report was prepared.

Environmental Review

- P) Planning staff reviewed the project in compliance with CEQA and determined that Environmental Review #25-0036 qualifies as a second-tier environmental document. The project has been evaluated using prior environmental studies and remains consistent with the City’s current General Plan and CEQA Guidelines Section 15162 for the Focused Subsequent Environmental Impact Report (EIR) prepared for the University Community Plan Update and VST SP (SCH #2001021056). The Planning Commission accepts the City’s findings under CEQA Section 15162 and adopts the associated Categorical Exemption. See Planning Commission Staff Report #25-1071 Attachment L (Environmental Review #25-0036 – CEQA Section 1562 Findings and Categorical Exemption).