

CITY OF MERCED
Planning Commission

Resolution #4182

WHEREAS, the Planning Commission at its regular meeting of August 5, 2026, held a public hearing and considered Minor Modification #26-0008 and Environmental Review #26-0061. This application involves a request to modify previously approved conditions of approval and total lot count for Vesting Tentative Subdivision Map #1321. The subject site is generally located south of Cardella Road (extended), west of Fahrens Creek. The site has a General Plan designation of Low Density (LD) Residential and a Zoning classification of Planned Development #50. also known as Assessor's Parcel No. 206-030-007 and -008; and

WHEREAS, the Planning Commission concurs with Findings/Considerations of Staff Report #26-634 (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 Planning Commission does hereby adopt a Categorical Exemption regarding Environmental Review #26-0061. The Planning Commission approves Minor Modification #26-0008 and adopts the Findings and Conditions for Minor Modification #26-0008 as set forth in Exhibit B, attached hereto and incorporated herein by this reference and

Upon motion by_____, seconded by_____, and carried by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PLANNING COMMISSION RESOLUTION #4182

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August 5, 2026

Adopted this 5th day of August 2026

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 #4182
Minor Modification #26-0008

PLANNING

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (Revised Vesting Tentative Subdivision Map for “Long Property”)— Attachment C of Planning Commission Staff Report #26-634 except as modified by the conditions herein.
2. All conditions contained in Resolution #1175-Amended ("Standard Tentative Subdivision Map Conditions") shall apply (Attachment G).
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 Merced City shall apply.
5. The project shall comply with the applicable conditions set forth in Planning Resolution #2704 for Annexation and Pre-Zone #01-03 and #01-04, all applicable conditions of the Pre-Annexation Development Agreement for the Fahrens Creek North Annexation, including all applicable mitigation measures adopted for Initial Study #01-32 (refer to Attachment D of Planning Commission Staff Report #26-634).
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

EXHIBIT A

OF PLANNING COMMISSION RESOLUTION #4096

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. 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 Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
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.
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. Per Mitigation Measure F-2 of Initial Study #01-32 (Attachment D of Planning Commission Staff Report #26-634), the interior noise level for homes shall not exceed 45dB. In order to achieve this level, noise attenuation measures may be required. A noise study shall be provided prior to the issuance of any building permits for lots along Cardella Road and R Street.
14. Per Mitigation Measure F-5 of Initial Study #01-32 (Attachment D of Planning Commission Staff Report #26-634), all grading and construction activity shall be limited to daylight hours (between 7 a.m. and 7 p.m.).
15. Per Mitigation Measure E-1 of Initial Study #01-32 (Attachment D of Planning Commission Staff Report #26-634), a biological assessment by a qualified biologist registered to perform such assessments for vernal wetlands and related sensitive-type areas shall be provided prior to the issuance of a grading permit or any other work which may disturb the site.

ENGINEERING

16. As shown on VTSM #1321 (Attachment C of Planning Commission Staff Report #26-634), Outlot C is not a buildable lot. If the owner cannot come to an agreement with the adjacent property owner to combine this lot with Lot D from the Horizons at Compass Pointe, Unit 2, to create buildable lots, the City shall only accept this lot if it is included in the CFD for maintenance purposes. If for some reason it cannot be included in the CFD, the property owner shall be responsible for all maintenance.
17. If the owner can come to an agreement with the owners of Lots D and E from the Horizons at Compass Pointe, Unit 2 subdivision to combine Lots D and E with Outlot C, a maximum of 5 additional lot may be added in the area at the corner of Evening Star Drive and Solstice Avenue without having to formally modify the tentative map.

Street Improvements & Infrastructure

Cardella Road

18. The developer shall dedicate 79 feet of right-of-way for Cardella Road (refer to Mitigation Measure M-3 of Initial Study #01-32 – Attachment D of Planning Commission Staff Report #26-634). This is equivalent to the half-width of Cardella Road (a divided arterial with a 148' ultimate right-of-way).
19. The intersection of Cardella Road and R Street shall be designed to meet the standards for an expanded intersection of a major arterial (R Street) and a Divided Arterial (Cardella Road) as shown in Figure 4.28 of the *Merced Vision 2030 General Plan*, unless otherwise approved by the City Engineer.

20. The full width of Cardella Road is not required to be constructed with this development. The collector equivalent (74-foot width) shall be constructed providing two travel lanes (one in each direction) as well as all other standard improvements including, but not limited to, sidewalk, curb, gutter, street lights, and landscaping on the south side of Cardella Road along the project frontage.
21. A 7-foot-tall concrete block wall shall be constructed along the full frontage of Cardella Road and R Street. In addition to the typical park strip, a minimum 10-foot-wide landscape strip shall be provided between the back of the sidewalk and the block wall. The block wall shall be placed in the public right-of-way, not an easement.

R Street

22. The developer shall dedicate sufficient right-of-way to provide an ultimate width of 116 feet for R Street. R Street shall be constructed to provide two travel lanes (one in each direction) as well as all other standard improvements including, but not limited to, sidewalk, curb, gutter, street lights, and landscaping on the south side of R Street along the full length of the project frontage.
23. Modifications to the existing street south of Lehigh Drive may be necessary as determined by the City Engineer to eliminate the turn pocket at the current terminus of R Street.
24. A traffic signal will be installed at the intersection of R Street and Cardella Road in the future. This project shall install interim traffic control measures including, but not limited to, a left-turn pocket from R Street onto Cardella Road, stop signs, paving, and striping as required by the City Engineer.
25. At this time, no median improvements on R Street will be required.
26. R Street shall be constructed to match the existing street south of Lehigh Drive with a concrete block wall and landscape strip behind the sidewalk, as well as a park strip between the curb and the sidewalk. The wall and landscape strip shall be located within the public right-of-way and not placed in an easement.
27. At this time, no traffic signal is required at the intersection of Lehigh and R Street. Dedication at R Street and Lehigh Drive must be sufficient such that it will be able to accommodate a roundabout in the future when R Street is expanded. Stop signs will be provided with these improvements.

28. No homes shall face R Street or Cardella Road. Lots fronting R Street and Cardella Road shall not have vehicular access to R Street or Cardella Road. Abutters rights to these roads shall be relinquished with the final map.

Lehigh Drive & Monaco Drive

29. Lehigh Drive shall have a 94-foot right-of-way (74-feet, plus 10-foot-wide landscape strips on each side). This includes a 6-foot-tall concrete block wall and 10-foot-wide landscape strip behind the sidewalk, as well as a park strip between the sidewalk and street. The landscape strip and wall shall be placed in the right-of-way, not in an easement.
30. Monaco Drive shall have a 74-foot right-of-way and shall be constructed to include two travel lanes, a 7.5-foot-wide park strip, a 5-foot-wide sidewalk, a 6-foot-tall block wall, and a 5-foot-wide landscape strip between the wall and the back of sidewalk. The landscape strip and the block wall shall be placed in the City right-of-way, not in an easement. The 5-foot-wide landscape strip behind the sidewalk shall be planted with drought tolerant plants. Vines may be planted on the wall. The landscaping should include shrubs and other plants, and if possible, small trees.
31. No homes shall front Lehigh Drive or Monaco Drive. All abutters rights to these streets shall be relinquished with the final map. No vehicular access shall be allowed from any lot onto these streets.

Street I

32. Street I shall have a 64-foot right-of-way and be constructed to include a park strip and vertical curb per City Standard ST-1.
33. Traffic calming measures shall be incorporated into the design of Street I. These measures shall be approved by the City Engineer and be included with the improvement plans for the subdivision. Small roundabouts similar to the design at Crescendo Avenue and Pleasant Lane/Court may be allowed.

Streets F, G , and H

34. All cul-de-sacs shall comply with the length, width, and turnaround requirements of Appendix D of the California Fire Code, as adopted in Merced Municipal Code (MMC) Section 17.32.180. The cul-de-sacs shall have a minimum diameter of 96 feet. The open-ended cul-de-sacs proposed for Streets F, G, and H shall be reduced to allow only pedestrian traffic, not vehicular traffic, unless otherwise required by Table D103.4. If vehicular traffic is allowed, it shall only be for emergency vehicle access, with gates, knox boxes, and remote entry required.

Other

35. The 40-foot-wide right-of-way dedication generally located approximately 1,065 feet south of the northern property line shall be abandoned with the final map.
36. All street widths shall comply with City Standards. All turning radii shall comply with current City Standards and applicable current Fire Department Standards.
37. 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.
38. Traffic control signs, street markings, and striping shall be as directed by the City Engineer.

Utilities

39. A 16-inch water line shall be installed in R Street, unless otherwise determined by the City Engineer. This line shall extend from its current terminus across the entire project frontage on R Street.
40. All utilities installed in R Street, Cardella Road, Monaco Drive, and Lehigh Drive shall extended across the entire project frontage as required by MMC Sections 15.08.110 and 15.40.030. All water lines shall be looped as required by the City Engineering Department.
41. Any oversizing of water and sewer lines shall be eligible for reimbursement or credit per MMC Sections 15.08.150 (Sewer) and 15.40.090 (Water). No reimbursement shall be given after the 10th anniversary of the date the water/sewer lines were accepted by the City.

42. A 10-foot-wide storm drain easement exists between proposed Lots 148 and 149. No structures shall encroach into the easement area. The Building Department may require an additional setback from the easement area for any structures built on the lot.
43. 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.
44. Developer shall provide storm drainage calculations as required by the City Engineer to confirm that the existing basin east of the project site has sufficient volume to serve this development.

Landscaping

45. 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.
46. 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 MMC 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).

Site Design

47. As required by Condition #9, a Site Plan Review permit is required to approve Design Standards. The Design Standards shall include those standards required by MMC Section 20.20.020 (M)(6).
48. 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.
49. Refuse containers shall be stored out of the public view. 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. A paved access to the street from this pad shall be provided.

50. In the northern portion of the subdivision, the driveway for Lots 103 and 104 shall be on Street A. The driveway for Lots 160 and 161 shall be at the southern edge of the lots to allow as much distance as possible from the intersection of Cardella Road and Street I. The driveways for Lot 71 shall face Street D and the driveways for Lots 144 and 145 shall be at the northern edge of the lots to allow as much distance as possible from the intersection of Street I and Monaco Drive.
51. In the southern portion of the subdivision the driveway for Lots 31, 47, 48, 57, 58, 66 and 70 shall face the cul-de-sac, not Street I. The driveways for Lots 29 and 30 shall be at the southern end of the lots to allow as much distance as possible from the intersection of Monaco Drive and Street I. The driveways for Lots 7 and 8 shall be at the northern edge of the lots to provide as distance as possible from the intersection of Lehigh Drive and Street I.
52. All mechanical equipment shall be screened from public view.

General Requirements

53. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
54. The developer shall install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
55. 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.
56. Dedication by Final Map of all necessary easements will be made as shown on Vesting Tentative Subdivision Map #1321 and as needed for irrigation, utilities, drainage, landscaping, open space, and access.

Findings and Considerations
Planning Commission Resolution #4182
Minor Modification #26-0008

FINDINGS/CONSIDERATIONS:

Per Merced Municipal Code Section 20.68.040 – Minor Modification, the Merced City Development Services Department Director, or their designee, may approve an application for a Minor Modification only if all of the following findings can be made:

1. *The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.*

With the conditions contained in this approval, the modifications will be compatible.

2. *The modification will not adversely impact neighboring properties or the community at large.*

The proposed modifications will not adversely impact neighboring properties.

3. *The modification is necessary due to unique characteristics of the subject property, structure, or use.*

The proposed modifications are necessary due to unique shapes and sizes of the subject sites.

4. *Unique characteristics necessitating the modification generally do not apply to other properties in the vicinity or in the same zoning district as the subject property.*

The unique characteristics of the property sites do not generally apply to other properties in the vicinity.

5. *There are no feasible design alternatives that meet the project objectives while eliminating the need for the requested modification.*

There are no other alternative house plans that will eliminate the need for the requested modification.

6. *The modification will be consistent with the purpose of the zoning district, the General Plan, and any adopted area, community, or neighborhood plan.*

The proposed subject site is located within the Residential Zoning district of Planned Development (P-D) #50 with a Low Density (LD) Residential General Plan designation. Housing is the purpose of this district, therefore, the modifications are consistent.

7. *The modification will not establish an undesirable precedent.*

An undesirable precedent will not be established with this modification request as the approval is consistent with the prior Vesting Tentative Subdivision Map approval.