

FINDINGS FOR THE ESTABLISHMENT OF
PLANNED DEVELOPMENT (P-D) #74
IN COMPLIANCE WITH MMC SECTION 20.20.020

- 1) *The proposed development is consistent with the goals, policies, and actions of the General Plan and any applicable specific plan and community plan.*

The proposed project is consistent with the goals, policies, and actions of the General Plan. As described in Attachment A, the proposed project would help achieve several goals, policies, and actions of the General Plan. There are no other applicable specific or community plans for this area.

- 2) *The site for the proposed development is adequate in size and shape to accommodate proposed land uses.*

The proposed project would sit on approximately 77.5 acres of land. As shown on the site plan at Attachment F, the proposed project provides ample setbacks, open space and recreational areas, as well as parking. The site is of sufficient size to accommodate the proposed development.

- 3) *The site for the proposed development has adequate access considering the limitations of existing and planned streets and highways.*

The proposed project is bounded by Gerard Avenue, Coffee Street, Campus Parkway, Mission Avenue, and future Pluim Drive. Access to the development would be provided from each for these roadways. Coffee Street has four access points, Gerard Avenue has one, and Campus Parkway has access at the signalized intersections as well as right-in/right-out access mid-block. Access is also from future Pluim Drive for the northern parcel. The site provides sufficient access to serve the proposed project.

- 4) *Adequate public services exist or will be provided to serve the proposed development.*

The site would be served by the City's water and sewer facilities. Sufficient capacity is available for both water and sewer to serve this project. A water line exists in Gerard Avenue and Coffee Street and extends the full length of the project frontage on both streets. This line is of adequate size to serve the proposed development. Additional lines would be installed in Mission Avenue and Pluim Drive to serve the site.

A sewer line is available in Gerard Avenue and in a portion of Coffee Street from Parsons Avenue south to Mission. This line would be sufficient to serve the project. Additional water and sewer lines may be installed in Pluim Drive when constructed.

The storm drain basin would be provided off-site at the southwest corner of Mission Avenue and Marino Way (a County-owned facility). All agreements are in place for this project to use a County-owned facility that is outside the City Limits for containment of storm drain runoff.

The developer would be required as a condition of approval (Condition #9) to annex into the City's Community Facilities District for Services (CFD) #2003-2. Revenue collected from the CFD would help pay for police, fire, landscape maintenance, and storm drain facilities.

- 5) *The proposed development will not have a substantial adverse effect on surrounding property, will be compatible with the existing and planned land use character of the surrounding area, and will enhance the desirability of the area and have a beneficial effect.*

The proposed project is not expected to adversely effect the surrounding property. Certain impacts are to be expected when developing vacant land. However, the developer has been sensitive to the surrounding uses with the proposed design. The large setbacks, orientation of buildings, and placement of more intense uses away from the residential areas would help reduce any adverse effects the project might have. Although there may be certain impacts from the development, it would also bring a certain level of shopping convenience to the area. Currently there are no retail uses, grocery stores, restaurants, or gas stations nearby (the nearest retail uses are at Childs and Carol Avenue, about 1 mile away).

The expected traffic impacts would be mitigated as required by the EIR and conditions of approval.

- 6) *The proposed development carries out the intent of the Planned Development zoning district by providing a more efficient use of the land and an excellence of site design greater than that which could be achieved through the application of established zoning standards.*

The proposed development provides a very efficient use of the land by providing a mixed-use development that incorporates multi-family dwellings with a variety of retail uses, including a grocery store, hotel, theater, and multiple restaurants. The design of the project includes design features to incorporate a pedestrian plaza area and town square for public events. The design of the site and structures would be of high standard and implementing many environmentally-friendly features throughout the buildings and site. Some of the components of the Merced Gateway Master Plan would have to be modified under established zoning standards (i.e., building heights, sign requirements, etc.). Therefore, the use of Planned Development Zoning is appropriate for the proposed project. The

buildings would be of high-quality materials and the site would be designed and maintained in an aesthetically pleasing manner to help enhance the site and surrounding area.

- 7) *Each individual unit of the proposed development, in each phase as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development.*

Each component of the mixed-use development would be able to exist independently of each other. While the commercial component of the project would be a convenience to the apartments on the site, the commercial component would still be able to exist without the apartments due to the other residential uses in the area and the proximity to the freeway.

The apartments would be able to exist without the commercial component. This site is adjacent to residential uses and a school making it ideal for higher density residential uses.

- 8) *Any deviation from the standard ordinance requirements is warranted by the design and additional amenities incorporated in the development plan, which offer certain unusual redeeming features to compensate for any deviations that may be permitted.*

The proposed project deviates from the standard zoning requirements by the use of a mixed-use development which combines both residential and retail uses in one development. Additionally, the building heights and sign requirements differ from those allowed under standard zoning. In exchange for allowing these deviations, the developer has incorporated several nice amenities into the complex, such as a Towne Square, pedestrian plaza, decorative entrance on Parsons Avenue, and the use of high-quality materials and design standards. The owner would also dedicate land for a future fire station along Gerard Avenue.

- 9) *The principles incorporated in the proposed development plan indicate certain unique or unusual features, which could not otherwise be achieved under the other zoning districts.*

The proposed project incorporates a mixed-use design that could not be achieved in other zoning districts. While other zoning districts may allow these same uses individually, the Planned Development zone allows the uses to be designed as one cohesive development and allows for the deviation of the height restriction and more generous allowances for signs within the project area.