

From: [McBride, Scott](#)
To: [Xiong, Fong](#); [Shelton, Delray](#); [Carrigan, Steve](#); [Dietz, Stephanie](#); [Murphy, Mike](#); [Espinosa, Kim](#); [Nelson, Julie](#)
Subject: RE: Multi unit development between San Augustine and Hwy 59, Staff report #19-05
Date: Friday, February 01, 2019 4:14:39 PM
Attachments: [image001.jpg](#)

Correction on the City Council Meeting Date.

The item will be placed on the March 18th City Council Agenda for consideration. The meeting time is 6 PM.

Thank you,



Scott McBride
Development Services Director
City of Merced | 678 W. 18th Street | Merced, CA 95340
(209) 385-6818 | (209) 564-0613 cell
mcbrides@cityofmerced.org | www.cityofmerced.org

From: McBride, Scott
Sent: Friday, February 01, 2019 4:04 PM
To: Xiong, Fong
Cc: Shelton, Delray <SheltonD@cityofmerced.org>; Carrigan, Steve <CarriganS@cityofmerced.org>; Dietz, Stephanie <DietzS@cityofmerced.org>; Murphy, Mike <MurphyM@cityofmerced.org>; Espinosa, Kim <ESPINOSAK@cityofmerced.org>; Julie Nelson (NelsonJ@cityofmerced.org) <NelsonJ@cityofmerced.org>
Subject: RE: Multi unit development between San Augustine and Hwy 59, Staff report #19-05

Fong,

Good afternoon.

Mayor Murphy asked for some information to be shared on the proposed Multi Family Project between San Augustine and State Hwy 59, the Bruno Project. My understanding is you attended the Planning Commission Meeting when the Public hearing was held. The project will be coming to the City Council at the meeting of March 4, 2019, meeting time is 6 PM. We will be providing notice of the Public Hearing. The method of the notice is described below in response to one of your questions.

As you know from the presentation at the Commission Meeting the project includes a General Plan Amendment (GPA) from Business Park (light industrial) land use to a High-Medium Density land use designation. In addition to this amendment the City Council will be asked to consider and take action on a Site Utilization Plan Revision (SUP) and a revision to the Fahrens Creek Specific Plan for the construction of 176 apartment units.

Some of the questions that came up at the meeting from the public were regarding traffic issues on State Hwy 59, the intersection of State Hwy 59 and Olive Ave., and the City utilities to serve the project. We will be addressing those as part of the staff report and presentation at the City Council Meeting.

I used the questions – concerns you had in your email and provided a response to each of them;

Is there a design principle within the City's general plan to require the developer to build a masonry wall between the adjacent homes and the apartment complex?

No, a masonry block wall is not required under our current Zoning Code or the General Plan as a separation between these two uses – Low Density residential and High-Medium Density multi-family residential. Our current code does require this as a separation if the proposed use was commercial or a few other more intensive land uses categories. For example a

masonry block wall would be required to separate a commercial project and single family or low density residential area.

Does the City consider it reasonable for the adjacent homeowners to expect this type of improvement from the developer for such a large project?

Although not required by our Zoning Code or General Plan the City Council may add additional conditions at its discretion that are needed to protect the interests of the public health, safety, and general welfare. Therefore the City Council could add this requirement when the item comes before it for consideration. It would also be noted in the Staff Report and Staff Presentation at the City Council Meeting that the need for a masonry block wall was not discussed or part of the recommendation of the Planning Commission when this item was before them but the question came about as a public inquiry since that meeting.

Being that my fence is only 6 foot, the parking lot lighting would also impact the lighting into my home at night.

The City has a requirement that all lighting be screened to avoid glare onto surrounding properties. The applicant – developer is also required to use the lowest wattage possible to provide adequate lighting. Those are reviewed as part of the site improvement plans by the City Engineering Department after a project has been “entitled” or approved by the Planning Commission or in some cases City Council.

I would also like to be notified of any public meetings regarding this project.

The City is required to provide notice to all registered property owners of record within 300 feet of the proposed project site by regular mail. If you received a Public Hearing Notice by mail of the Planning Commission Meeting you should expect one for the City Council Meeting. A general public notice is also published in the paper of record, Merced County Times, at least ten days prior to the Public Hearing. We can also add you as a specific contact in the project file. Should this item be continued or delayed you will need to provide an additional request in writing to the City Clerk’s office within one calendar year to continue receiving future notice in addition to the mailings to registered property owners within three 300 feet and the general public notice that would be provided.

We appreciate your interest in the process and sharing your questions – concerns. We hope you will attend the future public meeting on this item and participate in the process.

Respectfully,



Scott McBride
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City of Merced | 678 W. 18th Street | Merced, CA 95340
(209) 385-6818 | (209) 564-0613 cell
mcbrides@cityofmerced.org | www.cityofmerced.org

From: Murphy, Mike <MurphyM@cityofmerced.org>

Sent: Tuesday, January 29, 2019 4:55 PM

To: Xiong, Fong

Cc: district6@cityofmerced.org; ; Carrigan, Steve <CarriganS@cityofmerced.org>; Dietz, Stephanie <DietzS@cityofmerced.org>; McBride, Scott <McBrideS@cityofmerced.org>

Subject: Re: Multi unit development between San Augustine and Hwy 59, Staff report #19-05

Fong,

Thank you for your email and follow up.

Steve,

Could you have planning staff include Council Member Shelton and me on their response?

-Mike

Sent from my iPhone.

On Jan 29, 2019, at 4:44 PM, Xiong, Fong

> wrote:

Mayor Mike Murphy and Council Member Delray Shelton,

I just emailed the planning department about my concerns along with a few questions regarding the new development of property next to my home in Merced. I copied you both in the email but I apparently used incorrect email addresses for you. I do want to bring it to your attention so I can have an opportunity to address these concerns with the city council before final approval of the project.

Thank you.

Fong Xiong

Merced, CA 95348

Thank you.

From: Xiong, Fong

Sent: Tuesday, January 29, 2019 3:03 PM

To: 'planningweb@cityofmerced.org' <planningweb@cityofmerced.org>

Cc: 'district6@cityofmerced.com' <district6@cityofmerced.com>; 'mayor@cityofmerced.com' <mayor@cityofmerced.com>

Subject: Multi unit development between San Augustine and Hwy 59, Staff report #19-05

Hello,

I reside at La Sierra Street in Merced and recently found out the property directly behind me is being developed into an apartment complex. I am not against the project but I am writing to you because I do have some concerns about the impact of having such a large number of units directly behind my home.

I attended the planning commission's meeting on January 23, 2019, and had a chance to speak briefly to the developer. He indicated there would be no wall between the apartment complex and the adjacent homes on La Sierra Street. Being that there will be approximately 176 units of a combination of one bedroom, two bedroom, and possibly three bedroom units, my life experiences tell me I can expect an increase in vandalism and graffiti on my 6 foot wood fence. Also, when the complex is at maximum occupancy, and with the driveway in the parking lot running east west parallel to my back fence, I can expect lots of late night speeding cars, tenants and their guests coming and going to and from their parked cars at odd hours, and a general increase in foot traffic between San Augustin Avenue and Highway 59 thru that parking lot. Being that my fence is only 6 foot, the parking lot lighting would also impact the lighting into my home at night.

With that said, I have a couple of questions. Is there a design principle within the City's general plan to require the developer to build a masonry wall between the adjacent homes and the apartment complex? Does the City consider it reasonable for the adjacent homeowners to expect this type of improvement from the developer for such a large project?

I look forward to your response. I would also like to be notified of any public meetings regarding this project.

Thank you.

Fong Xiong

Merced, CA 95348

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Thank you.~

FAFLD