

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #19-05

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: Jan. 23, 2019

PREPARED BY: Julie Nelson,
Associate Planner

CITY COUNCIL
MEETING DATE: Mar. 4, 2019
(Tentatively)

SUBJECT: **General Plan Amendment #18-03, Revision #4 to the Fahrens Creek Specific Plan, and Site Utilization Plan Revision #6 to Planned Development (P-D) #46**, initiated by M & B Bruno Family LP, property owners. The application is a request to change the General Plan designation for approximately 10.73 acres of land on the west side of San Augustine, approximately 980 feet north of Yosemite Avenue, from Business Park (BP) to High Medium Density Residential (HMD). The request also involves a Revision to the Fahrens Creek Specific Plan and a Site Utilization Plan Revision to Planned Development (P-D) #46 to change the land use designation from “mini-storage” to “multi-family.” *PUBLIC HEARING*

ACTION: **PLANNING COMMISSION:**

Recommendation to City Council

- 1) Environmental Review #18-60 (Negative Declaration)
- 2) General Plan Amendment #18-03
- 3) Revision #4 to the Fahrens Creek Specific Plan
- 4) Site Utilization Plan Revision #6 to Planned Development (P-D) #46

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #18-60 (Negative Declaration)
- 2) General Plan Amendment #18-03
- 3) Revision #4 to the Fahrens Creek Specific Plan
- 4) Site Utilization Plan Revision #6 to Planned Development (P-D) #46

SUMMARY

The proposed project site is approximately 10.73 acres and is located on the west side of San Augustine Avenue at Pacific Drive (Attachment A). The proposal would allow the change in the General Plan Land Use designation from Business Park (BP) to High Medium Density Residential (HMD), a revision to the Fahrens Creek Specific Plan, and a Site Utilization Plan Revision to

Planning Development (P-D) #46 changing the land use designation for both the Specific Plan and the Site Utilization Plan from “mini-storage” to “multi-family.” The proposed changes would allow the construction of an apartment complex, a community building, swimming pool, children’s play area, dog park, and associated parking for the complex (refer to the site plan at Attachment B).

The proposed apartment complex was originally supposed to consist of 176 units with a mixture of one and two bedroom apartments within 24 buildings. Currently, there are two types of buildings – Building A and Building B. Each Building A would be a two-story building with a total of 8 units per building consisting of a mixture of one and two bedroom units. Each Building B would also be a two-story building with four units per building consisting of only two bedroom units. Building elevations and floor plans are included with Attachments C and D. Due to some site plan changes, there may be a third building type that would have a total of six units. When the site plan was modified to accommodate the required fire lanes, some of the 8-unit buildings were reduced to 4-unit buildings. Due to time constraints, the design team was unable to modify the building and site design to show a six-unit building. However, they have requested that the approval be based on the original 176 units to allow them some flexibility with the final site plan design. The revised site plan showing the fire lane and a total of 164 units is provided at Attachment E.

Once the applicant has determined the final site details, building design, and unit count, a Site Plan Review application would be required to finalize the project details (Condition #9). Staff is recommending approval.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of: 1) Environmental Review #18-60 (Negative Declaration); 2) General Plan Amendment #18-03, 3) Revision #4 to the Fahrens Creek Specific Plan, and 4) Site Utilization Plan Revision #6 to Planned Development (P-D) #46 (including the adoption of the Resolution at Attachment I), subject to the following conditions:

- *1) The proposed project shall be constructed/designed in substantial compliance with the Revised Site Plan (Attachment E of Planning Commission Staff Report #19-05) and the building elevations and floor plans (Attachments C and D of Planning Commission Staff Report #19-05), except as modified by the conditions. The Site Plan Review Committee shall approve the final design for the project, and may approve up to 176 units.
- *2) The Project shall comply with the applicable conditions set forth in Planning Commission Resolution #2675 (Attachment F of Planning Commission Staff Report #19-05) for Annexation Application #00-03, Pre-Zone Application #00-03, General (including Specific) Plan Amendment #00-09, and Environmental Review #00-31 (including the Mitigation Monitoring Program found at Attachment G of Planning Commission Staff Report #19-05) previously approved for this project, except as amended by this action.
- *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) Approval of the General Plan Amendment, Revision to the Fahrens Creek Specific Plan, and Site Utilization Plan Revision are subject to the applicant's entering into a written (legislative action) agreement that they agree to all the conditions and shall pay all City and school district fees, taxes, and/or assessments, in effect on the date of any subsequent subdivision and/or permit approval, any increase in those fees, taxes, or assessments, and any new fees, taxes, or assessments, which are in effect at the time the building permits are issued, which may include public facilities impact fees, a regional traffic impact fee, Mello-Roos taxes—whether for infrastructure, services, or any other activity or project authorized by the Mello-Roos law, etc. Payment shall be made for each phase at the time of building permit issuance for such phase unless an Ordinance or other requirement of the City requires payment of such fees, taxes, and or assessments at an earlier or subsequent time. Said agreement to be approved by the City Council prior to the adoption of the ordinance, resolution, or minute action.
- *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 (with counsel selected by the City), 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 such governmental entity. 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) 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 the issuance of the first building permit. 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) In compliance with Merced Municipal Code Section 20.20.020 Q, Site Plan Review approval is required prior to development to address conformance with the standards of Planned Development (P-D) #46.

Public Improvements/Infrastructure

- *10) All public improvements shall be installed along the project frontage to meet City Standards. Any existing improvements that have been damaged or otherwise do not meet current City Standards shall be repaired or replaced to meet City Standards. This includes, but is not limited, to sidewalk curb, gutter, street trees, and street lights. All public improvements shall be installed along the SR 59 property frontage in compliance with Caltrans Standards, as well as City of Merced Standards. This may include sidewalk, curb, gutter, street lights, and landscaping along the SR 59 street frontage.
- *11) Street trees shall be planted along the project frontage on San Augustine Avenue in compliance with City Standards.
- *12) The project applicant shall contribute to the cost of the future traffic signal at San Augustine Avenue and Yosemite Avenue. This amount shall be determined by the City Engineer based on the proportion of vehicle trips generated by this project expected to utilize the intersection. This amount shall be paid or bonded for prior to the issuance of the first building permit.
- *13) The project shall comply with Post Construction Standards in accordance with the requirement for the City's Phase II MS-4 Permit (Municipal Separate Storm Sewer System).
- 14) The project shall extend the sewer line in San Augustine Avenue, south across the entire property frontage or as required by the City Engineer.
- 15) All storm water shall be retained onsite and metered out to the City's storm water system in accordance with City Standards, subject to a storm drain plan approved by the City Engineer.
- 16) All new utilities shall be installed underground.

Site/Building Design

- 17) The fire access lanes shall be constructed to withstand the weight of a fire truck, but still provide green space and pedestrian access. The use of a turf-block material is recommended or another similar type material, approved by the Fire Department and Site Plan Review Committee.

- *18) A minimum turning radius of 33 feet inside, curb-to-curb and 49 feet wall-to-wall for fire apparatus access must be provided throughout the project site or as required by the Fire Department.
- *19) Bicycle parking shall meet the minimum requirements of the California Green Building Code and Merced Municipal Code Section 20.38.080.
- 20) An Emergency Vehicle Access from SR 59 onto the project site shall be granted prior to the issuance of a building permit. This access shall be constructed to meet Fire Department Standards. This access shall be gated to only allow emergency vehicle access and shall be equipped with a knox-box or other device approved by the Fire Department.
- 21) The property owner shall dedicate an additional 14 feet of right-of-way along SR 59 prior to the issuance of a building permit, unless otherwise approved by the City Engineer and City Land Surveyor, based on Caltrans requirements.
- 22) The drive aisles through the parking lot shall be posted as “no parking,” unless otherwise approved by the City Fire Department.
- 23) The applicant shall provide written documentation from PG&E agreeing to allow the proposed parking spaces within their easement area. This documentation shall be provided with the submittal of the first building permit that includes the parking in this area.

Air Quality and Noise

- *24) Prior to any demolition work, the applicant shall obtain all necessary approvals from the San Joaquin Valley Air Pollution Control District and a demolition permit from the City of Merced Inspection Services Division if required.
- *25) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- 26) All construction activity shall be conducted between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday.

Landscaping

- *27) All landscaping shall be in compliance with the City’s Water Efficient Landscaping and Irrigation Ordinance (Merced Municipal Code Section 17.60) and all state-mandated conservation and drought restrictions as well as the City’s Zoning Ordinance Section 20.36 – Landscaping.
- 28) Irrigation for all onsite landscaping shall be provided by a low-volume 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.
- 29) All landscaping in the public right-of-way shall comply with the most recently adopted water regulations by the State and City addressing water conservation measures. If turf is proposed to be installed in medians or parkstrips, high quality artificial turf (approved by the City Engineer and Development Services Director) shall be installed.

- *30) Parking lot trees shall be installed per the City's Parking Lot Landscape Standards. Trees shall be a minimum of 15-gallons, and be of a type that provides a 30-foot minimum canopy at maturity (trees shall be selected from the City's approved tree list). Trees shall be installed at a ratio of 1 tree for every 6 parking spaces. No trees shall be required where there are carports with solar panels over the parking spaces. However, if all the parking spaces are covered by a carport with solar panels, then additional trees may be required at the discretion of the Development Services Director. Trees within the PG&E easement shall comply with the regulations of this easement which limits the height of trees to a maximum of 15 feet at full maturity.
- 31) The on-site landscape design shall include the use of xeriscape landscaping and comply with all California Building Code regulations or other applicable state and/or local requirements as well as Chapter 20.36 of the City's Zoning Ordinance.
- 32) The median between the driveways shall be provided with low-lying landscaping. Nothing in this area shall be taller than 2 ½ feet.

Safety and Lighting

- 33) All walking paths, bicycle and vehicle parking areas, and recreational areas shall be provided with sufficient lighting to ensure a safe environment.
- *34) All parking lot and other exterior lighting shall be oriented in such a way so that it does not spillover onto adjacent properties.

General Conditions

- 35) All mechanical equipment shall be screened from public view.
- 36) Containers for refuse and recycled goods shall be stored in enclosures that are designed with colors compatible with the buildings and shall be constructed to meet City Standards. At the Building Permit stage, the developer shall work with the City's Refuse Department to determine the best location for these enclosures to ensure proper access is provided for City Refuse Trucks.
- 37) The developer may install carports over some or all of the required parking spaces.
- *38) All signs shall comply with the requirements of the North Merced Sign Ordinance and Merced Municipal Code (MMC) Section 17.36.572 – Apartments or Condominiums. No free-standing A-Frame or sandwich board-type signs shall be allowed. All other moveable temporary signs are prohibited as well. Temporary banners may be installed on a building wall in compliance with the City's Sign Ordinance and after obtaining a Temporary Banner Permit from the Planning Department. A building permit shall be obtained for all permanent signs.

(*) Denotes non-discretionary conditions.

PROJECT DESCRIPTION

The proposed project consists of a General Plan Amendment, Revision to the Fahrens Creek Specific Plan, and a Site Utilization Plan Revision to Planned Development (P-D) #46. The table below outlines the proposed land use changes:

	Current Land Use Designation	Proposed Land Use Designation
General Plan	Business Park (BP)	High/Medium Density Residential (HMD)
Fahrens Creek Specific Plan	Mini-storage	Multi-family Residential
Site Utilization Plan for Planned Development (P-D) #46	Mini-storage	Multi-family Residential

If the above land uses are approved, the owner would develop an apartment complex with 164 to 176 units, a community building, swimming pool, children's play area, dog park, and associated parking for the complex (refer to the site plans at Attachments B and E).

The project site is situated between San Augustine Avenue and SR 59 with frontage on both roadways. The proposed apartment complex would have access from San Augustine Drive. This driveway access on San Augustine Avenue would be a divided driveway separating the entrance side from the exit side. An emergency vehicle access (EVA) would be provided off of SR 59. The EVA would be paved, but would be gated off to prohibit the use of this driveway as an additional access point for the general public or residents of the complex. The EVA would be equipped with a knock-box or "click-to-enter" technology to allow emergency vehicles access to the site.

There are five PG&E transmission towers that sit near the middle of the site. The project has been designed to locate the parking area underneath the transmission lines and around the transmission towers (refer to the Revised Site Plan at Attachment E). PG&E maintains an 80-foot-wide easement underneath the transmission lines. This easement would allow the parking to be located in this area, but no structures could be built in the area. Therefore, the parking for this complex would be uncovered.

The proposed apartment complex would have a mixture of one and two bedroom apartments within 24 buildings. Currently there are two types of buildings being proposed – Building A and Building B. Building A would have a total of 8 units in each building and Building B would have a total of 4 units in each building. Due to the changes to the site plan, it's possible that a third building type could be added which would have 6 units in each building. The number of buildings in the complex and the number of units may vary due to the recent site changes. Currently, the revised site plan shows 164 units, but the developers would like to increase the number back up closer to the original 176 units proposed. These details would be approved by the Site Plan Review Committee. Building elevations and floor plans are included with Attachments C and D.

Surrounding Uses
(Attachment A)

Surrounding Land	Existing Use of Land	Zoning Designation	City General Plan Land Use Designation
North	Single Family Residential	P-D #46	Low Density Residential (LD)
South	Vacant	Merced County	Business Park (BP)
East	Single Family Residential (across San Augustine Avenue)	P-D #46	Low Density Residential (LD)
West	Single Family/Ag Land (across SR 59)	Merced County	Industrial

BACKGROUND

The project site was annexed into the City in January 2003, as part of an approximately 273.6-acre area that created the Fahrens Creek Specific Plan and established Planned Development (P-D) #46. The Fahrens Creek Specific Plan includes the area bounded by Highway 59 to the west, Lehigh Drive (extended) to the north, R Street to the east, and Yosemite Avenue to the south (with the exception of the northeast corner of Highway 59 and Yosemite Avenue which remains in the County). Planned Development (P-D) #46 is within those same boundaries. At the time of annexation, the site was given a land use designation of Business Park (BP). The owners have looked at alternatives for the site and given the City's need for multi-family housing, they decided to request the land use changes to be able to develop a multi-family apartment complex.

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project would comply with the General Plan designation of High-Medium Density Residential (HMD) and the zoning designation of Planned Development (P-D) #46 if the requested General Plan Amendment, Specific Plan Amendment, and Site Utilization Plan Amendment are approved.

The following Land Use Goals and Policies would be achieved with the approval of this request:

Goal Area L-1: Residential & Neighborhood Development

- *A Wide Range of Residential Densities and Housing Types in the City*
- *Quality Residential Environments*

Implementing Action 1.7a

Designate areas adjoining arterial streets, major transportation routes, and commercial areas for multi-family development.

Traffic/Circulation

- B) The project site is located on the west side of San Augustine Avenue at Pacific Drive. The site abuts SR 59 to the west. San Augustine Avenue and Pacific Drive are both designated as Collector Roads on the City's Circulation Plan. Both roadways are two lane roads. San Augustine Avenue connects to Yosemite Avenue (an arterial roadway) approximately one-quarter mile south of the project site. Pacific Drive connects to R Street (an arterial roadway) just over one-half mile east of the project site. Access to the project site would be from San Augustine Avenue with an entrance only driveway providing access into the site and an exit-only driveway leaving the site (refer to the Revised Site Plan at Attachment E).

The intersection of Yosemite Avenue and San Augustine Avenue would be signalized in the future (this development is conditioned to pay a percentage of the cost for this traffic signal – refer to Condition #12). Currently, the intersection has a four-way stop. The City is currently working on a project to widen Yosemite Avenue from San Augustine Avenue west to SR 59.

Access from Pacific Drive onto R Street would allow right turns only. A U-turn could be made at Yosemite Avenue. However, R Street currently dead-ends just north of Pacific Drive. In the future, R Street would be extended north to Bellevue Road and ultimately further north to the end of the City Limit.

Access to Yosemite Avenue could also be made using El Redondo Drive and Compass Pointe Avenue. El Redondo Drive is a north/south collector road approximately one-quarter mile east of the site off of Pacific Drive. The intersection of El Redondo Drive and Yosemite Avenue is signalized. Compass Pointe Avenue is approximately one-half mile from the site and is also a collector road. Access to Yosemite Avenue at this intersection is restricted to right-turns only.

San Augustine Avenue will eventually extend north to intersect with Cardella Road which would provide additional access to the north, east, and west.

In addition to the Class I bike path near the site, Class III bicycle lanes are provided on San Augustine Avenue, Pacific Drive, El Redondo Drive, Yosemite Avenue, and R Street. There is also a bus stop located at El Redondo Drive and Aurora Drive less than one-quarter mile from the project site.

The Institute of Transportation Engineers (ITE) Trip Generation Rates Manual (8th Edition) is used to estimate the number of trips generated by a particular use. The Manual lists the number of estimated average daily trips (ADT's) based on the total gross square feet of storage area. Using the calculation above of 227,430 s.f. of storage area, the total ADT's for a mini-storage use at this location would be 569 average daily trips. In comparison, the proposed apartment project would generate 1,170 ADT's. However, given the proximity of the project site to a bus stop and easy access to bicycle lanes, it's expected that the total ADT's would be reduced by at least 10%. Additionally, given the fact that the project is adjacent to two collector streets which provide easy access to arterial roadways, the additional traffic is not expected to have a significant impact to the area.

Parking

- C) Parking for multi-family dwellings is calculated based on the number of units, the number of bedrooms, and the number of bathrooms per the Zoning Ordinance. The total number of spaces required for the apartment complex would be 272 spaces (based on 176 units). As proposed, the site would provide 296 stalls.

The majority of the parking for the project would be provided on the north side of the apartment buildings, underneath the PG&E power lines. No structures could be built in this area, therefore, the parking spaces would be uncovered. However, consistent with City Standards for Parking Lots and as required by Condition #30, parking lot trees would be required at a ratio of one tree for every six parking spaces. There are a few parking spaces that would be closer to the buildings which could possibly be covered. This area would accommodate the required handicap accessible parking stalls in addition to about 40 other stalls.

Public Improvements/City Services

- D) The street and curb and gutter have already been constructed along the property frontage on San Augustine Avenue. Sidewalk, street trees, and streetlights would need to be installed with the future development (Conditions #10 and #11). All missing improvements along the SR 59 frontage shall be installed per Caltrans and City of Merced Standards. This may include sidewalk, curb, gutter, street lights, and landscaping along the SR 59 street frontage.

Water and sewer lines are located in San Augustine Avenue which would serve this project. As required by Condition #14, the project would be required to extend the sewer line south across the full frontage of the project site, or as required by the City Engineer.

The project would be required to connect to the City's storm drain system that exists in San Augustine Avenue. An on-site storm water basin is proposed at the western end of the site. Additionally, a storm water basin/swale would be constructed along the northern edge of the site.

Building Design

- E) There would be a mixture of building types on the site – Building A and Building B. Building A would consist of 8 units within the building, Building B would have 4 units per building. Both building types would be two-story buildings. The units are a mixture of one and two bedroom units, ranging in size from 764 s.f. to 1,175 s.f.. The building floor plans are provided at Attachment D

The exterior of the buildings would be a cement plaster finish with a concrete tile roof. The windows would have architectural trim or shutters. The proposed building elevations are provided at Attachment C. A possible Building C, consisting of 6-units may be utilized in the future to adjust to the revised site plan at Attachment E.

Site Design

- F) As previously described, the site is located on the west side of San Augustine Avenue at Pacific Drive. The site abuts SR 59 to the west. The primary access to the site would be from San Augustine Avenue. Only an emergency vehicle access would be allowed on SR 59. The driveway into the site would be split with an entrance-only driveway and an exit-only driveway. This design allows the exit-only driveway to align with the eastbound travel lane on Pacific Drive. There would be a median between the driveways, but an area to allow a turn-around would be provided just beyond the driveways to prevent vehicles from having to travel into the site to turn around. The parking spaces are primarily underneath the PG&E power lines in a long row extending the length of the parcel. There are five breaks in the parking rows to allow access to the opposite drive aisle (refer to the Revised Site Plan at Attachment E).

In order to provide sufficient circulation through the site for fire trucks, the original site plan (Attachment B) was revised (Attachment E) to provide fire access throughout the site. These areas are to be constructed with a material that can withstand the weight of a fire truck, but would also provide an open space feel and pedestrian access. Condition #17 requires the material be approved by the Fire Department and Site Plan Review Committee.

The building layout may change slightly as the owners work to increase the number of units back up to the originally proposed 176 units. They are currently working to determine if additional buildings could be added or if some of the 4-unit buildings could be modified to 6-unit buildings.

Landscaping

- G) Landscaping would be provided throughout the site through the use of ground cover, shrubs, and trees. As previously described, parking lot trees would be required throughout the parking area. Additionally, trees are proposed between the buildings, throughout the complex. The storm water swale on the northern side of the property would provide an open space area with grass, but no other landscaping would be placed in this area. Conditions #28 through #32 address the landscaping on site. Additionally, Condition #17 requires the fire access lanes to be constructed with a material that provides the look of green space, but could withstand the weight of a fire truck.

Neighborhood Impact/Interface

- H) The proposed land use change and subsequent apartment complex would increase the number of people in the area as well as the traffic in the area. However, as previously described, given the project location and easy access to collector and arterial streets, as well as public transit and bicycle lanes, the traffic is not expected to over-burden the area.

Additional light and glare would be created from the site. Condition #34 requires that all exterior lighting be oriented so that it does not spillover onto adjacent properties.

The two-story apartment buildings would be approximately 120 feet from the residential properties to the north. There are several two-story homes along the northern property line, facing La Sierra Court. All of the adjacent homes to the north have at least a ten-foot

setback from the rear property line, bringing the distance between the closest apartment building to 130 feet. The homes along Pacific Drive are slightly closer at 100 feet away, but have a collector street separating them from the apartments which would help reduce any potential impacts.

Public hearing notices were sent out to all property owners within 300 feet of the site. To date, staff has not received any comments or concerns regarding this project.

Signage

- B) No specific signs have been proposed with this project. All signs would be required to comply with the North Merced Sign Ordinance and MMC Section 17.36.572 – Apartments or Condominiums (Condition #38).

Land Use/Density Issues

- C) The proposed General Plan land use designation change to High/Medium Density (HMD) Residential allows 12 to 24 units per acres. The proposal of 176 units would have a density of 16 units per acre and if the project is reduced to 164 units, the density would be 15 units per acre. The density from both scenarios fall within the allowable density for the General Plan designation of High/Medium Density (HMD) Residential and would be compatible with the nearby residential uses.

Environmental Clearance

- D) The Planning staff has conducted an environmental review (Initial Study # 18-60) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Draft Negative Declaration (i.e., no significant adverse environmental effects have been found) is being recommended (Attachment H).

Attachments:

- A) Location Map
- B) Original Site Plan
- C) Elevations
- D) Floor Plans
- E) Revised Site Plan
- F) Planning Commission Resolution #2675
- G) Mitigation Monitoring Program for Initial Study #00-31
- H) Initial Study #18-60
- I) Draft Planning Commission Resolution

Refer to Attachments 1 through 4 of Administrative Report for Attachments A, C, D, and E, and Attachment 7 for Attachment H.



VICINITY MAP
PROJECT LOCATION
PACIFIC DRIVE
SAN AUGUSTINE AVE
MERCED, CA

ARCHITECT:
4335-B NORTH STAR WAY
MERCED, CA 95356
CONTACT: JOSEPH L. SMITH
JOSEPH@API-ARCH.COM

ENGINEER:
151 N. KOLBEN ST.
MERCED, CA 95356
CONTACT: TONY BEINO
TBEINO@API-ARCH.COM

LANDSCAPE:
2500-080471-000
2.1073 ACRES (NET)

PROJECT TEAM

OWNER:
4335-B NORTH STAR WAY
MERCED, CA 95356
CONTACT: TONY BEINO
TBEINO@API-ARCH.COM

ENGINEER:
151 N. KOLBEN ST.
MERCED, CA 95356
CONTACT: TONY BEINO
TBEINO@API-ARCH.COM

LANDSCAPE:
2500-080471-000
2.1073 ACRES (NET)

SITE DATA

ADJACENT PARCEL NUMBER: 2500-080471-000
PROPERTY AREA: 2.1073 ACRES (NET)
BUILDING AREA: 212,744 SQ. FT.
YOUNG TREES: 3,061 SQ. FT.
EXISTING COVERAGE: 218,889 SQ. FT.
APARTMENT BUILDINGS: 100,889 SQ. FT.
COMMUNITY BUILDINGS: 107,855 SQ. FT.
ONSET LANDSCAPING: 5,349 SQ. FT.
2.34" 4"
ADJACENT BUILDING HEIGHT: 9'-0" SPECIFIC PLAN
EXISTING ZONING: 144 DU/ACRE (NET)
DENSITY: 144 DU/ACRE (NET)
PAVING / HARDSCAPE: 2,511,437 SQ. FT.

PROPOSED NEW
DEVELOPMENT:

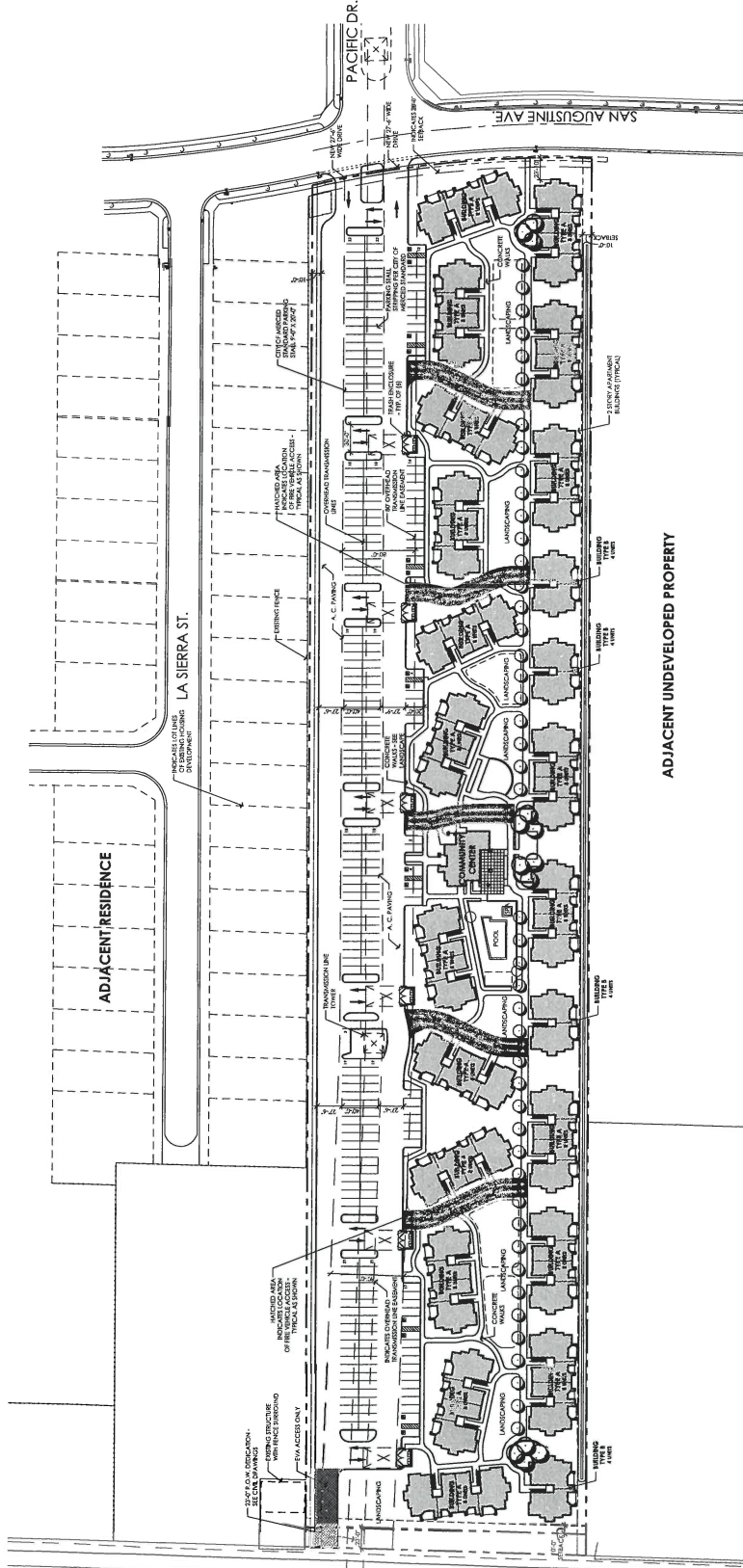
**PACIFIC
APARTMENTS**

Pacific Drive
Merced, CA.

PLANNING
ARCHITECTURE



ARCHITECTURE PLUS INC.
4335-B NORTH STAR WAY
MERCED, CA 95356
PH: 209.577.4661
FX: 209.577.0213
www.apisarc.com



BUILDING DATA

	BUILDING / UNIT DATA				BUD. AREA	
	1 STORY	2 STORY	3 STORY	4 STORY	NET	TOTAL
BUILDING A	4	4	4	2	21,414 SQ. FT.	115,970 SQ. FT.
BUILDING B	0	4	4	2	25,711 SQ. FT.	222,844 SQ. FT.
COMMUNITY	N/A	N/A	N/A	1	2,548 SQ. FT.	
UNIT TYPE TOTAL	80	94	174			2,713,744 SQ. FT.

PARKING DATA

PARKING REQUIRED: TOWNHOME, CONDOMINIUM, AND APARTMENT
1.5 SPACES PER UNIT (UP TO 30 UNITS)
1.5 SPACES PER UNIT (TYPICAL)
1.75 SPACE PER UNIT (UP TO 30)
1.0 SPACE PER UNIT (TYPICAL)
1.0 SPACE PER UNIT (TYPICAL)
TOTAL
• 234 STALLS



OVERALL SITE PLAN
SCALE: 1" = 400'

**CITY OF MERCED
Planning Commission**

Resolution #2675

AMENDED by Planning Commission 2-4-2015

AMENDED by City Council 12-17-2001

WHEREAS, the Merced City Planning Commission at its regular meeting of December 5, 2001, held a public hearing and considered **Annexation Application #00-03, Pre-Zone Application #00-03, General (including Specific) Plan Amendment #00-09, and Environmental Review #00-31**, initiated by O'Dell Engineering, agent for Morgan Capital, Mathew & Barbara Bruno, and Mary Genevieve Reinero, Trustee, property owners; and Golden Valley Engineering, agent for Doris Gonella and August & Lillian Dal Porto, property owners, for an approximate 273.6 acre portion of the Fahrens Creek Specific Plan Area, located generally west of "R" Street (extended) and north of Yosemite Avenue (extended); also known as Assessor's Parcel Numbers 057-160-30 and 31, 057-160-81 through 84 and 057-190-01 ; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through R of Staff Report #01-33; 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 hereby recommend to City Council adoption of a Mitigated Negative Declaration regarding Expanded Initial Study #00-31, subject to the mitigation measures outlined in Attachment A and the Mitigation Monitoring Program as seen in Appendix E of Expanded Initial Study #00-31; and approval of Annexation/Prezoning Application #00-03, General Plan Amendment (Specific Plan Establishment) #00-09, and Fahrens Creek Conceptual Specific Plan (Northern Half), subject to the following conditions:

1. Approval of the General Plan Amendment/Annexation/Prezoning is subject to the applicants entering into a written (development) agreement that they agree to all the conditions and shall pay all City and school district fees, taxes, and/or assessments, in effect on the date of any subsequent subdivision and/or permit approval, any increase in those fees, taxes, or assessments, and any new fees, taxes or assessments, which are in effect at the time the building permits are issued, which may include traffic impact fees, a Parsons Avenue impact fee, Mello-Roos, etc.; said agreement to be approved by the City Council prior to the adoption of the ordinance, resolution, or minute action.
2. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the Engineering Department.
3. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
4. The development of the project shall conform with an adopted Phasing Plan to be submitted by the applicants and adopted as part of this approval process. Due to the

potential long-range development of the project, changes in the phasing plan, consistent with City Codes, may be approved by the City's Director of Development Services (DDS), without need for review by the Planning Commission or City Council. Any decision of the DDS to change the adopted Phasing Plan may be appealed to the Planning Commission.

5. The project shall conform to all mitigation measures in Expanded Initial Study #00-31 for Fahrens Creek Annexation (Appendix E to Attachment E of Staff Report #01-33). This includes modification to two measures as follows: F-3: (eliminate the last sentence, pertaining to a possible noise study; a construction traffic plan approved by the City will provide sufficient mitigation); and N-1: The applicants shall be required to provide a level of accessibility and rangeland management (firebreaks and/or disking) for fire suppression that is acceptable to the City of Merced.
6. Prior to City Council approval of the Fahrens Creek Annexation request, the applicants shall sign a waiver regarding Proposition 218 proceedings (Attachment F of Staff Report #01-33).
7. The proposed Fahrens Creek Specific Plan Master Design shall be modified as shown on the proposed plan (Attachment B) and Exhibit 1 of Staff Report #01-33; three copies of the Specific Plan, as ultimately approved, shall be provided to the City.
8. Adopted City of Merced ordinances shall be utilized to address densities, intensities, setbacks and heights, unless otherwise adapted as part of the planned development standards for this specific plan area. General architectural character and appearance will be at a design level consistent with Attachment C to this report (City of Merced Staff Report #01-33).
9. The Merced Village Design Guidelines shall be utilized for more detail on architectural features and design {Chapter 6: Urban Design (General Plan)}. The underlying zoning standards of the City of Merced ordinances consistent with each land use shall apply unless otherwise modified or exempted. Examples of acceptable building materials for single family homes include stucco, masonry, and architectural grade wood siding; roof material examples include tile, wood shake, and architectural composition shingles.
10. Village Residential (VR) areas will contain an average minimum gross density of 10 dwelling units per acre; this may involve a mix of small lot single-family, single family with ancillary carriage houses or other types of second units, townhouses, multiple-family units, etc., and may be supplemented by upper level residential within the Core Commercial Area. Acceptable building materials include stucco, masonry and architectural grade wood siding; examples of acceptable roofs materials include tile, wood shake and architectural composition shingles.

Amended –
see Page 4

11. Building materials used in construction within the Village Center/Core commercial area should convey durability and permanence, be suited to Merced's climate, and to the greatest extent possible involve concrete, stucco, masonry, tile, stone and wood, with accents of tile and glass. Acceptable roof materials include tile, wood shake, standing seam metal, and architectural composition shingle.
12. No new, permanent access directly to Highway 59 will be allowed from any parcel within the annexation; over time, existing access to 59 from individual parcels will be subject to relocation at the direction of the City of Merced, when reasonable, alternative means of access becomes available to these parcels with construction of the future Reverse Frontage Road (RFR) to the east of them.
13. A six-foot high decorative, solid wall shall be constructed along the east side of the north-south collector located one-quarter mile east of and parallel to Highway 59, and designated a Reverse Frontage Road (RFR) Collector on the Fahrens Creek Specific Plan; this wall and any associated landscaping between the wall and the RFR shall be part of a maintenance district. Design details for the wall and landscape plan for adjacent common areas shall be required as part of any tentative subdivision map or conditional use permit approval process involving any of this frontage area.
14. Approval of the Annexation of those parcels located west of the designated Reverse Frontage Road (RFR) Collector, which are currently outside the North Merced Sewer District, is subject to: a) approval from the City Council for sewer services from the Sewer District; and b) respective property owners entering into agreements with the City of Merced to pay all sewer connection costs within their property, pursuant to Chapter 15.16 of the Merced Municipal Code.
15. City policy now anticipates the foreseeable requirement of stop signs at both the southeast and southwest corners of the school site (on Lehigh Drive extended). These will be the responsibility of the first developer through a final development approval process (subdivision map, conditional use permit, etc.) involving this portion of Lehigh, with appropriate reimbursement from later, adjacent (across the street) development.
16. ~~Prior to alteration or removal of the existing YVRR roadbed within the project area, the responsible property owner(s), on the basis of the analysis required by Mitigation Measure C 2 (Expanded Initial Study #00 31 For Fahrens Creek Annexation to the City of Merced), will, as necessary, enter into an agreement with any other affected property owner, to eliminate or otherwise address in a manner acceptable to both parties any identified impact to such other property, to the degree to which such impact(s) exceeds flood protection regulations that exist at the time the roadbed is removed. Any costs associated with the study, or related changes to the federal flood map series, shall be the responsibility of the owner of the property involved.~~

Amended – See Page 5

PLANNING COMMISSION RESOLUTION #2675

Page 4 of 6

December 5, 2001/December 17, 2001/February 4, 2015

17. At least in residential areas, designated collector streets will be designed consistent with the cross-section design at Attachment B-3 (to allow wider park strips and the opportunity for larger trees) to Merced City Staff Report #01-33.

Upon motion by Commissioner Burr, seconded by Commissioner Pollard, and carried by the following vote:

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

Adopted this 5th day of December, 2001

/s/ David Love
Chairman, Planning Commission of
the City of Merced, California

ATTEST:

/s/ Jack Lesch
Secretary

Attachment A – Mitigation Measures

tl/P.RES.#2675

December 17, 2001: At their regularly scheduled meeting of December 17, 2001, the City Council approved Pending Annexation #00-03, General Plan Amendment #00-09, and Prezoing Application #00-03, subject to the conditions of this Resolution, amending Condition #7 as follows:

7. The proposed Fahrens Creek Specific Plan Master Design shall be modified as shown on the proposed plan (Attachment B) and Exhibit 1 of Staff Report #01-33; three copies of the Specific Plan, as ultimately approved, shall be provided to the City.

The elimination (relocation) of residential lots from the northwest corner of the central (Village Core) park shown on Attachment B1 (of Staff Report #01-33) may be brought up for further discussion by the applicant with the city at the time of subsequent processing of a subdivision map for this area.

The City Council also approved an Agreement [affecting the property located between Hwy 59 and R Street from Yosemite Avenue (Extended) to a half mile south of Cardella Road], which amended Condition #16 and added Condition #18 as follows:

16. Prior to alteration or removal of the existing Yosemite Valley Railroad (YVRR) roadbed within the project area, a study must be conducted in accordance with Mitigation Measure C-2 (Expanded Initial Study #00-31 for Fahrens Creek Annexation to the City of Merced), to determine the impact alteration or removal of the roadbed might have with regard to flooding of the project area, the surrounding properties, and any other property that might be impacted by a change. Any negative impact that is identified by such study must be eliminated or otherwise addressed and mitigated in a manner that is acceptable to the City and all parties affected by any negative impact. Any costs associated with the study of impacts of roadbed alteration or removal, related changes to the federal flood map series, and any costs for mitigation measures shall be the responsibility of the party or parties whose development plans in the project are directly dependent on alteration or removal of the existing YVRR roadbed within the project area. If more than one party is involved, such parties shall enter into an agreement specifying the percentage of costs that each individual party shall be responsible for.

~~18. No approvals will be adopted or permits issued by the City of Merced, for actual construction on the portion of the Fahrens Creek Specific Plan depicted on Attachment 3* and Exhibit 1*, as further described as that portion outlined by heavy dashed line, until authorization has been received from, or a waiver acceptable to the City has been granted by, the U.S. Army Corps of Engineers (the "Corps") regarding flood control measures to be taken to comply with that portion of the Merced Streams Group Project located within the Fahrens Creek Specific Plan. If the Corps does not authorize construction in that portion of the property, or grant a satisfactory waiver by December 31, 2005, the applicant may request review of this condition by the City Planning Commission to determine whether, at that time, an extension of this condition is necessary or advisable (*Attachment 3 to City Manager Administrative Report on Fahrens Creek Specific Plan Adoption, dated December 10, 2001; and Planning Commission/City Council Exhibit 1: Fahrens Creek Specific Plan.)~~

Deleted-
See Page
5

Secretary's Note: The actions that took place at the City Council Meeting on December 17, 2001, as noted above, are referenced in the Developer Agreement between the City of Merced and Sequoia Land Investments; Matthew and Barbara Bruno; Doris Gonella; Lillian Dal Porto; and Edith M. Nahas that was recorded on April 4, 2002 (Instrument No. 16796, Volume 4414, Page 998, of the Official Records of Merced County, California).

February 4, 2015: At their regularly scheduled meeting of February 4, 2015, the Planning Commission considered and recommended to the City Council the approval of General Plan Amendment #14-05, Revision #2 to Fahrens Creek Specific Plan, Site

PLANNING COMMISSION RESOLUTION #2675

Page 6 of 6

December 5, 2001/December 17, 2001/February 4, 2015

Utilization Plan Revision #4 to Planned Development (P-D) #4, subject to the Conditions set forth in Staff Report #15-05 (which included the deletion of Condition #18 of this Resolution as shown above) and the Mitigation Monitoring Program, Attachment L of Attachment H (Initial Study #14-26) of Staff Report #15-05.

**EXPANDED INITIAL STUDY #00-31
for
FAHRENS CREEK ANNEXATION
#00-03
and
GENERAL PLAN AMENDMENT
#00-09**

Mitigation Measures

A. EARTH

PROJECT SPECIFIC MITIGATION MEASURES:

- A-1 Grading and excavation shall be conducted according to City of Merced standards to reduce the effects of disruptions, displacement, compactions, and over-covering of soils.
- A-2 The Project applicants shall prepare grading plans for individual projects for review and approval by the City of Merced Inspection Services, Engineering, and Public Works Departments prior to approval of building permits. The grading plans shall include the nature and extent of work proposed, phasing, and minimize the effects of disruptions, displacement, compaction, and over-covering of soils.
- A-3 Prior to approval of any improvement or building plans, the City shall review plans for drainage and storm water run-off control systems and their component facilities, as required, to ensure that these systems are non-erosive in design.
- A-4 Upon completion of construction, subsequent Projects shall re-vegetate all exposed soil surfaces within 30 days, or as otherwise approved by the City, to minimize potential topsoil erosion. Reasonable alternatives to re-vegetation may be employed, especially during peak high temperature periods, subject to the approval of the City.
- A-5 Projects under review shall be required to submit temporary erosion control plans for construction activities.
- A-6 Prior to the issuance of a building permit, the applicant shall design all structures according to the Uniform Building Code Seismic Section 3.
- A-7 A soils report shall be prepared by a qualified soils or civil engineer, consistent with the provisions of the State Subdivision Map Act, prior to approval of a final subdivision map or building permit, if applicable as required by Merced Municipal Code.

- A-8 Building plans shall be reviewed by a registered engineer specializing in geo-technical assessments to ensure that the soils can support the load.**

B. AIR

PROJECT SPECIFIC MITIGATION MEASURES:

- B-1 All active portions of construction sites, earthen access roads, and material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Where feasible, reclaimed water shall be used.**
- B-2 All clearing, grading, earth moving, or excavation activities shall cease during periods of winds greater than 20 miles per hour averaged over one hour.**
- B-3 All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.**
- B-4 The area disturbed by clearing, earth moving, or excavation activities shall be minimized at all times. This can be accomplished by mowing instead of disking for weed control and seeding and watering inactive portions of the construction site until grass is evident, if construction time frames warrant.**
- B-5 Construction site vehicle speeds shall be limited to 15 miles per hour.**
- B-6 If used, petroleum-based dust palliatives shall meet the road oil requirements of the District's rule regarding Cutback Asphalt Paving Materials.**
- B-7 Streets adjacent to the Project site shall be swept as needed to remove silt and/or mud that may have accumulated from construction activities. The streets are required to be wet prior to or in conjunction with rotary sweeping.**
- B-8 All internal combustion engine-driven equipment shall be properly maintained and well tuned according to the manufacturer's specifications.**
- B-9 When reasonably available and economically feasible, diesel powered or electric equipment shall be utilized in lieu of gasoline powered engines.**
- B-10 Construction activities shall minimize obstruction of through traffic lanes adjacent to the site and a flag person shall be retained to maintain safety adjacent to existing roadways.**
- B-11 Prior to issuance of a grading permit, the project will be required to comply with District Regulation VIII. Specifically, the rules that apply to this project are: Rule 8010 (Administrative Requirements) and Rule 8020 (Construction, Demolition, Excavation, and Extraction Activities). Additional rules that may apply to this project depending on construction practices employed are: Rule 8030 (Handling and Storage of Bulk Materials), Rule 8060 (Paved and Unpaved Roads),**

and Rule 8070 (Parking , Shipping, Receiving, Transfer, Fueling, and Service Areas).

- B-12 At the City Planner’s discretion, subsequent projects within the Project boundaries may be required to submit an air quality analysis to the City prior to construction. Such studies shall outline any impacts associated with specific processes or activities to be present on-site.**

C. WATER

PROJECT SPECIFIC MITIGATION MEASURES:

- C-1 Prior to approval of a Final Map or subsequent development projects, the applicant shall demonstrate to the City that storm drainage facilities are adequate to meet Project demands and that improvements are consistent with the Merced County Critical Area Flooding and Drainage Plan and any updates.**
- C-2 Prior to alteration or removal of the existing elevated YVRR roadbed in the eastern portion of the project area, the property owner shall demonstrate, through competent analysis acceptable to the City of Merced, what effect removal of the roadbed will have on area flood waters delineated in the Special Flood Hazard Area identified on the east side of the roadbed, including impacts to other properties.**
- C-3 Prior to approval of subsequent development projects, the applicants shall demonstrate to the City that temporary erosion control measures will be followed during construction.**
- C-4 As individual projects are determined, the applicants shall provide detailed information to the City regarding projected water usage. The applicants shall provide all water system needs (including wells, water mains, etc.) for individual projects or pay equivalent fees to insure the construction of the necessary water infrastructure.**
- C-5 Industrial users shall recycle their own water if feasible and implement water conservation measures and techniques as determined for individual projects.**
- C-6 Areas within 100-year flood plains will be required to comply with all pertinent provisions of the City’s Flood Damage Prevention Ordinance (MMC 17.48) and all updates.**

APPLICABLE MITIGATION MEASURES OF THE GENERAL PLAN EIR:

- 2-a) When site-specific development proposals with direct discharge into the area’s surface water system are submitted to the City for review and action, Best Management options should be evaluated to determine need and feasibility.**
- 2-b) Water conservation policy of the City should be periodically reviewed to determine need, appropriateness, and feasibility of implementing conservation practices suggested in the Merced Water Supply Plan.**

E. ANIMAL LIFE

APPLICABLE MITIGATION MEASURES OF THE SPECIAL-STATUS SPECIES ASSESSMENT:

- E-1** If any future development takes place during the Swainson's Hawk nesting season (late March through July), a pre-construction survey should be conducted by a qualified biologist to determine whether nesting activities are taking place within appropriate portions of the project area covered by this species assessment (Fahrens Creek corridor from the west edge of "R" Street to the north edge of Yosemite Avenue).
- E-2** With regard to the Giant Garter Snake, for any development taking place in proximity to the Fahrens Creek corridor, from the west edge of "R" Street to the north edge of Yosemite Avenue: a) provide environmental awareness training to contractors doing work in this area; b) restrict construction along the Creek to only the snake's active season (May 1 through September 30); and c) have a qualified biologist conduct pre-construction surveys 24 hours in advance of construction activities.

F. NOISE

PROJECT SPECIFIC MITIGATION MEASURES:

- F-1** A 6 foot or higher sound wall or earthen berm (or combination of both), or some other acceptable method for achieving comparable noise reduction, may need to be constructed to meet the City's outdoor noise level standards of DNL 60dB for new residential development adjacent to perimeter arterials (Yosemite Avenue and "R" Street). Depending upon the DNLs and the acoustical shielding provided by the first row of buildings (if any), existing and new residential development located a greater distance from the perimeter arterials may require lower sound walls or a combination of sound attenuation measures. As an alternative to sound walls, new dwelling units may be oriented so that the outdoor use areas would be shielded by the building.
As necessary detailed noise projections should be prepared to corroborate earlier noise studies/projections and actual height requirements for sound walls, prior to recordation of final maps for each phase of residential development falling within applicable noise zones.
- F-2** Project residential developments constructed within pertinent noise zones in proximity to Yosemite Avenue and "R" Street would require sound-rated windows, as well as sound-rated exterior wall assemblies where necessary, or other acceptable methods of sound attenuation to achieve comparable noise reductions, to be consistent with the 45 dB interior noise level maximum.

- F-3** Trucks used for the development of Fahrens Creek will be required to use the City's designated truck routes, to be demonstrated by the project applicant through the submittal of a construction traffic plan to the City Engineer prior to the issuance of grading permits. ~~A noise study may be required if trucks and heavy equipment are routed along roads that pass existing residential land uses.~~ (modified by Planning Commission action of December 5, 2001)
- F-4** All construction activity shall be conducted in accordance with City of Merced standards for times of operation.
- F-5** Grading and construction activity shall be limited to daylight hours (between 7 a.m. and 7 p.m.) in areas where noise sensitive receptors are located.
- F-6** In noise sensitive areas, construction equipment, compressors, and generators shall be fitted with heavy duty mufflers specifically designed to reduce noise impacts.

G. LIGHT and GLARE

PROJECT SPECIFIC MITIGATION MEASURE:

- G-1** The applicants shall utilize lighting fixtures of minimal wattage necessary to provide adequate lighting for security, commercial/industrial operations, and circulation. Light spill shall be controlled by baffles, cut-off lenses, and fixture height necessary to minimize spill-over onto adjacent properties. Prior to building permit approvals, lighting plans shall be submitted for review by the City which specifies lighting type, location, and methods for minimizing spill.

M. TRANSPORTATION/CIRCULATION

PROJECT SPECIFIC MITIGATION MEASURES:

- M-1** The Project shall pay all fees as required under the City's Public Facilities Impact Fees (Chapter 17.62 of the Merced Municipal Code).
- M-2** The developer shall construct all collector, local, or cul-de-sac streets within the Project boundaries to their ultimate right-of-way with full frontage improvements as defined by the *City of Merced Standard Designs for all Engineering Structures* and the *Merced Vision 2015 General Plan* and any amendments thereto. This will include its proportional share of the proposed Reverse Frontage Road North-South Collector to be located along the west boundary of AREA A, and the east boundary of AREA B (and, if included, AREA C). The timing of construction of the improvements are to be governed by the Subdivision Map Act and/or local ordinance.
- M-3** The developer shall dedicate half the required right-of-way for all arterial and higher order streets adjacent to the Project boundaries as

defined in the *Merced Vision 2015 General Plan*. This includes both Yosemite Avenue and “R” Street (each adjacent to AREA A), as well as Highway 59 (currently several design concepts are under study/evaluation by Caltrans) adjacent to AREA B (and, if included, AREA C).

Consistent with Mitigation Measure 7.b of the *Merced Vision 2015 General Plan EIR*, where the extent of right-of-way dedication exceeds the City’s development standards for a collector street (currently 74 feet for a collector street located entirely within the Project and 37 feet for a collector abutting the Project), then the developer is eligible for reimbursements in accordance with the City’s Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project’s traffic impacts require additional dedication.

M-4 The developer shall construct the “collector equivalent” (74 feet) portion of the right-of-way, along with full frontage improvements along the Project boundaries and at least one travel lane in each direction, for all arterial and higher order streets within the Project boundaries. Consistent with Mitigation Measure 7.b of the *Merced Vision 2015 General Plan EIR*, where the extent of street improvements exceeds one-half of a “collector equivalent” street for a project fronting only one side of the street, the project is eligible for reimbursement for the cost of improvements exceeding the one-half “collector equivalent” in accordance with the City’s Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project’s traffic impacts require additional improvements.

M-5 The owner of each adjacent corner within Area A shall be responsible for one-quarter of the cost of a traffic signal, to City standards and the satisfaction of the City Engineer, at each quarter-mile/half-mile collector intersection with Yosemite Avenue, as well as the intersection of Lehigh Drive (extended) with “R” Street, whenever warrants are met in the judgment of the City Engineer. In such a case, installation of an intersection traffic signal by one developer could even be required at any of these locations by the City Engineer prior to full build-out of adjacent properties, if warrants are met, subject to adopted reimbursement requirements. Security shall be determined at the time of first subdivision map or other discretionary action.

APPLICABLE MITIGATION MEASURES OF THE GENERAL PLAN EIR:

7a) Appropriate traffic studies shall be prepared for all development projects which can be expected to reduce a road segment or intersection levels of service below “D.” (Note: Studies are not anticipated, based upon current projections, but could be required in the event of future changes).

- 7b) The City shall require all development proposals to contribute, based on their proportionate share of impact, to circulation system improvements necessary to maintain at least a level of service “D” on all road segments and intersections impacted by the development project.

N. PUBLIC SERVICES

PROJECT SPECIFIC MITIGATION MEASURE:

- N-1 The applicants shall be required to provide a level of accessibility and ~~infrastructure support~~ rangeland management (firebreaks and/or disking) for fire suppression that is acceptable to and approved by the City of Merced. (modified by Planning Commission action of December 5, 2001)

SITE SPECIFIC ISSUES OF A MORE SIGNIFICANT NATURE THAN OTHERWISE IDENTIFIED BY PREVIOUS ENVIRONMENTAL REVIEW:

- N-2 Careful coordination is required between City, developer(s), and School District regarding phasing of infrastructure improvements within the general area, to achieve safe, adequate access for both school construction and operation.
- N-3 Prior to the issuance of building permits, the applicant shall be responsible for the payment of school facility impact fees as adopted by the Merced City School District and Merced Union High School District.

T. CULTURAL RESOURCES

PROJECT SPECIFIC MITIGATION MEASURES:

- T-1 If evidence of archaeological artifacts is discovered during construction, all operations within an area at and adjacent to the discovered site shall halt until a qualified archaeologist determines the extent of significance of the site.
- T-2 On-site preservation of a resource is the preferred alternative. Preserving a cultural deposit maintains the artifacts in context and may prevent inadvertent discovery of, or damage to, human burials. Preservation may be accomplished through a number of means such as capping or covering the site with a layer of soil, fencing the site area, and/or incorporation of the resource in a park area.

EXPANDED INITIAL STUDY #00-31

for FAHRENS CREEK ANNEXATION TO THE CITY OF MERCED

Appendix C

Mitigation Monitoring Program

MITIGATION MONITORING CONTENTS

This mitigation monitoring program includes a brief discussion of the legal basis and purpose of the mitigation monitoring program, a key to understanding the monitoring matrix, a discussion of noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resource Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The City of Merced has adopted its own "Mitigation Monitoring and Reporting Program" (MMC 19.28). The City's program was developed in accordance with the advisory publication, *Tracking CEQA Mitigation Measures*, from the Governor's Office of Planning and Research.

As required by MMC 19.28.050, the following findings are made:

- 1) The requirements of the adopted mitigation monitoring program for the Fahrens Creek Annexation shall run with the real property that is the subject of Annexation Application #00-31 to the City of Merced. Successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program.
- 2) Prior to any lease, sale, transfer, or conveyance of any portion of the subject real property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

MITIGATION MONITORING PROCEDURES

In most cases, mitigation measures can be monitored through the City's construction plan approval/plan check process. When the approved project plans and specifications, with mitigation measures, are submitted to the City Development Services Department, a copy of the monitoring checklist will be attached to the submittal. The Fahrens Creek Annexation Mitigation Monitoring Checklist will be filled out upon project approval with mitigation measures required. As project plans and specifications are checked, compliance with each mitigation measure can be reviewed.

In instances where mitigation requires on-going monitoring, the Mitigation Monitoring Checklist will be used until monitoring is no longer necessary. The Development Services Department will be required to file periodic reports on how the implementation of various mitigation measures is progressing or is being maintained. Department staff may be required to conduct periodic inspections to assure compliance. In some instances, outside agencies and/or consultants may be required to conduct necessary periodic inspections as part of the mitigation monitoring program. Fees may be imposed per MMC 19.28.070 for the cost of implementing the monitoring program.

Fahrens Creek Annexation to the City of Merced
Expanded Initial Study #00-31: Mitigation Monitoring Program (2)

GENERAL PLAN MITIGATION MEASURES

As a second tier environmental document, the *Expanded Initial Study for the Fahrens Creek Annexation to the City of Merced* incorporates some mitigation measures adopted as part of the *Merced Vision 2015 General Plan Program Environmental Impact Report* (SCH# 95082050), as mitigation for potential impacts of the Project. Therefore, following the Fahrens Creek Annexation Mitigation Monitoring Checklist (starting on page A-15) is a list of these relevant General Plan mitigation measures along with the General Plan Mitigation Monitoring Checklists (Forms A and B) to be used to verify that the General Plan mitigation measures have been met.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the City Planner in written form providing specific information on the asserted violation. The City Planner shall cause an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the City Planner shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue. Merced Municipal Code (MMC) Sections 19.28.080 and 19.28.090 outline the criminal penalties and civil and administrative remedies which may be incurred in the event of noncompliance. MMC 19.28.100 spells out the appeals procedures.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for the Fahrens Creek Annexation. The columns within the tables are defined as follows:

Mitigation Measure: Summarizes the Mitigation Measure (referenced by number) identified in Expanded Initial Study #00-31.

Timing: Identifies at what point in time or phase of the project that the mitigation measure will be completed.

Agency/Department Consultation: This column references any public agency or City department with which coordination is required to satisfy the identified mitigation.

Verification: These columns will be initiated and dated by the individual designated to verify adherence to the project specific mitigation.

Fahrens Creek Annexation Mitigation Monitoring Checklist

Project Name: _____
 File Number: _____
 Approval Date: _____
 Project Location: _____

Brief Project Description: _____

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City of Merced's Mitigation Monitoring Requirements (MMC 19.28) with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

	Mitigation Measure	Timing	Agency or Department Consultation	City Verification (date and initials)
	A. EARTH			
A-1	Grading and excavation shall be conducted according to City of Merced standards to reduce the effects of disruptions, displacement, compactions, and over-covering of soils.	Building Permits	City Inspection Services, Engineering, & Public Works	
A-2	The Project applicants shall prepare grading plans for individual projects for review and approval by the City of Merced Inspection Services, Engineering, and Public Works Departments prior to approval of building permits. The grading plans shall include the nature and extent of work proposed, phasing, and minimize the effects of disruptions, displacement, compaction, and over-covering of soils.	Building Permits	City Inspection Services, Engineering, & Public Works	
A-3	Prior to approval of any improvement or building plans, the City shall review plans for drainage and storm water run-off control systems and their component facilities, as required, to ensure that these systems are non-erosive in design.	Tentative Map Building Permit	City Engineering & Public Works	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
A-4 Upon completion of construction, subsequent Projects shall re-vegetate all exposed soil surfaces within 30 days, or as otherwise approved by the City, to minimize potential topsoil erosion. Reasonable alternatives to re-vegetation may be employed, especially during peak high temperature periods, subject to the approval of the City.	<i>Certificate of Occupancy</i>	<i>City Inspection Services</i>	
A-5 Projects under review shall be required to submit temporary erosion control plans for construction activities.	<i>Building Permits</i>	<i>City Inspection Services</i>	
A-6 Prior to the issuance of a building permit, the applicant shall design all structures according to the Uniform Building Code Seismic Section 3.	<i>Building permits</i>	<i>City Inspection Services</i>	
A-7 A soils report shall be prepared by a qualified soils or civil engineer, consistent with the provisions of the State Subdivision Map Act, prior to approval of a final subdivision map or building permit, if applicable as required by Merced Municipal Code.	<i>Final Maps</i>	<i>City Engineering & Public Works</i>	
A-8 Building plans shall be reviewed by a registered engineer specializing in geo-technical assessments to ensure that the soils can support the load.	<i>Building Permits</i>	<i>City Inspection Services, Engineering, & Public Works</i>	
B. AIR			
B-1 All active portions of construction sites, earthen access roads, and material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Where feasible, reclaimed water shall be used.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-2 All clearing, grading, earth moving, or excavation activities shall cease during periods of winds greater than 20 miles per hour averaged over one hour.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-3 All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-4 The area disturbed by clearing, earth moving, or excavation activities shall be minimized at all times. This can be accomplished by mowing instead of disking for weed control and seeding and watering inactive portions of the construction site until grass is evident, if construction time frames warrant.	<i>Building Permits</i>	<i>City Inspection Services</i>	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
B-5 Construction site vehicle speeds shall be limited to 15 miles per hour.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-6 If used, petroleum-based dust palliatives shall meet the road oil requirements of the District's rule regarding Cutback Asphalt Paving Materials.	<i>Building Permits</i>	<i>SJVUAPCD</i>	
B-7 Streets adjacent to the Project site shall be swept as needed to remove silt and/or mud that may have accumulated from construction activities. The streets are required to be wet prior to or in conjunction with rotary sweeping.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-8 All internal combustion engine-driven equipment shall be properly maintained and well tuned according to the manufacturer's specifications.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-9 When reasonably available and economically feasible, diesel powered or electric equipment shall be utilized in lieu of gasoline powered engines.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-10 Construction activities shall minimize obstruction of through traffic lanes adjacent to the site and a flag person shall be retained to maintain safety adjacent to existing roadways.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-11 Prior to issuance of a grading permit, the project will be required to comply with District Regulation VIII. Specifically, the rules that apply to this project are: Rule 8010 (Administrative Requirements) and Rule 8020 (Construction, Demolition, Excavation, and Extraction Activities). Additional rules that may apply to this project depending on construction practices employed are: Rule 8030 (Handling and Storage of Bulk Materials), Rule 8060 (Paved and Unpaved Roads), and Rule 8070 (Parking, Shipping, Receiving, Transfer, Fueling, and Service Areas).	<i>Building Permits</i>	<i>SJVUAPCD</i>	
B-12 At the City Planner's discretion, subsequent projects within the Project boundaries may be required to submit an air quality analysis to the City prior to construction. Such studies shall outline any impacts associated with specific processes or activities to be present on-site.	<i>Site Plan Approval</i>	<i>City Planning</i>	
(B-13) (General Plan I-d) Development construction activity shall implement appropriate dust (PM10) suppression techniques as required by the SJVRAPCD.	<i>Building Permit/Construction</i>	<i>City Inspection Services</i>	

Mitigation Measure	Timing	Agency or Department Consultation	City Verification (date and initials)
C. WATER			
C-1 Prior to approval of a Final Map or subsequent development projects, the applicant shall demonstrate to the City that storm drainage facilities are adequate to meet Project demands and that improvements are consistent with the <i>Merced County Critical Area Flooding and Drainage Plan</i> and any updates.	Tentative Maps	City Engineering & Public Works	
C-2 Prior to alteration or removal of the existing elevated YVRR roadbed in the eastern portion of the project area, the property owner shall demonstrate, through competent analysis acceptable to the City of Merced, what effect removal of the roadbed will have on area flood waters delineated in the Special Flood Hazard Area identified on the east side of the roadbed, including impacts to other properties.	Tentative Maps Building Permits Conditional Use Permits/Site Plan Approvals	City Engineering & Public Works	
C-3 Prior to approval of subsequent development projects, the applicants shall demonstrate to the City that temporary erosion control measures will be followed during construction.	Building Permits	City Inspection Services	
C-4 As individual projects are determined, the applicants shall provide detailed information to the City regarding projected water usage. The applicants shall provide all water system needs (including wells, water mains, etc.) for individual projects or pay equivalent fees to insure the construction of the necessary water infrastructure.	Building Permits/ Parcel Maps	City Engineering & Public Works	
C-5 Industrial users shall recycle their own water if feasible and implement water conservation measures and techniques as determined for individual projects.	Building Permits	City Engineering & Public Works	
C-6 Areas within 100-year flood plains will be required to comply with all pertinent provisions of the City's Flood Damage Prevention Ordinance (MMC 17.48) and all updates. (C-7) (General Plan 2-a) When site-specific development proposals with direct discharge into the area's surface water system are submitted to the City for review and action, Best Management options should be evaluated to determine need and feasibility.	Building Permits Subdivision maps/Parcel maps/ Building permits	City Inspection Services & Engineering Engineering	
(C-8) (General Plan 2-b) Water conservation policy of the City should be periodically reviewed to determine need, appropriateness, and feasibility of implementing conservation practices suggested in the Merced Water Supply Plan.	Subdivision maps/Parcel maps/ Conditional Use Permits	Engineering/Public Works/ City Planning	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
E. ANIMAL LIFE			
E-1 If any future development takes place during the Swainson's Hawk nesting season (late March through July), a pre-construction survey should be conducted by a qualified biologist to determine whether nesting activities are taking place within appropriate portions of the project area covered by this species assessment (Appendix A) (Fahrens Creek corridor from the west edge of "R" Street to the north edge of Yosemite Avenue).	<i>Final Maps</i> <i>Building Permits</i>	<i>City Planning</i> <i>CA Dept of Fish & Game</i>	
E-2 With regard to the Giant Garter Snake, for any development taking place in proximity to the Fahrens Creek corridor, from the west edge of "R" Street to the north edge of Yosemite Avenue: a) provide environmental awareness training to contractors doing work in this area; b) restrict construction along the Creek to only the snake's active season (May 1 through September 30); and c) have a qualified biologist conduct pre-construction surveys 24 hours in advance of construction activities.	<i>Final Maps</i> <i>Building Permits</i>	<i>City Planning</i> <i>CA Dept of Fish & Game</i>	
F. NOISE			
F-1 A 6 foot or higher sound wall or earthen berm (or combination of both), or some other acceptable method for achieving comparable noise reduction, may need to be constructed to meet the City's outdoor noise level standards of DNL 60dB for new residential development adjacent to perimeter arterials (Yosemite Avenue and "R" Street). Depending upon the DNLs and the acoustical shielding provided by the first row of buildings (if any), existing and new residential development located a greater distance from the perimeter arterials may require lower sound walls or a combination of sound attenuation measures. As an alternative to sound walls, new dwelling units may be oriented so that the outdoor use areas would be shielded by the building. As necessary detailed noise projections should be prepared to corroborate earlier noise studies/projections and actual height requirements for sound walls, prior to recordation of final maps for each phase of residential development falling within applicable noise zones.	<i>Final Maps</i> <i>Building Permits</i>	<i>City Planning</i>	

Mitigation Measure	Timing	Agency or Department Consultation	City Verification (date and initials)
F-2 Project residential developments constructed within pertinent noise zones in proximity to Yosemite Avenue and "R" Street would require sound-rated windows, as well as sound-rated exterior wall assemblies where necessary, or other acceptable methods of sound attenuation to achieve comparable noise reductions, to be consistent with the 45 dB interior noise level maximum.	<i>Final Maps Building Permits</i>	<i>City Planning</i>	
F-3 Trucks used for the development of Fahrens Creek will be required to use the City's designated truck routes, to be demonstrated by the project applicant through the submittal of a construction traffic plan to the City Engineer prior to the issuance of grading permits.		<i>City Planning City Inspection Services</i>	
F-4 All construction activity shall be conducted in accordance with City of Merced standards for times of operation.	<i>Building Permits</i>	<i>City Inspection Services</i>	
F-5 Grading and construction activity shall be limited to daylight hours (between 7 a.m. and 7 p.m.) in areas where noise sensitive receptors are located.	<i>Building Permits</i>	<i>City Inspection Services</i>	
F-6 In noise sensitive areas, construction equipment, compressors, and generators shall be fitted with heavy duty mufflers specifically designed to reduce noise impacts.	<i>Building Permits</i>	<i>City Inspection Services</i>	

Mitigation Measure		Timing	Agency or Department Consultation	City Verification (date and initials)
G. LIGHT AND GLARE				
G-1	The applicants shall utilize lighting fixtures of minimal wattage necessary to provide adequate lighting for security, industrial operations, and circulation. Light spill shall be controlled by baffles, cut-off lenses, and fixture height necessary to minimize spill-over onto adjacent properties. Prior to building permit approvals, lighting plans shall be submitted for review by the City which specifies lighting type, location, and methods for minimizing spill.	Building Permits	City Planning	
M. TRANSPORTATION /CIRCULATION				
M-1	The Project shall pay all fees as required under the City's Public Facilities Impact Fees (Chapter 17.62 of the Merced Municipal Code).	Certificate of Occupancy	City Planning & City Engineer	
M-2	The developer shall construct all collector, local, or cul-de-sac streets within the Project boundaries to their ultimate right-of-way with full frontage improvements as defined by the City of Merced Standard Designs for all Engineering Structures and the Merced Vision 2015 General Plan and any amendments thereto. This will include its proportional share of the proposed Reverse Frontage Road North-South Collector to be located along the west boundary of AREA A/east boundary of AREA B (and, if included, along the east boundary of AREA C), and any new interior streets within the Project boundaries. The timing of construction of the improvements is to be governed by the Subdivision Map Act and/or local ordinance.	Tentative Maps/ Parcel Maps/ Site Plan Reviews	City Planning & Engineering	
M-3	The developer shall dedicate half the required right-of-way for all arterial and higher order streets adjacent to the Project boundaries as defined in the <i>Merced Vision 2015 General Plan</i> . This includes both Yosemite Avenue and "P" Street (each adjacent to AREA A), as well as Highway 59 (currently several design concepts are under study/evaluation by Caltrans) adjacent to AREA B (and, if included, AREA C). Consistent with Mitigation Measure 7.b of the Merced Vision 2015 General Plan EIR, where the extent of right-of-way dedication exceeds the City's development standards for a collector street (currently 74 feet for a collector street located entirely within the Project and 37 feet for a collector abutting the Project), then the developer is eligible for reimbursements in accordance with the City's Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project's traffic impacts require additional dedication.	Tentative Maps/Site Plan Reviews	City Planning & Engineering	

Mitigation Measure	Timing	Agency or Department Consultation	City Verification (date and initials)
<p>M-4 The developer shall construct the "collector equivalent" (74 feet) portion of the right-of-way, along with full frontage improvements along the Project boundaries and at least one travel lane in each direction, for all arterial and higher order streets within the Project boundaries. Consistent with Mitigation Measure 7b of the Merced Vision 2015 General Plan EIR, where the extent of street improvements exceeds one-half of a "collector equivalent" street for a project fronting only one side of the street, the project is eligible for reimbursement for the cost of improvements exceeding the one-half "collector equivalent" in accordance with the City's Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project's traffic impacts require additional improvements.</p>	<p>Tentative Maps/ Parcel Maps/ Site Plan Reviews</p>	<p>City Planning & Engineering</p>	
<p>M-5 The owner of each adjacent corner within AREA A shall be responsible for one-quarter of the cost of a traffic signal, to City standards and the satisfaction of the City Engineer, at each quarter mile/half-mile collector intersection with Yosemite Avenue, as well as the intersection of Lehigh Drive (extended) with "R" Street, whenever warrants are met in the judgment of the City Engineer. In such a case, installation of an intersection traffic signal by one developer could even be required at any of these locations by the City Engineer prior to full build-out and adjacent properties, if warrants are met, subject to adopted reimbursement requirements. Security shall be determined at the time of first subdivision map or other discretionary action.</p>	<p>Tentative Maps/ Parcel Maps/ Site Plan Reviews</p>	<p>City Planning & Engineering</p>	
<p>(M-6) (General Plan 7a) Appropriate traffic studies shall be prepared for all development projects which can be expected to reduce a road segment or intersection level of service below "D." (Note: Studies are not anticipated, based upon current projections, but could be required in the event of future changes).</p>	<p>Subdivision Map/ Conditional Use Permit</p>	<p>Engineering</p>	
<p>(M-7) (General Plan 7b) The City shall require all development proposals to contribute, based on their proportionate share of impact, to circulation system improvements necessary to maintain at least a level of service "D" on all road segments and intersections impacted by the development project.</p>	<p>Subdivision Map/ Conditional Use Permit</p>	<p>Engineering/Planning/ Finance</p>	

N. PUBLIC SERVICES				
FIRE				
N-1	The applicants shall be required to provide a level of accessibility and rangeland management (firebreaks and/or disking) for fire suppression that is acceptable to the City of Merced.	Tentative Maps/ Parcel Maps Building Permits	City Planning & Fire	
SCHOOLS				
N-2	Careful coordination is required between City, developer(s), and School District regarding phasing of infrastructure improvements within the general area, to achieve safe, adequate access for both school construction and operation.	Tentative Maps/ Parcel Maps Building Permits	Planning staff, City Engineer, and City School District	
N-3	Prior to the issuance of building permits, the applicant shall be responsible for the payment of school facility impact fees as adopted by the Merced City School District and Merced Union High School District.	Building Permits	City School District and MUHSD	
(N-4)	(General Plan 8-c) Site designs will need to be reviewed to assure that development does not hinder efficient and cost-effective public services delivery.	Tentative Maps/ Parcel Maps/ Conditional Use Permits	Planning staff, City Engineer, and City School District	
(N-5)	(General Plan 8-d) Development projects will be required to pay public facilities impact fees as established by the City in accordance with the requirements of State law.	Building Permit	Planning Staff/ Finance	

Mitigation Measure				
T. CULTURAL RESOURCES				
T-1	If evidence of archaeological artifacts is discovered during construction, all operations within an area at and adjacent to the discovered site shall halt until a qualified archaeologist determines the extent of significance of the site.	Building Permits	City Inspection Services	
T-2	On-site preservation of a resource is the preferred alternative. Preserving a cultural deposit maintains the artifacts in context and may prevent inadvertent discovery of, or damage to, human burials. Preservation may be accomplished through a number of means such as capping or covering the site with a layer of soil, fencing the site area, and/or incorporation of the resource in a park area.	Building Permits	City Inspection Services	

Copies of This Form Distributed To:

City Council _____ City Manager _____ City Planner _____ Public Works Dir. _____ City Engineer _____ Fire Chief _____
Police Chief _____ Leisure Serv. Dir. _____ County of Merced (Dept. _____) Other (List _____)
Responsible Agency: (List _____)

I hereby certify that I have inspected the project site and that the above information is true to the best of my knowledge.

Name: (Print) _____ Representing: (Agency/Firm) _____

Signature: _____ Date: _____