

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, October 10, 2019

Acting Chairperson ESPINOSA called the meeting to order at 1:32 p.m.

1. ROLL CALL

Committee Members Present: Chief Building Official Frazier, City Engineer Beltran, and Planning Manager Espinosa (for Director of Development Services McBride)

Committee Members Absent: None

Staff Present: Deputy Fire Chief Wilson and Associate Planner/Recording Secretary Nelson

2. MINUTES

M/S BELTRAN-FRAZIER, and carried by unanimous voice vote, to approve the Minutes of July 18, 2019, as submitted.

3. COMMUNICATIONS

None.

4. ITEMS

- 4.1 Site Plan Application #443, submitted by John Heintz and Greg Fish on behalf of Merced Station LLC, property owner. The approval allows for an increase in the number of apartment units, which results in the same number of bedrooms, for the Merced Station Apartment project located on the south side of Yosemite Avenue at Lake Road within Planned Development (P-D) #76, with a General Plan designation of High Medium Density Residential (HMD).

Associate Planner NELSON reviewed the application. Refer to Draft Site Plan Resolution #443 for further information.

The applicant, John Heintz, and Doug Parson and Des Johnston with Quad Knopf, were in attendance.

Ted WALSTROM, Merced Union High School District, spoke to advocate for the City and developers to work with the School District to ensure adequate school facilities are provided as housing development continues. He mentioned that he was concerned schools were not mentioned in the project information.

Ken TESTA, Merced City School District, stated that the City has a good relationship with the School District, but agrees that providing school facilities to serve new developments is challenging.

M/S FRAZIER - BELTRAN, and carried by the following vote to adopt a Environmental Review #19-27 (CEQA Section 15162 Findings), and approve Site Plan Application #443, subject to the Findings and three (3) conditions set forth in Draft Resolution #443:

AYES: Committee Members Beltran, Frazier, and Acting
Chairperson Espinosa
NOES: None
ABSENT: None

- 4.2 Extension of Vesting Tentative Subdivision Map (VTSM) #1271 ("Moraga of Merced"), submitted by Bill Walls on behalf of Lennar Homes, Inc., property owners, for the subdivision of 117 acres into 520 single-family lots generally located east of McKee Road and south of Yosemite Avenue.

Associate Planner NELSON reviewed the application for this item. For further information, refer to the memo to the Site Plan Review Committee dated October 10, 2019.

The applicant was not in attendance.

Ted WALSTROM, Merced Union High School District, stated that he believed that Section 66452.6 (e) of the Subdivision Map Act only provides a 60 day extension or until the City takes action (whichever comes first). Ms. NELSON explained that the previous City Attorney, Jolie Houston, had advised that the automatic extension granted when an applicant requests an extension extends the map until the City takes action.

The Committee had no questions for staff and no one from the audience spoke on this matter.

M/S FRAZIER-BELTRAN, and carried by the following vote to to grant a one-year extension for Vesting Tentative Subdivision Map #1271 subject to the Findings and thirty-nine (39) conditions set forth in the Planning Commission Resolution #2817.

AYES: Committee Members Beltran, Frazier, and Acting
Chairperson Espinosa
NOES: None
ABSENT: None

5. **INFORMATION ITEMS**

5.1 **Calendar of Meetings/Events**

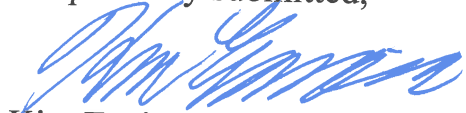
There was no discussion regarding the calendar of meetings/events.

6. **ADJOURNMENT**

There being no further business, Acting Chairperson ESPINOSA adjourned the meeting at 1:55 p.m.

Site Plan Review Committee Minutes
October 10, 2019
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Respectfully submitted,



Kim Espinosa, Secretary
Merced City Site Plan Review Committee

APPROVED:



Scott McBride, Chairperson/
Director of Development Services
Merced City Site Plan Review Committee

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #443

John Heintz and Greg Fish for Merced Station, LLC APPLICANT	Site Plan Review to increase the number of apartment units allowed for the Merced Stations project from 225 units to 270 units. PROJECT
774 Mays Blvd., Stew 10-499 ADDRESS	South side of Yosemite Avenue at Lake Road PROJECT SITE
Incline Village, NV CITY/STATE/ZIP	008-010-071 and -075 APN
89451-7632 PHONE	Planned Development (P-D) #76 ZONING

In accordance with Chapters 20.20.020 (O) and 20.72.050 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and administratively approved Site Plan Application #444 on October 10, 2019, submitted by John Heintz and Greg Fish on behalf of Merced Station LLC, property owner. The approval allows for an increase in the number of apartment units, which results in the same number of bedrooms, for the Merced Station Apartment project located on the south side of Yosemite Avenue at Lake Road. Said property being more particularly described as all that property described in Document No. 2018005302 (Grant Deed), Merced County Records, also known as Assessor's Parcel Numbers 008-010-071 and -075 (Exhibit 1).

WHEREAS, Planning staff has conducted an environmental review of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and concluded that Environmental Review #19-27 is a second tier environmental document, based upon the City's determination that the proposed development remains consistent with the current general plan and provisions of CEQA Guidelines, Section 15162 (Mitigated Negative Declaration for Environmental Review #16-37). A copy of the Section 15162 Findings can be found at Exhibit 7.

WHEREAS, the Merced City Site Plan Review Committee makes the following Findings:

- A) Planned Development (P-D) #76 was established by Ordinance No. 2477, introduced by the City Council on June 5, 2017, and adopted June 19, 2017 (Exhibit 2).

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #443 subject to the following conditions:

- 1) The Floor Plans and Site Plan provided at Exhibits 4 and 5 are approved as proposed.
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan Review Application”) shall apply.
- 3) The project shall comply with all conditions of Planning Commission Resolution #3082, including all mitigation measures for Environmental Review #16-37 (Exhibit E of Site Plan Resolution #409), and all conditions of Site Plan Review #409 (Exhibit 3).

If there are any questions concerning these conditions and recommendations, please contact Julie Nelson at (209) 385-6858.

10/10/2019

DATE


SIGNATURE

Associate Planner

TITLE

Exhibits:

- 1) Location Map
- 2) Ordinance No., 2477
- 3) Site Plan Review #409
- 4) Proposed Floor Plan
- 5) Proposed Site Plan
- 6) Unit Comparison Chart
- 7) CEQA Section 15162

ORDINANCE NO. 2477

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, ESTABLISHING PLANNED DEVELOPMENT (P-D) #76 AND AMENDING THE OFFICIAL ZONING MAP BY REZONING 14.86 ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF YOSEMITE AVENUE AT LAKE ROAD FROM LOW DENSITY RESIDENTIAL (R-1-6) TO PLANNED DEVELOPMENT (P-D) #76 AND 2.39 ACRES FROM PLANNED DEVELOPMENT (P-D) #52 TO PLANNED DEVELOPMENT (P-D) #76; AND APPROVING A DEVELOPER AGREEMENT THEREFORE

THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS. The City Council finds that the facts submitted with the applicant and presented at the public hearing establish compliance with the Findings required by Merced Municipal Code Section 20.20.020 – Planned Development (P-D) Zoning Districts for the property described in Exhibit A, and as shown on the map at Exhibit B, which are attached hereto and incorporated herein by this reference. These Findings are described in Exhibit C, attached hereto and incorporated herein by this reference.

SECTION 2. AMENDMENT TO CODE. The property described in Exhibit A and shown on the map depicted in Exhibit B, both of which are attached hereto and incorporated herein by this reference, is hereby rezoned as shown on said map from Low Density Residential (R-1-6) and Planned Development (P-D) #52 to Planned Development (P-D) #76 and shall be subject to all limitations, restrictions and requirements of Chapter 20.20.020 of the Merced Municipal Code.

SECTION 3. STANDARDS. Pursuant to Section 20.20.020 of the Merced Municipal Code, the rezoned property shall be subject to the following standards:

	<ol style="list-style-type: none"> 3. Apartment common recreational areas should be easily viewed by residents within the units and shall be defined by a physical boundary. 4. Physical changes (such as picket fences, porches, decks, or landscape features) to mark and define areas near a dwelling as that unit's "territory" should be installed. 5. Keyed access gates and surveillance cameras should be installed to enter common areas.
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SECTION 4. CHANGE OF MAP. The Director of Development Services is hereby directed to make the appropriate markings on the Official Zoning Map in conformance with this Ordinance and the provisions of Title 20 of the Merced Municipal Code, as shown on Exhibit D, attached hereto and incorporated herein by this reference.

SECTION 5. OFFICIAL SITE UTILIZATION PLAN. The map shown on Exhibit E, is hereby established and designated as the official Site Utilization Plan for the property subject to this Ordinance.

SECTION 6. DEVELOPER AGREEMENT. The Developer Agreement between the City of Merced and Fagundes Dairy a General Partnership and CBCP Assets, LLC, pertaining to the approvals granted herein, and by Ordinance establishing Planned Development (P-D) #76 and approving Zone Change #424 is hereby approved. These approvals are contingent upon the property owner executing and returning the Developer Agreement. The City Manager or Assistant City Manager is hereby authorized to execute the Developer Agreement on behalf of the City of Merced.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

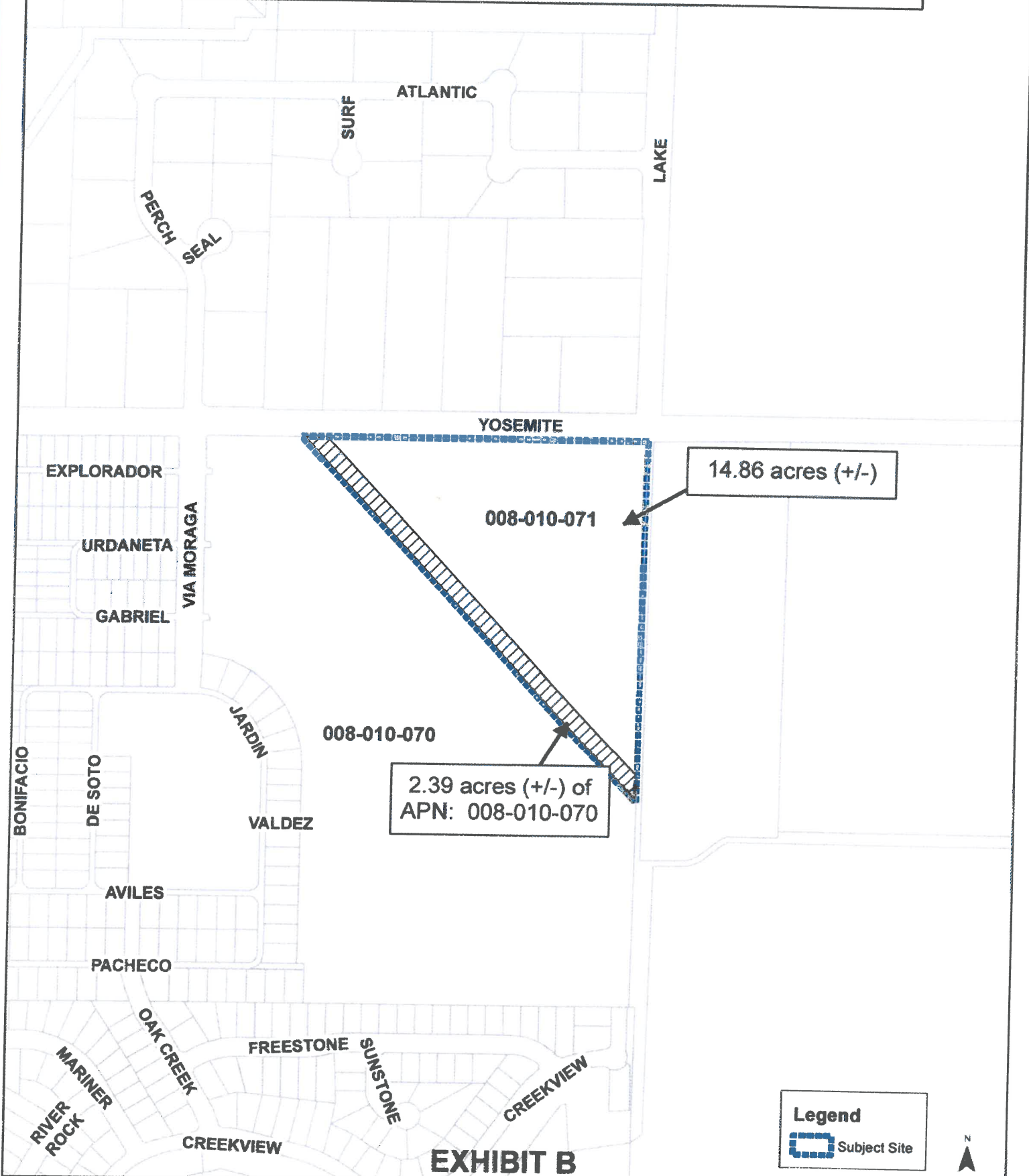
SECTION 8. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections,

APPROVED AS TO FORM:



City Attorney **5-10-2017**
Date

**ZONE CHANGE #424
ESTABLISHMENT OF PLANNED DEVELOPMENT #76**



14.86 acres (+/-)

008-010-071

008-010-070

2.39 acres (+/-) of
APN: 008-010-070

Legend

 Subject Site



EXHIBIT B

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

The proposed project would sit on 17.25 acres of land. The residential portion of the project would sit on approximately 16.25 acres and be developed at a density of 14 units per acre which is consistent with the General Plan designation of High-Medium Density Residential (HMD). The commercial component of the project would consume the remaining 1 acre of land. As shown on the site plan at Attachment B, the proposed project provides ample setbacks, open space and recreational areas, as well as parking. The site is of sufficient size to accommodate the proposed development.

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

The proposed project would have two access points from Yosemite Avenue. The main entrance would align with Lake Road and the secondary access would be near the western edge of the site. This provides sufficient access to the site for residents, customers, and emergency services.

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

The site would be served by the City's water and sewer facilities. Sufficient capacity is available for both water and sewer to serve this project. A water line exists in Yosemite Avenue which extends the full length of the project frontage. This line is of adequate size to serve the proposed development.

A sewer line is available for extension in Yosemite Avenue at Via Moraga. This line would have to be extended to the project site and across the full frontage of the property to serve the site.

The storm drain facilities in Yosemite Avenue are sufficient to serve the project as well. Although, storm water shall be captured onsite prior to entering the City's storm drain system.

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

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

The proposed project is not expected to adversely effect the surrounding property. Certain impacts are to be expected when developing vacant land. However, the developer has been sensitive to the surrounding uses with the proposed design. The large setbacks, the use of "green" construction practices, and the use of an experienced apartment management company would help reduce any adverse

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

The proposed project deviates from the standard zoning requirements by the use of a mixed-use development which combines both residential and retail uses in one development. Additionally, the building height proposed for the student housing units exceeds the height allowed by the R-3 and R-4 zones. In exchange for allowing these deviations, the developer has incorporated several nice amenities into the complex, such as a gated complex, a community plaza, a dog park, basketball court, and a complete network of walking paths throughout the student housing complex. In addition, an onsite shuttle service would be provided for the residents to go to and from the UC Merced and Merced College Campuses. Along with these amenities, both the residential buildings and commercial building will be designed to incorporate many energy-saving features and elements that are typical for LEED certified buildings

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

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

WHEREAS, the Merced City Site Plan Review Committee makes the following Findings:

- A) The project site is located at the southwest corner of Yosemite Avenue and Lake Road (Exhibit A). The proposal complies with the City of Merced General Plan designation of High-Medium Density Residential (HMD) and the Zoning designation of Planned Development (P-D) #76.
- B) A Lot Line Adjustment is being processed for this site to add 2.39 acres of land from Assessor's Parcel Number 008-010-070 to Assessor's Parcel Number 008-010-071 (refer to location map at Exhibit A).
- C) The owners will contract with a waste management service to collect the refuse from each apartment building and transfer it to the compactor and recycling sites located at the southeast corner of the site. The City's Refuse Department will pick up the compacted refuse and recycling at these locations.
- D) The proposal does not include the commercial building and associated parking, which will require its own Site Plan Review Permit. However, the main entrance from Yosemite Avenue located at the east end of the project is included in this approval.
- E) The project site is located within FEMA Flood Zone 'X' [not Zone X (shaded) as referenced in Finding M of Planning Commission Resolution #3082]. According to the Urban Level of Flood Protection Summary Report prepared for the City in November 2015, projects within this FEMA Flood Zone are only required to meet the FEMA Standard of Flood Protection in order to comply with the California Urban Level of Flood Protection requirements.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #409 subject to the following conditions:

- 1) The proposed project shall be constructed/designed in substantial compliance with Exhibit B (site plan), Exhibit C (elevations), and Exhibit D (floor plans) - except as modified by the conditions.
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan Review Application”) shall apply.
- 3) The Project shall comply with the conditions set forth in Planning Commission Resolution #3082 (Exhibit E), including all mitigation measures outlined in the Mitigation Monitoring Program and the Developer Agreement for General Plan Amendment #16-06, Zone Change #424, and Planned Development (P-D) Establishment #76, except as modified by the conditions of approval within this resolution for Site Plan Review #409.
- 4) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes.

Department. The private waste management company is not allowed to remove waste from the site, which must be accomplished by the City's Refuse Department per City Code.

- 12) The design of the carports may be modified by the Director of Development Services at the building permit stage. The height of the portion of the carports that overhang the bike path shall be approved by the City Engineer and Director of Public Works at the building permit stage. The color of the carports shall match or be compatible with the color of the apartment buildings.
- 13) The premises shall remain clean and free of debris and graffiti at all times.
- 14) All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.

If there are any questions concerning these conditions and recommendations, please contact Julie Nelson at (209) 385-6858.

6-29-17
DATE


Julie Nelson

Associate Planner
TITLE

Exhibits

- A) Location Map
- B) Site Plan
- C) Elevations
- D) Floor Plans
- E) Planning Commission Resolution #3082 (including the Mitigation Monitoring Program adopted by the City Council on June 5, 2017)

Hochhauser
Blatter

ARCHITECTURE
AND PLANNING

121 E. ARRELLAGA
SUITE 100
CULVER CITY, CA 90230
805 962 2746

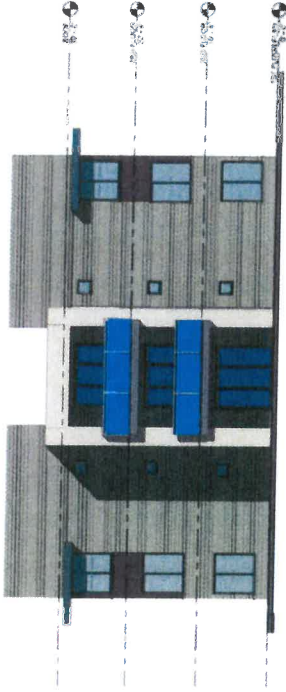
UNIVERSITY VILLAGE AT LAKE

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100
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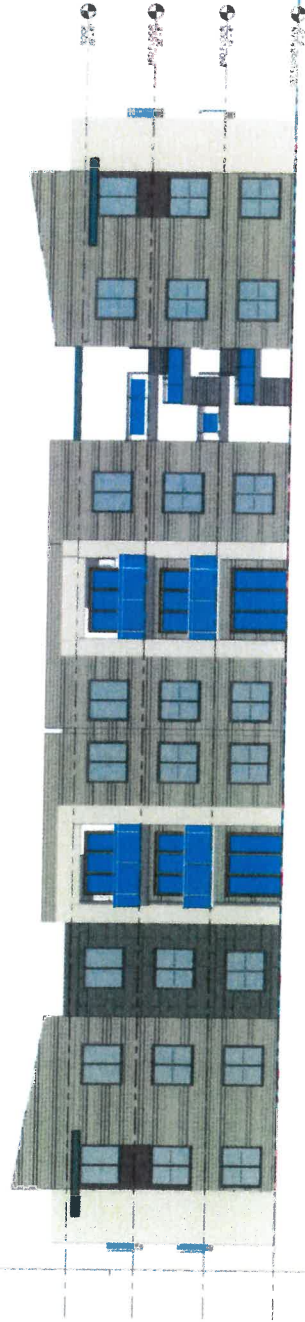
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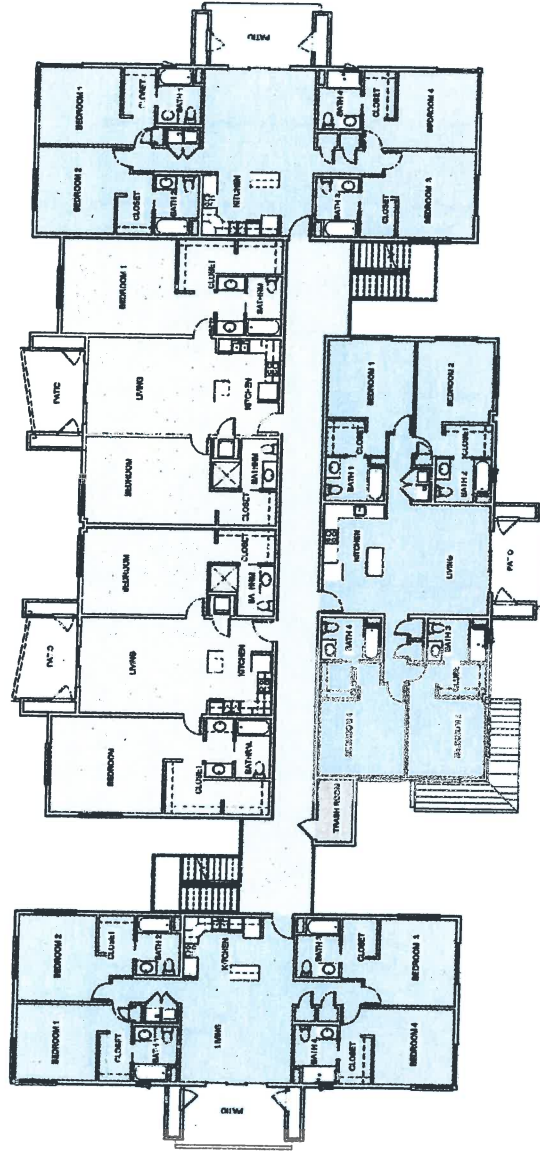
A3.2R



RESIDENTIAL - WEST ELEVATION 1/8" = 1'-0" 1



RESIDENTIAL - NORTH ELEVATION 1/8" = 1'-0" 2



SECOND FLOOR PLAN

RESIDENTIAL BUILDING

UNIVERSITY VILLAGE AT LAKE

CITY OF MERCED
Planning Commission

Resolution #3082

WHEREAS, the Merced City Planning Commission at its regular meeting of April 19, 2017, held a public hearing and considered **General Plan Amendment #16-06, Zone Change #424, and the Establishment of Planned Development (P-D) #76**, initiated by University Village LLC, on behalf of Fagundes Dairy, A Partnership and CBCP Assets, LLC, property owners. The application is a request to change the General Plan and Zoning designations and to establish a Planned Development (P-D) for approximately 17.25 acres of land located on the south side of Yosemite Avenue at Lake Road. The requested General Plan Amendment would change the General Plan designation from Low Density Residential (LD) to High-Medium Density Residential (HMD) for approximately 16.25 acres and to Neighborhood Commercial (CN) for approximately 1 acre of the site. The Zone Change would change the Zoning designation for 14.86 acres from R-1-6 to Planned Development (P-D) #76 and 2.39 acres from Planned Development (P-D) #52 to Planned Development (P-D) #76 for the future development of 225 student housing units and a 6,600-square-foot commercial building; also known as Assessor's Parcel No. 008-010-071; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through L of Staff Report #17-08, with the additional Finding as follows:

- M. State law requires the City make a finding related to the California Urban Level of Flood Protection (200-year Flood) for all new development within any Special Flood Hazard Area (SFHA) as defined by FEMA. The project site is located in a FEMA Flood Zone X (shaded). According to the Urban Level of Flood Protection Summary Report prepared for the City in November 2015, projects within this FEMA Flood Zone are only required to meet the FEMA Standard of Flood Protection in order to comply with the California Urban Level of Flood Protection requirements. Condition #38 below has been added to address compliance with all flood requirements.

WHEREAS, after reviewing the City's Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend to City Council adoption of

Conditions of Approval
Planning Commission Resolution #3082
General Plan Amendment #16-06, Zone Change #424, and
Establishment of Planned Development (P-D) #76

1. The proposed project shall be constructed/designed in substantial compliance with Exhibit 1 (site plan) and Exhibit 2 (elevations), -- Attachments B and C of Staff Report #17-08, except as modified by the conditions.
2. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
3. All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
4. Approval of the General Plan Amendment and Zone Change is subject to the applicant's entering into a written (developer) 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.
5. 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

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) #76.
10. Any missing improvements on Yosemite Avenue along the project frontage shall be installed 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.
11. Street trees shall be planted along the project frontage on Yosemite Avenue in compliance with City Standards.
12. The project shall be responsible for the installation of a traffic signal at the intersection of Lake Road and the project entrance. The developer shall be eligible for reimbursement of up to 50% of the cost of the traffic signal in accordance with the City's Public Facilities Financing Plan (PFFP).
13. A raised curb shall be installed at the intersection of Lake Road and Yosemite Avenue and shall extend west from the intersection 180 feet. The design of the raised curb shall be approved by the City Engineer prior to construction.
14. 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).
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 the storm drain system approved for the Moraga subdivision.
16. All new utilities shall be installed underground.
17. The existing sewer line in Via Moraga shall be extended to a point to adequately serve the project site. The connection point shall be approved by the City Engineer and Public Works Director.
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. All gated entrances/exits, shall be provided with a Knox-box that is

29. 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.
30. 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.
31. All walking paths, bicycle and vehicle parking areas, and recreational areas shall be provided with sufficient lighting to ensure a safe environment.
32. All mechanical equipment shall be screened from public view.
33. 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.
34. The developer may install carports over some or all of the required parking spaces. Any carports installed near the bike path on the east side of the property shall have a minimum one foot setback from the edge of the easement for all vertical members and all horizontal members shall be a minimum of five feet from the property line. Specific design and location of the carports shall be approved by the Site Plan Review Committee.
35. The owner shall modify the Easement Deed granted in Document #2013-005030 to remove the conditions which reserve the grantor the right "to use the underlying property at any time for any purpose" (paragraph 2 of said document) and allows the grantor to relocate the

<p style="text-align: center;">ENVIRONMENTAL REVIEW #16-37 Mitigation Monitoring Program</p>
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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 General Plan Amendment #16-06, Zone Change #424, and Establishment of Planned Development (P-D) #76 shall run with the real property. 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 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.

General Plan Amendment #16-06/Zone Change #424/Establishment of Planned Development (P-D) #76
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).

E-3	E-2) If evidence of a paleontological resource, site, or unique geological feature is discovered during construction, all operations within the area and adjacent to the discovered site shall halt until a qualified paleontologist or geologist determines the extent of significance of the site and the mitigation/preservation of any resources.	Building Permit	Planning Department	
F) Geology and Soils				
F-2	F-1) Prior to the approval of a tentative subdivision map or building permit, the City shall review plans for drainage and storm water run-off control systems and their component facilities to ensure that these systems are non-erosive in design.	Building Permit	Engineering Department	
	F-2) Upon completion of phased construction, subsequent phases 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 or to avoid negative impacts to nearby agricultural activities, subject to the approval of the City.	Building Permit	Planning Department	
	F-3) Projects under review shall be required to submit temporary erosion control plans for construction activities.	Building Permit	Engineering Department	
F-4	F-4) All recommendations for addressing expansive soils and site grading recommended in the Geotechnical Study prepared by Kleinfelder and found at Attachment E of Initial Study #16-37 shall be implemented.	Building Permit	Inspection Services Department	
	F-5) Building plans shall be reviewed by a registered engineer or other professional specializing in geo-technical assessments to ensure that the soils can support the load.	Building Permit	Inspection Services Department	

Certificate of Completion:

By signing below, the environmental coordinator confirms that the required mitigation measures have been implemented as evidenced by the Schedule of Tasks and Sign-Off Checklist, and that all direct and indirect costs have been paid. This act constitutes the issuance of a *Certificate of Completion*.

Environmental Coordinator

Date

Hochhauser
Blatter
ARCHITECTURE
AND PLANNING

122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805.962.2746

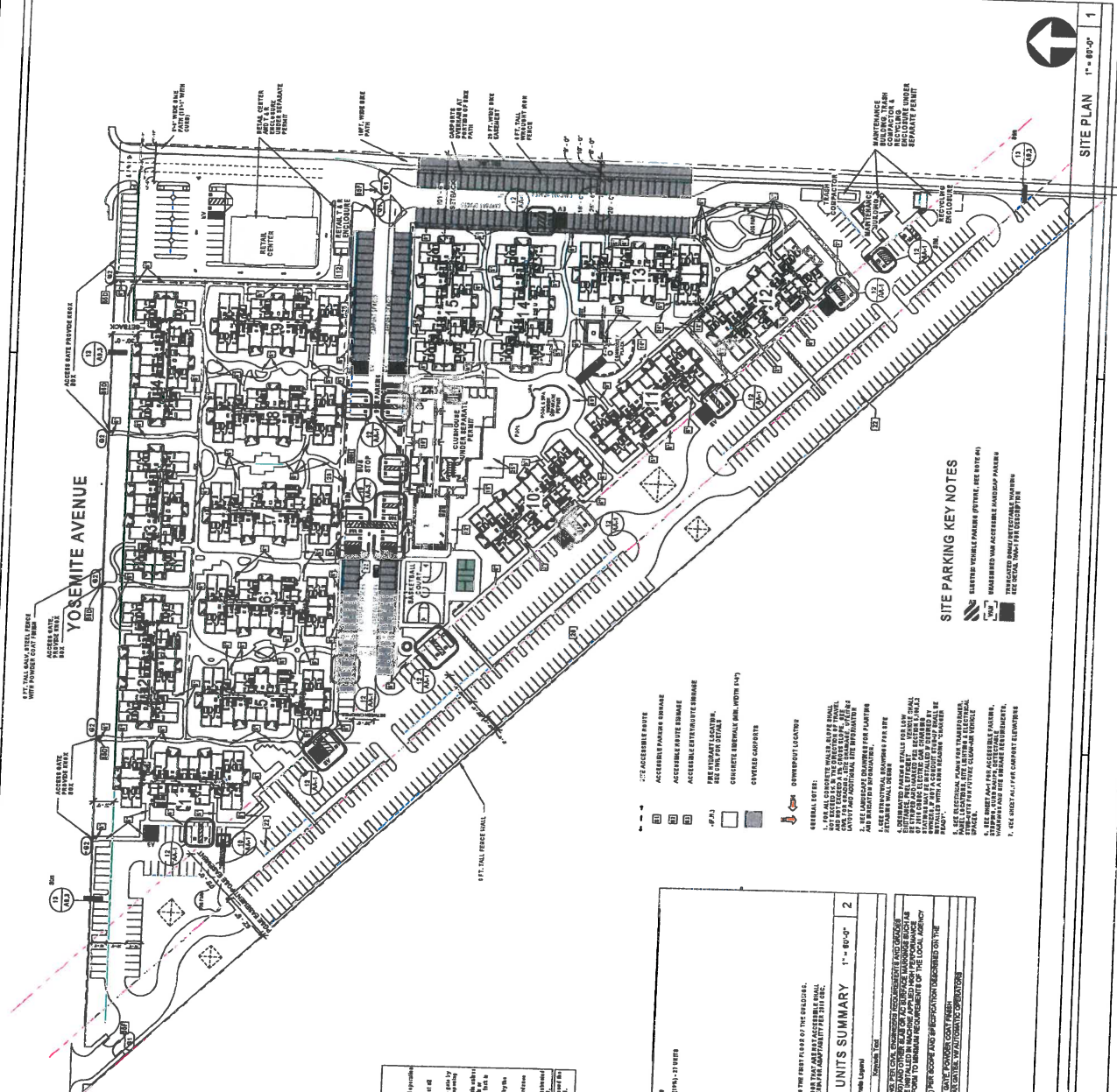
MERCED STATION

DATE	REVISIONS
10/20/2011	1. INITIAL DESIGN
11/02/2011	2. REVISIONS TO PLAN
11/02/2011	3. REVISIONS TO PLAN
11/02/2011	4. REVISIONS TO PLAN
11/02/2011	5. REVISIONS TO PLAN
11/02/2011	6. REVISIONS TO PLAN
11/02/2011	7. REVISIONS TO PLAN
11/02/2011	8. REVISIONS TO PLAN
11/02/2011	9. REVISIONS TO PLAN
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11/02/2011	16. REVISIONS TO PLAN
11/02/2011	17. REVISIONS TO PLAN
11/02/2011	18. REVISIONS TO PLAN
11/02/2011	19. REVISIONS TO PLAN
11/02/2011	20. REVISIONS TO PLAN



PROJECT NO. 1017
SHEET NO. 1

A1.0



SITE PARKING KEY NOTES

- 1. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 2. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 3. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 4. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 5. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 6. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 7. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 8. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 9. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 10. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 11. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 12. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 13. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 14. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 15. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 16. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 17. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 18. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 19. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.
- 20. SEE GENERAL NOTES FOR PARKING REQUIREMENTS.

Fire Department Notes:

The following information is provided for the Fire Department's use only. It is not intended to be a substitute for the Fire Department's own records and should be used in conjunction with the Fire Department's own records. The information is provided for the Fire Department's use only and is not intended to be a substitute for the Fire Department's own records.

TOTAL NUMBER OF RESIDENTIAL UNITS - 170	
RESIDENTIAL UNITS BY TYPE	
Building #	Residential Units
1	10
2	10
3	10
4	10
5	10
6	10
7	10
8	10
9	10
10	10
11	10
12	10
13	10
14	10
15	10
16	10
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169	10
170	10

**The California Environmental Quality Act
(CEQA) Section 15162 Findings:**

Application: Site Plan #443

Assessor Parcel Number or Location: Assessor's Parcel Number (APN): 008-010-071 and -075

Previous Initial Study/EIR Reference: This site was previously reviewed through the Initial Study #16-37, resulting in a Mitigated Negative Declaration. The current proposal is to construct 270 apartment units on approximately 16 acres of land.

Original Project Date: Environmental Review #16-37 for the University Village, Merced Project (now known as the Merced Stations Project), resulting in a Mitigated Negative Declaration, was adopted by the Merced City Council on June 5, 2017.

Section A - Previous Studies

1. Substantial changes are proposed in the project that will require major revisions of the previous project EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment/Finding: The proposed change to the project to increase the number of units from 225 units to 270 is consistent with the previous environmental review. The increase in the number of units does not constitute a significant change in the project. All previously reviewed impacts are not substantially changed by the increase in the number of units. Thus, this project remains consistent with the previous environmental review.

2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment/Finding: There have been no changes in the circumstances under which the project is undertaken that would require major revisions in the previous Mitigated Negative Declaration. There are no new significant environmental effects or substantial increases in the severity of previously identified environmental effects, and the area under consideration remains the same area previously evaluated.

3. New information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, has been revealed? (If "Yes" is checked, go to Section "B" below)

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>