CITY OF MERCED
Planning & Permitting Division

STAFF REPORT:	**#11-09**	**AGENDA ITEM:**	**4.1**
FROM:	Kim Espinosa, Planning Manager	**PLANNING COMMISSION** **MEETING DATE:** July 20, 2011 **CITY COUNCIL** (Tentative Date) **MEETING DATE:** September 19, 2011	

SUBJECT: **Adoption of the *Merced Vision 2030 General Plan* and its associated Environmental Impact Report.** The General Plan includes Urban Expansion, Land Use, Transportation & Circulation, Public Facilities & Services, Urban Design, Open Space, Conservation & Recreation, Sustainable Development, Housing (previously adopted May 16, 2011), Noise, and Safety Elements. The expansion of the City's growth boundary will define the limits for extending City services and infrastructure so as to accommodate new development anticipated within the 20 year time-frame of the General Plan. The current growth boundary or Specific Urban Development Plan (SUDP) contains approximately 20,000 acres and the current Sphere of Influence (SOI) contains approximately 33,700 acres. The proposed SUDP/SOI (now combined into one) contains 33,576 acres. Policies in the proposed General Plan promote compact urban development and provide for an orderly transition from rural to urban land uses. *PUBLIC HEARING*

ACTION: PLANNING COMMISSION:

Recommendation to City Council

1) Certification of Final Environmental Impact Report (FEIR) #10-01; Adoption of Draft Findings of Fact and a Draft Statement of Overriding Considerations; and Adoption of a Mitigation Monitoring Program
2) Adoption of *Merced Vision 2030 General Plan*
3) Adoption of *Merced Vision 2030 General Plan* Land Use Diagram

CITY COUNCIL:

Approve/Disapprove/Modify

1) Certification of Final Environmental Impact Report (FEIR) #10-01; Adoption of Findings of Fact and a Statement of Overriding Considerations; and Adoption of a Mitigation Monitoring Program
2) Adoption of *Merced Vision 2030 General Plan*
3) Adoption of *Merced Vision 2030 General Plan* Land Use Diagram

SUMMARY

The *Merced Vision 2030 General Plan* is a comprehensive update of the City's General Plan and will replace the *Merced Vision 2015 General Plan* adopted in 1997. The General Plan includes revised Land Use, Transportation & Circulation, Open Space/Conservation, Noise, and Safety Elements as well as optional elements—Urban Expansion, Public Services & Facilities, Urban Design, and Sustainable Development. (The Housing Element was adopted under a separate process in May 2011.) After extensive public review over the last six years, the *Merced Vision 2030 General Plan* is now ready for adoption after the Environmental Impact Report is certified. City staff is recommending approval.

ATTACHMENT 6

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of:

A) Certification of the Draft and Final Environmental Impact Report (EIR) #10-01; Adoption of Draft Findings of Fact and a Draft Statement of Overriding Considerations (Attachment G); and Adoption of a Mitigation Monitoring Program (Attachment F), subject to the Draft Resolution at Attachment H and with Page 2-2 of the Final EIR corrected to read "Letter 22: Thomas C. Grave" (not Thomas Lollini as noted); and,

B) Adoption of the *Merced Vision 2030 General Plan* in accordance with the August 24, 2010 Draft and the proposed changes at Attachment D, subject to the Draft Resolution at Attachment I; and,

C) Adoption of the *Merced Vision 2030 General Plan* Land Use Diagram (Figure 3.1 of the *Merced Vision 2030 General Plan*—Exhibit 1) with changes as outlined in Attachment C and divided into the following sectors as seen at Attachment A, subject to the Draft Resolution at Attachment I:

1) Sector I—South of Highway 99 until Glen Ave and then South of Highway 140
2) Sector II—East of G Street, North of Highway 140, & South of Olive Ave
3) Sector III—North of Highway 99 between G and M Streets, East of M between Olive & Yosemite Ave, and North of Yosemite, East of Paulson Rd
4) Sector IV—West of M St between Highway 99 and Yosemite Ave, North of Yosemite between San Jose Ave/M St and Paulson
5) Sector V—North of Yosemite Ave, West of San Jose Ave

PROJECT DESCRIPTION

The *Merced Vision 2030 General Plan* is organized into 14 separate chapters plus an Executive Summary as follows:

1) Introduction
2) Urban Expansion
3) Land Use
4) Transportation and Circulation
5) Public Services and Facilities
6) Urban Design
7) Open Space, Conservation, and Recreation
8) Sustainable Development
9) Housing (adopted separately on May 16, 2011, to be inserted into the final document)
10) Noise
11) Safety
12) Glossary of Terms
13) Bibliography
14) Subject and Policy Index (to be completed after adoption)

A Draft Environmental Impact Report (DEIR) and Final EIR (FEIR) have been completed for the *Merced Vision 2030 General Plan*. The current growth boundary (adopted in 1997 with the *Merced Vision 2015 General Plan*) or Specific Urban Development Plan (SUDP) contains approximately 20,700 acres and the current Sphere of Influence (SOI) contains approximately 33,700 acres. The proposed SUDP/SOI (now combined into one) contains 33,576 acres. An additional 10,000 acres are also included in the Area of Interest (AOI), which represents growth beyond the next 20 years.

BACKGROUND

Brief Overview of the General Plan Update Process

The following is a brief overview of the General Plan Update process. For a more detailed history of the project, please refer to Attachment B.

The General Plan Update process first began in 2005 and was originally supposed to simply add the UC Merced Campus, the University Community, and areas in between to the City's growth boundary. During 2006, much of the work was focused on defining the General Plan Update Study Area, which grew to include areas of expansion to the northwest, southwest, and southeast in addition to the UC Merced-related areas. In July 2006, after reviewing various options for a Draft SUDP/SOI boundary and several public meetings, the City Council adopted a Draft SUDP/SOI of approximately 43,591 acres or over double the size of the City's current SUDP (20,540 acres). In August 2006, a new firm, Quad-Knopf of Roseville, was hired to complete the General Plan Update and EIR after the original consultant contract was terminated.

Because of the size and population capacity of the General Plan Study Area, it became necessary to define a smaller boundary to accommodate the next 20 years of growth. Currently the City's Specific Urban Development Plan (SUDP) boundary and the Sphere of Influence (SOI) boundary are different boundaries with the SUDP reflecting a 20-year growth plan and the Sphere of Influence defining a longer time frame. However, since the City's SOI boundary was adopted by the Local Agency Formation Commission (LAFCO) in 1997, new criteria has been put in place by LAFCO that will require the City to demonstrate how we can provide services to all areas within the SOI. Because of those criteria, staff and the consultants recommended that the SUDP and SOI boundaries be co-terminus and that a larger Area of Interest (AOI) be defined that represents long-term growth areas. Areas within the SUDP/SOI will have City land use designations, but areas within the AOI will not. However, there are criteria included in the Draft General Plan defining how areas within the AOI can be added to the SUDP/SOI as time goes on. Further environmental studies will also be required before any of these AOI areas could be developed.

In September 2007, a Draft Land Use Diagram with a Draft SUDP/SOI was released for public review. After input from the community and property owners, the Draft Land Use Diagram was modified in February 2008 and included a 33,463-acre SUDP/SOI within the larger 43,591-acre Area of Interest, which corresponded to the original Draft SUDP/SOI. The combined SUDP/SOI is almost the same size (33,463 acres) as the current SOI (37,300 acres), but includes some different areas and the large area northeast of Lake Yosemite, the former planned site of the UC Merced Campus, has been removed.

During 2008 to 2010, the consultants worked with City staff to complete the Draft *Merced Vision 2030 General Plan* document (including all the goals, policies, and implementing actions) and the Draft EIR, both released for public review on August 24, 2010. The Draft *Merced Vision 2030 General Plan* is based on the *Merced Vision 2015 General Plan* and contains many of the same goals, policies, and implementing actions. The Draft General Plan has been updated to include new information since the 1997 adoption, new policies to address the proposed SUDP/SOI and Area of Interest, and new policies to address new issue areas (such as the High Speed Rail, the San Joaquin Valley Blueprint process, climate change, etc.) which have arisen since the 1997 adoption of the *Merced Vision 2015 General Plan*. Many public meetings were held throughout the General Plan Update process (see Finding D).

FINDINGS/CONSIDERATIONS:

State General Plan Law

A) California state law (Government Code Section 65300 et seq) requires each city and county to adopt a general plan for all the physical development of the county or city, and any land outside its boundaries which bears relation to its planning. State law requires the General Plan, at the minimum, to consist of seven elements or chapters (Land Use, Circulation, Open Space, Conservation, Housing, Noise, and Safety) and spells out the required contents of each (Section 65302). The *Merced Vision 2030 General Plan* has been prepared in accordance with these laws and meets the minimum requirements. General Plan law also allows the inclusion of additional chapters as deemed appropriate by the local jurisdiction. The *Merced Vision 2030 General Plan* contains the following optional elements—Urban Expansion, Public Services & Facilities, Urban Design, and Sustainable Development. The Housing Element was adopted through a separate process on May 16, 2011.

What is the General Plan and Why Is It Important?

B) According to State law, each city and county in California is required to adopt a General Plan which provides for "the physical development of the County or City, and any land outside its boundaries, which bears relation to its planning." The General Plan must consist of seven required elements—land use, circulation, open space, conservation, housing, noise, and safety—all of which must contain specific content, also prescribed by the State, and which shall be consistent with one another. (For example, the land use element can't designate a property as residential if the open space element indicates that it should be preserved as open space.) The General Plan may also consist of as many optional elements as the community wants.

Most people associate the General Plan with the Land Use Diagram, which shows the various land uses (residential, commercial, industrial, schools, open space, etc.) for specific pieces of property within the community's growth boundary. The Land Use Diagram is important, but the General Plan is primarily a policy document which spells out the community's vision for growth and development. All new development within the community must conform with the General Plan, its diagrams, maps, and policies. In fact, the City Council cannot approve a development project which does not conform to its General Plan. The General Plan must be amended, through a public hearing process, before such a project could be approved. An example would be that a shopping center could not be built on a vacant parcel that is designated on the General Plan for single-family residential unless the General Plan is amended and the shopping center conforms to all the policies in the General Plan. When applications for development are presented to the Planning Commission and City Council, staff provides an analysis of the project's conformity to the General Plan. City infrastructure plans, zoning, impact fee programs, etc., also need to conform to the General Plan.

The *Merced Vision 2015 General Plan* is the City's current General Plan, which was adopted in 1997. The *Merced Vision 2015 General Plan* contains a 20,540-acre Specific Urban Development Plan (SUDP) boundary, a 37,300-acre Sphere of Influence (SOI), and the seven state-required elements, along with additional elements covering urban expansion, public facilities, urban design, and sustainable development. Once adopted, all policies in the General Plan, no matter which element they are in, should be treated with equal importance and must be implemented.

Major Changes from the *Merced Vision 2015 General Plan*

C) The Draft *Merced Vision 2030 General Plan* is based on the current *Merced Vision 2015 General Plan*, adopted in 1997. Most of the Vision 2015 Plan is still relevant today so the vast majority of the goals, policies, and implementing actions from the 2015 Plan are maintained in the 2030 Plan. Factual information in the General Plan text has been updated to reflect current conditions and other text has been added or modified to reflect changes in the 2030 Plan.

The following is a brief summary of major policies that have been added in each Element of the General Plan from the 2015 Plan to the 2030 Plan.

1) Urban Expansion—A co-terminus SUDP/SOI has been proposed along with an Area of Interest (AOI) representing over 40 years of growth.
2) Land Use—Increased flexibility has been added for retail at major intersections under unique circumstances; development standards have been added for large research parks and freeway-oriented developments; the South Merced Community Plan (adopted in 2008) has been incorporated; a transit-oriented development overlay has been proposed in the vicinity of the Downtown High Speed Rail station; large Community Plan areas have been added (University Community, Castle Farms, Mission Lakes, Bellevue Corridor, etc.), and implementation of the San Joaquin Valley Blueprint principles and densities has been added.
3) Transportation & Circulation—Policies have been added regarding "Complete Streets" that accommodate all modes of travel; the Merced-Atwater Expressway and Campus Parkway have been added to the Circulation system; and the Bicycle Advisory Commission is discussed.
4) Public Services & Facilities—Policies relating to schools have been substantially modified to better define City/School relations and a new goal area regarding telecommunications was added.
5) Urban Design—No major changes.
6) Open Space, Conservation, & Recreation—Policies from the 2004 Parks and Open Space Master Plan were added as well as more information about wetlands and wildlife resources.
7) Sustainable Development—Policies were added relating to Climate Change and Greenhouse Gas Emissions, including the completion of a Climate Action Plan and implementing "green" building codes, and a policy was added relating to "healthy communities."
8) Housing—Adopted by a separate process in May 2011.
9) Noise—New noise measurement techniques were added and noise data was updated.
10) Safety—Information regarding Fire Department practices was updated along with emergency preparedness procedures and policies regarding the 200-Year Floodplain in addition to the 100-Year Floodplain were added.

Public Review Process

D) State law requires that the City conduct a public hearing on the General Plan and its environmental document prior to adoption. The General Plan Guidelines suggest that the adoption process provide broad public access to the plan prior to adoption. However, there are no specific standards in the law except for the normal public notice requirements.

Since 2005, the City has been receiving public input into the General Plan process. Joint Planning Commission/City Council Study Sessions were held in July 2005, September 2005, May 2006, May 2007, February 2008, December 2010, and January 2011. The Planning Commission, acting as the General Plan Update Citizens Advisory Committee (CAC), met three times in February 2007, August 2007, and September 2010. Public hearings were held before the Planning Commission and City Council in June and July 2006 in order to adopt a Draft SUDP boundary for use in completion of the General Plan Update.

The City's General Plan Technical Advisory Committee (TAC), including representatives from the four school districts, UC Merced, MID, Merced County Planning and Public Works, MCAG, and various City Departments, met six times—March 2007, May 2007, July 2007, September 2007, February 2008, and March 2008. A separate sub-committee of the TAC, made up of school district representatives, met several times with City Planning staff and the City Attorney to work on draft policies relating to schools. City Department Heads also held three workshops on the General Plan in March 2006, June 2009, and November 2009.

Stakeholder/property owner meetings for all those property owners within the Study Area were held in April 2006, March 2007, and September 2007; special meetings with property owners along the Bellevue Corridor were held in June and July 2008; and a smaller group of Bellevue Corridor property owners and UC Merced staff met with City staff four times in July-September 2008 to discuss a draft land use concept for the Bellevue Corridor Community Plan. Community forums were held in April 2007 and September 2010.

In addition to these public meetings, City staff has made presentations to various community groups on the General Plan throughout the process, including the Building Industry Association, the Farm Bureau, the Sierra Club, Com-VIP, the Merced County Board of Realtors, the League of Women Voters, Kiwanis Club, UC Merced, and others. Input has also been sought from City boards and commissions, such as the Economic Development Advisory Commission, the Regional Airport Authority, the Recreation and Parks Commission, and the Bicycle Advisory Commission.

Over the last six years, written correspondence has been received by City staff regarding the General Plan Update. Most of that correspondence related to specific concerns about different pieces of property (whether they were in or out of the growth boundary or what land use they wanted). That input was incorporated into the Draft General Plan and Land Use Diagram and most of it is no longer relevant to the adoption of the General Plan in its current form. That correspondence is available within the City records, but only correspondence that is relevant to the current adoption process has been provided to the Planning Commission in this report.

Public Notice

E) On June 30, 2011, a public hearing notice for the Planning Commission's consideration of the *Merced Vision 2030 General Plan* was published in the *Merced County Times*. On June 28, 2011, notices were mailed to approximately 280 interested citizens who had asked to be on the General Plan mailing list over the 6-year process. Public Hearing Notices were also mailed to all those 26 individuals and agencies who had submitted comments on the Draft EIR during the public review period as well as 47 individuals and agencies that receive notification of all City EIR's. The Public Hearing Notice was also posted to the City's website.

Proposed Changes to the General Plan Since the August 2010 Draft

F) Since August 2010, the City has received numerous comments on the *Merced Vision 2030 General Plan*, both verbal and written, from members of the general public, other public agencies, City staff, City boards or commissions, etc. Staff has kept a record of these comments and, as much as possible, changes have been incorporated into the document in response to these comments. Other changes were required to respond to comments on the Draft EIR. These changes are outlined at Attachment D along with the source of the comments.

Most of the proposed changes are relatively minor word changes, clarifications, typographical errors, or updating factual information. The major changes are mostly in Chapter 3 (Land Use), Chapter 4 (Transportation and Circulation), Chapter 5 (Public Services and Facilities), and Chapter 11 (Safety). The Chapter 3 (Land Use) changes are related to various Community Plans, especially changes asked for by UC Merced relating to the new boundary for the campus and University Community North, which also affects the Land Use Diagram. The Chapter 4 (Transportation & Circulation) changes include many recommended by the Bicycle Advisory Commission and some changes related to Castle Airport (some changes to Chapter 11 were also related to Castle Airport). The changes in Chapter 5 (Public Services and Facilities) and Chapter 11 (Safety) are mostly from Fire Chief Mike McLaughlin, appointed in 2011, in order to better reflect policies and procedures of the Merced Fire Department under his new leadership. (Retired Fire Chief Ken Mitten had served on the General Plan Technical Advisory Committee and had previously provided his input on the General Plan.)

G) Two recent letters related to the General Plan were received by the City Council at their December 6, 2010 and January 10, 2011 joint study sessions with the Planning Commission. One letter from Jim Sanders (Attachment E2) asks the City to delay adoption of the General Plan for at least two years and asks for more consideration regarding solar farms. The other letter is from the Merced County Farm Bureau (Attachment E1) and asks for the Council to consider requiring agricultural land mitigation. Staff has not proposed any changes to the General Plan based on these comments and awaits direction from the Planning Commission and the City Council on whether any of the above issues should be addressed.

H) Changes will need to be made to the proposed Land Use Diagram as well. Since the Diagram was substantially completed in February 2008 (with only minor modifications in August 2010), there have been eight general plan amendments approved through the normal City public hearing process which will need to be reflected on the proposed map. These proposed changes are outlined at Attachment C. There are also 3 pending general plan amendment applications that have been scheduled for either Planning Commission or City Council public hearing within the next few months. If those amendments are approved prior to the City Council taking final action on the General Plan, they will need to be added to the Land Use Diagram.

General Plan Proposals Relating to Specific Properties

I) The Land Use Diagram reflects proposals which affect specific properties in one of three ways:

1. Changing the current Land Use Designation of properties either within the current City Limits and/or within the 2015 SUDP area; or,
2. Including properties that were previously outside the 2015 SUDP within the proposed 2030 SUDP/SOI and giving them a specific land use designation; or,
3. No change in land use designation is proposed.

J) Case #1 involves approximately 1,700 acres within the 2015 SUDP. These properties are along both sides of the North Highway 59 corridor from Yosemite to the northern SUDP boundary (approximately 1,100 acres) and along both sides of the Bellevue Corridor from G to Gardner (approximately 600 acres). The properties along the west side of Highway 59 have been changed from various land use designations to "Community Plan" as they are best planned as part of the "Castle Farms Community Plan" described in Section 3.7.5 of the Draft General Plan. Some of the properties along the east side of Highway 59 have been changed from Low Medium Density Residential or Business Park to Low Density Residential. This was proposed in order to better reflect the change in the Highway 59 corridor from the primary access corridor to Highway 99 to a secondary access with the addition of the Atwater-Merced Expressway. Those properties at the corners of Yosemite, Cardella, Bellevue, and Old Lake along the Highway 59 corridor have remained the same.

One 40-acre property along the Highway 59 corridor, just north of Olive Avenue, was proposed to be changed from Regional Commercial to Business Park, but the property owner, Mr. Ridenour, has submitted a letter asking that the current land use designation remain (Attachment E3). Staff has reviewed this request and believes the original designation should be maintained since there has been significant interest in developing commercial property in that location despite the changes to the Highway 59 corridor. The recommended change to the Draft Land Use Diagram is reflected in Attachment C.

The properties along both sides of the Bellevue Corridor from G to Gardner have been changed from various land use designations to a conceptual "Mixed Use" corridor with specific land uses to be defined as part of the Bellevue Corridor Community Plan process described in Section 3.7.4 of the Draft General Plan.

K) Case #2 involves over 12,800 acres that were added within the proposed 2030 SUDP/SOI that were not included in the 2015 SUDP. In April 2006, all of these property owners who owned 1 acre or more were notified by letter of the possibility of being included in the City's growth boundary and were invited to attend informal stakeholder meetings to ask questions about or respond to the proposals. Stakeholder meetings with this same group were also held in March and September 2007. Over 100 property owners attended these meetings. To date, the City has received only two letters from any of these property owners regarding the proposed Land Use Diagram.

Staff received two letters from property owners who disagreed with the City's proposals—one property owner who wanted to be included in the SUDP/SOI and one who wished to be removed from the SUDP/SOI. The Roginas, owners of approximately 150 acres at the southeast corner of Yosemite & Lake Road, which is included in the Area of Interest but not the SUDP/SOI, asked to be included in the SUDP/SOI. An agent for Mr. Steiner, owner of 100 acres located north of North Bear Creek Drive, ¼ mile east of Whitegate Drive, which is partially within the 2015 SOI adopted in 1997, asked that his property be removed so he could deal with the County on his proposed subdivision. (See Attachments E4 and E5 for those letters.) Adding properties to the SUDP/SOI after completion of the EIR would be problematic because additional environmental analysis would need to be completed. Removing properties from the SUDP/SOI can be done more easily if that is the direction from the City Council.

L) Case #3 applies to the vast majority of properties within the current City limits and 2015 SUDP. In fact, there are no sites within the current City limits for which changes in land use are proposed and only a few properties within the 2015 SUDP with proposed changes in land use, discussed above in Case #1. Only one property owner within the current City limits has asked for a change in land use designation. City staff received one letter from Jim Todd representing Merced Gateway, LLC, regarding 70 acres near the southeast corner of Coffee and Gerard Avenues, which is currently designated as Regional Commercial and High Density Residential (Attachment E6). Mr. Todd asked that either a collector roadway segment through the property be deleted from the proposed Circulation Map or included in the City's Public Facilities Impact Fee program. Staff believes the roadway segment is necessary to serve the area and, therefore, does not support removing it. Including the roadway in the City's fee program is outside the scope of the General Plan, so that request cannot be addressed at this time. Mr. Todd expresses a concern about an "over abundance of housing" and asks that residential designations on his property be reconsidered. City policy calls for locating high density residential uses adjacent to commercial developments and staff believes that the current designations for this property should not be changed.

Adopting the Land Use Diagram and Avoiding Conflicts of Interest

M) In order to avoid potential or perceived conflicts of interest regarding properties owned by the Planning Commissioners and City Council members, the City Attorney has advised that the General Plan Land Use Diagram should be adopted in segments. Although no changes in land use designation are proposed within the current City limits where these properties are located, this approach reflects an abundance of caution to avoid even perceived conflicts of interest. Staff has divided the Land Use Diagram into five sectors as shown in Attachment A for the purposes of adoption, based on the locations of the primary residences of the Commission members and other property interests that were provided to the City by the individual members. These sectors have been drawn so that no more than one member present should have to declare a potential conflict for any one sector. Two Commissioners, Commissioner McCoy and Commissioner Madayag, have informed staff that they would not be able to be present at the July 20, 2011 public hearing, so that has also been factored into the manner in which the sectors were drawn since there will only be 5 Planning Commissioners present.

The five sectors are described as follows (see also Attachment A) and the Commissioner with property interests in that area is also noted:

1) Sector I—South of Highway 99 until Glen Ave and then South of Highway 140 (Commissioner Ward)
2) Sector II—East of G Street, North of Highway 140, & South of Olive Ave (Commissioner Amey)
3) Sector III—North of Highway 99 between G and M Streets, East of M between Olive & Yosemite Ave, and North of Yosemite, East of Paulson Rd (Commissioner Colby—two properties)
4) Sector IV—West of M St between Highway 99 and Yosemite Ave, North of Yosemite between San Jose Ave/M St and Paulson (Commissioners Acheson and McCoy)
5) Sector V—North of Yosemite Ave, West of San Jose Ave (Chairman Cervantes and Commissioner Madayag)

FINDINGS/CONSIDERATIONS (Environmental Impact Report):

Purpose of an EIR

N) The purpose of an Environmental Impact Report (EIR) is to evaluate the anticipated physical environmental impacts of a project, and to provide mitigation measures necessary to decrease those impacts to a less than significant level. The EIR process also allows public review of the expected environmental effects by agencies and the public, and provides a method for identifying unavoidable significant impacts and adopting overriding considerations, if deemed necessary. EIRs also identify project alternatives and cumulative impacts of a project.

Preparation of the Environmental Impact Report

O) The Draft and Final Environmental Impact Reports (EIR) for the *Merced Vision 2030 General Plan* (SCH#2008071069) were prepared by Quad-Knopf. (A previous consultant was involved in the General Plan process from May 2005-June 2006, but Quad-Knopf took over the project in August 2006.) Specialized sub-consultants serving with Quad-Knopf in the environmental assessment process included Fehr & Peers (traffic), J.C. Brennan & Associates (noise), Peak and Associates (cultural resources), and Geocon (geology). The contract with Quad-Knopf was amended twice in order to make sure that the analysis was as complete and accurate as possible. The following table provides a summary of key events leading up to the Final EIR.

Event	Date
EIR Contract Approved by City Council with Quad-Knopf	August 21, 2006
EIR Contract Amendment #1 Approved by City Council	June 16, 2008
Notice of Preparation (NOP) Distributed	July 14, 2008
Comment Period on NOP Ends	August 18, 2008
Draft EIR Completed	August 2010
Draft EIR 60-day Public Review Period Begins	August 24, 2010
Draft EIR 60-day Public Review Period Closes	October 22, 2010
EIR Contract Amendment #2 Approved by City Council	May 16, 2011
Final EIR Made Available to Public & Distributed to Those Who Submitted Comment Letters	July 8, 2011

Impacts Identified from the Project

P) The Draft EIR for the proposed *Merced Vision 2030 General Plan* has identified potentially significant physical environmental impacts that are expected to result from the Project. The EIR also provides appropriate measures to mitigate the impacts and to reduce anticipated *physical* environmental impacts to less than significant levels. Significant Environmental Effects Requiring Mitigation include impacts on aesthetics, agriculture & forest resources, air quality, biological resources, noise, transportation/traffic, and greenhouse gas emissions (global climate change). These impacts and mitigation measures are summarized in the table below and in more detail in Table ES-2 in the Executive Summary of the Draft EIR (modified in the Final EIR, see Section 4) as well as in the Mitigation Monitoring Program in Section 5 of the Final EIR and at Attachment F.

Impacts	Mitigation (If Available)
3.1-Aesthetics	♦ Guidelines for outdoor lighting provided.
3.2-Agriculture & Forest Resources	♦ Encourage property owners to maintain their land in ag production until urban development takes place in SUDP/SOI, work cooperatively with land trusts on conservation easements; Prefer infill development over fringe development.
3.3-Air Quality	♦ Require developments to follow SJVAPCD regulations during construction; Consider City ordinance to reduce emissions during construction; Follow BACT (Best Available Control Technology) mitigations for discretionary projects; Encourage energy conservation features.
3.4-Biological Resources	♦ Require surveys/mitigation/avoidance for vernal pool species, special status plants, Valley Elderberry Longhorn Beetle, Burrowing Owls, special status birds, special status amphibians, special status reptiles, special status fish, and special status mammals. ♦ Streambed alteration agreement for riparian habitat ("no net loss"). ♦ Conduct Wetlands delineation & require Section 404 & 401 permits.
3.5-Cultural Resources	♦ No mitigation required.
3.6-Geology & Soils	♦ No mitigation required.
3.7-Hazards & Hazardous Materials	♦ No mitigation required.
3.8-Hydrology & Water Quality	♦ No mitigation measures are available.
3.9-Land Use & Planning	♦ No mitigation required.
3.10-Mineral Resources	♦ No mitigation required.
3.11-Noise	♦ Implement criteria for evaluating construction vibration impacts.
3.12-Population & Housing	♦ No mitigation required.
3.13-Recreation	♦ No mitigation required.
3.14-Public Services	♦ No mitigation required.
3.15-Traffic & Transportation	♦ Increase number of travel lanes on 53 various roadway segments to achieve Level of Service (LOS) "D" or better, including Highway 59, R Street, M Street, Martin Luther King Jr. Way, G Street, Parsons/Gardner, Campus Parkway, Tyler Road, Old Lake Road, Bellevue Road, Cardella Road, Yosemite Ave, Olive Ave, Highway 99, Childs Ave, Mission Ave, & Thornton Ave. ♦ Require traffic studies for CEQA analysis of general plan amendments, specific/community plans, and annexations.
3.16-Utilities & Services	♦ No mitigation required.
3.17-Greenhouse Gas Emissions (Global Climate Change)	♦ Per Policies and Implementing Actions in the Sustainable Development Chapter, address greenhouse gas emissions during the CEQA process for development projects, develop a Climate Action Plan, consider various measures for new development regarding recycling, alternative transportation, tree planting, mixed-use, reducing "urban heat island" effect, motor vehicle emission reduction, water use efficiency, and energy efficiency.

Q) The EIR for the proposed *Merced Vision 2030 General Plan* also identified Unavoidable Significant Environmental Effects (summarized in Section 5.1, starting on page 5-1 of the Draft EIR). These irreversible impacts cannot be mitigated below the relevant threshold of significance. These impacts include aesthetics, agricultural and forest resources, air quality, hydrology and water quality, noise, transportation/traffic, and greenhouse gas emissions (global climate change).

R) Significant Irreversible Environmental Changes are also addressed in the Draft EIR in Section 5.2. A project results in a significant irreversible impact if 1) it involves a large commitment of nonrenewable resources; 2) primary and secondary impacts would commit future generations to similar uses; and 3) it involves uses which irreversible damage could result from any potential environmental accidents associate with the project. Development allowed under the General Plan would commit nonrenewable resources to the construction and maintenance of buildings, infrastructure, and roadways. Changes in land use under the General Plan will also result in the conversion of agricultural and vacant land to urban uses, which is a commitment for future generations. No significant impact would result from environmental accidents.

S) Significant Cumulative Environmental Effects resulting from the General Plan implementation are described in Section 5.7 of the Draft EIR. Significant and unavoidable impacts, which will require a Statement of Overriding Considerations, were found in the area of agricultural and forest resources, air quality, hydrology and water quality, public services (electric and gas), transportation/traffic, and greenhouse gas emissions (global climate change).

Project Alternatives

T) Three project alternatives were analyzed in Chapter 4 of the Draft EIR. Alternative 1—Existing General Plan (No Project) assumed that the *Merced Vision 2030 General Plan* was not adopted and the *Merced Vision 2015 General Plan* remained in effect, which would leave the SUDP at approximately 21,700 acres. Alternative 2—Reduced Project Area assumed a smaller growth boundary and slower growth by eliminating two large Community Plan areas (Castle Farms and Mission Lakes, totaling approximately 5,000 acres) and reducing the proposed SUDP/SOI from 33,576 acres to 28,576 acres. Alternative 3—Concentrated Growth assumed that the proposed SUDP/SOI boundary would remain the same, but residential densities would be increased in and around existing developed areas and more land would be designated for Open Space or Reserve. In the Findings of Fact and Statement of Overriding Considerations at Attachment G, all three alternatives are rejected for not meeting the project objectives and failing to accommodate the City's projected growth.

Final EIR and Response to Comments

U) The Draft EIR for the proposed *Merced Vision 2030 General Plan* was distributed to interested agencies and the public for a 60-day-period (beginning on August 24, 2010 and ending on October 22, 2010). The City received 26 letters commenting on the DEIR. One of those letters arrived after the close of the comment period, but it has been responded to as well. Those letters can be seen in their entirety in Section 3 of the Final EIR (distributed to the Planning Commission on July 8, 2011). Responses to comments contained in those letters are located immediately following each letter in Section 3 of the Final EIR.

As required per Section 21092.5(a) of the State of California Public Resources Code, a copy of the response to comments was sent to each public agency who had submitted a letter on July 8, 2011 (at least 10 days prior to the Planning Commission hearing). A notice was also sent to all those individuals who had commented on the DEIR regarding the availability of the Final EIR, including the Responses to Comments, on July 8, 2011. (The DEIR commenters were also mailed public hearing notices for the July 20 Planning Commission hearing on June 28, 2011, which indicated that the Final EIR would be available on July 8, 2011.) The Final EIR was made available for public review at City offices, the Main Branch of the Merced County Library, and the City's website on July 8, 2011. (The Final EIR was actually on the City's website by the afternoon of July 7, 2011.) Printed copies and copies on CD-ROM were also made available.

V) The Final EIR for the proposed *Merced Vision 2030 General Plan* also contains minor modifications to the text and mitigation measures in response to the comments received (see Section Four of the Final EIR). Section Five of the Final EIR includes a revised table of proposed mitigation measures, which serves as the Mitigation Monitoring Program, and is excerpted at Attachment F of this staff report. One error was noted after publication of the Final EIR—page 2-2 should be corrected to read "Letter 22—Thomas C. Grave" (not "Thomas Lollini" as noted).

Findings of Fact and Statement of Overriding Considerations

W) The Environmental Impact Report (EIR) for the *Merced Vision 2030 General Plan* identified significant impacts associated with the Project. Approval of a Project with significant impacts requires that findings be made by the City pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines. These findings must state that significant impacts of the Project would either: 1) be mitigated to a less-than-significant level pursuant to the mitigation measures identified in this EIR; or 2) mitigation measures notwithstanding, have a residual significant impact that requires a Statement of Overriding Considerations.

Quad-Knopf in consultation with City staff has prepared Draft "Findings of Fact and Statement of Overriding Considerations" (Attachment G). The findings are divided into six sections: 1) Introduction; 2) Findings Associated with Certification of the EIR; 3) Findings Associated with Specific Impacts and Mitigation Measures; 4) Findings Associated with Significant Cumulative Environmental Effects; 5) Findings Supporting Rejection of Alternatives; and 6) a Draft Statement of Overriding Considerations.

X) All significant impacts associated with the Project have been mitigated to a level of insignificance except those described in Findings Q, R, and S. Therefore, a Draft Statement of Overriding Considerations (beginning on page 36 of Attachment G) has been prepared.

Mitigation Monitoring

Y) In accordance with CEQA requirements, the City is required to adopt a Mitigation Monitoring and Reporting Program when approving mitigation measures contained in an EIR or mitigated negative declaration. The Program is to be designed to ensure compliance with the adopted project mitigation measures that were required by the public agency in order to reduce or avoid significant environmental effects. A Mitigation Monitoring Program is required for this project and can be found in Section 5 of the Final EIR and at Attachment F.

PLEASE BRING YOUR COPIES OF THE DRAFT MERCED VISION 2030 GENERAL PLAN, THE DRAFT EIR, AND FINAL EIR TO THE MEETING. (Please contact City staff if you need another copy.)

Attachments:

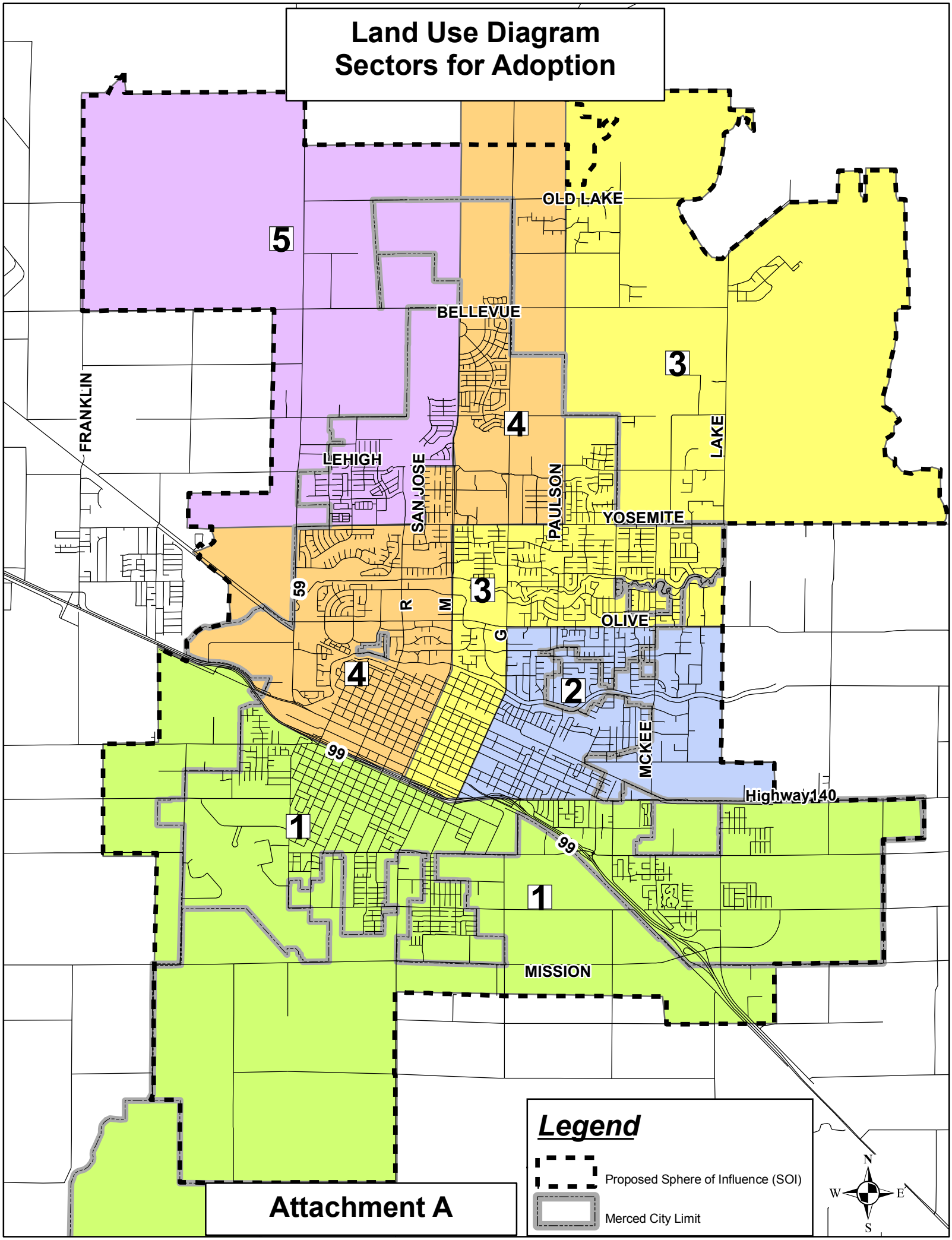
A) Land Use Diagram Divided Into Sectors for Adoption Purposes
B) Detailed History of the *Merced Vision 2030 General Plan*
C) Proposed Change to General Plan Land Use Diagram
D) Proposed Changes to the General Plan Since the August 2010 Public Review Draft
E) Correspondence Regarding the General Plan
   1) Merced County Farm Bureau (January 2011)
   2) Jim Sanders (December 2010)
   3) Paul Ridenour (February 2011)
   4) David and Carolyn Rogina/RA Sano Farms (December 2010)
   5) John Hinchey for Louis Steiner (May 2010)
   6) Jim Todd for Merced Gateways, LLC (December 2010)
F) Mitigation Monitoring Program
G) Draft CEQA Findings of Fact and Statement of Overriding Considerations
H) Draft Planning Commission Resolution (EIR)
I) Draft Planning Commission Resolution (General Plan)

[Ref: KE\Projects\2011\General Plan Update\Public Hearings\03-Planning Commission\Merced Vision 2030 General Plan Adoption-PC Staff Rpt #11-09-July20-11.docx]

TO AVOID DUPLICATION, THE FOLLOWING ATTACHMENTS TO PLANNING COMMISSION STAFF REPORT #11-09 HAVE BEEN DELETED. THE ATTACHMENTS CAN NOW BE FOUND IN THE ADMINISTRATIVE REPORT AS FOLLOWS:

- Attachment C (Changes to the Land Use Diagram) of the Planning Commission Staff Report has been updated and is now Exhibit C of Attachment 9 of the Administrative Report
- Attachment D (Changes to the General Plan Text) has been updated and is now Exhibit B of Attachment 9 of the Administrative Report
- Attachment F (Mitigation Monitoring Program) is now Exhibit 2 of Attachments 8, 11, & 14 of the Administrative Report
- Attachment G (Findings of Fact/Statement of Overriding Considerations) is now Exhibit 1 of Attachment 8 of the Administrative Report
- Attachment H (Draft Planning Commission Resolution on EIR) has been updated and is now Attachment 3 of the Administrative Report
- Attachment I (Draft Planning Commission Resolution on the General Plan) has been updated and is now Attachment 4 of the Administrative Report
- Attachments A, B, and E remain unchanged and follow this sheet

Land Use Diagram
Sectors for Adoption



Attachment A

DETAILED HISTORY OF
THE *MERCED VISION 2030 GENERAL PLAN*

2005—The Process Begins

On May 16, 2005, the City Council approved a professional services contract with URS Corporation for preparation of the General Plan Update and EIR. The General Plan Study Area included 10,815 acres not included in the City's current Specific Urban Development Plan (SUDP) of 20,540 acres, for a total Study Area of approximately 31,355 acres.

After the contract had been awarded, staff began to receive numerous requests from property owners requesting to be added to the General Plan Update Study Area. On July 5 and 12, 2005, joint Planning Commission/City Council Study Sessions on the General Plan Update were held. The City Council and Planning Commission directed staff to expand the study area to include other land areas where development interest was evident, thereby providing the City with a more comprehensive city planning effort. There was discussion that the General Plan Update be geared for a typical planning horizon for a growing community as well as a long term view of growth.

On September 7, 2005, the Planning Commission recommended to the City Council approval of an expanded General Plan Update Study Area, which encompassed approximately 40,000 acres or almost double the size of the City's current SUDP (20,540 acres). On September 19, 2005, the City Council approved the same study area.

On December 5, 2005, the City Council approved a modified scope of work for the General Plan Update. This "Growth Study" task involved the development of alternative SUDP boundaries and the selection of a preferred alternative.

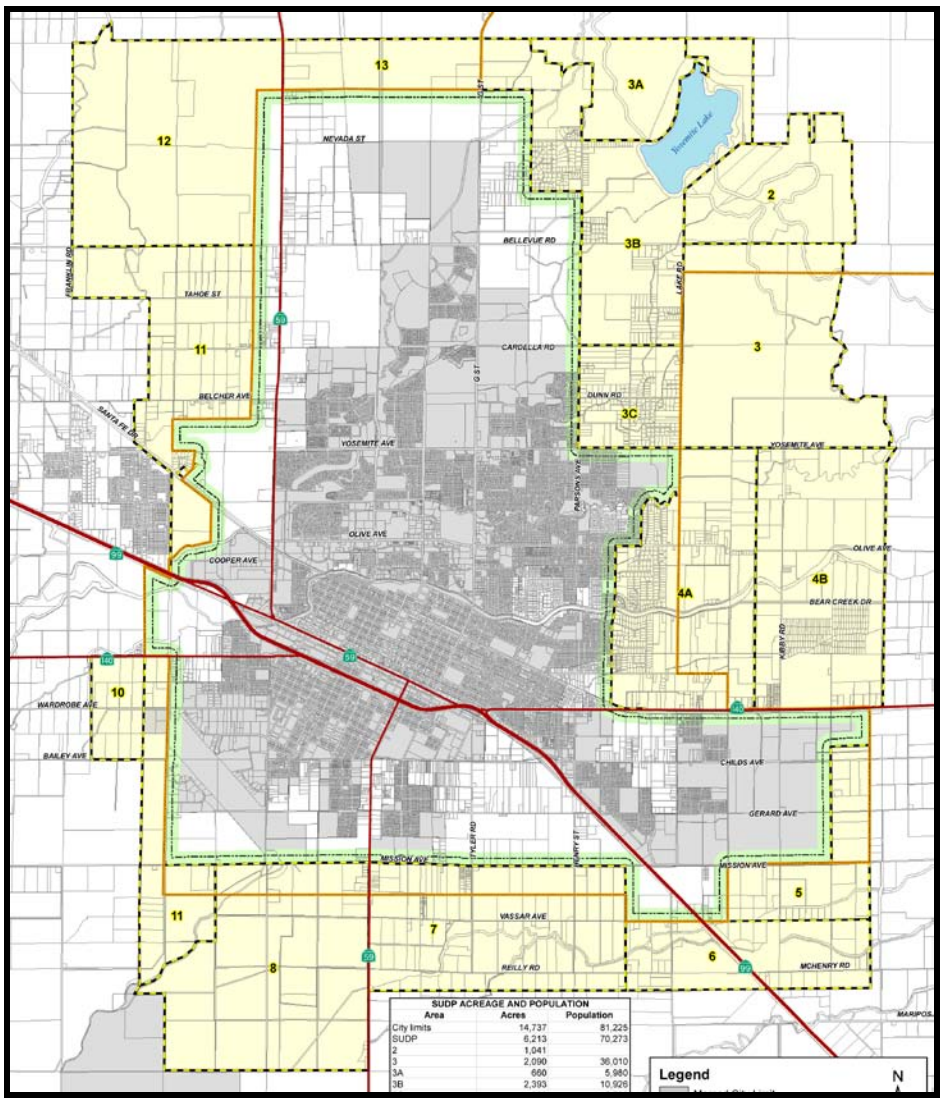
2006--Adoption of a Draft SUDP Boundary

After public meetings in March/April 2006 and a joint Planning Commission/City Council study session in May 2006, the City was ready to proceed with the adoption of a Draft SUDP boundary to be used for the preparation of the General Plan Update. Three Options for the Draft SUDP, ranging in size from 32,566 acres to 41,591 acres, were developed and analyzed, along with possible phasing policies to address the large size of the SUDP and the need to designate specific areas for immediate growth versus long-term growth.

On June 21, 2006, the Planning Commission held a public hearing on the Establishment of a Draft SUDP. After public testimony, the Planning Commission voted to recommend to the City Council adoption of Option #3 with the addition of the area east of Subarea 4, bounded by Yosemite Avenue to the north, Highway 140 to the south, and the Fairfield Canal to the east (see next page). This involves the 41,591 acres in Option #3 plus an additional approximate 2,000 acres. On July 17, 2006, the City Council adopted the Planning Commission recommendation.

Unfortunately, in June 2006, City staff elected to terminate its contract with URS Corporation for the General Plan Update and EIR. Negotiations began with Quad-Knopf, Inc., another consulting firm, to complete the General Plan Update and EIR.

General Plan Study Area and Sub-Areas/Draft SUDP (2006)



2006—A New Consultant

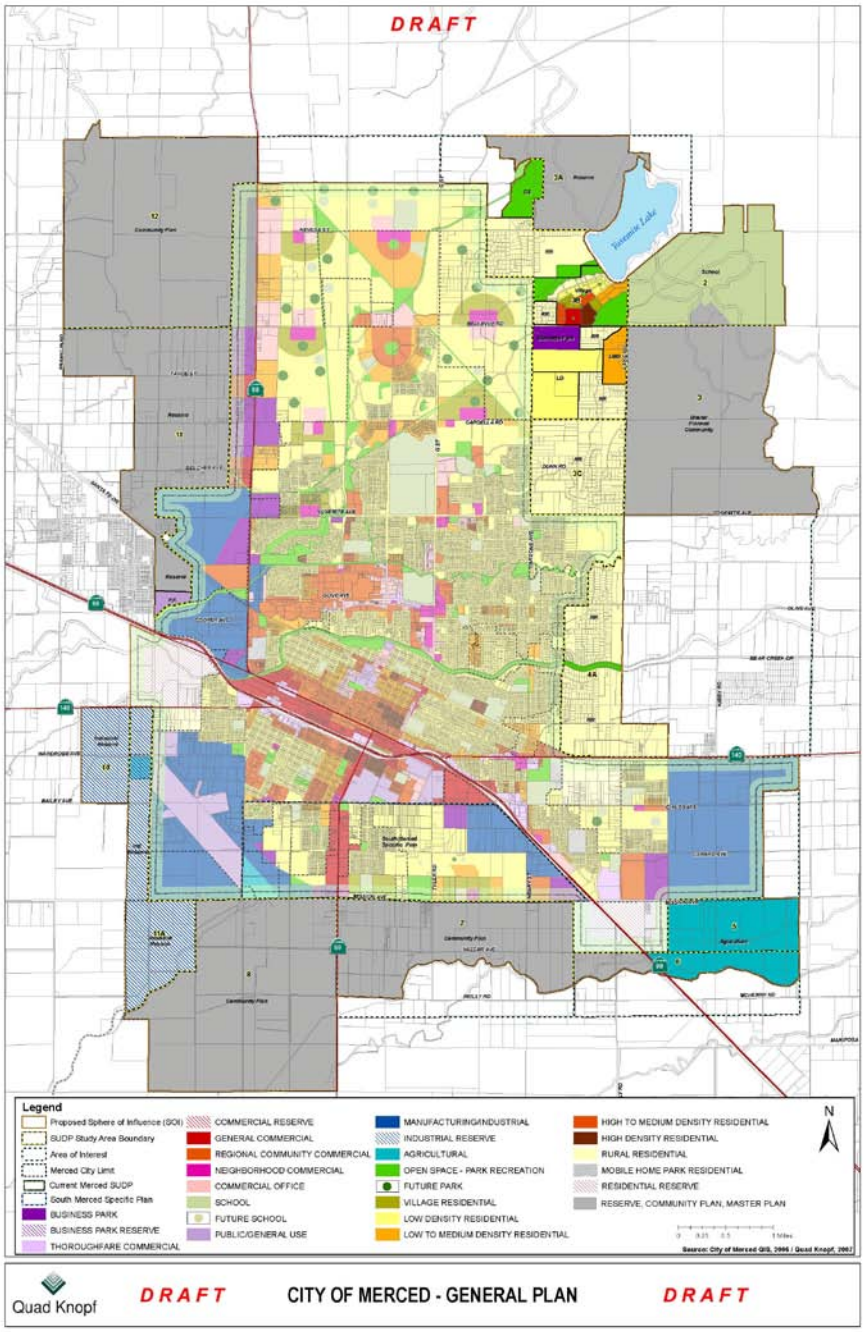
In August 2006, a new firm, Quad-Knopf of Roseville, was hired to complete the General Plan Update and EIR. In September 2006, Quad-Knopf met with City staff for the project "kick-off" meeting. In preparation for the City's Annual Open House on September 14, Quad-Knopf prepared a color flyer to hand out to the public regarding the status of the General Plan Update and the Draft SUDP. In October 2006, Quad met with the several developers to discuss their development plans. In early November, City staff met with County staff to discuss issues related to the General Plan Update and the tax-sharing agreement. In late November 2006, City staff sent out letters to various State and local agencies asking them to designate representatives to the City's General Plan Technical Advisory Committee (TAC). The City Council decided that the Planning Commission would act as the General Plan Citizens Advisory Committee or CAC.

In 2006-2007, several public meetings were held (see below), an analysis of the 16 Sub-areas of the Draft SUDP (see map below) was performed, and work began on the Draft EIR, etc.

2007—A Draft Land Use Diagram

In August 2007, a Draft Land Use Diagram was reviewed by the Planning Commission in their role as the General Plan Citizens Advisory Committee (CAC) and the Technical Advisory Committee (TAC) before being released to the public. The Draft Land Use Diagram included a draft Sphere of Influence (SOI)/SUDP boundary, a proposed Area of Interest (AOI) boundary, and draft land use designations for those areas within the Draft SOI/SUDP.

August 2007 Draft Land Use Diagram



2006-2007--Public Meetings

Joint Planning Commission/City Council Study Sessions were held in May 2006 and May 2007. The Planning Commission, acting as the General Plan Update Citizens Advisory Committee (CAC), met twice in February 2007 and August 2007. The City's General Plan Technical Advisory Committee (TAC), including representatives from the four school districts, UC Merced, MID, Merced County Planning and Public Works, MCAG, and various City Departments, met four times—March, May, July, and September 2007. Stakeholder/property owner meetings were held in April 2006, March 2007, and September 2007; and a community forum was held in April 2007.

On December 6, 2007, City staff and Quad-Knopf met with the Local Agency Formation Commission (LAFCO) board to discuss the City's Draft Sphere of Influence (SOI) boundary. City staff and the consultants were very pleased with the specific feedback and suggestions that was received from LAFCO board members. The issues raised by LAFCO were discussed in detail at the Joint Planning Commission/City Council Study Session in February 2008.

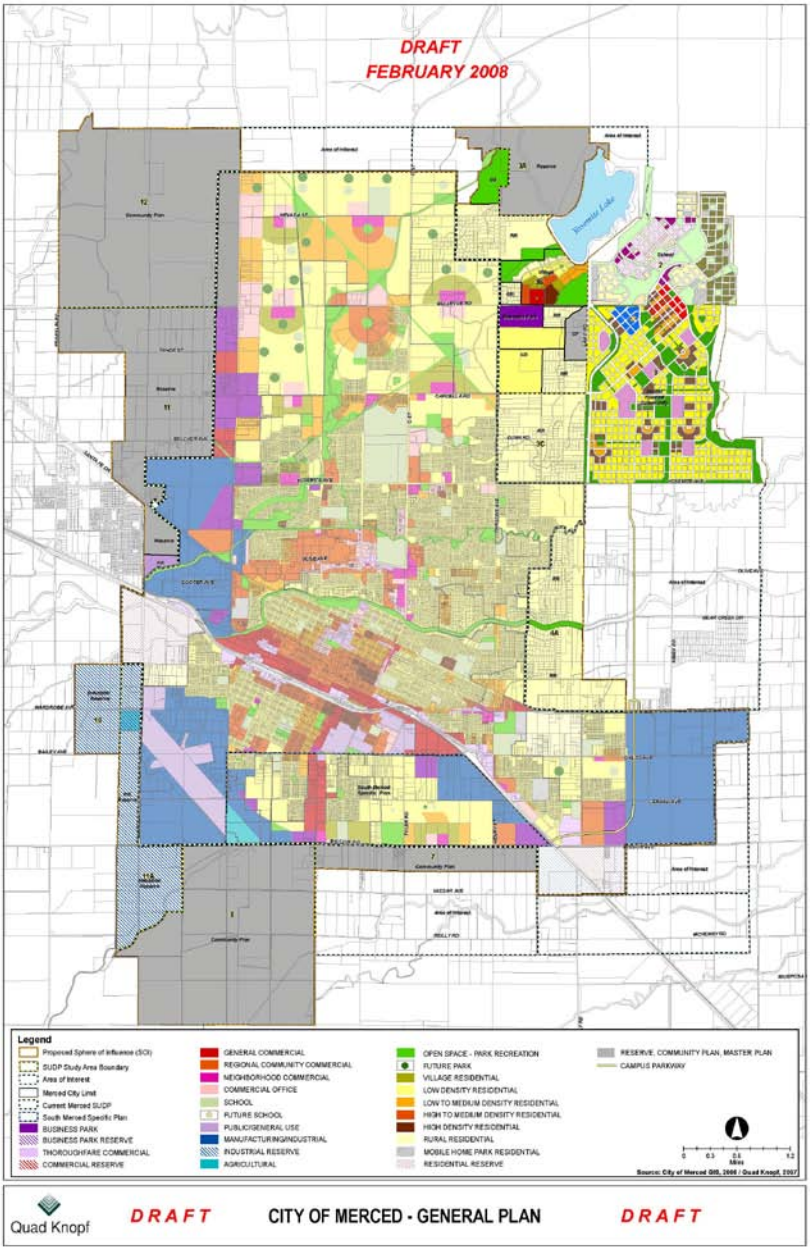
2008—A Modified Land Use Diagram

After input from the community and property owners, the Draft Land Use Diagram was modified in February 2008 and included a 35,541-acre SUDP/SOI within the larger 43,591-acre Area of Interest, which corresponds to the original Draft SUDP. Because of the large size and population capacity of the General Plan study area, it was necessary to define a smaller boundary to accommodate the next 20 years of growth. Currently the City's SUDP boundary and the Sphere of Influence (SOI) boundary are different boundaries with the SUDP reflecting a 20-year growth plan and the SOI defining a longer time frame. However, since the City's SOI boundary was adopted by LAFCO in 1997, new criteria has been put in place by LAFCO that will require the City to demonstrate how we can provide services to all areas within the SOI. Because of that criteria, staff and the consultants recommended that the SUDP and SOI boundaries be co-terminus and that a larger Area of Interest (AOI) be defined that represents long-term growth areas. Areas within the SUDP/SOI will have City land use designations, but areas within the AOI will not. However, criteria was included in the General Plan defining how areas within the AOI could be added to the SUDP/SOI in the future. With a Draft Land Use Diagram finalized, the consultants could begin preparing the draft General Plan document and Draft EIR.

2008 Public Meetings

A Joint Planning Commission/City Council Study Session was held in February 2008. The City's General Plan Technical Advisory Committee (TAC) met twice in 2008—February and March to discuss draft policies. A special subcommittee of the TAC involving the representatives from the various school districts met three times in late 2008 with City Planning staff and the City Attorney to discuss potential school policies. Special meetings with property owners along the Bellevue Corridor were held in June and July 2008, and a smaller group of Bellevue Corridor property owners and UC Merced staff met with City staff four times in July, August, and September 2008 to discuss a draft land use plan for the Bellevue Corridor Community Plan area.

February 2008 Draft Land Use Diagram



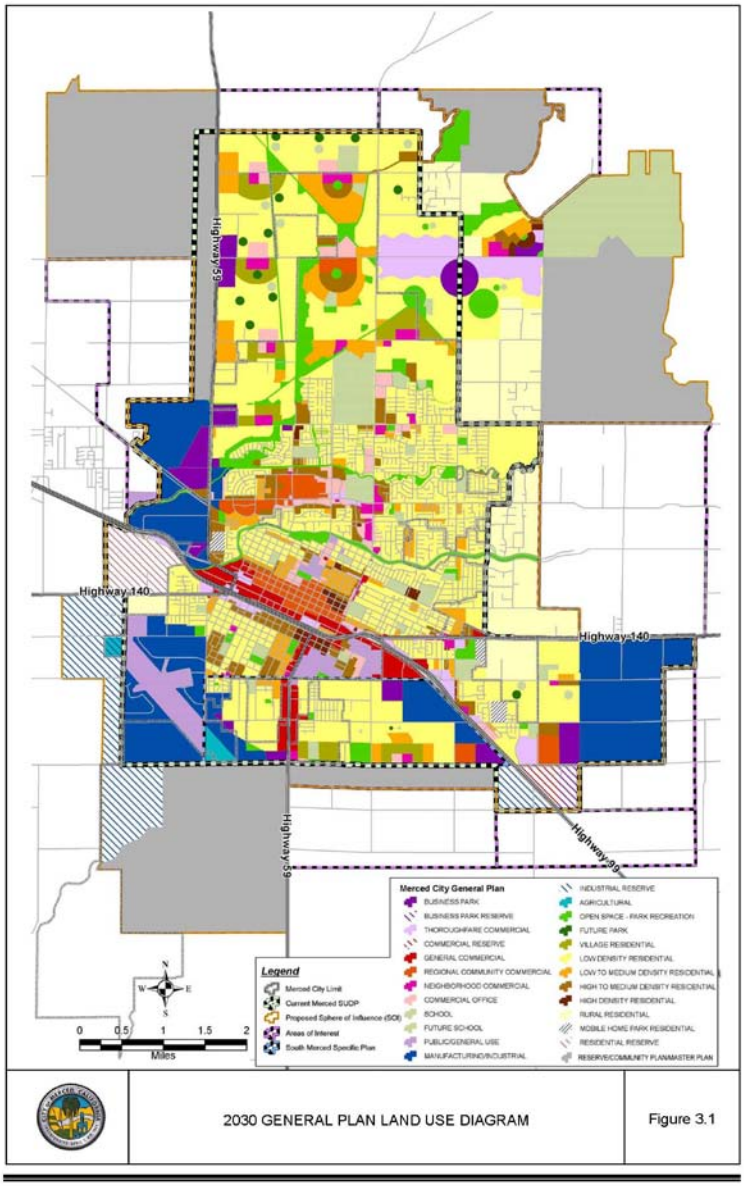
2009-2011

During 2009 to 2011, the consultants worked with City staff to complete the Draft *Merced Vision 2030 General Plan* document (including all the goals, policies, and implementing actions) and the Draft EIR, which were both released for public review on August 24, 2010. The Draft *Merced Vision 2030 General Plan* is based on the *Merced Vision 2015 General Plan* and contains many of the same goals, policies, and implementing actions. The Draft General Plan has been updated to include new information since the 1997 adoption, new policies to address the proposed SUDP/SOI and Area of Interest, and new policies to address new issue areas (such as the High Speed Rail, the San Joaquin Valley Blueprint process, climate change, etc.) which have arisen since the 1997 adoption of the *Merced Vision 2015 General Plan*.

The 60-day public review period for the Draft EIR (DEIR) took place from August 24, 2010 to October 22, 2010. 26 comment letters were received. On July 8, 2011, the Final EIR was released. The Final EIR contains responses to all the comments received on the DEIR, minor changes to the DEIR in response to the comments, and the mitigation monitoring program.

Public hearings to consider adoption of the Merced Vision 2030 General Plan and certification of the EIR are scheduled before the Planning Commission in July 2011 and before the City Council, tentatively, in September 2011.

<u>August 2010 Draft Land Use Diagram</u>



Merced County
Farm Bureau

RECEIVED
JAN 10 2011
CITY OF MERCED
PLANNING DEPT.

January 10, 2011

City of Merced
678 W 18th Street
Merced, Ca 95340

Re: MCFB's comments on the General Plan Update

Mayor Spriggs:

Merced County Farm Bureau (MCFB) is a nonprofit organization made up of farmers and ranchers throughout the county. We exist for the purpose of improving the ability of individuals engaged in production agriculture to utilize California resources to produce food and fiber in the most profitable, efficient and responsible manner possible. As the city continues to work through the General Plan Update, MCFB would like to submit our official comments for the record.

MCFB's Land Use Committee has reviewed the Draft Environmental Impact Report (EIR), met with city staff as well as submitted official comments to make sure agriculture's voice is heard in the public process. One concern not previously addressed is that MCFB would like the City Council and staff to seriously consider the mitigation measures for loss of agriculture land.

The ag section of the Draft EIR fails to mention any possibilities for ag mitigation when land is converted from ag zoned land to residential zoned land. Stanislaus County although covering a larger jurisdiction proves to have a legally sound purpose and intent which we believe City Council and staff should seriously look at including in our ag section of the Draft EIR which states:

> *The purpose of the Farmland Mitigation Program (FMP) is to aid in mitigating the loss of farmland resulting from residential development in the unincorporated areas of Stanislaus County by requiring the permanent protection of farmland based on a 1:1 ratio to the amount of farmland converted. The FMP is designed to utilize agricultural conservation easements granted in perpetuity as a means of minimizing the loss of farmland. (Stanislaus County Farmland Mitigation Program Guidelines)*

As an organization we are not here to hinder the possibility of businesses and job growth within the city limits or countywide, and we applaud staff for their willingness to follow the California Partnership's higher density numbers and placing focus on smart growth. Likewise, we urge the

ATTACHMENT E1

(209) 723-3001 - FAX (209) 722-3814 - 646 South Highway 59 - P.O. Box 1232 - Merced, CA 95341
E-mail: mcfb@pacbell.net

Council and staff to sincerely look at the ag mitigation option for the city's update to the General Plan as there are no current conservation tools in the books.

Thank you for your time and we look forward to further conversations on this matter.

Sincerely,

Amanda Carvajal
Executive Director

Agenda Item: 5D
Meeting Date: 12-06-10

December 6, 2010

Mayor Spriggs
Members of the City Council
Members of the Planning Commission

I am unable to attend the Joint Session of the Council and Planning Commission tonight due to a prior commitment.

First, I would respectfully request consideration of postponing the adoption of the Proposed General Plan.

We have yet to meet population numbers planned for in the Vision 2015, as one example of my concerns.

Second, since the closing of Castle Airforce Base in 1995, Merced has floundered in achieving a vision for its future, that vision should drive future General Planning. We can, should, and must look at how the Valley has become "Commuterville" due to the buildout and over priced homes in the Bay and Los Angeles, forcing people into the Valley, raising home prices along the way. While demand was there initially, this last building orgy was driven mostly by speculation.

I would hate to see this City I grew up in and served for all these years believe residential construction is a cash cow for the general fund.

Instead, we should look at each home in our future, with its massive roof as an energy farm. While ag is the biggest industry now, alternatives to energy production and consumption should be reflected in our future planning, both residential and commercial.

The era of following the past into the future is dead. We must realize that dependence on fossil fuel sources is ending and the the quest for newer, cleaner and better forms of energy is an on-going search around the world and Merced could be the center.

All energy, after all, is from the Sun. In using fossil fuels, we are using trapped sunlight stored underground as part of the evolution of the Planet. It is almost gone…the Sun will be around for so much longer!

Postpone the adoption of a new General Plan for at least two years. Plan for using our acres of rooftops as "solar farms" for current and future building. Involve the Public as much as possible in forging a new vision of what Merced has, what it has been and what it can be as it relates to the General Plan….as George Harrison wrote in one of his songs: "If you don't know where you are going, any road will take you there."

Using our land are the most important decisions you make as elected and appointed officials. Treat our future accordingly.

Jim Sanders

ATTACHMENT E2

DERREL'S mini STORAGE, INC.

CORPORATE OFFICE: 3265 W. ASHLAN AVE., FRESNO, CA 93722 (559) 224-9900 FAX: (559) 224-1884

RECEIVED
FEB 15 2011
CITY OF MERCED
PLANNING DEPT.

February 14, 2011

David Gonzalves, Director of Development Services
City of Merced
678 West 18th Street
Merced, California 95340

Subject: Retain APN 057-200-076 Land Use Designation as Regional Commercial

Dear Mr. Gonzalves,

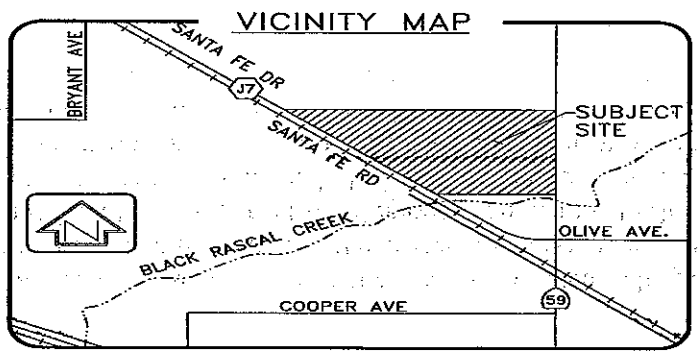
I represent Ridenour Enterprises, Inc., doing business as Derrel's Mini Storage, Inc. We own the Derrel's Mini Storage facility located at 2425 North Sante Fe Drive within the City's "Growth Boundary." Our storage facility occupies about one-third of APN 057-200-076. The balance of our land is approximately forty-acres and is undeveloped.

The City's current General Plan Land Use exhibit shows our parcel designated as Regional Commercial, and we wish to keep it that way. I understand that the City is in the process of working on a 2030 General Plan and is proposing to change the designation of our property from Regional Commercial to Business Park. We are opposed to changing the designation from Regional Commercial. If the City allows the site to remain Regional Commercial, we will file an application for annexation into the City of Merced with the intent of developing the site as a regional shopping center. During a meeting with Bill Nicholson and Dave Gilbert of Merced County Development Services, both told me that the County doesn't have the ability to serve our site with sewer and water, and both were supportive of our goal to annex to the City of Merced.

Your consideration is appreciated. Please feel free to call my cell at (559) 269-0844.

Sincerely,

Paul Ridenour
Sr. Vice President, Development and Construction



ATTACHMENT E3

December 6, 2010

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DEC - 6 2010
CITY OF MERCED
PLANNING DEPT.

City of Merced
678 West 18th Street
Merced, California 95340

We are writing this letter to request that our property on Yosemite Ave.(APN:238-010-001-000), be considered into the Merced City General Plan .

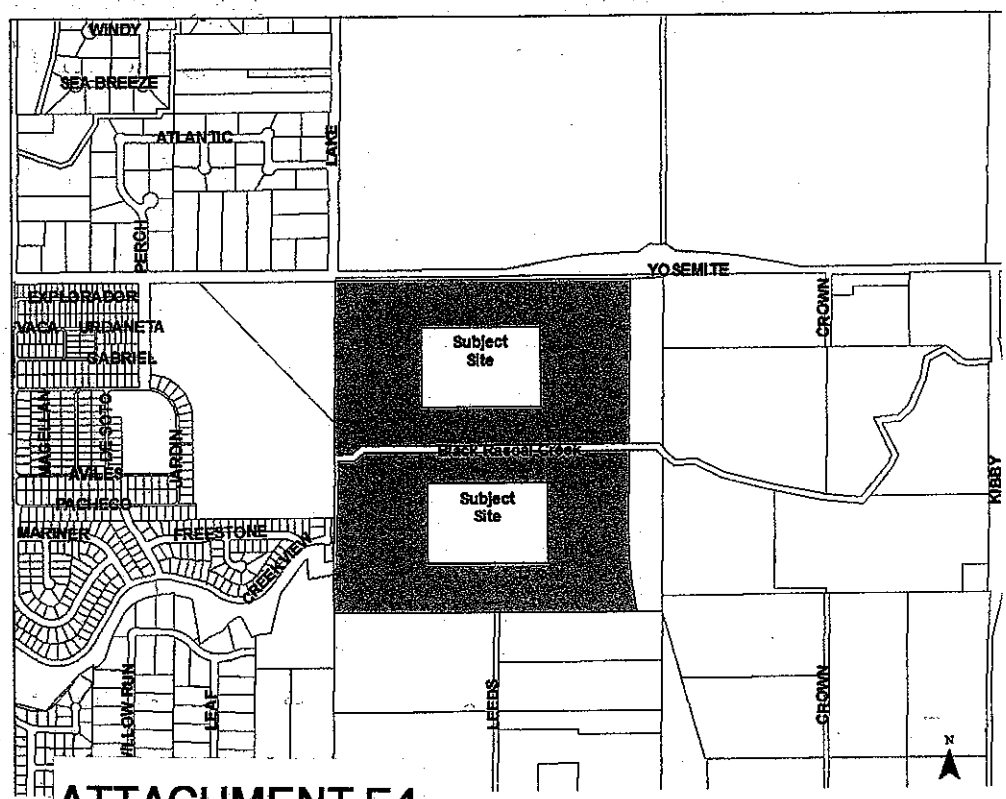
It is extremely important that the city of Merced include our property because the cities boundary needs to be large enough to accommodate approximately 20 years of growth. Our property is directly south east of Lake Road at Yosemite Avenue. This is a major intersection considering its relation to UC Merced and the City of Merced. Our property also borders the south end of the proposed Campus Community.

The increase in traffic near the property has already made farming difficult. Additionally, with the proposed Campus Parkway, farming this particular piece of property will be less efficient.

We appreciate your careful consideration of our property into the city of Merced, General Plan Update.

Sincerely,

David and Carolyn Rogina



ATTACHMENT E4

RECEIVED
DEC - 7 2010
CITY OF MERCED
PLANNING DEPT.

December 6, 2010

City of Merced
678 West 18th Street
Merced, California 95340

We are writing this letter to request that our property on Yosemite Ave.(APN:238-010-001-000), be considered into the Merced City General Plan .

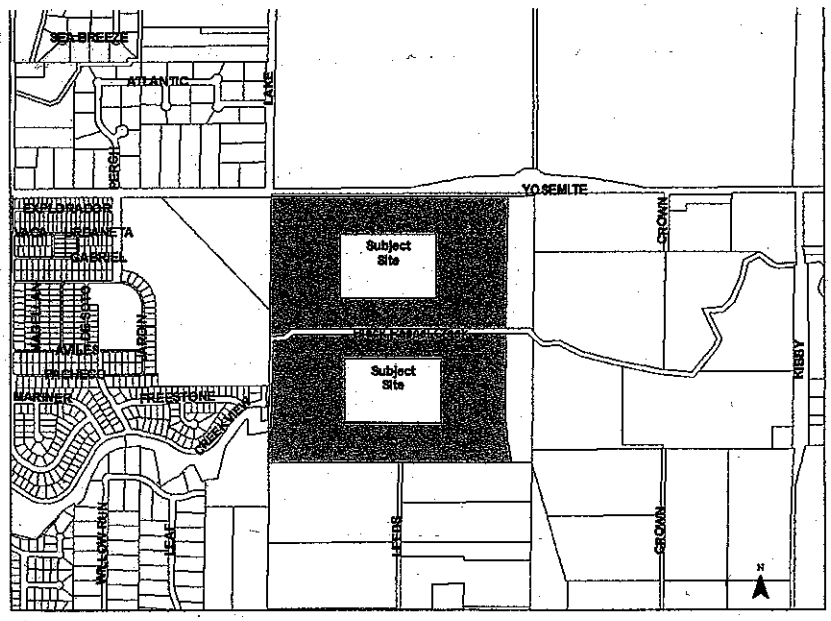
It is extremely important that the city of Merced include our property because the cities boundary needs to be large enough to accommodate approximately 20 years of growth. Our property is directly south east of Lake Road at Yosemite Avenue. This is a major intersection considering its relation to UC Merced and the City of Merced. Our property also borders the south end of the proposed Campus Community.

The increase in traffic near the property has already made farming difficult. Additionally, with the proposed Campus Parkway, farming this particular piece of property will be less efficient.

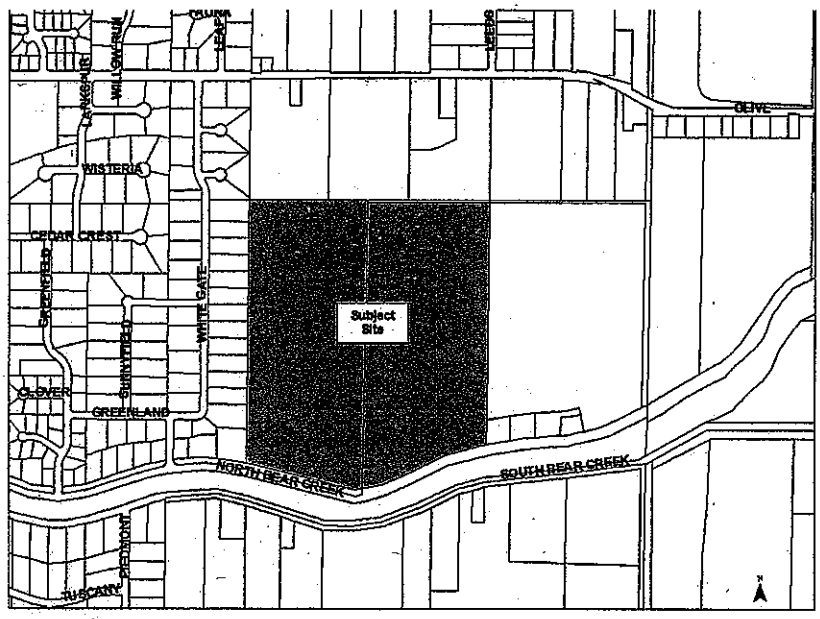
We appreciate your careful consideration of our property into the city of Merced, General Plan Update.

Sincerely,

RA Sano Farms



Fahrens Park Plaza



May 4, 2010

David Gonzalves

City of Merced
678 West 18th Street
Merced, CA 95340

Subject: Sphere of influence

Dear Dave,

I know that the City is presently working on the general plan Amendment. As you are aware the current North/South line bisects our Bear Creek Ranch property rendering it in Limbo and worthless.

I would respectfully like to request that the sphere of influence line be moved over to McKee Rd North to Olive Ave. The Whitegate community doesn't want to be annexed and would fight such a proposal. In addition it would free our property to be developed within the County.

Lou had submitted to the County to develop our site back in 1998. He respectfully withdrew the application pending the selection of the "Campus Parkway" Location.

Lou has yielded to the community's best interest and would appreciate some help with this project now as it is twelve years later.

Your mindful consideration would be greatly appreciated.

RECEIVED
MAY - 4 2010
CITY OF MERCED
PLANNING DEPT.

Sincerely,

John B Hinchey

Director of Real Estate
LJ Steiner LLC

209-480-5158

c.c. Duane Andrews
Golden Valley Engineering

ATTACHMENT E5

Merced Gateway, LLC
133 Old Wards Ferry Rd. Ste. G
Sonora, CA 95370
(209) 533-3333

City of Merced
678 West 18th Street
Merced, CA 95340

City of Merced General Plan Update

December 3, 2010

Dear Councilmen:

Merced Gateway, LLC would like to thank you for the opportunity to comment on the draft General Plan Update for the City of Merced as it relates to the property we own consisting of the approximately seventy (70) acres APN 061-250-013 (Lots 173, 175, 228-30 part of the Map of Merced Colony 1910) located just east of the Mission Avenue/Campus Parkway interchange. The subject property is presently divided by Campus Parkway which is now currently being constructed with approximately fifty (50) acres to the north and twenty (20) acres to the south. The site currently has Regional Commercial (RC) and High Density Residential (HDR) land use designations with about 75 % listed as RC and the northernmost 25% being HDR. The property is presently zoned Central Commercial and R-3.

We have submitted specific questions regarding the draft plan and are awaiting the City's response to them. We have met with planning staff and have been told to expect those responses in the next 2-3 months. In the meantime, our primary concern relates to the proposed circulation as indicated within the document. Specifically, the Circulation Plan shows an extension of Parsons across the property to the east and a new road (presumably Pluim Ave.) to the south.

Given the history of the Campus Parkway and its relationship to this property, we understood that the Parsons connection east to Coffee Road south would be adequate circulation infrastructure to accommodate the City's growth plan as indicated in the current General Plan. Since this is now forecast to change, we would respectfully ask your Council to direct staff and your consultant to qualify the necessity of this road work.

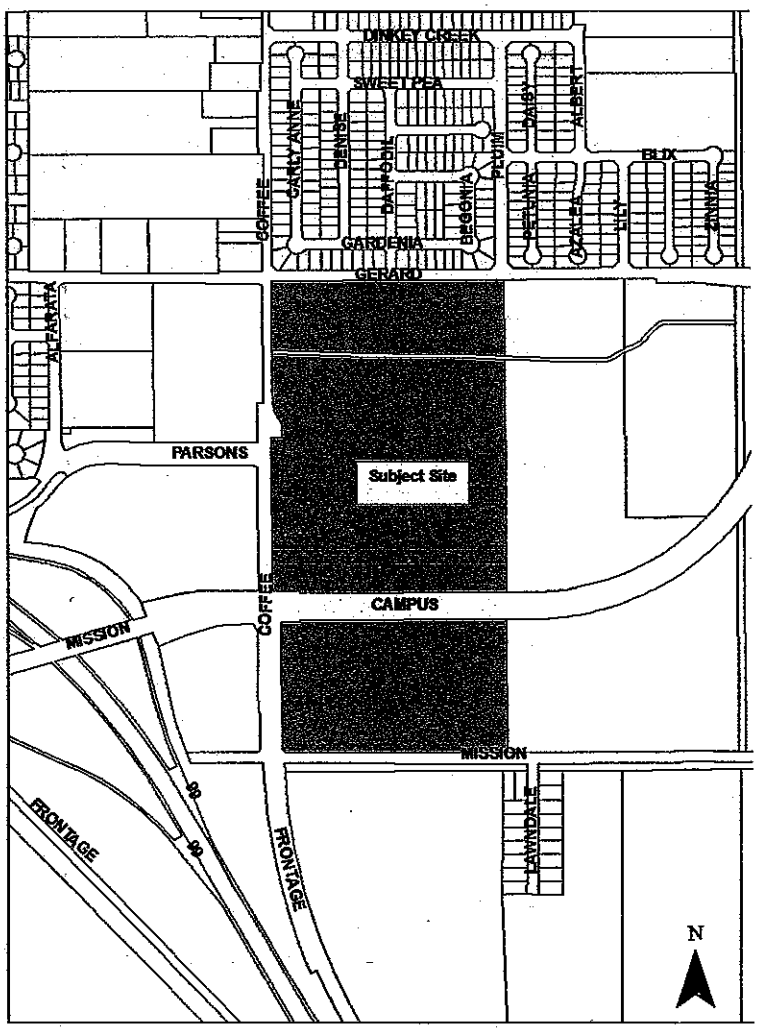
If it is found that this road segment is indeed warranted, we would argue that this road would provide a regional benefit and should be added to the City's transportation improvement program such that it could be subject to reimbursement or mitigation fee credit. From our perspective, failing to do so would represent an additional and significant taking of land over and above that which was negotiated as part of the Campus Parkway acquisition. It is simply not fair or appropriate for the City to, in effect, utilize collector road segments for regional benefits without

providing a mechanism for the costs of those roads to be shared amongst the beneficiaries in the community.

If there is no warrant, then we would ask that this road segment be eliminated from the Circulation Plan.

Our second area of concern is with respect to how this plan addresses housing. Given the Council's recent findings that there is an over abundance (10-11 times) of zoning to accommodate its housing needs (both existing & subject to annexation), we would like ensure that this document reflects those conclusions for consistency. In addition, we would respectfully ask you to direct staff and your consultant to modify land use designations in areas such as ours to more accurately convey future growth needs. Along those lines, we would offer to work with staff to develop more suitable zoning for this area as part of this update process.

Thank you again for your time and consideration of this matter. Please do not hesitate to discuss with us any questions that you may have regarding this letter, and know that we are available to meet with you at your convenience.

Sincerely,

Jim Todd
Member
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