CITY OF MERCED
Planning & Permitting Division

STAFF REPORT:	**#15-10**	**AGENDA ITEM:**	**4.2**
FROM:	Kim Espinosa, Planning Manager	**PLANNING COMMISSION MEETING DATE:**	**April 8, 2015**
PREPARED BY:	Julie Nelson, Associate Planner	**CITY COUNCIL MEETING DATE:**	**June 1, 2015 (tentatively)**

SUBJECT: **General Plan Amendment #14-06 and Zone Change #421**, initiated by Golden Valley Engineering, on behalf of Merced Holdings, LP, property owner. This application is a request to change the General Plan and Zoning designations for two parcels totaling 5.42 acres located at the southeast corner of Yosemite Avenue and McKee Road. The requested change is to amend the General Plan designation from Low Density Residential (LD) to Neighborhood Commercial (CN) and to change the Zoning designation from R-1-6 to Neighborhood Commercial (C-N) to allow the future construction of an approximately 62,000-square-foot shopping center. *PUBLIC HEARING*

ACTION: PLANNING COMMISSION:

Recommendation to City Council

1) Environmental Review #14-32 (Mitigated Negative Declaration)
2) General Plan Amendment #14-06
3) Zone Change #421

CITY COUNCIL:

Approve/Disapprove/Modify

1) Environmental Review #14-32 (Mitigated Negative Declaration)
2) General Plan Amendment #14-06
3) Zone Change #421

SUMMARY

The project site is located at the southeast corner of Yosemite Avenue and McKee Road (Attachment A). The site is comprised of two parcels totaling 5.42 acres. The property is currently zoned for single-family residential uses (R-1-6). Currently, a single-family dwelling exists on each parcel (Attachment B). These dwellings are currently vacant and in a state of disrepair. The applicant is requesting a change to the General Plan designation from Low Density Residential (LD) to Neighborhood Commercial (CN) and a change to the zoning from R-1-6 to Neighborhood Commercial (C-N) (Attachment C). If approved, the property owner plans to construct an approximately 62,000 square-foot shopping center. A preliminary site plan can be found at Attachment D. A second site plan (Option #2) is provided at Attachment E.

This site plan changes the access to Yosemite Avenue by eliminating a service road shown on Option #1 and extending Whitewater Way through to Yosemite Avenue. More details regarding these options is found later in this report.

The *Merced 2030 General Plan* defines the Neighborhood Commercial (CN) designation as follows:

> To provide sites for retail shopping areas, primarily in shopping centers, containing a wide variety of businesses including retail stores, eating and drinking establishments, commercial recreation, auto services, etc., to serve residential neighborhoods.

Uses allowed as "permitted uses" within a Neighborhood Commercial (C-N) zone include, retail stores, barber and beauty shops, professional offices, restaurants (not including entertainment or dancing or sale of alcohol – alcohol could be allowed with a Conditional Use Permit), licensed massage establishments, tanning salons, and nail salons.

Conditional Uses allowed within a C-N zone include an auto service station, carwash, fast-food restaurants, convenience market with gasoline sales, restaurant or café which includes the sale of alcoholic beverages for on-site consumption, and retail businesses of 20,000 square feet or less selling alcoholic beverages for off-site consumption. A complete listing of all permitted and conditional uses as well as additional information on the Neighborhood Commercial zone is found at Attachment F.

Staff has reviewed this request and is recommending approval of the requested General Plan Amendment and Zone Change subject to the Findings and Conditions included in this report. However, staff has not made a recommendation regarding the site plan (Option #1 or Option #2). Staff feels both plans have merit, but there are also concerns with each. Therefore, staff is asking the Planning Commission to include in any motion for approval the site plan they wish to recommend to the City Council.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of Environmental Review #14-32 (Mitigated Negative Declaration), General Plan Amendment #14-06, and Zone Change #421 (including the adoption of the Resolution at Attachment Q), subject to the following conditions:

*1) The General Plan and Zoning designations shall be changed as shown on the map at Attachment C of Planning Commission Staff Report #15-10.

*2) The Site Plan for the future shopping center shall substantially comply with the Site Plan at either Attachment D (Option #1) or Attachment F (Option #2) of Planning Commission Staff Report #15-10. *(The Planning Commission should identify in any motion which site plan option they are recommending.)*

*3) The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.

*4) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.

*5) Approval of the General Plan Amendment 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.

*6) The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.

*7) The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.

*8) Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, any public landscaping, street trees, street lights, parks and open space. CFD procedures shall be initiated before final building permit approval for the first phase of construction. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.

*9) In accordance with Merced Municipal Code (MMC) Section 20.52 – Interface Regulations, a Conditional Use Permit shall be required prior to the construction of all buildings.

*10) The project shall comply with all mitigation measures outlined in Mitigation Monitoring Program for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-zone #02-02 [Attachment G and Exhibit C of the Planning Commission Resolution (Attachment Q)].

*11) The project shall comply with all mitigation measures outlined in the Mitigation Monitoring Program for Initial Study #14-32 for this application [Attachment H and Exhibit B of the Planning Commission Resolution (Attachment Q)].

*12) All signs shall comply with the North Merced Sign Ordinance and Section 20.22 (Neighborhood Commercial Zone) of the City's Zoning Ordinance.

*13) The applicant shall construct all missing improvements along the property frontage on Yosemite Avenue and McKee Road, including but not limited to, sidewalk, curb, gutter, street lights, and street trees.

*14) All necessary right-of-way along the property frontage (Yosemite Avenue and McKee Road) needed for public improvements shall be dedicated prior to the issuance of a building permit.

*15) Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access. Details to be worked out at the Conditional Use Permit stage.

*16) 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 at least one tree for each six parking spaces. Details to be worked out at the Conditional Use Permit stage.

*17) If the property is split into multiple parcels, owners shall be required to record joint access and parking easements allowing free vehicular access and parking between parcels. Such easements shall be recorded as part of any parcel map or conditional use permit approval.

*18) A minimum 6-foot high concrete block wall shall be installed along the southern property line. The height of the wall could be increased, not to exceed 8-feet tall, if written verification is provided from the adjacent property owner approving the increased height. A minimum one-foot wide landscaping area shall be providing to allow for the planting of vines or other appropriate landscape material. Details to be worked out at the Conditional Use Permit stage.

*19) All future development shall comply with the Low Impact Development (LID) standards adopted by the state and all requirements of Merced Municipal Code Chapter 15.50 – Storm Water Management and Discharge Control.

20) Pedestrian access between buildings and to the public sidewalk shall be provided. This may be done through the use of special paving or other markings to indicate the pedestrian path of travel and shall be provided with each phase of construction. Details shall be worked out at the Conditional Use Permit stage.

(*) Denotes non-discretionary conditions.

PROJECT DESCRIPTION

The applicant is requesting to change the General Plan and Zoning designations for two parcels totaling 5.42-acres located at the southeast corner of Yosemite Avenue and McKee Road (Attachment A). The parcels are currently designated as Low Density (LD) Residential in the General Plan and are zoned R-1-6. The requested change would amend the General Plan and Zoning designations to Neighborhood Commercial (CN). This change would allow the future construction of an approximately 62,000-square-foot shopping center (Attachments D and E).

Surrounding Uses
(Attachment A)

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	Single-Family Residential/Church/School (across Yosemite Avenue)	County	Rural Residential (RR)
South	Single-Family Residential	R-1-6	Low Density Residential (LD)
East	Single-Family Residential	RP-D #52	Low Density Residential (LD)
West	Single-Family Residential (across McKee Road)	R-1-6	Low Density Residential (LD)

BACKGROUND

The project site was annexed to the City in 2003 as part of the Hunt Farms Annexation. There are two existing homes on the site (one on each parcel). These homes have been vacant for quite some time and are in a state of disrepair. In addition to the homes, there are some accessory structures on the site. Both the homes and the accessory structures would be demolished prior to construction of the future shopping center.

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

A) If the General Plan Amendment is approved, the proposed project would comply with the General Plan designation of Neighborhood Commercial (CN) and the zoning designation of Neighborhood Commercial (C-N).

General Plan "Land Use" goals and policies that relate to this proposal include:

Land Use Policy – L-2.1 Encourage further development of appropriate commercial and industrial uses throughout the City.

Land Use Policy – L-2.1a Designate adequate amounts of commercial and industrial land to serve the City's employment needs through 2015 and beyond.

Urban Expansion Policy – UE 1.2.a
Encourage development on in-fill sites by amending the Zoning and Subdivision Ordinances to better accommodate such requests.

Traffic/Circulation

B) The project site is located at the southeast corner of Yosemite Avenue and McKee Road. Yosemite Avenue, east of Parsons, is designated as a "Special Street Section" in the *Merced Vision 2030 General Plan*. As such, the ultimate right-of-way for this road is 94 feet. McKee Road is a Collector Road with an ultimate right of way of 74 feet. The project would have access from Yosemite Avenue, McKee Road, and Whitewater Way (a local road). The change to the General Plan and Zoning designations would not in and of itself affect the traffic in the area. However, the future construction of the shopping center would impact the traffic flow. Therefore, a traffic study was required to analyze the potential impacts caused by the future construction of the shopping center. Below is information regarding the proposed shopping center design and results of the traffic study (Attachment I).

Yosemite Avenue Access

The primary access on Yosemite Avenue would be a driveway that is located approximately 320 feet east of the intersection of Yosemite Avenue and McKee Road (Attachments D and E). This driveway would provide right in/right out access only. A median currently exists in Yosemite Avenue along the project frontage.

The applicant has provided two options for a second access on Yosemite Avenue near the eastern edge of the property. Option #1 includes access to a one-way only service road to allow vehicles to enter the site and go southbound. The service road would then turn to the west and go behind Building 1 and exit onto McKee Road (refer to the site plan at Attachment D). This option maintains the current roadway design within the Moraga Subdivision to the east of the project site (Attachment J).

Option #2 would be to extend and open Whitewater Way to Yosemite allowing right turns off of Yosemite and then a right turn into the site from Whitewater Way. See the site plan at Attachment E. This option would change the current roadway design within the Moraga subdivision allowing right-turn only access into the subdivision from Yosemite Avenue at Whitewater Way.

McKee Road Access

The primary access on McKee Road would be through a driveway located approximately 195 feet south of the intersection of Yosemite Avenue and McKee Road. This driveway would allow both left and right turning movements. The service road exit is located approximately 85 feet south of the primary driveway on McKee Road. This would be an exit only driveway, but would allow both left and right turns onto McKee Road.

Whitewater Way Access

Access from Whitewater Way would be located approximately 195 feet south of Yosemite Avenue and would align with the driveway entrance on McKee Road. The location of this entrance would not be significantly changed whether the site was developed with Option #1 (a service road off of Yosemite Avenue) or Option #2 (extending and opening Whitewater Way to Yosemite Avenue).

A neighborhood center should provide access into the adjacent neighborhood. However, consideration should be given to other traffic entering the neighborhood. With the service road option (Option #1), any traffic leaving the center via Whitewater Way would have to either go east on Explorador Drive to Via Moraga and exit onto Yosemite Avenue at the traffic signal located at Via Moraga and Yosemite Avenue or go south on Whitewater Way through the subdivision to Silverstone Drive and exit onto McKee Road.

Option #2 would provide an exit onto Yosemite Avenue from Whitewater Way. Although, vehicles would be limited to a right turn only onto Yosemite, a u-turn could be made at the traffic signal located at Via Moraga and Yosemite Avenue (approximately 0.2 miles from the shopping center exit). The map located at Attachment K shows the traffic flow for both options. The Planning Commission should indicate in any recommendation for approval which site plan option they prefer.

C) Trip Generation

The future construction of the shopping center would add approximately 62,000 square feet of retail shopping and associate parking to the project site. The project site consists of two parcels that total 5.42 acres with access on Yosemite Avenue and McKee Road.

A Traffic Impact Analysis Report was prepared by TJKM Transportation Consultants (Attachment I). The following table identifies the Average Daily Trips and Peak Hour Trips expected to be generated by the construction of the future shopping center.

Proposed Project Trip Generation

Average Daily Trips (ADT's)	**A.M. Peak Hour Trips (PHT's)**	**P.M. Peak Hour Trips (PHT's)**
2,647	60	230
Less Passer-By Trip Reductions (35%)		
1,721	39	150
Source: Trip Generation (9th Edition), Institute of Transportation Engineers (2012)		

Level of Service

Merced Vision 2030 General Plan, Policy T-1.8, establishes an acceptable Level of Service (LOS) of "D" for intersection and roadway operations. The traffic study identified the Level of Service for the following roadways and intersections:

Intersections:

- Yosemite Avenue and Parsons Avenue
- Yosemite Avenue and McKee Road
- Yosemite Avenue and Hatch Road
- McKee Road and Olive Avenue

Roadways:

- Yosemite Avenue between Parsons Avenue and McKee Road
- McKee Road between Yosemite Avenue and Silverado Avenue

The study analyzed the Level of Service for the following scenarios:

- Existing Conditions
- Existing Conditions, plus Project Conditions
- Existing Conditions, plus Project Conditions, plus Other Approved Projects in the Area
- Cumulative Year 2035 No Project Conditions
- Cumulative Year 2035, plus Project Conditions

Under all the scenarios, all intersections and roadways operate at an acceptable Level of Service (LOS "D" or better), with the exception of the intersection of Yosemite Avenue and Parsons Avenue. This intersection is currently operating at an LOS E and remains at LOS E under the existing plus project conditions. However, it falls to LOS F under the other scenarios. Details of the Level of Service analysis may be found on pages 10-27 of the Traffic Impact Analysis at Attachment I.

Based on the traffic analysis, the 24-hour volume for Yosemite Avenue is 7,081 trips and 4,263 trips on McKee Road. Both roadways currently operate at an LOS C. With the addition of the project traffic, the 24-hour volume increases to 7,942 on Yosemite Avenue and maintains an LOS C. The 24-hour volume increases to 4,607 trips on McKee Road, but continues to operate at an LOS C.

Because the level of service at the intersection of Parsons and Yosemite Avenues would deteriorate from LOS E to LOS F under the Cumulative 2035 scenario, mitigation is recommended for this intersection to raise the level of service back to an LOS D.

The intersection of Olive Avenue and McKee Road would also decrease from LOS C to LOS F under the Cumulative 2035 scenario. Mitigation measures are also recommended for this intersection which would bring the level of service back to an LOS C.

It should be noted that a traffic signal is planned for this intersection in the future. The cost of the signal would be the responsibility of the City of Merced. The traffic analysis determined that this intersection meets the Manual on Uniform Traffic Control Devices (MUTCD) warrants for traffic signals. However, the traffic analysis recommends that prior to installation of a traffic signal, the remaining MUTCD warrants be conducted to determine if the need exists for a traffic signal at this time. Because the cost of the traffic

signal would be borne by the City, it was determined that the recommended mitigation identified in Initial Study #14-21 was more feasible at this time.

Mitigation Measures:

O-1) The westbound lane of Yosemite Avenue at Parsons Avenue shall be modified to accommodate an additional 200-foot shared thru/right turn lane. In addition, the existing shared left/thru/right lane shall be restriped to be a shared left/thru lane (refer to the map at Attachment L). (The Traffic Analysis recommended an additional 100 foot lane be installed. The City Engineer recommends the length of the lane be increased to 200 feet.).

-or-

The applicant shall be required to pay for their proportionate share of the above improvement as determined by the City Engineer.

The Development Services Director and City Engineer would determine which option above would be appropriate prior to the issuance of a building permit for the construction of the future shopping center.

O-2) The following modifications to the intersection of Olive Avenue and McKee Road shall be made (refer to the map at Attachment M):

Southbound Approach:

- Remove the adjacent on-street parking for 100 feet on the southbound approach.
- Re-stripe the approach as shared left/thru lane and shared right/thru lane.
- Remove the adjacent on-street parking for 100 feet on the southbound receiving lane and stripe it as a lane drop.

Northbound Approach

- Remove the adjacent on-street parking for 100 feet on the north bound approach.
- Re-stripe the approach as shared left/thru lane and shared right/thru lane.
- Remove the adjacent on-street parking for 100 feet on the northbound receiving lane and stripe it as a lane drop. The City Engineer shall determine if this measure is feasible due to the location of residential driveways in this area.

Condition #10 requires development of the subject site to comply with all mitigation measures identified in Initial Study #14-32.

D) Other Traffic Impacts in the Area

Yosemite Church is located to the north of the subject site across Yosemite Avenue (outside the City Limits). An expansion of the church was approved in 2002, which allowed the construction of an 18,500-square-foot multi-use sanctuary, outdoor amphitheater, conversion of a residence to a youth facility and development of outdoor softball and soccer fields. At that time, the church was required to obtain a 25-foot

access easement to Hatch Road to mitigate traffic impacts generated as a result of the expansion. This access has never been constructed. In addition, the existing driveway on the western edge of the property was to be relocated and aligned with McKee Road in the future (the County did not specify when this was to happen). Refer to the map at Attachment N for location of improvements.

Although these improvements were required by the church development, the development took place outside the City of Merced. Therefore, the City has no jurisdiction to require these improvements and any impacts from these missing improvements cannot be made a burden of this proposed development on the project site under consideration.

Parking

E) Parking for general retail uses is one space for each 300 square feet of floor area. Other uses allowed within the Neighborhood Commercial zone include office uses and beauty and nail salons. These uses would require parking at a ratio of one space for each 200 square feet of floor area. Retail food stores require one space for each 250 square feet of floor area. The proposed site plan provides 216 parking spaces. Based on a 62,000 square foot building, this would be equal to one space for each 300 square feet. Details on the parking for the future shopping center would be addressed at the Conditional Use Permit stage and subsequently at the Building Permit stage to ensure sufficient parking is provided for each proposed use.

Public Improvements/City Services

F) Future development on the subject site would be responsible for installing all public improvements along the property frontage on Yosemite Avenue and McKee Road as well as making the necessary improvements to comply with the mitigation measures described in the Traffic/Circulation section above. Public improvements would include, but not be limited to, sidewalk, curb, gutter, street lights, street trees, and any roadway improvements or striping needed.

Building Design

G) The applicant has not submitted building elevations at this time. If this request is approved, a Conditional Use Permit would be required prior to construction of the shopping center. At that time, the Planning Commission would be able to review the building design and materials.

Site Design

H) The applicant has submitted two options for the site design. The building locations do not change between the two options. The sizes of the buildings vary slightly. With Option #2, the total square footage is reduced to 61,000 square feet instead of 62,000 square feet as proposed with Option #1.

Option #1

This design is found at Attachment D and provides the main access from Yosemite Avenue from a driveway entrance located near the center of the shopping center frontage. This access would allow right-turn only movements when exiting the center. A second access from Yosemite Avenue, a service road, is provided at the eastern edge of the property. This access would provide entrance-only access and would provide a one-way lane around the eastern and southern perimeter of the site, with an exit onto McKee Road and allow both left and right turning movement. Although it would be available for public access, it is intended to primarily serve delivery vehicles. Delivery trucks serving Building 3 (and possibly the other buildings) would use the service road to access the site, then would back into the loading dock for Building 3 on the east side of the building. Vehicles serving the other buildings on the site would proceed south from the service road, behind Building 1 if delivering from the rear of the building. Deliveries for Building 2 would be done from the parking lot area.

Another driveway is also provided on McKee Road approximately 195 feet south of the intersection of McKee Road and Yosemite Avenue. This driveway would allow both left and right turning movements. The service road exit described above is located approximately 85 feet south of this primary driveway.

Access is also provided from Whitewater Way along the eastern side of the site. This driveway would be approximately 195 feet south of Yosemite Avenue. This driveway would allow access to the site from the adjacent neighborhood. In Option #1, Whitewater Way does not provide access to Yosemite Avenue which is consistent with the original design of the subdivision. This option may prevent additional traffic into the neighborhood. However, unless someone lives in the area, it seems unlikely they would travel through the subdivision to reach their destination. This subdivision has very narrow roads which cause traffic to move more slowly than in other areas. Whitewater Way is planned to be widened to the width of a traditional local road (48-foot right-of-way) in the future as development occurs on the lots fronting McKee Road, but the other roads would remain narrow.

It is the intent of a neighborhood center to provide easy access into the adjacent neighborhood without causing vehicles from the neighborhood to travel on other major roads. Therefore, staff feels access to the center from Whitewater Way is an important element of the site design.

Option #2

This design is found at Attachment E and as previously described, this option reduces the overall square footage of the buildings on the site slightly, but otherwise does not change the primary access points on Yosemite Avenue, McKee Road, and Whitewater Way. The only change to the site with this option is the removal of the service road entrance from Yosemite Avenue. This option extends Whitewater Way through to Yosemite Avenue which would provide access to the shopping center and the neighborhood from Yosemite Avenue. The driveway on Whitewater Way would remain the same as in Option #1, but the service road would begin just south of the entrance on Whitewater Way and extend

along the southern edge of the property, exiting onto McKee Road as in Option #1. With this option, delivery vehicles serving Building 3 located at the northeast corner of the site would most likely enter from Whitewater Way, pulling south onto the service road, then back into the delivery dock located on the east side of the building. Deliveries for the other buildings would be provided the same as in Option #1.

By opening Whitewater Way to Yosemite Avenue, vehicles leaving the center would have an additional option to get back to a major roadway. After exiting the center, vehicles would get to Yosemite Avenue without having to travel through the neighborhood. Vehicles exiting onto Whitewater Way wanting to get to McKee Road would still have to travel south through the subdivision to get to McKee. It seems unlikely vehicles would travel through the subdivision unless they have a destination within the area. However, by opening Whitewater Way to Yosemite, there could be an increase in traffic on Whitewater Way by people trying to avoid the signal at Yosemite and McKee.

As previously mentioned, access to and from the adjacent neighborhood is an important element for a neighborhood center. Both Option #1 and Option #2 provide this access. Staff is asking the Planning Commission to provide direction on whether Whitewater Way should be opened to Yosemite Avenue (Option #2) or if the service road design (Option #1) is preferred.

Landscaping

I) No landscaping has been proposed at this time. However, Condition #15 requires parking lot trees to be installed with future development in compliance with City Standards. Condition #17 requires a concrete block wall along the southern property line to have landscaping along the wall (fast growing vines or other approved landscape material).

Neighborhood Impact/Interface

J) The site is surrounded by residential uses as well as a church to the north. The property located across Yosemite Avenue is not within the City Limits at this time. The closest home to the site across Yosemite Avenue is approximately 175 feet away and would be approximately 200 feet from the building at the northeast corner of the site.

Although the lots adjacent to the site to the east are zoned for residential development, they are currently vacant. The homes to the south of the site were part of the same annexation as the subject site. The parcels are large parcels with a depth of approximately 660 feet from McKee Road. The house on these parcels front McKee Road with the majority of the parcels being vacant or used for accessory buildings or other purposes (not for living facilities). The home closest to the subject site is approximately 50 feet from the property line. With the proposed setback of the buildings being 25-30 feet, the home would be approximately 75-80 feet from the commercial buildings.

The homes to the west (across McKee Road) would be approximately 115 feet from the future buildings on the site. There is mature landscaping along the eastern property line

of these homes which will help protect them from noise and light that might be generated from the project site.

K) Neighborhood Meeting

On November 16, 2014, the applicant's representative, Golden Valley Engineering, held a neighborhood meeting to inform the neighbors of the proposed project and gather input and comments from the residents. A map of the area where the homeowners received an invitation to the meeting is provided at Attachment O. It should be noted that this area is larger than the area required to be notified for public hearings (the City is required to notify all property owners within 300 feet of a site of potential development). City staff members David Gonzalves, Director of Development Services, and Julie Nelson, Associate Planner, also attended the meeting.

At the meeting, representatives from Golden Valley Engineering explained that the project would consist of a small grocery store on the northeast corner of the parcel and a fast food restaurant on the northwest corner. They explained that the retail uses would be similar to those found at the Raley's Shopping Center at Yosemite Avenue and G Street or to the uses at the Promenade at Yosemite Avenue and Paulson Avenue.

The majority of the concerns raised by the neighborhood included traffic related issues and concerns with alcohol-related uses being allowed in the shopping center.

Concerns were raised about vehicles going to Yosemite Church having to make u-turns at Hatch Road in order to enter the site from the eastern driveway (Attachment N). The neighbors explained that this intersection isn't wide enough for cars to make the u-turn and, therefore, they drive onto the neighbor's property when making that turn.

Other neighbors expressed concerns with the traffic volume on McKee Road and explained that at certain times of the day, they have a difficult time exiting their property onto McKee. Concerns about vehicle speed on McKee Road were also expressed. It was also noted that many people use Whitewater Way through the Moraga Subdivision to avoid the light at Yosemite Avenue and McKee Road. In addition, UC students park their vehicles in the different areas of the subdivision to catch the Cat Tracks bus to the University.

A question was asked about whether McKee Road would be widened to four lanes as a result of this development. Mr. Gonzalves, Director of Development Services, advised that McKee Road is designated as a Collector Road and is not intended to be widened to a four lane road. Mr. Gonzalves also advised that Yosemite Church across the street from the site may have some outstanding improvements that need to be made that might help alleviate some of the concerns with traffic on Yosemite Avenue at Hatch Road.

The residents asked about the types of uses that would be allowed in the shopping center and specifically whether bars/nightclubs would be allowed. City staff in attendance explained that any use that serves alcohol in a C-N zone would be required to obtain a Conditional Use Permit prior to obtaining a license from the Department of Alcoholic Beverage Control (ABC). In addition, any retail use less than 20,000 square feet in size would be required to obtain CUP approval prior to being allowed to sell alcoholic beverages for off-site consumption. Nightclubs would not be allowed within a

Neighborhood Commercial zone. However, a restaurant with a bar could be allowed if the bar was an accessory use to the restaurant. In other words, if the bar was only open when the restaurant was open, then it could be allowed with Conditional Use Permit approval.

City staff advised the neighbors that a traffic study would be required to analyze the impacts of this development on the traffic in the area. Staff also explained the public hearing process for the proposed General Plan Amendment and Zone Change as well as the subsequent CUP.

Notice of Public Hearing

Public hearing notices were sent to the same residents who were invited to the neighborhood meeting. As of the date of this report, staff has received one call from a resident with concerns about traffic and the types of uses allowed within the shopping center (specifically any uses allowing alcohol sales).

Signage

L) Because this site is located within the area regulated by the North Merced Sign Ordinance, all signs would be required to comply with this ordinance. The applicant has not proposed any signage at this time. Details on signing would be reviewed at the Conditional Use Permit stage.

Environmental Clearance

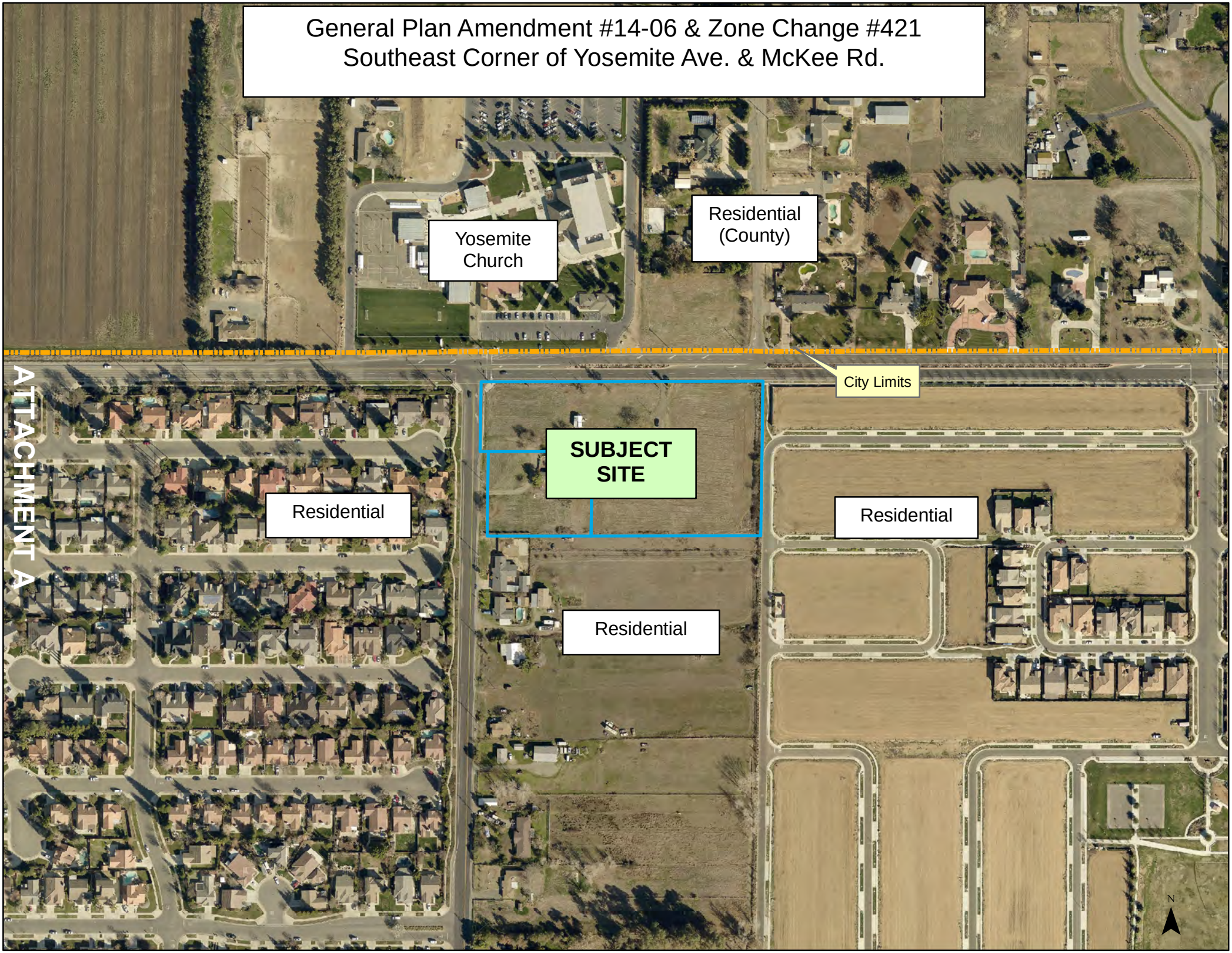
M) The Planning staff has conducted an environmental review (Initial Study #14-32) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Draft Mitigated Negative Declaration (i.e., no significant effects in this case because of the mitigation measures and/or modifications described in Initial Study #14-32) is being recommended (Attachment P).

Attachments:

A) Location Map
B) Aerial of Site
C) Map of Proposed General Plan and Zoning designation changes
D) Site Plan (Option #1)
E) Alternate Site Plan with Whitewater Way open to Yosemite Avenue (Option #2)
F) C-N Zone Excerpt
G) Mitigation Monitoring Program for Expanded Initial Study #02-27
H) Mitigation Monitoring Program for Initial Study #14-32
I) Traffic Study
J) Moraga Subdivision
K) Traffic circulation through Moraga Subdivision
L) Mitigation for Parsons & Yosemite
M) Mitigation for Olive & McKee

N) Map of Yosemite Avenue & Hatch Road
O) Notice Area for neighborhood meeting and public hearing notices
P) Initial Study #14-32
Q) Draft Planning Commission Resolution

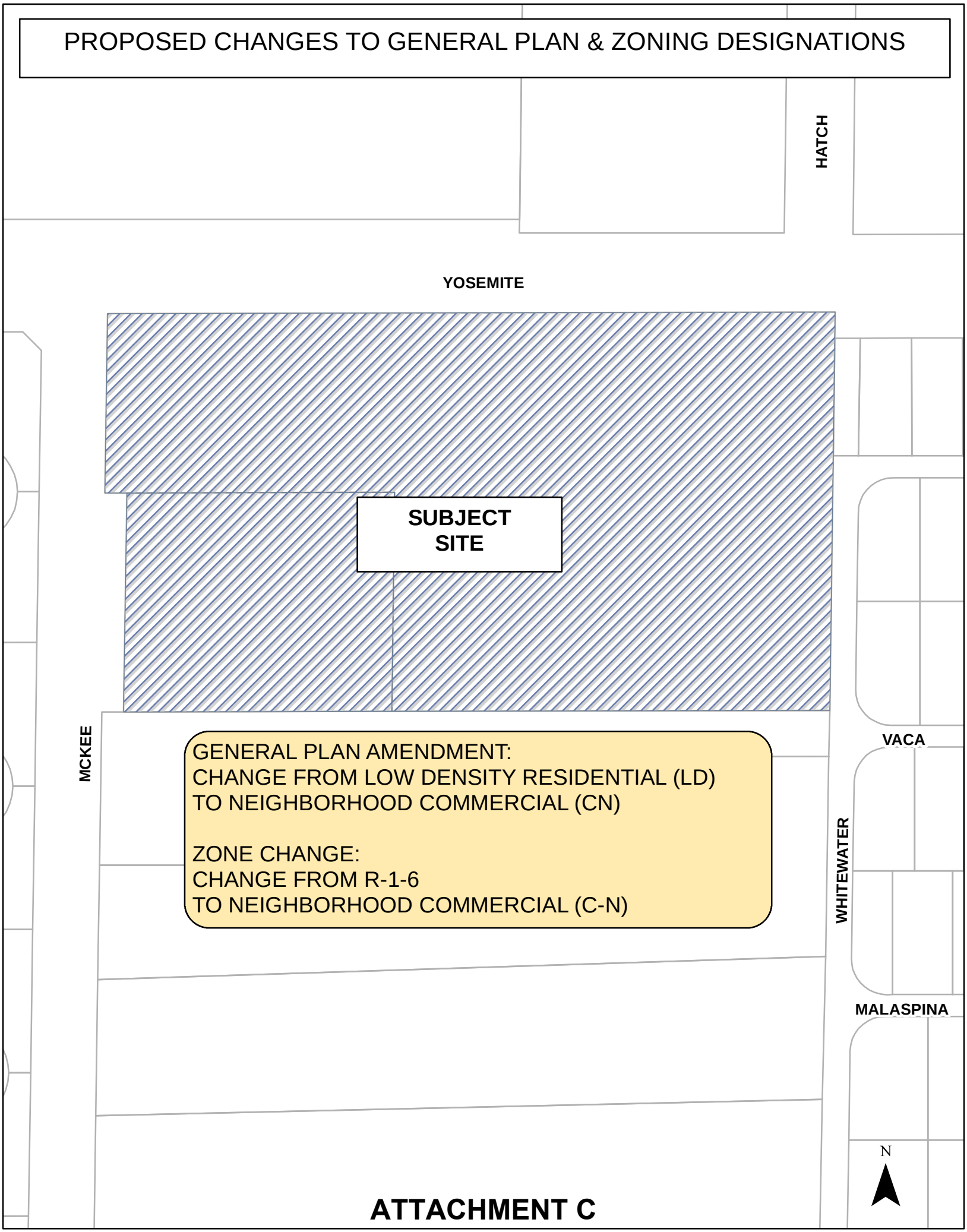
General Plan Amendment #14-06 & Zone Change #421
Southeast Corner of Yosemite Ave. & McKee Rd.



ATTACHMENT A

ATTACHMENT B

PROPOSED CHANGES TO GENERAL PLAN & ZONING DESIGNATIONS



GENERAL PLAN AMENDMENT:
CHANGE FROM LOW DENSITY RESIDENTIAL (LD)
TO NEIGHBORHOOD COMMERCIAL (CN)

ZONE CHANGE:
CHANGE FROM R-1-6
TO NEIGHBORHOOD COMMERCIAL (C-N)

ATTACHMENT C

ATTACHMENT D

GOLDEN VALLEY
ENGINEERING & SURVEYING
405 West 19th Street 95340
P.O. Box 349
Merced, CA 95341
Ph.: (209) 722-3200
Fax: (209) 722-3254

PRELIMINARY SITE PLAN FOR
THE SHOPPES AT UNIVERSITY VILLAGE
SW CORNER OF YOSEMITE & McKEE Road
MERCED CALIFORNIA

- Preliminary Site Plan

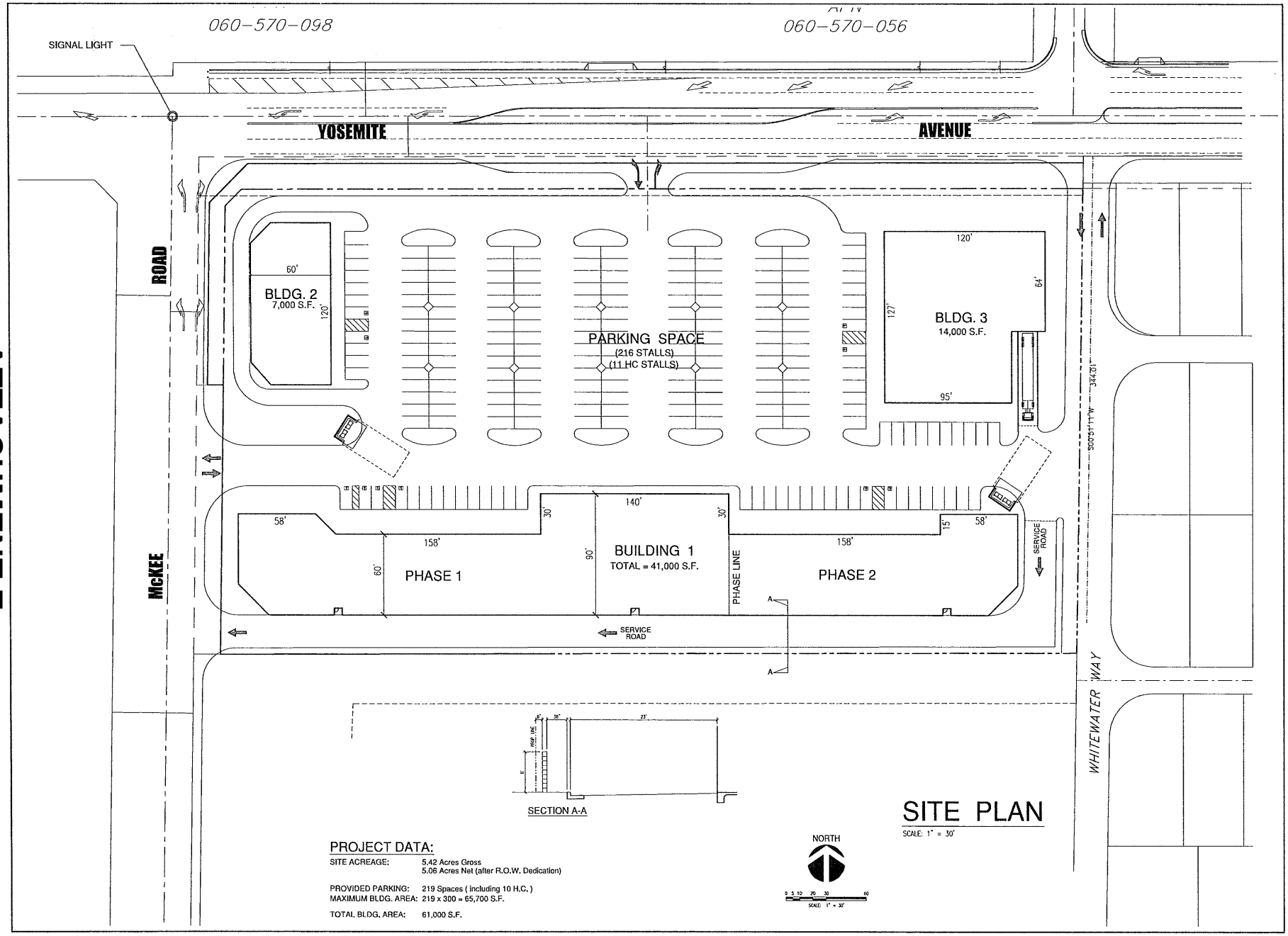
Merced Holding, LP
9701 W. Pico Blvd. Ste., 201A
Los Angeles, CA 90035

Date: -
Scale: As Shown
Drawn By: Rick R.
Job No.: -

1

SITE PLAN OPTION #1

ATTACHMENT E



SITE PLAN

SCALE: 1" = 30'

PROJECT DATA:

SITE ACREAGE: 5.42 Acres Gross
5.06 Acres Net (after R.O.W. Dedication)

PROVIDED PARKING: 219 Spaces (including 10 H.C.)
MAXIMUM BLDG. AREA: 219 x 300 = 65,700 S.F.

TOTAL BLDG. AREA: 61,000 S.F.

These drawings are instruments of service and are the property of Golden Valley Engineering & Surveying, Inc. All designs and other information on these drawings are for use on the specified project and shall not be used otherwise without the express written permission of Golden Valley Engineering & Surveying, Inc.
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PREPARED BY:

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Ph.: (209) 722-3200
Fax: (209) 722-3254

No.	Date	Description
1	3/30/15	PCD SUBMITTAL

PRELIMINARY SITE PLAN FOR
THE SHOPPES AT UNIVERSITY VILLAGE
SW CORNER OF YOSEMITE & McKEE Road
MERCED CALIFORNIA

ENGINEER:

REGISTERED PROFESSIONAL ENGINEER
RANDY D. No. 54043 Exp. STRUCTURAL STATE OF CALIFORNIA

SHEET CONTENTS:
- Preliminary Site Plan

PREPARED FOR:
Merced Holding, LP
9701 W. Pico Blvd. Ste., 201A
Los Angeles, CA 90035

PROJECT DATA:
Date: -
Scale: As Shown
Drawn By: Rick R.
Job. No.: -

SHEET NUMBER:
1

SITE PLAN OPTION #2

Chapter 20.22 - C-N DISTRICT

Sections:

20.22.010 - Purpose.

The purpose of the C-N district is to provide a center for convenience shopping in a residential neighborhood. New C-N districts shall have a minimum area of three acres and shall be located only where analysis of the residential population demonstrates that the facilities are justified. (Ord. 824 § 7.201, 1964).

20.22.020 - Permitted uses.

The following principal permitted uses are:

A. Any local retail business or service establishment, such as but not limited to a grocery store, bake shop, drug store, barber and beauty shop, clothes cleaning and laundry pickup station, business or professional office, financial institutions, supplying commodities or performing services for residents of the neighborhood;

B. Restaurant, cafe, and soda fountain, not including entertainment or dancing, or sale of liquor, beer and other alcoholic beverages by the glass, or for consumption on the premises;

C. Commercial parking lots for passenger vehicles;

D. Any other retail business or service establishment which is determined by the commission to be of the same general character as the above permitted retail business or service uses.

E. Beauty salons, barber shops, licensed massage establishments, tanning salons, and nail salons.

(Ord. 2039 § 4, 2000: Ord. 824 § 7.202, 1964).

20.22.030 - Accessory uses.

The following are accessory uses:

Accessory buildings and uses customarily appurtenant to a permitted use, such as an incidental storage facility, garage, or off-street parking area.

(Ord. 824 § 7.203(A), 1964).

ATTACHMENT F

20.22.040 - Signs.

The following regulations shall apply to signs erected in the C-N district:

A. Signs shall pertain only to a use conducted on the property.

B. Freestanding double-face directional and off-street parking control signs may be located at each entrance or exit servicing off-street parking; provided, each sign face does not exceed four (4) square feet.

C. Freestanding shopping center identification signs shall be permitted adjacent to each major street or each minor street an which the shopping center has at least two hundred feet of property frontage. The sign may be double-face, but shall not exceed one hundred square feet per face and shall contain only the name of the shopping center. If businesses located in the shopping center are listed, there may be an additional two square feet per listing per face.

D. 1. Signs shall only be erected parallel with the wall of the building most nearly facing the principal street and any minor street an which a neighborhood shopping center has more than a two hundred foot frontage. No sign attached to a building shall project beyond the limits of the structure as shown on the architectural or engineering plan elevation of the building facing the property line abutting the street toward which the sign faces.

2. "Principal street," for purposes of this section, means a street designated on the general plan as a major street.

E. Signs pertaining to the use of the building may be placed in the following locations:

1. Attached to, parallel with, and with the face of the sign no more than eighteen (18) inches from the face of the building.

2. Signs may be erected perpendicular to the face of the building if attached under a marquee or similar structurally permanent extension from the building; provided, that the signs shall not project beyond the limits of the marquee or roof. The signs shall not exceed eight (8) inches in height, five (5) feet in length, nor be less than seven (7) feet, six (6) inches above the sidewalk level.

3. Other signs located on, under, or in front of a marquee shall be located not more than eighteen (18) inches from the edge of the marquee and shall not exceed eighteen (18) inches in height nor be less than seven (7) feet, six (6) inches above sidewalk level.

4. Signs may be located at the rear or side of a building if there is less than two hundred (200) feet on a minor street and the buildings are at least fifty (50) feet from adjacent residential areas.

F. Sign areas shall be limited to one (1) square foot for each lineal foot of building width as shown on an elevation of the building, but in no case shall the sign area exceed one hundred (100) square feet, except as otherwise provided in this title. For shopping centers with less than two hundred (200) foot frontage on a minor street, signs shall be limited to one (1) square foot for each lineal foot of the building; provided, however, that no sign shall exceed fifty (50) square feet.

G. Lighted signs shall be governed by the following:

1. Lighted signs with direct or reflected lighting, any part of which flashes, blinks, turns off and on or which has mechanical or electrical movement of any kind, are prohibited;

2. Red, amber or green signs may not be placed in any manner conflicting with traffic signals or which, in the opinion of the traffic safety committee, may confuse or tend to confuse drivers or operators of vehicles using the streets of the city;

3. Exterior signs may be illuminated until ten p.m. or the end of the business day, whichever is later;

4. Spotlights or other illuminating devices may not be directed toward adjacent residentially zoned property.

(Ord. 824 § 7.203(B), 1964).

20.22.050 - Conditional uses.

The conditional uses are:

A. Public and quasi-public uses appropriate to the C-N district;

B. Auto service station;

C. Sidewalk cafe;

D. Social hall, lodge, fraternal organizations and clubs;

E. Public utility uses, substations, and communication equipment buildings;

F. Time and Temperature Signs. These signs are exempt from the provisions of Section 20.22.040, and only the words "time" and "temperature," or an abbreviation thereof, and the electrically controlled figures indicating the

time and temperature shall be permitted thereon, and the area of the sign shall not exceed twenty-four (24) square feet per face;

G. Drive-in restaurant;

H. Residential uses appropriate to R-1, R-2, R-3, or R-4 districts, subject to all restrictions and requirements of the residential zone that coincides with the density permitted;

I. Theater;

J. Restaurant or cafe, which includes the sale of liquor, beer, or other alcoholic beverages by the glass, or for consumption on the premises;

K. Carwash;

L. Convenience market with gasoline sales;

M. Fast-food restaurants;

N. Supermarket, super grocery store;

O. Church;

P. Shopping center;

Q. Day care facilities for more than twelve (12) children;

R. Day care facilities for the elderly of twelve (12) or fewer persons;

S. Retail business of twenty thousand (20,000) square feet or less selling alcoholic beverages for off-site consumption;

T. Tattoo parlors.

(Ord. 2039 § 5, 2000: Ord. 1909 § 1, 1995: Ord. 1767 § 5, 1990: Ord. 1578 § 2, 1985: Ord. 1472 § 1, 1983: Ord. 1361 § 1, 1980: Ord. 1226 § 1, 1978: Ord. 1213 § 1, 1978: Ord. 1197 § 1, 1977: Ord. 903, 1967: Ord. 824 § 7.204, 1964).

20.22.060 - Height regulations.

No principal or accessory building shall exceed two and one-half (2 ½) stories or thirty (30) feet in height except as provided in Section 20.62.020.

(Ord. 824 § 7.205, 1964).

20.22.070 - Yard requirements.

The following minimum requirements shall be observed except where increased for conditional uses:

A. Lot area (in square feet):	7,500
B. Yards:	
1. Exterior (in feet):	20
2. Interior (in feet):	None, except when abutting R district, then not less than twenty feet.

C. A reduction in exterior yard setback requirements for service station canopies only may be permitted by the planning commission upon issuance of a conditional use permit.

(Ord. 1721 § 1, 1988: Ord. 1368 § 1, 1981: Ord. 824 § 7.206, 1964).

20.22.080 - Additional conditions.

Other required conditions are that:

A. All uses shall be conducted wholly within a completely enclosed building, except for service stations, public utility substations and off-street parking and loading facilities, except that the planning commission may permit the outdoor operation of any permitted use by approving a conditional use permit therefor;

B. In any C-N district which is across a street or thoroughfare from any R district, or any district designated for future residential use in the Merced general plan, the parking and loading facilities shall maintain an average distance of at least eight (8) feet from the street and structures at least thirty-five (35) feet from the street;

C. Goods for sale shall consist primarily of new merchandise and shall be sold at retail on the premises;

D. Not more than three (3) persons shall be engaged in the fabrication, repair or other processing of goods in any establishment, and not more than five (5) aggregate horsepower shall be employed in the operation of all machines employed for the aforesaid purposes;

E. Off-street loading and parking as required in Chapter 20.58

F. Site plan approval of all conditional uses as required in Chapter 20.68

(Ord. 824 § 7.207, 1964).

EXPANDED INITIAL STUDY #02-27
for
HUNT FAMILY ANNEXATION TO THE CITY OF MERCED

Appendix A
Mitigation Monitoring Program

MITIGATION MONITORING CONTENTS

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

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

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

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

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

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

MITIGATION MONITORING PROCEDURES

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

EXHIBIT A
Planning Commissioner Resolution #2707

ATTACHMENT G

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 MITIGATION MEASURES

As a second tier environmental document, the *Expanded Initial Study for Hunt Family Annexation to the City of Merced* incorporates some mitigation measures adopted as part of the *Merced Vision 2015 General Plan Program Environmental Impact Report* (SCH# 95082050), as mitigation for potential impacts of the Project. Therefore, following the Hunt Family Annexation Mitigation Monitoring Checklist (starting on page A-11) is a list of these relevant General Plan mitigation measures along with the General Plan Mitigation Monitoring Checklists (Forms A and B) to be used to verify that the General Plan mitigation measures have been met.

NONCOMPLIANCE COMPLAINTS

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

MONITORING MATRIX

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

Mitigation Measure:	Summarizes the Mitigation Measure (referenced by number) identified in *Expanded Initial Study #02-27.*
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

Hunt Family Annexation
Mitigation Monitoring Checklist

Project Name:_____ **File Number:**_____
Approval Date:_____ **Project Location** _____
Brief Project Description_____

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

Mitigation Measure	*Timing*	*Agency or Department Consultation*	*City Verification (date and initials)*
2. AGRICULTURAL RESOURCES			
2-1 A provision shall be recorded by the applicants/developer or successors, at time of sale of any residentially-zoned property within the project that lies within 1,000 feet of the external boundary of any non-project property which currently has an active agricultural operation (including 4-H projects), or has had an agricultural operation on it during the calendar year preceding the year within which the sale takes place. This provision shall notify the buyer(s) and any subsequent owner(s) of the possible inconvenience or discomfort of farming operations, arising from the use of agricultural chemicals, including pesticides, and fertilizers, as well as from the pursuit of agricultural operations including plowing, spraying, and harvesting which occasionally generate dust, smoke, noise and odor, and the priority to which Merced County places on agricultural operations.	*Building Permits*	***City Planning & Inspection Services***	

EXHIBIT A

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
3. AIR QUALITY			
3-1. All active portions of construction sites, earthen access roads, and material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Where feasible, reclaimed water shall be used.	*Building Permits*	*City Inspection Services*	
3-2. All clearing, grading, earth moving, or excavation activities shall cease during periods of winds greater than 20 miles per hour averaged over one hour.	*Building Permits*	*City Inspection Services*	
3-3. All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.	*Building Permits*	*City Inspection Services*	
3-4. The area disturbed by clearing, earth moving, or excavation activities shall be minimized at all times. This can be accomplished by mowing instead of disking for weed control and seeding and watering inactive portions of the construction site until grass is evident, if construction time frames warrant.	*Building Permits*	*City Inspection Services*	
3-5. Construction site vehicle speeds shall be limited to 15 miles per hour.	*Building Permits*	*City Inspection Services*	
3-6. If used, petroleum-based dust palliatives shall meet the road oil requirements of the District's rule regarding Cutback Asphalt Paving Materials.	*Building Permits*	*SJVUAPCD*	
3-7. Streets adjacent to the Project site shall be swept as needed to remove silt and/or mud that may have accumulated from construction activities. The streets are required to be wet prior to or in conjunction with rotary sweeping.	*Building Permits*	*City Inspection Services*	
3-8. All internal combustion engine-driven equipment shall be properly maintained and well tuned according to the manufacturer's specifications.	*Building Permits*	*City Inspection Services*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
3-9. When reasonably available and economically feasible, diesel powered or electric equipment shall be utilized in lieu of gasoline powered engines.	*Building Permits*	*City Inspection Services*	
3-10. Construction activities shall minimize obstruction of through traffic lanes adjacent to the site and a flag person shall be retained to maintain safety adjacent to existing roadways.	*Building Permits*	*City Inspection Services*	
3-11. Prior to issuance of building permits, the project will be required to comply with District Regulation VIII. Specifically, the rules that apply to this project are: Rule 8010 (Administrative Requirements) and Rule 8020 (Construction, Demolition, Excavation, and Extraction Activities). Additional rules that may apply to this project depending on ccnstruction practices employed are: Rule 8030 (Handling and Storage of Bulk Materials), Rule 8060 (Paved and Unpaved Roads), and Rule 8070 (Parking , Shipping, Receiving, Transfer, Fueling, and Service Areas).	*Building Permits*	*SJVUAPCD*	
3-12. If public transit is available in the area, a public transit stop shall be located within safe walking distance from the Project site or included as part of the Project. (Details to be worked out with Merced County Transit staff at the tentative map stage.)	*Tentative Subdivision Map*	*City Planning and Merced County Transit Service*	
3-13. Provide low nitrogen oxide (NOx) emitting and/or high efficiency water heaters.	*Building Permits*	*City Inspection Services*	
3-14. Planting of deciduous trees on the south and westerly facing sides of buildings.	*Building Permits*	*City Inspection Services*	
3-15. If fireplaces are proposed, only natural gas fireplaces, EPA-certified wood burning fireplaces/stoves, or pellet fueled heater should be installed. Conventional open-hearth fireplaces should not be permitted.	*Building Permits*	*City Inspection Services*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
3-16. Sidewalks and bikepaths should be installed throughout as much of the project as possible and should be connected to any nearby open space areas, parks, schools, commercial areas, etc.	*Tentative Subdivision Map*	*City Planning*	
3-17. Natural gas lines and electrical outlets should be installed in patio areas to encourage the use of gas barbecues and electric yard tools.	*Building Permits*	*City Inspection Services*	
3-18. Energy efficient design including automated control system for heating/air conditioning and energy efficiency beyond Title 24 requirements, lighting controls and energy-efficient lighting in buildings, increased insulation beyond Title 24 requirements, and light colored roof materials to reflect heat.	*Building Permits*	*City Inspection Services*	
3-19. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.	*Building Permits*	*City Inspection Services*	
3-20. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operation are occurring. (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting t limit the visible dust emissions.)	*Building Permits*	*City Inspection Services*	
3-21. Limit the hours of operation of heavy duty equipment to between 7 a.m. and 7 p.m. and/or the amount of equipment in use. (See also mitigation measure 11-2).	*Building Permits*	*City Inspection Services*	
4) BIOLOGICAL RESOURCES			
4-1. The developers shall dedicate to the City a minimum 50-foot-wide corridor from the centerline (or 25 feet from the crown, whichever is greater) of Black Rascal Creek in order to maintain these open space areas as natural riparian preserves and recreation areas per *Merced Vision 2015 General Plan* policy.	*Tentative Subdivision Map*	*City Planning*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
4-2. If any trees along Black Rascal Creek or on the Project site that have been determined to be potential nesting sites for raptors are proposed for removal, a pre-construction survey for nesting raptors shall be conducted prior to tree removal and alternatives to removal shall be explored. If removal is approved by the City, between February 1 and September 15, appropriate measures to avoid disturbing any nesting raptors shall be implemented at that time or the trees shall be felled between September 15 and January 31.	*Tentative Subdivision Map*	*City Planning*	
5) CULTURAL RESOURCES			
5-1. If evidence of archaeological artifacts is discovered during construction, all operations within an area at and adjacent to the discovered site shall halt until a qualified archaeologist determines the extent of significance of the site.	*Building Permits*	*City Planning*	
5-2. On-site preservation of a resource is the preferred alternative. Preserving a cultural deposit maintains the artifacts in context and may prevent inadvertent discovery of, or damage to, human burials. Preservation may be accomplished through a number of means such as capping or covering the site with a layer of soil, fencing the site area, and/or incorporation of the resource in a park area.	*Building Permits*	*City Planning*	
6. GEOLOGY AND SOILS			
6-1. Prior to approval of a tentative subdivision map, the City shall review plans for drainage and stormwater run-off control systems and their component facilities to ensure that these systems are non-erosive in design.	*Building Permits*	*City Inspection Services*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
6-2. 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 Permits*	*City Inspection Services*	
6-3. Projects under review shall be required to submit temporary erosion control plans for construction activities.	*Building Permits*	*City Inspection Services*	
6-4 Prior to the issuance of building permits, the applicant shall retain a qualified geologist or qualified soil specialist to conduct soil samples throughout the Project area to identify expansive soils, and those areas shall be identified on a map for the City.	*Building Permits*	*City Inspection Services*	
6-5 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 Permits*	*City Inspection Services*	
8) HYDROLOGY AND WATER QUALITY			
8-1. Prior to approval of a tentative subdivision map, the applicant shall demonstrate to the City that storm drainage facilities are adequate to meet Project demands and that improvements are consistent with the Merced County Critical Area Flooding and Drainage Plan and/or the City's Storm Drainage Master Plan.	*Tentative Subdivision Map*	*City Planning*	
8-2. Prior to approval of building permits, the applicants shall demonstrate to the City that temporary erosion control measures will be followed during construction.	*Building Permits*	*City Planning*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
11) NOISE			
11-1. Residential development on the Project site shall meet acceptable noise level standards as follows: • A maximum of 45 dB for interior noise level for residential projects. • A maximum of 60 dB for exterior noise level, especially when outdoor activities are important components of a project. • A maximum of 65 dB when all the best available noise-reduction techniques have been exhausted without achieving 60 dB, and the strict application of such a maximum becomes a hindrance to development needed or typical for an area.	*Building Permits*	*City Inspection Services*	
11-2. Grading and construction activity shall be limited to daylight hours (between 7 a.m. and 7 p.m.) in areas where noise sensitive receptors (i.e. adjacent single-family development) are located.	*Building Permits*	*City Inspection Services*	
11-3. In noise sensitive areas, construction equipment, compressors, and generators shall be fitted with heavy duty mufflers specifically designed to reduce noise impacts.	*Building Permits*	*City Inspection Services*	
13) PUBLIC SERVICES			
13-1 Prior to the issuance of building permits, the applicant shall be responsible for the payment of school facility impact fees as adopted by the Merced City School District and Merced Union High School District.	*Building Permits*	*City Inspection Services*	
14) RECREATION			
14-1. The Project developers shall work with the City to locate a neighborhood park site within the Project boundaries. (Details to be addressed at the tentative subdivision map stage.)	*Tentative Subdivision Map*	*City Planning*	

	Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
14-2.	The Project developers shall work with the City (and County as applicable) on the design and construction of bike paths along Black Rascal Creek and possibly along the PG&E utility corridor, and to connect the City bike path to the County bike path along Lake Road. (Details and possible reimbursement to be addressed at the tentative subdivision map stage.)	*Tentative Subdivision Map*	*City Planning and County Planning*	
	15) TRANSPORTATION AND TRAFFIC			
15-1	The Project shall pay all fees as required under the City's Public Facilities Impact Fees (Chapter 17.62 of the Merced Municipal Code) prior to building permit issuance.	*Building Permits*	*City Inspection Services*	
15-2	*Traffic Signal at Yosemite and McKee or Hatch:* Owner shall provide financial security acceptable to the City equivalent to a "fair share" (but not to exceed 25 percent) of the cost of a traffic signal at the intersection of either McKee Road and Yosemite Avenue or Hatch Road and Yosemite Avenue, whichever intersection the City ultimately decides to signalize. Scope of improvements includes a traffic signal and related intersection improvements to City standards and to the satisfaction of the City Engineer. The "fair share," final cost, and form of security shall be determined by the City Engineer at the time of the first tentative subdivision map or other discretionary action. The determination of the City Engineer will be subject to appeal to the City Council.	*Tentative Subdivision Map*	*City Planning*	

	Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
15-3	*Yosemite Avenue:* The developer shall construct and dedicate any remaining improvements on half of the 94-foot right-of-way for Yosemite Avenue along the Project boundaries. The developer shall construct full frontage improvements (curb, gutter, sidewalks, street trees, street lights, etc.) on Yosemite and at least one travel lane in each direction. The timing of construction of the improvements is to be determined at the subdivision map stage. Construction is subject to reimbursement per Merced Municipal Code (MMC) section 17.58 and/or the Administrative Policy of the Public Facilities Impact Fees (City Council Resolution #98-73), whichever is applicable.	*Tentative Subdivision Map*	*City Planning*	
15-4	*McKee Road*: The developer shall construct and dedicate any remaining improvements on half of the 74-foot right-of-way for McKee Road along the Project boundaries. The developer shall construct full frontage improvements (curb, gutter, sidewalks, street trees, street lights, etc.) on McKee and at least one travel lane in each direction. The timing of construction of the improvements is to be determined at the subdivision map stage. Only off-site construction is subject to reimbursement per Merced Municipal Code (MMC) section 17.58, but no reimbursement is available from the Public Facilities Impact Fees for collectors, such as McKee.	*Tentative Subdivision Map*	*City Planning*	
15-5	*Local and Collector Streets*: The developer shall be responsible for construction and dedication of all interior collector and local streets within the Project boundaries. Construction shall meet all the requirements of the most recent edition of the City of Merced's *Standard Designs for Common Engineering Structures*. No reimbursement is available for these roadways.	*Tentative Subdivision Map*	*City Planning*	

	Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
15-6	*Lake Road:* The property owners shall work with the City and the County to address whether a future extension of Lake Road is necessary from Yosemite Avenue south to Olive Avenue as shown in the County's Circulation Element. This issue shall be addressed prior to approval of the first final subdivision map with frontage on the possible Lake Road right-of-way. If the issue is not resolved prior to map approval, right-of-way for the future extension of Lake Road shall be preserved on the map, with the understanding that it might be given back to the property owners in the future if it is not needed.	*Tentative Subdivision Map*	*City Planning and County Planning*	
	16) UTILITIES			
16-1	Prior to approval of a tentative subdivision map, the City shall review the Project application to ensure that wastewater facilities are adequate to meet Project service demands and are consistent with wastewater master plans.	*Tentative Subdivision Map*	*City Planning*	

Copies of This Form Distributed To:

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

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

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

Signature: _____ Date: _____

APPLICABLE MITIGATION MEASURES OF THE GENERAL PLAN EIR—HUNT FAMILY ANNEXATION

	Mitigation Measure	*Timing*	*Agency or Department Consultation*	*City Verification (date and initials)*
	Plant/Animal Life			
3-a)	When site-specific development proposals are submitted to the City for review and action, surveys should be conducted for special-status species prior to the disturbance of potentially suitable habitat. All surveys will be conducted in accordance with applicable state and federal guidelines.	*Tentative Subdivision Map*	*City Planning*	Completed 10/2/02 with Biological Resources Inventory by Moore Biological Consultants (Appendix D)
	Traffic/Circulation			
7-a)	Appropriate traffic studies shall be prepared for all development projects which can be expected to reduce a road segment or intersection levels of service below "D."	*Tentative Subdivision Map*	*City Planning*	
7-b)	The City shall require all development proposals to contribute, based on their proportionate share of impact, to circulation system improvements necessary to maintain at least a level of service "D" on all road segments and intersections impacted by the development project.	*Certificate of Occupancy*	*City Planning*	
	Public Facilities/Services			
8-d)	Development projects will be required to pay public facilities impact fees as established by the City in accordance with the requirements of State law.	*Certificate of Occupancy*	*City Planning*	

Merced Vision 2015 General Plan
Environmental Mitigation Checklist Form A

Project Name:_____ **File Number:**_____
Approval Date:_____ **EIR** _____ **Conditional Neg. Dec.**_____

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 with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6)

Mitigation Measure	Type	Monitoring Dept.	Shown on Plans	Verified Implementation	Remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

(Add additional Measures as Necessary)

Explanation of Headings:

Type:	Project, ongoing, cumulative.
Monitoring Dept.	Department or Agency responsible for monitoring a particular mitigation measure.
Shown on Plans:	When mitigation measure is shown on plans, this column will be initialed and dated.
Verified Implementation:	When a mitigation measure has been implemented, this column will be initialed and dated.
8-3. Remarks:	Area for describing status of ongoing mitigation measure, or for other information.

Merced Vision 2015 General Plan
Mitigation Measure Monitoring Checklist--Form B

Monitoring Phase: _____**Pre-Construction** _____**Construction**

Project File Number: _____

Project Name: _____

Brief Project Description: _____

Project Location: _____

Requirement Met:

Date	Yes	No	Description of Mitigation Measures
_____	____	____	1._____
_____	____	____	2._____
_____	____	____	3._____
_____	____	____	4._____
_____	____	____	5._____

Requirement On-Going:

Date	Yes	No	Description of Mitigation Measures
_____	____	____	1._____
_____	____	____	2._____
_____	____	____	3._____
_____	____	____	4._____
_____	____	____	5._____

Trustee Agency	Date	Yes	No
1._____	_____	_____	_____
2._____	_____	_____	_____
3._____	_____	_____	_____
4._____	_____	_____	_____

Copies of This Form Distributed To:

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

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

Name: (Print) _____

Representing: (Agency/Firm) _____

Signature: _____

Date:_____

EXHIBIT A

ENVIRONMENTAL REVIEW #14-32
Mitigation Monitoring Program

MITIGATION MONITORING CONTENTS

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

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

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

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

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

1) The requirements of the adopted mitigation monitoring program for the General Plan Amendment #14-06 and Zone Change #421, 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 MITIGATION MEASURES

As a second tier environmental document, Initial Study #14-32 incorporates some mitigation measures adopted as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (SCH# 2008071069), as mitigation for potential impacts of the Project.

NONCOMPLIANCE COMPLAINTS

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

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for General Plan Amendment #14-06 and Zone Change #421. The columns within the tables are defined as follows:

Mitigation Measure:	Describes the Mitigation Measure (referenced by number).
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation meausre.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

General Plan Amendment #14-06/Zone Change #421
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).

C) Air Quality

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
C-1	C-1) The project applicant shall submit an Indirect Source Review (ISR) to the San Joaquin Air Pollution Control Board in compliance with District Rule 9510 and shall comply with all other applicable District Rules. The San Joaquin Valley Air Pollution Control District recommends this application be submitted as early as possible or prior to the final discretionary approval.	Prior to Conditional Use Permit (CUP) approval	Planning Department	
C-1	C-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit Issuance / CUP approval	Inspection Services / Planning Department	

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
C-2	C-3) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.	Building Permit Issuance / CUP approval	Inspection Services / Planning Department	
C-3	C-4) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.	Building Permit Issuance / CUP approval	Inspection Services / Planning Department	
C-5	C-5) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.	Building Permit Issuance / CUP approval	Inspection Services / Planning Department	
E) Cultural Resources				
Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
E-1	E-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-zoning #02-02 (Attachment A).	Building Permit	Planning Department	
E-2	E-2) Compliance with Mitigation Measure E-1 would make this impact less than significant.	Building Permit	Planning Department	
E-3	E-3) Compliance with Mitigation Measure E-1 would make this impact less than significant.	Building Permit	Planning Department	
E-4	E-4) Compliance with Mitigation Measure E-1 would make this impact less than significant.	Building Permit	Planning Department	

F) Geology and Soils				
Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
F-2	F-1) The project shall comply with all requirements of the State Water Resources Board (SWRCB) and obtain a General Construction Activity Stormwater Permit.	Building Permit	Inspection Services / Engineering Department	
F-2	F-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Engineering Department/ Planning	
H) Hydrology and Water Quality				
Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
H-2	H-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services	
H-2	H-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
H-3	H-3) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	
H-4	H-4) The project developer shall provide calculations to the City Engineer verifying the capacity of the existing storm drain line as well as the capacity of the basin into which the water would ultimately drain.	Building Permit	Engineering	
H-4	H-5) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	
H-5	H-6) The project developer shall provide calculations to the City Engineer verifying the capacity of the existing storm drain line as well as the capacity of the basin into which the water would ultimately drain.	Building Permit	Engineering	
H-5	H-7) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	

K) Noise

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
K-1	K-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	
K-2	K-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	

O. Transportation/Traffic

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
O-1	O-1) The westbound lane of Yosemite Avenue at Parsons Avenue shall be modified to accommodate an additional 200-foot shared thru/right turn lane. In addition, the existing shared left/thru/right lane shall be restriped to be a shared left/thru lane. (The Traffic Analysis recommended an additional 100 foot lane be installed. The City Engineer recommends the length of the lane be increased to 200 feet.) -or- The applicant shall be required to pay for their proportionate share of the above improvement as determined by the City Engineer.	Building Permit	Planning Department / Engineering	

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
O-1	O-2) The following modifications to the intersection of Olive Avenue and McKee Road shall be made: <u>Southbound Approach:</u> • Remove the adjacent on-street parking for 100 feet on the southbound approach. • Re-strip the approach as shared left/thru lane and share right/thru lane. • Remove the adjacent on-street parking for 100 feet on the southbound receiving lane and stripe it as a lane drop. <u>Northbound Approach</u> • Remove the adjacent on-street parking for 100 feet on the north bound approach. • Re-strip the approach as shared left/thru lane and shared right/thru lane. • Remove the adjacent on-street parking for 100 feet on the northbound receiving lane and stripe it as a lane drop. The City Engineer shall determine if this measure is feasible due to the location of residential driveways in this area.	Building Permit	Planning Department / Engineering	

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
O-1	O-3) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).			
O-2	O-4) The implementation of Mitigation Measures O-1 through O-3 above would reduce this impact to a less than significant level.			

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

Attachments:
Mitigation Monitoring Program for Initial Study #02-27 for GPA #02-02/Annexation/Pre-Zoning #02-02

TJKM
Transportation
Consultants

Draft Traffic Impact Analysis Report

Commercial Development at the southeast corner of Yosemite Avenue and Mckee Road

Merced, CA

January 30, 2015

ATTACHMENT I

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Executive Summary

This report presents the results of the Traffic Impact Analysis (TIA) conducted for the proposed commercial development located at the southeast corner of Yosemite Avenue and McKee Road in the City of Merced, California. The project proposes construction of three new buildings totaling 62,000 square feet built on a 5.42-acre site. The development would be constructed in two phases as per the site plan, and will consist of few eateries and retail shops. The current parcel is mostly vacant land with two single family homes. Per City of Merced's land use map, the project is zoned for low density residential. Therefore, a rezoning application will have to be filed with the City of Merced for the proposed commercial development.

The purpose of this Traffic Impact Analysis is to evaluate the potential traffic impacts, identify short-term and long-term roadway circulation needs, determine potential mitigation measures and identify any critical traffic issues that should be addressed in the on-going planning process. The scope of work was prepared in consultation with the City of Merced staff. Roadway system operations were evaluated under the following scenarios:

1. Existing Conditions
2. Existing plus Project Conditions
3. Existing plus Approved Conditions
4. Existing plus Approved plus Project Conditions
5. Cumulative Conditions
6. Cumulative plus Project Conditions

Project Trip Generation

The proposed project trip rates were obtained from the standard reference *Trip Generation,* 9th Edition, published by the Institute of Transportation Engineers (ITE). The proposed project is estimated to generate 1,721 net new daily trips, 39 net new a.m. peak hour trips and 150 net new p.m. peak hour trips.

Project Trip Distribution

Trip distribution assumptions for the proposed project were developed based on existing travel patterns, Merced County Association of Governments (MCAG) travel demand model, and knowledge of the study area. Project trips were assigned to the study intersections based on the following trip distribution assumptions:

- 50 percent from/ to west of Yosemite Avenue and Mckee Road
- 20 percent from/ to south of Yosemite Avenue and Mckee Road
- 20 percent from/ to east of Hatch Road and Yosemite Avenue
- 5 percent from/ to Hatch Road
- 5 percent from/ to Whitewater Way

Project Impacts

Intersection Impacts

Existing plus Project Traffic Conditions

The intersections of Yosemite Avenue and Parsons Avenue operates at an unacceptable Level of Service. In order to improve the intersections operations, it is recommended to modify the westbound approach to accommodate an additional 100 ft. shared thru/right turn lane. In addition, re-stripe the existing shared left/thru/right lane to shared left/thru lane.

Existing plus Approved plus Project Traffic Conditions

The intersections of Yosemite Avenue and Parsons Avenue operates at an unacceptable Level of Service. In order to improve the intersections operations, the same mitigation measures are recommended as in Existing plus Project Conditions.

Cumulative (2035) plus Project Traffic Conditions

The intersections of Yosemite Avenue / Parsons Avenue and McKee Road / Olive Avenue operates at an unacceptable Level of Service. In order to improve the intersection operations the following mitigation measures are recommended:

<u>Yosemite Avenue and Parsons Avenue</u>

The same mitigation measures are recommended as in Existing plus Project Conditions.

<u>Olive Avenue and McKee Road</u>

- Southbound Approach
  - Remove the adjacent on-street parking for 100 ft. on the southbound approach.
  - Re-stripe the approach as shared left/thru lane and shared right/thru lane.
  - Remove the adjacent on-street parking for 100 ft. on the southbound receiving lane and stripe it as a lane drop.
- Northbound Approach
  - Remove the adjacent on-street parking for 100 ft. on the northbound approach.
  - Re-stripe the approach as shared left/thru lane and shared right/thru lane.
  - Remove the adjacent on-street parking for 100 ft. on the northbound receiving lane and stripe it as a lane drop. Although this might not be feasible due to residential driveways.

If the proposed lane modification changes are not feasible, it is recommended to install a traffic signal to improve the level of service operations to acceptable levels.

Roadway Segment Impacts

Based on the results of the roadway segment analysis, it can be expected that the study roadway segments would operate at or better than the City of Merced's LOS threshold of 'D'.

Weekday vs Sunday Analysis

Based on the comparison of ADT between weekday and Sunday, it was determined that the Sunday ADT's were either lower or about the same as that of the weekday ADT's. Therefore, all recommended mitigation measures under all scenarios for the weekday operations would also apply to Sunday traffic.

Queuing Analysis

At the intersection of Olive Avenue and McKee Road, It is recommended to increase the eastbound left turn lane storage capacity from 60 to 100 feet. This would require re-striping the eastbound left turn approach and reduction of the TWLT lane to the west of this intersection.

Site-Access, On-Site Circulation, and Parking

TJKM reviewed the project site plan to evaluate on-site circulation and access to the project. The proposed project's access will be via one full access driveway on McKee Road, one right-in and right-out driveway on Yosemite Avenue and one full access driveway on Whitewater Way for the single-family home subdivision to the east. A separate entrance only driveway is provided for service trucks on Yosemite Avenue at the northeast corner of the project site and an exit only driveway is provided onto McKee Road at the southwest corner of project site. The project also provides enough parking spaces based on size of development, this will result in adequate on-site circulation with minor to no delays to adjacent roadways.

Introduction

This report presents the results of the Traffic Impact Analysis (TIA) conducted for the proposed commercial development located at the southeast corner of Yosemite Avenue and McKee Road in the City of Merced, California, as shown in Figure 1. The project proposes construction of a shopping center with few eateries and retail shops, see site plan on Figure 2

Purpose

The purpose of this Traffic Impact Analysis is to evaluate the potential traffic impacts, identify short-term and long-term roadway circulation needs, determine potential mitigation measures and identify any critical traffic issues that should be addressed in the on-going planning process. The scope of work was prepared in consultation with the City of Merced staff.

Project Study Area

Study Intersections

TJKM evaluated traffic conditions at the study intersections during a.m. and p.m. peak hours for a typical weekday and also on Sunday. The study intersections were selected in consultation with the City staff. The peak periods were observed between 7:00 a.m. - 9:00 a.m. and 4:00 p.m. - 6:00 p.m. The study intersections and the associated traffic controls are as follows:

1. Yosemite Avenue and Parsons Avenue/ Gardner Avenue (All -Way Stop)
2. Yosemite Avenue and McKee Road (Signal)
3. Yosemite Avenue and Hatch Road (Side-Street Stop)
4. Olive Avenue and McKee Road (All -Way Stop)

Project Driveways

TJKM evaluated the proposed project traffic at the following project driveways:

1. Yosemite Avenue and Project Driveway
2. McKee Road and Project Driveway
3. Whitewater Way and Project Driveway

Roadway Segments

TJKM evaluated the traffic operations at the following roadway segments:

1. Yosemite Avenue, between Parsons Avenue and McKee Road
2. McKee Road, between Yosemite Avenue and Silverado Avenue

Intersection Analysis Scenarios

The study intersections were evaluated during the a.m. and p.m. peak hours for the following scenarios:

- ***Existing Traffic Conditions*** – This scenario evaluates existing traffic volumes and roadway conditions based on traffic counts and field surveys.
- ***Existing Plus Project Traffic Conditions*** – This scenario is similar to Existing Conditions, but with addition of traffic projected to be generated from the proposed project.
- ***Existing Plus Approved Traffic Conditions*** – This scenario evaluates existing volumes plus traffic from approved but not yet constructed developments in the area.
- ***Existing Plus Approved Plus Project Traffic Conditions*** - This scenario is similar to Existing Plus Approved Conditions, but with addition of traffic projected to be generated from the proposed project.
- ***Cumulative (2035) No Project Conditions*** – This scenario evaluates total traffic volumes and roadway conditions based on the year 2035 without the proposed project.
- ***Cumulative (2035) Plus Project Conditions*** – This scenario is similar to Cumulative No Project Conditions, but with addition of traffic projected to be generated from the proposed project.

Level of Service Analysis Methodology

Level of Service is a qualitative index of the performance of an element of the transportation system. Level of Service (LOS) is a rating scale running from A to F, with LOS A indicating no congestion, and LOS F indicating unacceptable congestion and delays. LOS in this study describes the operating conditions for unsignalized , signalized intersections and roadway segments.

The *2000 Highway Capacity Manual* is the standard reference published by the Transportation Research Board, and contains the specific criteria and methods to be used in assessing LOS. HCS 2000 and Synchro software were used to define LOS for the intersections in this study.

The City of Merced's Vision 2030 General Plan- Transportation and Circulation Element Table 4.3 "Daily Roadway Segment Level of Service Thresholds by Roadway Type" was used to define the LOS for the roadway segments in this study. Details regarding the HCM methodology and roadway segment's LOS threshold are in Appendix A.

Criteria of Significance

The Merced Vision 2030 General Plan Transportation and Circulation Element has established LOS D as the acceptable level of traffic congestion on larger roads and major intersections. LOS D is used to evaluate the potential significance of LOS impacts to intersections and segments within the City of Merced and in its sphere of influence (SOI).

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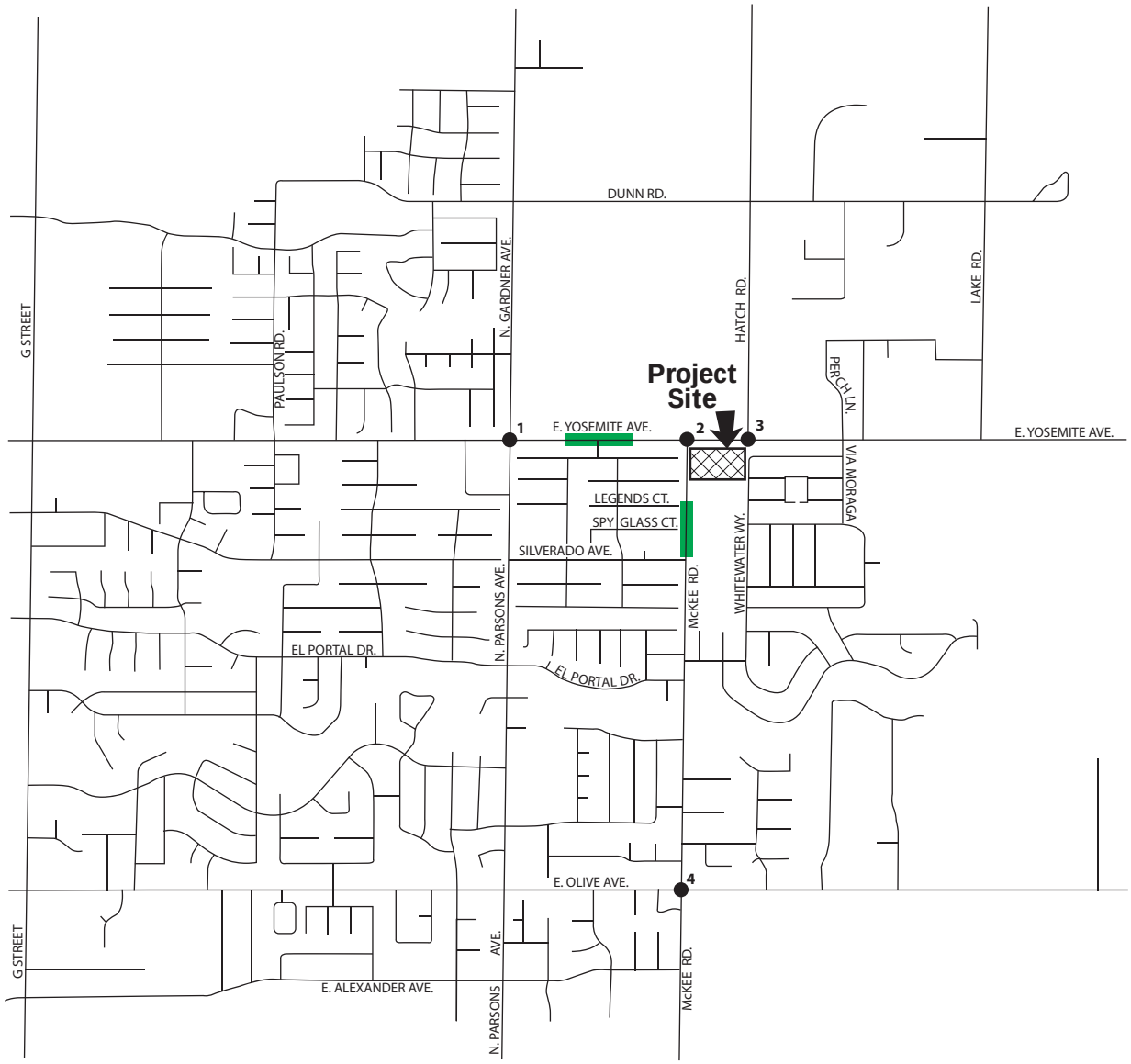
Vicinity Map



LEGEND

- Study Intersection
- Proposed Study Segment

NORTH
Not to Scale
TJKM

Figure 1

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Site Plan

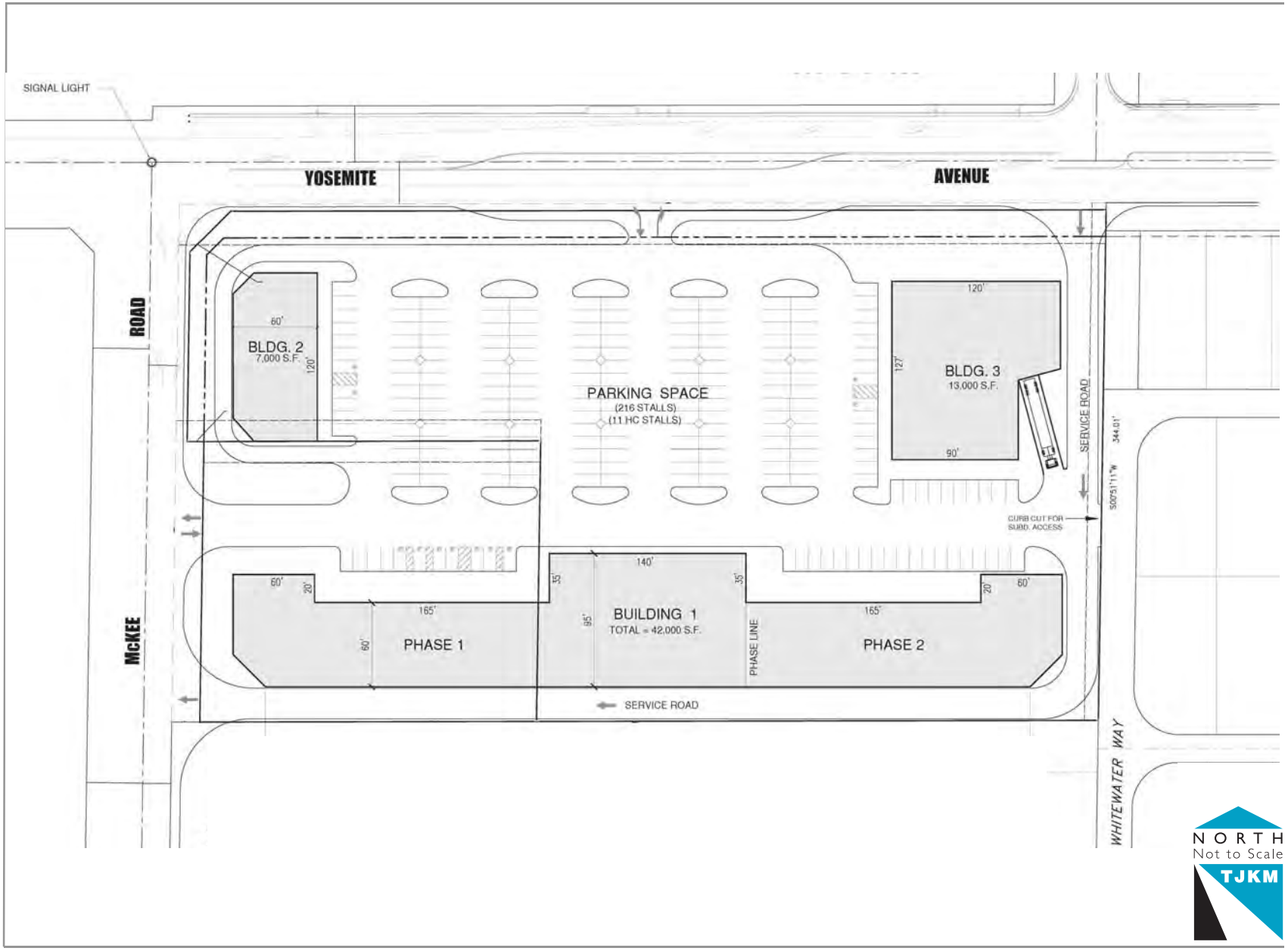

Figure 2

Existing Conditions

Roadway Network

The project site and surrounding study area are illustrated in Figure 1. Important roadways adjacent to the project site are discussed below.

Yosemite Avenue is a four-lane, east-west divided arterial road that connects Snelling Highway to the west and N Arboleda Drive to the east. Near the project site, Yosemite Avenue has a three-lane cross-section with two lanes running east and one lane running west. Near the project site, Yosemite Avenue includes bike lanes on both sides of the roadway. The posted speed limit is between 45 and 50 miles per hour (mph). Yosemite Avenue provides direct access to the project site.

Mckee Road is a two-lane, north-south collector that extends between Yosemite Avenue to the north and E Santa Fe Avenue to the south. Mckee Road includes on-street parking on both sides of the roadway. The speed limit along Mckee Road near the project site is 40 mph. Mckee Road provides direct access to the project site.

Hatch Road is a two-lane, north-south local roadway that runs between E Cardella Road to the north and Yosemite Avenue to the south.

Parsons Avenue / Gardner Avenue is a two-lane, north-south arterial that extends between E Cardella Road to the north and Stretch Road to the south. The posted speed limit is between 40 and 45 miles per hour (mph).

Whitewater Way is a two-lane, north-south local roadway that would connect the residents near the project site with the proposed project. Whitewater Way provides direct access to the project site.

Existing Transit Facilities

Merced County Transit, or "The Bus", is the transit operator in the City of Merced. At present, UC transit routes operate near the proposed project. Retention of the existing routes and the increase or decrease of route intervals is dependent on transit ridership and on available funding.

Existing Pedestrian and Bike Facilities

Currently, Class II bike lanes exist adjacent to the proposed project site along Yosemite Avenue. The existing bike lanes are in conformance with the *Merced County Regional Bicycle Transportation Plan.*

Pedestrian facilities include sidewalks and crosswalks. Crosswalks are present across all legs of the intersection of Olive Avenue and McKee Road. Crosswalks are present on the southern and eastern leg of the intersection of Yosemite Avenue and McKee Road. A part of Mckee Road has sidewalks along the northern side.

Existing Peak Hour Traffic Volumes

The weekday and Sunday peak hour turning movement volumes at the study intersections during the a.m. and p.m. peak hours were based on the counts that were collected during January 2015. The existing weekday turning movement volumes, lane geometry and intersection controls are illustrated in Figure 3. Existing traffic counts are provided in Appendix B.

Existing Roadway Segment Volumes

The seven day bi-directional Average Daily Traffic (ADT) at the study roadway segments were collected during January 2015. The ADT counts are provided in Appendix B.

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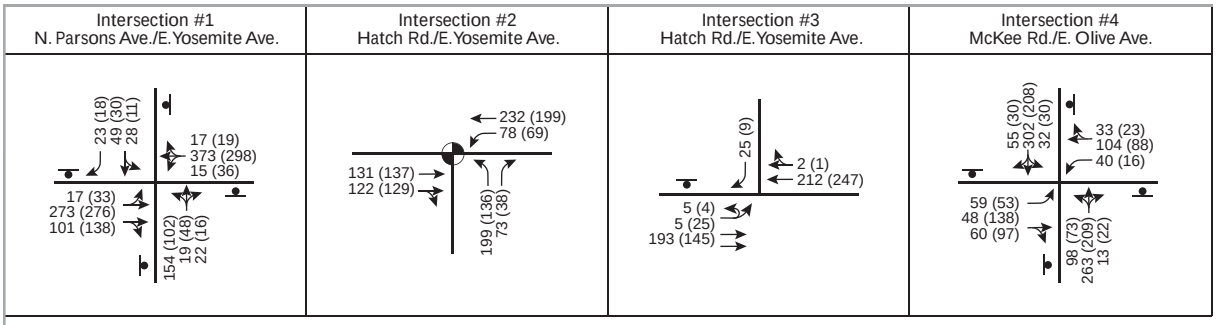
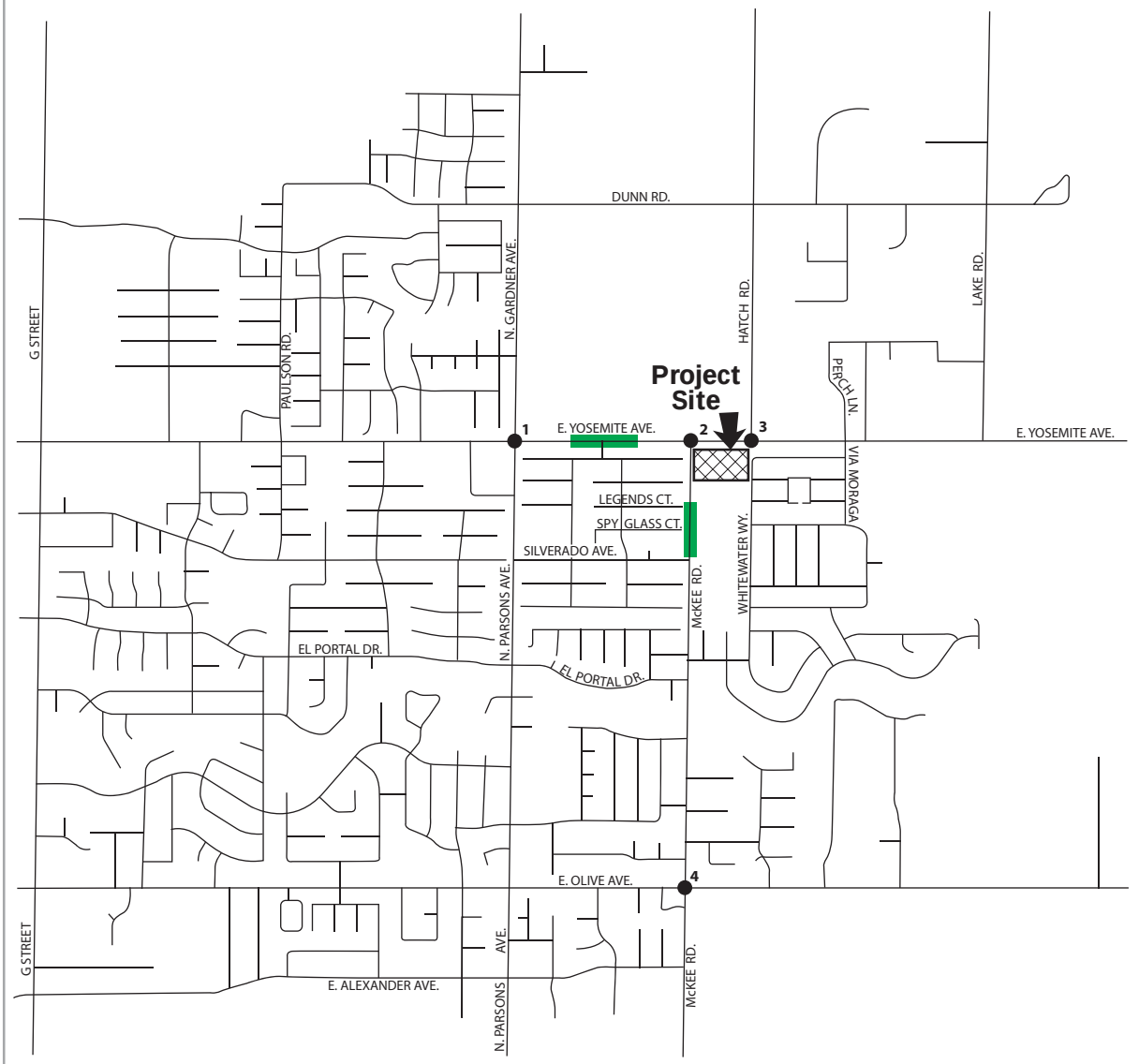
Existing Conditions Traffic Volumes, Lane Geometry, and Controls





LEGEND
- ● Study Intersection
- Proposed Study Segment
- XX AM Peak Hour Volumes
- (XX) PM Peak Hour Volumes

NORTH
Not to Scale
TJKM

Figure 3

Existing Level of Service Analysis

Table 1 and Table 2 below summarize the levels of service at the study intersections and roadway segments respectively. Levels of service worksheets for the existing traffic conditions are provided in Appendix C.

Table 1: Intersection Level of Service Analysis - Existing Conditions

ID	*Intersection*	*Intersection Control*	*A.M. Peak Hour*		*P.M. Peak Hour*	
			Average Delay	*LOS*	*Average Delay*	*LOS*
1	Yosemite Avenue & Parsons Avenue	All -Way Stop	**36.3**	**E**	16.8	C
2	Yosemite Avenue & McKee Road	Signal	17.5	B	16.5	B
3	Yosemite Avenue & Hatch Road	Side-Street Stop	9.2	A	9.3	A
4	Olive Avenue & McKee Road	All -Way Stop	21.2	C	15.4	C

Notes: 1. LOS = Level of Service;
2. Average intersection delay expressed in seconds per vehicle for signalized intersections and all way stop controlled intersections. Total control delay for the worst movement is presented for stop controlled intersections.
Bold indicates deficient intersection operations.

Table 2: Roadway Segment Level of Service Analysis - Existing Conditions

ID	*Limits*	*Lanes*	*24-hr Volume*	*LOS*
Yosemite Avenue	Between Parsons Avenue and Mckee Road	3	7,081	C
Mckee Road	Between Yosemite Avenue and Silverado Avenue	2	4,263	C

Notes: LOS = Level of Service per the city of Merced Vision 2030 General Plan Transportation and Circulation Element Table 4.3 "Daily Roadway Segment Level of Service Thresholds by Roadway Type"

Traffic Signal Warrants

Based on TJKM's peak hour signal warrant analysis, the intersection of Yosemite Avenue and Parsons Avenue meets the signal warrant during the a.m. peak hour. It is worth noting that MUTCD states "satisfaction of a signal warrant or warrants shall not in itself require the installation of a "traffic signal". Based on the impact criteria, it is recommended that prior to installation of a traffic signal, the remaining California MUTCD warrants as applicable be conducted. Peak Hour Signal Warrant sheets are provided in Appendix J.

Proposed Project

Project Description

The proposed commercial development is located at the southeast corner of Yosemite Avenue and McKee Road in the City of Merced, California. The project proposes construction of three new buildings totaling 62,000 square feet built on a 5.42-acre site. The project plans to build a shopping center with few eateries and retail shops. The proposed development would be constructed in two phases as per the Site plan. The current parcel is a mostly vacant lot with two single-family homes on the parcel.

The proposed project is bound by Yosemite Avenue to the North, McKee Road to the west, Whitewater Way to the East and Project's Service Road to the South. The proposed development will be approximately 2 miles west of University of California, Merced. Per City of Merced's land use map, the project is zoned for low density residential. Therefore, a rezoning application will have to be filed with the City for the proposed commercial development.

According to the site plan, access to the proposed development will be via one proposed full access driveway on McKee Road, one proposed full access driveway on Whitewater Way and one proposed right-in & right-out driveway on Yosemite Avenue. In addition, a separate entrance only driveway is provided for service trucks on Yosemite Avenue at the northeast corner of the project site and an exit only driveway is provided onto McKee Road at the southwest corner of project site.

Project Trip Generation

The proposed project trip rates were obtained from the standard reference *Trip Generation,* 9th Edition, published by the Institute of Transportation Engineers (ITE). The trip generation estimates were developed using the rates for "Shopping Center" (ITE Land Use 820). The proposed project is expected to generate 1,721 net daily trips, including 39 net trips during the a.m. peak hour and 150 net trips during the p.m. peak hour. Per City's request, the trip generation estimates include a passer-by trip reduction of 35 percent. Table 3 summarizes the proposed project trip generation.

Table 3: Proposed Project Trip Generation

Land Use (ITE Code)	*Size*	*Daily*		*A.M. Peak Hour Trips*					*P.M. Peak Hour Trips*				
		Rate[2]	*Trips*	*Rate*	*(In:Out)%*	*In*	*Out*	*Total*	*Rate*	*(In:Out)%*	*In*	*Out*	*Total*
Shopping Center (820)	62.0 KSF[1]	42.70	2,647	0.96	62:38	37	23	60	3.71	48:52	110	120	230
Passer-By-Trip Reductions (35%)			*(926)*			*(13)*	*(8)*	*(21)*			*(38)*	*(42)*	*(80)*
Total New Project Trips			**1,721**			**24**	**15**	**39**			**72**	**78**	**150**

Notes: 1. KSF = Thousand Square Feet
2. Rate = Trips per KSF
Source: Trip Generation (9th Edition), Institute of Transportation Engineer (2012)

Project Trip Distribution and Assignment

Trip distribution assumptions for the proposed project were developed based on existing travel patterns, Merced County Association of Governments (MCAG) travel demand model, and knowledge of the study area. Project trips were assigned to the study intersections based on the following trip distribution assumptions:

- 50 percent from/ to west of Yosemite Avenue and Mckee Road
- 20 percent from/ to south of Yosemite Avenue and Mckee Road
- 20 percent from/ to east of Hatch Road and Yosemite Avenue
- 5 percent from/ to Hatch Road
- 5 percent from/ to Whitewater Way

Figure 4 illustrates the project trip distribution and Project Only trip assignment at the study intersections. Figure 5 shows the project trips at the proposed driveways.

The Existing plus Project turning movement volumes resulting from project trip assignment are illustrated in Figure 6.

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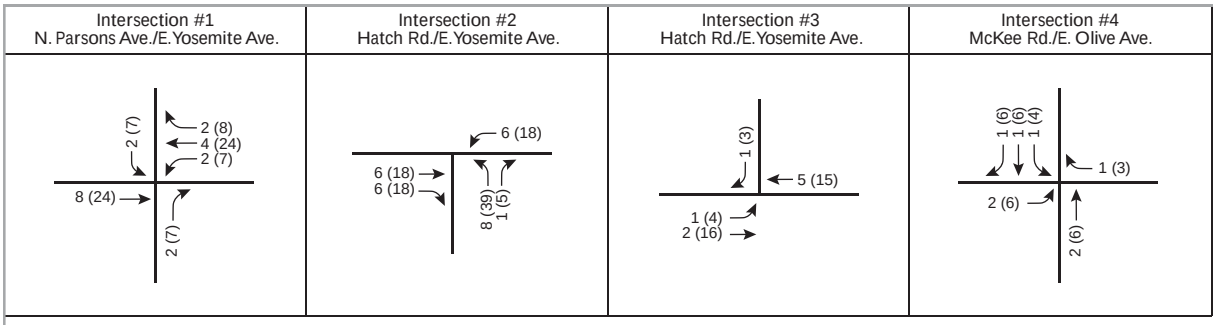
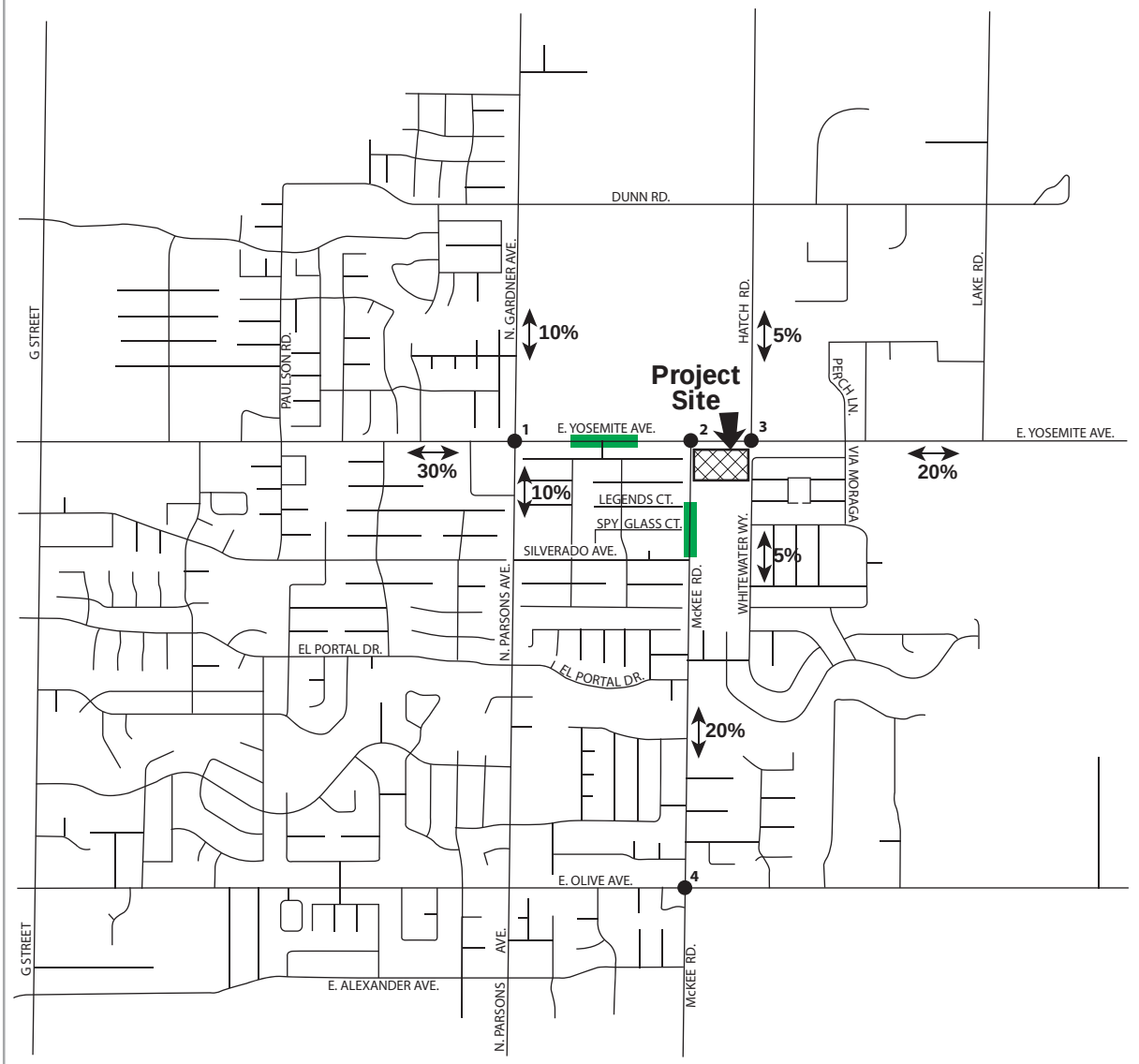
Project Trip Distribution and Assignment





LEGEND

- ● Study Intersection
- Proposed Study Segment
- XX AM Peak Hour Trips
- (XX) PM Peak Hour Trips
- XX% Trip Distribution

NORTH
Not to Scale
TJKM

Figure 4

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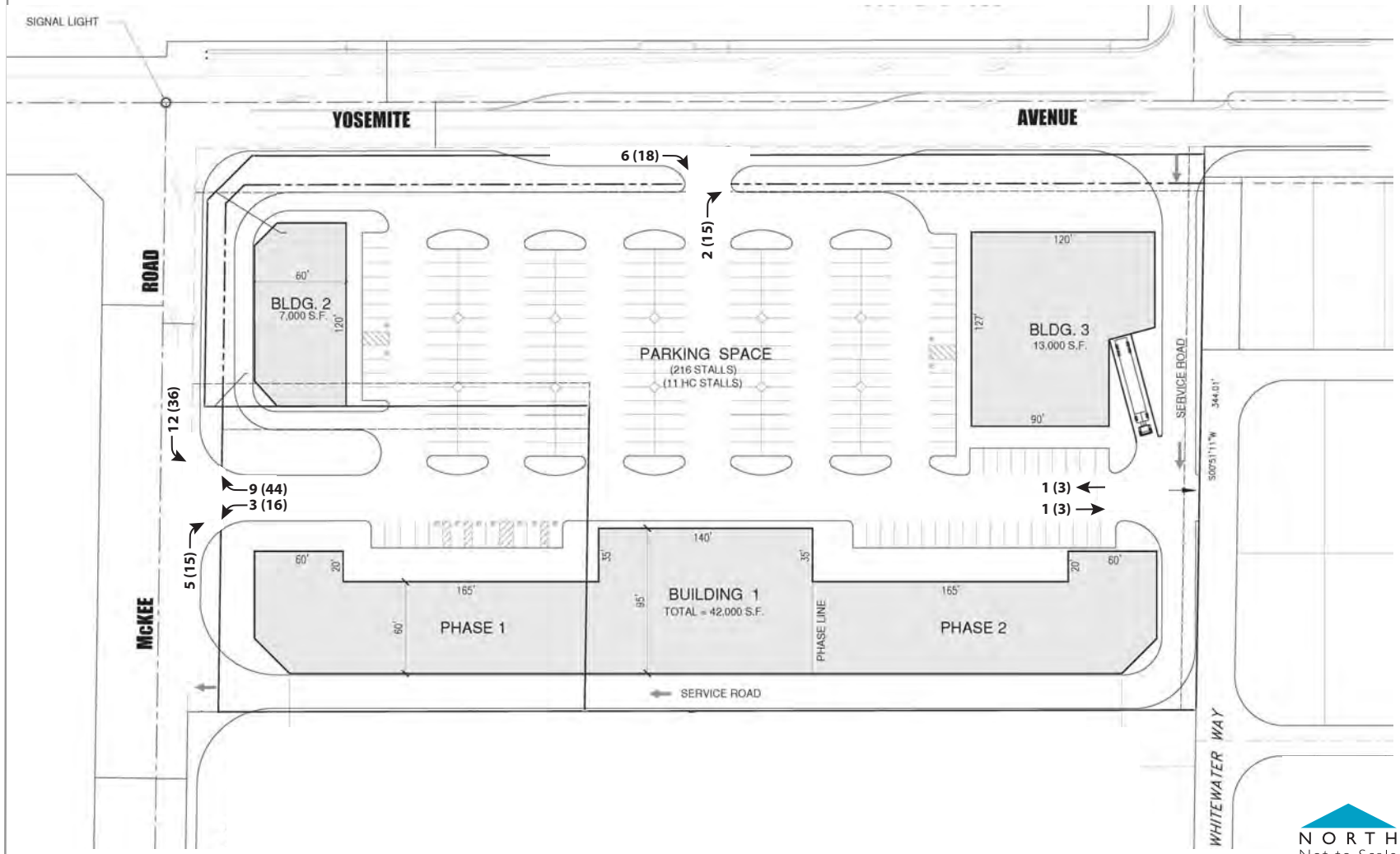
Project Driveway Trip Assignment



LEGEND	
XX	AM Project Driveway Trips
(XX)	PM Project Driveway Trips

Figure 5

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Existing plus Project Conditions Traffic Volumes, Lane Geometry, and Controls

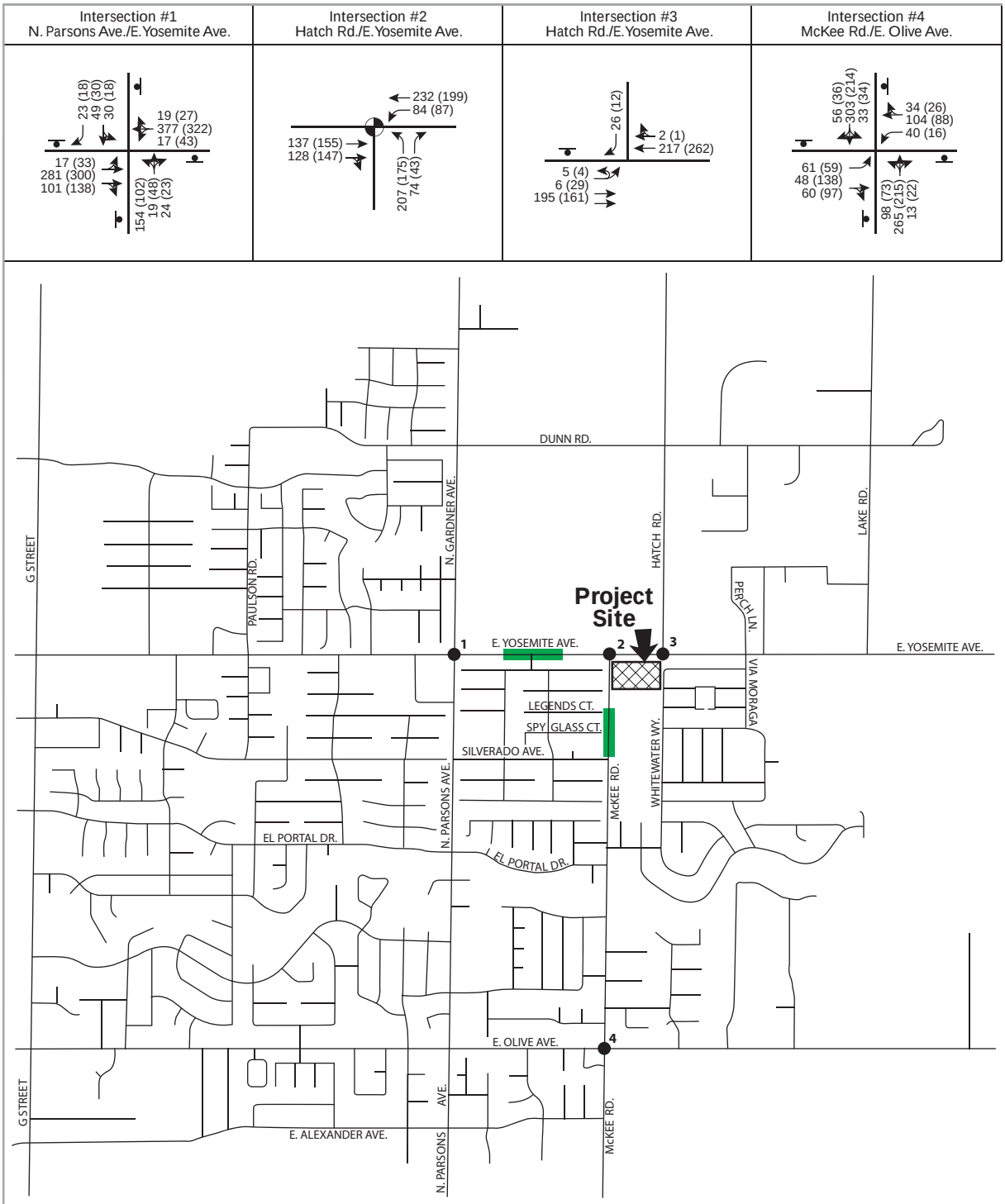

Figure 6

Existing plus Project Level of Service Analysis

Table 4 and Table 5 below summarize the levels of service at the study intersections and the roadway segments respectively. The project trips on the roadway segments were calculated by distributing the proposed project daily trips (from trip generation estimate) based on project trip distribution assumptions. The study intersection levels of service calculation results for this scenario are contained in Appendix D.

Table 4: Intersection Level of Service Analysis – Existing plus Project Conditions

ID	*Intersection*	*Peak Hour*	*Existing Conditions*		*Existing plus Project Conditions*		*Mitigated Conditions*	
			Average Delay[2]	*LOS[1]*	*Average Delay[2]*	*LOS[1]*	*Average Delay[2]*	*LOS[1]*
1	Yosemite Avenue & Parsons Avenue	AM	**36.3**	**E**	**38.1**	**E**	15.8	C
		PM	16.8	C	20.6	C	13.4	B
2	Yosemite Avenue & McKee Road	AM	17.5	B	17.8	B		
		PM	16.5	B	17.9	B		
3	Yosemite Avenue & Hatch Road	AM	9.2	A	9.2	A		
		PM	9.3	A	9.4	A		
4	McKee Road & Olive Avenue	AM	21.2	C	21.7	C		
		PM	15.4	C	16.2	C		

Notes: 1. LOS = Level of Service;
2. Average intersection delay expressed in second per vehicle for signalized intersections and all way stop controlled intersections. Total control delay for the worst movement is presented for side-street stop controlled intersections.
Bold indicates deficient intersection operations.

Table 5: Roadway Segment Level of Service Analysis – Existing plus Project Conditions

ID	*Limits*	*Lanes*	*24-hr Volume*	*LOS*
Yosemite Avenue	Between Parsons Avenue and Mckee Road	3	7,942	C
Mckee Road	Between Yosemite Avenue and Silverado Avenue	2	4,607	C

Notes: LOS = Level of Service per the city of Merced Vision 2030 General Plan Transportation and Circulation Element Table 4.3 "Daily Roadway Segment Level of Service Thresholds by Roadway Type"

Traffic Signal Warrants

Based on TJKM's peak hour signal warrant analysis, the intersection of Yosemite Avenue and Parsons Avenue warrants a traffic signal under this scenario. It is worth noting that MUTCD states "satisfaction of a signal warrant or warrants shall not in itself require the installation of a "traffic signal"; Based on the impact criteria, it is recommended that prior to installation of a traffic signal, the remaining California MUTCD warrants as applicable be conducted. Peak Hour Signal Warrant sheets are provided in Appendix J.

Mitigation Measures

In order to improve the level of service at the deficient intersection, TJKM recommends the following mitigation measures:

<u>Yosemite Avenue and Parsons Avenue</u>

Modify the westbound approach to accommodate an additional 100 ft. shared thru/right turn lane. In addition, re-stripe the existing shared left/thru/right lane to shared left/thru lane.

Existing plus Approved Conditions

This scenario evaluates existing volumes plus traffic from approved but not yet constructed developments in the area.

Approved Project Trip Generation

Per City's request, the trips from Wathen Commercial Project located at the northeast corner of G Street and Yosemite Avenue were included for this analysis. The project proposes construction of a Hotel, Restaurant, Pharmacy, Bank and a few office buildings. The trips for the project were estimated based on the Trip Generation (9th Edition) Manual published by the Institute of Transportation Engineers (ITE) and data provided by the City staff (See Appendix K). Table 6 summarizes the project trip generation.

Table 6: Approved Project Trip Generation

Land Use (ITE Code)	*Size*	*Daily*		*A.M. Peak Hour Trips*					*P.M. Peak Hour Trips*				
		Rate[2]	*Trips*	*Rate*	*(In:Out)%*	*In*	*Out*	*Total*	*Rate*	*(In:Out)%*	*In*	*Out*	*Total*
Hotel (310)	84 Rooms	8.17	686	0.53	59:41	26	18	44	0.60	51:49	25	25	50
Restaurant (932)	5.88 KSF[1]	127.15	748	10.81	55:45	35	28	63	9.85	60:40	34	23	57
Pharmacy (880)	17.34 KSF	90.06	1,561	2.94	65:35	32	18	50	8.40	49:51	71	74	145
Bank w/ Drive-Thru (912)	4.54 KSF	148.15	672	12.08	57:43	31	23	54	24.30	50:50	55	55	110
Medical Office (720)	34.54 KSF	36.13	1,247	2.39	79:21	65	17	82	3.57	28:72	34	89	123
General Office (710)	23.02 KSF	11.03	253	1.56	88:12	31	4	35	1.49	17:83	6	28	34
Total New Project Trips			**5,167**			**220**	**108**	**328**			**225**	**294**	**519**

Notes: 1. KSF = Thousand Square Feet
2. Rate = Trips per KSF
Source: Trip Generation (9th Edition), Institute of Transportation Engineer (2012)

Approved Project Trip Distribution and Assignment

Trip distribution assumptions for the above-approved project were developed based on the existing travel patterns and knowledge of the study area. Among the trips that would be generated from the approved project, only 30 percent of the trips are assumed to pass through the study intersections. The trip distribution and assignment assumptions at the study intersections for the above referenced project in the project vicinity are illustrated in Figure 7. The assigned trips were added to Existing Conditions traffic volumes to generate Existing plus Approved Conditions' traffic volumes. The resulting intersection turning movement volumes at the study intersections for this scenario are shown in Figure 8.

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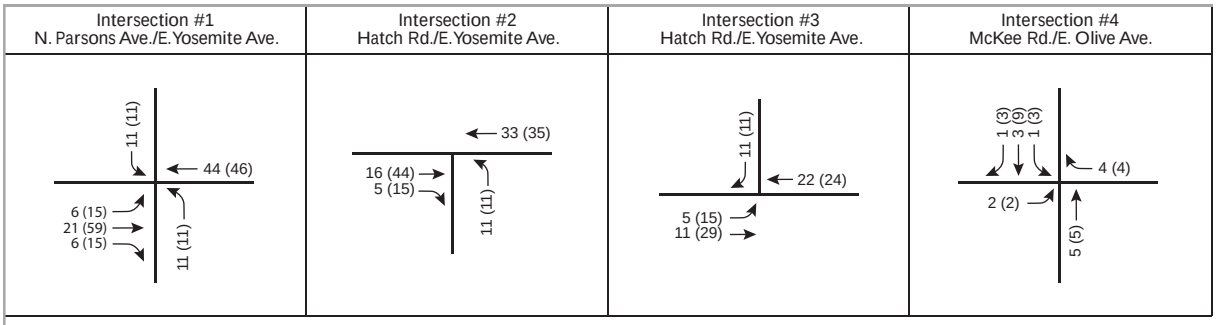
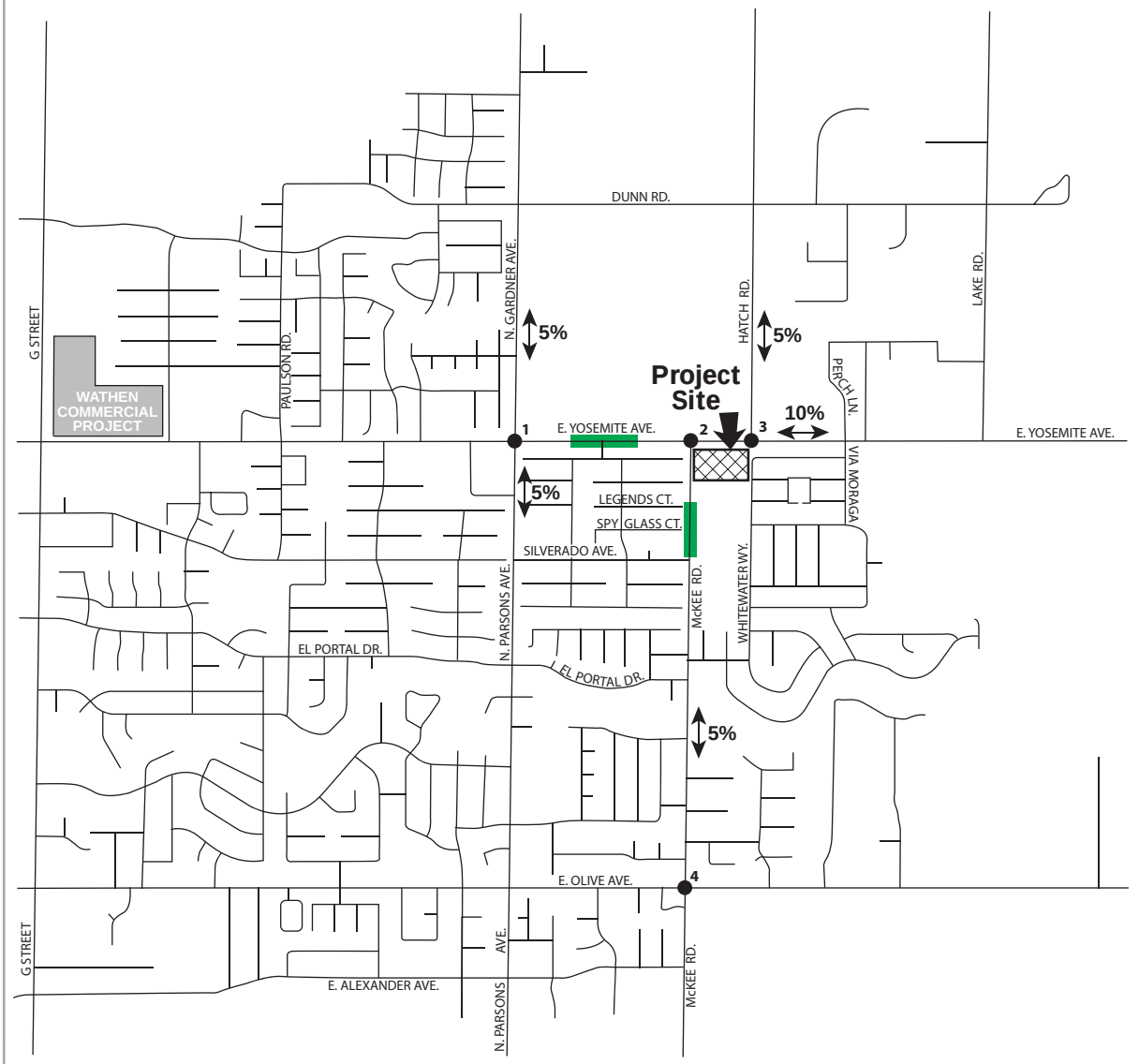
Approved Project Trip Distribution and Assignment





LEGEND

- ● Study Intersection
- Proposed Study Segment
- XX AM Peak Hour Trips
- (XX) PM Peak Hour Trips
- XX% Trip Distribution

NORTH
Not to Scale
TJKM

Figure 7

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Existing plus Approved Project Conditions Traffic Volumes, Lane Geometry, and Controls

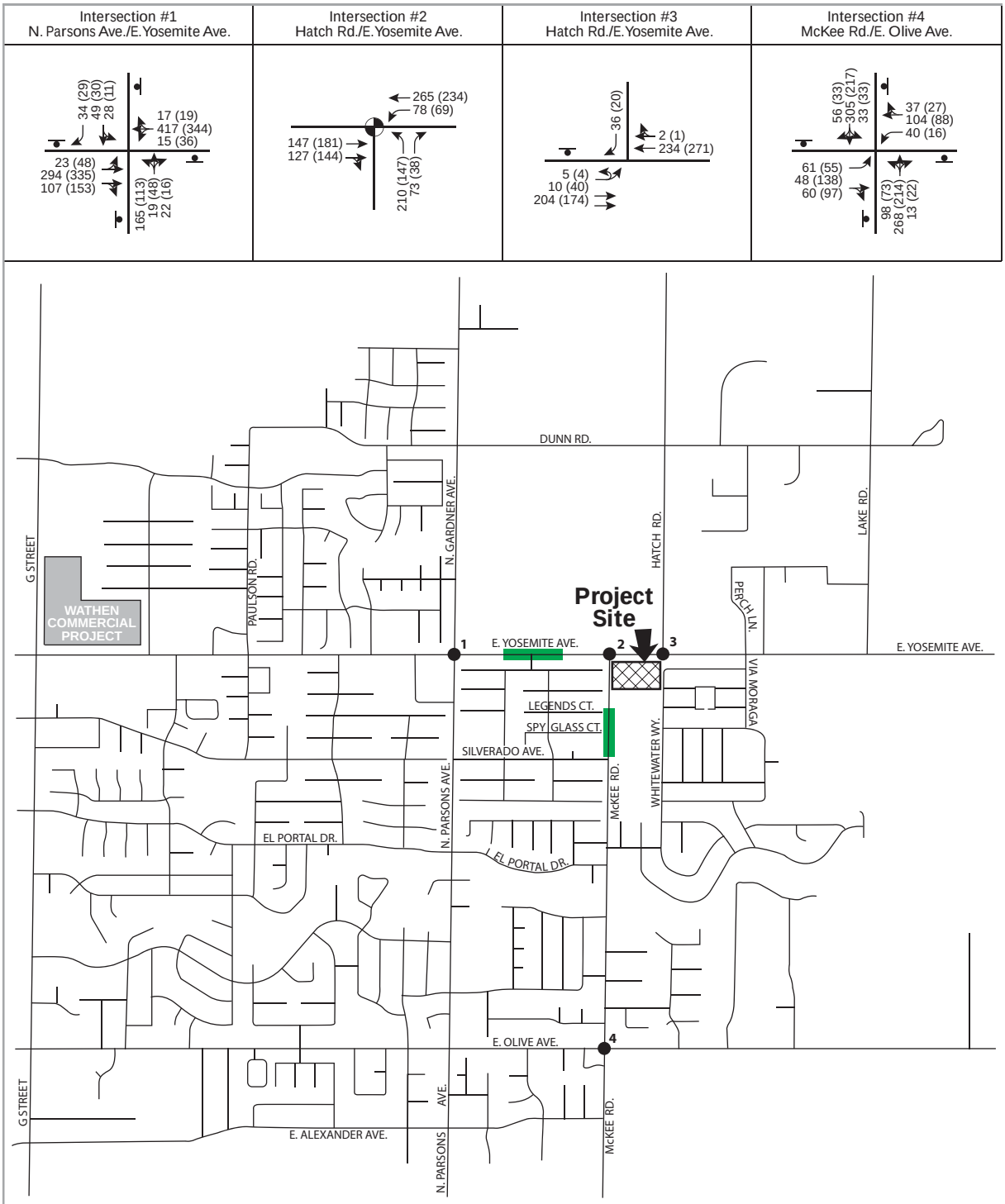

Figure 8

Existing plus Approved Level of Service Analysis

Table 7 and Table 8 below summarize the levels of service at the study intersections and the roadway segments respectively. The study intersection levels of service calculation results for this scenario are contained in Appendix E.

Table 7: Intersection Level of Service Analysis – Existing plus Approved Conditions

ID	*Intersection*	*Intersection Control*	*A.M. Peak Hour*		*P.M. Peak Hour*	
			Average Delay[2]	*LOS[1]*	*Average Delay*	*LOS*
1	Yosemite Avenue & Parsons Avenue	All -Way Stop	**53.4**	**F**	23.2	C
2	Yosemite Avenue & McKee Road	Signal	17.5	B	16.8	B
3	Yosemite Avenue & Hatch Road	Side-Street Stop	9.4	A	9.6	A
4	Olive Avenue & McKee Road	All -Way Stop	22.2	C	16.2	C

Notes: 1. LOS = Level of Service;
2. Average intersection delay expressed in seconds per vehicle for signalized intersections and all way stop controlled intersections. Total control delay for the worst movement is presented for stop controlled intersections.
Bold indicates deficient intersection operations.

Table 8: Roadway Segment Level of Service Analysis - Existing plus Approved Conditions

ID	*Limits*	*Lanes*	*24-hr Volume*	*LOS*
Yosemite Avenue	Between Parsons Avenue and Mckee Road	3	8,114	C
Mckee Road	Between Yosemite Avenue and Silverado Avenue	2	4,521	C

Notes: LOS = Level of Service per the city of Merced Vision 2030 General Plan Transportation and Circulation Element Table 4.3 "Daily Roadway Segment Level of Service Thresholds by Roadway Type"

Traffic Signal Warrants

Based on TJKM's peak hour signal warrant analysis, the intersections of Yosemite Avenue and Parsons Avenue, and McKee Road and Olive Avenue satisfies the signal warrants. However, the intersection of McKee Road and Olive Avenue continues to operates at an acceptable Level of Service C during both peak hours. Therefore, a traffic signal is not recommended at this intersection. Though the intersection of Parsons Avenue and Yosemite Avenue meets the peak hour warrants, it is recommended to investigate a full set of warrants to reach a decision. Peak Hour Signal Warrant sheets are provided in Appendix J.

Existing plus Approved plus Project Level of Service Analysis

Table 9 and Table 10 below summarize the level of service at the study intersections and the roadway segments respectively. LOS worksheets are provided in Appendix F. Figure 9 shows the turning movement volumes for Existing plus Approved plus Project Conditions.

Table 9: Intersection Level of Service Analysis – Existing plus Approved plus Project Conditions

ID	*Intersection*	*Peak Hour*	*Existing plus Approved Conditions*		*Existing plus Approved plus Project Conditions*		*Mitigated Conditions*	
			Average Delay[2]	*LOS[1]*	*Average Delay[2]*	*LOS[1]*	*Average Delay[2]*	*LOS[1]*
1	Yosemite Avenue & Parsons Avenue	AM	**53.4**	**F**	**57.7**	**F**	18.2	C
		PM	23.2	C	31.3	D	16.2	C
2	Yosemite Avenue & McKee Road	AM	17.5	B	17.8	B		
		PM	16.8	B	17.8	B		
3	Yosemite Avenue & Hatch Road	AM	9.4	A	9.4	A		
		PM	9.6	A	9.7	A		
4	McKee Road & Olive Avenue	AM	22.2	C	22.8	C		
		PM	16.2	C	17.1	C		

Notes: 1. LOS = Level of Service;
2. Average intersection delay expressed in second per vehicle for signalized intersections and all way stop controlled intersections. Total control delay for the worst movement is presented for side-street stop controlled intersections.
Bold indicates deficient intersection operations.

Table 10: Roadway Segment Level of Service Analysis - Existing plus Approved plus Project Conditions

ID	*Limits*	*Lanes*	*24-hr Volume*	*LOS*
Yosemite Avenue	Between Parsons Avenue and Mckee Road	3	8,975	C
Mckee Road	Between Yosemite Avenue and Silverado Avenue	2	4,866	D

Notes: LOS = Level of Service per the city of Merced Vision 2030 General Plan Transportation and Circulation Element Table 4.3 "Daily Roadway Segment Level of Service Thresholds by Roadway Type"

Traffic Signal Warrants

Based on TJKM's peak hour signal warrant analysis, the intersections of Yosemite Avenue and Parsons Avenue, and McKee Road and Olive Avenue satisfies the signal warrants. However, the intersection of McKee Road and Olive Avenue continues to operates at an acceptable Level of Service C during both peak hours. Therefore, a traffic signal is not recommended at this intersection. Though the intersection of Parsons Avenue and Yosemite Avenue meets the peak hour warrants, it is recommended to investigate a full set of warrants to reach a decision. Peak Hour Signal Warrant sheets are provided in Appendix J.

Mitigation Measures

In order to improve the level of service at the intersection of Yosemite Avenue and Parsons Avenue, TJKM recommends the same lane modification as in existing plus project scenario.

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Existing plus Approved plus Project Conditions Traffic Volumes, Lane Geometry, and Controls

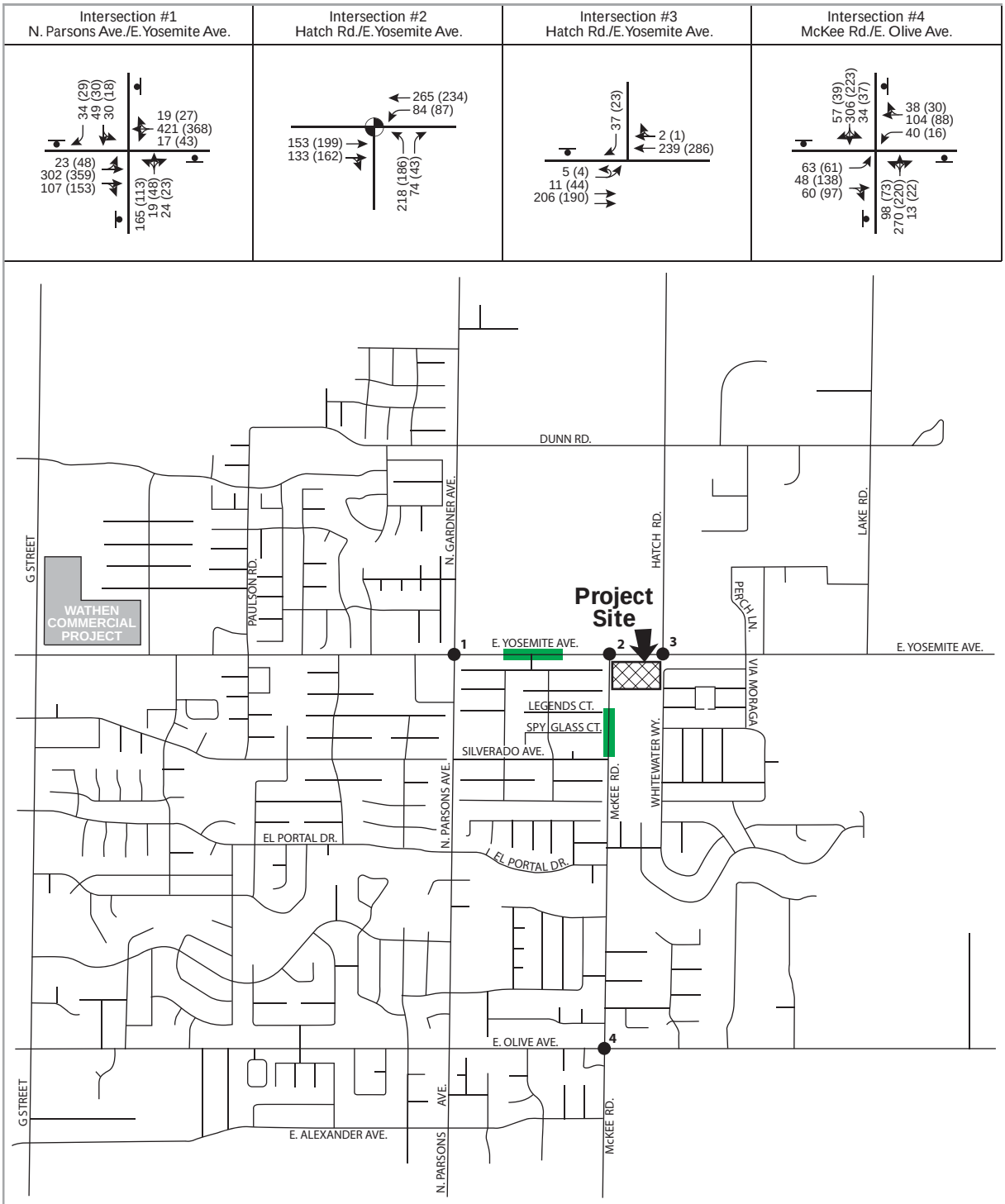


Figure 9

Cumulative Year 2035 No Project Conditions

Cumulative Year 2035 no project traffic volumes were obtained by using MCAG travel demand model along with the increment method between the Base Year 2010 and the Cumulative Year 2035. The model provided a percent growth per year based on the improvements identified in the area. The growth rate was applied to the existing volumes to calculate the peak hour turning movements for Year 2035 No Project Conditions. Figure 10 shows the turning movement volumes. Table 11 and 12 below summarizes the levels of service at the study intersections and roadway segments respectively. See Appendix G for the LOS worksheets and Appendix I for travel demand model runs.

Table 11: Intersection Level of Service Analysis – Cumulative Year 2035 No Project Conditions

ID	*Intersection*	*Intersection Control*	*A.M. Peak Hour*		*P.M. Peak Hour*	
			Average Delay[2]	*LOS[1]*	*Average Delay*	*LOS*
1	Yosemite Avenue & Parsons Avenue	All -Way Stop	**99.6**	**F**	**52.8**	**F**
2	Yosemite Avenue & McKee Road	Signal	19.2	B	17.7	B
3	Yosemite Avenue & Hatch Road	Side-Street Stop	9.5	A	9.5	A
4	Olive Avenue & McKee Road	All -Way Stop	**113.0**	**F**	**59.0**	**F**

Notes: 1. LOS = Level of Service;
2. Average intersection delay expressed in seconds per vehicle for signalized intersections and all way stop controlled intersections. Total control delay for the worst movement is presented for stop-controlled intersections.
Bold indicates deficient intersection operations.

Table 12: Roadway Segment Level of Service Analysis – Cumulative Year 2035 No Project Conditions

ID	*Limits*	*Lanes*	*24-hr Volume*	*LOS*
Yosemite Avenue	Between Parsons Avenue and Mckee Road	4[1]	10,522	C
McKee Road	Between Yosemite Avenue and Silverado Avenue	2	6,335	D

Notes: LOS = Level of Service per the city of Merced Vision 2030 General Plan Transportation and Circulation Element Table 4.3 "Daily Roadway Segment Level of Service Thresholds by Roadway Type"
1. Based on Merced Vision 2030 General Plan, Yosemite Avenue between Parsons Avenue and McKee Road will be upgraded to two lanes in either direction.

Traffic Signal Warrants

Based on TJKM's peak hour warrant analysis, the intersections of Yosemite Avenue and Parsons Avenue, and McKee Road and Olive Avenue meets the signal warrants. It is worth noting that MUTCD states "satisfaction of a signal warrant or warrants shall not in itself require the installation of a "traffic signal"; Based on the impact criteria, it is recommended that prior to installation of a traffic signal, the remaining California MUTCD warrants as applicable be conducted.

TJKM
Transportation
Consultants

Year 2035 No Project Conditions Traffic Volumes, Lane Geometry, and Controls

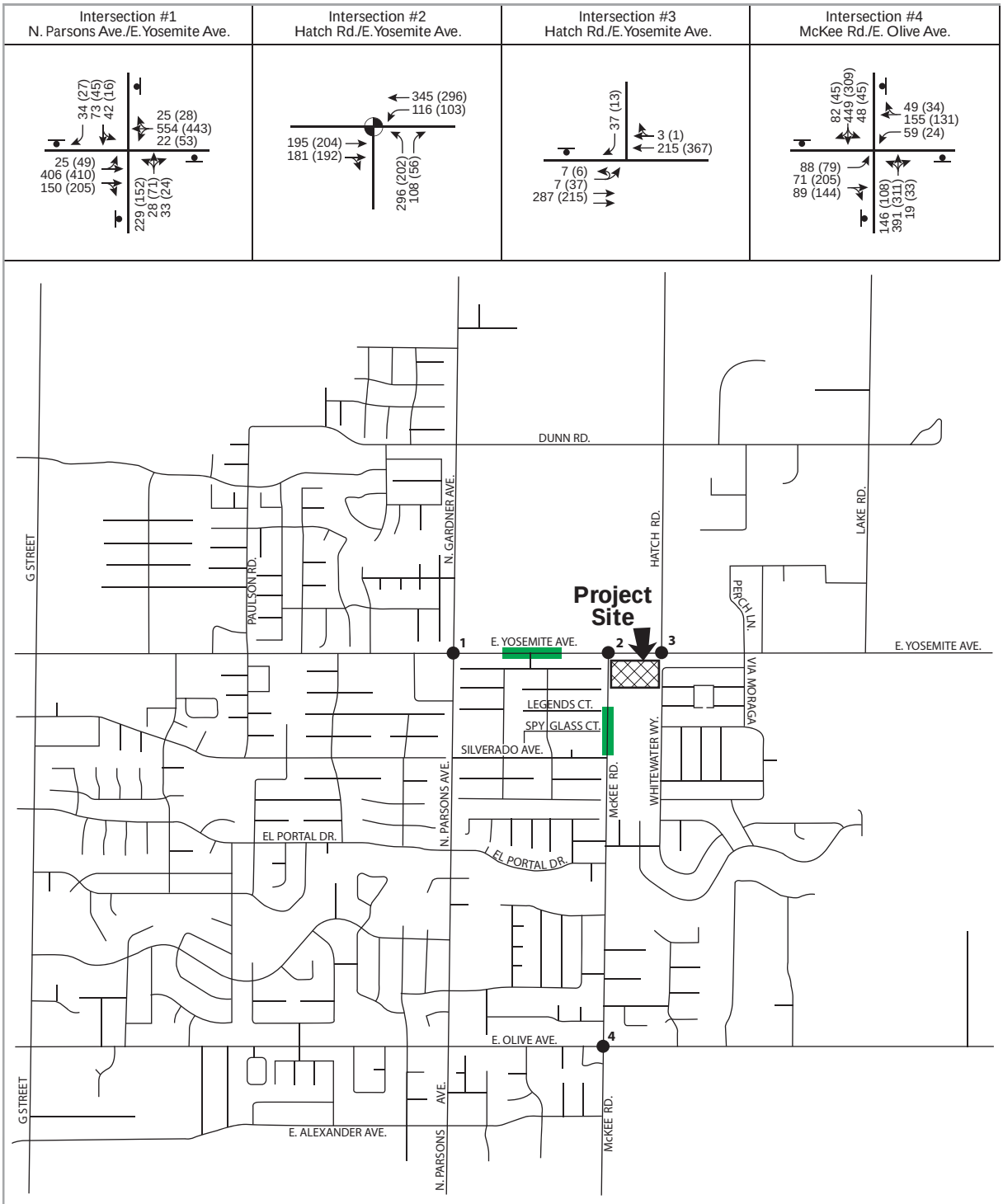


Figure 10

Cumulative Year 2035 plus Project Conditions

Cumulative Year 2035 Plus project traffic volumes were obtained by adding the project-generated trips No Project volumes to see the impacts of the project in Cumulative Year 2035. Figure 11 shows the turning movement volumes. Table 13 and 14 below summaries the level of service at the study intersections and roadway segments respectively. See Appendix H for the LOS worksheets.

Table 13: Intersection Level of Service Analysis – Cumulative Year 2035 plus Project Conditions

ID	*Intersection*	*Peak Hour*	*Cumulative 2035 No Project Conditions*		*Cumulative 2035 Plus Project Conditions*		*Mitigated Conditions*	
			Average Delay[2]	*LOS[1]*	*Average Delay[2]*	*LOS[1]*	*Average Delay[2]*	*LOS[1]*
1	Yosemite Avenue & Parsons Avenue	AM	**99.6**	**F**	**104.4**	**F**	27.0	D
		PM	**52.8**	**F**	**69.3**	**F**	24.9	C
2	Yosemite Avenue & McKee Road	AM	19.2	B	19.5	B		
		PM	17.7	B	19.3	B		
3	Yosemite Avenue & Hatch Road	AM	9.5	A	9.5	A		
		PM	9.5	A	9.6	A		
4	McKee Road & Olive Avenue	AM	**113.0**	**F**	**115.2**	**F**	22.7	C
		PM	**59.0**	**F**	**65.9**	**F**	20.4	C

Notes: 1. LOS = Level of Service;
2. Average intersection delay expressed in second per vehicle for signalized intersections and all way stop controlled intersections. Total control delay for the worst movement is presented for side-street stop controlled intersections.
Bold indicates deficient intersection operations.

Table 14: Segment Level of Service Analysis - Cumulative Year 2035 plus Project Conditions Project Conditions

ID	*Limits*	*Lanes*	*24-hr Volume*	*LOS*
Yosemite Avenue	Between Parsons Avenue and Mckee Road	4[1]	11,382	C
Mckee Road	Between Yosemite Avenue and Silverado Avenue	2	6,679	D

Notes: LOS = Level of Service per the city of Merced Vision 2030 General Plan Transportation and Circulation Element Table 4.3 "Daily Roadway Segment Level of Service Thresholds by Roadway Type"
1. Based on Merced Vision 2030 General Plan, Yosemite Avenue between Parsons Avenue and McKee Road will be upgraded to two lanes in either direction.

Traffic Signal Warrants

Based on TJKM's peak hour warrant analysis, the intersections of Yosemite Avenue and Parsons Avenue, and McKee Road and Olive Avenue are recommended to be signalized under Cumulative Year 2035 plus Project traffic conditions. It is worth noting that MUTCD states "satisfaction of a signal warrant or warrants shall not in itself require the installation of a "traffic signal"; Based on the impact criteria, it is recommended that prior to installation of a traffic signal, the remaining California MUTCD warrants as applicable be conducted.

Mitigation Measures

In order to improve the level of service at the deficient intersections, TJKM recommends the following mitigation measures:

<u>Yosemite Avenue and Parsons Avenue</u>

Modify the westbound approach to accommodate an additional 100 ft. shared thru/right turn lane. In addition, re-stripe the existing shared left/thru/right lane to shared left/thru lane.

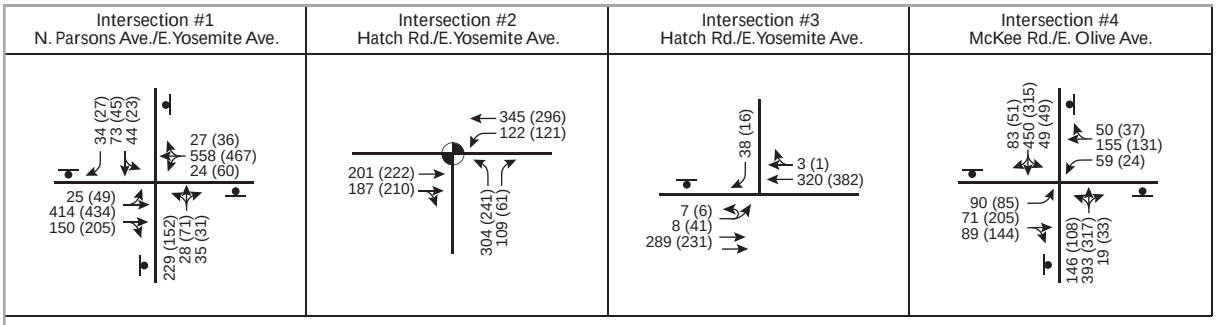
<u>Olive Avenue and McKee Road</u>

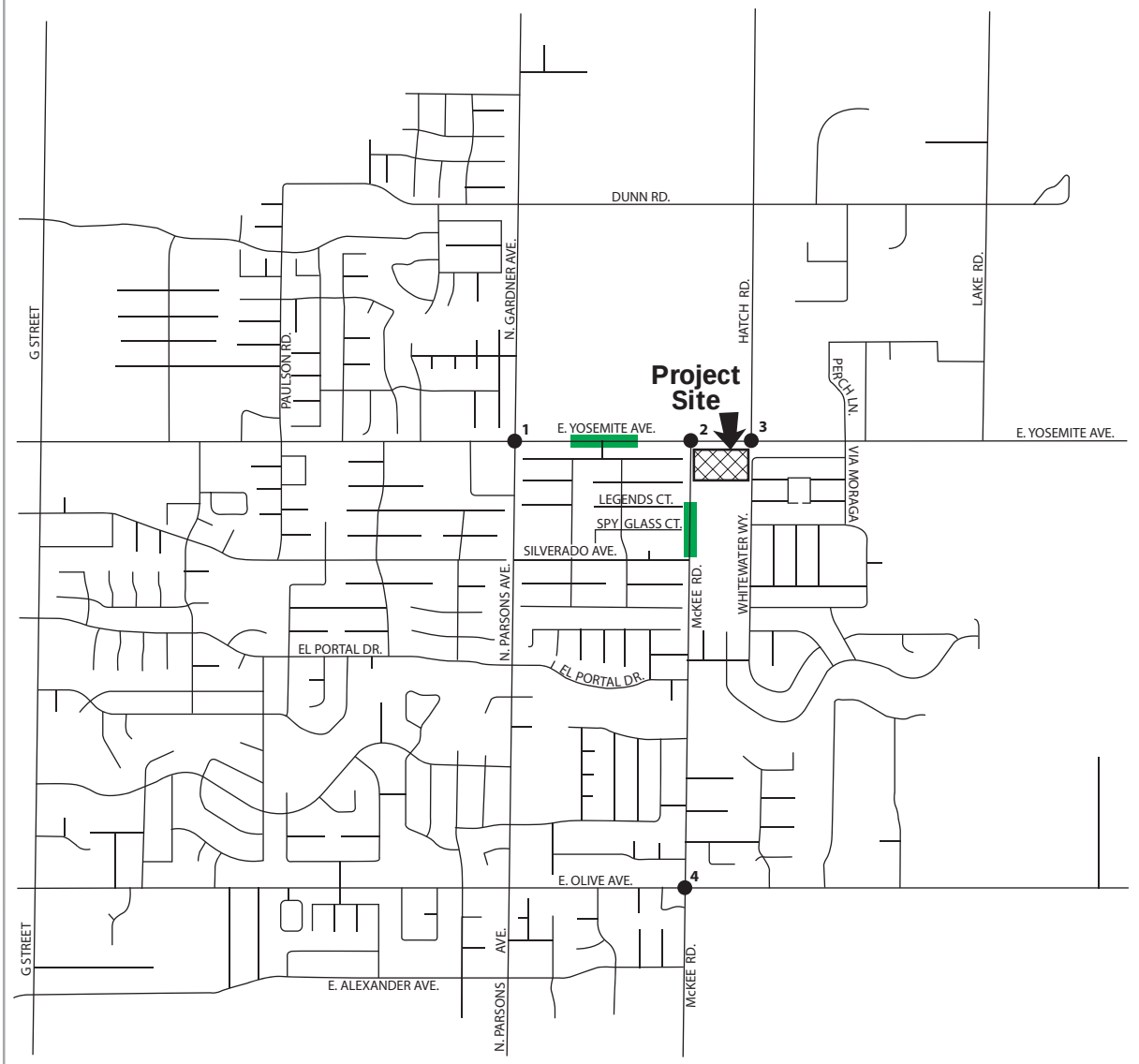
- Southbound Approach
  - Remove the adjacent on-street parking for 100 ft. on the southbound approach.
  - Re-stripe the approach as shared left/thru lane and shared right/thru lane.
  - Remove the adjacent on-street parking for 100 ft. on the southbound receiving lane and stripe it as a lane drop.
- Northbound Approach
  - Remove the adjacent on-street parking for 100 ft. on the northbound approach.
  - Re-stripe the approach as shared left/thru lane and shared right/thru lane.
  - Remove the adjacent on-street parking for 100 ft. on the northbound receiving lane and stripe it as a lane drop. Although this might not be feasible due to residential driveways.

If the proposed lane modification changes are not feasible, it is recommended to install a traffic signal to improve the level of service operations to acceptable levels.

TJKM
Transportation
Consultants

Year 2035 plus Project Conditions Traffic Volumes, Lane Geometry, and Controls





LEGEND
- ● Study Intersection
- Proposed Study Segment
- XX AM Peak Hour Volumes
- (XX) PM Peak Hour Volumes

NORTH
Not to Scale
TJKM

Figure 11

Queuing Analysis

Table 15 and 16 provides a queue length summary for left and right turn lanes at the study intersections under all study scenarios. Queuing analysis was completed using Synchro output information. Synchro provides both 50th and 95th percentile maximum queue lengths in feet. According to the Synchro manual, "the 50th percentile maximum queue is the maximum back of queue on a typical cycle and the 95th percentile queue is the maximum back of queue with 95th percentile volumes." The queues shown on Table 15 and 16 are the 95th percentile queue lengths for the respective lane movements.

Table 15: Queuing Analysis – Existing and Existing plus Approved Conditions

No	*Intersection*	*Existing Queue Storage Length (FT)*		*Peak Hour*	*Existing*	*Existing plus Project*	*Existing plus Approved*	*Existing plus Approved and Project*
1	Yosemite Avenue / Parsons Avenue	SBR	190	AM	40	40	40	60
				PM	40	40	60	60
2	Yosemite Avenue / McKee Road	NBR	120	AM	60	80	100	120
				PM	40	60	40	60
		WBL	160	AM	100	120	100	120
				PM	80	120	100	120
3	Yosemite Avenue / Hatch Road	EBL	150	AM	20	60	20	40
				PM	20	40	40	40
4	Olive Avenue / McKee Road	EBL	60	AM	40	60	60	60
				PM	40	60	60	60

Table 16: Queuing Analysis – Cumulative Conditions

No.	*Intersection Name*	*Existing Queue Storage Length (FT)*		*Peak Hour*	*Cumulative Year 2030 No Project*	*Cumulative Year 2030 Plus Project*
1	Yosemite Avenue / Parsons Avenue	SBR	190	AM	40	40
				PM	60	60
2	Yosemite Avenue / McKee Road	NBR	120	AM	120	120
				PM	40	60
		WBL	160	AM	120	140
				PM	120	120
3	Yosemite Avenue / Hatch Road	EBL	150	AM	20	40
				PM	40	40
4	Olive Avenue / McKee Road	EBL	60	AM	60	60
				PM	100	100

Based on the Synchro output files it is recommended that the storage capacity for the following be considered for the City's Year 2030 circulation network:

1. Intersection of Olive Avenue / McKee Road

   It is recommended to increase the eastbound left turn lane storage capacity from 60 to 100 feet. This would be require re-striping the eastbound left turn approach and reduction of the TWLT lane to the west of this intersection.

Weekday ADT Vs Sunday ADT

The weekday Average Daily Traffic (ADT) were compared with the Sunday ADT to determine whether an LOS analysis is required for the Sunday peak hour traffic volumes. As a result, it was determined that the Sunday ADT's were lower than the weekday ADT during a.m. peak hour and p.m. peak hour whereas Sunday ADT's were about the same during the midday peak. Therefore, in an effort to analyze the worst case scenario, only the weekday peak hour traffic volumes were analyzed. Table 17 summarizes the weekday ADT and Sunday ADT.

Table 17: Summary of ADT – Weekday vs Sunday

Roadway Segment	*Time of Day*	*ADT*		*Percent Difference*
		Weekend	*Weekday*	
Yosemite Avenue Between Parsons Avenue & McKee Road	A.M. - (7:00 a.m. - 9:00 a.m.)	242	1088	78%
	M.D. - (11:00 a.m. - 1:00 p.m.)	880	808	-9%
	P.M. - (4:00 p.m. - 6:00 p.m.)	605	1227	51%
McKee Road North of Silverado Avenue	A.M. - (7:00 a.m. - 9:00 a.m.)	152	690	78%
	M.D. - (11:00 a.m. - 1:00 p.m.)	470	477	1%
	P.M. - (4:00 p.m. - 6:00 p.m.)	359	733	51%

Project Site Circulation and Access

TJKM reviewed the project site plan to evaluate on-site circulation and access to the project. The proposed project's access will be via one full access driveway on McKee Road, one right-in and right-out driveway on Yosemite Avenue and one full access driveway on Whitewater Way for the single-family home subdivision to the east. A separate entrance only driveway is provided for service trucks on Yosemite Avenue at the northeast corner of the project site and an exit only driveway is provided onto McKee Road at the southwest corner of project site. The project also provides enough parking spaces based on size of development, this will result in adequate on-site circulation with minor to no delays to adjacent roadways.

Conclusions and Recommendations

TJKM has reached the following conclusions for the proposed commercial development at the southeast corner of Yosemite Avenue and McKee Road:

Existing Conditions

Under Existing conditions, the study intersections are operating at or better than the City of Merced's LOS threshold with the exception of the intersection of Yosemite Avenue and Parsons Avenue, which currently operates at LOS E.

Existing plus Project Conditions

Under Existing plus Project conditions, the study intersections are expected to operate at or better than the City of Merced's LOS threshold with the exception of the intersection of Yosemite Avenue and Parsons Avenue, which continues to operate at LOS E.

In order to improve the intersections operations, it is recommended to modify the westbound approach to accommodate an additional 100 ft. shared thru/right turn lane. In addition, re-stripe the existing shared left/thru/right lane to shared left/thru lane.

Existing plus Approved Conditions

Under Existing plus Approved conditions, the study intersections are expected to operate at or better than the City of Merced's LOS threshold with the exception of the intersection of Yosemite Avenue and Parsons Avenue, which is expected to operate at LOS F.

Existing plus Approved plus Project Conditions

Under Existing plus Approved plus Project conditions, the study intersections are expected to continue to operate at or better than the City of Merced's LOS threshold with the exception of the intersection of Yosemite Avenue and Parsons Avenue, which is expected to operate at LOS F.

In order to improve the intersections operations, same mitigation measures are recommended as in Existing plus project conditions.

Cumulative Year 2035 No Project Conditions

Under Cumulative Year 2035 No Project conditions, the study intersections are projected to operate at or better than the City of Merced's LOS threshold with the exception of the following intersections:

- Yosemite Avenue and Parsons Avenue, which is projected to operate at LOS F.
- Olive Avenue and McKee Road, which is projected to operate at LOS F.

Cumulative Year 2035 plus Project Conditions

Under Cumulative Year 2035 plus Project conditions, the study intersections are expected to continue to operate at or better than the City of Merced's LOS threshold with the exception of the following intersections:

- Yosemite Avenue and Parsons Avenue, which is projected to operate at LOS F.
- Olive Avenue and McKee Road, which is projected to operate at LOS F.

In order to improve the intersections operations, same mitigation measures are recommended as in Existing plus project conditions.

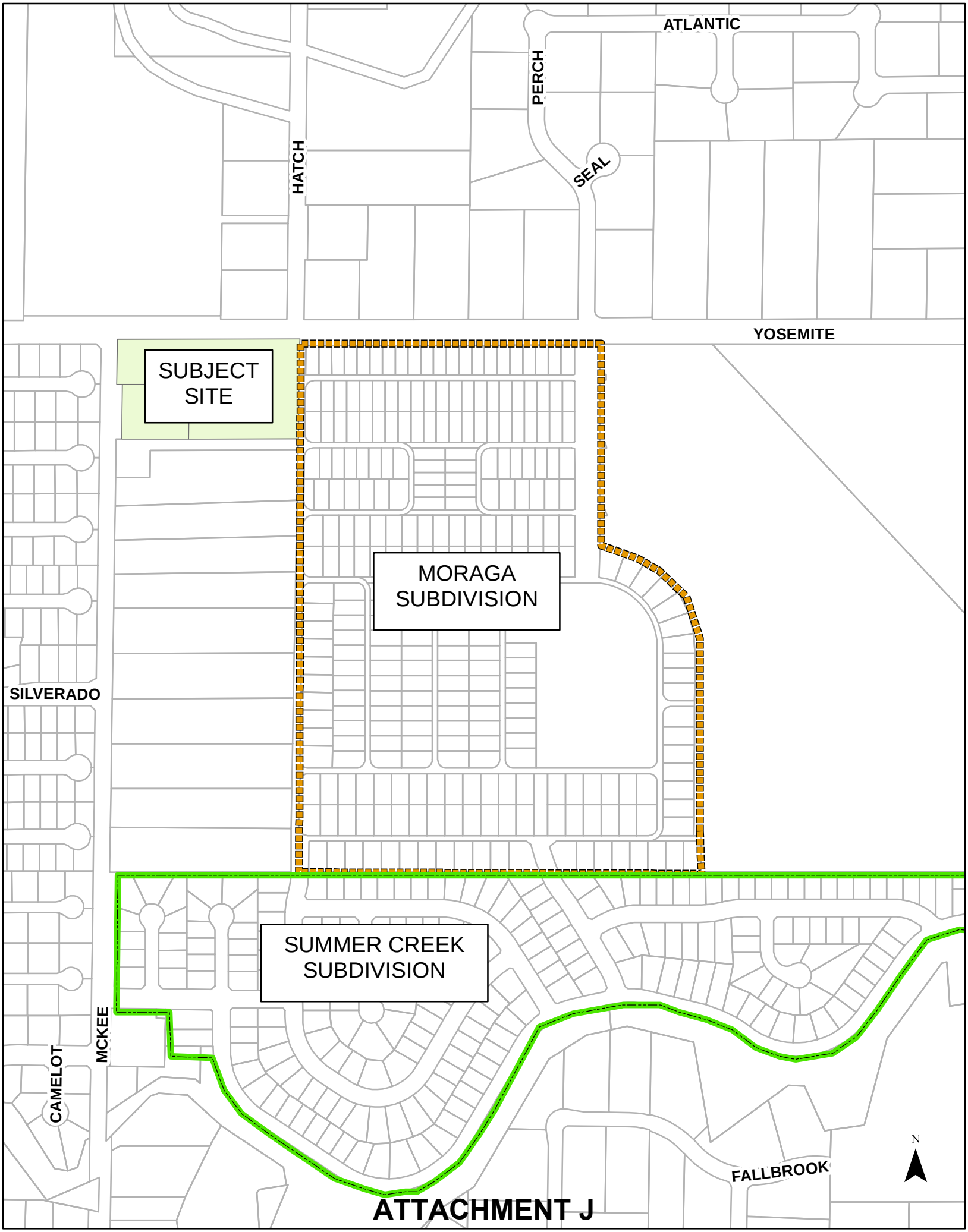
<u>Yosemite Avenue and Parsons Avenue</u>

The same mitigation measures are recommended as in Existing plus Project Conditions.

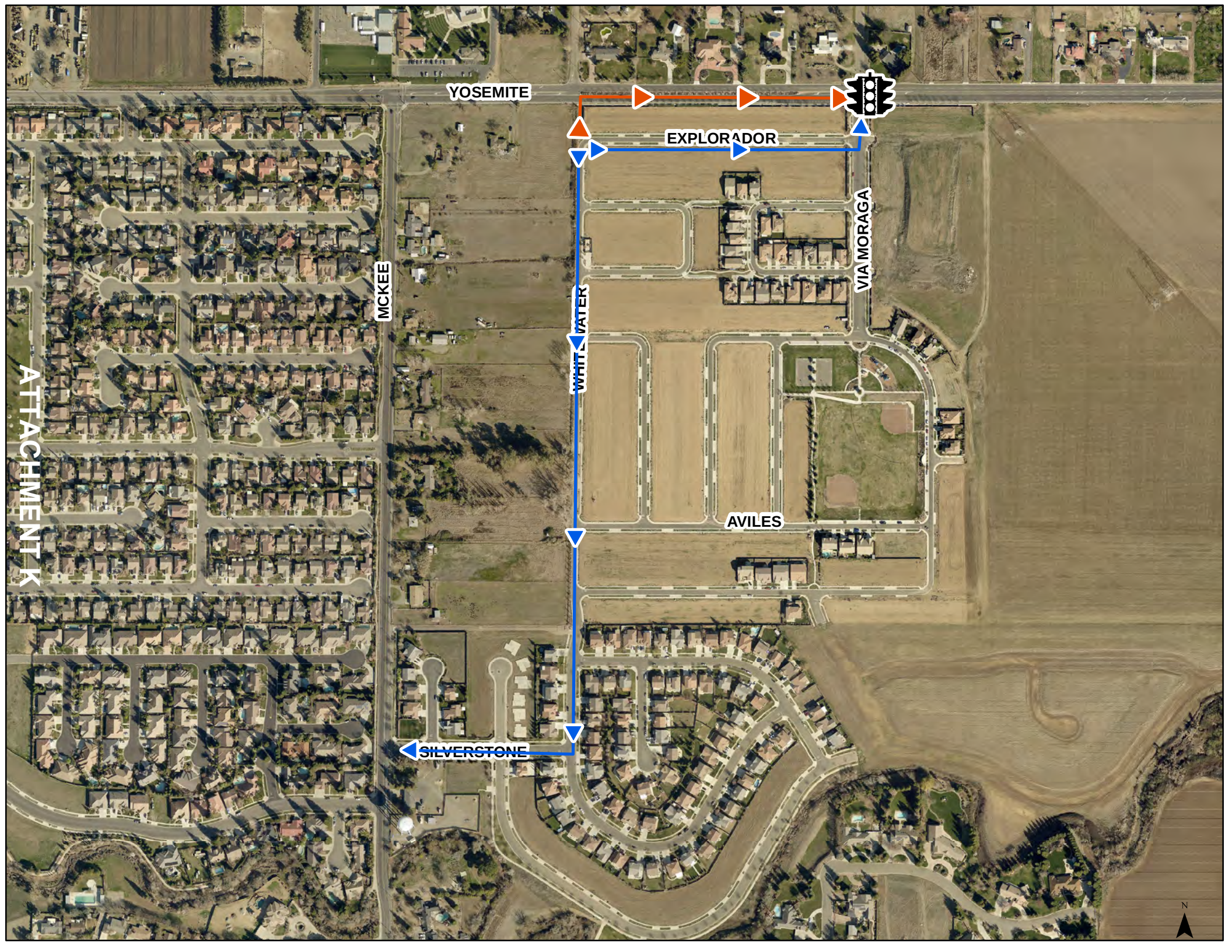
<u>Olive Avenue and McKee Road</u>

- Southbound Approach
  - Remove the adjacent on-street parking for 100 ft. on the southbound approach.
  - Re-stripe the approach as shared left/thru lane and shared right/thru lane.
  - Remove the adjacent on-street parking for 100 ft. on the southbound receiving lane and stripe it as a lane drop.
- Northbound Approach
  - Remove the adjacent on-street parking for 100 ft. on the northbound approach.
  - Re-stripe the approach as shared left/thru lane and shared right/thru lane.
  - Remove the adjacent on-street parking for 100 ft. on the northbound receiving lane and stripe it as a lane drop. Although this might not be feasible due to residential driveways.

If the proposed lane modification changes are not feasible, it is recommended to install a traffic signal to improve the level of service operations to acceptable levels.



ATTACHMENT J



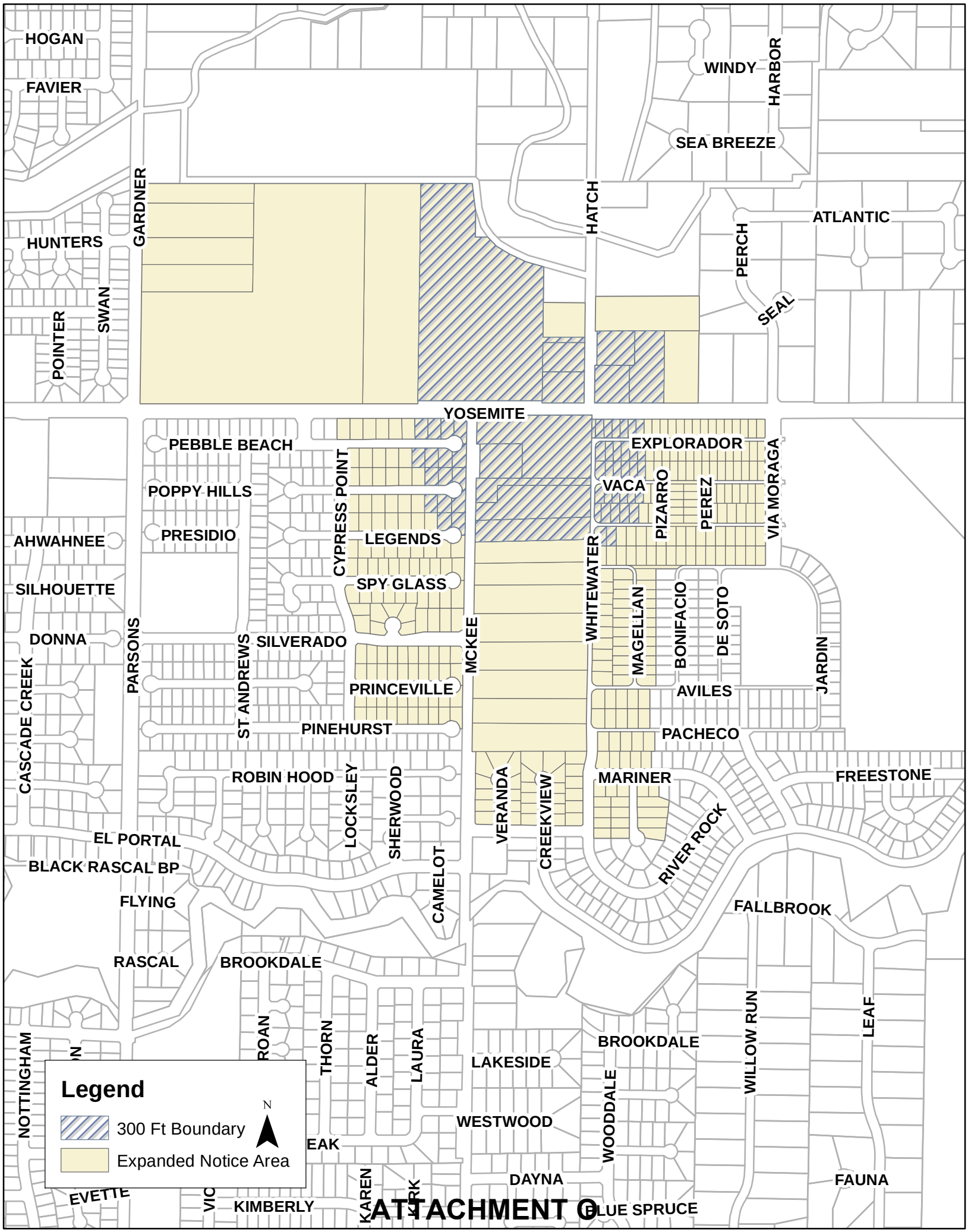
ATTACHMENT K

RECOMMENDED MITIGATION MEASURES FOR TRAFFIC RELATED IMPACTS AT PARSONS AVE. & YOSEMITE AVE.

ATTACHMENT L

ATTACHMENT M

ATTACHMENT N



ATTACHMENT O

CITY OF MERCED
PLANNING & PERMITTING DIVISION

TYPE OF PROPOSAL: General Plan Amendment #14-06 and Zone Change #421

INITIAL STUDY: #14-32

DATE RECEIVED: February 19, 2015 (date application determined to be complete)

LOCATION: Southwest corner of East Yosemite Avenue and McKee Road (3486 and 3492 McKee Road)

ASSESSOR'S PARCEL NUMBERS: 008-310-038 AND 008-310-050

(SEE ATTACHED PUBLIC HEARING NOTICE AND MAP AT ATTACHMENTS M AND N.)

Please forward any written comments by April 8, 2015 to:

Julie Nelson, Associate Planner
City of Merced Planning & Permitting Division
678 West 18th Street
Merced, CA 95340

Applicant Contact Information:

Merced Holdings, LP
1000 N. Green Valley Pkwy., Ste. 440-69
Henderson, NV 89074-6163

Project Description

The applicant is requesting a General Plan Amendment and Zone Change to change the designation of two parcels located at the southeast corner of East Yosemite Avenue and McKee Road (Attachment A) from Low Density Residential (LD) to Neighborhood Commercial (CN). If approved, the applicant is proposing to construct a 62,000-square-foot retail commercial center in three phases (Attachment B) on the two parcels totaling 5.42 acres. The site is currently zoned R-1-6 which allows for one dwelling unit for each 6,000 square feet of lot area. Under this zoning designation, the site could have up to 39 dwelling units if subdivided into single-family lots. By changing the General Plan designation and Zoning to Neighborhood Commercial, a variety of commercial uses would be allowed, including retail businesses, restaurants, beauty salons, barber shops, and licensed massage establishments. Conditional uses (uses that would require Conditional Use Permit approval) include auto service stations, drive-in restaurants, residential uses (including multi-family), car wash, theater, tattoo parlors, church, super market, the sale of alcoholic beverages for on-site consumption within a restaurant, and the sale of alcoholic beverages for off-site consumption if sold by a retail store having less than 20,000 square feet. For an excerpt from the Zoning Ordinance describing the Neighborhood Commercial zone, please refer to Attachment C.

If the General Plan Amendment and Zone Change are approved, the developer would be required to apply for a Conditional Use Permit to approve the construction of the retail development. Section 20.52 of the Zoning Ordinance sets out the requirements for interface regulations to help integrate potentially incompatible zones. This section requires a Conditional Use Permit be obtained prior to construction on a parcel with a Neighborhood Commercial (C-N) zone when it is adjacent to or across the street from an R-1-6 zone or zoned Planned Development (P-D)

containing uses that are similar to those permitted in an R-1-6 zone. In this case, the property to the west across McKee Road and the property to the south are zoned R-1-6. The property to the east is zoned Planned Development (P-D) #52 which allows single-family dwellings similar to the R-1-6 zone. The property to the north of the site is not within the City Limits, but is within the City's Sphere of Influence and Specific Urban Development Plan Boundary. The uses in this area include a church and a small school as well as single-family dwellings located on 1 to 2-acre lots.

Surrounding Uses
(Refer to Attachment A)

Surrounding Land	Existing Use of Land	Zoning Designation	City General Plan Land Use Designation
North	Single-Family Residential/Church/School (across Yosemite Avenue)	County	Rural Residential (RR)
South	Single-Family Residential	R-1-6	Low Density Residential (LD)
East	Single-Family Residential	P-D #52	Low Density Residential (LD)
West	Single-Family Residential (across McKee Road)	R-1-6	Low Density Residential (LD)

I. INITIAL FINDINGS

A. The proposal is a project as defined by CEQA Guidelines Section 15378.

B. The project is not a ministerial or emergency project as defined under CEQA Guidelines (Sections 15369 and 15369).

C. The project is therefore discretionary and subject to CEQA (Section 15357).

D. The project is not Categorically Exempt.

E. The project is not Statutorily Exempt.

F. Therefore, an Environmental Checklist has been required and filed.

II. CHECKLIST FINDINGS

A. An on-site inspection was made by this reviewer on November 24, 2014.

B. The checklist was prepared on December 9, 2014.

C. The *Merced Vision 2030 General Plan* and its associated EIR (SCH# 2008071069) were certified in January 2012. The document comprehensively examined the potential environmental impacts that may occur as a result of build-out of the 28,576-acre Merced SUDP/SOI. For those significant environmental impacts (Loss of Agricultural Soils and Air Quality) for which no mitigation measures were available, the City adopted a Statement of Overriding Considerations (City Council Resolution #2011-63). This document herein incorporates by reference the *Merced Vision 2030 General Plan, the General Plan Program EIR* (SCH# 2008071069), and Resolution #2011-63.

As a subsequent development project within the SUDP/SOI, many potential environmental effects of the Project have been previously considered at the program level and addressed within the General Plan and associated EIR. (Copies of the General Plan and its EIR are available for review at the City of Merced Planning and Permitting Division, 678 West 18th Street, Merced, CA 95340.) As a second tier environmental document, Initial Study #14-32 plans to incorporate goals, policies, and implementing actions of the *Merced Vision 2030 General Plan*, along with mitigation measures from the General Plan EIR, as mitigation for potential impacts of the Project.

Project-level environmental impacts and mitigation measures (if applicable) have been identified through site-specific review by City staff. This study also utilizes existing technical information contained in prior documents and incorporates this information into this study. This site was included in Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02. The previously approved Mitigation Monitoring Program for Initial Study #02-27 is found at Attachment D. A map of the annexation area is found at Attachment E.

Project-level environmental impacts have been identified through site-specific review by City staff. This study also utilizes existing technical information contained in prior documents and incorporates this information into this study.

III. ENVIRONMENTAL IMPACTS:

Will the proposed project result in significant impacts in any of the listed categories? Significant impacts are those which are substantial, or potentially substantial, changes that may adversely affect the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant. (Section 15372, State CEQA Guidelines. Appendix G of the Guidelines contains examples of possible significant effects.)

A narrative description of all "potentially significant," "negative declaration: potentially significant unless mitigation incorporated," and "less than significant impact" answers are provided within this Initial Study.

A. Aesthetics

SETTING AND DESCRIPTION

The project site is comprised of two parcels totaling 5.42 acres located at the southeast corner of East Yosemite Avenue and McKee Road. There are currently single family dwellings on both parcels as well as two accessory structures on the larger of the two parcels (Attachment F). The site is surrounded by urban development consisting of primarily single-family homes. There is also a church and small school located to the north of the site.

The site is not located within a designated scenic corridor and there are no scenic vistas visible from the site. The topography of the site is level and there are no outstanding features noted.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
A. <u>Aesthetics.</u> Will the project:				
1) Have a substantial adverse effect on a scenic vista?			✓	
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
3) Substantially degrade the existing visual character or quality of the site and its surrounding?			✓	
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

1) **No Impact**

Much of the land around the site is completely developed or has been approved for development. Because of the flat terrain, views from one side of the property to the other are unobstructed. No designated scenic vistas exist on the project site or in the project area. Therefore, no impacts in this regard would occur either with the General Plan Amendment and Zone Change or with the subsequent Conditional Use Permit and construction of a future shopping center.

2) **No Impact**

There are no officially designated State Scenic Highways or Routes in the project vicinity. Therefore, the project would have no impact on scenic resources, such as rock outcroppings, trees, or historic buildings within a scenic highway.

3) **Less Than Significant Impact**

The General Plan Amendment and Zone Change would not cause any change to the visual character of the site. The subsequent commercial development would create a change on the site by constructing the retail center as opposed to the two dwellings currently on the site. The site is currently in a blighted condition. The houses have been vacant for quite some time and have been vandalized and occupied by vagrants. Development of the lot would not degrade the site, but would improve the current situation on the site. The construction of the project will improve the lot and reduce blight and trash on the site as well as discourage vandalism and vagrants occupying the site. The improvements would create a less than significant impact.

4) **Less Than Significant Impact**

The General Plan Amendment and Zone Change would not create any additional source of light or glare that would affect views in the area. The future construction of the

commercial center would add artificial lighting to the area. The parking areas and buildings would provide artificial lighting, but given adjacent urban development, it would not adversely affect any day or nighttime views in the area. The proposed project may result in low level, off-site light and glare from streetlights, security lights, parking lot lighting and reflective material. Off-site effects depend upon the type of lighting fixtures installed and building materials used to construct the buildings. All lighting would be required to meet the California Energy Code and would be required to be shielded so it doesn't spillover onto adjacent properties as required by the Energy Code. The addition of lighting would be a less than significant impact.

B. Agriculture Resources

SETTING AND DESCRIPTION

Merced County is among the largest agriculture producing Counties in California (ranked fifth), with a gross income of more than $2.4 billion in 2006. The County's leading agriculture commodities include milk, chickens, almonds, cattle and calves, tomatoes, and sweet potatoes.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
B. Agriculture Resources. Will the project:				
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and monitoring Program of the California Resources Agency, to non - agriculture?	✓			
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
3) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			✓	
4) Cause development of non-agricultural uses within 1,000 feet of agriculturally zoned property (Right-to-Farm)?			✓	✓

1) **Potentially Significant Impact**
The project site is located within the City Limits of Merced and was annexed in 2003. The California Department of Conservation prepares Important Farmland Maps through its Farmlands Mapping and Monitoring Program (FMMP). The system of classifying areas is based on soil type and use. According to the 2012 Merced County Important Farmlands Map, approximately 75,000 square feet along the eastern side and along the

southern property line of the Project site are classified as "Farmland of Local Importance" (Attachment G). The remainder of the site is designated as "Urban and Built-Up Land." However, the site has not been farmed at least since the time of annexation in 2003. The conversion of this land from farmland to a developed urban parcel was analyzed as part of the Environmental Review for the *Merced Vision 2030 General Plan*. This impact was acknowledged as a significant and unavoidable impact, and a Statement of Overriding Considerations (City Council Resolution #2011-63) has been adopted.

2) **No Impact**

There are no Williamson Act contract lands in this area.

3) **Less than Significant Impact**

There is no land adjacent to the site currently being used for farmland. The nearest land being used for farmland is approximately one-half mile to the east. The proposed project would not cause this land to be converted from farmland.

4) **Less than Significant Impact**

As stated above, the nearest land being used for farming is approximately one-half mile to the east. The proposed development would not cause the use of this land to change.

C. Air Quality

SETTING AND DESCRIPTION

The San Joaquin Valley Air Pollution Control District (SJVAPCD) will review the project to assess the impact to air quality and to establish acceptable mitigation measures. Hence, the City recognizes that additional mitigation measures may be applied to subsequent phases of the development of this area. While the action of the SJVAPCD is independent of City reviews and actions, their process allows the City to review proposed mitigation measures that could affect project design and operation. Any proposed changes are subject to approval by the City.

The project is located in the San Joaquin Valley Air Basin (SJVAB), which occupies the southern half of the Central Valley and is approximately 250 miles in length and, on average, 35 miles in width. The Coast Range, which has an average elevation of 3,000 feet, serves as the western border of the SJVAB. The San Emigdio Mountains, part of the Coast Range, and the Tehachapi Mountains, part of the Sierra Nevada, are both located to the south of the SJVAB. The Sierra Nevada extends in a northwesterly direction and forms the eastern boundary of the SJVAB. The SJVAB is basically flat with a downward gradient to the northwest.

The climate of the SJVAB is strongly influenced by the presence of these mountain ranges. The mountain ranges to the west and south induce winter storms from the Pacific to release precipitation on the western slopes, producing a partial rain shadow over the valley. A rain shadow is defined as the region on the leeward side of the mountain where precipitation is noticeably less because moisture in the air is removed in the form of clouds and precipitation on the windward side. In addition, the mountain ranges block the free circulation of air to the east, resulting in the entrapment of stable air in the valley for extended periods during the cooler months.

Winter in the SJVAB is characterized as mild and fairly humid, and the summer is hot, dry, and cloudless. During the summer, a Pacific high-pressure cell is centered over the northeastern Pacific Ocean, resulting in stable meteorological conditions and a steady northwesterly wind.

Existing Ambient Air Quality

The California Air Resources Board (CARB) and the United States Environmental Protection Agency (EPA) currently focus on the following air pollutants as indicators of ambient air quality: Ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter (PM), and lead. Because these are the most prevalent air pollutants known to be deleterious to human health and extensive health-effects criteria documents are available, they are commonly referred to as "criteria air pollutants."

The EPA has established primary and secondary National Ambient Air Quality Standard (NAAQS) for the following criteria air pollutants: O_3, CO, NO_2, SO_2, PM_{10}, fine particulate matter ($PM_{2.5}$), and lead. The primary standards protect the public health and the secondary standards protect the public welfare. In addition to the NAAQS, CARB has established California Ambient Air Quality Standard (CAAQS) for the following criteria air pollutants: sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particulate matter. In most cases, the CAAQS are more stringent that the NAAQS.

Criteria air pollutant concentrations are measured at several monitoring stations in the SJVAB. From 1991 to present, there have been two monitoring stations within the City of Merced: S. Coffee Avenue and 2334 M Street. The table below summarizes the air quality data from these locations for the most recent years available.

Ambient Air Quality in City of Merced
(Number of Days Exceeding State and Federal Standards)

Year	Merced - S. Coffee Avenue					Merced- 2334 M Street				
	State Ozone	Federal Ozone	State PM_{10}[1]	Federal PM_{10}[1]	Federal $PM_{2.5}$[2]	State Ozone	Federal Ozone	State PM_{10}[1]	Federal PM_{10}[1]	Federal $PM_{2.5}$[2]
2009	0	0	*	*	*	*	*	32.5	0	25.1
2008	14	3	*	*	*	*	*	87.2	0	*
2007	5	0	*	*	*	*	*	36.5	0	3.3
2006	4	0	*	*	*	*	*	47.4	0	0
2005	6	0	*	*	*	*	*	29	0	0
2004	14	0	*	*	*	*	*	12.3	0	0
2003	54	0	*	*	*	*	*	44.4	*	*
2001	26	0	*	*	*	*	*	*	0	*
2000	32	0	*	*	*	*	*	69.6	0	*
1999	42	2	*	*	*	*	*	*	*	*
1998	37	3	*	*	*	*	*	*	*	*
1997	1	0	*	*	*	*	*	*	*	*
1996	44	1	*	*	*	*	*	*	*	*
1995	38	3	*	*	*	*	*	96.3	0	*
1994	31	0	*	*	*	*	*	60.8	0	*
1993	22	1	*	*	*	*	*	108.8	0	*
1992	39	0	*	*	*	*	*	138.8	0	*
1991	13	2	*	*	*	*	*	151.6	0	*

(1) Measurements of PM_{10} are made every sixth day. Data is the estimated number of days that the standard would have been exceeded had measurements been collected every day.

(2) Nation 1997 24-Hour PM_{10} Standard

*There was insufficient (or no) data available to determine the value.

Source: Air Resources Board Aerometric Data Analysis and Management System (ADAM)

Both CARB and EPA use monitoring data to designate areas according to their attainment status for criteria air pollutants. The purpose of the designations is to identify those areas with air quality problems and thereby initiate planning efforts for improvement. The three basic designation categories are nonattainment, attainment, and unclassified. Unclassified is used in an area that cannot be classified on the basis of available information as meeting or not meeting the standards. In addition, the California designations include a subcategory of the nonattainment designation, called nonattainment-transitional. The nonattainment-transitional is given to nonattainment areas that are progressing and nearing attainment. Below are the Attainment Designations for the City of Merced for each of the criteria pollutants.

Merced County Attainment Designation (Federal and State)

Pollutant	Designation/Classification	
	Federal Standards	**State Standards**
Ozone - One Hour	No Federal Standard (See note below)	Nonattainment/ Severe
Ozone - Eight Hour	Nonattainment	Nonattainment
PM_{10} (Particulate Matter 10 micrometers in diameter)	Unclassified/Attainment	Nonattainment
$PM_{2.5}$ (Particulate Matter 2.5 micrometers in diameter)	Nonattainment	Nonattainment
Carbon Monoxide	Unclassified/Attainment	Unclassified
Nitrogen Dioxide	Unclassified/Attainment	Attainment
Pollutant	**Designation/Classification**	
	Federal Standards	**State Standards**
Sulfur Dioxide	Unclassified/Attainment	Attainment
Lead (Particulate)	Unclassified/Attainment	Attainment
Hydrogen Sulfide	*No Federal Standard*	Unclassified
Sulfates	*No Federal Standard*	Attainment
Visibility Reducing Particles	*No Federal Standard*	Unclassified
Note: The Federal One Hour Ozone national Ambient Air Quality Standard was revoked on June 15, 2005		

Source California Air Resources Board, 2009, U.S. EPA, 2009

The San Joaquin Valley Air Pollution Control District (SJVAPCD) attains and maintains air quality conditions in Merced County through a comprehensive program of planning regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of the SJVAPCD includes the preparation of plans for the attainment of ambient air quality standards adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution. The SJVAPCD also inspects stationary sources of air pollution and responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by the Federal Clean Air Act (FCAA) and the California Clean Air Act (CCAA).

The Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) is an advisory document that provides lead agencies, consultants, and project applicants with uniform procedures for addressing air quality in environmental documents. The GAMAQI contains the following applicable components:

- Criteria and thresholds for determining whether a project may have a significant adverse air quality impact;
- Specific procedures and modeling protocols for quantifying and analyzing air quality impacts;
- Methods available to mitigate air quality impacts; and,
- Information for use in air quality assessments and EIR's that will be updated more frequently such as air quality data, regulatory setting, climate, topography, etc.

The SJVAPCD has also prepared the Air Quality Guidelines for General Plans (AQGGP) (revised June 2005) to provide local planning agencies with a comprehensive set of goals and policies that will improve air quality if adopted in a general plan to provide a guide to cities and counties for determining which goals and policies are appropriate in their particular community; and to provide justification and rationale for the goals and policies that will convince decision makers and the public that they are appropriate and necessary.

ISR – Indirect Source Review. The ISR Rule (Rule 9510) and the Administrative ISR Fee Rule (Rule 3180) are the result of state requirements outlined in the California Health and Safety Code, Section 40604 and the State Implementation Plan (SIP). The SIP's commitments are contained in the District's 2003 PM_{10} and NOx in order to reach the ambient air-pollution standards on schedule. The Plans identify growth and reductions in multiple source categories. The Plans quantify the reduction from current District rules and proposed rules, as well as state and federal regulations, and then model future emissions to determine if the District may reach attainment for applicable pollutants (http://www.valleyair.org/ISR/ISROverview.html).

The rule applies to new developments that are over a certain threshold size. Any of the following projects require an application to be submitted unless the projects have mitigated emissions of less than two tons per year each of NOx and PM_{10}. Projects that are at least:

- 50 residential units;
- 2,000 square feet of commercial space;
- 9,000 square feet of educational space;
- 10,000 square feet of government space;
- 20,000 square feet of medical or recreational space;
- 25,000 square feet of light industrial space;
- 39,000 square feet of general office space;
- 100,000 square feet of heavy industrial space;
- 9,000 square feet of any land use not identified above.

Air Quality Plans. The SJVAPCD submitted the 1991 Air Quality Attainment Plan in compliance with the requirements set forth in the CCAA. In addition, the CCAA requires a triennial assessment of the extent of air quality improvements and emission reductions achieved through the use of control measures. As part of this assessment, the attainment plan must be reviewed and, if necessary, revised to correct for deficiencies in progress and to incorporate new data or projections. The CCAA requirement for a first triennial progress report and revisions of the 1991 Air Quality Attainment Plan was first fulfilled with the preparation and adoption of the 1995-1997 Triennial Progress Report and Plan Revision. Triennial reports were also prepared for 1997-2000, and 1999-2001 in compliance with the CCAA.

In an effort to reach attainment for ozone, the SJVAPCD has adopted and submitted several ozone and PM_{10} plans in its planning history in an effort to reach attainment. In the most current effort to reach attainment for ozone, the SJVAPCD submitted the 2007 Ozone Plan. This plan contains a comprehensive and exhaustive list of regulatory and incentive-based measures to reduce emissions of ozone and particulate matter precursors throughout the Valley. Additionally, this plan calls for major advancements in pollution control technologies for mobile and stationary sources of air pollution, and a significant increase in state and federal funding for incentive-based measures to create adequate reductions in emissions to bring the entire Valley into attainment

with the federal ozone standard. The proposed plan calls for a 75% reduction in ozone-forming oxides of nitrogen (NOx) emissions.

In June 2003, the District prepared the 2003 PM_{10} Plan. The 2003 PM_{10} Plan was amended in 2005. The 2006 PM_{10} Plan Update was adopted by the SJVAPCD in February 2006 and contains the existing measures adopted by EPA, CARB, and the SJVAPCD and the additional measures needed to reach attainment of the PM_{10} standards.

The SJVAPCD's planning documents also identify voluntary strategies to further reduce air quality impacts in the San Joaquin Valley Air Basin (SJVAB). Included in these strategies are an enhanced California Environmental Quality Act (CEQA) program and the promotion of air quality elements or policies for General Plans in all SJVAB cities and counties. The SJVAPCD reviews and comments on CEQA documents and permit applications sent from SJVAB public agencies. Comments from the SJVAPCD include expert advice on level of significance, applicable rules and regulations, and suggested mitigation measures.

In addition to the above mentioned items, the SJVAPCD has submitted numerous plans with respect to ozone, PM_{10}, $PM_{2.5}$, and CO in compliance with the FCAA and CCAA.

Thresholds of Significance

With the adoption of the *Merced Vision 2030 General Plan*, there were parameters established within by which future development projects would be reviewed and standards established for approval of projects.

The SJVAPCD has established thresholds of significance for determining environmental significance. These thresholds separate a project's short-term emission from the long-term emissions. The short-term emissions are mainly related to the construction phase of a project, which are recognized to be short in duration. The long-term emissions are primarily related to the activities that will occur indefinitely as a result of project operations.

Impacts will be evaluated both on the basis of CEQA Appendix G criteria and SJVAPCD significance criteria.

In order, the impacts to be evaluated will be those involving construction, operations emissions of criteria pollutants [Particulate Matter (PM_{10}) and reactive organic gas precursors to ozone], and cumulative air quality impacts. Because the area is non-attainment for ozone and PM_{10}, a major criterion for review is whether the project will result in a net increase of pollutants impacting ozone precursor pollutants and of PM_{10}.

Where environmental impacts are found to be significant or potentially significant, mitigation measures are identified to mitigate or avoid significant environmental effects.

In addition to the site-specific mitigation measures delineated for in the City's General Plan, the City shall be required to implement reasonable feasible management practices required by the San Joaquin Valley Air Pollution Control District, or any other federal or state air quality regulatory agency for the purpose of mitigating any significant impacts from the emission of Particulate Matter, Fine Particulate matter, Reactive Organic Gases, Nitrogen oxide, and any other criteria air pollutant or precursor emanating from implementations of the City's General Plan.

Consistent with Appendix G of the CEQA Guidelines, the proposed project is considered to have a significant impact on the environment if it will:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; or,
- Create objectionable odors affecting a substantial number of people.

Thresholds Used for Odor Evaluation

While odors are considered to be offensive and seldom cause any physical harm to people, they certainly can be unpleasant and lead to considerable amounts of anguish to the public and often leads to complaints made to the local jurisdiction from the community. Any project with the potential to expose the community to offensive odors would be considered a significant impact. The GAMAQI states that an evaluation should be conducted for both of the following situations: 1) a potential source of objectionable odors is proposed for a location near existing sensitive receptors, and 2) sensitive receptors are proposed to be located near an existing source of objectionable odors.

Thresholds Used for Sensitive Receptors

One of the criteria for significance includes potential impacts of Hazardous Air Pollutants (HAPs) on sensitive receptors. The GAMAQI, Section 3, defines a sensitive receptor as a location where human populations, especially children, seniors, and sick persons are present and where there is a reasonable expectation of continuous human exposure to pollutants. Examples of sensitive receptors include, but are not limited to: residential land uses, schools, hospitals, convalescent homes, and day care centers.

Examples of HAPs include emission of criteria or toxic air pollutants that have health effects ($PM_{10,}$ ammonia, H_2S sulfur dioxide, etc.). Sensitive receptors would not be directly affected by emissions of regional pollutants such as ozone precursors (VOC and NOx).

The potential for impacts to sensitive receptors can occur when a sensitive receptor is proposed near an existing source of HAPs, or when a development that is a source of HAPs is proposed near sensitive receptors, including siting a source of HAPs near an undeveloped site, but designated as a sensitive receptor land use.

Impact Analysis

The SJVAPCD has established a three-tiered approach to determining significance related to a project's quantified ozone precursor emissions. The three levels of analysis include Small Project Analysis Level (SPAL), Cursory Analysis Level (CAL), and Full-Analysis Level (FAL). The SJVAPCD pre-calculated the emissions on a large number of types of projects to identify the level at which a project would have no potential to exceed emission thresholds. This information was determined for five land use categories according to the number of vehicle trips a project type generates, and according to the sizes of various development projects. Projects

under these size thresholds qualify to complete the SPAL approach. According to the SPAL requirements, no quantification of ozone precursor emissions is needed for projects less than or equal to the size thresholds. However, if other emission factors such as toxic air contaminants, hazardous materials, asbestos, or odors are apparent, these emissions must be addressed.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
C. <u>Air Quality.</u> Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?		✓		
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		✓		
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		✓		
4) Expose sensitive receptors to substantial pollutant concentrations?		✓		
5) Create objectionable odors affecting a substantial number of people?		✓		

1) **Less Than Significant Impact With Mitigation**

The project will not conflict or obstruct implementation of any applicable air quality plan. This includes the 2007 PM_{10} Maintenance Plan, the 2007 Ozone Plan, or the 2008 $PM_{2.5}$ Plan. The project will not violate any air quality standards, result in a cumulatively considerable net increase of any criteria pollutant, or expose sensitive receptors to substantial pollutant concentrations. However, prior to construction of the project, the applicant would be required to comply with District Rule 9510 (Indirect Source Review) as well as other District Rules. This would reduce the impact to a less than significant level.

The SJVAB is designated nonattainment of State and Federal health based air quality standards for ozone and $PM_{2.5}$. The SJVAB is designated nonattainment of state PM_{10}. To meet Federal Clean Air Act requirements, the SJVAPCD has multiple air quality attainment plan (AQAP) documents, including:

- Ozone Attainment Demonstration Plan (EOADP) for attainment of the 1-hour ozone standard (2004);
- 2007 Ozone Plan for attainment of the 8-hour ozone standard;
- 2007 PM_{10} Maintenance Plan and Request for Re-designation; and,
- 2008 $PM_{2.5}$ Plan.

The SJVAPCD's AQAPs account for projections of population growth and vehicle miles traveled (VMT) provided by the Council of Governments (COG) in the SJVAB and identify strategies to bring regional emission into compliance with federal and State air quality standards. Because population growth and VMT projections are the basis of the AQAPs' strategies, a project would conflict with plans if it results in more growth or vehicle miles traveled than the plans' projections. The primary way of determining if a project would result in more growth or vehicle miles traveled than in the AQAPs is to determine consistency with the applicable General Plan.

The recently adopted *Merced Vision 2030 General Plan* is the applicable General Plan. However, the population projections used in the previous General Plan (*Merced Vision 2015 General Plan),* included projects through 2035 and the projections were higher than those used in the 2030 General Plan. Therefore, it is reasonable to assume the growth was accounted for in the AQAPs calculations and this project would not create a significant impact.

Population Projections (1990 to 2035)
Excerpted from the *Merced Vision 2015 General Plan*

Year	City 2015 SUDP	Percent of County
1990	60,900	34.1%
1995	83,830	35.2%
2000	89,940	35.5%
2010	116,800	38.3%
2015	133,250	39.2%
2020	149,700	39.7%
2035	202,070	42.3%

Population Projections (2000 to 2030)
Excerpted from the *Merced Vision 2030 General Plan*

Year	City 2015 SUDP	Percent of County
2000	63,893	30.4%
2005	74,010	30.7%
2010	85,798	31.1%
2015	99,463	31.6%
2020	115,305	32.1%
2030	154,961	33.7%

Mitigation Measure

C-1) The project applicant shall submit an Indirect Source Review (ISR) to the San Joaquin Air Pollution Control Board in compliance with District Rule 9510 and shall comply with all other applicable District Rules. The San Joaquin Valley Air Pollution Control District recommends this application be submitted as early as possible or prior to the final discretionary approval.

C-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

2) **Less Than Significant Impact With Mitigation**

There are two pollutants of concern for this impact: CO and localized PM_{10}. The proposed General Plan Amendment and Zone Change would not result in localized CO hotspots or PM_{10} impacts, as discussed below. Therefore, the proposed project would not violate an air quality standard or contribute to a violation of an air quality standard in the project area.

Localized PM_{10}

Localized PM_{10} would be generated by project construction activities, which would include earth disturbing activities. The proposed project would comply with SJVAPCD's Regulation VII dust control requirements during construction and demolition (including Rules 8011, 8031, 8041, and 8071 as required by the demolition permit conditions). Compliance with this regulation would reduce the potential for significant localized PM_{10} impacts to less than significant levels.

CO Hotspot

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. The SJVAPCD provides screening criteria to determine when to quantify local CO concentrations based on impact to the level of service (LOS) of roadways in the project vicinity.

Temporary construction emissions associated with the construction of a future shopping center would result from site excavation, site grading, building construction, architectural coatings, and paving activities. Short-term emission of ROG, NOx, CO, $PM_{10,}$ and $PM_{2.5}$ would be generated during the construction activities. Pollutant emission would vary daily, depending on the level of activity, specific operations, and prevailing weather. Operational emission associated with the proposed project would result from additional employee trips and additional customer trips.

As previously indicated, SJVAPCD requires that all construction activities comply with fugitive dust control requirements under Regulation VIII, and guidance from SJVAPCD staff indicates that implementation of a Dust Control Plan would satisfy all the requirements of SJVAPCD Regulation VIII. Pursuant to Regulation VIII, the project-specific Dust Control Plan will be required to be prepared and submitted to SJVAPCD at least 30 days prior to the start of construction.

Mitigation Measures:

C-3) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.

3) **Less than Significant with Mitigation**

SJVAPCD's CEQA Guidelines indicate that a violation of SJVAPCD's construction or operational thresholds of significance would result in a project level cumulative impact. Compliance with the Mitigation Measures outlined above would reduce any impact to a less than significant level.

Mitigation Measures:

C-4) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.

4) **Less than Significant**

Diesel Exhaust from Construction Activities:

Construction activities are anticipated to involve the operation of diesel-powered equipment. In 1998, CARB identified diesel exhaust as a toxic air contaminant (TAC). SJVAPCD does not consider construction-equipment-diesel-related cancer risks to be an issue because of the short-term nature of construction activities. Cancer health risks associated with exposure to diesel exhaust typically are associated with chronic exposure, in which a 70-year exposure period often is assumed. Although elevated cancer rates can result from exposure periods of less than 70 years, acute exposure to diesel exhaust typically are not anticipated to result in an increased health risk because acute exposure typically does not result in the exposure concentration as necessary to result in a health risk. Because the construction phase of the project using diesel powered equipment would not last for more than 90 days, it is not anticipated to cause any health impacts.

Carbon Monoxide Hotspots

Elevated levels of CO concentrations are typically found in areas with significant traffic congestion. CO is a public health concern because it combines readily with hemoglobin and reduces the amount of oxygen transported in the bloodstream. SJVAPCD requires localized CO concentrations associated with traffic congestion be analyzed to ensure that monitored concentrations remain below CAAQS and NAAQS, and to ensure that sensitive receptors are not exposed to elevated localized concentrations near roadways that may not show up at monitoring stations. SJVAPCD has developed a set of preliminary screening criteria that can be used to determine with fair certainty that the effect a project has on any given intersection would not cause a potential CO hotspot. A project can be said to have no potential to create a CO violation or create a localized "hotspot" if either of the following conditions are not met: Level of Service (LOS) on one or more streets or intersections will be reduced to LOS E or F; or the proposed project would substantially worsen already LOS F street or intersection within the project vicinity. The project site is located at the corner of Yosemite Avenue (an arterial roadway) and McKee Road (a collector road). These streets currently operate at an acceptable level of service. Based on a traffic study provided for this project, the intersection of Yosemite Avenue and Parsons Avenue (approximately 0.3 miles to the east of the project site) currently operates at LOS E for A.M. Peak Hour Traffic. However, the intersections immediately adjacent to the site operate at an LOS C or better. The roadways adjacent to the site currently operate at LOS C. With the addition of the proposed shopping center, the intersection at Yosemite Avenue and Parsons Avenue remains at an LOS E and all other intersections operate at LOS C or better. The roadways continue to operate at LOS C.

Based on the above information from the traffic study, the addition of this project would not create a CO hotspot or cause a CO violation. Therefore, this impact is less than significant.

5) **Less Than Significant with Mitigation**

The project may cause temporary odors resulting from diesel exhaust during construction equipment operation and truck activity. Although these emissions may be noticeable from time to time by adjacent receptors, they would be localized and are not likely to adversely affect people off-site resulting in confirmed odor complaints. Implementation of the Mitigation Measures outlined above would reduce this impact to a less than significant level.

Mitigation Measures:

C-5) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.

D. Biological Resources

SETTING AND DESCRIPTION

The plan area is located in the Central California Valley eco-region (Omernik 1987). This eco-region is characterized by flat, intensively farmed plains with long, hot dry summers and cool, wet winters (14-20 inches of precipitation per year). The Central California Valley eco-region includes the Sacramento Valley to the north and the San Joaquin Valley to the south and it ranges between the Sierra Nevada Foothills to the east to the Coastal Range foothills to the west. Nearly half of the eco-region is actively farmed, and about three fourths of that farmed land is irrigated.

According to the State of California, Department of Fish and Game Natural Diversity Data Base (NDDB), the site does not include any plant and/or animal species listed as threatened or endangered by the State of California or the Federal Government. Furthermore, the biological resources evaluation, prepared as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (EIR), does not identify the project area as containing any seasonal or non-seasonal wetland or vernal pool areas. Given the adjacent, built-up, urban land uses and major roadways, no form of unique, rare or endangered species of plant and/or animal life could be sustained on the subject site.

A biological resource inventory was prepared in 2002 as part of the annexation of this property. At that time, no evidence of sensitive plant or wildlife species was found. However, because of the potential for such species to be found near a creek, mitigation measures were adopted addressing development near Black Rascal Creek. The project site currently under review is not adjacent to the creek. The project site is located at the southeast corner of Yosemite Avenue and McKee, approximately ½-mile from the creek.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
D. <u>Biological Resources.</u> Would the project:				
1) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓	
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓	
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
5) Conflict with any local policies or ordinance protecting biological resources, such as a tree preservation policy or ordinance?			✓	
6) Conflict with the provisions of an adopted Habitat Conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan				✓

1) **Less Than Significant Impact**

The proposed project would not have any direct effects on animal life by changing the diversity of species, number of species, reduce any rare or endangered species, introduce

any new species, or deteriorate existing fish or wildlife habitat. Although the *Merced Vision 2030 General Plan* identifies several species of plant and animal life that exist within the City's urban boundaries, the subject site, which is surrounded by developed urban uses, does not contain any rare or endangered species of plant or animal life.

A biological resources inventory was prepared as part of the environmental review for the annexation of this area. At that time, there was no evidence of the presence of any candidate, sensitive, or special status species or their habitats in the area. However, mitigation measures were adopted for project sites that abut Black Rascal Creek. Because this site does not abut the creek, these mitigation measures are not applicable to this project.

Goal Area OS-1: Open Space for the Preservation of Natural Resources	
Policies:	
OS-1.1	Identify and mitigate impacts to wildlife habitats which support rare, endangered, or threatened species.

2) **Less Than Significant**

The proposed project would not have any direct effects on riparian habitat or other sensitive natural community. The City General Plan identifies Bear, Black Rascal, Cottonwood, Miles, Fahrens, and Owens Creeks within the City's growth area. The subject site is not located adjacent to any of these areas or any water way. Therefore, the project would have a less than significant impact on riparian habitat.

3) **No Impact**

The project site would not have any direct effect on wetlands as no wetlands have been identified in this area. All of the area surrounding the subject site has been modified from its original state and is developed with urban uses.

4) **Less Than Significant Impact**

The project would not have any adverse effects on any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridor, or impede the use of native wildlife nursery sites.

5) **Less Than Significant**

The proposed project would not conflict with local policies and/or ordinances protecting biological resources. There are a few trees or other vegetation present on the site. The City's General Plan does not identify this site as being a biological resource. According to Expanded Initial Study #02-27, the biological study done for the annexation of this site revealed no evidence of the presence of any candidate, sensitive, or special status species or their habitats on the site.

6) **No Impact**

The proposed project would not have any effects on a habitat conservation plan. There are no adopted habitat conservation plans, Natural Conservation Community Plan, or

other approved local, regional, or state habitat conservation plan for the City of Merced or Merced County.

E. Cultural Resources

SETTING AND DESCRIPTION

The City of Merced area lies within the ethnographic territory of the Yokuts people. The Yokuts were members of the Penutian language family which held all of the Central Valley, San Francisco Bay Area, and the Pacific Coast from Marin County to near Point Sur.

Merced County was first explored by Gabriel Moraga in 1806, when he named the Merced River, "El Rio de Nuestra Senra de la Merced." Moraga's explorations were designed to locate appropriate sites for an inland chain of missions. Moraga explored the region again in 1808 and 1810.

Archaeology

Archaeological sites are defined as locations containing significant levels of resources that identify human activity. Very little archaeological survey work has been conducted within the City or its surrounding areas. Creeks, drainage, and sloughs exist in the northern expansion area of the City, and Bear Creek and Cottonwood Creek pass through the developed area. Archaeological sites in the Central Valley are commonly located adjacent to waterways and represent potential for significant archaeological resources.

Paleontological sites are those that show evidence of pre-human existence. Quite frequently, they are small outcroppings visible on the earth's surface. While the surface outcroppings are important indications of paleontologic resources, it is the geologic formations that are the most important. There are no known sectors within the project area known to contain sites of paleontologic significance.

Historic Resources

In 1985, in response to community concerns over the loss of some of the City's historic resources, and the perceived threats to many remaining resources, a survey of historic buildings was undertaken in the City. The survey focused on pre-1941 districts, buildings, structures, and objects of historical, architectural, and cultural significance. The survey area included a roughly four square-mile area of the central portion of the City.

The National Register of Historic Places, the California Historical Landmarks List, and the California Inventory of Historic Resources identify several sites within the City of Merced. These sites are listed on the Merced Historical Site Survey and maintained by the Merced Historical Society. There are no listed historical sites on the Project site.

According to the environmental review conducted for the annexation of this area, there are no listed historical sites and no known sectors within the project area known to contain sites of paleontologic or archeological significance. However, mitigation measures were adopted to ensure proper steps are taken in the event evidence of archeological artifacts area discovered during construction.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
E. <u>Cultural Resources.</u> Would the project:				
1) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		✓		
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✓		
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
4) Disturb any human remains, including those interred outside of formal cemeteries?		✓		

1) **Less Than Significant Impact with Mitigation**

The project would not alter or destroy any historic archaeological site, building, structure, or object, nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses.

A cultural resources records search was conducted by the Central California Information Center (CCIC) at California State University, Stanislaus as part of the City's General Plan update. No historic resources were found at or near the project site. The impact of this project would be less than significant. However, as part of the Expanded Initial Study (EIS) prepared for this site as part of the annexation process in 2003, mitigation measures were applied to ensure no cultural resources would be disturbed. This project would be required to comply with those mitigation measures.

<u>Mitigation Measures:</u>

E-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-zoning #02-02.

2) **Less Than Significant Impact with Mitigation**

The project would not alter or destroy any prehistoric archaeological site, building, structure, or object, nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses.

A cultural resources records search was conducted by the Central California Information Center (CCIC) at California State University, Stanislaus as part of the City's General Plan update. No archeological resources were found at or near the project site. However, the project is required to comply with all mitigation measures applied to EIS #02-27. Therefore, this impact would be less than significant.

Mitigation Measures:

E-2) Compliance with Mitigation Measure E-1 would make this impact less than significant.

3) **Less Than Significant Impact with Mitigation Measures**

The project would not alter or destroy any paleontological resource, site or unique geologic feature.

A cultural resources records search was conducted by the Central California Information Center (CCIC) at California State University, Stanislaus as part of the City's General Plan update. No paleontological resources were found at or near the project site. Compliance with the previously applied mitigation measures for this site is required and would reduce any impact to a less than significant level.

Mitigation Measures:

E-3) Compliance with Mitigation Measure E-1 would make this impact less than significant.

4) **Less Than Significant Impact with Mitigation Measures**

The proposed project would not disturb any human remains, including those interred outside of formal cemeteries, alter or affect unique ethnic cultural values or restrict religious or sacred uses. There are no known internment facilities in the project area. In compliance with the previously approved mitigation measures for this site, if human remains are discovered during construction, no further disturbance shall occur until the County Coroner has been contacted and made the necessary findings as to origin and disposition in accordance with Public Resources Code §5097.98.

Mitigation Measures:

E-4) Compliance with Mitigation Measure E-1 would make this impact less than significant.

F. Geology and Soils

SETTING AND DESCRIPTION

The City of Merced is located approximately 150 miles southeast of San Francisco along the west side of the southern portion of the Great Valley Geomorphic Province, more commonly referred to as the San Joaquin Valley. The valley is a broad lowlands bounded by the Sierra Nevada to the east and Coastal Ranges to the west. The San Joaquin Valley has been filled with a thick sequence of sedimentary deposits of Jurassic to recent age. A review of the geologic map indicates that the area around Merced is primarily underlain by the Pleistocene Modesto and Riverbank Formations with Holocene alluvial deposits in the drainages. Miocene-Pliocene Mehrten and Pliocene Laguna Formation materials are present in outcrops on the east side of the SUDP/SOI. Modesto and Riverbank Formation deposits are characterized by sand and silt alluvium derived from weathering of rocks deposited east of the SUDP/SOI. The Laguna Formation is made up of consolidated gravel sand and silt alluvium and the Mehrten Formation is generally a well consolidated andesitic mudflow breccia conglomerate.

Faults and Seismicity

A fault, or a fracture in the crust of the earth along which rocks on one side have moved relative to those on the other side, are an indication of past seismic activity. It is assumed that those that have been active recently are the most likely to be active in the future, although even inactive faults may not be "dead." "Potentially Active" faults are those that have been active during the past two million years or during the Quaternary Period. "Active" faults are those that have been active within the past 11,000 years. Earthquakes originate as movement or slippage occurring along an active fault. These movements generate shock waves that result in ground shaking.

Based on review of geologic maps and reports for the area, there are no known active or potentially active faults, or Alquist-Priolo Earthquake Fault Zones (formerly referred to as a Special Studies Zone) in the SUDP/SOI. In order to determine the distance of known active faults within 50 miles of the Site, the computer program EZ-FRISK was used in the General Plan update.

Soils

According to the USDA Natural Resources Conservation Service website, the soil on the site includes Yokohl clay loam, 0 to 3 persent slopes (YbA). Soil properties can influence the development of building sites, including site selection, structural design, construction, performance after construction, and maintenance. Soil properties that affect the load-supporting capacity of an area include depth to groundwater, ponding, flooding, subsidence, shrink-swell potential, and compressibility.

The City of Merced regulates the effects of soils and geological constraints primarily through the enforcement of the California Building Code (CBC), which requires the implementation of engineering solutions for constraints to development posed by slopes, soils, and geology.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
F. <u>Geology and Soils.</u> Would the project:				
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: a) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			✓	
b) Strong seismic ground shaking?			✓	
c) Seismic-related ground failure, including liquefaction?			✓	
d) Landslides?			✓	
2) Result in substantial soil erosion or loss of topsoil?		✓		

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			✓	
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
5) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

1) **Less Than Significant**

The project site is not located within a mapped fault hazard zone, and there is no record or evidence of faulting on the project site (City of Merced General Plan Figure 11.1). Because no faults underlie the project site, no people or structures would be exposed to substantial adverse effects related to earthquake rupture, and no impact would result from the project.

Expanded Initial Study #02-27 stated that the project site **may** expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

Ground shaking of moderate severity may be expected to be experienced on the project site during a large seismic event. All building permits are reviewed to ensure compliance with the California Building Code (CBC). In addition, the City enforces the provisions of the Alquist Priolo Special Study Zones Act that limits development in areas identified as having special seismic hazards. All structures shall be designed and built in accordance with the standards of the California Building Code. Pursuant to CEQA §15162, the project will not create any impacts that warrant additional environmental documentation over and above the impacts addressed in the City's General Plan EIR.

The project **may** expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. However, According the City's *Merced Vision 2030 General Plan EIR*, the probability of soil liquefaction occurring within the City of Merced is considered to be a low to moderate hazard; however, detailed geotechnical engineering investigation required in compliance with the California Building Code (CBC) would be required for the project.

APPLICABLE GENERAL PLAN GOALS AND POLICIES:

The City's *Merced Vision 2030 General Plan* contains policies that address seismic safety.

Goal Area S-2: Seismic Safety:	
Goal **Reasonable Safety for City Residents from the Hazards of Earthquake and Other Geologic Activity**	
Policies	
S-2.1	Restrict urban development in all areas with potential ground failure characteristics.

The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

Landslides generally occur on slopes of 15 percent or greater. The project site's topography is generally of slopes between 0 and 3 percent, which are considered insufficient to produce hazards other than minor sliding during seismic activity.

2) **Less Than Significant Impact with Mitigation**

Construction of the proposed project could result in temporary soil erosion and the loss of top soil due to construction activities, including clearing, grading, site preparation activities, and installation of the proposed drainage and on-site sewer and water systems. Construction activities disturbing one or more acres are required by the State Water Resources Board (SWRCB) to obtain a General Construction Activity Stormwater Permit, which would require the proposed project to implement a Storm Water Pollution Prevention Plan (SWPPP). Project compliance with SWRCB and the City of Merced regulations to avoid erosion siltation effects would reduce this impact to less than significant.

Mitigation Measures:

F-1) The project shall comply with all requirements of the State Water Resources Board (SWRCB) and obtain a General Construction Activity Stormwater Permit.

F-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02.

3) **Less Than Significant Impact**

The City of Merced is located in the Valley area of Merced County and is therefore less likely to experience landslides than other areas in the County. The probability of soil liquefaction actually taking place anywhere in the City of Merced is considered to be a low hazard. Soil types in the area are not conducive to liquefaction because they are either too coarse or too high in clay content. According to the *Merced Vision 2030 General Plan* EIR, no significant free face failures were observed within the SUDP/SOI

and the potential for lurch cracking and lateral spreading is, therefore, very low within the SUDP/SOI area.

4) **Less Than Significant Impact**

Expansive soils are those possessing clay particles that react to moisture changes by shrinking (when they dry) or swelling (when they become wet). Expansive soils can also consist of silty to sandy clay. The extent of shrinking and swelling is influenced by the environment, extent of wet or dry cycles, and by the amount of clay in the soil. This physical change in the soils can react unfavorably with building foundations, concrete walkways, swimming pools, roadways, and masonry walls.

Implementation of General Plan Policies, adherence to the Alquist-Priolo Act, and enforcement of the California Building Code (CBC) Standards would reduce this impact to less than significant.

5) **Less Than Significant Impact**

The EIR prepared for the City's *Merced Vision 2030 General Plan* states the following:

"According to the Geologic, Geohazards and Environmental Health Hazards Evaluation Report (Geocon Consultants, Inc.), the soils in the SUDP/SOI are not generally considered to be expansive, have a generally low to moderate erosion potential, and are generally considered suitable for wastewater disposal using conventional septic systems."

However, no new septic systems are allowed in the City and any future construction on the site will be required to connect to the City's sewer system. Based on this evaluation, this impact is less than significant.

G. Hazards and Hazardous Materials

SETTING AND DESCRIPTION

Hazardous Materials

A substance may be considered hazardous due to a number of criteria, including toxicity, ignitability, corrosivity, or reactivity. The term "hazardous material" is defined in law as any material that, because of quantity, concentration, or physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment.

Wildland and Urban Fire Hazards

Both urban and wildland fire hazard potential exists in the City of Merced and surrounding areas, creating the potential for injury, loss of life, and property damage. Urban fires primarily involve the uncontrolled burning of residential, commercial, or industrial structures due to human activities. Wildland fires affect grassland, brush or woodlands, and any structures on or near these fires. Such fires can result from either human made or natural causes.

Urban fires comprise the majority of fires in the City of Merced while the potential for wildland fires could increase as large blocks of undeveloped land are annexed into the City. Most of the fires are caused by human activities involving motor vehicles, equipment, arson, and burning of debris.

Airport Safety

The City of Merced is impacted by the presence of two airports-Merced Regional Airport, which is in the southwest corner of the City, and Castle Airport (the former Castle Air Force Base), located approximately eight miles northwest of the subject site.

The continued operation of the Merced Regional Airport involves various hazards to both flight (physical obstructions in the airspace or land use characteristics which affect flight safety) and safety on the ground (damage due to an aircraft accident). Growth is restricted around the Regional Airport in the southwest corner of the City due to the noise and safety hazards associated with the flight path.

Castle Airport also impacts the City. Portions of the northwest part of the City's SUDP/SOI and the incorporated City are within Castle's safety zones. The primary impact is due to noise (Zones C and D), though small areas have density restrictions (Zone B2). The military discontinued operations at Castle in 1995. One important criterion for determining the various zones is the noise factor. Military aircraft are designed solely for performance, whereas civilian aircraft have extensive design features to control noise.

Potential hazards to flight include physical obstructions and other land use characteristics that can affect flight safety, which include: visual hazards such as distracting lights, glare, and sources of smoke; electronic interference with aircraft instruments or radio communications; and uses which may attract flocks of birds. In order to safeguard an airport's long-term usability, preventing encroachment of objects into the surrounding airspace is imperative.

Railroad

Hazardous materials are regularly shipped on the BNSF and SP/UP Railroad lines that pass through the City. While unlikely, an incident involving the derailment of a train could result in the spillage of cargo from the train in transporting. The spillage of hazardous materials could have devastating results. The City has little to no control over the types of materials shipped via the rail lines. There is also a safety concern for pedestrians along the tracks and vehicles utilizing at-grade crossings. The design and operation of at-grade crossings allows the City some control over rail-related hazards. Ensuring proper gate operation at the crossings is the most effective strategy to avoid collision and possible derailments.

Public Protection and Disaster Planning

Hospitals, ambulance companies, and fire districts provide medical emergency services. Considerable thought and planning have gone into efforts to improve responses to day-to-day emergencies and planning for a general disaster response capability.

The City's Emergency Plan and the County Hazardous Waste Management Plan both deal with detailed emergency response procedures under various conditions for hazardous materials spills. The City also works with the State Department of Health Services to establish cleanup plans and to monitor the cleanup of known hazardous waste sites within the City.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
G. <u>Hazards and Hazardous Materials.</u> Would the project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
4) Be located on a site which is included on a list of hazardous materials site complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓	
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓	
7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
8) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

1) **Less Than Significant Impact**

Construction activities of the proposed project would involve the use, storage, transport, and disposal of oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials. No hazardous materials are anticipated to be used at the site after construction. The project would be required to adhere to all applicable federal and state health and safety standards. Construction activity must also be in compliance with the California Occupational Safety and Health Administration regulations (Occupational Safety and Health Act of 1970). Compliance with these requirements would reduce the risk of hazards to the public to a less than significant level.

2) **Less Than Significant Impact**

Construction on the project site would be reviewed for the use of hazardous materials at the building permit stage. Implementation of Fire Department and Building Code regulations for hazardous materials, as well as implementation of federal and state requirements, would reduce any risk caused by a future use on the site from hazardous materials to a less than significant level.

APPLICABLE GENERAL PLAN GOALS AND POLICIES:

The City of Merced *Vision 2030 General Plan* contains policies that address hazardous materials.

Goal Area S-7: Hazardous Materials	
Goal **Hazardous Materials Safety for City Residents**	
Policies	
S-2.1	Prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials.
Implementing Actions:	
7.1.a	Support Merced County in carrying out and enforcing the Merced County Hazardous Waste Management Plan.
7.1.b	Continue to update and enforce local ordinances regulating the permitted use and storage of hazardous gases, liquids, and solids.
7.1.d	Provide continuing training for hazardous materials enforcement and response personnel.

3) **Less Than Significant Impact**

There is one school located within a ¼-mile radius of the site. Providence Christian School is located to the north across Yosemite Avenue approximately 200 feet from the subject site (Attachment H). Hazardous materials are not expected to be at the project site after construction. However, compliance with Fire Department regulations, as well as state and federal regulations through annual inspections and permitting requirements makes this impact less than significant.

4) **Less Than Significant Impact**

According to the California Department of Toxic Substances Control EnviroStor database search, the project site is not listed as a hazardous waste site, and no significant hazard to the public or the environment would result with project implementation.

5) **Less Than Significant Impact**

The project site is located approximately 7 miles from the Merced Regional Airport and approximately 9 miles from the Castle Airport. The project site is not located in an area for which an Airport Land Use Plan has been prepared, and no public or private airfields are within two miles of the project area. Therefore, no at-risk population working at the site would be exposed to hazards due to aircraft over-flight.

6) **Less Than Significant Impact**

The project site is not located near any private airstrips.

7) **Less Than Significant Impact**

The proposed project will not adversely affect any adopted emergency response plan or emergency evacuation plan. No additional impacts will result from the development of the project area over and above those already evaluated by the EIR prepared for the *Merced Vision 2030 General Plan.*

APPLICABLE GENERAL PLAN GOALS AND POLICIES:

The *Merced Vision 2030 General Plan* contains policies that address disaster preparedness.

Goal Area S-1: Disaster Preparedness	
Goal **General Disaster Preparedness**	
Policies	
S-1.1	Develop and maintain emergency preparedness procedures for the City.
Implementing Actions:	
1.1.a	Keep up-to-date through annual review the City's existing Emergency Plan and coordinate with the countywide Emergency Plan.
1.1.b	Prepare route capacity studies and determine evacuation procedures and routes for different types of disasters, including means for notifying residents of a need to evacuate because of a severe hazard as soon as possible.
7.1.d	Provide continuing training for hazardous materials enforcement and response personnel.

8) **Less Than Significant Impact**

According to the EIR prepared for the *Merced Vision 2030 General Plan*, the risk for wildland fire in the City of Merced is minimal. According to the Cal Fire website, the Merced County Fire Hazard Severity Zone Map shows the project site is designated as a "Local Area of Responsibility" with a Hazard Classification of "Urban Unzoned."

The City of Merced Fire Department is the responsible agency for responding to fires at the subject site. The project site is located within Fire District #5, and is served by Station #55 located at 3520 Parsons Avenue (approximately 0.5 miles from the project site).

H. Hydrology and Water Quality

SETTING AND DESCRIPTION

Water Supplies and Facilities

The City's water supply system consists of four elevated storage tanks with a combined storage capacity of approximately 1.4 million gallons, 23 wells and 14 pumping stations equipped with variable speed pumps that attempt to maintain 45 to 50 psi (pounds per square inch) nominal water pressure. The City is required to meet State Health pressure requirements, which call for a minimum of 20 psi at every service connection under the annual peak hour condition and maintenance of the annual average day demand plus fire flow, whichever is stricter.

Storm Drainage/Flooding

In accordance with the adopted City of Merced Standard Designs of Common Engineering Structures, percolation/detention basins are designed to temporarily collect run-off so that it can be metered at acceptable rates into canals and streams which have limited capacity.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
H. Hydrology and Water Quality. Would the project:				
1) Violate any water quality standards or waste discharge requirements?		✓		
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?		✓		
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			✓	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		✓		
5) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		✓		
6) Otherwise substantially degrade water quality?			✓	
7) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			✓	
9) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
10) Inundation by seiche, tsunami, or mudflow?				✓

1) **Less Than Significant Impact with Mitigation**

The project site has two houses on it, but the majority of the site remains undeveloped and contains mostly pervious surfaces. Construction of the proposed shopping center and associated parking would result in the majority of the site being covered with impervious surfaces.

The project is not expected to violate any water quality standards or waste discharge requirements. In addition to compliance with standard construction provisions, the project shall be required to comply with the Draft Merced Storm Water Master Plan and the Storm Water Management Plan, and obtain all required permits for water discharge. Compliance with these requirements and permits would reduce the impact to a less than significant level. Mitigation Measures were implemented with the annexation of the site (EIS #02-27). These measures would need to be implemented (if applicable) to this development. This would reduce any potential impacts to a less than significant level.

APPLICABLE GENERAL PLAN GOALS AND POLICIES:

The *Merced Vision 2030 General Plan* contains policies that address Water Quality and Storm Drainage.

Goal Area P-5: Storm Drainage and Flood Control	
Goal **An Adequate Storm Drainage Collection and Disposal System in Merced**	
Policies	
P-5.1	Provide effective storm drainage facilities for future development.
P-5.2	Integrate drainage facilities with bike paths, sidewalks, recreation facilities, agricultural activities, groundwater recharge, and landscaping.
Implementing Actions:	
5.1.a	Continue to implement the City's Storm Water Master Plan and the Storm Water Management Plan and its control measures.
5.1.c	Continue to require all development to comply with the Storm Water Master Plan and any subsequent updates.

Mitigation Measures:

H-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

2) **Less Than Significant Impact with Mitigation**

The City of Merced is primarily dependent on groundwater sources that draw from the San Joaquin aquifer. The City has storage capacity of approximately 1.4 million gallons in four elevated storage tanks, 23 active well sites, and 14 pumping stations, which provide service to meet peak hour urban level conditions and the average daily demand plus fire flows.

The City of Merced has instituted significant water conservation measures in recent years in response to a prolonged drought period in California and the Central Valley. As a result, peak water production declined from its high of 38.3 million gallons per day (MPD) in 1984 to around 31.6 million gallons per day in 1994. In 2007, the amount of water consumed per day had dropped to just over 21.0 million gallons per day. This decline in peak day production has occurred despite the fact that population growth in the City has been occurring.

The proposed shopping center is estimated to use approximately 9,108 gallons of water per day. This would represent 0.04% of the estimated 2007 daily water consumption. Although development of the site would restrict onsite recharge where new impervious surface areas are created, all alterations to groundwater flow would be captured and routed to the stormwater percolation ponds or pervious surfaces with no substantial net loss in recharge potential anticipated. This reduces this impact to a less than significant level. However, all applicable Mitigation Measures previously approved for this site at annexation would apply.

Mitigation Measures:

H-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

3) **Less Than Significant Impact with Mitigation**

The project will be designed to capture all surface water run-off on-site and then drain into the City's existing storm drainage system.

The project site currently consists of pervious surfaces. The proposed project would create impervious surfaces over most of the project site, thereby preventing precipitation from infiltrating and causing it to pond or runoff. All mitigation measures previously approved for this site are required to be implemented to reduce any potential impacts to a less than significant level.

Mitigation Measures:

H-3) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

4) **Less Than Significant Impact with Mitigation Measures**

Construction of the project would be required to capture all water run-off on site and meter it into the City's existing storm drain system. The applicant plans to connect the site to the existing 18-inch storm drain line in Yosemite Avenue. Documentation is required to verify the capacity of that line and the drainage basin into which the water would ultimately drain to. In addition, all applicable mitigation measures previously approved would be required to be implemented to reduce this impact to less than significant level.

Mitigation Measures:

H-4) The project developer shall provide calculations to the City Engineer verifying the capacity of the existing storm drain line as well as the capacity of the basin into which the water would ultimately drain.

H-5) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

5) **Less Than Significant Impact with Mitigation**

Construction on the site will drain into the City's existing storm drain system. The developer would be required to provide documentation showing the capacity exists within the existing lines and basin to serve this project. The mitigation measures described in #4 above would also apply to this impact.

Mitigation Measures:

H-6) The project developer shall provide calculations to the City Engineer verifying the capacity of the existing storm drain line as well as the capacity of the basin into which the water would ultimately drain.

H-7) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

6) **Less Than Significant Impact**

The construction project will be served by the City's water system and all water runoff will be contained on site then metered out to the City's storm drain system. The construction of the project would not affect the water quality and would not degrade water quality in the area.

7) **Less Than Significant Impact**

The project does not include the construction of any housing on this site. Therefore, there are no impacts.

8) **Less than Significant**

The Flood Insurance Rate Map shows the project within a Zone "X," minimal flood hazard area (Attachment I). As required with all new construction, the project would be required to comply with all requirements of the California Building Code (CBC) to ensure construction of the buildings meets the minimum requirements set forth by the CBC and the requirements of Flood Zone "X." Therefore, this is a less than significant impact.

9) **Less Than Significant Impact**

As described above, the project site is located within Flood Zone "X," which is defined as a minimal flood hazard area. The site is not located within an inundation zone for Lake Yosemite or Bear Creek. Therefore, it is unlikely that the site would be subject to flooding due to a dam or levee break. This is a less than significant impact.

10) **No Impact**

The proposed project is located approximately 100 miles from the Pacific Ocean and is distant from any large lakes, at an elevation ranging from approximately 175 feet to 180 feet above MSL. Mudslides and other forms of mass wasting occur on steep slopes in areas that contain susceptible soils or geology, typically as a result of an earthquake or high rainfall event. The project site is located on relatively flat ground. Therefore, the proposed project would not result in a significant impact related to a seiche, tsunami, or mudslides.

I. Land Use and Planning

SETTING AND DESCRIPTION

The project site is located within the City Limits of Merced and within its Specific Urban Development Plan and Sphere of Influence (SUDP/SOI).

Surrounding Uses

Refer to Page 2 of this Initial Study and the map at Attachment A for the surrounding land uses.

Current Use

The project site is currently occupied by two single-family dwellings. The site is currently zoned for low-density residential uses (R-1-6). The subject site consists of two individual lots that would be combined into one parcel prior to construction of this project. Under the current zoning, a maximum of 32 single-family dwellings could be constructed on the site if subdivided into single-family lots.

Project Characteristics

The current project consists of a General Plan Amendment and Zone Change for two parcels totaling 5.42 acres. The General Plan Amendment would change the land use designation from Low Density Residential (LD) to Neighborhood Commercial (CN). The Zone Change would change the zoning from R-1-6 to Neighborhood Commercial (C-N). If the current application is approved, the developer plans to construct a small shopping center with approximately 62,000 square feet of floor area (Attachment B). Specific uses for the center have not been identified at this time, but the developer is hoping to attract a small grocery store, a fast-food restaurant (with a drive-through), and other retail uses appropriate to the Neighborhood Commercial (C-N) zone.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Land Use and Planning. Would the project:				
1) Physically divide an established community?				✓
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

1) **No Impact**

   The project site is surrounded by urban uses and would become a part of the adjacent, surrounding community. The project would not physically divide the community.

2) **Less Than Significant**

   As previously explained, the site does not currently have the appropriate General Plan and Land Use designations for a commercial use. However, if the requested General Plan Amendment and Zone Change are approved, the future shopping center would be consistent with the General Plan and Zoning designations. The requested change would not affect any plan adopted for the purpose of mitigating an environmental effect. All environmental effects caused by this project are being evaluated in this document and appropriate mitigation measure applied to address any negative effects on the environment. Therefore this impact is less than significant.

3) **No Impact**

   No Habitat Conservation Plans or Natural Community Conservation Plans have been adopted by the City of Merced. Therefore, there would be no impact.

J. Mineral Resources

SETTING AND DESCRIPTION

The City of Merced does not contain any mineral resources that require managed production, according to the State Mining and Geology Board. Based on observed site conditions and review of geological maps for the area, economic deposits of precious or base metals are not expected to underlie the Merced SUDP/SOI. According to the California Geological Survey, Aggregate Availability in California - Map Sheet 52, Updated 2006, minor aggregate production occurs west and north of the City of Merced, but economic deposits of aggregate minerals are not mined within the immediate vicinity of the SUDP/SOI. Commercial deposits of oil and gas are not known to occur within the SUDP/SOI or vicinity.

According to the Merced County General Plan Background Report (June 21, 2007), very few traditional hard rock mines exist in the County. The County's mineral resources are almost all sand and gravel mining operations. Approximately 38 square miles of Merced County, in 10 aggregate resource areas (ARA), have been classified by the California Division of Mines and Geology for aggregate. The 10 identified resource areas contain an estimated 1.18 billion tons of concrete resources with approximately 574 million tons in Western Merced County and approximately 605 million tons in Eastern Merced County. Based on available production data and population projections, the Division of Mines and Geology estimated that 144 million tons of aggregate would be needed to satisfy the projected demand for construction aggregate in the County through the year 2049. The available supply of aggregate in Merced County substantially exceeds the current and projected demand.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
J. Mineral Resources. Would the project:				
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓

1) **No Impact**

Based on observed site conditions and review of geological maps for the area, economic deposits of precious or base metals are not known to occur in the Merced SUDP/SOI. Therefore implementation of the proposed project would have no impact on the availability of mineral resources or impact current or future mining operations.

2) **No Impact**

No Mineral Resource Zones or mineral resource recovery sites exist within the City of Merced or in the area designated for future expansion of the City (the SUDP/SOI). Therefore implementation of the proposed project would have no impact on the availability of mineral resources or impact current of future mining operations.

K. Noise

SETTING AND DESCRIPTION

Potential noise impacts of the proposed project can be categorized as those resulting from construction and those from operational activities. Construction noise would have a short-term effect; operational noise would continue throughout the lifetime of the project. Construction associated with the development of the project would increase noise levels temporarily during construction. Operational noise associated with the development would occur intermittently with the continued operation of the shopping center.

Some land uses are considered more sensitive to noise levels than other uses. Sensitive land uses can include residences, schools, nursing homes, hospitals, and some public facilities, such as libraries. The noise level experienced at the receptor depends on the distance between the source and the receptor, the presence or absence of noise barriers and other shielding devices, and the amount of noise attenuation (lessening) provided by the intervening terrain. For line sources such as motor or vehicular traffic, noise decreases by about 3.0 to 4.5A –weighted decibels (dBA) for every doubling of the distance from the roadway.

Noise from Other Sources

Vehicular noise along Yosemite Avenue would be the primary existing noise source at the project site. The project site is located adjacent to both Yosemite Avenue and McKee Road. Yosemite Avenue is a major arterial roadway carrying a large amount of traffic. Therefore, the noise generated from the traffic would be higher than if it were located on a local road. McKee Road is a collector roadway which may still carry a high volume of traffic, but not as much as an arterial such as Yosemite Avenue. Both roadways would generate noise from traffic. The buildings proposed on the both corners of the project site would be approximately 50-55 feet from Yosemite Avenue. The building proposed on the northwest corner would be approximately 40 feet from McKee Road. The building along the south property line would also be approximately 40 feet from McKee Road and approximately 270 feet from Yosemite Avenue. Refer to the site plan at Attachment B for building locations.

According to the *Merced Vision 2030 General Plan*, noise exposure not exceeding 65 db is considered to a "normally acceptable" noise level for commercial and professional uses. According to Table 10.2 of the General Plan, a use located 55 feet from Yosemite Avenue (between Gardner and Campus Parkway) would experience a noise level of 65 db (normally acceptable). Because of the nature of the commercial uses, most uses would be primarily indoors. This would reduce the noise level below the level estimated by Table 10.2.

Short-term effects would be those related to construction, which would cease once the project is complete. The previous environmental review done for this site included mitigation measures to reduce impacts during construction. These mitigation measures would continue to apply for this project as well.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
K. **Noise.** Would the project result in:				
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
2) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		✓		
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

1) **Less Than Significant with Mitigation**

Construction Noise

Construction of the project would temporarily increase noise levels in the area during the construction period. The duration of construction is expected to be 120-180 days. Therefore, the noise from construction may be steady for several weeks and then cease all together. Construction activities, including site clearing, building construction, and paving would be considered an intermittent noise impact throughout the construction period. These activities could result in various effects on sensitive receptors, depending on the presence of intervening barriers or other insulating materials. Although construction activities would likely occur only during daytime hours, construction noise could still be considered disruptive to local residents. The City of Merced does not have a noise ordinance, but past practice has been to allow construction activities during daylight hours (between 7:00 a.m. and 7:00 p.m.). Initial Study #02-27 identified mitigation measures to reduce the noise during construction. These measures would be applicable to this project as well.

Operational Noise

Noise from the shopping center would be primarily traffic related. Although there could be some noise from outdoor activities such as loading and unloading of materials and products for the stores and more frequent refuse collection. The parking lot is located on the northern side of the buildings which would protect the residential uses to the south from parking lot traffic noise. The residential uses to the north are more than 200 feet away and the residential uses to the west would be approximately 100 feet from the parking lot and shielded by an existing block wall and dense landscaping on the west side of McKee Road. The future residential uses to the east would also be shielded by a block wall as well as future landscaping. A 6-foot tall block wall is also proposed along the southern property line to shield the residential uses from noise and light generated from this project.

Mitigation Measures:

K-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

2) **Less Than Significant Impact with Mitigation**

Refer to Item 1 above regarding construction noise and the need for mitigation measures.

K-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

3) **Less Than Significant Impact**

The ambient noise level will increase due to the project as described in Item 1 above. However, it is not expected to increase to a level of significance.

4) **Less Than Significant Impact**

The project construction will cause temporary and periodic increases in the ambient noise level. The operation of the proposed project will cause a slight increase in the ambient noise level. However, because the construction noise will only be temporary and the increase in noise generated from the site is minimal, the impacts are less than significant.

5) **No Impact**

The project is not located within an airport land use plan. Therefore, there will be no impact.

6) **No Impact**

The project is not located within the vicinity of a private airstrip. Therefore, there is no impact.

L. Population and Housing

SETTING AND DESCRIPTION

The implementation of the proposed project would result in the construction of a 62,000-square-foot shopping center. No housing is proposed with this project. The project site is surrounded by urban uses.

Expected Population and Employment Growth

According to the State Department of Finance, the City of Merced's population in 2014 was estimated to be 81,130. Population projections estimate that the Merced SUDP area will have a population of 159,900 by the Year 2030.

According to the *Merced Vision 2030 General Plan*, the City of Merced is expected to experience significant employment growth by the Year 2030.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
L. <u>Population and Housing.</u> Would the project:				
1) Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

1) **Less Than Significant Impact**

Temporary construction-related jobs would result due to the construction of the project, but it is unlikely that construction workers would need to relocate to Merced in order to work temporarily on the project site. Although the project would create new jobs, it's unlikely that the types of jobs created would generate a large number of people to relocate to Merced. Given the high unemployment rate for Merced, it's reasonable to assume a large number of the employees would come from the local area. However, if a large number of the employees relocated from other areas, it would not create a significant impact on the population or housing within the City of Merced. Therefore, this is a less than significant impact.

2) **No Impact**

There are two homes on the site, but both are unoccupied. Therefore, this is not an impact.

3) **No Impact**

There are two homes on the site, but both are unoccupied. Therefore, this is not an impact.

M. Public Services

SETTING AND DESCRIPTION

Fire Protection

The City of Merced Fire Department provides fire protection, rescue, and emergency medical services from five fire stations throughout the urban area. The City's Central Fire Station is located in the downtown area at 16th and G Streets. The City also has four other stations throughout the City. Station #55, located at 3520 Parsons Avenue would serve the project site.

Police Protection

The City of Merced Police Department provides police protection for the entire City. The Police Department employs a mixture of sworn officers, non-sworn officer positions (clerical, etc.), and unpaid volunteers (VIP's). The service standard used for planning future police facilities is approximately 1.37 sworn officers per 1,000 population, per the Public Facilities Financing Plan.

Schools

The public school system in Merced is served by three districts: 1) Merced City School District (elementary and middle schools); 2) Merced Union High School District (MUHSD); and, 3) Weaver Union School District (serving a small area in the southeastern part of the City with elementary schools). The districts include various elementary schools, middle (junior high) schools, and high schools. The Project site falls within the Merced City School District and Merced Union High School District (MUHSD).

As the City grows, new schools will need to be built to serve our growing population. According to the Development Fee Justification Study for the MUHSD, Merced City Schools students are generated by new multi-family development at the following rate:

Student Generation Rates

Commercial/Industrial Category	Elementary (K-8) (Students per 1,000 sq.ft.)	High School (9-12) (Students per 1,000 sq.ft.)
Retail	0.13	0.038
Restaurants	0.00	0.157
Offices	0.28	0.048
Services	0.06	0.022
Wholesale/Warehouse	0.19	0.016
Industrial	0.30	0.147

Based on the table above, the proposed shopping center (retail) would be expected to generate 8 Elementary School (K-8) students, and 2 High School students.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
M. <u>Public Services.</u> Would the project:				
1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
Fire Protection?			✓	
Police Protection?			✓	
Schools?			✓	
Parks?			✓	
Other Public Facilities?			✓	

1) **Less Than Significant**

<u>Fire Protection</u>

The project site is located within Fire District #5 and would be served by Fire Station #55, located at 3520 Parsons Avenue. The response from this station would meet the desired response time of 4 to 6 minutes, citywide. The proposed change in land use designation would not affect the fire protection, but construction of the shopping center would be required to meet all requirements of the California Fire Code and the Merced Municipal Code. Compliance with these requirements and payment of Public Facility Impact Fees would reduce any future impacts to a less than significant level.

2) **Less Than Significant**

<u>Police Protection</u>

Development of the project would require additional police services in the area due to developing the lot at a higher use than what existed. The developer shall be required to pay all impact fees (PFFP) to help fund police services for the site. Payment of impact fees is a requirement of all new development.

3) **Less Than Significant**

<u>Schools</u>

Based on the table provided in the "Settings and Description" section above, the proposed project would generate 8 Elementary School (K-8) students and 2 High School students.

Under the Leroy F. Greene School Facilities Act of 1988, the satisfaction of the developer of his statutory fee under California Government Code §65995 is deemed "full and complete mitigation" of school impacts.

4) **Less Than Significant**

Parks

The development of the shopping center would not trigger the need to construct a new park in the area. Payment of the fees required under the Public Facilities Financing Program (PFIF) and formation of a Community Facilities District will be required at time of building permit issuance to help fund future parks and maintenance of existing parks.

5) **Less Than Significant**

Other Public Facilities

The development of the project will impact the maintenance of public facilities and could generate impacts to other governmental services. Payment of the fees required under the Public Facilities Financing Program (PFIF) and formation of a Community Facilities District will mitigate these impacts to a less than significant level.

N. Recreation

SETTING AND DESCRIPTION

The City of Merced has a well-developed network of parks and recreation facilities. Richard Bernasconi Park (a Neighborhood Park) is located within the Moraga Subdivision at the corner of Jardin Way and Aviles Drive. This park is approximately 0.2 miles from the site. Bob Carpenter Park (a Neighborhood Park) is located at the corner of Parsons Avenue and Silverado Drive, approximately 1/2 mile from the site. Rahilly Park (a Regional Park) is also located on Parsons Avenue approximately 1 mile from the project site. The Rascal Creek Bike path is also accessible from McKee Road approximately ½ mile south of the site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
N. Recreation. Would the project:				
1) Increase the use of neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	

1) **Less the Significant Impact**

   It's not anticipated that development of the project would increase the use of neighborhood or regional parks signficantly. However, there could be an increase in the use of the bicycle path due to customers and employees riding to and from the center. Development fees are collected from all new developments to provide additional park lands and facilities.

2) **Less the Significant Impact**

   The project is not responsible for the construction or expansion of any recreational facilities.

O. Transportation/Traffic

SETTING AND DESCRIPTION

The project site is located at the southeast corner of Yosemite Avenue and McKee Road. Yosemite Avenue, east of Parsons is designated as a "Special Street Section" in the *Merced Vision 2030 General Plan*. As such, the ultimate right-of-way for this road is 94 feet. McKee Road is a Collector Road with an ultimate right of way of 74 feet. The project would have access from Yosemite Avenue, McKee Road, and Whitewater Way (a local road).

Yosemite Avenue Access

The primary access on Yosemite Avenue would be a driveway that is located approximately 320 feet east of the intersection of Yosemite Avenue and McKee Road (Attachment B). This driveway would provide right in/right out access only. A median currently exists in Yosemite Avenue along the project site frontage.

The applicant has provided two options for a second access on Yosemite Avenue near the eastern edge of the property. Option #1 includes access to a one-way only service road to allow vehicles to enter the site and go southbound. The service road would then turn to the west and go behind Building 1 and exit onto McKee Road.

Option #2 would be to extend and open Whitewater Way to Yosemite allowing right turns off of Yosemite and then a right turn into the site from Whitewater Way. See the site plan at Attachment J.

McKee Road Access

The primary access on McKee Road would be through a driveway located approximately 195 feet south of the intersection of Yosemite Avenue and McKee Road. This driveway would allow both left and right turning movements. The service road exit is located approximately 85 feet south of the primary driveway on McKee Road. This would be an exit only driveway, but would allow both left and right turns onto McKee Road.

Whitewater Way Access

Access from Whitewater Way would be located approximately 195 feet south of Yosemite Avenue and would align with the driveway entrance on McKee Road. The location of this entrance would not be significantly changed whether the site was developed with Option #1 (a service road off of Yosemite Avenue) or Option #2 (extending and opening Whitewater Way to Yosemite Avenue).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
O. <u>Transportation/Traffic.</u> Would the project:				
1) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		✓		
2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roadways?		✓		
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			✓	
4) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?			✓	
5) Result in inadequate emergency access?			✓	
6) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?			✓	

1) **Less Than Significant with Mitigation**

Trip Generation:

The future construction of the shopping center would add approximately 62,000 square feet of retail shopping and associate parking to the project site. The project site consists of two parcels that total 5.42 acres with access on Yosemite Avenue and McKee Road.

A Traffic Impact Analysis Report was prepared by TJKM Transportation Consultants (Attachment K). The following table identifies the Average Daily Trips and Peak Hour Trips expected to be generated by the construction of the future shopping center.

Proposed Project Trip Generation

Average Daily Trips (ADT's)	A.M. Peak Hour Trips (PHT's)	P.M. Peak Hour Trips (PHT's)
2,647	60	230
Less Passer-By- Trip Reductions (35%)		
1,721	39	150
Source: Trip Generation (9th Edition), Institute of Transportation Engineers (2012)		

Merced Vision 2030 General Plan, Policy T-1.8, establishes an acceptable Level of Service (LOS) of "D" for intersection and roadway operations. The traffic study identified the Level of Service for the following roadways and intersections:

Intersections:

- Yosemite Avenue and Parsons Avenue
- Yosemite Avenue and McKee Road
- Yosemite Avenue and Hatch Road
- McKee Road and Olive Avenue

Roadways:

- Yosemite Avenue between Parsons Avenue and McKee Road
- McKee Road between Yosemite Avenue and Silverado Avenue

The study analyzed the Level of Service for the following scenarios:

- Existing Conditions
- Existing Conditions, plus Project Conditions
- Existing Conditions, plus Project Conditions, plus Other Approved Projects in the Area
- Cumulative Year 2035 No Project Conditions
- Cumulative Year 2035, plus Project Conditions

Under all the scenarios, all intersections and roadways operate at an acceptable Level of Service (LOS "D" or better), with the exception of the intersection of Yosemite Avenue and Parsons Avenue. This intersection is currently operating at an LOS E and remains at LOS E under the existing plus project conditions. However, it falls to LOS F under the other scenarios. Details of the Level of Service analysis may be found on pages 10-27 of the Draft Traffic Impact Analysis at Attachment K.

Based on the traffic analysis, the 24-hour volume for Yosemite Avenue is 7,081 trips and 4,263 trips on McKee Road. Both roadways currently operate at an LOS C. With the addition of the project traffic, the 24-hour volume increases to 7,942 on Yosemite Avenue and maintains an LOS C. The 24-hour volume increases to 4,607 trips on McKee Road, but continues to operate at an LOS C.

Because the level of service at the intersection of Parsons and Yosemite Avenues would deteriorate from LOS E to LOS F under the Cumulative 2035 scenario, mitigation is recommended for this intersection to raise the level of service back to an LOS D.

The intersection of Olive Avenue and McKee Road would also decrease from LOS C to LOS F under the Cumulative 2035 scenario. Mitigation measures are also recommended for this intersection which would bring the level of service back to an LOS C.

It should be noted that a traffic signal is planned for this intersection in the future. The cost of the signal would be the responsibility of the City of Merced. The traffic analysis determined that this intersection meets the Manual on Uniform Traffic Control Devices (MUTCD) warrants for traffic signals. However, the traffic analysis recommends that prior to installation of a traffic signal, the remaining MUTCD warrants be conducted to determine if the need exists for a traffic signal at this time. Because the cost of the traffic signal would be borne by the City, it was determined that the recommended mitigation was more feasible at this time.

In addition to the mitigation for the intersection at Parsons and Yosemite Avenues, all previously approved mitigation measures approved at the time of annexation would still apply.

Mitigation Measures:

O-1) The westbound lane of Yosemite Avenue at Parsons Avenue shall be modified to accommodate an additional 200-foot shared thru/right turn lane. In addition, the existing shared left/thru/right lane shall be restriped to be a shared left/thru lane. (The Traffic Analysis recommended an additional 100 foot lane be installed. The City Engineer recommends the length of the lane be increased to 200 feet.)

-or-

The applicant shall be required to pay for their proportionate share of the above improvement as determined by the City Engineer.

O-2) The following modifications to the intersection of Olive Avenue and McKee Road shall be made:

Southbound Approach:

- Remove the adjacent on-street parking for 100 feet on the southbound approach.
- Re-stripe the approach as shared left/thru lane and share right/thru lane.
- Remove the adjacent on-street parking for 100 feet on the southbound receiving lane and stripe it as a lane drop.

Northbound Approach

- Remove the adjacent on-street parking for 100 feet on the north bound approach.
- Re-stripe the approach as shared left/thru lane and shared right/thru lane.

- Remove the adjacent on-street parking for 100 feet on the northbound receiving lane and stripe it as a lane drop. The City Engineer shall determine if this measure is feasible due to the location of residential driveways in this area.

O-3) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment D).

2) **Less Than Significant with Mitigation**

As described above, the future shopping center would not cause a decrease in the level of service for the adjacent roadways (Yosemite Avenue and McKee Road) and most of the intersections studied. However, the intersection of Yosemite and Parsons Avenues and Olive Avenue and McKee Road would deteriorate under the Cumulative 2035 scenario. Therefore, the mitigation measures outlined above would be required to mitigate the reduced level of service at these intersections.

Mitigation Measures:

O-4) The implementation of Mitigation Measures O-1 through O-3 above would reduce this impact to a less than significant level.

3) **Less Than Significant**

The project will not result in any changes to air traffic patterns. The project site is not located within an airport use zone or in the vicinity of a private airstrip.

4) **Less Than Significant**

The project will not increase hazards due to a design feature or incompatible uses. The roadway design surrounding the project was adopted with the City's General Plan. No changes to the roadway design are being considered with this project.

5) **Less Than Significant**

The project site is located at the southeast corner of Yosemite Avenue and McKee Road. The site can be accessed from the south on McKee Road or from the east or west on Yosemite Avenue. The site would also be accessible from Whitewater Way or Explorador Drive to the east. These access points provide sufficient emergency access. This impact is less than significant.

6) **Less Than Significant**

The project will not conflict with any policies, plans, or programs supporting alternative transportation.

P. Utilities and Service Systems

SETTING AND DESCRIPTION

Water

The City's water system is composed of 23 groundwater production wells located throughout the City, approximately 350 miles of main lines, and 4 water tower tanks for storage. Well pump

operators ensure reliability and adequate system pressure at all times to satisfy customer demand. Diesel powered generators help maintain uninterrupted operations during power outage. The City of Merced water system delivered more than 24 million gallons of drinking water per day in 2013 to approximately 20,733 residential, commercial, and industrial customer locations. The City is required to meet State Health pressure requirements, which call for a minimum of 20 psi at every service connection under the annual peak hour condition and maintenance of the annual average day demand plus fire flow, whichever is stricter. The City of Merced Water Division is operated by the Public Works Department.

The City of Merced's wells have an average depth of 414 feet and range in depth from 161 feet to 800 feet. The depth of these wells would suggest that the City of Merced is primarily drawing water from a deep aquifer associated with the Mehrten geologic formation. Increasing urban demand and associated population growth, along with an increased shift by agricultural users from surface water to groundwater and prolonged drought, have resulted in declining groundwater levels due to overdraft. This condition was recognized by the City of Merced and the Merced Irrigation District (MID) in 1993, at which time the two entities began a two-year planning process to assure a safe and reliable water supply for Eastern Merced County through the year 2030. Integrated Regional Water Planning continues today through various efforts.

Wastewater

Wastewater (sanitary sewer) collection and treatment in the Merced urban area is provided by the City of Merced. The wastewater collection system handles wastewater generated by residential, commercial, and industrial uses in the City.

The City Wastewater Treatment Plant (WWTP), located in the southwest part of the City about two miles south of the airport, has been periodically expanded and upgraded to meet the needs of the City's growing population and new industry. The City's wastewater treatment facility has a capacity of 11.5 million gallons per day (mgd), with an average 2006 flow of 8.5 mgd. The City has recently completed an expansion project to increase capacity to 12 mgd and upgrade to tertiary treatment with the addition of filtration and ultraviolet disinfection. Future improvements would add another 8 mgd in capacity (in increments of 4 mgd), for a total of 20 mgd. This design capacity can support a population of approximately 174,000. The collection system will also need to be expanded as development occurs.

Treated effluent is disposed of in several ways depending on the time of year. Most of the treated effluent (75% average) is discharged to Hartley Slough throughout the year. The remaining treated effluent is delivered to a land application area and the on-site City-owned wetland area south of the treatment plant.

Storm Drainage

The Draft *City of Merced Storm Drainage Master Plan* addresses the collection and disposal of surface water runoff in the City's SUDP. The study addresses both the collection and disposal of storm water. Systems of storm drain pipes and catch basins are laid out, sized, and costed in the plan to serve present and projected urban land uses.

It is the responsibility of the developer to ensure that utilities, including storm water and drainage facilities, are installed in compliance with City regulations and other applicable regulations. Necessary arrangements with the utility companies or other agencies will be made for such installation, according to the specifications of the governing agency and the City (Ord. 1342 § 2

(part), 1980: prior code § 25.21(f)). The City requires the construction of storm water percolation/detention basins with new development. Percolation basins are designed to collect storm water and filter it before it is absorbed into the soil and reaches groundwater tables. Detention basins are designed to temporarily collect runoff so it can be metered at acceptable rates into canals and streams which have limited capacity. The disposal system is mainly composed of MID facilities, including water distribution canals and laterals, drains, and natural channels that traverse the area.

The City of Merced has been involved in developing a Storm Water Management Plan (SWMP) to fulfill requirements of storm water discharges from Small Municipal Separate Storm Sewer System (MS4) operators in accordance with Section 402(p) of the Federal Clean Water Act (CWA). The SWMP was developed to also comply with General Permit Number CAS000004, Water Quality Order No. 2003-0005-DWQ.

Solid Waste

The City of Merced is served by the Highway 59 Landfill and the Highway 59 Compost Facility, located at 6040 North Highway 59, one and one-half miles north of Old Lake Road. The County of Merced is the contracting agency for landfill operations and maintenance, while the facilities are owned by the Merced County Association of Governments. The City of Merced provides services for all refuse pick-up within the City limits and franchise hauling companies collect in the unincorporated areas. In addition to these two landfill sites, there is one private disposal facility, the Flintkote County Disposal Site, at SR 59 and the Merced River. This site is restricted to concrete and earth material.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
P. Utilities and Service Systems. Would the project:				
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
7) Comply with federal, state, and local statues and regulations related to solid waste?			✓	

1) **Less Than Significant Impact**

The proposed project would be served by the City's wastewater treatment plant which was recently upgraded to increase the capacity to 12 mgd. Future improvements planned for the facility will add another 8 mgd in capacity for a total of 20 mgd. This capacity is sufficient for serving this project and other future developments within the City of Merced.

2) **Less Than Significant Impact**

The project is expected to use approximately 9,108 gallons of water per day in water and to produce approximately 7,590 gallons of sewage per day. The City's current water system is capable of handling this increase as is the City's wastewater treatment plant. No additional facilities are required.

3) **Less Than Significant Impact**

Storm water from the development is required to be captured on-site and metered into the City's storm drain system. The City's current storm drain system is sufficient to serve this development. No new facilities or expansions of existing facilities are needed.

4) **Less Than Significant Impact**

As explained above, no new water facilities are needed for this project. The existing water system is sufficient to serve the development.

5) **Less Than Significant Impact**

Refer to item 2 above.

6) **Less Than Significant Impact**

The City of Merced uses the Highway 59 landfill. Sufficient capacity is available to serve the future shopping center. According to the *Merced Vision 2030* General Plan DEIR, the landfill has capacity to serve the City through 2030.

7) **Less Than Significant Impact**

All construction on the site would be required as a condition of approval to comply with all local, state, and federal regulations regarding solid waste, including recycling.

Q. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Q. Mandatory Findings of Significance. Would the project:				
1) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
2) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects?)			✓	
3) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

1) **Less Than Significant Impact**

As previously discussed in this document, the project does not have the potential to adversely affect biological resources or cultural resources because such resources are lacking on the project site, and any potential impacts would be avoided with implementation of the mitigation measures and other applicable codes identified in this

report. Also, the project would not significantly change the existing urban setting of the project area. Thus, this impact would be less than significant.

2) **Less Than Significant Impact**

The Program Environmental Impact Report conducted for the *Merced Vision 2030 General Plan, the General Plan Program EIR* (SCH# 2008071069) has recognized that future development and build-out of the SUDP/SOI will result in cumulative and unavoidable impacts in the areas of Air Quality and Loss of Agricultural Soils. In conjunction with this conclusion, the City has adopted a Statement of Overriding Considerations for these impacts (Resolution #2011-63) which is herein incorporated by reference.

The certified General Plan EIR addressed and analyzed cumulative impacts resulting from changing agricultural use to urban uses. No new or unaddressed cumulative impacts will result from the Project that have not previously been considered by the certified General Plan EIR or by the Statement of Overriding Considerations, or mitigated by this Expanded Initial Study. This Initial Study does not disclose any new and/or feasible mitigation measures which would lessen the unavoidable and significant cumulative impacts.

The analysis of impacts associated with the development of the proposed change will contribute to the cumulative impacts identified in the General Plan EIR. The nature and extent of these impacts, however, falls within the parameters of impacts previously analyzed in the General Plan EIR. No individual or cumulative impacts will be created by the Project that have not previously been considered at the program level by the General Plan EIR or mitigated by this Initial Study.

3) **Less Than Significant Impact**

Development anticipated by the *Merced Vision 2030 General Plan* will have significant adverse effects on human beings. These include the incremental degradation of air quality in the San Joaquin Basin, the loss of prime agricultural soils, the incremental increase in traffic, and the increased demand on natural resources, public services, and facilities. However, consistent with the provisions of CEQA previously identified, the analysis of the Project is limited to those impacts which are peculiar to the Project site or which were not previously identified as significant effects in the prior EIR. The previously-certified General Plan EIR and the Statement of Overriding Considerations addressed those cumulative impacts; hence, there is no requirement to address them again as part of this Project.

This previous EIR has concluded that these significant adverse impacts are accounted for in the mitigation measures incorporated into the General Plan EIR. In addition, a Statement of Overriding Considerations has been adopted by City Council Resolution #2011-63 that indicates that the significant impacts associated with development of the Project are offset by the benefits that will be realized in providing necessary jobs for residents of the City. The analysis and mitigation of impacts has been detailed in the Environmental Impact Report prepared for the *Merced Vision 2030 General Plan*, which are incorporated into this document by reference.

While this issue was addressed and resolved with the General Plan EIR in an abundance of caution, in order to fulfill CEQA's mandate to fully disclose potential environmental consequences of projects, this analysis is considered herein. However, as a full disclosure document, this issue is repeated in abbreviated form for purposes of disclosure, even though it was resolved as a part of the General Plan.

Potential impacts associated with the Project's development have been described in this Initial Study. All impacts were determined to either be less than significant or less than significant with mitigation measures.

R. Greenhouse Gas Emissions

SETTING AND DESCRIPTION

The issue of project-generated Greenhouse Gas (GHG) Emissions is a reflection of the larger concern of Global Climate Change. While GHG emissions can be evaluated on a project level, overall, the issue reflects a more regional or global concern. CEQA requires all projects to discuss a project's GHG contributions. However, from the standpoint of CEQA, GHG impacts on global climate change are inherently cumulative. The quantity of GHGs that it takes to ultimately result in climate change is not precisely known; however, it can safely be assumed that existing conditions do not measurably contribute to a noticeable incremental change in the global climate.

The project applicant provided a Greenhouse Gas study for this project prepared by Rincon Consultants, Inc. (Attachment L). The study analyzed the emissions associated with the proposed project construction and operations.

The City of Merced has not developed or adopted a CEQA threshold for determining the significance of GHG emissions at the project-level. The San Joaquin Valley Air Pollution Control District (SJVAPCD) thresholds were recommended for use in the study. Based on the SJVAPCD, the proposed project would have a less than significant impact if it achieves at least a 29 percent reduction in GHG emissions compared to business as usual (BAU). This reduction is consistent with the AB 32 Scoping Plan (2008).

To determine whether the construction of the future shopping center would result in a 29 percent reduction in BAU GHG emissions, two emissions scenarios were calculated and compared:

BAU Scenario – is reflective of a realistic project scenario that would occur absent project design features and state regulations enacted as a result of AB 32, and is consistent with SJVAPCD's and the Air Resources Board's (ARB) definition of "business as usual."

Project Scenario – is also reflective of a realistic project scenario that includes voluntary project design features and further state regulations enacted as a result of AB 32. The project design features and state regulations accounted for in the Project Scenario include use of energy efficient (LED) lighting, recycled water, efficient irrigation systems, recycling, as well as Renewable Portfolio Standard, Low Carbon Fuel Standard, and Pavley Standards.

THRESHOLDS OF SIGNIFICANCE

The proposed project would result in a significant impact on the environment if it would:

- Generate GHG emissions either directly or indirectly, that may have a significant impact on the environment;
- Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
R. <u>Greenhouse Gas Emissions.</u> Would the project:				
1) Generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment?			✓	
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

1) **Less Than Significant Impact**

(The following is an excerpt from the Greenhouse Gas Study provide by Rincon Consultants, Inc. - Attachment L.)

Construction of the proposed project would generate GHG emissions through on-site use of heavy duty construction equipment and off-site vehicle trips made by construction workers and haul/delivery trucks that would travel to and from the project site. Construction of the proposed project would be completed in approximately eight months. To evaluate GHG emissions from project construction, construction emissions are amortized over the life of the project (approximately 20 years as a conservative estimate) and added to the operational emissions. As shown in Table 1, both the BAU Scenario and Project Scenario would generate approximately 221 MT CO_2E total or 11 MT CO_2E per year when amortized over a 20-year period.

Operation of the proposed project would result in GHG emissions from the following primary sources: energy (electricity and natural gas used on-site), mobile (on-road mobile vehicle traffic generated by the project), solid waste disposal by the land use, water usage by the land use, and area sources (landscaping equipment). As shown in Table 1, operation of the project would generate 3,387 MT CO_2E per year under the BAU Scenario and 2,103 MT CO_2E per year under the Project Scenario. The difference in GHG emission between the BAU Scenario and Project Scenario can be attributed to the voluntary project features (i.e., low-flow fixtures, provision of neighborhood commercial uses, pedestrian access, and bicycle parking), the Renewable Portfolio Standard, Title 24

Energy Efficiency Building Standards, Low Carbon Fuel Standard, and Pavley I Standard.

As shown in Table 1, under the BAU Scenario, the proposed project would generate approximately 3,398 MT CO_2E per year from both construction and operation, while the proposed project under the Project Scenario would generate approximately 2, 114 MT CO_2E per year from both construction and operation.

Table 1: Project-related GHG Emissions for BAU Scenario and Project Scenario

	GHG Emissions (MT CO2E per Year)	
Source	**BAU Scenario**	**Project Scenario**
Construction Emissions		
Mobile (20-year amortization)	11	11
Construction Emissions Subtotal	***11***	***11***
Operational Emissions		
Area	<0.2	<0.2
Energy	232	120
Mobile	3,109	1,946
Solid Waste	30	30
Water	16	8.4
Operational Emissions Subtotal	***3,387***	***2,103***
Total GHG Emissions	**3,398**	**2,114**

As shown in Table 2, the Project Scenario would reduce BAU emission by 1,284 MT CO_2E per year. Therefore, the proposed project demonstrates an approximately 38 percent reduction below the BAU Scenario and would be considered less than significant.

Table 2: Summary of Project Reduction from BAU Scenario

	GHG Emissions (MT CO2E per Year)
BAU Scenario Total	3,398
Project Scenario Total	2,114
Difference Between BAU and Project	1,284
Percent Reduction from BAU Scenario	**38%**
Project Meets or Exceeds Threshold (less-than-significant)	**Yes (Less-than-Significant)**

Based on the SJVAPCD's recommended threshold, GHG emissions from the proposed project would be less than significant if the Project Scenario emissions are at least 29 percent below BAU Scenario emissions. As shown in Table 2, the Project Scenario would reduce BAU Scenario emissions by 1,284 MT CO_2E per year, or approximately 38 percent, which is greater than the 29 percent threshold. Therefore, GHG emissions from the proposed project would be less than significant.

2) **Less Than Significant Impact**

(The following is an excerpt from the Greenhouse Gas Study provide by Rincon Consultants, Inc.)

Assembly Bill (AB) 32 identifies a statewide target to reduce GHG emissions to 1990 levels by 2020, which is equivalent to "cutting approximately 30 percent from business-as-usual emission levels projected for 2020, or about 15 percent from today's levels" (Scoping Plan, 2008). The City's Climate Action Plan (2012) also establishes a target to reduce GHG emissions 15 percent below 2008 levels, consistent with AB 32 and its Scoping Plan. Construction and operation of the proposed project would achieve a 32.4 percent reduction in GHG emissions compared to BAU, which exceeds the reduction targets identified in the Scoping Plan and City's Climate Action Plan.

In addition, the proposed project would support many of the goals identified in the Climate Action Plan. The project would help reduce vehicle miles traveled by providing neighborhood commercial services and providing bicycle parking and pedestrian access. As such, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions and impacts would be less than significant.

S. Environmental Determination

On the basis of this initial environmental evaluation:

__X__ I find that the project could have a significant effect on the environment, and that a MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED for public review.

March 17, 2015

Julie Nelson, Associate Planner

David Gonzalves, Director of Development Services
Environmental Coordinator
City of Merced

Distributed for Public Review: March 19, 2015

Attachments:

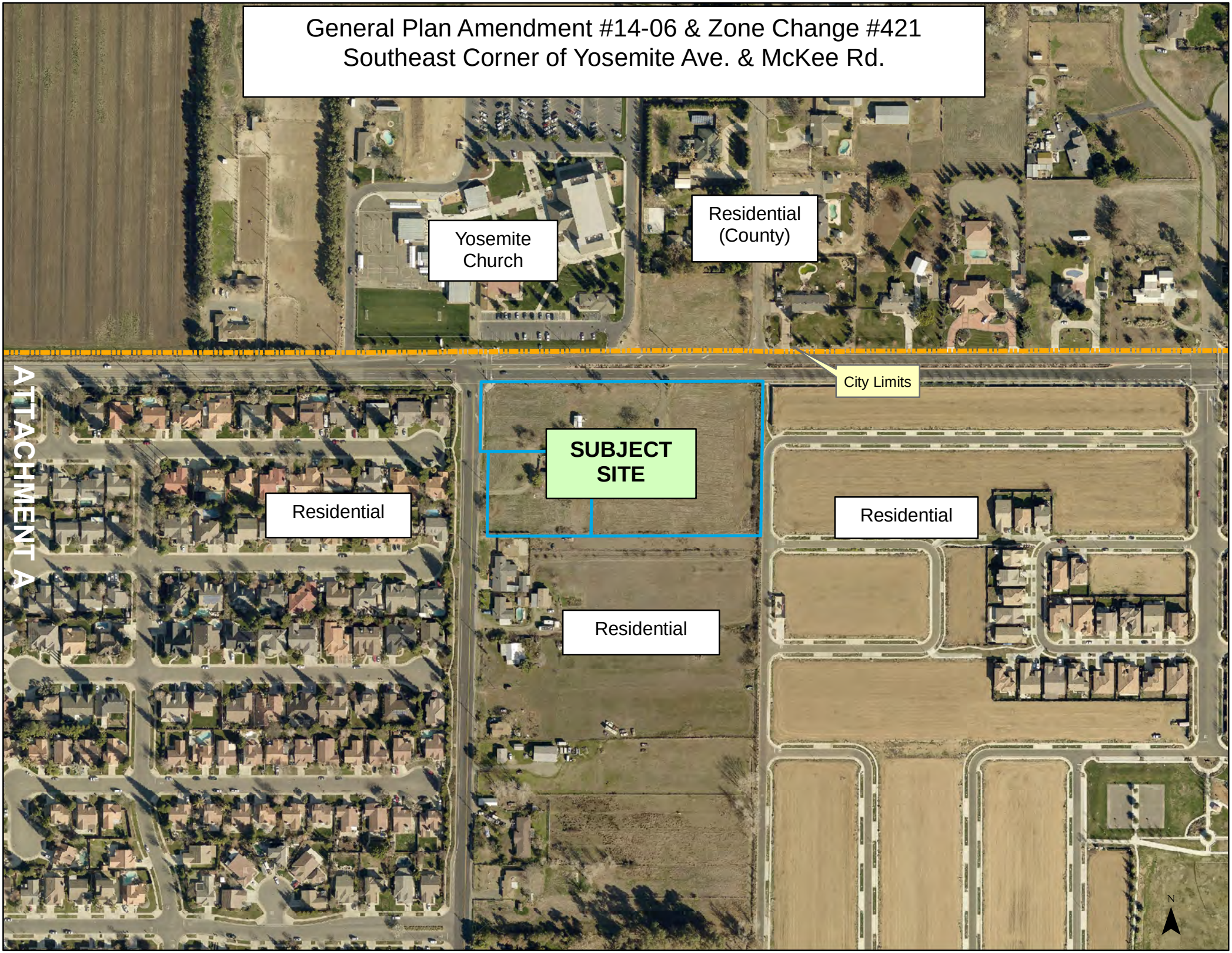
A) Location Map
B) Site Plan
C) C-N Zone (excerpt)
D) Mitigation Monitoring Program GPA #02-02/Annexation/Pre-Zoning #02-02
E) Annexation Area
F) Aerial of site
G) Farmland Map
H) Map of Schools within ¼-mile radius
I) Flood Zone
J) Site Plan – Option #2
K) Draft Traffic Impact Analysis
L) Greenhouse Gas Emissions Study
M) Public Hearing Notice
N) Public Hearing Notice Area Map
O) Mitigation Monitoring Program for Initial Study #14-32

Refer to Attachment G of Planning Commission Staff Report #15-10 for Attachment D.

Refer to Attachment I of Planning Commission Staff Report #15-10 for Attachment K.

Refer to Attachment H of Planning Commission Staff Report #15-10 for Attachment O.

General Plan Amendment #14-06 & Zone Change #421
Southeast Corner of Yosemite Ave. & McKee Rd.



ATTACHMENT A

ATTACHMENT B

These drawings are instruments of service and are the property of Golden Valley Engineering & Surveying, Inc. All designs and other information on these drawings are for use on the specified project and shall not be used otherwise without the express written permission of Golden Valley Engineering & Surveying, Inc.

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PREPARED BY

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ENGINEERING & SURVEYING
405 West 19th Street 95340
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Merced, CA 95341
Ph.: (209) 722-3200
Fax: (209) 722-3254

No.	Date	Description
1		

PRELIMINARY SITE PLAN FOR

THE SHOPPES AT UNIVERSITY VILLAGE

SW CORNER OF YOSEMITE & McKEE Road

MERCED CALIFORNIA

ENGINEER

REGISTERED PROFESSIONAL ENGINEER JAMBO AL No. S4043 Exp. STRUCTURAL STATE OF CALIFORNIA

SHEET CONTENTS

- Preliminary Site Plan
- -
- -
- -
- -

PREPARED FOR

Merced Holding, LP
9701 W. Pico Blvd. Ste., 201A
Los Angeles, CA 90035
-
-

PROJECT DATA

Date: -

Scale: As Shown

Drawn By: Rick R.

Job No.: -

SHEET NUMBER

1

Chapter 20.22 - C-N DISTRICT

Sections:

20.22.010 - Purpose.

The purpose of the C-N district is to provide a center for convenience shopping in a residential neighborhood. New C-N districts shall have a minimum area of three acres and shall be located only where analysis of the residential population demonstrates that the facilities are justified.

(Ord. 824 § 7.201, 1964).

20.22.020 - Permitted uses.

The following principal permitted uses are:

A. Any local retail business or service establishment, such as but not limited to a grocery store, bake shop, drug store, barber and beauty shop, clothes cleaning and laundry pickup station, business or professional office, financial institutions, supplying commodities or performing services for residents of the neighborhood;

B. Restaurant, cafe, and soda fountain, not including entertainment or dancing, or sale of liquor, beer and other alcoholic beverages by the glass, or for consumption on the premises;

C. Commercial parking lots for passenger vehicles;

D. Any other retail business or service establishment which is determined by the commission to be of the same general character as the above permitted retail business or service uses.

E. Beauty salons, barber shops, licensed massage establishments, tanning salons, and nail salons.

(Ord. 2039 § 4, 2000: Ord. 824 § 7.202, 1964).

20.22.030 - Accessory uses.

The following are accessory uses:

Accessory buildings and uses customarily appurtenant to a permitted use, such as an incidental storage facility, garage, or off-street parking area.

(Ord. 824 § 7.203(A), 1964).

ATTACHMENT C

20.22.040 - Signs.

The following regulations shall apply to signs erected in the C-N district:

A. Signs shall pertain only to a use conducted on the property.

B. Freestanding double-face directional and off-street parking control signs may be located at each entrance or exit servicing off-street parking; provided, each sign face does not exceed four (4) square feet.

C. Freestanding shopping center identification signs shall be permitted adjacent to each major street or each minor street an which the shopping center has at least two hundred feet of property frontage. The sign may be double-face, but shall not exceed one hundred square feet per face and shall contain only the name of the shopping center. If businesses located in the shopping center are listed, there may be an additional two square feet per listing per face.

D. 1. Signs shall only be erected parallel with the wall of the building most nearly facing the principal street and any minor street an which a neighborhood shopping center has more than a two hundred foot frontage. No sign attached to a building shall project beyond the limits of the structure as shown on the architectural or engineering plan elevation of the building facing the property line abutting the street toward which the sign faces.

2. "Principal street," for purposes of this section, means a street designated on the general plan as a major street.

E. Signs pertaining to the use of the building may be placed in the following locations:

1. Attached to, parallel with, and with the face of the sign no more than eighteen (18) inches from the face of the building.

2. Signs may be erected perpendicular to the face of the building if attached under a marquee or similar structurally permanent extension from the building; provided, that the signs shall not project beyond the limits of the marquee or roof. The signs shall not exceed eight (8) inches in height, five (5) feet in length, nor be less than seven (7) feet, six (6) inches above the sidewalk level.

3. Other signs located on, under, or in front of a marquee shall be located not more than eighteen (18) inches from the edge of the marquee and shall not exceed eighteen (18) inches in height nor be less than seven (7) feet, six (6) inches above sidewalk level.

4. Signs may be located at the rear or side of a building if there is less than two hundred (200) feet on a minor street and the buildings are at least fifty (50) feet from adjacent residential areas.

F. Sign areas shall be limited to one (1) square foot for each lineal foot of building width as shown on an elevation of the building, but in no case shall the sign area exceed one hundred (100) square feet, except as otherwise provided in this title. For shopping centers with less than two hundred (200) foot frontage on a minor street, signs shall be limited to one (1) square foot for each lineal foot of the building; provided, however, that no sign shall exceed fifty (50) square feet.

G. Lighted signs shall be governed by the following:

1. Lighted signs with direct or reflected lighting, any part of which flashes, blinks, turns off and on or which has mechanical or electrical movement of any kind, are prohibited;

2. Red, amber or green signs may not be placed in any manner conflicting with traffic signals or which, in the opinion of the traffic safety committee, may confuse or tend to confuse drivers or operators of vehicles using the streets of the city;

3. Exterior signs may be illuminated until ten p.m. or the end of the business day, whichever is later;

4. Spotlights or other illuminating devices may not be directed toward adjacent residentially zoned property.

(Ord. 824 § 7.203(B), 1964).

20.22.050 - Conditional uses.

The conditional uses are:

A. Public and quasi-public uses appropriate to the C-N district;

B. Auto service station;

C. Sidewalk cafe;

D. Social hall, lodge, fraternal organizations and clubs;

E. Public utility uses, substations, and communication equipment buildings;

F. Time and Temperature Signs. These signs are exempt from the provisions of Section 20.22.040, and only the words "time" and "temperature," or an abbreviation thereof, and the electrically controlled figures indicating the

time and temperature shall be permitted thereon, and the area of the sign shall not exceed twenty-four (24) square feet per face;

G. Drive-in restaurant;

H. Residential uses appropriate to R-1, R-2, R-3, or R-4 districts, subject to all restrictions and requirements of the residential zone that coincides with the density permitted;

I. Theater;

J. Restaurant or cafe, which includes the sale of liquor, beer, or other alcoholic beverages by the glass, or for consumption on the premises;

K. Carwash;

L. Convenience market with gasoline sales;

M. Fast-food restaurants;

N. Supermarket, super grocery store;

O. Church;

P. Shopping center;

Q. Day care facilities for more than twelve (12) children;

R. Day care facilities for the elderly of twelve (12) or fewer persons;

S. Retail business of twenty thousand (20,000) square feet or less selling alcoholic beverages for off-site consumption;

T. Tattoo parlors.

(Ord. 2039 § 5, 2000: Ord. 1909 § 1, 1995: Ord. 1767 § 5, 1990: Ord. 1578 § 2, 1985: Ord. 1472 § 1, 1983: Ord. 1361 § 1, 1980: Ord. 1226 § 1, 1978: Ord. 1213 § 1, 1978: Ord. 1197 § 1, 1977: Ord. 903, 1967: Ord. 824 § 7.204, 1964).

20.22.060 - Height regulations.

No principal or accessory building shall exceed two and one-half (2 ½) stories or thirty (30) feet in height except as provided in Section 20.62.020.

(Ord. 824 § 7.205, 1964).

20.22.070 - Yard requirements.

The following minimum requirements shall be observed except where increased for conditional uses:

A. Lot area (in square feet):	7,500
B. Yards:	
1. Exterior (in feet):	20
2. Interior (in feet):	None, except when abutting R district, then not less than twenty feet.

C. A reduction in exterior yard setback requirements for service station canopies only may be permitted by the planning commission upon issuance of a conditional use permit.

(Ord. 1721 § 1, 1988: Ord. 1368 § 1, 1981: Ord. 824 § 7.206, 1964).

20.22.080 - Additional conditions.

Other required conditions are that:

A. All uses shall be conducted wholly within a completely enclosed building, except for service stations, public utility substations and off-street parking and loading facilities, except that the planning commission may permit the outdoor operation of any permitted use by approving a conditional use permit therefor;

B. In any C-N district which is across a street or thoroughfare from any R district, or any district designated for future residential use in the Merced general plan, the parking and loading facilities shall maintain an average distance of at least eight (8) feet from the street and structures at least thirty-five (35) feet from the street;

C. Goods for sale shall consist primarily of new merchandise and shall be sold at retail on the premises;

D. Not more than three (3) persons shall be engaged in the fabrication, repair or other processing of goods in any establishment, and not more than five (5) aggregate horsepower shall be employed in the operation of all machines employed for the aforesaid purposes;

E. Off-street loading and parking as required in Chapter 20.58

F. Site plan approval of all conditional uses as required in Chapter 20.68

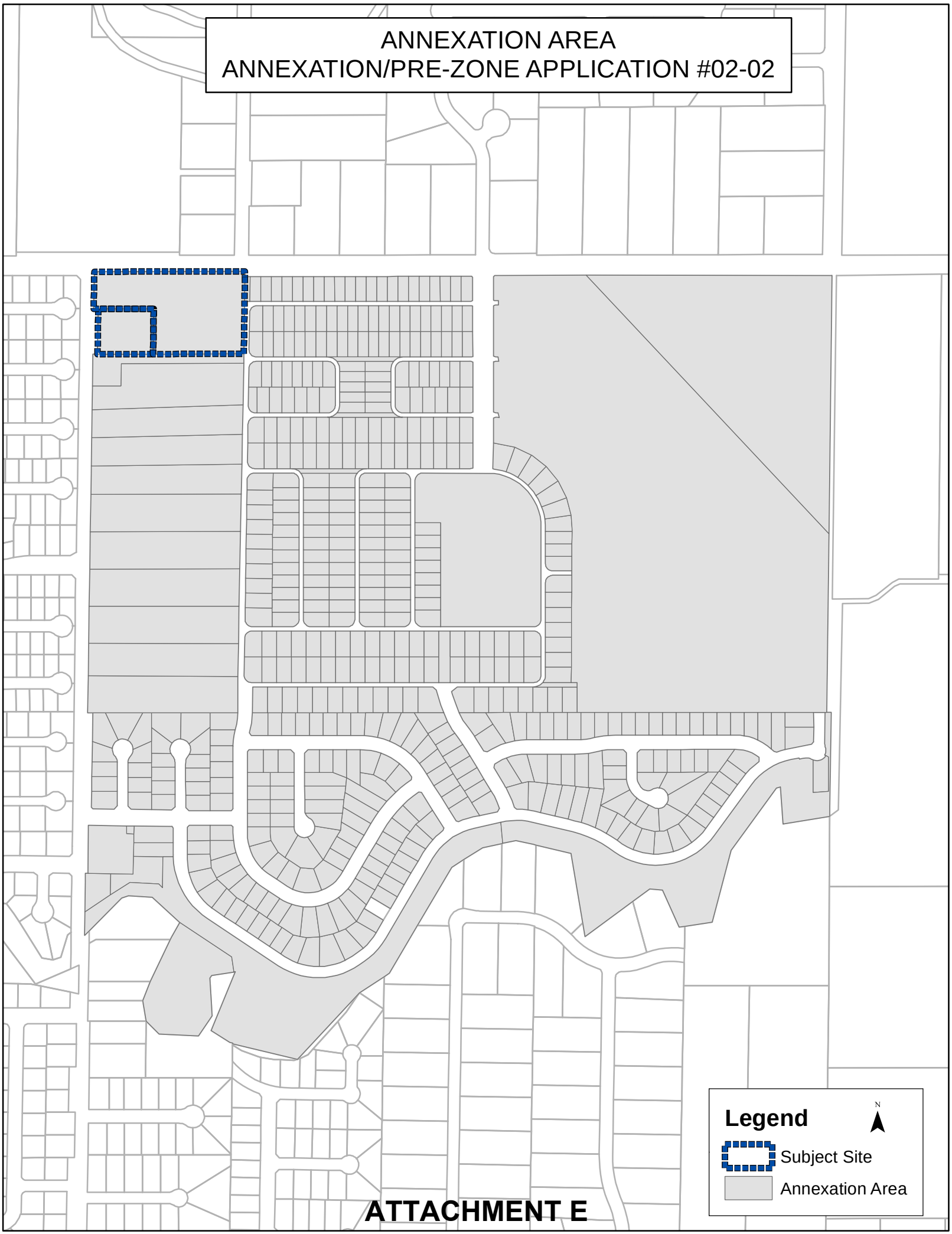
(Ord. 824 § 7.207, 1964).

EXPANDED INITIAL STUDY #02-27

ATTACHMENT D OF INITIAL STUDY #14-32

REFER TO ATTACHMENT G OF PLANNING COMMISSION STAFF REPORT #15-10

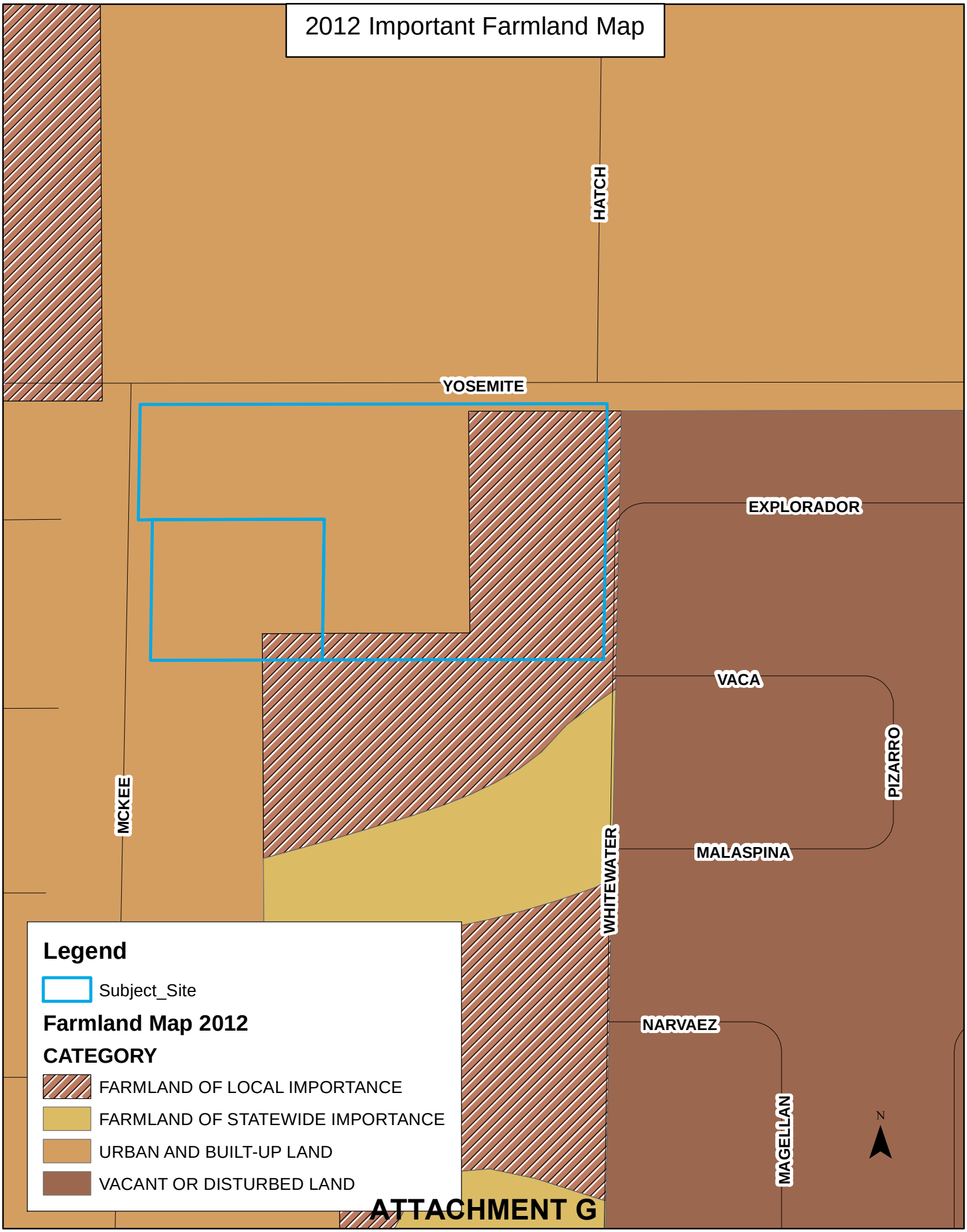
ATTACHMENT D



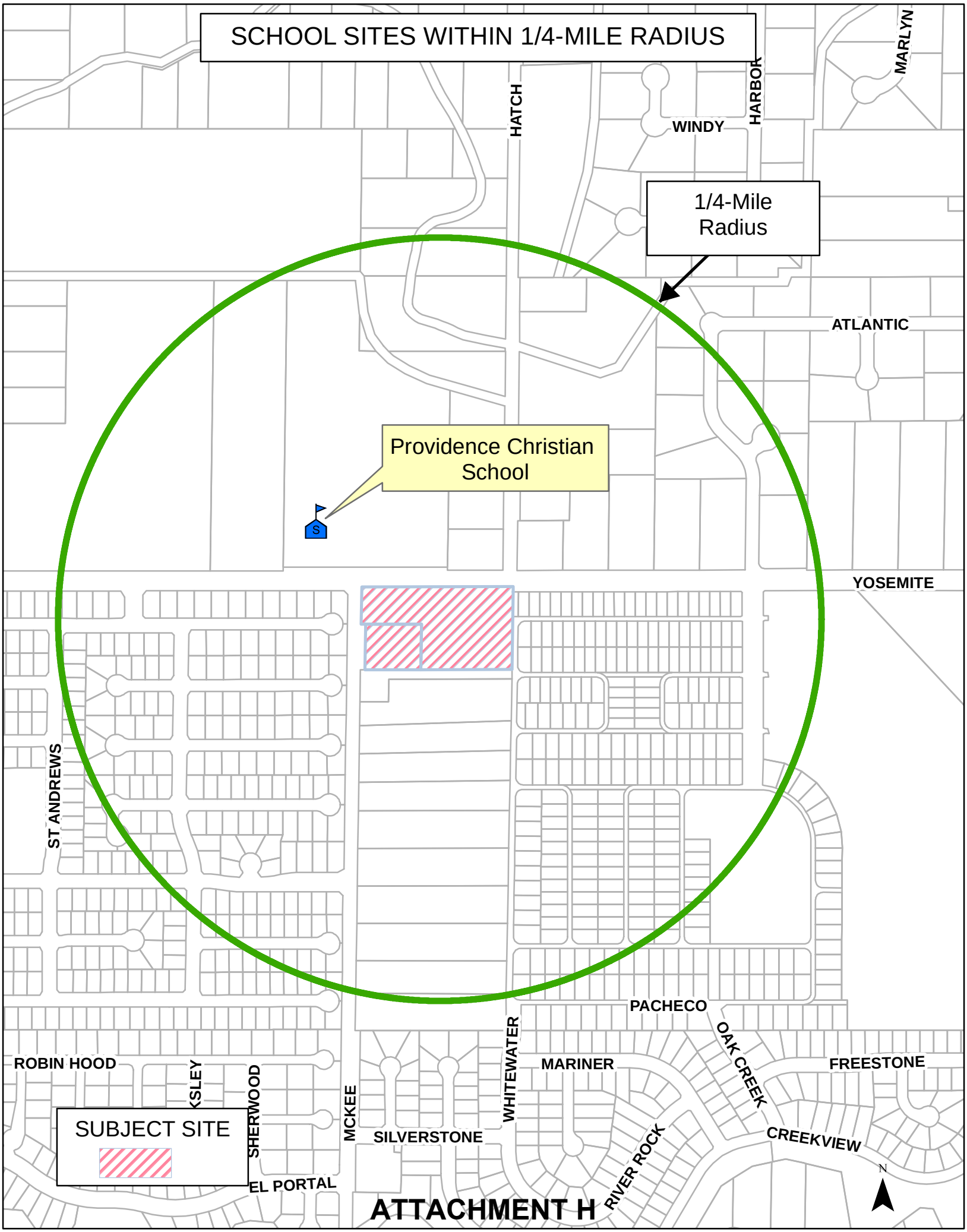
ATTACHMENT E

ATTACHMENT F

2012 Important Farmland Map

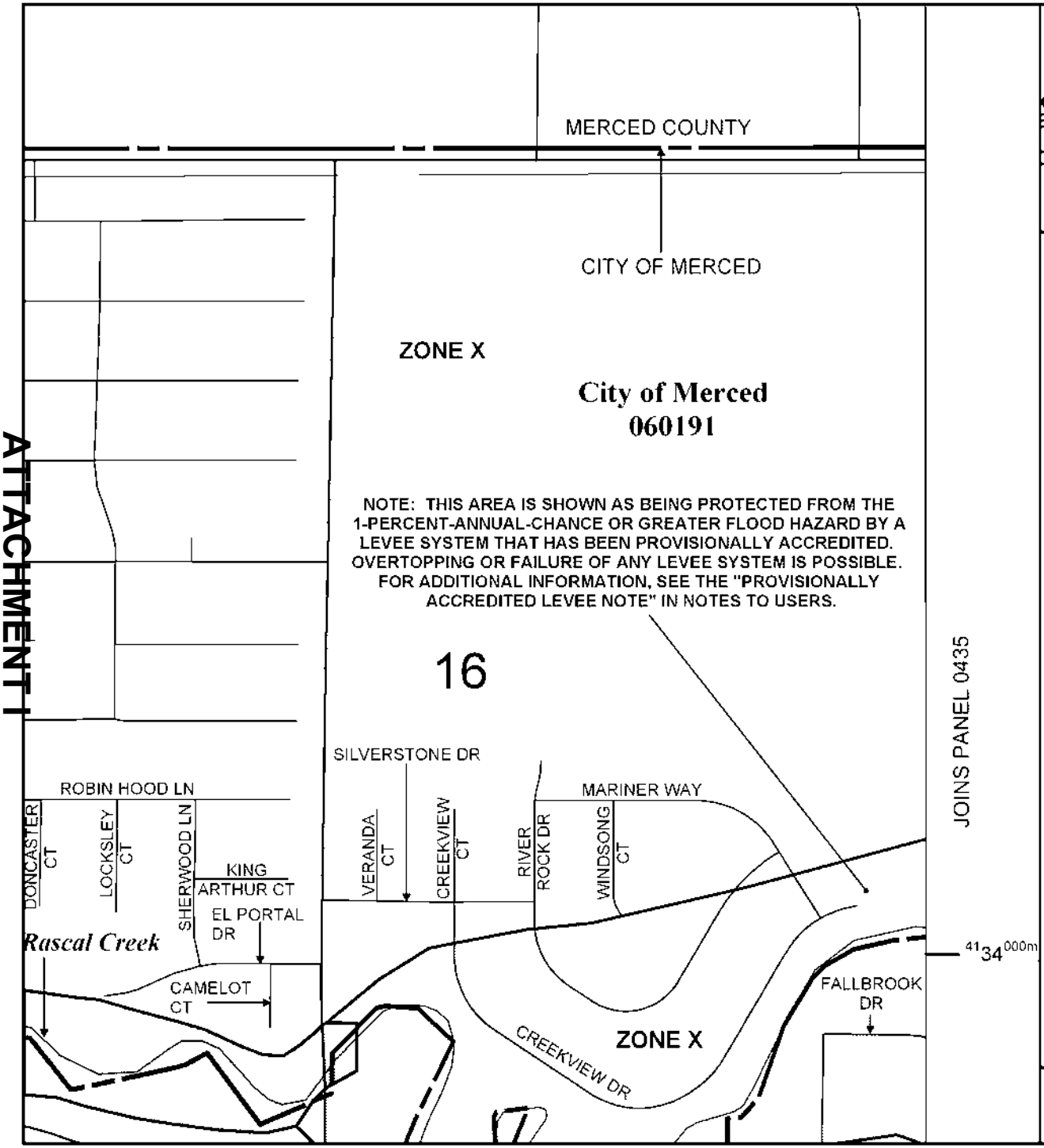


ATTACHMENT G



ATTACHMENT H

ATTACHMENT I



MAP SCALE 1" = 500'

0 0 500 1000 FEET

0 150 300 METERS

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0429G

FIRM

FLOOD INSURANCE RATE MAP

MERCED COUNTY, CALIFORNIA

AND INCORPORATED AREAS

PANEL 429 OF 1225

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
MERCED COUNTY	060188	0429	G
MERCED, CITY OF	060191	0429	G

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

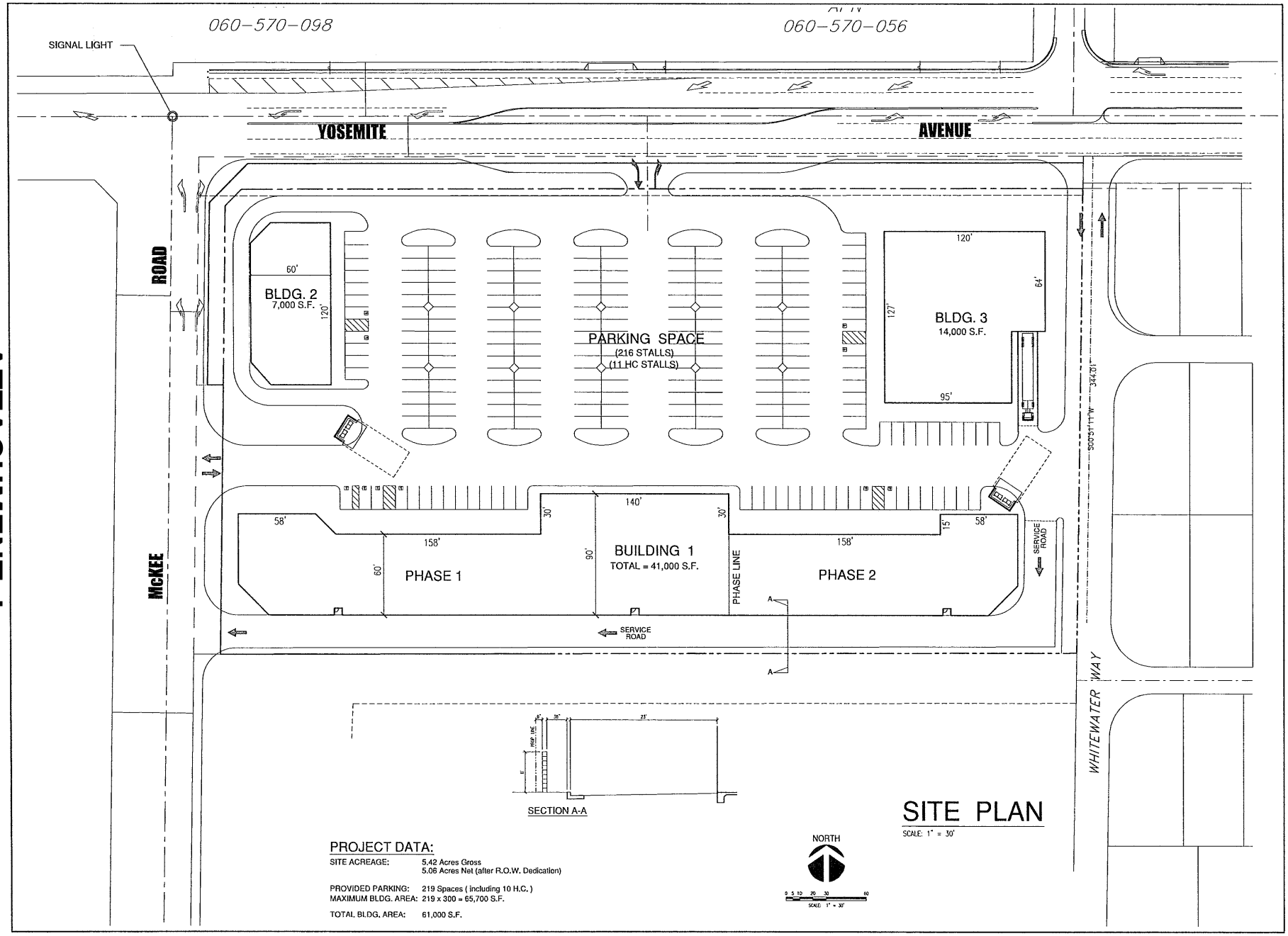
MAP NUMBER
06047C0429G

MAP REVISED
DECEMBER 2, 2008

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

ATTACHMENT J



SITE PLAN

SCALE: 1" = 30'

PROJECT DATA:

SITE ACREAGE: 5.42 Acres Gross
5.06 Acres Net (after R.O.W. Dedication)

PROVIDED PARKING: 219 Spaces (including 10 H.C.)
MAXIMUM BLDG. AREA: 219 x 300 = 65,700 S.F.

TOTAL BLDG. AREA: 61,000 S.F.

These drawings are instruments of service and are the property of Golden Valley Engineering & Surveying, Inc. All designs and other information on these drawings are for use on the specified project and shall not be used otherwise without the express written permission of Golden Valley Engineering & Surveying, Inc.

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PREPARED BY:

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No.	Date	Description
1	3/30/13	PCD SUBMITTAL

PRELIMINARY SITE PLAN FOR THE SHOPPES AT UNIVERSITY VILLAGE

SW CORNER OF YOSEMITE & McKEE Road

MERCED CALIFORNIA

ENGINEER:

REGISTERED PROFESSIONAL ENGINEER
RANDY TU
No. 54043
Exp.
STRUCTURAL
STATE OF CALIFORNIA

SHEET CONTENTS:
- Preliminary Site Plan

PREPARED FOR:
Merced Holding, LP
9701 W. Pico Blvd. Ste., 201A
Los Angeles, CA 90035

PROJECT DATA:
Date: -
Scale: As Shown
Drawn By: Rick R.
Job. No.: -

SHEET NUMBER:
1

DRAFT TRAFFIC IMPACT ANALYSIS
COMMERCIAL DEVLEOPMENT AT THE SOUTHEAST CORNER OF
YOSEMITE AVENUE AND MCKEE ROAD.

ATTACHMENT K OF INITIAL STUDY #14-32

REFER TO ATTACHMENT I OF PLANNING COMMISSION STAFF REPORT #15-10

ATTACHMENT K

Greenhouse Gas Study for The Shoppes at University Village Project

Draft Report

Prepared by:

Rincon Consultants, Inc.
Environmental Scientists Planners Engineers
www.rinconconsultants.com

ATTACHMENT L

Greenhouse Gas Study for The Shoppes at University Village

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Table 2: Summary of Project Reduction from BAU Scenario....7

Appendix

GHG Quantitative Analysis: CalEEMod Greenhouse Gas Model Worksheets – Annual

This report is a greenhouse gas (GHG) emissions study for the proposed Shoppes at University Village project located at the southeast corner of Yosemite Avenue and McKee Road in the City of Merced. The study was prepared by Rincon Consultants, Inc. under contract to Merced Holdings LP. The purpose of this study is to analyze the proposed project's GHG emissions and the associated environmental impacts.

PROJECT LOCATION AND DESCRIPTION

The project site is located on two parcels totaling approximately 5.42 acres at the southeast corner of Yosemite Avenue and McKee Road (APNs 008-310-038 and 008-310-050) in the City of Merced. The project site is currently zoned Low Density Residential (R-1-6) and has a General Plan Designation of Low Density Residential. The project site is currently developed with two single-story residential units and one accessory building with areas of 1,416 square feet, 1,771 square feet, and 600 square feet, respectively (3,787 square feet total).

The proposed project involves a General Plan amendment and re-zone to accommodate a neighborhood commercial land use. The project would include demolition of the existing on-site structures and construction of three new neighborhood commercial buildings. The areas of the new buildings would be approximately 42,000 square feet, 13,000 square feet, and 7,000 square feet, totaling 62,000 square feet of building area. The project also would include approximately 64,800 square feet of on-site parking (approximately 216 parking spaces). In addition, the project would include bicycle parking, pedestrian site access, and the installation of low-flow fixtures and systems.

Construction of the proposed project would involve demolition, site preparation, minor grading, building construction, and architectural coating. Construction would take approximately eight months.

SETTING

Environmental Setting

Greenhouse Gases and Climate Change. Climate change refers to any change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to the accumulation of GHGs in the atmosphere.

Greenhouse gases, or GHGs, trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs, such as carbon dioxide (CO_2), occur naturally and are emitted to the atmosphere through both natural processes and human activities. Other GHGs (e.g., fluorinated gases) are created and emitted solely through human activities. According to the United Nations Intergovernmental Panel on Climate Change (IPCC), there is high confidence (95 percent or greater chance) that the global average net effect of human activities has been the dominant cause of warming (by approximately 1.4°F) since the mid-20th century (IPCC, 2013).

The principal GHGs that enter the atmosphere as a result of human activities include:

- **Carbon dioxide (CO_2)** is primarily generated by fossil fuel (e.g., oil, natural gas, and coal) combustion from stationary and mobile sources. Carbon dioxide is also removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
- **Methane (CH_4)** emissions result from the decomposition of organic waste in landfills and livestock enteric fermentation. CH_4 is also emitted during the production and transport of coal, natural gas, and oil.
- **Nitrous oxide (N_2O)** is emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.
- **Fluorinated gases** (i.e., hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) are emitted from a variety of industrial processes, such as aluminum and semiconductor manufacturing. Hydrofluorocarbons are used as refrigerants, aerosol propellants, solvents, and fire retardants and are released into the atmosphere through leaks, servicing, and disposal of equipment in which they are used. These gases are typically emitted in smaller quantities but are generally very strong GHGs.

Each of the GHGs listed above differs in its ability to absorb heat in the atmosphere, or in its Global Warming Potential (GWP) over a 100 year period. GHGs are compared in terms of their respective intensity factor per molecule given an atmospheric lifetime of 100 years. The IPCC defines the intensity factor of various GHG emissions on a normalized scale that recasts all GHG emissions in terms of "carbon dioxide equivalent" (CO_2E), which compares the gas in question to that of the same mass of CO_2 (CO_2 has an intensity factor of one by definition).

State and Local GHG Emissions Levels. In 2012, California produced 459 million metric tons (MMT) CO_2E (California Air Resources Board [ARB], 2014). The transportation sector was the largest source of emissions, accounting for approximately 37 percent of the total emissions. The industrial sector accounted for approximately 22 percent of the total emissions. The ARB has projected statewide unregulated GHG emissions for the year 2020 will be 507 MMT CO_2E (ARB, August 2013). These projections represent the emissions that would be expected to occur in the absence of any GHG reduction actions.

According to the City of Merced *2011 Inventory of Community and Government Operations GHG Emissions* (2014), the community as a whole emitted 505,579 metric tons (MT) CO_2E in 2011 resulting from transportation, commercial/industrial and residential energy use, solid waste generation, and other processes/fugitive emissions. The largest source of emissions was the transportation sector, which contributed to 42 percent of total emissions. Activities in the commercial/industrial and residential sectors resulted in the second and third greatest emissions (32 percent and 21 percent respectively).

Potential Effects of Climate Change. According to the California Environmental Protection Agency's (CalEPA) *2010 Climate Action Team Biennial Report*, potential impacts of climate change in California may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, loss of ecosystems and species, and more drought years. While there is growing scientific consensus about the possible effects of climate change at a global and potentially statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. However,

the *City of Merced Climate Action Plan* lists higher temperatures, flooding, and drought as the major potential climate hazards that may be exacerbated by climate change.

Regulatory Setting

State of California. In recent years, the State of California has enacted several laws to address the potential effects of increasing atmospheric concentrations of GHG emissions. In 2006, the State signed into law the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32, codified at Section 1, Division 25.5, Section 38500 et seq. of the California Health & Safety Code). This law sets a target to reduce statewide GHG emissions to 1990 levels (426.6 MMT CO_2E) by 2020 and represents California's fair share contribution toward stabilizing global warming. AB 32 also required the ARB to design and implement a plan identifying strategies and regulations to meet the statewide target. The resulting *Climate Change Scoping Plan* (2008 Scoping Plan), adopted in 2008, estimated that GHG emissions in the state need to be reduced by approximately 29 percent below 2020 "business-as-usual" (BAU) forecasted emissions (596 MMT CO_2E), or 15 percent below the GHG emissions levels at the time the 2008 Scoping Plan was prepared.[1] Key elements of the plan include:

- Adopting and implementing measures pursuant to existing state laws and policies, including California's goods movement measures, Clean Car Standards (Pavley Standard) and the Low Carbon Fuel Standard;
- Expanding energy efficiency and green building practices;
- Achieving a statewide renewables energy mix of 33 percent (Renewable Portfolio Standard);
- Reducing methane emissions from landfills;
- Developing a California cap-and-trade program;
- Targets for transportation-related GHG emissions;
- Increasing solid waste diversion; and
- Strengthening water efficiency programs.

In 2011, the ARB updated the 2020 forecast to account for new estimates for future fuel and energy demand as well as other factors. The updated forecast projects statewide BAU emissions to be 506.8 MMT CO_2E in 2020. Considering the updated BAU forecast of 506.8 MMT CO_2E, the ARB now estimates a 16 percent reduction below the estimated statewide BAU levels would now be necessary to return to 1990 emission levels (i.e., 426.6 MMT CO_2E) by 2020, instead of the 29 percent BAU reduction previously reported under the 2008 Scoping Plan (ARB, August 2013).

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in CEQA documents. In March 2010, the California Resources Agency adopted amendments to the *State CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted CEQA Guidelines provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving

[1] The ARB's "business-as-usual," or BAU, forecast provides an estimate of the future GHG emissions expected to occur if none of the foreseeable measures included in the 2008 Scoping Plan are implemented. The base years used to forecast BAU emissions for the 2008 Scoping Plan was the average of statewide emissions in 2002, 2003, and 2004. BAU forecasted emissions were estimated to reach 596 MMT CO_2E in 2020.

lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

SJVAPCD. The SJVAPCD is the regional air quality management agency in the Central Valley and the agency with air permitting authority in the region. On December 17, 2009, the SJVAPCD adopted guidance for assessing and reducing the impacts of project-specific GHG emissions on global climate change: *Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. It also adopted the policy: *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects under CEQA When Serving as the Lead Agency*. The SJVAPCD found that the effects of project-specific emissions to be cumulative, and without mitigation, their incremental contribution to global climatic change could be considered cumulatively considerable. The SJVAPCD further found that this cumulative impact is best addressed by requiring all projects to reduce their GHG emissions consistent with the AB 32 target, whether through project design elements or mitigation. The guidance and policy allow a project to rely on the implementation of Best Performance Standards (BPS) as a method for streamlining the CEQA process of determining significance of GHG emissions. Projects not implementing BPS would be required to demonstrate that "project specific GHG emissions would be reduced or mitigated by at least 29 percent, compared to BAU, including GHG emission reductions achieved since the 2002-2004 baseline period. Projects achieving at least a 29 percent GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG" (SJVAPCD Guidance, 2009). The guidance does not limit a lead agency's authority in establishing its own process and guidance for determining significance of project-related impacts on global climate change (SJVAPCD, 2009).

City of Merced. On June 6, 2012 the Merced City Council voted to include a GHG reduction target of 1990 levels by 2020, or 15 percent below 2008 levels by 2020, consistent with AB 32 in the City's *Climate Action Plan*.[2] In August 2012, the City of Merced approved its *Climate Action Plan* which provides guidance to meet the target and identifies over 150 potential ways to reduce GHG emissions and the community's influence on climate change. The City is in the process of developing a more detailed programmatic climate action plan that will qualify as a plan for the reduction of GHG emissions under CEQA Section 15183.5.

IMPACT ANALYSIS

Significance Thresholds and Methodology

Significance Thresholds. According to the CEQA Guidelines, impacts related to GHG emissions from a proposed project would be significant if the project would:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment;*[3] *and/or*
- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases*.[4]

[2] The ARB Scoping Plan (2008) states that reducing GHG emissions to 1990 levels by 2020 is approximately the same as reducing "current" (2005-2008) emissions levels by 15 percent by 2020.
[3] Consistent with question considered for Merced General Plan EIR Impact #3.17-1.
[4] Consistent with question considered for Merced General Plan EIR Impact #3.17-2.

The vast majority of individual projects do not generate sufficient GHG emissions to, in isolation, create a direct impact on climate change. Rather it is the increased accumulation of GHGs from more than one project and many sources in the atmosphere that may result in global climate change, which can cause the adverse environmental effects previously discussed. Accordingly, the threshold of significance for GHG emissions determines whether a project's contribution to global climate change is "cumulatively considerable." "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15355).

The City of Merced has not developed or adopted a CEQA threshold for determining the significance GHG emissions at the project-level, and therefore has recommended the use of the SJVAPCD threshold (see discussion under Regulatory Setting above). Based on the SJVAPCD threshold, the proposed project would have a less than cumulatively significant impact if it achieves at least a 29 percent reduction in GHG emissions compared to BAU, consistent with the AB 32 Scoping Plan (2008).

Similar to the SJVAPCD threshold, the City's Climate Action Plan (2012) establishes a target to reduce GHG emissions to 1990 levels by 2020, consistent with the AB 32 target and 2008 Scoping Plan (see discussion under Regulatory Setting above). As such, if emissions from the proposed project fall below the SJVAPCD's 29 percent threshold, which according to the 2008 Scoping Plan is roughly equivalent to 1990 levels by 2020, the proposed project would be consistent with target identified in the City's Climate Action Plan, and result in a less than significant impact with regards to conflict with an applicable plan adopted for the purpose of reducing GHG emissions if it results in a 29 percent reduction in GHG emissions.

Methodology. GHG emissions associated with project construction and operations were estimated using the California Emissions Estimator Model (CalEEMod) version 2013.2.2. The model was developed in collaboration with and supported by the air districts of California, including the SJVAPCD. The model quantifies direct emissions from project construction and operations (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. CalEEMod utilizes widely accepted models for emission estimates combined with appropriate default data that can be used if site-specific information is not available. Where project-specific inputs were not available, default data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) for Merced County was used to calculate GHG emissions associated with the project. Complete results from CalEEMod, as well as site-specific inputs and assumptions are included in the Appendix.

To determine whether the proposed project would result in a 29 percent reduction in BAU GHG emissions, two emissions scenarios were calculated and compared, which include the following (see Appendix for additional detail):

1) **BAU Scenario** - is reflective of a realistic project scenario that would occur absent project design features and state regulations enacted as a result of AB 32, and is consistent with the SJVAPCD's and ARB's definition of BAU;[5] and
2) **Project Scenario** - is also reflective of a realistic project scenario that includes voluntary project features and further state regulations enacted as a result of AB 32. The state regulations accounted for in the Project Scenario include the Renewable Portfolio Standard, Title 24 Energy Efficiency Building Standards, Low Carbon Fuel Standard, and the Pavley I Standard. The project features accounted for in the Project Scenario include the installation of low-flow fixtures and systems, pedestrian access on-site and contiguous with the site, and bicycle parking, as well as the provision of neighborhood commercial uses which would increase the diversity of land uses within a quarter mile radius of the project.

Impacts

Would the proposed project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction of the proposed project would generate GHG emissions through on-site use of heavy-duty construction equipment and off-site vehicle trips made by construction workers and haul/delivery trucks that would travel to and from the project site. Construction of the proposed project would be completed in approximately eight months. To evaluate GHG emissions from project construction, construction emissions are amortized over the life of the project (approximately 20-years as a conservative estimate) and added to the operational emissions. As shown in Table 1, both the BAU Scenario and Project Scenario would generate approximately 221 MT CO_2E total or 11 MT CO_2E per year when amortized over a 20-year period.

Operation of the proposed project would result in GHG emissions from the following primary sources: energy (electricity and natural gas used on-site), mobile (on-road mobile vehicle traffic generated by the project), solid waste disposal by the land use, water usage by the land use, and area sources (landscaping equipment). Table 1 shows the proposed project would generate an estimated 3,387 MT CO_2E per year under the BAU Scenario and approximately 2,103 MT CO_2E per year under the Project Scenario. The difference in GHG emissions between the BAU Scenario and Project Scenario can be attributed to the voluntary project features (i.e., low-flow fixtures, provision of neighborhood commercial uses, pedestrian access, and bicycle parking), the Renewable Portfolio Standard, Title 24 Energy Efficiency Building Standards, Low Carbon Fuel Standard, and Pavley I Standard.

As shown in Table 1, under the BAU Scenario, the proposed project would generate approximately 3,398 MT CO_2E per year from both construction and operation, while the

[5] The SJVAPCD and ARB define BAU as total baseline emissions for all emissions sources projected for the year 2020, assuming no change in GHG emissions per unit of activity (or carbon intensity) as established for the baseline period, 2002-2004. BAU does not account for the reduction in GHGs that would result from federal, state, or regional regulations for the reduction of emissions after 2002-2004 (SJVAPCD, 2009). As such, the BAU Scenario for the project uses mobile source operational emission factors from the year 2005 (CalEEMod does not provide data for any years between 2002 and 2004; 2005 was used and provides a more conservative estimate).

proposed project under the Project Scenario would generate approximately 2,114 MT CO_2E per year from both construction and operation.

Table 1: Estimate of Project-related GHG Emissions for BAU and Project Scenarios

Source	GHG Emissions (MT CO_2E per Year)	
	BAU Scenario	Project Scenario
Construction Emissions		
Mobile Source (20-year amortization)	11	11
Construction Emissions Subtotal	***11***	***11***
Operational Emissions		
Area	<0.2	<0.2
Energy	232	120
Mobile	3,109	1,946
Solid Waste	30	30
Water	16	8.4
Operational Emissions Total	***3,387***	***2,103***
Total GHG Emissions	**3,398**	**2,114**

**See the Appendix for detailed CalEEMod results.*

As shown in Table 2, the Project Scenario would reduce BAU emissions by 1,284 MT CO_2E per year. Therefore, the proposed project demonstrates an approximately 38percent reduction below the BAU Scenario and would be considered less than significant.

Table 2: Summary of Project Reduction from BAU Scenario

	GHG Emissions (MT CO_2E per Year)
Total BAU Scenario	3,398
Total Project Scenario	2,114
Difference Between BAU and Project Scenarios	1,284
Reduction from BAU Scenario	**38%**
Project Meets or Exceeds 29% Threshold (less-than-significant)	**Yes**

Would the proposed project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?

As previously mentioned, AB 32 identifies a statewide target to reduce GHG emissions to 1990 levels by 2020, which is equivalent to "cutting approximately 30 percent from business-as-usual emission levels projected for 2020, or about 15 percent from today's levels" (Scoping Plan, 2008). The City's Climate Action Plan (2012) also establishes a target to reduce GHG emissions 15 percent below 2008 levels, consistent with AB 32 and its Scoping Plan. Construction and operation of the proposed project would achieve a 38 percent reduction in GHG emissions compared to BAU, which exceeds the reduction targets identified in the Scoping Plan and City's Climate Action Plan.

In addition, the proposed project would support many of the goals identified in the Climate Action Plan. The project would help reduce vehicle miles traveled by providing neighborhood commercial services and providing bicycle parking and pedestrian access. The proposed project would also facilitate water conservation. As such, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions and impacts would be less-than-significant.

REFERENCES

California Air Pollution Control Officers Association (CAPCOA). *Quantifying Greenhouse Gas Mitigation Measures*. August 2010.

CAPCOA. *CEQA & Climate Change.* January 2008.

CAPCOA. *CalEEMod User's Guide.* July 2013.

California Air Resources Board (ARB). May 2014. *Greenhouse Gas Inventory Data – 2000 to 2012*. Available at: http://www.arb.ca.gov/cc/inventory/pubs/reports/ghg_inventory_00-12_report.pdf

California Air Resources Board (ARB). August 2013. *Greenhouse Gas Inventory - 2020 Emissions Forecast*. Available at: http://www.arb.ca.gov/cc/inventory/data/forecast.htm

California Climate Action Registry. *General Reporting Protocol: Reporting Entity-Wide Greenhouse Gas Emissions*. Version 3.1. January 2009. Available at: http://www.theclimateregistry.org/downloads/GRP.pdf

California Environmental Protection Agency (CalEPA). *Climate Action Team Biennial Report*. Final Report. April 2010. Available at: http://www.energy.ca.gov/2010publications/CAT-1000-2010-005/CAT-1000-2010-005.PDF

California Environmental Protection Agency (CalEPA), March 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature*. http://www.climatechange.ca.gov/climate_action_team/reports/2006-04-03_FINAL_CAT_REPORT_EXECSUMMARY.PDF

City of Merced. *2011 Inventory of Community and Government Operations Greenhouse Gas Emissions*. Available at: http://www.cityofmerced.org/civicax/filebank/blobdload.aspx?BlobID=13780

City of Merced. *Merced Climate Action Plan*. August 2012. Available at: http://cityofmerced.org/depts/cd/planning/climate_action_plan/default.asp

City of Merced. *Climate Action Plan: Implementation Approach Technical Memorandum*. February 17, 2014. Available at: http://www.cityofmerced.org/civicax/filebank/blobdload.aspx?BlobID=13781

Intergovernmental Panel on Climate Change [IPCC], 2006. *Revised 2006 IPCC Guidelines for National Greenhouse Gas Inventories.* [Penman,J.; Gytarsky, M.; Hiraishi, T.; Irving, W.; Krug, T.]. Paris: OECD, 2006.

Intergovernmental Panel on Climate Change [IPCC], 2007: *Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment*

Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M.Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.

Intergovernmental Panel on Climate Change [IPCC], 2013: *Summary for Policymakers. In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* [Stocker, T.F., D. Qin, G.-K. Plattner, M. Tignor, S. K. Allen, J. Boschung, A. Nauels, Y. Xia, V. Bex and P.M. Midgley (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, 2013. Available at: www.climatechange2013.org/images/report/WG1AR5_SPM_FINAL.pdf

San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 2009. Available at: http://www.valleyair.org/programs/CCAP/CCAP_idx.htm

San Joaquin Valley Air Pollution Control District. *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 2009. Available at: http://www.valleyair.org/programs/CCAP/CCAP_idx.htm

NOTICE OF PUBLIC HEARING
FOR GENERAL PLAN AMENDMENT #14-06, ZONE CHANGE #421, AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

A public hearing will be held by the Merced City Planning Commission on Wednesday, April 8, 2015, at 7:00 p.m., or as soon thereafter as may be heard in the City Council Chambers located at 678 W. 18th Street, Merced, CA, concerning General Plan Amendment #14-06 and Zone Change #421, initiated by Golden Valley Engineering, on behalf of Merced Holdings, LP, property owner. This application is a request to change the General Plan and Zoning designations for two parcels totaling 5.42 acres located at the southeast corner of Yosemite Avenue and McKee Road. The requested change is to amend the General Plan designation from Low Density Residential (LD) to Neighborhood Commercial (CN) and to change the Zoning designation from R-1-6 to Neighborhood Commercial (C-N) to allow the future construction of an approximately 62,000-square-foot shopping center. The property is more particularly described as: Parcels 1 and 2 as shown on that certain map entitled "Parcel Map for Nuketa L. Pretzer-Jensen," recorded in Book 58, Page 44 of Merced County Records; also known as Assessor's Parcel Number (APN): 008-310-038 and -050.

An environmental review checklist has been filed for this project, and a draft mitigated negative declaration has been prepared under the California Environmental Quality Act. A copy of this staff evaluation (Initial Study #14-32) is available for public inspection at the City of Merced Planning Department during regular business hours, at 678 West 18th Street, Merced, California. A copy of this document can also be purchased at the Planning Department for the price of reproduction.

All persons in favor of, opposed to, or in any manner interested in this request for a General Plan Amendment and Zone Change, are invited to attend this public hearing or forward written comments to the Director of Development Services, City of Merced, 678 West 18th Street, Merced, CA 95340. The public review period for the environmental determination begins on March 19, 2015, and ends on April 8, 2015. Please feel free to call the Planning Department at (209) 385-6858 for additional information. If you challenge the decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Merced at, or prior to, the public hearing.

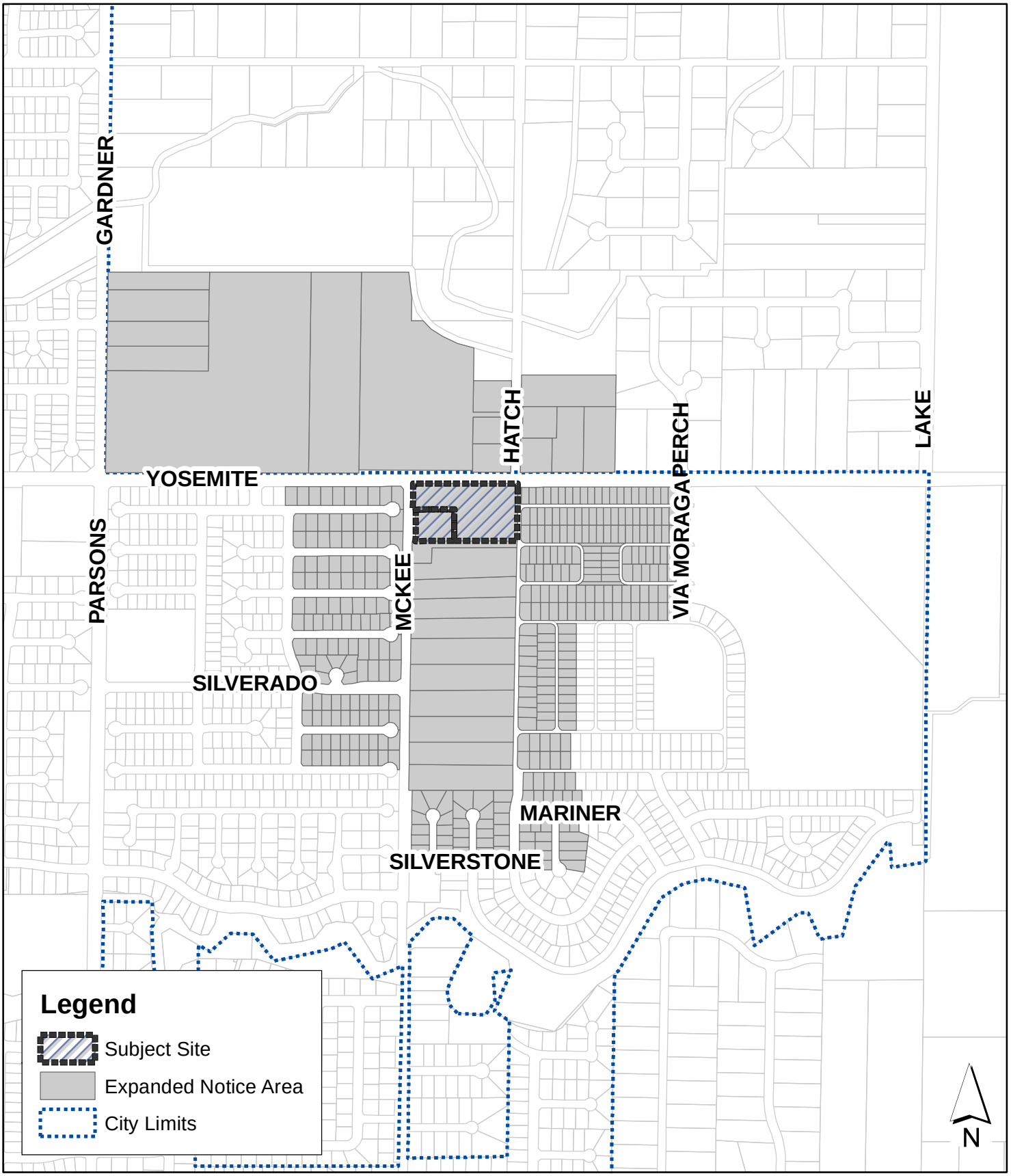
After the Planning Commission makes its decision on this matter, the General Plan Amendment and Zone Change will also be considered at a public hearing before the City Council. A separate notice of that public hearing will also be given.

/s/ Kim Espinosa

March 13, 2015

Kim Espinosa,
Planning Manager

ATTACHMENT M



Disclaimer: This document was prepared for general inquiries only. The City of Merced makes no warranty, representation, or guarantee regarding the accuracy of this map. The City of Merced is not responsible for errors or omissions that might occur. Official information regarding specific parcels should be obtained from official recorded or adopted City documents.

GENERAL PLAN AMENDMENT #14-06
ZONE CHANGE #421
SOUTHEAST CORNER OF
YOSEMITE AVENUE & MC KEE ROAD

ATTACHMENT N

MITIGATION MONITORING PROGRAM FOR INITIAL STUDY #14-32
GENERAL PLAN AMENDMENT #14-06/ZONE CHANGE #421

ATTACHMENT O OF INITIAL STUDY #14-32

REFER TO ATTACHMENT H OF PLANNING COMMISSION STAFF REPORT #15-10

ATTACHMENT O

CITY OF MERCED
Planning Commission

Resolution #_____

WHEREAS, the Merced City Planning Commission at its regular meeting of April 8, 2015, held a public hearing and considered **General Plan Amendment #14-06 and Zone Change #421,** initiated by Golden Valley Engineering, on behalf of Merced Holdings, LP, property owner. This application is a request to change the General Plan and Zoning designations for two parcels totaling 5.42 acres located at the southeast corner of Yosemite Avenue and McKee Road. The requested change is to amend the General Plan designation from Low Density Residential (LD) to Neighborhood Commercial (CN) and to change the Zoning designation from R-1-6 to Neighborhood Commercial (C-N) to allow the future construction of an approximately 62,000-square-foot shopping center; also known as Assessor's Parcel Numbers 008-310-038 and -050; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through M of Staff Report #15-10; and,

NOW THEREFORE, 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 a Mitigated Negative Declaration regarding Environmental Review #14-32, and approval of General Plan Amendment #14-06 and Zone Change #421, in accordance with either Site Plan Option #1 or Site Plan Option #2, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

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

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)
ABSTAIN: Commissioner(s)

ATTACHMENT Q

Adopted this 8th day of April 2015

_____
Chairperson, Planning Commission of the City of Merced, California

ATTEST:

_____
Secretary

Attachment:
Exhibit A – Conditions of Approval
Exhibit B – Mitigation Monitoring Program for Initial Study #14-32
Exhibit C – Mitigation Monitoring Program for Expanded Initial Study #02-27

Conditions of Approval
Planning Commission Resolution #_____
General Plan Amendment #14-06/Zone Change #421

1. The General Plan and Zoning designations shall be changed as shown on the map at Attachment C of Planning Commission Staff Report #15-10.

2. The Site Plan for the future shopping center shall substantially comply with the Site Plan at either Attachment D (Option #1) or Attachment F (Option #2) of Planning Commission Staff Report #15-10. *(The Planning Commission should identify in any motion which site plan option they are recommending.)*

3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.

4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.

5. Approval of the General Plan Amendment 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.

6. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void,

or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.

7. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.

8. Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, any public landscaping, street trees, street lights, parks and open space. CFD procedures shall be initiated before final building permit approval for the first phase of construction. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.

9. In accordance with Merced Municipal Code (MMC) Section 20.52 – Interface Regulations, a Conditional Use Permit shall be required prior to the construction of all buildings.

10. The project shall comply with all mitigation measures outlined in Mitigation Monitoring Program for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-zone #02-02

[Attachment G and Exhibit C of the Planning Commission Resolution (Attachment Q) of Staff Report #15-10].

11. The project shall comply with all mitigation measures outlined in the Mitigation Monitoring Program for Initial Study #14-32 for this application [Attachment H and Exhibit B of the Planning Commission Resolution (Attachment Q) of Staff Report #15-10].

12. All signs shall comply with the North Merced Sign Ordinance and Section 20.22 (Neighborhood Commercial Zone) of the City's Zoning Ordinance.

13. The applicant shall construct all missing improvements along the property frontage on Yosemite Avenue and McKee Road including, but not limited to, sidewalk, curb, gutter, street lights, and street trees.

14. All necessary right-of-way along the property frontage (Yosemite Avenue and McKee Road) needed for public improvements shall be dedicated prior to the issuance of a building permit.

15. Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access. Details to be worked out at the Conditional Use Permit stage.

16. 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 at least one tree for each six parking spaces. Details to be worked out at the Conditional Use Permit stage.

17. If the property is split into multiple parcels, owners shall be required to record joint access and parking easements allowing free vehicular access and parking between parcels. Such easements shall be recorded as part of any parcel map or conditional use permit approval.

18. A minimum 6-foot high concrete block wall shall be installed along the southern property line. The height of the wall could be increased, not to exceed 8-feet tall, if written verification is provided from the adjacent property owner approving the increased height. A minimum one-foot wide landscaping area shall be providing to allow for the planting of vines or other appropriate landscape material. Details to be worked out at the Conditional Use Permit stage.

19. All future development shall comply with the Low Impact Development (LID) standards adopted by the state and all requirements of Merced

Municipal Code Chapter 15.50 – Storm Water Management and Discharge Control.

20. Pedestrian access between buildings and to the public sidewalk shall be provided. This may be done through the use of special paving or other markings to indicate the pedestrian path of travel and shall be provided with each phase of construction. Details shall be worked out at the Conditional Use Permit stage.

n:shared:planning:PC Resolutions:GPA#14-06-ZC#421 Exhibit A

ENVIRONMENTAL REVIEW #14-32
Mitigation Monitoring Program

MITIGATION MONITORING CONTENTS

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

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

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

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

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

1) The requirements of the adopted mitigation monitoring program for the General Plan Amendment #14-06 and Zone Change #421, 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.

EXHIBIT B

GENERAL PLAN MITIGATION MEASURES

As a second tier environmental document, Initial Study #14-32 incorporates some mitigation measures adopted as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (SCH# 2008071069), as mitigation for potential impacts of the Project.

NONCOMPLIANCE COMPLAINTS

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

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for General Plan Amendment #14-06 and Zone Change #421. The columns within the tables are defined as follows:

Mitigation Measure:	Describes the Mitigation Measure (referenced by number).
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation meausre.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

General Plan Amendment #14-06/Zone Change #421
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).

C) Air Quality

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
C-1	C-1) The project applicant shall submit an Indirect Source Review (ISR) to the San Joaquin Air Pollution Control Board in compliance with District Rule 9510 and shall comply with all other applicable District Rules. The San Joaquin Valley Air Pollution Control District recommends this application be submitted as early as possible or prior to the final discretionary approval.	Prior to Conditional Use Permit (CUP) approval	Planning Department	
C-1	C-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit Issuance / CUP approval	Inspection Services / Planning Department	

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
C-2	C-3) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.	Building Permit Issuance / CUP approval	Inspection Services / Planning Department	
C-3	C-4) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.	Building Permit Issuance / CUP approval	Inspection Services / Planning Department	
C-5	C-5) Compliance with Mitigation Measures C-1 and C-2 above would reduce this impact to a less than significant level.	Building Permit Issuance / CUP approval	Inspection Services / Planning Department	
E) Cultural Resources				
Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
E-1	E-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-zoning #02-02 (Attachment A).	Building Permit	Planning Department	
E-2	E-2) Compliance with Mitigation Measure E-1 would make this impact less than significant.	Building Permit	Planning Department	
E-3	E-3) Compliance with Mitigation Measure E-1 would make this impact less than significant.	Building Permit	Planning Department	
E-4	E-4) Compliance with Mitigation Measure E-1 would make this impact less than significant.	Building Permit	Planning Department	

F) Geology and Soils				
Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
F-2	F-1) The project shall comply with all requirements of the State Water Resources Board (SWRCB) and obtain a General Construction Activity Stormwater Permit.	Building Permit	Inspection Services / Engineering Department	
F-2	F-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Engineering Department/ Planning	
H) Hydrology and Water Quality				
Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
H-2	H-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services	
H-2	H-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
H-3	H-3) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	
H-4	H-4) The project developer shall provide calculations to the City Engineer verifying the capacity of the existing storm drain line as well as the capacity of the basin into which the water would ultimately drain.	Building Permit	Engineering	
H-4	H-5) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	
H-5	H-6) The project developer shall provide calculations to the City Engineer verifying the capacity of the existing storm drain line as well as the capacity of the basin into which the water would ultimately drain.	Building Permit	Engineering	
H-5	H-7) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	

K) Noise

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
K-1	K-1) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	
K-2	K-2) The project shall comply with all applicable mitigation measures for Expanded Initial Study #00-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).	Building Permit	Inspection Services / Planning Department / Engineering	

O. Transportation/Traffic

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
O-1	O-1) The westbound lane of Yosemite Avenue at Parsons Avenue shall be modified to accommodate an additional 200-foot shared thru/right turn lane. In addition, the existing shared left/thru/right lane shall be restriped to be a shared left/thru lane. (The Traffic Analysis recommended an additional 100 foot lane be installed. The City Engineer recommends the length of the lane be increased to 200 feet.) -or- The applicant shall be required to pay for their proportionate share of the above improvement as determined by the City Engineer.	Building Permit	Planning Department / Engineering	

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
O-1	O-2) The following modifications to the intersection of Olive Avenue and McKee Road shall be made: <u>Southbound Approach:</u> • Remove the adjacent on-street parking for 100 feet on the southbound approach. • Re-strip the approach as shared left/thru lane and share right/thru lane. • Remove the adjacent on-street parking for 100 feet on the southbound receiving lane and stripe it as a lane drop. <u>Northbound Approach</u> • Remove the adjacent on-street parking for 100 feet on the north bound approach. • Re-strip the approach as shared left/thru lane and shared right/thru lane. • Remove the adjacent on-street parking for 100 feet on the northbound receiving lane and stripe it as a lane drop. The City Engineer shall determine if this measure is feasible due to the location of residential driveways in this area.	Building Permit	Planning Department / Engineering	

Impact No.	***Mitigation Measures***	***Timing***	***Agency or Department***	***City Verification (date and initials)***
O-1	O-3) The project shall comply with all applicable mitigation measures for Expanded Initial Study #02-27 for General Plan Amendment #02-02 and Annexation/Pre-Zoning Application #02-02 (Attachment A).			
O-2	O-4) The implementation of Mitigation Measures O-1 through O-3 above would reduce this impact to a less than significant level.			

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

Attachments:
Mitigation Monitoring Program for Initial Study #02-27 for GPA #02-02/Annexation/Pre-Zoning #02-02

EXPANDED INITIAL STUDY #02-27
for
HUNT FAMILY ANNEXATION TO THE CITY OF MERCED

Appendix A
Mitigation Monitoring Program

MITIGATION MONITORING CONTENTS

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

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

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

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

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

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

MITIGATION MONITORING PROCEDURES

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

EXHIBIT C

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 MITIGATION MEASURES

As a second tier environmental document, the *Expanded Initial Study for Hunt Family Annexation to the City of Merced* incorporates some mitigation measures adopted as part of the *Merced Vision 2015 General Plan Program Environmental Impact Report* (SCH# 95082050), as mitigation for potential impacts of the Project. Therefore, following the Hunt Family Annexation Mitigation Monitoring Checklist (starting on page A-11) is a list of these relevant General Plan mitigation measures along with the General Plan Mitigation Monitoring Checklists (Forms A and B) to be used to verify that the General Plan mitigation measures have been met.

NONCOMPLIANCE COMPLAINTS

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

MONITORING MATRIX

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

Mitigation Measure:	Summarizes the Mitigation Measure (referenced by number) identified in *Expanded Initial Study #02-27.*
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

Hunt Family Annexation
Mitigation Monitoring Checklist

Project Name:_____ **File Number:**_____
Approval Date:_____ **Project Location** _____
Brief Project Description_____

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

Mitigation Measure	*Timing*	*Agency or Department Consultation*	*City Verification (date and initials)*
2. AGRICULTURAL RESOURCES			
2-1 A provision shall be recorded by the applicants/developer or successors, at time of sale of any residentially-zoned property within the project that lies within 1,000 feet of the external boundary of any non-project property which currently has an active agricultural operation (including 4-H projects), or has had an agricultural operation on it during the calendar year preceding the year within which the sale takes place. This provision shall notify the buyer(s) and any subsequent owner(s) of the possible inconvenience or discomfort of farming operations, arising from the use of agricultural chemicals, including pesticides, and fertilizers, as well as from the pursuit of agricultural operations including plowing, spraying, and harvesting which occasionally generate dust, smoke, noise and odor, and the priority to which Merced County places on agricultural operations.	*Building Permits*	***City Planning & Inspection Services***	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
3. AIR QUALITY			
3-1. All active portions of construction sites, earthen access roads, and material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Where feasible, reclaimed water shall be used.	*Building Permits*	*City Inspection Services*	
3-2. All clearing, grading, earth moving, or excavation activities shall cease during periods of winds greater than 20 miles per hour averaged over one hour.	*Building Permits*	*City Inspection Services*	
3-3. All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.	*Building Permits*	*City Inspection Services*	
3-4. The area disturbed by clearing, earth moving, or excavation activities shall be minimized at all times. This can be accomplished by mowing instead of disking for weed control and seeding and watering inactive portions of the construction site until grass is evident, if construction time frames warrant.	*Building Permits*	*City Inspection Services*	
3-5. Construction site vehicle speeds shall be limited to 15 miles per hour.	*Building Permits*	*City Inspection Services*	
3-6. If used, petroleum-based dust palliatives shall meet the road oil requirements of the District's rule regarding Cutback Asphalt Paving Materials.	*Building Permits*	*SJVUAPCD*	
3-7. Streets adjacent to the Project site shall be swept as needed to remove silt and/or mud that may have accumulated from construction activities. The streets are required to be wet prior to or in conjunction with rotary sweeping.	*Building Permits*	*City Inspection Services*	
3-8. All internal combustion engine-driven equipment shall be properly maintained and well tuned according to the manufacturer's specifications.	*Building Permits*	*City Inspection Services*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
3-9. When reasonably available and economically feasible, diesel powered or electric equipment shall be utilized in lieu of gasoline powered engines.	*Building Permits*	*City Inspection Services*	
3-10. Construction activities shall minimize obstruction of through traffic lanes adjacent to the site and a flag person shall be retained to maintain safety adjacent to existing roadways.	*Building Permits*	*City Inspection Services*	
3-11. Prior to issuance of building permits, the project will be required to comply with District Regulation VIII. Specifically, the rules that apply to this project are: Rule 8010 (Administrative Requirements) and Rule 8020 (Construction, Demolition, Excavation, and Extraction Activities). Additional rules that may apply to this project depending on ccnstruction practices employed are: Rule 8030 (Handling and Storage of Bulk Materials), Rule 8060 (Paved and Unpaved Roads), and Rule 8070 (Parking , Shipping, Receiving, Transfer, Fueling, and Service Areas).	*Building Permits*	*SJVUAPCD*	
3-12. If public transit is available in the area, a public transit stop shall be located within safe walking distance from the Project site or included as part of the Project. (Details to be worked out with Merced County Transit staff at the tentative map stage.)	*Tentative Subdivision Map*	*City Planning and Merced County Transit Service*	
3-13. Provide low nitrogen oxide (NOx) emitting and/or high efficiency water heaters.	*Building Permits*	*City Inspection Services*	
3-14. Planting of deciduous trees on the south and westerly facing sides of buildings.	*Building Permits*	*City Inspection Services*	
3-15. If fireplaces are proposed, only natural gas fireplaces, EPA-certified wood burning fireplaces/stoves, or pellet fueled heater should be installed. Conventional open-hearth fireplaces should not be permitted.	*Building Permits*	*City Inspection Services*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
3-16. Sidewalks and bikepaths should be installed throughout as much of the project as possible and should be connected to any nearby open space areas, parks, schools, commercial areas, etc.	*Tentative Subdivision Map*	*City Planning*	
3-17. Natural gas lines and electrical outlets should be installed in patio areas to encourage the use of gas barbecues and electric yard tools.	*Building Permits*	*City Inspection Services*	
3-18. Energy efficient design including automated control system for heating/air conditioning and energy efficiency beyond Title 24 requirements, lighting controls and energy-efficient lighting in buildings, increased insulation beyond Title 24 requirements, and light colored roof materials to reflect heat.	*Building Permits*	*City Inspection Services*	
3-19. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.	*Building Permits*	*City Inspection Services*	
3-20. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operation are occurring. (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting t limit the visible dust emissions.)	*Building Permits*	*City Inspection Services*	
3-21. Limit the hours of operation of heavy duty equipment to between 7 a.m. and 7 p.m. and/or the amount of equipment in use. (See also mitigation measure 11-2).	*Building Permits*	*City Inspection Services*	
4) BIOLOGICAL RESOURCES			
4-1. The developers shall dedicate to the City a minimum 50-foot-wide corridor from the centerline (or 25 feet from the crown, whichever is greater) of Black Rascal Creek in order to maintain these open space areas as natural riparian preserves and recreation areas per *Merced Vision 2015 General Plan* policy.	*Tentative Subdivision Map*	*City Planning*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
4-2. If any trees along Black Rascal Creek or on the Project site that have been determined to be potential nesting sites for raptors are proposed for removal, a pre-construction survey for nesting raptors shall be conducted prior to tree removal and alternatives to removal shall be explored. If removal is approved by the City, between February 1 and September 15, appropriate measures to avoid disturbing any nesting raptors shall be implemented at that time or the trees shall be felled between September 15 and January 31.	*Tentative Subdivision Map*	*City Planning*	
5) CULTURAL RESOURCES			
5-1. If evidence of archaeological artifacts is discovered during construction, all operations within an area at and adjacent to the discovered site shall halt until a qualified archaeologist determines the extent of significance of the site.	*Building Permits*	*City Planning*	
5-2. On-site preservation of a resource is the preferred alternative. Preserving a cultural deposit maintains the artifacts in context and may prevent inadvertent discovery of, or damage to, human burials. Preservation may be accomplished through a number of means such as capping or covering the site with a layer of soil, fencing the site area, and/or incorporation of the resource in a park area.	*Building Permits*	*City Planning*	
6. GEOLOGY AND SOILS			
6-1. Prior to approval of a tentative subdivision map, the City shall review plans for drainage and stormwater run-off control systems and their component facilities to ensure that these systems are non-erosive in design.	*Building Permits*	*City Inspection Services*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
6-2. 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 Permits*	*City Inspection Services*	
6-3. Projects under review shall be required to submit temporary erosion control plans for construction activities.	*Building Permits*	*City Inspection Services*	
6-4 Prior to the issuance of building permits, the applicant shall retain a qualified geologist or qualified soil specialist to conduct soil samples throughout the Project area to identify expansive soils, and those areas shall be identified on a map for the City.	*Building Permits*	*City Inspection Services*	
6-5 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 Permits*	*City Inspection Services*	
8) HYDROLOGY AND WATER QUALITY			
8-1. Prior to approval of a tentative subdivision map, the applicant shall demonstrate to the City that storm drainage facilities are adequate to meet Project demands and that improvements are consistent with the Merced County Critical Area Flooding and Drainage Plan and/or the City's Storm Drainage Master Plan.	*Tentative Subdivision Map*	*City Planning*	
8-2. Prior to approval of building permits, the applicants shall demonstrate to the City that temporary erosion control measures will be followed during construction.	*Building Permits*	*City Planning*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
11) NOISE			
11-1. Residential development on the Project site shall meet acceptable noise level standards as follows: • A maximum of 45 dB for interior noise level for residential projects. • A maximum of 60 dB for exterior noise level, especially when outdoor activities are important components of a project. • A maximum of 65 dB when all the best available noise-reduction techniques have been exhausted without achieving 60 dB, and the strict application of such a maximum becomes a hindrance to development needed or typical for an area.	*Building Permits*	*City Inspection Services*	
11-2. Grading and construction activity shall be limited to daylight hours (between 7 a.m. and 7 p.m.) in areas where noise sensitive receptors (i.e. adjacent single-family development) are located.	*Building Permits*	*City Inspection Services*	
11-3. In noise sensitive areas, construction equipment, compressors, and generators shall be fitted with heavy duty mufflers specifically designed to reduce noise impacts.	*Building Permits*	*City Inspection Services*	
13) PUBLIC SERVICES			
13-1 Prior to the issuance of building permits, the applicant shall be responsible for the payment of school facility impact fees as adopted by the Merced City School District and Merced Union High School District.	*Building Permits*	*City Inspection Services*	
14) RECREATION			
14-1. The Project developers shall work with the City to locate a neighborhood park site within the Project boundaries. (Details to be addressed at the tentative subdivision map stage.)	*Tentative Subdivision Map*	*City Planning*	

Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
14-2. The Project developers shall work with the City (and County as applicable) on the design and construction of bike paths along Black Rascal Creek and possibly along the PG&E utility corridor, and to connect the City bike path to the County bike path along Lake Road. (Details and possible reimbursement to be addressed at the tentative subdivision map stage.)	*Tentative Subdivision Map*	*City Planning and County Planning*	
15) TRANSPORTATION AND TRAFFIC			
15-1 The Project shall pay all fees as required under the City's Public Facilities Impact Fees (Chapter 17.62 of the Merced Municipal Code) prior to building permit issuance.	*Building Permits*	*City Inspection Services*	
15-2 *Traffic Signal at Yosemite and McKee or Hatch:* Owner shall provide financial security acceptable to the City equivalent to a "fair share" (but not to exceed 25 percent) of the cost of a traffic signal at the intersection of either McKee Road and Yosemite Avenue or Hatch Road and Yosemite Avenue, whichever intersection the City ultimately decides to signalize. Scope of improvements includes a traffic signal and related intersection improvements to City standards and to the satisfaction of the City Engineer. The "fair share," final cost, and form of security shall be determined by the City Engineer at the time of the first tentative subdivision map or other discretionary action. The determination of the City Engineer will be subject to appeal to the City Council.	*Tentative Subdivision Map*	*City Planning*	

	Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
15-3	*Yosemite Avenue:* The developer shall construct and dedicate any remaining improvements on half of the 94-foot right-of-way for Yosemite Avenue along the Project boundaries. The developer shall construct full frontage improvements (curb, gutter, sidewalks, street trees, street lights, etc.) on Yosemite and at least one travel lane in each direction. The timing of construction of the improvements is to be determined at the subdivision map stage. Construction is subject to reimbursement per Merced Municipal Code (MMC) section 17.58 and/or the Administrative Policy of the Public Facilities Impact Fees (City Council Resolution #98-73), whichever is applicable.	*Tentative Subdivision Map*	*City Planning*	
15-4	*McKee Road*: The developer shall construct and dedicate any remaining improvements on half of the 74-foot right-of-way for McKee Road along the Project boundaries. The developer shall construct full frontage improvements (curb, gutter, sidewalks, street trees, street lights, etc.) on McKee and at least one travel lane in each direction. The timing of construction of the improvements is to be determined at the subdivision map stage. Only off-site construction is subject to reimbursement per Merced Municipal Code (MMC) section 17.58, but no reimbursement is available from the Public Facilities Impact Fees for collectors, such as McKee.	*Tentative Subdivision Map*	*City Planning*	
15-5	*Local and Collector Streets*: The developer shall be responsible for construction and dedication of all interior collector and local streets within the Project boundaries. Construction shall meet all the requirements of the most recent edition of the City of Merced's *Standard Designs for Common Engineering Structures*. No reimbursement is available for these roadways.	*Tentative Subdivision Map*	*City Planning*	

	Mitigation Measure	***Timing***	***Agency or Department Consultation***	***City Verification (date and initials)***
15-6	*Lake Road:* The property owners shall work with the City and the County to address whether a future extension of Lake Road is necessary from Yosemite Avenue south to Olive Avenue as shown in the County's Circulation Element. This issue shall be addressed prior to approval of the first final subdivision map with frontage on the possible Lake Road right-of-way. If the issue is not resolved prior to map approval, right-of-way for the future extension of Lake Road shall be preserved on the map, with the understanding that it might be given back to the property owners in the future if it is not needed.	*Tentative Subdivision Map*	*City Planning and County Planning*	
	16) UTILITIES			
16-1	Prior to approval of a tentative subdivision map, the City shall review the Project application to ensure that wastewater facilities are adequate to meet Project service demands and are consistent with wastewater master plans.	*Tentative Subdivision Map*	*City Planning*	

Copies of This Form Distributed To:

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

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

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

Signature: _____ Date: _____

APPLICABLE MITIGATION MEASURES OF THE GENERAL PLAN EIR—HUNT FAMILY ANNEXATION

	Mitigation Measure	*Timing*	*Agency or Department Consultation*	*City Verification (date and initials)*
	Plant/Animal Life			
3-a)	When site-specific development proposals are submitted to the City for review and action, surveys should be conducted for special-status species prior to the disturbance of potentially suitable habitat. All surveys will be conducted in accordance with applicable state and federal guidelines.	*Tentative Subdivision Map*	*City Planning*	Completed 10/2/02 with Biological Resources Inventory by Moore Biological Consultants (Appendix D)
	Traffic/Circulation			
7-a)	Appropriate traffic studies shall be prepared for all development projects which can be expected to reduce a road segment or intersection levels of service below "D."	*Tentative Subdivision Map*	*City Planning*	
7-b)	The City shall require all development proposals to contribute, based on their proportionate share of impact, to circulation system improvements necessary to maintain at least a level of service "D" on all road segments and intersections impacted by the development project.	*Certificate of Occupancy*	*City Planning*	
	Public Facilities/Services			
8-d)	Development projects will be required to pay public facilities impact fees as established by the City in accordance with the requirements of State law.	*Certificate of Occupancy*	*City Planning*	

Merced Vision 2015 General Plan
Environmental Mitigation Checklist Form A

Project Name:_____ **File Number:**_____
Approval Date:_____ **EIR** _____ **Conditional Neg. Dec.**_____

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 with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6)

Mitigation Measure	Type	Monitoring Dept.	Shown on Plans	Verified Implementation	Remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

(Add additional Measures as Necessary)

Explanation of Headings:

Type:	Project, ongoing, cumulative.
Monitoring Dept.	Department or Agency responsible for monitoring a particular mitigation measure.
Shown on Plans:	When mitigation measure is shown on plans, this column will be initialed and dated.
Verified Implementation:	When a mitigation measure has been implemented, this column will be initialed and dated.
8-3. Remarks:	Area for describing status of ongoing mitigation measure, or for other information.

Merced Vision 2015 General Plan
Mitigation Measure Monitoring Checklist--Form B

Monitoring Phase: _____**Pre-Construction** _____**Construction**

Project File Number: _____

Project Name: _____

Brief Project Description: _____

Project Location: _____

Requirement Met:

Date	Yes	No	Description of Mitigation Measures
_____	____	____	1._____
_____	____	____	2._____
_____	____	____	3._____
_____	____	____	4._____
_____	____	____	5._____

Requirement On-Going:

Date	Yes	No	Description of Mitigation Measures
_____	____	____	1._____
_____	____	____	2._____
_____	____	____	3._____
_____	____	____	4._____
_____	____	____	5._____

Trustee Agency	Date	Yes	No
1._____	_____	_____	_____
2._____	_____	_____	_____
3._____	_____	_____	_____
4._____	_____	_____	_____

Copies of This Form Distributed To:

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

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

Name: (Print) _____

Representing: (Agency/Firm) _____

Signature: _____

Date:_____