



**PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT**

William Nicholson
Director

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**PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 26, 2003, 9:00 A.M.
2222 "M" STREET, BOARD ROOM, THIRD FLOOR,
MERCED, CALIFORNIA**

I. CALL MEETING TO ORDER

II. ROLL CALL OF COMMISSIONERS

Larry Whitney; Kimberly Clauss; Steve Sloan, Chairman; Lynn Tanner; David Wager.

III. APPROVAL OR MINUTES

IV. CITIZEN COMMUNICATIONS

Public opportunity to address the Planning Commission on items of interest over which the Planning Commission has jurisdiction.

SPEAKERS

If you would like to address the Planning Commission on any item on the agenda, please pick up a 3" x 5" card in the foyer, fill it out with your name, address, and item you wish to speak on, and give it to someone at the staff table (to the left of the podium) prior to speaking.

V. PUBLIC HEARING

- A. GENERAL PLAN AMENDMENT NO. 02008, ZONE CHANGE NO. 02009 – Willson & Mooneyham** – To amend the Merced County General Plan from Agricultural and Atwater Specific Urban Development Plan (SUDP) Agricultural to Atwater SUDP Agricultural-Residential land use with a concurrent Zone Change from A-1 (General Agricultural) to A-R (Agricultural-Residential). The project is located on the west side of Winton Way and on the south side of Carmellia Drive. (33 acres). **TO RECOMMEND THE BOARD OF SUPERVISORS APPROVE THE NEGATIVE DECLARATION AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION.** Project Planner Sean Purciel

STRIVING FOR EXCELLENCE

- B. **MAJOR SUBDIVISION APPLICATION NO. 02016 – Salvadori, Razzari & Blazina** - To divide a 19.7-acre parcel into 17 single-family residential lots to be known as the **“Breeze Estates”** subdivision. The project is located on the north side of Dunn Road and 320 feet east of Hatch Road in the Merced area. The project is designated as Merced Rural Residential Center #1 land use in the General Plan, and zoned A-R (Agricultural-Residential). **TO APPROVE THE NEGATIVE DECLARATION AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Sean Purciel**

- C. **MAJOR SUBDIVISION APPLICATION NO. 02011 - Bhupinder Sahota - Quail Hollow Estates** - To divide a 73.3-acre parcel into 274 single-family residential lots to be known as the **“Quail Hollow Estates”** subdivision. The property is located on the east side of Cypress Avenue and the north side of Almond Avenue in the Winton area. The project is designated as Winton Specific Urban Development Plan, Low Density Residential land use in the General Plan, and zoned R-1 (Single-Family Residential). **TO APPROVE THE NEGATIVE DECLARATION AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Sean Purciel**

- D. **MODIFICATION TO CONDITION NO. 18 OF MAJOR SUBDIVISION NO. 02017 - H& S Development** - To modify Condition No. 18 because of roadway sight distance standards to change the requirement of a six foot high solid wood fence 10 feet from an off-site house at the southwest corner of Cody Street and Stanford Avenue to instead allow a 2 ½ foot high chain link fence by the house in the roadway sight distance area and a 6 foot solid wood fence south of the house along Cody Street to the southerly line of Major Subdivision No. 02017. This area is designated as Planada Specific Urban Development Plan Low Density Residential land use in the General Plan. The zone is R-1 (Single Family Residential). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Butch Cope**

VI. **CORRESPONDENCE**

None

VII. **GENERAL BUSINESS**

Presentation by MCAG on the Visioning Process for the Regional Transportation Plan update.

VIII. **DIRECTOR’S REPORT**

None

IX. **ADJOURNMENT**

APPEALS

Any person may appeal any action of the Planning Director or Planning Commission within five (5) calendar days after the day the action is made. [Within ten (10) calendar days of action on subdivisions]. The deadline for appeals of Planning Commission actions, excluding subdivisions, is 5:00 p.m. on the Monday following the Planning Commission meeting. Please note that appeals may not be submitted on days that the County is officially closed.

Appeals of Planning Director's actions may be filed with the Planning Department and appeals of Planning Commission actions may be filed with the Clerk of the Board of Supervisors. Appeals must state appellant's name, action appealed and reasons for appeal. A filing fee set by Resolution of the Board of Supervisors must be submitted with the written appeal.

MERCED COUNTY PLANNING COMMISSION
MINUTES FOR MEETING OF MARCH 26, 2003

A recording on tape and original minutes (for reference purposes only) of the Merced County Planning Commission meeting of March 26, 2003, are available in the Merced County Planning and Community Development Department, 2222 "M" Street, Second Floor, Merced, California.

I. CALL MEETING TO ORDER

The regularly scheduled meeting of the Merced County Planning Commission was called to order at 9:10 a.m., on March 26, 2003, in the Board Chambers located at 2222 "M" Street, Third Floor, Merced, California.

II. ROLL CALL OF COMMISSIONERS

Commissioners Present: Commissioner Larry Whitney
 Commissioner Kimberly Clauss
 Commissioner Steve Sloan-Chairman
 Commissioner Lynn Tanner

Staff Present: William R. Nicholson, Planning and Community Development
 Director
 Desmond Johnston, Deputy Director
 Butch Cope, Assistant Director
 Kim Lewallen, Recording Secretary
 Sean Purciel, Planner III

Legal Staff: James Tarhalla, Deputy County Counsel

Commissioners Absent: Commissioner Wager, absent, excused

III. APPROVAL OF MINUTES

M/S WHITNEY - CLAUSS, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVED THE MINUTES OF MARCH 12, 2003.

IV. CITIZEN COMMUNICATIONS

None

V. PUBLIC HEARINGS

A. GENERAL PLAN AMENDMENT NO. 02008, ZONE CHANGE NO. 02009 – Willson & Mooneyham – To amend the Merced County General Plan from Agricultural and Atwater Specific Urban Development Plan (SUDP) Agricultural to Atwater SUDP Agricultural-Residential land use with a concurrent Zone Change from A-1 (General Agricultural) to A-R (Agricultural-Residential). The project is located on the west side of Winton Way and on the south side of Carmellia Drive. (33 acres). **TO RECOMMEND THE BOARD OF SUPERVISORS APPROVE THE NEGATIVE DECLARATION AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Sean Purciel**

Planner Sean Purciel presented the Staff Report and Recommendation dated March 26, 2003.

The public hearing opened at 9:16 a.m.

The following person(s) spoke in favor of the project:

Jack Willson, applicant, indicated to the Commissioners that he can answer any questions if they have any. He also complimented Planning Staff on their work with his project.

No one spoke in opposition to the project.

The public hearing closed at 9:17 a.m.

MOTION: M/S WHITNEY - TANNER, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVES THE NEGATIVE DECLARATION PREPARED FOR GENERAL PLAN AMENDMENT NO. 02008, ZONE CHANGE NO. 02009.

MOTION: M/S WHITNEY - TANNER, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED MARCH 26, 2003, AND MAKES THE 9 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 9 FINDINGS, APPROVES GENERAL PLAN AMENDMENT NO. 02008, ZONE CHANGE NO. 02009.

- B. MAJOR SUBDIVISION APPLICATION NO. 02016 – Salvadori, Razzari & Blazina - To divide a 19.7-acre parcel into 17 single-family residential lots to be known as the “Breeze Estates” subdivision. The project is located on the north side of Dunn Road and 320 feet east of Hatch Road in the Merced area. The project is designated as Merced Rural Residential Center #1 land use in the General Plan, and zoned AR (Agricultural-Residential). TO APPROVE THE NEGATIVE DECLARATION AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Sean Purciel**

Planner Sean Purciel presented the Staff Report and Recommendation dated March 26, 2003.

The public hearing opened at 9:22 a.m.

Bob Anderson, Dunn Road resident, asked if a brick wall is going to be built across from his property to the proposed application. He is concerned about the possibility of graffiti. Planner Sean Purciel indicated that there are no plans for a wall yet.

Bill Nicholson, Planning Director, stated that the wall on Gardner is in the City limits and not in an A-R zone.

Garth Pechinino, representative from Tolladay, Freming & Parsons, indicated that the application is a 1 acre lot subdivision, it's not a gated community.

Bob Anderson asked if the houses being built on Dunn Road are going to be facing Dunn Road. Mr. Pechinino indicated no, the two lots will have the access off the interior road.

Gary Brady, 2530 E. Dunn Road, west of the property, asked what the timeline is for this proposed application. Mr. Pechinino indicated that the applicants desire is to move forward with the project so within the next 3 to 6 months they will be working on the improvement plans and then start on the subdivision. One obstacle to be addressed is the pipeline of the Yosemite lateral from Merced Irrigation District.

Steve Hamilton, County Public Works/Roads Department, indicated that there are a lot of properties that have deferments on them. Most deferments in this area will call for a pavement widening.

The public hearing closed at 9:30 a.m.

MOTION: M/S CLAUSS - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVES THE NEGATIVE DECLARATION PREPARED FOR MAJOR SUBDIVISION APPLICATION NO. 02016.

MOTION: M/S CLAUSS - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED MARCH 26, 2003, AND MAKES THE 9 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 9 FINDINGS, APPROVES MAJOR SUBDIVISION APPLICATION NO. 02016 SUBJECT TO THE 16 CONDITIONS SET FORTH IN THE STAFF REPORT AS FOLLOWS:

Conditions:

1. *Resolution No. 97-1* - The project shall comply with the standard conditions of approval listed in the Planning Commission Resolution No. 97-1 for major subdivisions (Attached).
2. *County Department Regulations* - The applicant shall comply with applicable regulations administered by the County. These regulations shall include, but not limited to standards administered by the County Fire, Health, Planning and Public Works Departments (Roads and Building Division).
3. *Final Map* - A final map shall be recorded within two (2) years of the Planning Commission approval date as required by the County Subdivision Code and the State Subdivision Map Act.
4. *Level 1 Improvements* - Satisfy Improvement Level 1 requirements as set forth in Chapter 16.08 of the Merced County Code, which generally includes dedication of right-of-way and public utilities easements, roadway construction and installation of matching pavement along existing roadways, street lighting, storm drainage system and underground or relocate utilities and irrigation facilities.
5. *Easements* - Provide a non-access easement at the dead-end street.
6. *Street Naming* - Provide street names to the satisfaction of the Fire Department and the Department of Public Works. Street name designation(s) shall be pursuant to Section 17.04.050.B of the Merced County Code.
7. *Deferment of Construction Agreement* - Pursuant to the terms of a Deferment of Construction Agreement recorded in Volume 3851 of Official Records at Page 158, Merced County Records, affecting Parcels 1, 2, and 3 as shown on the Parcel Map for Gary Brady (Volume 85 of Parcel Maps at Pages 16 and 17, Merced County Records) (Assessor's Parcel Numbers 060-670-024, 060-670-025, and 060-670-026), street improvements shall be designed and constructed to include the north side of Dunn Road abutting Breeze Estates to the west and including the east side of Hatch Road north of Dunn Road. Improvements shall be designed and included with the improvement plans for Breeze Estates, Major Subdivision No. 02016.
8. *MID Drainage* - Provide a letter from M.I.D. accepting storm drainage water from this proposed development into their facilities prior to recording the final map.
9. *MID Requirements* - The applicant shall provide a signature block on the subdivision improvement plans for the Merced Irrigation District for their facilities on this property.
10. *Grading* - All lot and street grading shall be completed prior to the issuance of any building permits. The developer shall enter into an agreement with Public Works

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that no occupancy shall take place until such time as all improvements are completed.

11. *Centerline Striping* - Provide centerline striping for those new roads, which intersect the existing peripheral streets.
12. *Storm Water Runoff* - Developer/Applicant is advised that he/she may be obligated to comply with Federal Regulations for storm water runoff issued by the U.S. EPA on November 16, 1990 (40 Code of Federal Regulations Parts 122, 123 and 124). For information and direction, contact the State Water Resources Control Board's Construction Activity Storm Water Hotline at (916) 657-1146.
13. *Improvement Standards* - Reconstruct Hatch Road from the center of the westbound traveled lane as authorized by Section 4.02.D.4 of the Department of Public Works Improvement Standards and Specifications.
14. *Recreational Fees* - The subdivider shall pay a recreational parkland space and improvement fee as required by Merced County Ordinance No. 1090. Said fee is payable prior to or concurrent with the recording of the Final Map.
15. *Drainage and Storm Basins* - Drainage and storm basins shall be designed to the satisfaction of the Merced County Department of Public Works.
16. *Condition Monitoring* - For the purpose of condition monitoring, a fee in the amount of \$124.00 shall be required. The fee shall be paid prior to recordation of the Final Map.

C. MAJOR SUBDIVISION APPLICATION NO. 02011 - Bhupinder Sahota - Quail Hollow Estates - To divide a 73.3-acre parcel into 274 single-family residential lots to be known as the "**Quail Hollow Estates**" subdivision. The property is located on the east side of Cypress Avenue and the north side of Almond Avenue in the Winton area. The project is designated as Winton Specific Urban Development Plan, Low Density Residential land use in the General Plan, and zoned R-1 (Single-Family Residential). **TO APPROVE THE NEGATIVE DECLARATION AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Sean Purciel**

Planner Sean Purciel presented the Staff Report and Recommendation dated March 26, 2003. He also indicated several changes to the staff report conditions. Planner Purciel also indicated that Winton MAC recommended approval of the project as well.

The public hearing opened at 9:40 a.m.

Gus Zakis, neighbor north of the 11 acre remainder, was upset because he wanted a road providing access to his property when the proposed application is approved.

Planner Purciel indicated to Mr. Zakis that he will have access at a future date. The 11 acre remainder provides two accesses that are undeveloped at this time.

Bill Nicholson, Planning Director, stated that there would be no fence constructed between the 11 acre remainder and Mr. Zakis's property because there are no homes being built. If a road is to be built today, it would be between Mr. Sahota and Mr. Zakis.

Ted Pedersen, engineer for the applicant, stated that he is not opposed to providing access and is willing to work with Mr. Zakis. He indicated that there is no proof that there are any legal access rights to this property over the Sahota property.

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Chairman Sloan asked Mr. Pederson if he knows what the legal access for the property is right now. Mr. Pedersen replied that he does not know. The title report does not indicate any access to that property.

Jill Johnson, 1076 Kadota Avenue, asked if the project is going to be low income housing. Planner Purciel indicated that the project is single family dwellings. The property is zoned R-3, so there is a potential to put apartments on the property.

The public hearing closed at 9:51 a.m.

MOTION: M/S WHITNEY - CLAUSS, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVES THE NEGATIVE DECLARATION PREPARED FOR MAJOR SUBDIVISION APPLICATION NO. 02011.

MOTION: M/S WHITNEY - CLAUSS, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION CONCURS WITH THE STAFF REPORT AND RECOMMENDATION DATED MARCH 26, 2003, AND MAKES THE 3 FINDINGS SET FORTH IN THE STAFF REPORT AND, BASED ON THOSE 3 FINDINGS, APPROVES MAJOR SUBDIVISION APPLICATION NO. 02011 SUBJECT TO THE 32 CONDITIONS WITH MODIFICATIONS TO CONDITION NUMBERS 2, 11, 12, 13, 14 AND 24 AND DELETION OF CONDITION NUMBERS 9, 19, 20, 25, 34 AND 35 TO READ AS FOLLOWS:

Conditions:

1. *Resolution No. 97-1* - The project shall comply with the standard conditions of approval listed in the Planning Commission Resolution No. 97-1 for major subdivisions (Attached).
2. *Landscape Plans* - Three copies of the landscape and irrigation plans as shown on the plot plan shall be submitted for review and approval by the Planning Director in accordance with the standards of Chapter 16.40 of the Merced County Code prior to the issuance of Building Permits. The landscape plan for the street trees and the combination wall and berm (noise barrier) shall be in conformance with the Landscape Chapter of the County Zoning code. Approved street trees shall be installed prior to occupancy of each house. The general location of the street trees shall be shown on the improvement plans. Landscaping and irrigation, in compliance with the approved plans, shall be installed prior to occupancy. Perimeter landscape maintenance shall be accomplished through a County Service Area agreement. The 11-acre remainder shall be maintained in a weed free environment.
3. *SJAQMD Compliance* - The applicant will be required to obtain and/or modify any permits required by the San Joaquin Air Quality Management District and comply with any applicable District rules.
4. *MID Requirements* - The applicant shall comply with MID requirements in regards to redirecting or piping at the Middle Lateral (Please see correspondence dated January 24, 2003 attached). A signature block or letter shall be provided on final improvement plans for approval by MID.
5. *Approved Plot Plan* - The project shall comply with the approved plot plan subject to these conditions and any County standards, including but not limited to parking, on-site circulation, landscaping, fences and walls, signage, trash areas, lighting, noise and pollutants, and building setbacks. The plot plan shall be reviewed and approved by staff prior to issuance of any building permits.
6. *County Department Regulations* - The applicant shall comply with applicable

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regulations administered by the County. These regulations shall include, but not limited to standards administered by the County Fire, Health, Planning and Public Works Departments (Roads and Building Division).

7. *Final Map* - A final map shall be recorded within two (2) years of the Planning Commission approval date as required by the County Subdivision Code and the State Subdivision Map Act.
8. *Noise* - The applicant will be required to comply with the decibel noise requirement found in the General Plan. Prior to the Building Permit stage, the applicant will be required to provide architectural treatments on the plans to reduce the noise level to 45-decibels or less for the inside of residential structures constructed in the subdivision.
9. *Lighting* - All area and security lighting shall be hooded and directed downward and into the project site. No glare or direct light shall emanate from the project area. This shall be monitored by the Planning Department. All on-site lighting shall be energy efficient, stationary and directed away from adjoining properties and public rights-of-way.
10. A "Neighborhood Park" shall be provided (and completed) at the north end of the subdivision. The residential park shall be installed on Lot "B" prior to the completion of Lot number 164 in Phase 2 of the subdivision. The park shall be included in the Landscaping and Fencing Plan for the subdivision.
11. Release and relinquish all abutters' rights of access to and from all lots fronting Almond Avenue and Cypress Avenue with the exception of Lots 61 through 65 fronting Cypress Avenue.
12. The building setback from the Cypress Avenue right of way line of Lots 61 through 65 shall be 32 feet and shall be delineated on the final map.
13. Circular driveways or vehicle turnarounds shall be constructed on Lots 61 through 65 at the building permit state.
14. Pursuant to Section 4.02.D.4 of the Merced County Department of Public Works Improvement Standards and Specifications, the developer may be required to reconstruct Cypress Avenue to centerline.
15. The developer shall construct speed humps on Meadowlark Avenue and Falcon Avenue as part of subdivision improvements.
16. Walnut Avenue right of way shall be 40 feet from centerline at the time the remainder is developed.
17. Crane Court and Robin Drive are duplications of existing County street names and shall be changed to the satisfaction of the Fire Department and Department of Public Works.
18. Prior to recording the first phase final map, the owner shall provide all documentation to the Department of Public Works to form a park maintenance zone of benefit in County Service Area No. 1 for the proposed neighborhood park.
19. Prior to recording the final map, the owner shall provide all documentation to the Department of Public Works to form a landscaping maintenance zone of benefit in County Service Area No. 1 for landscaping along peripheral streets.
20. The developer shall, if feasible, and at Merced County expense, extend a storm

drainage line to the west side of the intersection of Cypress Avenue and Fairlane Avenue for connection to existing catch basins in Fairlane Avenue.

21. The developer shall design public improvements along the Crawford Street, Cypress Avenue, and Wren Drive frontages of Not a Part of This Subdivision (N.A.P.O.T.S.). Developer shall provide legal descriptions and exhibit maps for offsite road right of way necessary for public improvements as follows: wheelchair ramp at the northeast corner of the intersection of Crawford Street and Cypress Avenue (APN: 147-090-016); wheelchair ramp and widening of Cypress Avenue at the southeast corner of the intersection of Cypress Avenue and Wren Drive. The developer shall be responsible for all costs associated with the design of public improvements along the frontage of N.A.P.O.T.S. and for the preparation of the offsite road right of way legal descriptions and exhibit maps. The developer shall be responsible for the acquisition of offsite road right of way; however, upon request by the developer, the County of Merced shall, at developer's expense, obtain offsite right of way. The developer shall be responsible for the construction of Wren Drive improvements; sidewalk will not be required along the Wren Drive frontage of N.A.P.O.T.S. The developer shall be reimbursed by the County of Merced for the construction of the following improvements associated with N.A.P.O.T.S.: pavement widening, curb, gutter, sidewalk, and wheelchair ramps along Cypress Avenue; and, six (6) feet of pavement widening, curb, and gutter along Crawford Street.
22. The developer shall provide a letter from MID accepting storm drainage water from this proposed development into their facilities prior to recording the final map.
23. *Road Striping* - Provide centerline striping for those new roads which intersect the existing peripheral streets and a maximum of 200 feet or the first intersection east of Cypress Road.
24. *Level 1 Requirements* - Satisfy Improvement Level 1 requirements as set forth in Chapter 16.08 of the Merced County Code, which generally includes dedication of right-of-way and public utilities easements, roadway construction and installation of matching pavement along existing roadways, street lighting, storm drainage system and underground or relocate utilities and irrigation facilities.
25. The developer shall delineate all utility easements on the final map which are located within the Remainder. The owner shall dedicate easements to the appropriate jurisdictions for all in-place utilities not of record.
26. *Grading* - All lot and street grading shall be completed prior to the issuance of any building permits. The developer shall enter into an agreement with Public Works that no occupancy shall take place until such time as all improvements are completed.
27. *Storm Water Runoff* - Developer/Applicant is advised that he/she may be obligated to comply with Federal Regulations of storm water runoff issued by the U.S. EPA on November 16, 1990 (40 Code of Federal Regulations Parts 122, 123 and 124). For information and direction, contact the State Water Resources Control Board's Construction Activity Storm Water Hotline at (916) 657-1146.
28. *Recreational Fees* - The subdivider shall pay a recreational parkland space and improvement fee as required by Merced County Ordinance No. 1090. Said fee is payable prior to or concurrent with the recording of the Final Map.
29. *Drainage and Storm Basins* - Drainage and storm basins shall be designed to the satisfaction of the Merced County Department of Public Works.

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30. Roof mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department and Building Division approval.
31. Prior to final map stage, the cul-de-sacs (along Almond Avenue) and the three cul-de-sacs (along Cypress Avenue) shall be constructed with a paseo and/or a fence plan that encourages pedestrian access to the school and to Cypress Avenue, making the cul-de-sacs visible from the outside and pedestrian accessible. A paseo will open up these cul-de-sacs and will utilize a fence or wall to facilitate pedestrian friendly access. Wrought iron and a block wall combination can be used to facilitate the opening of the paseo. Landscaping can also be used to soften the ends of the cul-de-sacs and may be used as a wall.
32. *Condition Monitoring* - For the purpose of condition monitoring, a fee in the amount of **\$186.00** shall be required. The fee shall be paid prior to recordation of the Final Map.

D. MODIFICATION TO CONDITION NO. 18 OF MAJOR SUBDIVISION NO. 02017 – H & S Development - To modify Condition No. 18 because of roadway sight distance standards to change the requirement of a six foot high solid wood fence 10 feet from an off-site house at the southwest corner of Cody Street and Stanford Avenue to instead allow a 2 ½ foot high chain link fence by the house in the roadway sight distance area and a 6 foot solid wood fence south of the house along Cody Street to the southerly line of Major Subdivision No. 02017. This area is designated as Planada Specific Urban Development Plan Low Density Residential land use in the General Plan. The zone is R1 (Single Family Residential). **TO MAKE AN ENVIRONMENTAL FINDING AND APPROVE, DISAPPROVE OR MODIFY THE APPLICATION. Project Planner Butch Cope**

Assistant Director Butch Cope presented the Staff Report and Recommendation dated March 26, 2003.

The public hearing opened at 10:02 a.m.

Lena Burkhardt, 9799 Standford, asked if a chain link fence with slats down the middle can be put up on her property. Mr. Cope indicated it will be a maximum 30 inch chain link fence to be put up next to her house due to the traffic sight distance ordinance requirements. From the rear of her house to the southerly property line will be a 6 foot high wood fence.

Steve Hamilton, Public Works/Roads Department, indicated to Mrs. Burkhardt that there will be a 12 foot travel lane next to her fence. A 30 inch fence is allowed in her yard next to the house.

Rod Hawkins, Hawkins & Associates, stated that they will start to build houses in July.

Chairman Sloan indicated that the applicant is willing to work with Mrs. Burkhardt and she should be satisfied with the ending results.

The public hearing closed at 10:02 a.m.

MOTION: M/S CLAUSS - WHITNEY, AND CARRIED BY A VOTE OF 4 - 0, THE PLANNING COMMISSION APPROVES THE MODIFICATION TO CONDITION NO. 18 OF MAJOR SUBDIVISION NO. 02017.

VI. CORRESPONDENCE

None

VII. GENERAL BUSINESS

A presentation was made by Merced County Association of Governments on the Visioning Process for the Regional Transportation Plan. The Commission agreed to have the MCAG presenters come back to the May Planning Commission meeting for an update on their progress and new information.

VIII. DIRECTOR'S REPORT

April 9th - Study Session on the Bettencourt Ranch Aggregate Mine Draft EIR (CUP 01019). Receive presentation from consultants and receive public comment.

IX. ADJOURNMENT

There being no further business, the meeting adjourned at 11:38 a.m.