RESOLUTION NO. R2011-__

A RESOLUTION OF THE CITY OF MANTECA CITY COUNCIL MAKING FINDINGS TO APPROVE A SITE PLAN REVIEW FOR THE TERRA RANCH APARTMENTS PROJECT NO. SPA-09-78-01

WHEREAS, the Manteca City Council at a public hearing held June 21, 2011, considered a Site Plan Review for the Terra Ranch Apartments Project filed by Atherton Boyce Development Company, LLC, P.O. Box 1870, Manteca, CA, 95336; and,

WHEREAS, the Terra Ranch Apartments project site is part of the Terra Ranch Subdivision, consisting of two separate parcels otherwise identified as Assessor’s Parcel Numbers (APN) 241-320-55 & 241-320-56; and,

WHEREAS, the Terra Ranch Apartments project is an application to develop a 10 acre project site as a 200-unit apartment complex; and

WHEREAS, the General Plan designation for the parcel will be LDR (Low Density Residential) and HDR (High Density Residential) and the zoning will be Single-Family Residential (R-1) and Multiple-Family Residential (R-4); and,

WHEREAS, an Environmental Impact Report (EIR) for the Terra Ranch Subdivision considered the requested General Plan Amendment, and was prepared and considered by the City Council in compliance with the provisions of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that based upon the evidence in the Staff Report, Public Testimony, and Project File, the City Council recognizes the appropriateness of Site Plan Review No. 09-78-01 for the Terra Ranch Apartment Project and in accordance with Chapter 17.49 of the Manteca Zoning Ordinance hereby approves the Site Plan Review based on the following findings:

1. That the architectural style of the structures incorporates appropriate construction materials and colors.

2. That the structures are appropriately located on the site with proper setbacks, and that their locations provide for vehicular circulation for the anticipated traffic of the uses.

3. That the project, as conditioned meets, parking, loading, landscaping, screening, water efficient criteria and shading requirements.

4. That, as conditioned, the proposed Site Plan is in conformance with the City of Manteca General Plan and Zoning Ordinance.

5. That the site plan was reviewed and conditioned by the appropriate City Departments, Utilities, and Agencies and that these conditions
are incorporated with this resolution as “Exhibit A”, Site Plan Review (SPA-09-78-01), Terra Ranch Apartments, Conditions of Approval, dated June 21, 2011.

6. It is further found that the Environmental Impact Report for the Terra Ranch Subdivision serves as adequate environmental documentation for the project, and that environmental impacts resulting from the development of this project were properly addressed in conformance with the California Environmental Quality Act (CEQA).

DATED: June 21, 2011

ROLL CALL:

AYES:

NOES:

ABSTAIN:

ABSENT:

WILLIE W. WEATHERFORD
MAYOR

ATTEST:

JOANN TILTON, MMC
CITY CLERK
Project Name: Terra Ranch Subdivision

Project File Numbers: Tentative Subdivision Map (SDJ-09-75-02)
General Plan Amendment (GPA-09-75-02)
Rezone (REZ-09-75-02)

Applicant: Atherton Boyce Development Company, LLC

Project Address: 3504 West Woodward Avenue, Manteca, CA 95337
APNs 241-320-55 & 241-320-56

NOTE: The project includes an Environmental Impact Report with Mitigation Measures specific to development of this project site. The Draft and Final EIR including associated Mitigation Monitoring and Reporting Program, Findings of Fact and Statements of Overriding Considerations are incorporated by reference into this list of conditions.

The following list of conditions shall be incorporated into the final construction plans and the construction phases of the subject project. This list of conditions is not intended to be all-inclusive or a comprehensive list of all City regulations.

**Standards As Required by Manteca Municipal Code Title 17:**

1) Required Off-Street Parking: Off-street parking stalls 9-feet wide by 18-feet in depth shall be provided with a minimum of 26-feet of back-up area required for 90 degree parking stalls, MMC §17.15.090 (may be reduced up to 2 feet if a sidewalk or planter with the minimum depth of 6 feet is adjacent to the stall). Required parking is dictated by use per Manteca Municipal Code (MMC) §17.15.020, Table 4.

   a. Parking: 2 spaces for each dwelling unit, one of which will be covered and .25 spaces per each dwelling unit for guest parking

      i. If garages will be rented separately, then those spaces will not count towards the 2 spaces required for each dwelling.

   b. Compact Parking Stalls: Up to 30% of required parking stalls may be reduced in size to 16 feet in length and 8 feet in width with a minimum of 26-feet of back-up area required for 90 degree parking stalls. Compact stalls shall be clearly indicated by appropriate markings and signage MMC §17.15.040.

   c. Accessible Parking and Title 24 Compliance:

      i. A minimum of 2% of the total parking stalls shall be accessible parking spaces in accord with Title 24 regulations & MMC §17.15.060 A.
ii. Location of accessible parking shall be in compliance with MMC §17.15.060 B 2

iii. Identification of accessible parking shall be in compliance with MMC §17.15.060 B 3

2) Parking Lot Surfacing: All parking, loading and access areas shall be surfaced with a minimum thickness of two inches of asphalt concrete (Type A) over 95% relative-compaction native soil or a minimum thickness of six inches of Class B concrete, or equivalent approved by the Public Works Director. Such surfacing shall be permanently maintained free of structural defects. MMC §17.15.090.E

3) Parking Lot Striping: All parking spaces shall be striped with 4-inch painted white lines in a manner clearly showing the layout of the intended parking stalls. Such striping shall be maintained in a clear and visible manner. MMC §17.15.090.F

4) Parking Lot Wheel stops: When parking stalls abut a landscape planter or a raised sidewalk less than seven feet wide, or abuts a property line, fence or building a four-foot concrete wheel stop shall be installed. MMC §17.15.090.M

5) Minimum sight distance standards shall be maintained at the project driveways and at all intersection in the public right of way per MMC §17.09.050 & 17.09.030.

6) Landscape and Irrigation Plans:
   a. A minimum of 400 square feet of open space shall be provided per dwelling unit. MMC §17.09.020.A
   b. Landscape and irrigation plans shall be prepared by a registered landscape architect or state licensed landscape contractor.
   c. Landscape plans shall indicate plant species, sizes, quantity, spacing, tree shading, water efficiency criteria and irrigation system. MMC §17.19.020
   d. Minimum Project Landscaping: Shall cover a minimum of 10% of the project site area. MMC §17.19.030.
   e. Parking Lot Landscaping: Shall cover a minimum of 12% of the project site area. MMC §17.15.090.
   f. Water-Efficient Landscaping: The planted area of the project must meet water-efficient criteria as outlined in MMC §17.19.080.
   g. Parking Lot Tree Shading: All parking lots shall include tree planting designed so that a minimum of 50 percent of the parking area will be shaded at noon on August 21 within 15 years of the planting MMC §17.15.090.B.3 & 17.19.070.B.
   h. Landscaping Maintenance: All landscaping shall be maintained in good growing condition. Such maintenance shall include pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, planting shall be replaced with other plant materials to ensure continued compliance with landscaping requirements. MMC §17.19.050.A
   i. Landscape Planter Concrete Curbing: There shall be six inch wide and six inch raised concrete curbing between all landscaped areas adjacent to any parking facility pavement or property line. MMC §17.15.090.N.2
   k. All interior pervious open space areas shall be landscaped. MMC §17.19.030.C.2.c
   l. A landscape planter with a minimum width of five feet for a residential parking lot shall be provided adjacent to any public or private street wherever parking or circulation is generally located adjacent to such rights-of-way. MMC §17.15.00.B.2

Planning Division
7) Accessory buildings and uses (e.g., garages, bicycle storage, laundry rooms, car washing areas, recreation facilities, etc.) shall incorporate a design similar to the project's dwelling units, in terms of materials and colors. (MMC § 17.29.030.E.1)

8) Building height may not exceed 3 stories, 35 feet.

9) Building design shall provide architectural articulation and detailing, including a variety in wall planes, variety in height, and changes in materials and colors.

10) No exterior television antennae may be permitted, except that a single, common, central antenna may be allowed, with underground cable service to all dwelling units.

11) Storage of boats, trailers, recreational vehicles and other similar vehicles shall be prohibited unless specifically designated areas for the exclusive storage of such vehicles are set aside in the project. Where such areas are provided, they shall be enclosed and screened from view by a six-foot high decorative wall and landscaping, with adequate security lighting directed away from adjacent residences.

12) Prior to application for a building permit, the exterior materials, and colors of all buildings shall be reviewed and approved by the Community Development Department, Planning Division to determine if the materials and colors are in substantial compliance with approved site plans and elevations.

13) Screening materials of service areas and garbage enclosures as identified on the approved site plan shall be consistent with materials used throughout the project.

14) Electrical and Gas Meters: Electrical and gas meters shall not be located on any building side visible from the street, unless fully obscured from view.

15) Roof Mounted Appliances: Roof mounted appliances or other mechanical equipment shall be effectively screened from view by passing pedestrians or motorists.

16) Project Fencing: All project fencing/wall material shall be reviewed and approved by the Community Development Department, Planning Division.

17) Utility Companies: The applicant is responsible for contacting all appropriate utility companies to obtain agreements for extension and/or relocation of services necessary for the proposed development.

18) On-site lighting shall be installed and maintained along all vehicular access ways and major walkways. Such lighting shall be directed into the driveways and walkways within the project and away from adjacent properties. Lighting shall also be installed within all covered and enclosed parking areas.

19) Photometric Plan: Provide photometric plan that illustrates compliance with the requirements of the MMC § 17.13.040 D 1 & 2.

Public Works

20) Developer shall install all improvements associated with subdivision to City Laws. Improvement plans for each phase of onsite development shall be submitted to the City Engineer for approval with each final map.

21) Developer shall provide easements, requested by the respective utility companies, within the subdivision and shall show said easements on the final map. Any existing on-site facilities to the Project that are affected by this Project shall be relocated or placed underground at the Developer’s expense. On-site facilities shall include frontage roads at the project boundaries.
22) Developer shall dedicate ten-foot (10) wide public utility easements on all street frontages for underground facilities and appurtenances, upon approval and recordation of each final map.

23) Developer shall contact the local post office for direction regarding placement of mail receptacles or any other type of mail delivery proposed.

24) Developer shall contact Manteca Unified School District Facilities Planning regarding school fees and requirements. Developer shall annex the project to a Manteca Unified School District Community Facilities District, upon approval and recordation of the first final map.

25) Developer shall indicate on the site plan topographical information which shall include one-foot (1’) contour intervals and benchmark data based on City datum.

26) No trees shall be planted within 8-feet of a utility, whether in a median or back of curb.

27) During all construction phases, Developer shall comply with City Laws regarding dust control, Developer shall also comply with San Joaquin Valley Unified Air Pollution Control District Regulation VIII (Fugitive Dust Prohibitions), in an effort to reduce the amount of fine particulate matter (PM10) entrained into the ambient air from man-made sources.

28) Developer shall relinquish to the City of Manteca the access rights at all other locations other than limited driveway locations, which will be reviewed and approved by the City, along Woodward Avenue and McKinley Avenue.

29) Developer shall dedicate, or acquire on the City’s behalf, sufficient right-of-way to complete the Woodward Avenue improvements described below.
   a. Developer shall remove and replace the existing pavement with a new street structural section along the subdivision’s Woodward Avenue frontage.
   b. Developer shall construct remainder of street improvements along Woodward Avenue prior to issuance of the first building permit, including curb, gutter, five (5) foot sidewalk, landscaping with trees and automatic irrigation system, street lights and pavement all in accordance with City Standards ST-3 and the yet-to-be numbered Woodward Avenue Streetscape Plan Standard. In the event that City reconstructs Woodward Avenue as part of the South Sewer Trunk Project, then those portions of this condition that are already constructed shall be void.

30) Developer shall dedicate, or acquire on the City’s behalf, sufficient right-of-way to complete the McKinley Avenue improvements described below.
   a. Developer shall construct full width street improvements along McKinley Avenue, including curb, gutter, five (5) foot meandering sidewalk, landscaping with trees and automatic irrigation system, a seven (7) foot high masonry sound wall along the single-family residence lots, street lights and pavement all in accordance with City Standards ST-3 and ST-38. The full width street improvements do not include any improvements beyond the curb and gutter on the far side of McKinley Avenue opposite of the project. Developer shall also construct a fourteen (14) foot wide raised landscaped median with automatic irrigation system centered on the ultimate McKinley Avenue centerline. Street improvements shall terminate at the south return of the intersection of McKinley Avenue and “C” Street.
   b. Developer may, in accordance with Title 16 of the Manteca Municipal Code, request City Council's approval to construct a part-width street for McKinley Avenue consisting of one 12' wide travel lane and a 2' wide pave shoulder on the side
opposite if the subdivision, including transitions and striping needed to connect with existing roadway improvements. City Council must approve the request by a four-fifths (4/5ths) vote.

31) Traffic indices shall conform to the following:
   Woodward Avenue 9.0
   McKinley Avenue 9.0
   60’ right-of-ways 5.0
   50’ right-of-ways 4.5
   cul-de-sacs 4.0

32) Soils R-Value tests shall be taken in the vicinity of the following lots shown on the Terra Ranch Tentative Subdivision Map:
   Lot 7
   Lot 125
   Lot 74
   A report shall be submitted to the City Engineer with calculations determining the street structural design. Street structural design shall be in conformance with Resolution R-5633, "Street Structural Design Policy".

33) In accordance with Conditions 4 and 5 of said City of Manteca Resolution R-5633, the minimum structural cross-section shall be 2 1/2 inches asphalt concrete over 4 inches of aggregate base.

34) Developer shall include in the subdivision design a bus/landscape maintenance turn-out per City Standard ST-39, on the south side of Woodward Avenue, just east of the McKinley Avenue/Woodward Avenue intersection.
   The locations and design of this turn-out shall be shown as part of the subdivision improvement plans.

35) Vertical curb shall be used along the entire public street frontage of this apartment site.

36) Parking shall not be allowed on the north side of Tara Park Drive, also known as “C” Street on the Terra Ranch Tentative Subdivision Map, across from Lots 57 through 59 of the Terra Ranch Tentative Subdivision Map.

37) The north right of way for Tara Park Drive, beginning at the east return with McKinley Avenue and proceeding easterly for 150 feet, shall be widened to accommodate a right turn lane. Lane configuration in this section shall be: south curb, eight (8’) foot parking lane, ten (10’) foot travel lane, ten (10’) foot travel lane, twelve (12’) foot right-turn lane, north curb.

38) Developer shall install all streetlights to City Standards enabling the street lighting system to be placed on the P.G.&E. LS-2A energy rate schedule prior to final occupancy of the first apartment.

39) Developer shall provide Class II bicycle lanes along Woodward Avenue.

40) A six-foot (6’) high chain link fence, extending from building set back line to building set back line, across all streets stubbed to undeveloped land.

41) Any existing septic tank(s) on the property that will not be approved by the City shall be abandoned in accordance with the permitting requirements of the San Joaquin County Environmental Health Department prior to issuance of the first building permit.

42) Offsite sewer improvements shall comply with the latest version of the City Wastewater Collection System Master Plan (December 2010).
43) A preliminary sewer plan shall be submitted to the City Engineer for approval prior to final improvement plan submittal. The plan shall be accompanied by calculations for peak wet weather flows showing pipe sizes and slopes for the entire development.

44) Any existing well(s) on the property that will not be approved by the City and the State Department of Health for use of any type shall be abandoned in accordance with San Joaquin County Environmental Health Department requirements.

45) Developer shall install a twelve (12) inch water main in McKinley Avenue extending from Woodward Avenue to the south curb return of Tara Park Drive.

46) A water supply analysis has been completed for this development. The analysis shows that this development will generate approximately 493 gallons per minute (gpm) peak hour demand.

47) Developer shall provide and install fire hydrant “blue dot” reflective markers prior to issuance of the first building permit.

48) Developer shall participate in either the Public Facilities Implementation Plan (PFIP) or the Public Facilities Fee (PFF) program regarding construction and financing of infrastructure improvements covered by these programs, depending on which program is in force at the time of site plan approval.

49) All storm drain improvements shall comply with the latest edition of the City of Manteca Storm Drain Master Plan and the City of Manteca Standard Plans and Specifications. This project is located in City Storm Drain Zone 39, which is outside of the South San Joaquin Irrigation District. It has been included in the tributary area for the storm drain pump station to be located within The Trails of Manteca Subdivision.
   a) If downstream facilities such as the Trails storm drain piping and pump station have not been constructed, then this project can use its storm drain basin/park as an interim percolation basin utilizing the City’s interim percolation basin standards, specified in the 2006 Storm Drain Master Plan.
   b) If downstream facilities such as the Trails storm drain piping and pump station have been constructed, then this project will have to construct whatever facilities are necessary to connect to the existing downstream facilities. Improvement plans for these off-site improvements shall be reviewed and approved by the City Engineer.

50) The storm drain basin outlet, either by gravity or pump, shall empty the basin with 96 hours. The proposed basins, pumps and pipes shall be designed to handle stormwater runoff from the onsite and offsite tributary areas.

51) The maximum side slopes of the basins shall be 6 to 1 (horizontal to vertical), the basin bottom elevation shall be a minimum of two feet above the seasonal high groundwater elevation, and the basin shall have a maximum water depth of five feet.

52) Developer shall pay the cost to seed the basin lawn and install the landscape irrigation system with automatic controllers.

53) Prior to any construction activity on this project, the Developer shall meet the requirements of the National Pollutant Discharge Elimination System (NPDES), administered by the California State Water Resources Control Board. A copy of the Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City for acceptance. For permit information, contact the Board at:
54) The SWPPP shall comply with the latest NPDES Construction General Permit (Order No. 2009-0009-DWQ, NPDES No. CAS000002).

55) The property owner shall submit Notice of Intent (NOI), Stormwater Annual Reports, Notice of Termination (NOT), and any SWPPP related documents to SWRCB through the Storm Water Multiple Application and Report Tracking System (SMARTS).

56) All drain inlets shall be marked "No Dumping Drains to River." Drain markers shall be purchased from the City of Manteca, at cost plus 15% administrative charge, and installed by the Developer prior to acceptance of the improvements.

57) A preliminary storm drain plan shall be submitted to the City Engineer for approval prior to final improvement plan submittal. The plan shall be accompanied by calculations for peak flows, total runoff, pipe sizes, and detention basin volume. All design is to be in accordance with the City of Manteca Storm Drain Master Plan. Also include evidence of groundwater depth.

58) The developer shall include provisions for stormwater quality treatment. Locations and types of treatment facilities shall be indicated on the improvement plans. This project shall be designed to meet the water quality treatment requirements of the City of Manteca NPDES permit attachment 4 requirements.

59) Development must comply with the Design Standards in Chapter 6, Stormwater Quality, in the City of Manteca 2006 Storm Drain Master Plan Update. Copies of the Master Plan are available on a CD in the City of Manteca Public Works office.

60) Developer shall provide treatment for 85% of annual runoff (treat to remove petroleum hydrocarbons) per the Manteca 2006 Storm Drain Master Plan Update, Chapter 3, Section 4.5.2 Flow Based Treatment. Location and types of treatment facilities shall be indicated on the improvement plans. Copies of the Master Plan are available on a CD in the City of Manteca Public Works office.

61) Prior to the issuance of a building permit, property owner shall enter into an agreement with the City agreeing to maintain the onsite drainage treatment system(s) in accordance with the manufacturer’s recommendations and the requirements of the State Water Resources Control Board. Said agreement shall be prepared by the City.

62) Prior to the issuance of a building permit the following shall be submitted by the developer and approved by the Public Works Department:
   a) On-site grading and drainage plan.
   b) On-site utility (sanitary sewer, water and storm drain) plan.
   c) Off-site improvement plan.
   d) Erosion control plans.
   e) Stormwater Pollution Prevention Plan (SWPPP).
   The plans specified in (a), (b) and (c) above shall be prepared by a Registered Civil Engineer.
   The SWPPP in (e) above shall be prepared by a Qualified SWPPP Developer (QSD).

63) Reimbursement shall be in the form of credit against PFIP Sanitary Sewer, Water System, Storm Drainage, and Transportation fees. The credit will be given when building permits are issued for construction of residences within Terra Ranch subdivision. If the cost to construct said improvements exceeds the value of PFIP credits, the remainder shall be
reimbursed after the City receives sufficient PFIP Development Fee revenue from development occurring within the same PFIP financing zones. Developer shall have the right to participate in either the Public Facilities Implementation Plan (PFIP) or the Public Facilities Fee (PFF) program regarding construction and financing of infrastructure improvements.

64) The lot illustrated as “Park/Basin” shall be dedicated to the City as a park/storm drain basin prior to or with Final Map submittal.

65) All residential address numbers shall be plainly visible from the street fronting the property. Said numbers/letters shall contrast with background.

66) Streets within each unit being developed of the subdivision shall meet City of Manteca Standard for all weather roadways prior to the issuance of any building permits.

**Parks and Recreation**

**General:**

67) All landscape shall comply with new AB1881 requirements.

68) Private Apartment landscape improvements shall be maintained by the Apartment Complex.

69) All mowable surfaces shall be no less than a 6:1 (horizontal to vertical) slope.

**Landscape Maintenance District (LMD) Formation Requirements:**

70) A Landscape Maintenance District (LMD) shall be formed, at the developer’s expense, to provide for the maintenance of the landscaping, landscape irrigation, park improvements, sound walls, public park/basin, public open spaces, lighting, and all public streetscape/median landscape improvements. Funds to form said LMD shall be collected from the developer prior to the issuance of any building permit. The maintenance district shall be reviewed by the Parks & Recreation and Public Works Departments.

71) Apartment complex shall also be included in the overall LMD per standard requirements.

**Fire Department**

72) A monument sign shall be placed at the main entrance to the complex, listing specific unit numbers assigned to specific buildings.

73) Each building shall have a durable, all-weather sign listing the building designator and the units contained within. Example:

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Bldg. A                               Bldg. 2
Units 101-106                           Units 107-113
  207-213                                 207-213
  307-313                                 307-313
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74) Building address numbers shall be plainly visible from the street/emergency vehicle access lanes. Said numbers shall contrast with their background.

75) Individual units shall be numbered consecutively according to their floor. All units on the first floor shall be in the 100 series, second floor in the 200 series and third floor units in the 300 series.
76) Manteca Municipal Ordinance Section 15.24.070-B (a) requires all buildings in excess of 6,000 square feet to be protected by an automatic fire sprinkler system. Sprinkler plans shall be submitted and approved prior to roof nail inspection.

77) Fire alarm system plans shall be submitted and approved prior to framing final or concealment of fire alarm wiring, boxes or devices. Fire alarm system shall be monitored and in accordance with NFPA 72. All devices will be tested in the presence of the Fire Marshal.

78) According to Manteca Municipal Ordinance #1173, a Fire Facility Permit Fee shall be assessed to all new construction as per *Manteca Municipal Code Sec. 15.04.060.

79) Fire hydrants shall be installed on a minimum 8-inch water main. Fire hydrants shall be installed around the buildings a maximum of 350 feet, in accordance with the City of Manteca Standards.

80) Hydrants shall also be within 90 feet of FDC (fire department connection) for each building.

81) All roads within this project have been designated as Emergency Vehicle Access Lanes. Provide a minimum of 20 feet unobstructed width and an unobstructed vertical clearance of not less than 13 feet 6 inches. Roadways shall be designed to support a minimum fire vehicle load of 40,000-pounds.

82) Provide painted curbs stating “No Parking-Fire Lane” every 30 feet.

83) Fire extinguishers shall have a minimum rating of 2A: 10BC and be accessible within 75'-feet of travel. Fire extinguisher locations shall provide ready access and be installed in accordance with UFC Standard 10-1.

84) Prior to installation, a licensed (C7 or C10) fire alarm contractor shall submit to the local fire authority a minimum of four (4) sets of shop drawings, stand-by battery calculations, manufacturer’s cut sheets for each component.

85) Provide an approved lock box device for the Clubhouse building. Box shall be installed at approved location.

86) When plans are generated digitally, provide digital copy of plans in .DWG format (2000 version or better) prior to inspection notification. Copy may be on disk or E-mail to tcampbell@ci.Manteca.ca.us.

87) Fire Department shall witness all system and acceptance tests. Please provide 24-hour notice prior to any system or acceptance tests.

88) If work differs from approved plans, a set of “as built” shall be submitted to the Fire Department prior to final inspection.

Fees

89) Developer shall be responsible for contacting all affected agencies, and for the timely payment of all applicable fees associated with this project.