



City of  
**Los Banos**  
*At the Crossroads of California*

[www.losbanos.org](http://www.losbanos.org)

## **AGENDA**

### **PLANNING COMMISSION**

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**JULY 8, 2020**

In accordance with Executive Orders N-25-20 and N-29-20, with guidance from the California Department of Public Health, and in order to minimize the spread of the COVID-19 virus, the City Hall Council Chambers will be closed to the public during this Planning Commission Meeting. The following alternatives are available to members of the public who wish to watch the meeting and/or provide comments to the Commission before and during the meeting.

**Audio/Video Broadcast:** This Planning Commission meeting can be accessed in real time from your computer, tablet, or smartphone using GoToMeeting at the following link: <https://global.gotomeeting.com/join/434867789>. Get the free GoToMeeting application now and be ready when the meeting starts: <https://global.gotomeeting.com/install/292250869>. You can also dial in to listen to the meeting using your phone by calling (872) 240-3311 and using Access Code: 434-867-789.

**Public Comment:** If you wish to make either a general public comment for items not on the agenda and under the jurisdiction of the Commission or to comment on a specific agenda item, please submit your comments via email, preferably in advance of the meeting, by 4:00 p.m. on the day of the meeting. Please reference the agenda item you are commenting on and submit your comments to the Planning Commission Secretary at [planningcommission@losbanos.org](mailto:planningcommission@losbanos.org). Your comments will be placed into the record for the meeting. To be read into the record, your email subject line must include "Public Comment – Not on the Agenda" or "Public Comment – Agenda item #[insert item #]".

**Public Hearings:** Public comment during public hearings will be taken in real time via email. Once the public hearing is opened, the Commission will pause the meeting for five minutes in order to receive emails directed at the public hearing and will read comments into the record after resuming the meeting. Please indicate that comments are for a particular public hearing by including "Public Comment – Agenda item #[insert item #]" in the subject line of the email and the title of the public hearing. Emails during the meeting must be sent to the Planning Commission Secretary at [planningcommission@losbanos.org](mailto:planningcommission@losbanos.org).

If you require special assistance to attend or participate in this meeting, please contact the Planning Commission Secretary @ (209) 827-7000 ext. 2431 or by email at [planningcommission@losbanos.org](mailto:planningcommission@losbanos.org) at least 48 hours prior to the meeting.

The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.

Si requiere asistencia especial para atender o participar en esta junta por favor llame a la oficina de la Secretaria del Comisión de Planificación al (209) 827-7000 ext. 2431 o mandar un email al [planningcommission@losbanos.org](mailto:planningcommission@losbanos.org) a lo menos de 48 horas previas de la junta.

La Ciudad de Los Banos cumple con la Acta de Americanos con Desehabilidad (ADA) de 1990.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the meeting and in the Community & Economic Development Department's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at [www.losbanos.org](http://www.losbanos.org).

Cualquier escritura o los documentos proporcionaron a una mayoría del Comisión de Planificación con respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina del Departamento de Comunidad y Desarrollo Economico del City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la Ciudad en [www.losbanos.org](http://www.losbanos.org).

1. CALL TO ORDER **4:00 PM**
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL: (Planning Commission Members)  
Cates \_\_, Higby \_\_, Robinson \_\_, Toscano \_\_, Uhley \_\_
4. APPROVAL OF AGENDA  
*Recommendation: Approve the agenda as submitted.*
5. CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF JUNE 24, 2020  
*Recommendation: Approve the minutes as submitted.*
6. PUBLIC FORUM: Members of the public may address the Commission on any item of public interest that is within the jurisdiction of the Commission, including agenda and non-agenda items. No action will be taken on non-agenda items. Speakers are limited to a five (5) minute presentation.
7. PUBLIC HEARINGS: If You Challenge the Proposed Action as Described herein in Court, You May Be Limited to Raising Only Those Issues You or Someone Else Raised at the Public Hearing Described herein, or in Written Correspondence, Delivered to the City at, or Prior to, the Public Hearing.

A. Public Hearing – To Consider Vesting Tentative Tract Map #2020-02 for Mission Village South Phase 5B Consisting of the Subdivision of Approximately 7.81 Acres into Forty (40) Medium-Density Residential Lots and One (1) High-Density Residential Lot for Sixteen (16) Multi-Family Units and Final Development Plan #2020-01 for Mission Village South Phases 5A and 5B Located East of Mercey Springs Road, South of Mission Drive and North of Willmott Avenue, More Specifically Identified as Assessor's Parcel Number: 428-280-012.

- 1) Planning Commission Resolution No. 2020-18 – Approving Vesting Tentative Tract Map #2020-02 for Mission Village South Phase 5B for the Subdivision of Approximately 7.81 Acres into Forty (40) Medium-Density Residential Lots Ranging from 4,046 Square Feet to 12,135 Square Feet and a 43,036 Square Foot High-Density Residential Lot for Two (2) Multi-Family Structures Totaling Sixteen (16) Units Located East of Mercey Springs Road, South of Mission Drive and North of Willmott Avenue, More Specifically Identified as Assessor's Parcel Number: 428-280-012.
- 2) Planning Commission Resolution No. 2020-19 – Recommending Approval to the Los Banos City Council of Final Development Plan #2020-01 for Mission Village South Phase 5.

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolutions as submitted.*

8. DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF A TRAINING TOWER FOR THE LOS BANOS FIRE DEPARTMENT LOCATED AT 333 SEVENTH STREET, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 025-082-004

*Recommendation: Receive staff analysis and provide initial feedback to the applicant.*

9. COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT

10. COMMISSIONER REPORTS

- A. Cates
- B. Higby
- C. Robinson
- D. Toscano
- E. Uhley

11. ADJOURNMENT

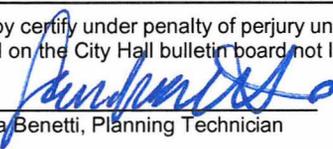
## APPEAL RIGHTS AND FILING PROCEDURES

Any person dissatisfied with an act or determination of the Planning Commission may appeal such act or determination to the Planning Commission by filing written notice with the Planning Commission Secretary not later than five (5) business days (excluding holidays) after the day on which the act or determination was made. An appeal must state the act or determination which is being appealed, the identity of the applicant and his/her interest in the matter, and set forth in concise statement(s) the reasons which render the Commission's decision unjustified or inappropriate. (Los Banos Municipal Code Section 9-3.2326)

Concerning an action taken by the Planning Commission related to Chapter 2 Articles 1 through 17 of the Los Banos Municipal Code "Subdivisions", if a subdivider or other affected property owner is dissatisfied with any action of the Commission with respect to a tentative map or the nature and extent of improvements recommended or required he/she may within fifteen (15) days after such action appeal to the Planning Commission Secretary for a public hearing on the matter. An appeal must state the action being appealed, identify the agenda item by agency number or project title, and set forth in concise statement(s) the reasons for the appeal. (Los Banos Municipal Code Sections 9-2.807)

Appeals must be in writing and include the appellant's name and address and original signature. A filing fee of \$150.00 must accompany the notice of appeal.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

  
Sandra Benetti, Planning Technician

Dated this 2<sup>nd</sup> day of July 2020

**CITY OF LOS BANOS  
PLANNING COMMISSION MEETING MINUTES  
JUNE 24, 2020**

***ACTION MINUTES** – These minutes are prepared to depict action taken for agenda items presented to the Planning Commission. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.*

**CALL TO ORDER:** Chairperson Cates called the Planning Commission Meeting to order at the hour of 4:05 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Commissioner Uhley.

**ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT:** Planning Commission Members John Cates, Thomas Higby III, and Katherine Uhley were present remotely via the GoToMeeting web based application; Rob Robinson and Susan Toscano absent.

**STAFF MEMBERS PRESENT:** Community & Economic Development Director Stacy Elms, Planning Commission Secretary Sandra Benetti, and Associate Planner Rudy Luquin were present remotely via the GoToMeeting web based application.

**CONSIDERATION OF APPROVAL OF AGENDA.** Motion by Uhley, seconded by Higby to approve the agenda as submitted. The motion carried by the affirmative action of all Planning Commissioners present; Robinson and Toscano absent.

**CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF JUNE 10, 2020.** Motion by Uhley, seconded by Higby to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commissioners present; Robinson and Toscano absent.

**PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION MEMBERS ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE.**

Chairperson Cates opened the public forum. Secretary Benetti confirmed that no public comments were received, and Chairperson Cates closed the public forum.

**PUBLIC HEARING – TO CONSIDER A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND MOBILE FOOD VENDOR PERMIT #2020-03 TO ALLOW THE OPERATION OF A MOBILE FOOD VENDING VEHICLE ON PRIVATE PROPERTY FOR YOHANNA ACOSTA DBA**

**BOTANAS EL CACHANILLA LOCATED WITHIN THE HIGHWAY-COMMERCIAL ZONING DISTRICT AT 330 W. PACHECO BLVD., MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 027-152-040.** Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Chairperson Cates recessed the meeting at the hour of 4:18 p.m. for five minutes to receive public comment via email.

The meeting resumed at 4:24 p.m.

Chairperson Cates opened the public hearing.

Secretary Benetti confirmed that no public comments were received for this public hearing item.

Chairperson Cates closed the public hearing.

Motion by Higby, seconded by Uhley to adopt Planning Commission Resolution No. 2020-17 – Approving a Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to Section 15311, Accessory Structures, and Approving Mobile Food Vendor Permit #2020-03 for the Operation of a Mobile Food Vending Unit to Vend on Private Property Located at 330 W. Pacheco Blvd., More Specifically Identified as Assessor's Parcel Number: 027-152-040. The motion carried by the following roll call vote: AYES: Cates, Higby, Uhley; NOES: none; ABSENT: Robinson and Toscano.

### **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.**

Community & Economic Development Director Elms congratulated Chairperson Cates on adding a new baby to his family, spoke of how the City just approved Temporary Outdoor Dining process at the last City Council meeting so restaurants can expand their seating capacity which have been limited due to COVID restrictions set by the state, staff just received notification from the California Department of Housing & Community Development that our CDBG NOFA grant contract has been issued to help with Code Enforcement services, how there are new exciting things happening in our community including a drive-in movie theater at the fairgrounds, how folks are able to be resourceful and think outside of the box, and staff will be applying for grant funding for business assistance as the City is eligible for about \$157,000 to provide assistance to those businesses who have been impacted by the pandemic.

### **PLANNING COMMISSION MEMBER REPORTS.**

**CATES:** Spoke of how his eldest daughter just delivered his first grandchild yesterday whom they named Steven, how his daughter and the new baby are doing well and it has been a crazy and surreal experience to become a grandfather, thanked staff for their work, and inquired if there are any plans to go back to meeting in person.

Community & Economic Development Director Elms responded that staff doesn't have a way to live stream the meetings and social distancing makes it very difficult, how

GoToMeeting has been more efficient for us in regards to presentations, how she is hoping to get back into meeting in the Council Chambers soon although staff has not been given a date yet, how we'll probably have to continue this way until the Governor extends meeting limits to greater than 10 people, and thanked everyone for their patience as this has been a challenge for all of us.

**HIGBY:** No report.

**ROBINSON:** Absent.

**TOSCANO:** Absent.

**UHLEY:** No report.

**ADJOURNMENT:** The meeting was adjourned at the hour of 4:35 p.m.

APPROVED:

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John Cates, Chairperson

ATTEST:

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Sandra Benetti, Planning Commission Secretary





City of  
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**PLANNING COMMISSION STAFF REPORT**

**TO: CHAIRMAN CATES AND PLANNING COMMISSIONERS**

**FROM: RUDY LUQUIN, ASSOCIATE PLANNER** 

**FOR: JULY 8, 2020**

**SUBJECT: CONSIDERATION OF VESTING TENTATIVE TRACT MAP #2020-02 FOR MISSION VILLAGE SOUTH PHASE 5B AND FINAL DEVELOPMENT PLAN #2020-01 FOR MISSION VILLAGE SOUTH PHASE 5**

**RECOMMENDATIONS:**

Staff requests that the Planning Commission open the public hearing, receive public comment, and consider the following actions:

1. Adopt Resolution 2020-17 approving Vesting Tentative Tract Map #2020-02 for Mission Village South Phase 5B for the subdivision of approximately 7.81 acres into forty (40) medium density residential lots ranging from 4,046 square feet to 12,135 square feet and a 43,036 square foot high density residential lot for two (2) multi-family structures totaling sixteen (16) units. The project site is located on the east of Mercey Springs Road, south of Mission Drive and north of Willmott Avenue; more specifically identified as Assessor's Parcel Numbers: 428-280-012.
2. Adopt Resolution #2020-18 recommending approval to the Los Banos City Council of Final Development Plan #2020-01 for Mission Village South Phase 5.

**BACKGROUND SUMMARY:**

The applicant, Stonefield Home, Inc, is completing a previously approved and expired Vesting Tentative Tract Map for Mission Village South Phase 5. The original Vesting Tentative Tract Map (VTTM #2006-16) was approved by the Los Banos Planning Commission on October 24, 2007. The approved VTTM #2006-16 for Mission Village South Phase 5 consisted of the subdivision of 6.39 acres being subdivided into forty-six

(46) Medium Density Residential (R-2) lots. Since then, Mission Village South Phase 5 Vesting Tentative Tract Map #2006-16 entitlement has expired.

On December 12, 2019, the applicant Stonefield Home, Inc. was approved for VTTM #2019-01 for Mission Village South Phase 5A, which subdivided 8.85 acres into 10 Medium Density Residential lots and a 7.81 acre remainder parcel.

Presently, the applicant has requested for Vesting Tentative Tract Map #2020-02 for Mission Village South Phase 5B which is the final component to the Mission Village South Phase 5 project. In addition, the applicant has applied for Final Development Plan #2020-01 for the entirety of Mission Village Phase 5. VTTM #2020-02 is for the subdivision of the 7.81 remainder parcel into forty (40) Medium Density Residential lots and a 43,036 square foot lot designated for two (2) multi family structures totaling to sixteen (16) units. Mission Village South Phase 5 in its entirety will be developed in consistency with a previously approved Zone Change #2001-04 in July 2001, which was for a Planned Development overlay to permit a multi-family development within the Medium Density Residential Zoning District (R-2) along with the varying of the minimum lot sizes and setbacks from the Medium Density Residential (R-2) Standards within a gated community.

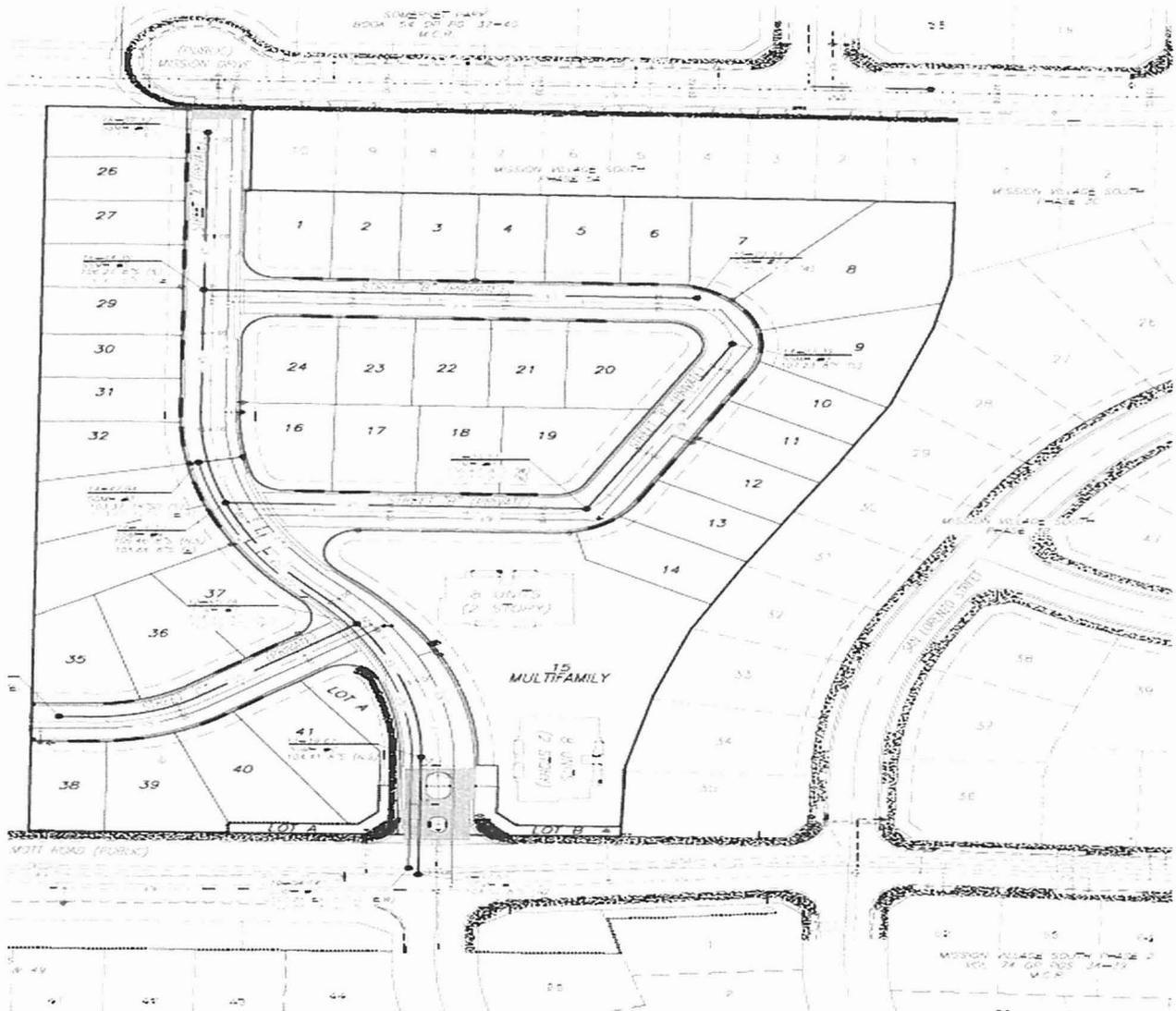
The proposed Final Development Plan was conditioned for submission in Mission Village South Phase 5A conditions of approval prior to the submittal of a Building Permit for the subdivision. Pursuant to the Los Banos Municipal Code, the Final Development Plan needs to be approved concurrently with the approval for Mission Village South Phase 5B, as Phase 5B is the completion of Phase 5. The Planning Commission is the recommending body to the City Council for the Final Development Plan. The City Council by resolution may grant approval of the Planned Development, subject to conditions, or may deny the request.

A Vesting Tentative Tract Map (VTTM) confers a vested right to proceed with a development in substantial compliance with the ordinances, policies, and standards in effect at the time an application for the map is deemed complete.

Vesting Tentative Tract Maps are analyzed in the equivalent fashion as regular tentative maps. The Planning Commission is the lone hearing body reviewing the Vesting Tentative Tract Map, unless appealed, then the City Council will review the project. The review of a Vesting Tentative Tract Map is limited to the verification that the map is within consistency of the requirements of the General Plan, the Zoning Ordinance, the local Subdivision Ordinance, and that State mandated findings can be made. Staff considers that the proposed Vesting Tentative Tract Map is complete and consistent with the foregoing, subject to the recommended conditions of approval. Subsequently, the Vesting Tentative Tract Map is before the Planning Commission for consideration of approval.

## PROJECT DESCRIPTION

The requested Vesting Tentative Tract Map will subdivide a 7.81 acre parcel into forty (40) Medium Density Residential Lots and one (1) 43,036 square foot lot for two (2) multi-family buildings totaling to sixteen (16) units within a gated community. The Medium Density Residential single-family lots, ranging in size from approximately 4,046 square feet to 12,135 square feet including a 43,036 square foot parcel for the proposed multi-family component as depicted below:



## LOCATION AND ACCESS:

The project site is located on the east of Mercey Springs Road, south of Mission Drive and north of Willmott Avenue. The access for the project site will be at Willmott Avenue. The project site is outlined in yellow on the area map below.



**LAND USE:**

The project site is undeveloped and not in agricultural production. The following table shows the adjacent land uses:

Property	Land Use	Zone	General Plan
Project Site	Undeveloped	R-2	MDR
North	Residential	R-1	LDR
East	Residential	R-1	LDR
South	Residential	R-1	LDR
West	Undeveloped	H-C	C

R-1 = Low Density Residential                      LDR= Low Density Residential  
 R-2= Medium Density Residential                MDR= Medium Density Residential  
 H-C= Highway Commercial                        C= Commercial

**ENVIRONMENTAL ASSESSMENT:**

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, this project was previously evaluated in the Mission Village & Mission Estates Subdivisions and Rezone (SCH #2001021115) Mitigated Negative Declaration, which was approved by the Los Banos Planning Commission on July 2001. Staff has determined that environmental review for the project is adequate and consequently did not prepare a subsequent Mitigated Negative Declaration in accordance to Section 15162 of the CEQA guidelines. The evidence in the project file

support that no circumstances of further impacts requiring the preparation of a subsequent Mitigated Negative Declaration are present in this case.

## **TENTATIVE TRACT MAP ANALYSIS:**

### ***In General***

Land cannot be divided in California without local government approval. Dividing land for sale, lease, or financing is regulated by local ordinances based on the State Subdivision Map Act (commencing with California Government Code Section 66410). The local General Plan, local zoning ordinance, local subdivision ordinance, and other local ordinances govern the design of the subdivision, the size of lots, and the types of improvements and infrastructure (street construction, sewer lines, drainage facilities, etc.).

In most cases the sub-divider will be responsible for installing or constructing improvements such as streets, drainage facilities, or sewer lines to serve the subdivision. These improvements must be installed or constructed or secured by bond before the City will grant final approval of the tentative map (final map) and allow the subdivision to be recorded at the Merced County Recorder's office. Lots within the subdivision cannot be sold until the final map has been approved by the City and officially recorded with the Merced County Recorder. Generally, a tentative map has the life span of 24 months unless extended. If the tentative map expires before approval of the final map it cannot be revived. Instead, a new tentative map must be applied for, processed, and approved.

Review of a tentative map is limited to review of its consistency with the General Plan, the Zoning Ordinance, the local Subdivision Ordinance, and that State mandated findings can be made.

### ***Code Requirements – Technical Review***

Title 9, Chapter 2 of the Los Banos Municipal Code regulates the processing and approval of all subdivisions within the City of Los Banos. In accordance with the Code, the Vesting Tentative Tract Map has been reviewed by the Project Review Board prior to its submission to the Planning Commission.

Among other things the Project Review Board is required to and has reviewed the Vesting Tentative Tract Map for: a) suitability of the land for subdivision; b) overall design of the subdivision and its conformity with all pertinent requirements of the Code; c) provisions for and suitability of public improvements such as street improvements, underground utilities, fire hydrants, ornamental electroliers, storm drains, streets, trees, sidewalks, water supply, and sewage disposal and easements for utilities and drainage; d) provisions for public areas such as parks and schools.

The Project Review Board reviewed the Vesting Tentative Tract Map #2020-02 and

their recommendations are incorporated into the Conditions of Approval.

### ***Project Design***

The proposed subdivision is a Medium Density Residential subdivision with a Planned Development (PD) overlay, which was approved by the City of Los Banos in July 2001. The single-family residential development includes forty (40) single-family residential lots ranging from 4,046 square feet to 12,135 square feet, and a 43,036 square foot parcel that will be dedicated to multi-family housing totaling sixteen (16) units in respect to the previously approved Planned Development Overlay. The proposed subdivision does meet the building site requirements established for the Medium Density Residential Zoning District (R-2) in the Los Banos Municipal Code; however, the Planned Development (PD) overlay relieves the applicant from adhering to the standards for Medium Density Residential Zoning (R-2) standards in which building sites and setbacks can vary from the specific standards. The proposed density is approximately 7.17 units per acre, which meets density minimum requirements in accordance with the Los Banos 2030 General Plan. The subdivision will be a Medium Density Residential (R-2) with a multi-family component, which will be developed in consistency with the previously approved Planned Development (PD) overlay, the Los Banos Municipal Code and all pertinent City Standards and Specifications will apply.

Pursuant to the Los Banos Municipal Code Title 9, Chapter 3, Article 7, Medium Density Residential Zoning District (R-2), the minimum lot size shall be 4,000 square feet and the lot width shall be a minimum of forty (40) feet for interior lots and forty-five (45) feet for corner lots.

The project meets the requirements of the Medium Density Residential Zoning Districts (R-2) for minimum lot size through the Planned Development (PD) overlay as for mentioned.

### ***Land Use***

The project sites land use designation is Medium Density Residential (MDR) according to the Los Banos 2030 General Plan, Medium Density Residential Zoning District (R-2) in accordance with the Los Banos Zoning Map, and has a Planned Development (PD) overlay. The project is proposing to subdivide an approximate 7.81 acre parcel into forty (40) Medium Density Residential lots and a 43,036 square foot parcel dedicated to accommodate two (2) multi-family structures totaling sixteen (16) units. The proposed use is consistent with the Los Banos 2030 General Plan and the Los Banos Municipal Code Title 9, Chapter 2, Subdivisions.

### ***Landscape and Lighting***

Prior to issuance of any permits, the developer will be required to prepare a Landscape and Lighting Plan for the proposed subdivision in the public right of way. The landscape plan will be designed in accordance with the City's "Water Efficient Landscape

Ordinance” and the lighting plan will include a Lumen Dispersion Map and comply with the City of Los Banos Standards and Specifications. Maintenance of the landscape and lighting areas will be financed through a Landscape and Lighting District. The developer will be required to form or annex to an existing Landscape and Lighting District prior to recordation of the Final Map.

### ***Circulation***

The projects potential traffic was previously evaluated in the Mission Village & Mission Estates Subdivisions and Rezone Mitigated Negative Declaration and Initial Study (SCH #2001021115), which was adopted by the City of Los Banos in July 2001. The potential traffic of the proposed project was analyzed in the document.

### ***Infrastructure/Services***

**Water:** The City of Los Banos would provide domestic water services by connecting to an existing eight (8) inch water line located on Mission Drive. All existing groundwater wells within the boundary of the map will be required to be abandoned to Merced County Standards. The project is subject to the provisions of the Los Banos Water Master Plan and will conform to its requirements including, but not limited to, payment of water impact fees.

**Sewer:** The City of Los Banos would provide wastewater service to the project site by connecting to an existing sewer line located on Mission Drive. Project build-out has been contemplated in the Wastewater Master Plans and will conform to its requirements including, but not limited to, payment of the wastewater impact fees.

**Drainage:** The City of Los Banos would provide storm water drain services by connecting to the City of Los Banos via an existing storm drain line located on Mission Drive. The existing storm drain catch basin north of the project site located on Somerset Avenue. The catch basin has been sized to accommodate flow from the project area in accordance with the Storm Drain Master Plan. It should be noted that all City infrastructure has been sized to accommodate this use and will be built in accordance with the City’s Utility Master Plans.

### **FINDINGS:**

State law and the Zoning Ordinance of the Los Banos Municipal Code (LBMC) set forth the considerations to be addressed in reviewing a Vesting Tentative Tract Map. The Planning Commission must make the following findings before making its action.

**1. The proposal is consistent with the Los Banos General Plan and Zoning Ordinance.**

The project and its improvements are compatible with the objectives, policies, land uses, and programs specified in the Los Banos 2030 General Plan.

The map and improvements conform to the Medium Density Residential Zoning District (R-2) with the Planned Development (PD) overlay for the proposed residential development. Single-Family Residential dwelling units are permitted in the underlying zoning district per the text of the Los Banos Municipal Code Title 9, Chapter 3, Article 12, Medium Density Residential Zoning District (R-2), and the multi-family component is consistent with the Medium Density Residential Zoning and the Los Banos Municipal Code through the previously approved Planned Development overlay.

**2. The proposal will not be detrimental to the health, safety, comfort, or general welfare of the persons residing or working in the City of Los Banos, or injurious to property or improvements in the surrounding neighborhoods or within the City.**

The project meets all applicable City standards pertaining to public health, safety, and welfare (e.g., standards pertaining to public utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the design and conditions of approval of the Vesting Tentative Tract Map. The street design is satisfactory to the Los Banos Fire Department and City Engineer. The homes will be equipped with automatic residential fire sprinklers and will be required to meet the requirements of the California Building Code, Fire Code, and other applicable City codes and/or requirements. The site is free from toxic or hazardous materials and no earthquake, landslide, flooding, or other natural hazards exist at this site. The proposed single-family residential lots are compatible with the adjacent uses, properties, and neighborhoods, and will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City. The proposed subdivision design, lot sizes, lot configurations, and proposed infrastructure improvements are adequate to accommodate the density and intensity of the development proposed.

**3. The project site is physically suitable for residential development and density.**

The property is not in a flood zone or earthquake fault zone. Project construction would involve minimal site grading and alteration of existing topography. Thus, the project site is physically suitable for the proposed development as there are existing similar residential uses located on the northern portion of Mission Drive. This project will be the continuation of the Mission Village South Subdivision. The proposed density is approximately 7.17 units per acre and lot sizes range from 4,046 to 12,135 square feet, including the 43,036 square foot parcel dedicated to the multi-family component. The proposed density is consistent with the Medium Density Residential (MDR) General Plan land use density; though the minimum proposed lot size is less than the standard for Medium Density Residential Zoning District (R-2). However, the project site has a Planned Development (PD) overlay in which the variation of the minimum lot size proposed is acceptable including the proposed multi-family component.

**4. The design of the subdivision or its related improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.**

No conflicts with easements acquired by the public at large, for access through or use of the property within the proposed subdivision have been identified.

**5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.**

As part of the environmental assessment that the City adopted in July of 2001, staff found no potential for significant environmental effects. The project site does not include any rare, threatened, or sensitive plants or wildlife. No creeks, wetlands, water bodies or mapped environmentally sensitive habitat are located on the project site. Conditions of Approval include conditions that require best management practices to be incorporated before and during construction to minimize impacts to groundwater and surface water quality. The location of the project has been recently developed, in which the majority if not all of the area has been previously disturbed.

**6. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).**

The proposed residential development would not result in the discharge of waste from the project site in violation of existing requirements prescribed by the local RWQCB. Sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage and all sewage would be discharged into the City's sanitary sewer system for ultimate treatment. Storm water runoff would be collected and conveyed through the City's storm water basin retention system in accordance with the City's Storm Drain Master Plan.

**7. The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.**

The site is not covered by a land conservation contract, including a Williamson Act contract.

**8. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.**

There is sufficient northern, southern, eastern, and western exposure to allow for passive heating or cooling systems to be provided on the site. Future homes on the proposed lots could be designed, oriented, and set apart from one another in order to

incorporate passive heating and cooling opportunities. The homes in the project will comply with the City's residential Green Building Ordinance, which requires that each home achieve a "Green Home" rating on the "Single-Family Green Building Rating System."

### **FINAL DEVELOPMENT PLAN ANALYSIS:**

Pursuant to Section 9.3-401 of the Los Banos Zoning Code, the purpose of the Planned Development District (P-D) is to provide an integrated neighborhood development which would otherwise not be possible under traditional "lot-by-lot" zoning. The Planned Development District encourages innovative and creative development by allowing flexibility in land use and design. The Planned Development District allows the opportunity to provide amenities and conveniences while maintaining a suitable neighborhood environment and permits development based on a high standard of performance and design by creating greater efficiency in land use by providing for flexibility in strict application of the Zoning Code. This is achieved by maximizing open space, preserving natural amenities, and creating additional amenities as approved by the City Council.

A Final Development Plan is required for the total project or an approved phase of the project in order for development to occur in the Planned Development District. The Planning Commission is tasked with making a recommendation to the City Council on the proposed Final Development Plan. The City Council by resolution may grant approval of the Final Development Plan subject to conditions, or may deny the request.

#### ***Project Design***

The proposed project provides a mix of land uses including phased medium density single-family residential development, high density residential development, and open space within a gated community, not otherwise available in a traditional residential zone. The Los Banos General Plan and the Residential Design Guidelines were used as guiding principles for the design of Mission Village South Phase 5 Final Development Plan. The intent of the design was to present a range of home choices from seven different home models along with several elevation options ranging from one (1) and two (2) story attractive production homes positioned on varying lot sizes throughout the project and to provide a gated community with a multi-family development consisting to appeal to home buyers who desire a more private lifestyle.

#### ***Land Use***

The project site is designated as Medium Density Residential according to the Los Banos General Plan with a Planned Development overlay according to the Zoning Map. Mission Village South Phase 5A proposes a Medium Density Residential single family homes on lot sizes varying from 3,755 square feet to 4,697 square feet. For Mission Village South Phase 5B the lot sizes will range from 4,046 to 12,135 with one multi-family lot at 43,036 square feet all within a gated community. The resulting density of the projects entirety will be 7.57 dwelling units per gross acre (du/ac).

### ***Architecture***

The proposed architecture for the project reflects the character of many older communities found throughout the California's Central Valley which are a part of California's architectural history in such recognizable styles as: Early Californian, California Coastal, and California Rustic architectural styles. The Final Development Plan provides a variety in elevation, color scheme, house designs, and setbacks to provide compatibility with the existing Mission Estates neighborhood. The proposed elevation styles used within the proposed Final Development Plan will be compatible with, and complementary to, the existing context in terms of scale, height, and neighborhood feel. The design will consist of articulated front elevations and set back second stories providing a richness to the massing of the homes. A mixture of gable and hip roofs vary appearance and each design uses a roof pitch that is consistent with the style it represents giving the different elevations higher or lower ridgelines depending on style. The proposed elevations for the production homes utilize variations in building style, colors, and materials. Each architectural plan group consists of an elevation of stone veneer used on the base of the homes or different portions of the front elevations with the body of the structure mainly consisting of stucco with some options having wood siding. Each architectural plan group also consists of the use of different types of decorative aesthetic vent features throughout various plans. The proposed designs have the front door recessed while garages and the elevation adjacent to the door are similarly or slightly off-set extended to the front façade with minimum two (2)-car garages.

The Final Development Plan proposes seven (7) different architectural plan groups each consisting of three (3) distinct elevation styles per plan adding up to a total of twenty-one (21) different design styles.

The proposed multi-family structures will be two (2) story structures which will have similar architectural features as the proposed single family structures. The multi-family structures will have a gabled roof with stone veneer on portions of all elevations with the body of the structure mainly consisting stucco. There will be arches in the entry locations of the multi-family structure.

### ***Circulation***

Mercey Springs Road is an arterial located to the west of the project and Place Road is an arterial located east of the project site. Willmott Avenue is designated as a minor arterial which will be the main entry access point to the gated community for Mission Village Phase 5B. Mission Village South Phase 5B will have three (3) private streets, one of them, Street A, connecting with Willmott Avenue at the only entry point. All private streets have been proposed to be forty (40') feet wide with rolled curbs. There is a secondary gate at the Mission Drive, however that will be utilized as an Emergency Vehicle Access only. Willmott Avenue connects to Las Palmas Street which is designated as neighborhood/local residential. Las Palmas Street connects to the designated minor collector, Mission Drive, which is the main access for Mission Village

South Phase 5A. Willmott Avenue has an existing Class II bike lane connecting to Las Palmas which has an existing Class I bike path which connects to a Class I bike path at Place Road.

There is pedestrian circulation connectivity as the gated community will be conditioned to provide sidewalks to maintain and enhance the pedestrian connectivity from the gated community residents to the rest of the surrounding developments. There will be a restricted pedestrian access gate for the gated community residents which will connect to sidewalks on Willmott Avenue. All of the streets are existing minus the proposed private streets within the proposed gated community.

### ***Open Space and Recreation***

Mission Village South Phase 5 has not proposed any open space area for this Phase. Nonetheless, Staff has conditioned that there be an open space/ park area within the gated community with certain amenities, but not limited to: play structure, picnic tables, and a shade canopy structure. The nearest parks to the proposed development are Talbot Park located south of the project site off of San Luis Street and Verona Park located east of the project site off Palermo Drive. A component of the Planned Development is that the developer incorporate amenities for the residents such as open space, parks, and/ or recreational areas. The proposed subdivision will be required to annex into a Landscape and Lighting District to finance the ongoing maintenance of street lighting, landscaped street medians and rights-of-ways, storm drainage facilities, water and sewer, sidewalks, street signs, parks and related facilities, masonry walls, fences, and traffic signals.

### ***Infrastructure/Services***

**Water:** The City of Los Banos would provide domestic water services by connecting to an existing twelve (12") inch water line at Mission Drive. Routine eight (8") inch distribution lines are proposed to be installed throughout the project site. All existing groundwater wells within the boundary of the map have been conditioned to be abandoned to Merced County Standards. The project is subject to the provisions of the Los Banos Water Master Plan and will conform to its requirements including, but not limited to, payment of water impact fees.

**Sewer:** The City of Los Banos would provide wastewater service to the project site by connecting to an existing six (6") inch sanitary sewer line at Mission Drive and an existing eight (8") inch sanitary sewer line located at Willmott Road. Routine six (6") inch to eight (8") inch lines are proposed to be installed throughout the project site. The Project build-out has been contemplated in the Wastewater Master Plans and will conform to its requirements including, but not limited to, payment of the wastewater impact fees.

**Drainage:** The City of Los Banos would provide storm water drain services by an existing twelve (12") storm drain along Somerset Avenue which will be extended to Mission Drive to serve Phase 5A. There is an existing catch basin that presently serves Mission Drive. An existing thirty (30") storm drain located on Willmott Avenue will be

used to serve the proposed gated community Phase 5B. There is an existing eighteen (18") inch storm drain line stubbed to Phase 5B, which will be abandoned. The storm drain lines will be consistent to City standards and specifications and to be in accordance with the Storm Drain Master Plan.

It should be noted that all City infrastructure has been sized to accommodate this use and will be built in accordance with the City's Utility Master Plans.

**PUBLIC COMMENT:**

A public hearing notice was published in the Los Banos Enterprise and notices were mailed out to property owners within a 300' radius of the project site on July 26, 2020. As of the date of this staff report, no comments were received.

**RECOMMENDATION:**

Staff requests that the Planning Commission open the public hearing, receive public comment, and consider:

1. Adopt Resolution 2020-17 approving Vesting Tentative Tract Map #2020-02 for Mission Village South Phase 5B for the subdivision of approximately 7.81 acres into forty (40) medium density residential lots ranging from 4,046 square feet to 12,135 square feet and a 43,036 square foot high density residential lot for two (2) multi-family structures totaling sixteen (16) units. The project site is located on the east of Mercey Springs Road, south of Mission Drive and north of Willmott Avenue; more specifically identified as Assessor's Parcel Numbers: 428-280-012.
2. Adopt Resolution #2020-18 recommending approval to the Los Banos City Council of Final Development Plan #2020-01 for Mission Village South Phase 5.

**ATTACHMENTS:**

1. Resolution No. 2020-18 – Vesting Tentative Tract Map #2020-02
  - Exhibit A: CEQA Findings
  - Exhibit B: Findings for Approval
  - Exhibit C: Conditions of Approval
2. Resolution No. 2019-19 – Final Development Plan #2020-01
  - Exhibit A: CEQA Findings
  - Exhibit B: Findings for Approval
  - Exhibit C: Conditions of Approval
3. Applicants comments to Conditions of approval for VTTM #2020-01 & FDP #2020-01
4. Mission Village South Phase 5B Subdivision Vesting Tentative Tract Map
5. Final Development Plan
6. Architectural Elevations
7. Public Hearing Notice – July 26, 2020



**RESOLUTION NO. 2020-18**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING VESTING TENTATIVE TRACT MAP #2020-02 FOR MISSION VILLAGE SOUTH PHASE 5B FOR THE SUBDIVISION OF APPROXIMATELY 7.81 ACRES INTO FORTY (40) MEDIUM DENSITY RESIDENTIAL LOTS RANGING FROM 4,046 SQUARE FEET TO 12,135 SQUARE FEET AND A 43,036 SQUARE FOOT HIGH DENSITY RESIDENTIAL LOT FOR TWO (2) MULTI-FAMILY STRUCTURES TOTALING SIXTEEN (16) UNITS. THE PROJECT SITE IS LOCATED ON THE EAST OF MERCEY SPRINGS ROAD, SOUTH OF MISSION DRIVE AND NORTH OF WILLMOTT AVENUE; MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 428-280-012**

WHEREAS, the Los Banos General Plan was adopted by the City of Los Banos City Council on July 15, 2009; and

WHEREAS, the subject property has a land use designation of Medium Density Residential (MDR) pursuant to the Los Banos General Plan and is zoned Medium Density Residential (R-2) by the Los Banos Zoning Map and has a Planned Development (PD) overlay; and

WHEREAS, pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, the Mission Village South Phase 5B, Vesting Tentative Tract Map #2020-02 was previously and adequately evaluated in the Mitigated Negative Declaration (SCH #2001021115) for the Mission Village & Mission Estates Subdivisions and Rezone, which was adopted by the City in July 6, 2001; and

WHEREAS, Vesting Tentative Tract Map #2020-02 was reviewed by the Project Review Board on June 16, 2020 and was determined to be in compliance with State laws and the Los Banos Subdivision Code; and

WHEREAS, a public hearing was duly noticed for Wednesday, July 8, 2020, in accordance with California Government Code Section 65091 by advertisement in the Los Banos Enterprise and by mail to property owners within 300 feet of the project boundaries on June 26, 2020, to consider and take testimony regarding the Mission Village South Phase 5B Vesting Tentative Tract Map #2020-02; and

WHEREAS, at the Wednesday July 8, 2020, Planning Commission meeting the Los Banos Planning Commission, heard and considered testimony, if any, of all persons desiring to be heard; reviewed Vesting Tentative Tract Map #2020-02 and staff report; studied the compatibility of the applicant's request with adjacent land uses; has considered the applicant's request in accordance with the Vesting Tentative Tract Map criteria established in Title 9, Chapter 2, Article 15 of the Los Banos Municipal Code; and

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the Planning Commission of the City of Los Banos does hereby make the findings set forth in Exhibit A (CEQA Findings), and Exhibit B (Findings of Approval), attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Los Banos does hereby approve Vesting Tentative Tract Map #2020-02 for Mission Village South Phase 5B for the subdivision of approximately 7.81 acres into forty (40) medium density residential lots ranging from 4,046 square feet to 12,135 square feet and a 43,036 square foot high density residential lot for two (2) multi-family structures totaling sixteen (16) units. The project site is located on the east of Mercey Springs Road, south of Mission Drive and north of Willmott Avenue; more specifically identified as Assessor's Parcel Numbers: 428-280-012.

The foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Los Banos held on the 8<sup>th</sup> day of July 2020, by \_\_\_\_\_, who moved its adoption, which motion was duly seconded by \_\_\_\_\_, and the Resolution recommended for approval by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

\_\_\_\_\_  
John Cates, Planning Commission Chairperson

ATTEST:

\_\_\_\_\_

*Revised 7/8/2020*

Sandra Benetti, Planning Commission Secretary

**EXHIBIT A**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR VESTING TENTATIVE TRACT MAP #2020-02 – MISSION VILLAGE SOUTH PHASE 5B**

Pursuant to the requirements of California Public Resources Code Section 21000 et seq. (“CEQA”) and Title 14, California Code of Regulations Section 15000 et seq. (the “CEQA Guidelines”), the City as Lead Agency under CEQA adopts the following findings required by CEQA, along with the facts and evidence upon which each finding is based.

The City of Los Banos planning commission hereby finds as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, the Mission Village South Phase 5B, Vesting Tentative Tract Map #2020-02 was previously and adequately evaluated in the Mitigated Negative Declaration (SCH #2001021115) for the Mission Village & Mission Estates Subdivisions and Rezone, which was adopted by the City in July 6, 2001
2. Mission Village South Phase 5B Vesting Tentative Tract Map #2020-02 was adequately noticed and circulated for public review and comment on June 26, 2020 for consideration at a public meeting on Wednesday, July 8, 2020, in which no comments were received, at the time of this report.
3. No further environmental documentation is required as the Mission Village South Phase 5B Vesting Tentative Tract Map #2020-02 was planned and adequately analyzed in the Mitigated Negative Declaration (SCH #2001021115).

## EXHIBIT B

### FINDINGS FOR APPROVAL OF VESTING TENTATIVE TRACT MAP #2020-02 – MISSION VILLAGE SOUTH PHASE 5B

Based upon the entire record, the City of Los Banos Planning Commission hereby finds as follows:

**1. The proposal is consistent with the Los Banos General Plan and Zoning Ordinance.**

The project and its improvements are compatible with the objectives, policies, land uses, and programs specified in the Los Banos 2030 General Plan.

The map and improvements conform to the Medium Density Residential Zoning District (R-2) and the Planned Development (PD) overlay for the Mission Village South Phase 5 Subdivision. Single-Family Residential dwelling units are permitted in the underlying zoning district per the text of the Los Banos Municipal Code Title 9, Chapter 3, Article 12, Medium Density Residential Zoning District (R-2).

**2. The proposal will not be detrimental to the health, safety, comfort, or general welfare of the persons residing or working in the City of Los Banos, or injurious to property or improvements in the surrounding neighborhoods or within the City.**

The project, as conditioned meets all applicable City standards pertaining to public health, safety, and welfare (e.g., standards pertaining to public utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the design and conditions of approval of the Vesting Tentative Tract Map. The street design is satisfactory to the Los Banos Fire Department and City Engineer. The homes will be equipped with automatic residential fire sprinklers and will be required to meet the requirements of the California Building Code, Fire Code, and other applicable City codes and/or requirements. The site is free from toxic or hazardous materials and no earthquake, landslide, flooding, or other natural hazards exist at this site. The proposed single-family residential lots are compatible with the adjacent uses, properties, and neighborhoods, and will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City. The proposed subdivision design, lot sizes, lot configurations, and proposed infrastructure improvements are adequate to accommodate the density and intensity of the development proposed.

**3. The project site is physically suitable for residential development and density.**

The property is not in a flood zone or earthquake fault zone. Project construction would involve minimal site grading and alteration of existing topography. Thus, the

project site is physically suitable for the proposed development as there are existing similar residential uses located on the northern portion of Mission Drive. This project will be the continuation of the Mission Village South Subdivisions. The proposed density is approximately 7.17 units per acre and lot sizes range from 4,046 to 12,135 square feet, including the 43,036 square foot parcel dedicated to the multi-family component. The proposed density is consistent with the Medium Density Residential (MDR) General Plan land use density; though the minimum proposed lot size is less than the standard for Medium Density Residential Zoning District (R-2). However, the project site has a Planned Development (PD) overlay in which the variation of the minimum lot size proposed is acceptable including the proposed multi-family component.

**4. The design of the subdivision or its related improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.**

No conflicts with easements acquired by the public at large, for access through or use of the property within the proposed subdivision have been identified.

**5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.**

As part of the environmental assessment that the City adopted in July of 2001, staff found no potential for significant environmental effects. The project site does not include any rare, threatened or sensitive plants or wildlife. No creeks, wetlands, water bodies or mapped environmentally sensitive habitat are located on the project site. Conditions of Approval include conditions that require best management practices to be incorporated before and during construction to minimize impacts to groundwater and surface water quality. The location of the project has been recently developed, in which the majority if not all of the area has been previously disturbed.

**6. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).**

Future residential development would not result in the discharge of waste from the project site in violation of existing requirements prescribed by the local RWQCB. Sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage and all sewage would be discharged into the City's sanitary sewer system for ultimate treatment. Storm water runoff would be collected and conveyed through the City's storm water basin retention system in accordance with the City's Storm Drain Master Plan.

**7. The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.**

The site is not covered by a land conservation contract, including a Williamson Act contract.

**8. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.**

There is sufficient northern, southern, eastern, and western exposure to allow for passive heating or cooling systems to be provided on the site. Future homes on the proposed lots could be designed, oriented and set apart from one another in order to incorporate passive heating and cooling opportunities. The homes in the project will comply with the City's residential Green Building Ordinance, which requires that each home achieve a "Green Home" rating on the "Single-Family Green Building Rating System."

**EXHIBIT C**

**CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP #2020-02- MISSION VILLAGE SOUTH PHASE 5B SUBDIVISION**

General

1. The applicant shall submit a revised Vesting Tentative Tract Map to the Community and Economic Development Department reflecting any modifications, additions, and/or conditions of approval, within 30 days from Planning Commission approval. If necessary, the revised Vesting Tentative Tract Map shall be reviewed by the City Engineer and the Community and Economic Development Director and signed by the Community and Economic Development Director for purposes of providing a clear record of the approved Vesting Tentative Tract Map.
2. Prior to the recordation of a Final Map the Developer shall form or annex the Subject Property to a Community Facilities District created for the purposes of funding public safety, as authorized by Government Code Section 53313(a) and (b). The form, terms and conditions and the tax rate for the formation of the Mello-Roos district, or in the alternative the annexation of the subject property to an existing district, shall be as approved by the City Council, as determined in its sole and exclusive discretion. District formation or annexation shall be at the sole cost of the Developer.
3. Prior to approval of any Final Map, the Developer shall form or annex the subject property to a Lighting and Landscaping District created for purposes of maintaining public landscape areas, signage and public lighting including a share of traffic signal maintenance costs as authorized pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, and Article XIID of the California Constitution. The form, terms and conditions and the tax rate for the formation of the Lighting and Landscaping District, or in the alternative the annexation of the subject property to an existing district, shall be as approved by the City Council, as determined in its sole and exclusive discretion. It is the intent of the parties that the assessment of the subject property will be apportioned to each parcel in proportion to the special benefit it receives. District formation or annexation shall be at the sole cost of the developer.
4. Approval and life of the Vesting Tentative Tract Map shall be as set forth in the Los Banos Municipal Code and Subdivision Map Act.

5. All development shall be consistent with the Vesting Tentative Tract Map #2020-02 reflecting any amendments added during approval.
6. The Final Map(s) shall be in substantial compliance with the approved Vesting Tentative Tract Map, including any changes set forth in the conditions of approval.
7. A Final Map shall be prepared by a professional land surveyor licensed in California or a professional engineer licensed in California and qualified to practice land surveying, according to the Subdivision Map Act, and local ordinances.
8. At least two points on the Final Map shall be tied to the California State Plane Coordinate System (NAD 83) with ties shown and closure calculations depicting the tie bearings and distances.
9. A letter from the Tax Collector shall be submitted prior to the recording of the Final Map, which indicates that taxes have been paid or a bond has been posted.
10. A Final Map Guarantee shall be prepared and provided to the County Recorder.
11. When the submittal has been technically approved, the original mylars and a conforming mylar will be signed and notarized (notary shall not be stamped on the map) and delivered to the Public Works Department.
12. For all properties within 1,000 feet of agricultural operations, deed notices shall be recorded with the final map. The deed notice shall require property purchasers to acknowledge the existing and ongoing commercial and/or agricultural uses on adjacent and nearby properties, and the Merced County Right-to-farm Ordinance.
13. Building Master Plans shall be approved by the Community and Economic Development Department and Building Department prior to issuance of the first building permit and the architecture shall be consistent with the Final Development Plan.
14. Improvement Plans shall be submitted to the City for approval prior to/or concurrent with the application for each final map and the following note shall be required: "The Contractor is responsible for protecting and preserving survey monuments and other survey markers. Any survey monuments damaged as a direct or indirect result of construction activities shall be re-established by a duly licensed land surveyor at the Contractor's sole expense. A corner record shall be filed in accordance with State law for any reset monuments at the Contractor's sole expense."

15. Improvement Plans shall include a street signage and striping plan to be approved by the Public Works Director/City Engineer.
16. Off-site public improvement plan(s) shall be submitted to the Public Works Department for approval prior to/or concurrent with the application for the Final Map. The developer shall not commence off-site improvements until approval is received by the Public Works Department. The developer shall enter into a subdivision improvement agreement with the City and provide labor and maintenance bonds in an amount of 100% of the Engineer's Estimate for public improvements to be completed following recordation of the Final Map.
17. Private property owners shall be responsible for the maintenance of sound walls and decorative masonry walls located on private property.
18. The applicant shall obtain City approval in advance for permanent and temporary on-site and off-site signs through separate sign reviews and bonding consistent with the development criteria of the Los Banos Municipal Code – Sign Ordinance.
19. It is the applicant's responsibility to ensure that the development complies with the Americans with Disabilities Act requirements.
20. It shall be the responsibility of the applicant to convey copies of the conditions of approval to all contractors and sub-contractors.
21. Building permits will be issued in accordance with City Subdivision Policy that identifies the improvements required in order for a building permit to be issued.
22. If parking for model homes is to be provided in a temporary parking lot, such lot shall be approved by the Community and Economic Development Director as a commercial lot conforming with Los Banos Municipal Code Section 9-3.2009, and shall be removed within 60 days of the end of sales, if not intended to serve a permanent use.
23. All structures, foundations, and footings for future buildings on the project site shall be designed and constructed to conform with the current Uniform Building Code for Seismic Zone 4 to minimize structural damage resulting from potential seismic activity.
24. An engineering soils report shall be prepared for all projects in order to identify soil characteristics requiring special structural design. On-site and off-site structural design shall conform to the findings and recommendation of

the engineering soils report. The report shall be prepared prior to issuance of a grading permit, subject to review and approval of the Los Banos City Engineer.

25. Prior to issuance of building permits for development of sensitive residential land uses (e.g. houses, schools, parks, day care), or other uses in which persons may contact soils), a Phase 1 environmental assessment shall be prepared to determine if soils contain hazardous materials. If necessary, a remediation plan shall be created and implemented. The assessment and any necessary remediation plans shall be subject to the approval of the Community Development Department.
26. The project site is subject to the Northgate Sanitary Sewer Reimbursement Agreement for the fair share costs of oversizing the sewer lift station and the construction of sewer mains which benefit APN: 428-280-012 and shall be made payable to the City of Los Banos prior to issuance of each building permit.
27. Improvement Plans and Grading Plans shall delineate the location and design of all required walls and fences including retaining walls.
28. Undeveloped portions of the subdivision shall be controlled of weeds and free of debris and litter.
29. Prior to issuance of building permits for development on the project site, if the project site has remained fallow and reverted to grassland vegetation, the following measures shall be required, subject to the review and approval of the City of Los Banos Community Development Department:
  - a. A pre-construction survey shall be conducted by a qualified biologist for burrowing owls within 30 days of the on-set of construction according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 1995).
  - b. If pre-construction surveys undertaken during the breeding season (February through July) locate active nest burrows within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) must remain off-limits to construction until the breeding season is over. The CDFG recommends setbacks from occupied nest burrows of 100 meters where construction will result in the loss of foraging habitat.
  - c. During the non-breeding season (August through January), resident owls may be relocated to alternative habitat. The relocation of resident

owls must be according to a relocation plan prepared by a qualified biologist in consultation with the California Department of Fish and Game. Passive relocation is the preferred method of relocation. This plan must provide for the owls relocation to nearby lands possessing available nesting and foraging habitat.

30. Due to the possibility that significant buried cultural resources might be found during construction, the following language shall be included in any permits issued for the project site, including, but not limited to building permits for future development, subject to the review and approval of the Los Banos Planning Division:

*“If archaeological resources or human remains are discovered during construction, work shall be halted at a minimum of 200 feet from the find and the area shall be staked off. The project developer shall notify a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.”*

31. In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall ensure that this language is included in all permits in accordance with CEQA Guidelines section 15064.5(e):

*“If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Los Banos Police Department contacts the coroner of Merced County to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of*

*the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.”*

32. Prior to issuance of a building permit, dust control requirements consistent with SJVAPCD District Rule VIII shall be included in all construction contract specifications to reduce significant levels of construction contract specifications to reduce significant levels of construction-related hazardous air emissions.
- a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative cover.
  - b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
  - c. All land clearing, grubbing, scraping, excavation, land leveling, grading, and cut and fill activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
  - d. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.
  - e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is expressly forbidden.)
  - f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
33. Prior to issuance of building permits, developers shall include the following requirements in all construction bids and documents including contracts (and implemented during construction activities) for the purpose of reducing diesel particulate and acrolein emissions during construction of the project:
- g. All pre-1994 model year and older diesel equipment shall be retrofitted with EPA-certified diesel oxidation catalyst filters;

- h. Contractor shall maintain records of all purchases of diesel oxidation catalyst filters or biodiesel fuel until construction is complete; and
  - i. The SJVAPCD shall have the right to inspect all construction and demolition equipment, as well as the contractor's records at any time during demolition and construction.
- 34. This approval is conditioned upon and shall be effective upon payment in full of all outstanding invoices pursuant to the Cost Recovery Contract.**

Pre-Construction and Construction

35. A minimum 200-foot separation shall be maintained between residences and material stockpiles, debris piles or containers and equipment storage during the construction process. If such storage must be located within 200 feet of a residence, a six-foot high opaque fence shall shield the storage area from view when the storage area is inactive for more than eight hours. This requirement shall be incorporated into the specifications for all construction plans, subject to review and approval by the City of Los Banos Community and Economic Development Department.
36. Two points of all-weather access shall be provided to all areas of the development during all phases of construction to the satisfaction of the Fire Department in areas where residential units are under construction.
37. Temporary construction trailers shall be permitted only in areas immediately adjacent to or within that portion of the subdivision where active subdivision construction is taking place. Placement of said construction trailer is subject to the Community and Economic Development Director approval in accordance with Title 9, Chapter 3, Article 38, Temporary Use Ordinance of the Los Banos Municipal Code.
38. During construction, and for safety purposes, the developer and assigned contractors shall keep the public right-of-way clear of obstructions, and provide for clean up on a daily basis.
39. Prior to issuance of grading permits, the grading plans shall include the following language:
- “Large bulldozers, loaded trucks, or heavy equipment which causes significant ground vibration will not operate closer than 50 feet to an occupied residence without notifying the resident 48 hours in advance of construction work.”*

40. Prior to acceptance of public improvements, all entries to the subdivision shall be barricaded to prevent the public from entering the construction site.
41. Undeveloped portions of development sites shall be controlled of weeds and free of debris and litter. The applicant shall provide protection against wind and water soil erosion on undeveloped portions of the project site. Temporary vegetation on undeveloped portions of the project site shall not be allowed to grow taller than eighteen inches.
42. All contractors and subcontractors performing work relative to this project shall obtain City of Los Banos Business Licenses, prior to start of work on the project. All work performed on the project shall comply with the requirements of the State Business and Professions Code.
43. Building permits shall be issued in accordance with the Los Banos Municipal Code and Standards and Specifications that identifies the improvements required in order for a building permit to be issued.
44. The developer/ contractor shall be responsible for obtaining encroachment permits from the City of Los Banos, County of Merced, Caltrans, or other jurisdictions prior to performing any work within that jurisdiction's right-of-way.
45. Construction shall be limited to those times allowed by City Ordinance: Monday through Friday from 7:00 am to 7:00 pm; Saturday from 8:00 am to 7:00 pm; and Sunday from 9:00 am to 7:00 pm. Properly muffled equipment shall be used.
46. The developer shall incorporate soil erosion control measures into grading and drainage plans that comply with NPDES storm water regulations. These measures shall be monitored for effectiveness by the City of Los Banos. Such measures may include, but not be limited to, the following:
  - a. Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction;
  - b. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads;
  - c. Silt fencing installed in accordance with the American Society for Testing and Materials standard D6462.
  - d. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;
  - e. Ensure that all exposed soil is provided with temporary drainage and

soil protection when construction activity is shut down during the winter periods;

- f. Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures;
- g. Compliance with National Pollution Discharge Elimination System (NPDES) permits administered by the California Regional Water Quality Control Board; and
- h. Development of a plan to employ best management practices that reduce the level of pollutants discharged into natural waterways and wetlands.

47. Silt fencing shall be installed in accordance with American Society for Testing and Materials Standard D6462.

48. Where standard corner lot side yards abut a street, a minimum three-foot landscaping area shall be provided between the back of sidewalk and the fence.

49. Restricted access rights shall be irrevocably offered for dedication to the City along the rear edge of private property where properties back onto streets, and shall be shown on final maps.

50. During construction activities, all food-related trash items shall be enclosed in sealed containers and regularly removed from the project site to avoid attracting wildlife to the project site, and pets shall not be allowed on the construction site.

51. Prior to issuance of the building permit of the twenty-first (21<sup>st</sup>) single family dwelling unit, the developer shall complete the multi-family component of the project.

52. Prior to the occupancy of the first (1<sup>st</sup>) multi-family dwelling unit, a private park shall be constructed for the gated community.

53. The proposed park shall have but not limited to: a play structure, shade canopy, and picnic tables to the satisfaction of the Community and Economic Development Director in accordance with the adopted Final Development Plan.

54. The Developer shall install a seven (7') foot decorative concrete masonry

wall on the western property line. The Developer shall install a six (6') foot tall decorative concrete masonry wall along the Willmott Road frontage and the north lot line of Lot 25.

Air Quality:

55. Housing units shall be oriented to maximize passive solar cooling and heating when practicable.
56. Gas fired appliances shall be low NOx emitting appliances complying with California NOx Emission Rule #1121.
57. The developer shall comply with all applicable Indirect Source Rule requirements of the San Joaquin Valley Air Pollution Control District. Developer shall prepare an air emissions reduction if required.

Access and Circulation:

58. All street traffic impact fee reimbursements shall be per the Transportation Impact Fee program (TIF).
59. The developer shall submit public improvement plans to include curb, gutter, sidewalk, street lights, decorative masonry wall, underground utilities and a landscape plan for public areas.
60. The developer shall be responsible for constructing public streets per the Vesting Tentative Tract Maps including, but not limited to curb, gutter and sidewalk, decorative masonry wall, and landscaping where noted. Improvements to arterials and collector streets shall be completed prior to occupancy of any use within the project boundaries, and improvements to neighborhood streets shall be complete prior to occupancy of any house that requires the street for access.
61. All street signage and striping within the project area shall be approved by the Public Works Department and shall meet all line-of-sight requirements.
62. Prior to acceptance of subdivision improvements, the developer shall install all street and traffic control signs, pavement striping, and street name signs in accordance with the public improvement plans and City and/or Caltrans standards.
63. Final Map(s) shall show a non-access strip 12 inches in width on private property along the frontage of arterial and collector streets, except at driveways, for the purpose of constructing sound walls and decorative

masonry walls with the exception of pedestrian access at the private gated entry along Willmott Avenue.

64. The developer/ contractor shall be responsible for obtaining encroachment permits from the City of Los Banos prior to performing any work within the City's right-of-way.
65. Sidewalks shall be designed and constructed per City standards.
66. The developer shall design the private rolled curb and gutter with guidance from the City of Los Banos Public Works Department.
67. The Emergency Vehicle Access (EVA) gate shall have pedestrian access to the sidewalk on Mission Drive with a key pad which will restrict access to gated community residents only.
68. Street C shall have an Emergency Vehicle Access (EVA) gate installed at the dead end with a Knox Box and click to enter and shall have a hard surface from Willmott Avenue for emergency vehicles to access the EVA.

Utilities:

69. The applicant shall construct water, sewer, and storm drainage facilities as noted on the Vesting Tentative Tract Map, in accordance with City standards. The project shall comply with the current City Plans, Standards, and Specifications, all Master Plan requirements, and the applicant shall work with the Public Works Department in regards to needed infrastructure and development during the Improvement Plan Review stage.
70. Existing utility easements shall be preserved. If existing utilities and/or easements are relocated for the benefit of a developer, that developer shall be fully responsible for the relocation including all expenses.
71. In conformance with the Subdivision Map Act, the developer shall permit installation of underground cable television delivery systems within public utility easements. All dwellings shall be made cable ready.
72. No new overhead utility lines and equipment shall be shown on Improvement Plans and Grading Plans.
73. Where the invert is six feet or greater below finish grade, a minimum clearance of five feet from lip of gutter to the edge of pipe shall be provided for underground utility lines.

Water:

74. The proposed project shall conform to the requirements of the Los Banos Water Master Plan, including payment of the water connection impact fee.
75. Approved backflow devices shall be installed as required.
76. Domestic water services shall not be placed in driveways.

Sewer:

77. The developer shall construct all on-site and off-site sewer facilities necessary to serve the project, subject to reimbursement for over-sizing, as determined by the City.

Storm Drainage:

78. Final Improvement Plans for the storm drainage system shall utilize the TR-55 analysis method.
79. All development shall comply with the Phase II storm water regulations and the City's MS4 Storm Water Permit.
80. Final Improvement Plans for the storm drainage system shall be submitted to the City and reviewed and approved by the City Engineer prior to issuance of a grading permit.
81. The Developer shall generate a Storm Water Pollution Prevention Plan (SWPPP) for pre and post construction best management practices (BMPs). A Notice of Intent (NOI) shall be submitted and approved prior to construction by the State Department of Water Resources.
82. Storm drain system needs to be reviewed for adequacy and the overland release needs to be detailed on the Improvement Plans.

Public Safety:

83. Fire department requirements for the placement of fire hydrants shall be complete prior to construction of each building permit relative to the single family residential dwelling unit.
84. Fire hydrants shall be installed at locations approved during the Improvement Plan stage and shall be installed based upon City standards.
85. The developer, as specified by City development standards, shall install "Blue Dot" fire hydrant locators.

86. Each residence shall have a 6-inch lighted address numbers of contrasting color installed on the front elevations or alternative size as agreed to by developer and Fire Chief.
87. The developer shall comply with the City Fire Codes and regulations subject to Fire Department approval in regards to building requirements, fire hydrant placement, and sprinkler requirements.
88. Fire hydrants shall be operational to the satisfaction of the Fire Chief prior to combustible material being located on the site.
89. No combustible materials shall be on-site prior to the approval of the Fire Department.
90. Prior to placement of combustible materials on the site, two points of all-weather access shall be provided for each phase, to the satisfaction of the Fire Chief.
91. Street names shall be approved by the Fire Department.
92. Paved surface streets shall be a minimum of 32-feet curb-to-curb.
93. Minimum water lines shall be 8-inch.
94. Driveways approach, parking lots, water lines, fire hydrants, and underground utilities shall be completed prior to issuance of building permits.
95. Upon completion and approval of the project plans, a CD shall be submitted to the Fire Department providing information on street layout, hydrant locations, water mains, storm drain inlets (i.e. Fire Department pre-planning).
96. The gate at Mission Drive and Street C shall only be utilized as an Emergency Vehicle Access and shall have a Knox Box Emergency Access Switch and equipped with click to enter capability.
97. Gates for Emergency Vehicle Access must be approved by City of Los Banos Fire Department.

#### Public Works

98. All improvements shall conform to the latest addition of the Los Banos Municipal Code and the Standards and Specifications.
99. All existing groundwater wells within the map boundary shall be abandoned to Merced County standards. The City will require copies of the well destruction permits.

100. Streetlights are to be installed per City Standards. They shall be “Cobra” style with LED lights. The streetlights shall meet the illumination standards in the City Street Light standards.
101. Streets shall be designed per the City’s Improvement Standards and Specifications. The following Traffic Index’s shall be used: cul-de-sac, 4.0; local streets, 5.0.
102. Prior to recordation of the Final Map, a Subdivision Improvement Agreement shall be signed between the Developer and the City. The Agreement shall outline fees, performance dates, bonding and insurance requirements, and other pertinent requirements of the project.
103. An Improvement Plan, reviewed and approved for conformance by the Public Works Director/City Engineer, shall be designed and approved before the Final Map is recorded. Improvement Plans must include stamped utility calculations.
104. Fire hydrants need to be detailed on the Improvement Plans.
105. Prior to the approval of the Improvement Plans, the street sections for all streets shall be approved by the Public Works Director/City Engineer.
106. Curb returns shall be designed per City of Los Banos Standards and Specifications.
107. The Developer shall provide tree type and location of tree on landscaping plan in compliance with the City of Los Banos Municipal Code.

Landscaping:

108. All residential lots shall have fully landscaped front yards prior to occupancy of each dwelling. Front yard landscape plans shall be submitted with the development Master Plans prior to building permit issuance and shall be approved by the Public Works Director/City Engineer and Community and Economic Development Director.

109. Drought tolerant planting may replace front yard turf as approved by the Community and Economic Development Department and Public Works Department.
110. The developer shall comply with the adopted street tree ordinance.
111. The applicant shall submit landscape and irrigation plans with each phase of the improvement plans for City review and approval of streetscape landscaping.
112. Landscape plans for single-family residences shall utilize drought tolerant plantings for no less than 75 percent of front yards. Turf varieties shall be chosen for drought tolerance. Irrigation systems shall be set to minimize water use and spillage onto paved areas.
113. Landscape plans shall emphasize deciduous shade tree plantings for the project.
114. Landscaping along streets shall utilize all drought tolerant plantings. Irrigation systems shall be designed and operated to minimize water use and spillage onto paved areas. The applicant shall submit an irrigation conservation plan for the approval of the Public Works Director/City Engineer. The irrigation conservation plan shall indicate the amount of water applied in each zone, frequency of irrigation, method of matching irrigation to soil moisture conditions, and for drought-tolerant plantings, an irrigation reduction or phase out plan when plantings are well established.
115. Landscape plans shall be designed in accordance with Title 9, Chapter 6, Water Efficient Landscape Ordinance of the Los Banos Municipal Code.

### Architecture

116. All development shall conform to the City's applicable design guidelines and standards.
117. The interface between the street and houses shall be designed to alleviate the monotony of straight building lines along the street frontage, and facilitation of a "pedestrian friendly" streetscape that encourages community interaction. Possible approaches include, but are not limited to: varying the size of individual dwellings, staggering the front yard setbacks, varying exterior building materials and colors, articulating building facades, including enhanced fenestration and trim, trellis work, or large porches on front elevations, setting garages back from the living areas, and/or utilizing extensive landscaping.

*Revised 7/8/2020*

118. Development of the project is subject to approval of the Final Development Plan.

Notice: this approval may contain fees, dedications, reservations or other exactions as defined by the Mitigation Fee Act (Government Code Section 66000 et seq.). This notice triggers the 90 day protest period as provided for by the Mitigation Fee Act.

**RESOLUTION #2020-19**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS RECOMMENDING APPROVAL TO THE LOS BANOS CITY COUNCIL OF FINAL DEVELOPMENT PLAN #2020-01 FOR MISSION VILLAGE SOUTH PHASE 5**

WHEREAS, the Los Banos General Plan was adopted in July 2009, and is the guiding document for land use in the City of Los Banos; and

WHEREAS, the project site is zoned PD (Planned Development), and Title 9, Chapter 3, Article 4 – Planned Development District of the Los Banos Municipal Code (LBMC) outlines the procedure for establishing development standards within PD districts; and

WHEREAS, the Planned Development was adopted by the City of Los Banos City Council on June 6, 2001, and

WHEREAS, the applicant submitted a Final Development Plan in accordance with the Los Banos Zoning Code Sections 9-3.403 and 9-3.407 on May 21, 2020; and

WHEREAS, pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, the Mission Village South Phase 5 Final Development Plan #2020-01 was previously and adequately evaluated in the Mitigated Negative Declaration (SCH #2001021115) for the Mission Village & Mission Estates Subdivisions and Rezone, which was adopted by the City in July 6, 2001; and

WHEREAS, the Planning Commission of the City of Los Banos scheduled and duly noticed a public hearing in accordance with California Government Code Section 65091 by advertisement and notices by mail to property owners within a 300 foot radius of the project boundaries on Friday, June 26, 2020 to consider and take testimony regarding these matters on Wednesday, July 8, 2020; and

WHEREAS, at the Wednesday, July 8, 2020, Planning Commission meeting the Los Banos Planning Commission heard and considered testimony, if any, of all persons desiring to be heard; reviewed the Project Final Development Plan and staff report; studied the compatibility of the applicant's request with adjacent land uses; has considered the applicant's request in accordance with the Final Development Plan criteria established in Title 9, Chapter 3, Article 4 of the Los Banos Municipal Code; and

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the Planning Commission of the City of Los Banos does hereby make the findings set forth in Exhibit A (CEQA Findings), and Exhibit B (Findings of Approval), attached hereto and

incorporated herein by this reference.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Los Banos does hereby recommend approval of Final Development Plan #2020-01 for Mission Village South Phase 5, more specifically identified as Assessor's Parcel Numbers: 428-280-012.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Los Banos held on the 8<sup>th</sup> day of July 2020 by \_\_\_\_\_, who moved its adoption, which motion was duly seconded by \_\_\_\_\_, and the Resolution is hereby adopted by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
John Cates, Planning Commission Chairman

ATTEST:

\_\_\_\_\_  
Sandra Benetti, Planning Commission Secretary

## EXHIBIT A

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR FINAL DEVELOPMENT PLAN #2020-01 – MISSION VILLAGE SOUTH PHASE 5**

Pursuant to the requirements of California Public Resources Code Section 21000 et seq. (“CEQA”) and Title 14, California Code of Regulations Section 15000 et seq. (the “CEQA Guidelines”), the City as Lead Agency under CEQA adopts the following findings required by CEQA, along with the facts and evidence upon which each finding is based.

The City of Los Banos planning commission hereby finds as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, the Mission Village South Phase 5B, Vesting Tentative Tract Map #2020-02 was previously and adequately evaluated in the Mitigated Negative Declaration (SCH #2001021115) for the Mission Village & Mission Estates Subdivisions and Rezone, which was adopted by the City in July 6, 2001.
2. Mission Village South Phase 5 Final Development Plan #2020-01 was adequately noticed and circulated for public review and comment on June 26, 2020 for consideration at a public meeting on Wednesday, July 8, 2020, in which no comments were received.
3. No further environmental documentation is required as the Mission Village South Phase 5 Final Development Plan #2020-01 was planned and adequately analyzed in the Mitigated Negative Declaration (SCH #2001021115).

## EXHIBIT B

### FINDINGS FOR APPROVAL OF FINAL DEVELOPMENT PLAN #2020-01 – MISSION VILLAGE SOUTH PHASE 5

The City of Los Banos Planning Commission hereby finds as follows:

1. The Los Banos General Plan was adopted by the City in July 15, 2009 and the Planned Development was prepared pursuant to the Los Banos General Plan and adopted by the City of Los Banos June 6, 2001.
2. The proposed project is consistent with the City of Los Banos General Plan “Medium Density Residential” land use designation for the site, and with the Mission Village South Phase 5 “Planned Development” designation for the site.
3. The project, as conditioned, complies with the provisions of the City’s Zoning Ordinance, and includes a Final Development Plan to implement the Planned Development designation pursuant to the requirements of the Los Banos Municipal Code section 9-3.403 and 9-3.407.
4. The conceptual architectural renderings and schematic building designs, landscape and lighting designs, and other designs presented in the Final Development Plan, as conditioned, substantially conform to the requirements of the City’s Residential Design Guidelines.
5. The proposal will not be detrimental to the health, safety, comfort, or general welfare of the persons residing or working in the City of Los Banos, or injurious to property or improvements in the surrounding neighborhoods or within the City. The project will enhance the surrounding area and offer the surrounding community choices for housing and recreation.
6. The designs of the Final Development Plan, as conditioned, are consistent with the General Plan and the Mission Village South Phase 5 Planned Development goals, policies, and programs, and that the project density and development intensity are consistent with the General Plan and Planned Development land use designations for the site.
7. The proposed open spaces are compatible with the adjacent uses, properties, and neighborhoods, and will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City, and the specific types, densities, and configuration of residential uses are compatible with the surrounding residential and educational uses and will not result in detrimental effects to neighboring properties or to City services.

*Revised 7/7/2020*

8. The project will provide adequate pedestrian and bicycle routes within the project, and, as conditioned, to nearby destinations including schools.

## EXHIBIT C

### CONDITIONS OF APPROVAL FOR FINAL DEVELOPMENT PLAN #2020-01 – MISSION VILLAGE SOUTH PHASE 5

#### General:

1. All development shall be consistent with the Final Development Plan, reflecting any conditions of approval or amendments approved by the Los Banos City Council, which includes: the Vesting Tentative Tract Map, the land use type, pedestrian and vehicular access, architectural design, parks, open space, and recreation, public facilities, services, and infrastructure, and phasing plan.
2. Building Master Plans shall be consistent with the Final Development Plan and approved by the Community and Economic Development Department and Building Department prior to issuance of a building permit.

#### Lighting:

3. All street lighting shall be LED. The streetlights shall meet the illumination standards in the City Street Light standards. After Public Works inspection and approval, all street light electrical boxes shall be slurried per Public Works direction.

#### Architecture and Physical Design:

4. Gate access at Mission Drive shall be for Emergency Vehicle Access (EVA) only and shall not be used as a general vehicle entrance or exit for the residence living within the gated community. A pedestrian gate with private access shall be provided at Mission Drive to allow pedestrian travel for residents within the gated community.
5. This project shall be subject to P-D (Planned Development) Design Standards as presented in the Final Development Plan.
6. The monotony of straight building lines shall be alleviated by varying the size of individual buildings, staggering the front yard setbacks, varying exterior building materials and colors, articulating building facades, and utilizing extensive landscaping.
7. The variation in setbacks, unit placement, and materials and colors shall be implemented in a random fashion with no apparent pattern, to avoid monotony.
8. The minimum front yard setback for production homes with front-loading garages shall be 20'. The minimum setback to living areas shall be 15' from

- the front yard property line. The minimum front yard setback to porches shall be 15'.
9. The minimum side-yard setback shall be 5'. Minimum reverse corner street yard setback shall be 15'.
  10. The minimum rear-yard setback shall be 10' for single story, and 18' for multi-story units.
  11. The typical architecture and plot plans set forth in the Final Development Plan are conceptually approved with this application. Plans submitted for building permits shall be consistent with these elevations in terms of style, material, and character.
  12. To protect privacy, building placement that offsets side-facing second-story bedroom windows at adjacent houses shall be required.
  13. Residential dwelling units shall not exceed 30 feet in height and multi-family buildings shall not exceed 32' in height.
  14. The developer shall provide entry monumentation and/or landscaping to provide for a neighborhood identity, substantially similar to that shown in the Final Development Plan.
  15. If parking for model homes is to be provided in a temporary parking lot, such lot shall be approved by the Community and Economic Development Director as a commercial lot conforming with Los Banos Municipal Code section 9-3.2009, and shall be removed within 60 days of the end of sales, if not intended to serve a permanent use.

Physical Amenities:

16. Enhanced pedestrian treatments shall be used at the gated entry of Private Street A such as, but not limited to stamped concrete as approved by the Community and Economic Development Director.
17. The developer shall install a seven-foot high decorative masonry wall along the western property line abutting the commercial parcel to the west of the project site at the rear of private properties. The developer shall install a 6' high decorative masonry wall along Willmott Avenue and north lot line of Lot 25.

Parks and Landscaping:

18. Landscape plans shall emphasize deciduous shade tree plantings to the south and west of buildings.

19. Landscaping and site design shall substantially conform to the conceptual plans of the Final Development Plan.
20. The applicant shall comply with the landscaping and irrigation requirements imposed by the Public Works Department.
21. The developer shall have provide a common park area with, but not limited to: a play structure, shade canopy structure, and picnic tables.
22. Landscape plans for each residential front yard shall utilize drought tolerant plantings. The developer shall be required to follow local and State mandates regarding water conservation and water efficiency. Once the City adopts a new water efficient landscape ordinance, the developer shall be required to follow the new ordinance requirements. Landscaping shall be installed prior to Certificate of Occupancy.

# Applicant's Comments

## EXHIBIT C

### CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP #2020-02 – MISSION VILLAGE SOUTH PHASE 5B SUBDIVISION

NOTE: Applicant has a difference of opinion to the Staff recommendations on some of the Conditions of Approval and opposes the conditions that are noted below.

#### General:

1. Agreed
2. Applicant has the understanding that the property has already been Annexed to a Community Facilities District.
3. Applicant has the understanding that the property has already been Annexed to the Lighting and Landscaping District.
4. Applicant opposes this Condition. Applicant shall pay development impact fees in effect at time of submittal of VTTM including scheduled or periodic increases.
5. Agree. Applicant proposes approval and life of the VTTM as set forth by the Subdivision Map Act.
6. Agreed
7. Agreed
8. Agreed
9. Agreed
10. Agreed
11. Agreed
12. Agreed
13. Applicant opposes this Condition for Wilmott Rd and for the community's private streets, as the private streets have a 60' wide Public Utility Easement.
14. Agreed
15. Agree. Applicant has the understanding that the Master Plans have already been approved.
16. Agreed
17. Agreed
18. Applicant opposes this Condition. The 5% required fees collected by City of Los Banos with a formula of a 2% fee deposit upon plan check and 3% payment balance due upon approval of final map is agreeable.
19. Agreed

20. Agreed
21. Agreed
22. Agreed
23. Applicant opposes this Condition.
24. Agreed
25. Agreed
26. Agreed
27. Agreed
28. Agreed
29. Applicant shall re-review the Northgate Sanitary Sewer Reimbursement Agreement to be able to comment, and/or reserve the right to challenge this condition in the future.
30. Agreed
31. Applicant opposes this Condition. Improvement Plans do not require and/or specify the mailbox locations.
32. Agreed
33. Agreed
34. Agreed
35. Agreed
36. Agreed
37. Agreed
38. Agreed

Pre-Construction and Construction:

39. Agreed
40. Agreed
41. Agreed
42. Agreed
43. Agreed
44. Agreed
45. Agreed
46. Agreed

47. Agreed
48. Agree. Applicant proposes reference of developer/contractor to this Condition.
49. Agreed
50. Agreed
51. Agreed
52. Applicant opposes this Condition. Fencing location is unknown at this time and no sidewalks are proposed within the private street cross sections.
53. **Agreed, with the exception with pedestrian access at the private gated entry along Willmott Rd.**
54. Agreed
55. Applicant opposes this Condition.
56. Applicant opposes this Condition.
57. Applicant opposes this Condition.
58. Applicant shall install a 7' high decorative masonry wall along the Western property line. Applicant shall install a 6' high decorative masonry wall along Willmott Rd frontage and the North lot line of Lot 25.

Air Quality:

59. Agreed
60. Agreed
61. Agreed

Access and Circulation:

62. Agreed
63. Applicant opposes this Condition, private community.
64. Applicant opposes this Condition, private community.
65. Agreed
66. Agreed
67. **Agreed, with the exception with pedestrian access at the private gated entry along Willmott Rd.**
68. Agree. Applicant proposes reference of developer/contractor to this Condition.
69. Applicant opposes this Condition.
70. Applicant opposes this Condition.
71. Agreed with curb referenced as private rolled curb type.

72. Applicant will work with staff in an attempt to accommodate a pedestrian gate at Mission Drive, along with the Applicants original application proposed Emergency Vehicle Access (EVA).

73. Applicant opposes this Condition. The cul-de-sac recommended by staff will result in the loss of 3 net lots to the project, which will reduce the project density to 6.79/units per acre and does not meet the allowable minimal density for a medium density residential project.

Utilities:

74. Final Development Plan was submitted concurrently with VTTM.

75. Agreed

76. Agreed

77. Applicant opposes this Condition, not applicable to this project.

78. Applicant opposes this Condition.

79. Agree for public facilities only.

80. See condition #13 response. Applicant opposes this Condition for Wilmott Rd and for the community's private streets, as the private streets have a 60' wide Public Utility Easement.

Water:

81. Agreed

82. Agreed

83. Agree. Applicant proposes that this not be conditioned on "Knuckle" lots.

Sewer:

84. Agreed

85. Applicant opposes this Condition due to the size of the project.

Storm Drainage:

86. Agreed

87. Agreed

88. Agreed

89. Agreed

90. Agreed

Public Safety:

91. Applicant opposes this Condition. Applicant proposes the placement of fire hydrants to be complete upon foundation and plumbing inspections relative to the single-family residential dwelling building.

92. Agreed

93. Agreed

94. Agreed

95. Agreed

96. Applicant opposes this Condition, as "other methods" need further clarification by staff and/or Fire Chief.

97. Applicant opposes this Condition, as "other methods" need further clarification by staff and/or Fire Chief.

98. Applicant opposes this Condition, due to the one all-weather access paved. Applicant proposes that the two points of all-weather access be permitted to be dirt and/or gravel/rock, as is currently allowable.

99. Agreed

100. Agreed

101. Agreed

102. Applicant opposes this Condition.

103. Agreed

104. Agreed

105. Agreed

Public Works:

106. Agreed

107. Agreed

108. Agree. This Condition contradicts Final Development Plan #2020-01 Condition #15.

109. Agreed

110. Agreed

111. Agreed

112. Agreed

113. Agreed

114. Agree. Miss-spelling to be corrected to "designed".

115. Applicant opposes this Condition.

116. Agreed

Landscaping:

Condition #109 out of sequence: Agreed

117. Agree. Miss-spelling to be correct to "drought".

118. Agreed

119. Agreed

120. Agreed

121. Agreed

122. Agreed

123. Agreed

Architecture:

124. Agree. Applicant proposes Presidential comp roof option or approved equal roof options.

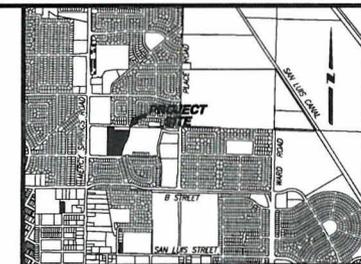
125. Agree. Applicant will attempt in staggering the front yard setbacks as best as possible, however, due to the medium density residential designation and the shallow lot depths, staggering the front yard setbacks may not be achieved on every lot. Also, the curvature and linear alignment of Street A meets the intent of the staggering condition.

126. Agreed

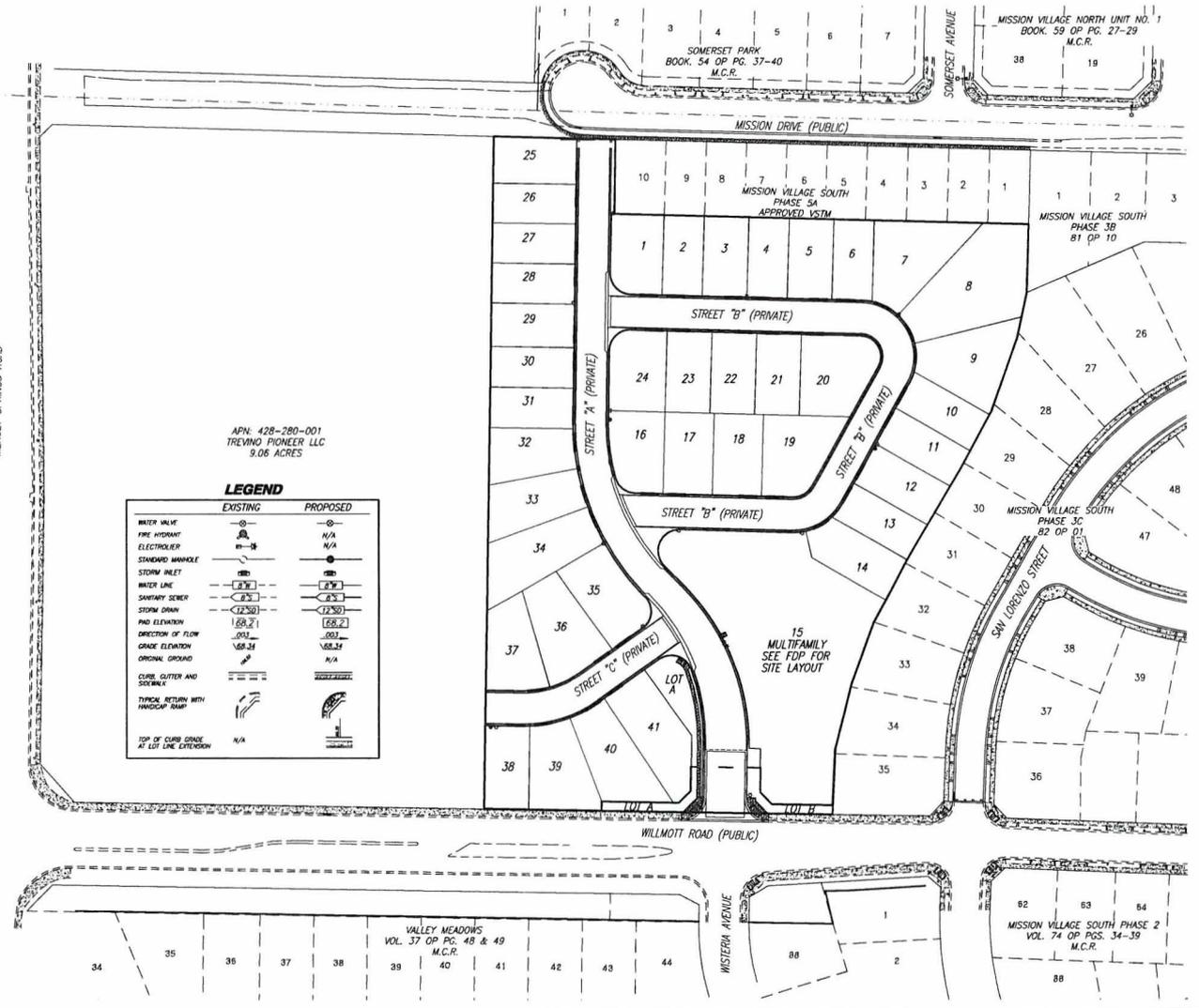
# VESTING TENTATIVE SUBDIVISION MAP MISSION VILLAGE SOUTH PHASE 5B

## LOS BANOS, CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS DESCRIBED IN  
THE GRANT DEED RECORDED 27 FEBRUARY, 2019, AS DOCUMENT NO.  
2019005706, MERCED COUNTY RECORDS, LYING IN A PORTION OF  
SECTION 13, TOWNSHIP 10 SOUTH, RANGE 10 EAST,  
MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF LOS BANOS,  
COUNTY OF MERCED, STATE OF CALIFORNIA



NO.	DESCRIPTIONS	DATE APPROVED	DATE



APN: 428-280-001  
TREVINO PIONEER LLC  
9.08 ACRES

### LEGEND

EXISTING	PROPOSED
WATER VALVE	WATER VALVE
FIRE HYDRANT	N/A
ELECTRIC	N/A
STANDARD MANHOLE	STANDARD MANHOLE
STORM INLET	STORM INLET
WATER LINE	WATER LINE
SEWER MAIN	SEWER MAIN
STORM DRAIN	STORM DRAIN
FIN. ELEVATION	FIN. ELEVATION
DIRECTION OF FLOW	DIRECTION OF FLOW
GRADE ELEVATION	GRADE ELEVATION
ORIGINAL GROUND	N/A
CURB, CUTTER AND SOLIDITY	CURB, CUTTER AND SOLIDITY
TYPICAL RETURN WITH HANDICAP RAMP	TYPICAL RETURN WITH HANDICAP RAMP
TOP OF CURB GRADE AT LOT LINE EXTENSION	N/A

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	HORIZONTAL CONTROL PLAN
3	GRADING PLAN
4	UTILITY PLAN

**OWNER & SUBDIVIDER:**  
STONEFIELD HOME, INC.  
933 PACIFIC BLVD., SUITE C  
LOS BANOS, CA 93803  
(209) 826-6200 (PHONE)  
(209) 826-6200 (FAX)  
CONTACT: JAVAN GRANADOS

**STATEMENT OF SUBDIVIDER:**  
(AS REQUESTED BY CITY OF LOS BANOS MUNICIPAL CODE, ARTICLE 10 & SECTION 9-2.803.)

- ASSESSORS PARCEL NO. 428-280-012
- EXISTING ZONING: R-2/PD (MULTI-FAMILY WITH PLANNED DEVELOPMENT OVERLAY)
- EROSION CONTROL PER CITY OF LOS BANOS ORDINANCES AND STANDARDS.
- FRONT YARD DEPTHS AND BUILDING LINES PER PLANNED DEVELOPMENT.
- WATER SUPPLY: BY CITY OF LOS BANOS AS SHOWN ON THIS MAP.
  - A. ANTICIPATED WATER DEMANDS: (SINGLE FAMILY RESIDENTIAL)  
AVG. DAILY FLOW = 600 GPD X 40 UNITS = 24,000 GPD  
PEAK HOURLY DEMAND = 4 X 24,000 / 1,440 = 66.67 GPM  
MAX. DAILY + FIRE = 2 X 24,000 / 1,440 + 2,000 GPM = 2,033.33 GPM
  - B. ANTICIPATED WATER DEMANDS: (MULTIFAMILY RESIDENTIAL)  
AVG. DAILY FLOW = 400 GPD X 16 UNITS = 6,400 GPD  
PEAK HOURLY DEMAND = 4 X 6,400 / 1,440 = 17.78 GPM  
MAX. DAILY + FIRE = 2 X 6,400 / 1,440 + 2,000 GPM = 2,008.89 GPM
- SEWER DISPOSAL:
  - A. ANTICIPATED SEWER DEMANDS: (SINGLE FAMILY RESIDENTIAL)  
AVG. DAILY FLOW = 300 GPD X 40 UNITS = 12,000 GPD  
PEAK FLOW = 12,000 GPD X 3.3 / 1,440 = 28.00 GPM
  - B. ANTICIPATED SEWER DEMANDS: (MULTIFAMILY RESIDENTIAL)  
AVG. DAILY FLOW = 200 GPD X 16 UNITS = 3,200 GPD  
PEAK FLOW = 3,200 GPD X 3.3 / 1,440 = 8.57 GPM
- STORM DRAINAGE: BY CITY OF LOS BANOS AS SHOWN ON THIS MAP.
- A 10' PUBLIC UTILITY EASEMENT SHALL BE DEDICATED ALONG ALL STREET FRONTS.
- RESTRICTIVE COVENANTS TO BE SUBMITTED AT THE TIME OF FINAL MAP (IF ANY)
- TREE TYPE AND LOCATION SHALL BE DETERMINED BY CITY OF LOS BANOS.
- WATER SUPPLY AND SEWER DISPOSAL SHALL BE COMPLIED WITH AS PER ARTICLE 6 OF TITLE 9 OF THE MUNICIPAL CODE.
- ALL IMPROVEMENTS AND PUBLIC FACILITIES WILL BE INSTALLED OR CONSTRUCTED AT THE TIME OF DEVELOPMENT. ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN COMPLIANCE WITH ARTICLES 4 AND 5 OF TITLE 9 OF THE MUNICIPAL CODE, REGULATIONS AND STANDARDS.
- DEVELOPER RESERVES THE RIGHT TO SELL LOTS ONLY.
- THE SUB-DIVIDER HEREBY RESERVES THE RIGHT TO FILE MULTIPLE SUBDIVISION MAPS AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 64546.1.
- A FINAL DEVELOPMENT PLAN WILL BE FILED CONCURRENTLY WITH THE FILING OF THIS MAP.

- NOTES:**
- ALL WELLS AND SEPTIC TANKS TO BE ABANDONED PER MERCED COUNTY HEALTH DEPARTMENT STANDARDS.
  - NO AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE STORM.
  - NO STRUCTURES PREVIOUSLY EXIST ON SITE.
  - TOTAL AREA OF THIS SUBDIVISION IS 7.8 ACRES CONTAINING 2 PARCELS.
  - EXISTING IRRIGATION FACILITIES TO BE ABANDONED, IF NOT REQUIRED, OR RELOCATED IN PIPELINES ALONG NEW PROPERTY LINES.
  - FINAL DEVELOPMENT PLAN TO BE FILED CONCURRENTLY WITH THIS MAP.

APPROVED BY THE PLANNING DEPARTMENT, CITY OF LOS BANOS, CALIFORNIA.

BY: STACY SOLAZA ELMS, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR DATE: \_\_\_\_\_  
REVIEWED BY THE COMMUNITY DEVELOPMENT DIRECTOR FOR CONFORMANCE WITH PLANNING COMMISSION RESOLUTION \_\_\_\_\_ VESTING TENTATIVE TRACT MAP \_\_\_\_\_



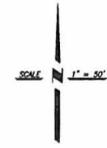
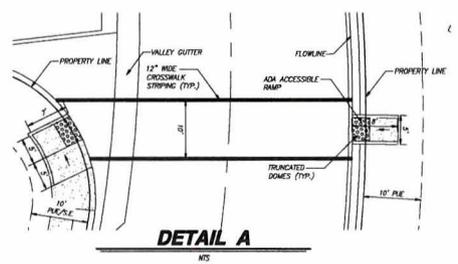
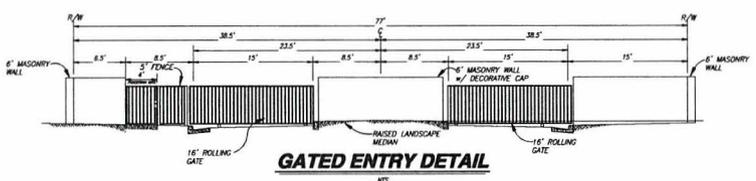
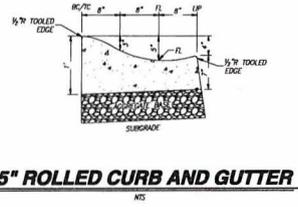
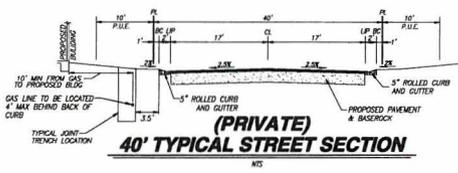
**BENCHMARK ENGINEERING, INC.**  
CIVIL ENGINEERING & LAND SURVEYING  
915 17th STREET - MODESTO, CALIFORNIA 95354  
(209) 546-8800



**COVER SHEET**  
VESTING TENTATIVE MAP FOR  
**MISSION VILLAGE SOUTH PHASE 5B**  
LOS BANOS, CALIFORNIA

JOB NO. 202239  
DATE 5/14/20  
DR BY JP  
CK BY TG  
SCALE AS SHOWN

SHEET NUMBER  
**1**  
OF 4 SHEETS



NO.	DESCRIPTIONS	DATE	APPROVED

**BENCHMARK ENGINEERING, INC.**  
CIVIL ENGINEERING & LAND SURVEYING  
915 17th STREET, MODESTO, CALIFORNIA 95354  
(520) 446-6600 FAX (520) 644-6006



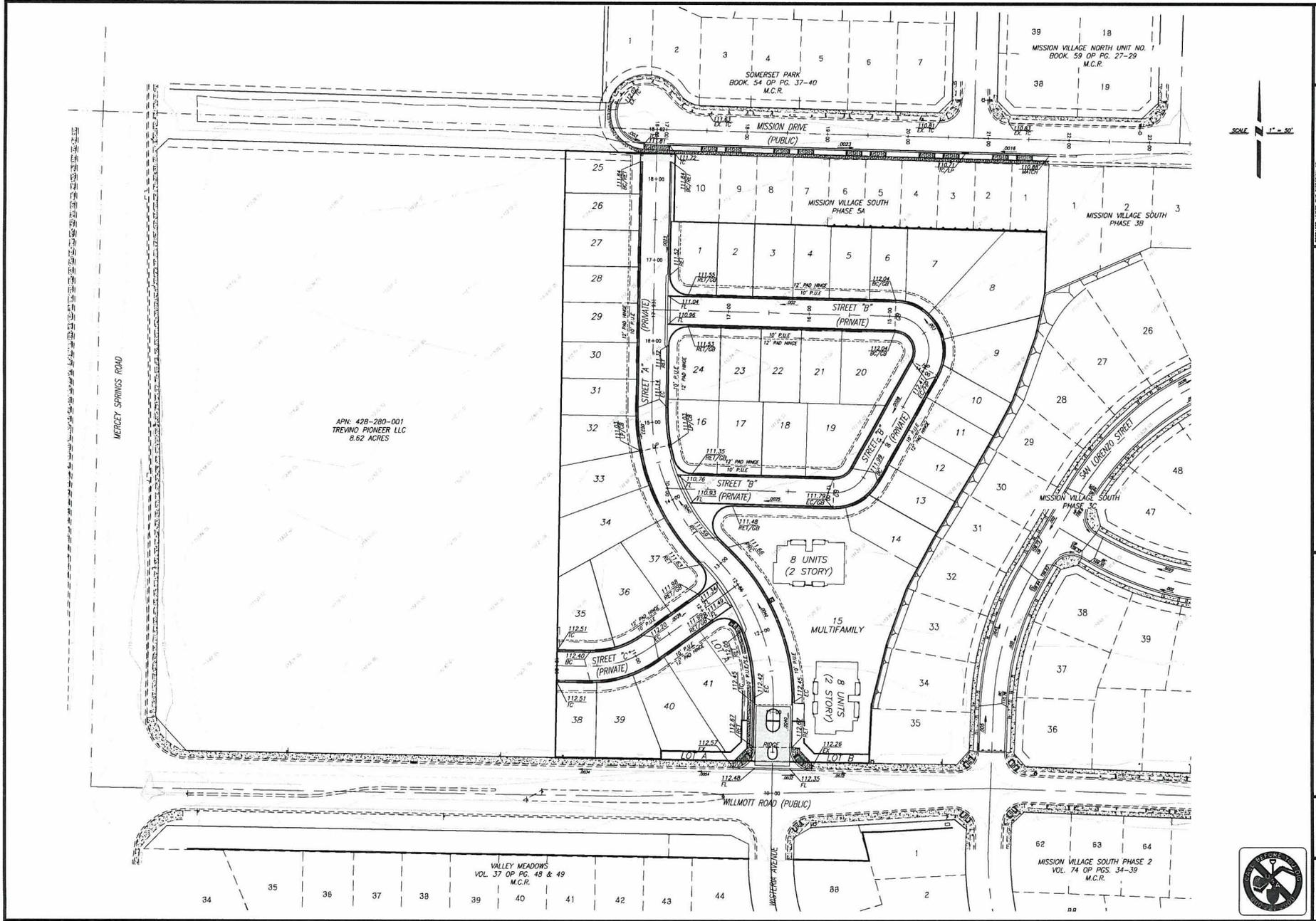
**HORIZONTAL CONTROL PLAN**  
VERTICAL TERRITORY MAP FOR  
**MISSION VILLAGE SOUTH PHASE 5B**  
LOS ANGELES, CALIFORNIA

JOB NO. 202239  
DATE 5/14/20  
DR BY JP  
CHK BY TG  
SCALE AS SHOWN



**SHEET NUMBER**  
**2**  
OF 4 SHEETS

FILE: K:\202239\Plan\1054-VPM\1111\_VL2\_HORIZ.dwg



METCAY SPRINGS ROAD

APN: 428-280-001  
 TRIVINO PIONEER LLC  
 8.62 ACRES

WILLMOTT ROAD (PUBLIC)

SCALE 1" = 80'

NO.	DESCRIPTIONS	DATE	APPROVED

**BENCHMARK ENGINEERING, INC.**  
 CIVIL ENGINEERING & LAND SURVEYING  
 915 17th STREET - MODESTO, CALIFORNIA • 95354  
 (209) 548-8500  
 FAX: (209) 548-8506



**GRADING PLAN**  
 VERIFYING TENTATIVE IMP FOR  
**MISSION VILLAGE SOUTH PHASE 5B**  
 LOS BANOS, CALIFORNIA

JOB NO. 202239  
 DATE: 3/14/20  
 DR BY: J.P.  
 CR BY: J.L.  
 SCALE: AS SHOWN



SHEET NUMBER  
**3**  
 OF 4 SHEETS

VALLEY MEADOWS  
 VOL. 37 OP. PG. 48 & 49  
 M.C.R.

MISSION VILLAGE SOUTH PHASE 2  
 VOL. 74 OP. PGS. 34-39  
 M.C.R.



# Mission Village South

## Phase 5

### Final Development Plan

Los Banos, CA 93635



Los Banos, May 2020

**Mission Village South Phase 5**

**Final Development Plan**

**Los Banos, California**

**May 2020**

**Prepared by:  
Benchmark Engineering Inc.**

## **PROJECT PROPONENTS**

---

**Property Owner:**

**STONEFIELD HOME INC.**  
Greg Hostetler  
923 E. Pacheco Blvd., Suite C  
Los Banos, CA 93635  
(209) 826-6200

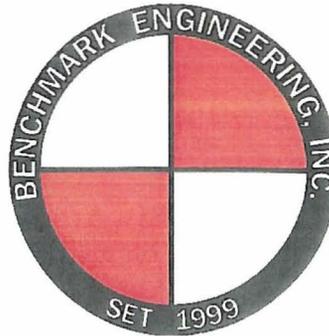


**Subdivider:**

**STONEFIELD HOME INC.**  
Jovan Granados  
923 E. Pacheco Blvd., Suite C  
Los Banos, CA 93635  
(209) 826-6200

**Civil Engineer:**

**BENCHMARK ENGINEERING, INC.**  
Rick Mummert  
915 17<sup>th</sup> Street  
Modesto, CA 95354  
(2009) 548-9300



# INTRODUCTION

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- 1.1 PURPOSE AND CONTENT
- 1.2 PROJECT SITE LOCATION
- 1.3 SITE SETTING / EXISTING CONDITIONS
- 1.4 PROJECT CONCEPT

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- 2.2 LAND USE SUMMARY
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- 2.5 SCHOOLS, PARKS AND PUBLIC USES
- 2.6 RESIDENTIAL DEVELOPMENT GUIDELINES
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# **INTRODUCTION**

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- 7.3 PROJECT BENEFIT
- 7.4 FINANCING MECHANISM
  - 7.4.1 CAPITAL FACILITIES
  - 7.4.2 DEVELOPER FINANCING
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# INTRODUCTION

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## APPENDICES

**Appendix A:** CERTIFICATE OF COMPLIANCE, LLA NO. 2018-02  
AND PLATS

**Appendix B:** TITLE REPORTS

**Appendix C:** 600' RADIUS MAP

**Appendix D:** TENTATIVE SUBDIVISION MAP – MISSION  
VILLAGE SOUTH PHASE 5B

**Appendix E:** SITE PHOTOGRAPHS

# INTRODUCTION

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## LIST OF EXHIBITS

### **Section 1: INTRODUCTION**

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ENLARGED VICINITY MAP  
FINAL DEVELOPMENT PLAN – LOT LAYOUT

### **Section 2: LAND USE**

LAND USE EXHIBIT WITH PROJECT DENSITIES  
LOT SIZE VARIETY

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BIKE / PEDESTRIAN CIRCULATION  
STREET SECTION – MINOR ARTERIAL EXHIBIT  
STREET SECTION – MINOR COLLECTOR EXHIBIT  
STREET SECTION – PRIVATE STREET EXHIBIT

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GATED ENTRY EXHIBIT  
MONUMENT SIGN CONCEPT

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PROPOSED STORM DRAIN EXHIBIT  
EXISTING SEWER SYSTEM EXHIBIT  
PROPOSED SEWER SYSTEM EXHIBIT

### **Section 6: ARCHITECTURE**

ARCHITECTURAL RENDERING BOOKLET (SEPARATE  
DOCUMENT)

# INTRODUCTION

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## Section 1

### INTRODUCTION

# INTRODUCTION

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## 1.1 PURPOSE AND CONTENT

The purpose of this document is to present Mission Village South Phase 5 Final Development Plan (FDP), as detailed within the seven following sections:

**Section 1 INTRODUCTION**

**Section 2 LAND USE**

**Section 3 CIRCULATION**

**Section 4 PARKS, OPEN SPACE AND RECREATION**

**Section 5 PUBLIC FACILITIES, SERVICES, AND INFRASTRUCTURE**

**Section 6 ARCHITECTURE**

**Section 7 PHASING AND FINANCING**

Mission Village South Phase 5, being a subdivision of Parcel 2 as described in the Grant Deed dated February 27, 2019, as Document No. 2019005706, Merced County Records and lying in the north half of Section 13, Township 10 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Los Banos, County of Merced, State of California. On December 11, 2019 Vesting Tentative Tract Map #2019-01 for Mission Village South 5A was approved by the Los Banos Planning Commission. The approved Vesting Tentative Tract Map #2019-01 consisted of 10 medium density residential (R-2) lots fronting on Mission Drive. Mission Village South 5B Vesting Tentative Tract Map proposes to subdivide the “remainder” of the above described Parcel 2 into 40 medium density residential (R-2) lots and 1 multi-family residential lot containing 16 one bedroom and two-bedroom apartment units within a private gated community. In 2007 Mission Village South Phase 5 was previously entitled (FDP#2006-09) as the remainder parcel of the original Mission Village South Subdivision. The site has carried a Medium Density general plan designation since the 1999 General Plan was adopted. The site is currently zoned as R-2 with a PD (Planned Development) overlay.

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**Mission Village South Phase 5- Final  
Development Plan**

# INTRODUCTION

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Mission Village South Phase 5 follows guidelines set forth in the City of Los Banos General Plan.

Mission Village South Phase 5 Final Development Plan (FDP) brings forth medium density single family residential and multi-family residential land use, provides for efficient internal and external circulation, and identifies the infrastructure and public facilities which will serve the project.

The development concepts, land uses, low maintenance drought tolerant landscape and architectural features, unique layout, and use of advanced guidelines and design standards are intended to ensure the quality and character of the FPD.

## 1.2 PROJECT SITE LOCATION

Mission Village South Phase 5 is located within the existing City limits, located to the East of Mercy Springs Road between Mission Drive to the north and Willmott Road to the south, forming the final part of the Mission Village South Subdivision. Phase 5A, of the proposed project consists of 1.04 acres and Phase 5B consists of 7.81 acres of APN 428-280-012 (8.85 acres total).

The Mission Village South Phase 5 project is located within the primary growth area envisioned with the previous entitlements, and General Plan. Legal descriptions and plats are presented in Appendix A of this document.

## 1.3 SITE SETTING / EXISTING CONDITIONS

The property is surrounded by vacant land to the west, homes under construction to the east, and existing residential homes to the north and south. An elementary school is under construction approximately one-quarter mile to the east. The vacant land to the west is planned for commercial development.

# INTRODUCTION

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## 1.4 PROJECT CONCEPT

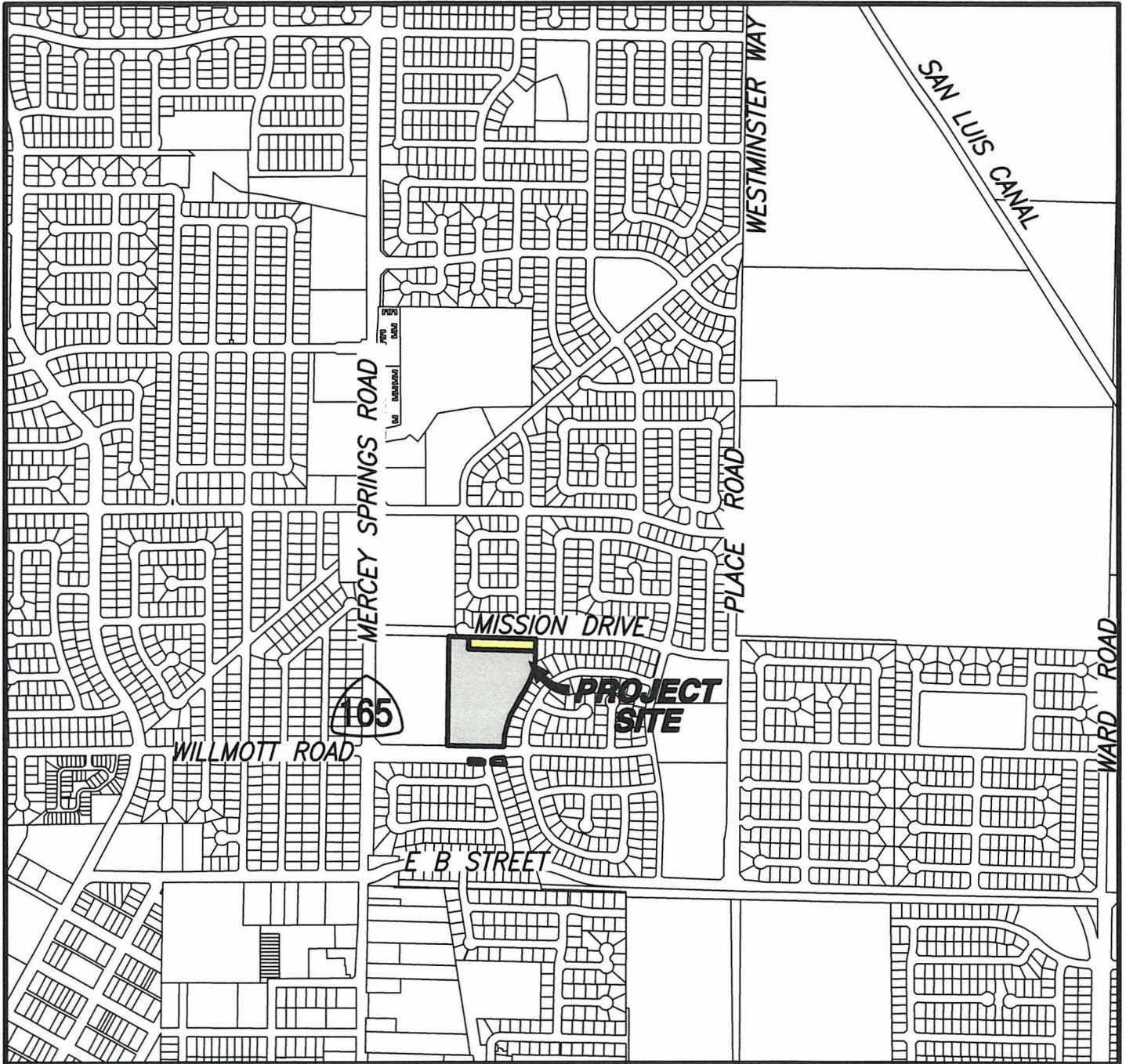
The project provides a mix of land uses consistent with medium density residential zoning. Mission Village South 5A is 10 medium density lots fronting a public street Mission Drive. Mission Village South 5B is a gated community with 40 medium density lots and one multi-family parcel consisting of 16 units. Mission Village South 5B is in conformance with the medium density land use.

The Los Banos General Plan and Residential Design Standards serve as guiding principles for Mission Village South Phase 5.

The open space on the west side of Mission Village South Phase 5 is to be commercial.



# MISSION VILLAGE SOUTH PHASE 5 VICINITY MAP



**LEGEND**

- PHASE 5A
- PHASE 5B

SCALE: 1" = 1000'



**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 915 17th STREET • MODESTO, CALIFORNIA • 95335  
 (209) 548-9300 FAX: (209) 548-9305

**VICINITY MAP**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY: JP  
 DATE: 5-14-2020  
 SHEET:  
 JOB: 209239

# MISSION VILLAGE SOUTH PHASE 5 ENLARGED VICINITY MAP



## LEGEND

- PHASE 5A
- PHASE 5B

SCALE: 1" = 400'



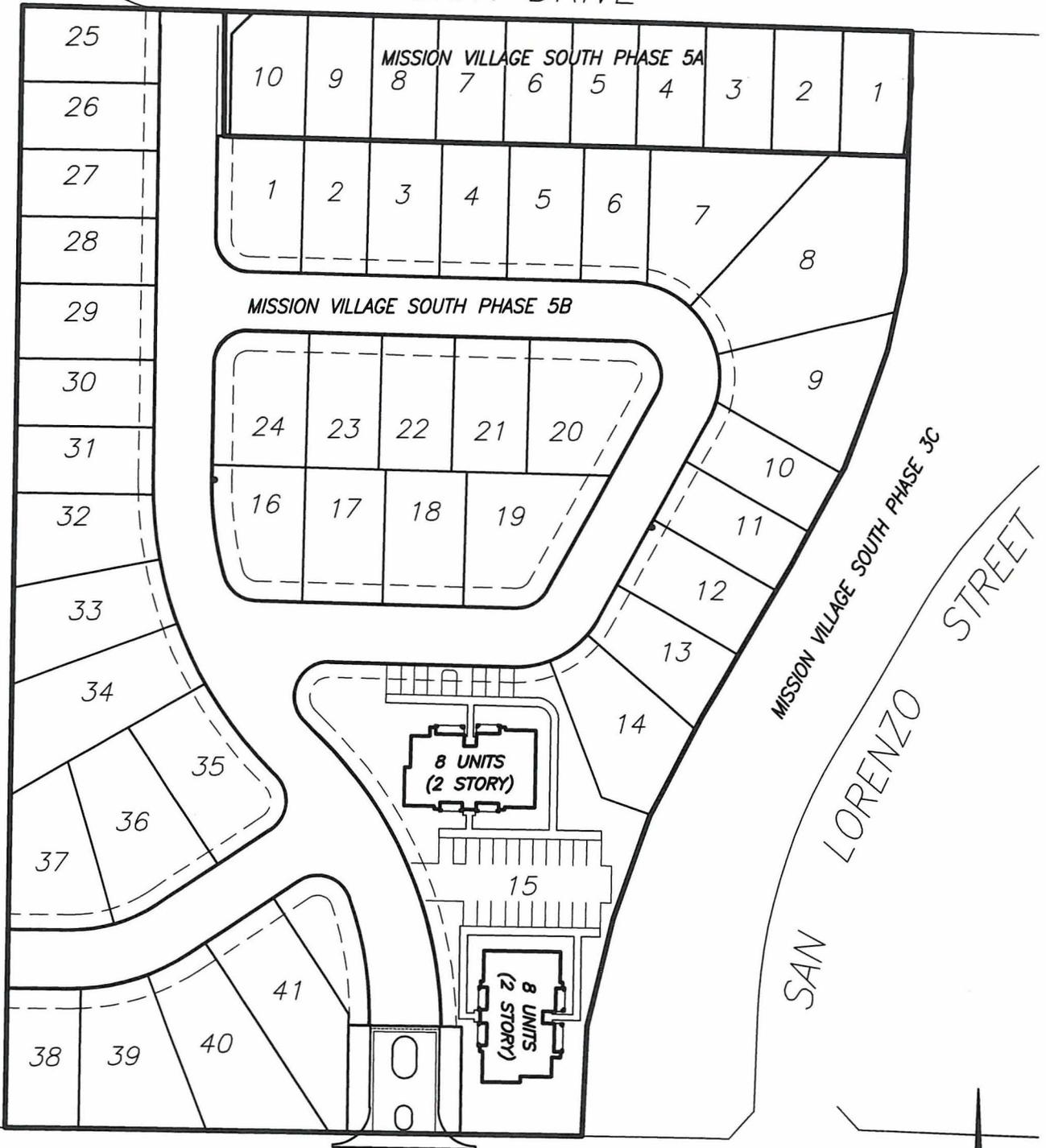
**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 915 17th STREET • MODESTO, CALIFORNIA • 93835  
 (209) 548-8300 FAX: (209) 548-8305

**ENLARGED VICINITY MAP**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY: JP  
 DATE: 5-14-2020  
 SHEET:  
 JOB: 209239

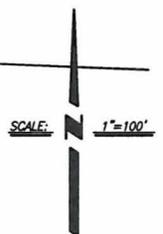
# MISSION VILLAGE SOUTH PHASE 5 LOT LAYOUT, FINAL DEVELOPEMENT PLAN

MISSION DRIVE



WILLMOTT AVENUE

SAN LORENZO STREET



**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 915 17th STREET • MODESTO, CALIFORNIA • 95335  
 (209) 548-9300 FAX:(209) 548-9305

**LOT LAYOUT, FINAL DEVELOPEMENT  
 PLAN, MISSION VILLAGE SOUTH  
 PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY: BB/JP  
 DATE: 5-14-2020  
 SHEET:  
 JOB: 209239



**LAND USE**

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**Section 2**

**LAND USE**

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**Mission Village South Phase 5 – Final  
Development Plan**

## **LAND USE**

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### **2.1 INTRODUCTION**

This section provides descriptions of the proposed land uses and identifies the general guidelines utilized for the overall development of Mission Village South Phase 5.

The intent of the proposed project is to develop approximately 8.85 acres in accordance with the design goals of the Los Banos General Plan.

The proposed FDP will enhance the surrounding area and offer the neighboring community a variety of choices for housing. Mission Village South Phase 5 provides a variety of housing options including small lot detached single-family homes as well as apartment living.

### **2.2 LAND USE SUMMARY**

Mission Village South Phase 5A includes 10 medium density detached single family dwellings. The medium density single family homes are on lot sizes varying from 3,755 square feet to 4,697 square feet as shown in Table 2-1 below. Minimum lot size would be 3,755 square feet. Lot widths generally vary from 45 to 60 feet, with a depth of 83 feet.

Mission Village South Phase 5B includes 40 medium density detached single family dwelling units and 16 multi-family units. The medium density single family homes are on lot sizes varying from 4,046 square feet to 12,135 square feet and 1 multi-family lot at 43,036 square feet as shown in Table 2-1 below. Minimum lot size proposed is 4,046 square feet. Lot widths generally vary from 33 to 80 feet, with varying lot depths of 89 to 140 feet.

All of the units would be one and two stories, with seven different models and several elevation options available. The houses are about 1,380 to 2,392 square feet. The two multi-family dwellings will be 9,068 square feet each.

## LAND USE

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**TABLE 2-1  
LOT SIZES (SQ. FT.)**

	Density	Number of Lots	Approximate Square Footage	Lot Area Average
MVS 5A	Medium	10	3,755 - 4697	3,869
MVS 5B	Medium	40	4,046 - 12,135	5,414
	Multi-Family	1	43,036	43,036

The project will have adequate pedestrian routes to neighborhood parks and commercial areas, sidewalks and/or pathways connect or will connect to an adjacent commercial area to the west and to a nearby elementary school and a neighborhood park to the east.

The proposed land use is presented in the Land Use Plan exhibit at the end of this section.

### **2.3 RESIDENTIAL LAND USE**

Approximately 7.49 acres of the total 8.85 acres of Mission Village South Phase 5A is proposed for residential development excluding the two separate parcels south of Willmott Road (Lots A and B). At build-out there will be 50 single family detached homes and 16 multi-family units. Lots of varying sizes are shown on the Land Use Exhibit at the end of this section. The medium density residential development will be approximately 7.41 units per gross acre.

The proposed residential uses are compatible with the adjacent uses, properties, and neighborhoods, and will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City. The medium density housing is compatible to the commercial zone to the west and low density residential to the east and southeast included in the planned development overlay approved for the Mission Village South Subdivision. The specific types, densities, and configuration of residential uses are compatible with the surrounding residential uses and will not result in detrimental effects to neighboring properties or to the City services.

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## **Mission Village South Phase 5 – Final Development Plan**

## **LAND USE**

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### **2.4 OPEN SPACE**

Although no open space is proposed; additional landscape areas are incorporated into the gated entry for Mission Village South Phase 5B along Willmott Road, Lot "A", Lot "B" and the multi-family lot.

### **2.5 SCHOOLS, PARKS, AND PUBLIC USES**

Mission Village South Phase 5 is about one-quarter mile west of an elementary school currently under construction. Pacheco High School is less than a mile southeast of the project site. Also, Los Banos Junior High School and Elena Talbot Park are both less than a mile south of the project site. A neighborhood park on Palermo Drive is 0.6 miles to the east.

### **2.6 RESIDENTIAL DEVELOPMENT GUIDELINES**

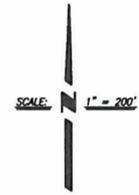
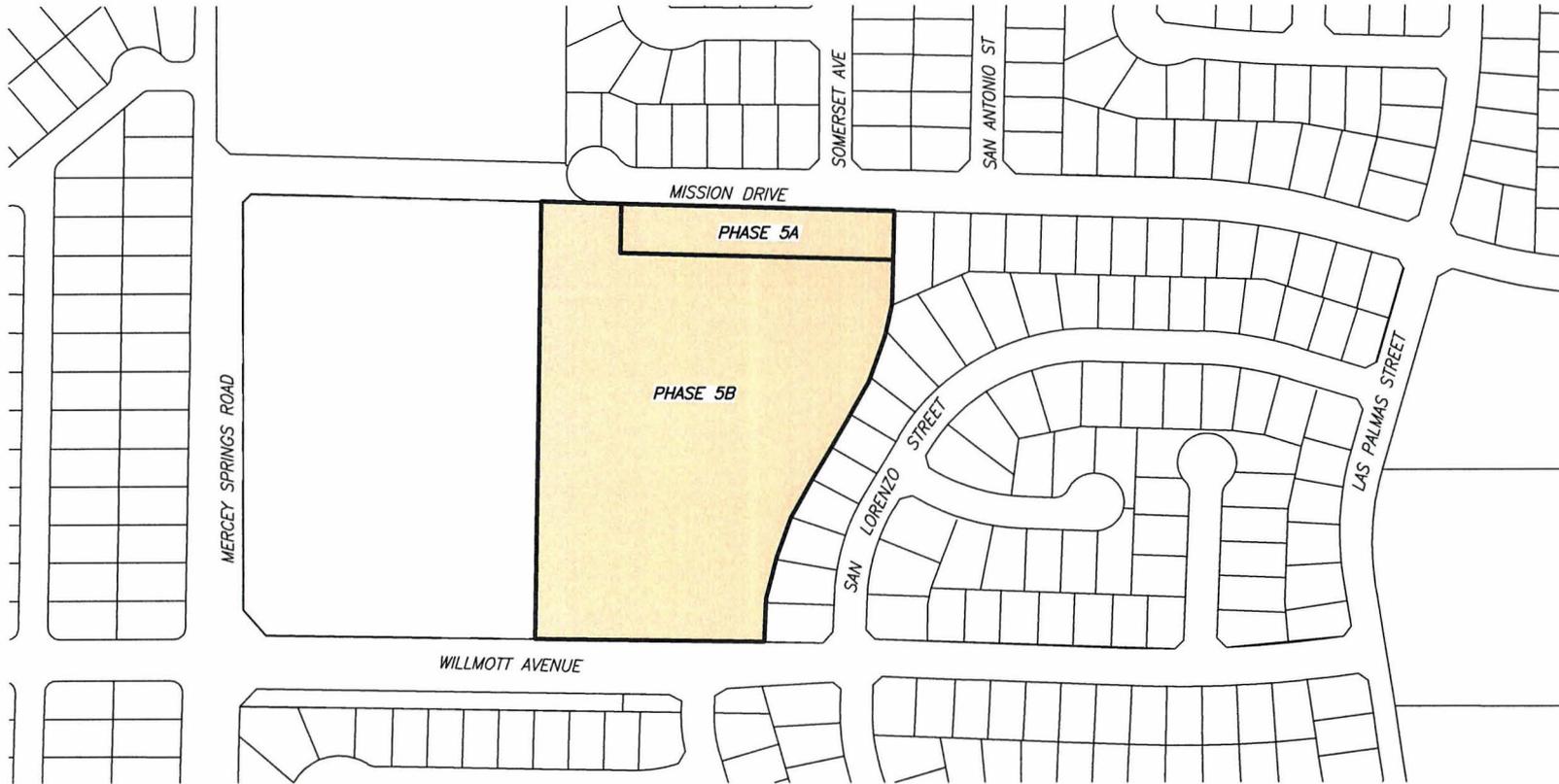
The following sections present general development guidelines for residential uses. These guidelines are consistent with the City of Los Banos General Plan vision. The FDP will establish densities, lot sizes, setbacks, and architectural features. The underlying zoning standards of the City of Los Banos Zoning Ordinances are consistent with the proposed land use and shall apply unless exempted or otherwise changed with a Development Agreement.

### **2.7 MEDIUM DENSITY RESIDENTIAL**

Setbacks from the property lines shall be a minimum front yard setback of 20 feet to a front-loading garage, and 15 feet to the living area. Setbacks to the porch are proposed to be 15 feet.

Exterior side-yard setbacks shall be a minimum of 5 feet. Rear-yards shall be a minimum of 10 feet for single story, and 18 feet for multi-story units.

# MISSION VILLAGE SOUTH PHASE 5 LAND USE EXHIBIT WITH PROJECT DENSITIES



MEDIUM DENSITY RESIDENTIAL  
66 UNITS / 8.85 AC = 7.46 UNITS/AC

**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 915 17th STREET • MODESTO, CALIFORNIA • 95354  
 (209) 548-9300      FAX: (209) 548-9305

**LAND USE EXHIBIT  
WITH PROJECT DENSITIES  
MISSION VILLAGE SOUTH PHASE 5**

---

**LOS BANOS, CALIFORNIA**

DRAWN BY: BB/JP
DATE: 5-14-2020
SHEET: 1 OF 1
FILE: 209239

**MISSION VILLAGE SOUTH- PHASE 5  
LOT SQUARE FOOTAGE**

**Mission Village South 5A**

LOT #	SQ FOOTAGE		LOT #	SQ FOOTAGE		
1	3,805		LOT A	2,870		
2	3,800		LOT B	3,647		
3	3,809					
4	3,804					
5	3,755					
6	3,755					
7	3,755					
8	3,755					
9	3,755					
10	4,697					

**Mission Village South 5B**

1	5,127		24	5,106		
2	4,046		25	4,781		
3	4,496		26	4,176		
4	4,046		27	4,176		
5	4,496		28	4,176		
6	4,051		29	4,507		
7	7,726		30	4,176		
8	12,135		31	4,177		
9	7,445		32	5,092		
10	4,291		33	5,796		
11	4,299		34	7,402		
12	4,738		35	6,340		
13	4,236		36	6,950		
14	5,197		37	5,800		
15	43,036		38	4,637		
16	5,195		39	6,435		
17	4,950		40	6,765		
18	4,950		41	7,220		
19	4,950		LOT A			
20	6,908		LOT B			
21	4,500		STREET A			
22	4,500		STREET B			
23	4,500		STREET C			

**Mission Village South 5A**

Min 3,755 SF  
Max 4,697 SF  
Average 3,869 SF

**Mission Village South 5B**

Min 4,046 SF  
Max 12,135 SF  
Average 5,414 SF  
Lot 15 Apartment 43,036 SF

**CIRCULATION**

---

**Section 3**

**CIRCULATION**



## **CIRCULATION**

---

---

### **3.1 CONCEPT**

One objective of the development plan is to provide for safe and efficient movement of motorists, pedestrians, and bicycles both within the project and to greater Los Banos.

The circulation system provides landscaped park strips between curb and gutter and sidewalks for safe walking space.

The project provides various home sizes on smaller lots, which would provide a variety of housing options within the City. As was intended when the neighboring properties were re-zoned to commercial (to the west) and single-family residential (to the east) the development would provide a transitional buffer between these two uses.

Mission Village South Phase 5 will be built in two phases. Phase 5A will include 10 lots on the north end of the project. Phase 5B will be a gated community with single family residential lots and multi-family housing. This FDP application is for Mission Village South Phase 5A and 5B.

### **3.2 EXISTING ROADWAYS**

Mercey Springs Road to the west is Highway 165. Place Road, to the east. Willmott Avenue on the south are minor arterials and Mission Drive on the north is a minor collector. The remaining roadways and cul-de-sac within the vicinity are neighborhood streets designed for low traffic volumes.

### **3.3 PROPOSED ROADWAYS**

As referenced in Section 3.2 Mission Drive has existing curb, gutter, and pavement. Sidewalks will be installed a minimum four feet in width and will be shaded by street trees in the planting strips for lots fronting Mission Village South Phase 5A. With Mission Village South 5B the sidewalk will be extended from the west end of 5A and connect to the existing sidewalk within the existing cul-de-sac. A secondary gated entry/exit will serve Mission Village South Phase 5B

## **CIRCULATION**

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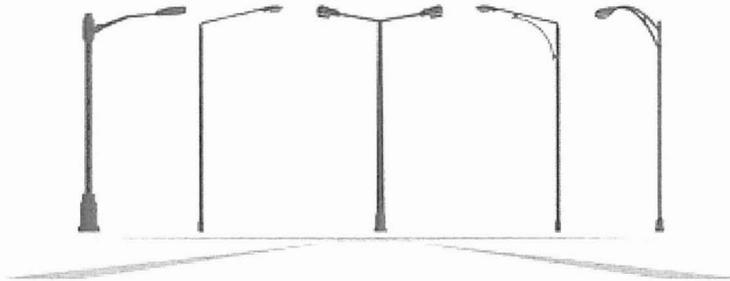
from Mission Drive. Roadways within the gated community will incorporate drive-over curb and gutter with no sidewalks.

### **3.4 PUBLIC TRANSPORTATION**

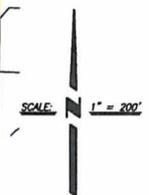
A limited amount of public transportation currently is available in Los Banos. Additional routes and more buses will be made available as demand develops. One important guideline for public transportation is that no resident should be more than one-quarter mile from the nearest bus stop.

### **3.5 STREET LIGHTING**

LED lighting will be located throughout Mission Village South subdivision. City standard cobra-head style streetlights are existing along Mission Drive and Willmott Road. Cobra-head LED style streetlights will also be incorporated into the gated community.



# MISSION VILLAGE SOUTH PHASE 5 VEHICULAR CIRCULATION EXHIBIT



**LEGEND**

- ARTERIAL
- MINOR ARTERIAL
- MINOR COLLECTOR
- NEIGHBORHOOD/LOCAL RESIDENTIAL



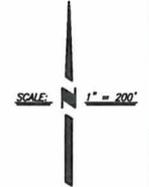
**BENCHMARK ENGINEERING, INC.**  
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**VEHICULAR CIRCULATION EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**

**LOS BANOS, CALIFORNIA**

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 DATE: 5-14-2020  
 SHEET: 1 OF 1  
 FILE: 209239

# MISSION VILLAGE SOUTH PHASE 5 BIKE / PEDESTRIAN CIRCULATION EXHIBIT



**LEGEND**

- - - - - EXISTING BIKE PATH (CLASS II)
- - - - - EXISTING BIKE PATH (CLASS I)



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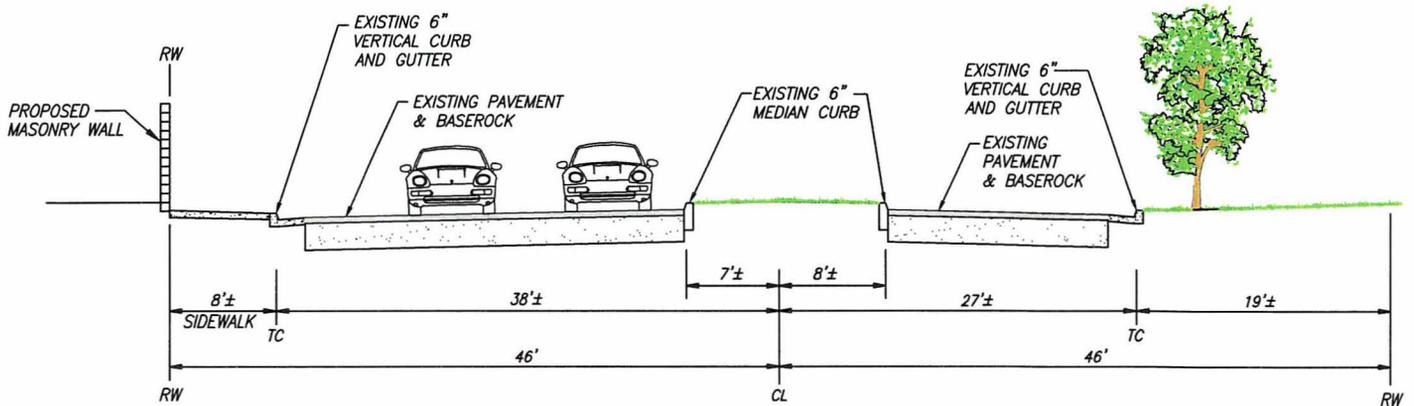
*BIKE / PEDESTRIAN CIRCULATION EXHIBIT*  
*MISSION VILLAGE SOUTH*  
*PHASE 5*

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*LOS BANOS, CALIFORNIA*

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# MISSION VILLAGE SOUTH PHASE 5 MINOR ARTERIAL EXHIBIT

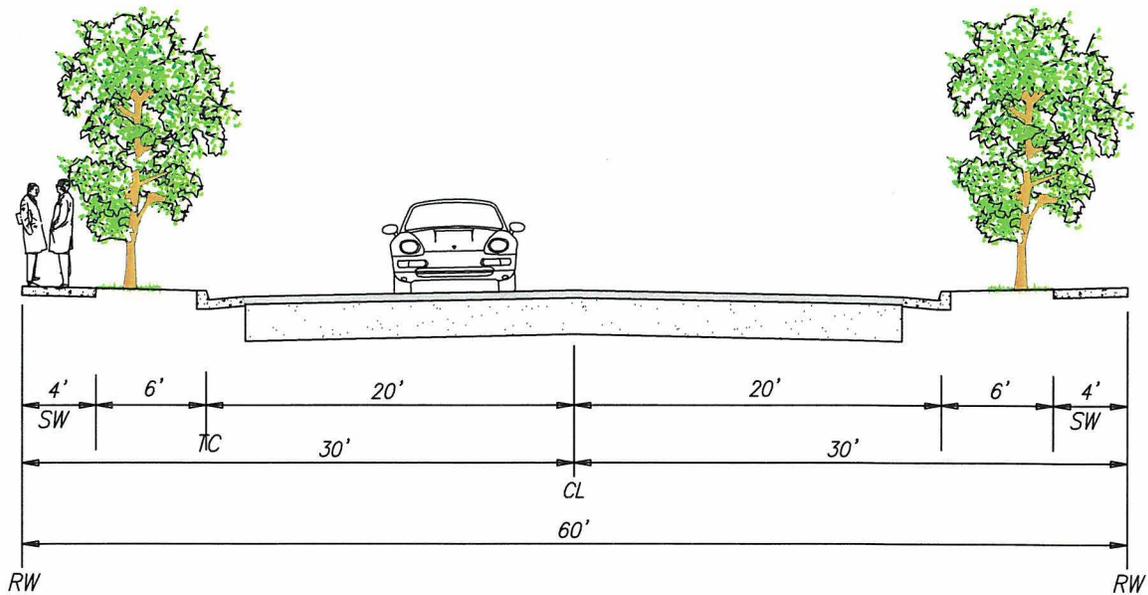


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**MINOR ARTERIAL EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

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 JOB: 209239

# MISSION VILLAGE SOUTH PHASE 5 MINOR COLLECTOR EXHIBIT

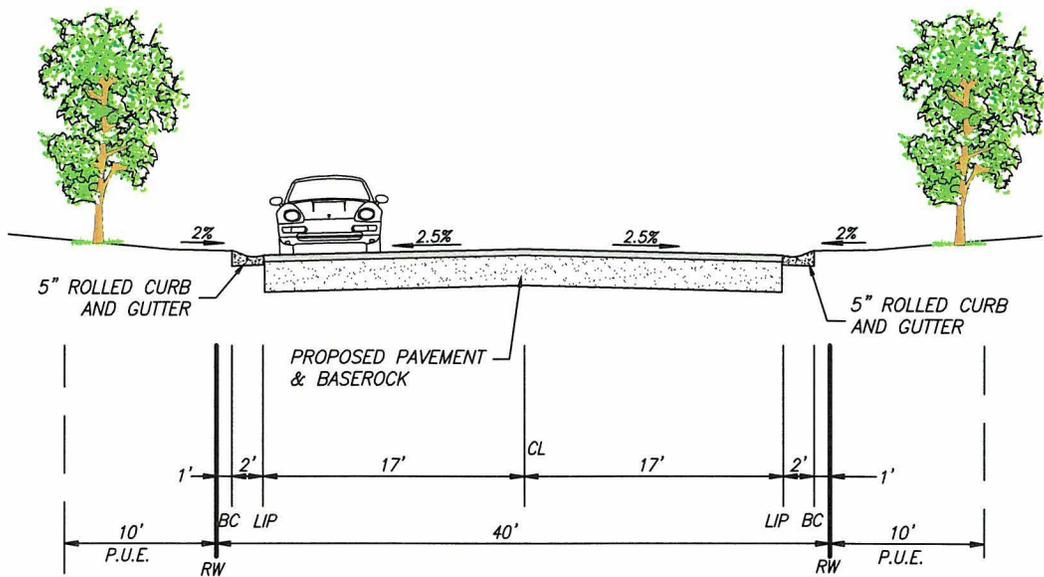


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**MINOR COLLECTOR EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

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# MISSION VILLAGE SOUTH PHASE 5 PRIVATE STREET EXHIBIT



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**PRIVATE STREET EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

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 DATE: 5-14-2020  
 SHEET:  
 JOB: 209239

**PARKS, OPEN SPACE AND RECREATION**

---

**Section 4**

**PARKS, OPEN SPACE AND RECREATION**



## **PARKS, OPEN SPACE AND RECREATION**

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### **4.1 PURPOSE AND INTENT**

Landscaped components of Mission Village South Phase 5 consist of park strip landscaping, street trees, landscaped gated entries and multi-family parcel landscaping.

### **4.2 REQUIRED FACILITIES**

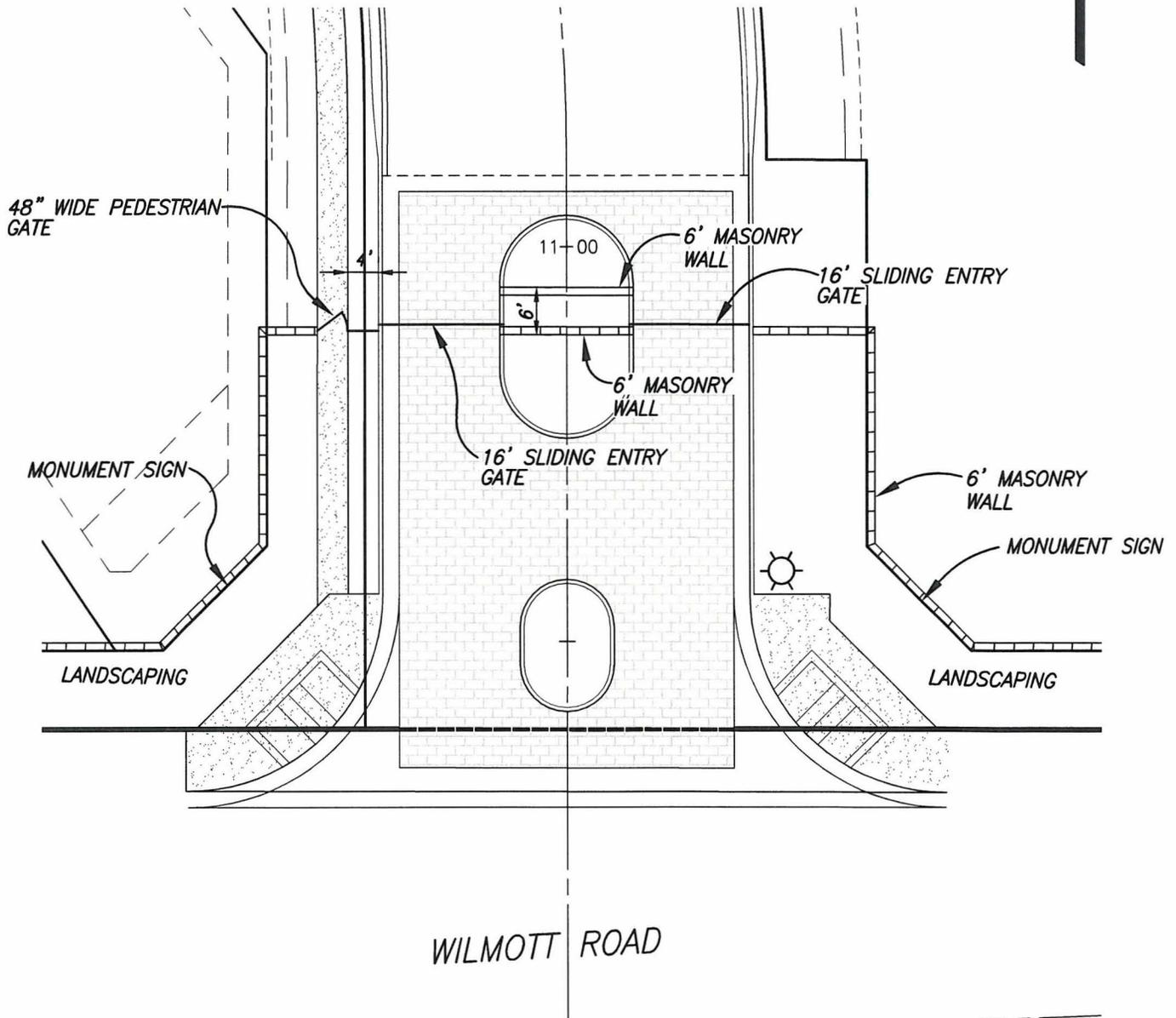
The City of Los Banos Recreation and Parks Department provides and maintains park facilities throughout the City. The Parks and Open Space Master Plan identify a parkland dedication standard of five acres per 1,000 residents.

Mission Village South Phase 5 proposes 50 single family dwelling units and 16 multi-family units. No new parks are proposed within the project site. Park fees would be paid in lieu of park and open space dedication.



# MISSION VILLAGE SOUTH PHASE 5 GATED ENTRY EXHIBIT

SCALE: 1" = 20'



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**GATED ENTRY EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY: JP  
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MISSION VILLAGE  
SOUTH



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**MONUMENT SIGN CONCEPT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
LOS BANOS, CALIFORNIA

DRAWN BY: JP

DATE: 5-24-2020

SHEET: 1 OF 1

JOB: 209239

**PUBLIC FACILITIES, SERVICES, AND  
INFRASTRUCTURE**

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**Section 5**

**PUBLIC FACILITIES, SERVICES, AND INFRASTRUCTURE**



## **PUBLIC FACILITIES, SERVICES, AND INFRASTRUCTURE**

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### **5.1 PURPOSE AND INTENT**

Mission Village South Phase 5 will include public facilities and services including potable water, sanitary sewer, and storm water drainage.

### **5.2 WATER FACILITIES**

Water for domestic use and fire protection will be provided by the City of Los Banos in accordance with the City's Water Master Plan.

#### **5.2.1 EXISTING FACILITIES**

Existing water facilities include a 12-inch main on Mission Drive along the project frontages.

#### **5.2.2 PROPOSED FACILITIES**

The project will be served by the water mains described in Section 5.2.1. Water services will distribute water to individual lots, multi-family units and common landscape areas. All water improvements will conform to the City of Los Banos Water Master Plan.

Fire hydrant and "Blue dot" hydrant locaters will be installed as specified by the City of Los Banos Improvement Standards and Specifications.

### **5.3 SANITARY SEWER FACILITIES**

Sanitary sewer will be provided by the City of Los Banos in accordance with the City's Sewer Master Plan.

#### **5.3.1 EXISTING FACILITIES**

The project will be served by an existing 6" sanitary sewer line in Mission Drive and an 8" sewer line in Willmott Road.

## **PUBLIC FACILITIES, SERVICES, AND INFRASTRUCTURE**

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### **5.3.2 PROPOSED FACILITIES**

The City of Los Banos will provide sanitary sewer collection and treatment for the FDP. All sewer improvements shall conform to City of Los Banos Improvement Standards and Specifications. The exact location and final design of the system must be approved by the City of Los Banos.

### **5.4 STORM DRAINAGE**

#### **5.4.1 EXISTING FACILITIES**

Existing storm drain facilities include a 12-inch drain along Somerset Avenue constructed to Mission Drive. An existing catch basin serves existing Mission Drive. An existing 30" storm drain line in Willmott Road will serve the gated community. An existing 18" storm drain stubbed to Phase 5B will be abandoned.

#### **5.4.2 PROPOSED FACILITIES**

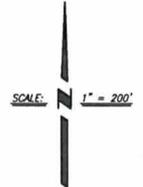
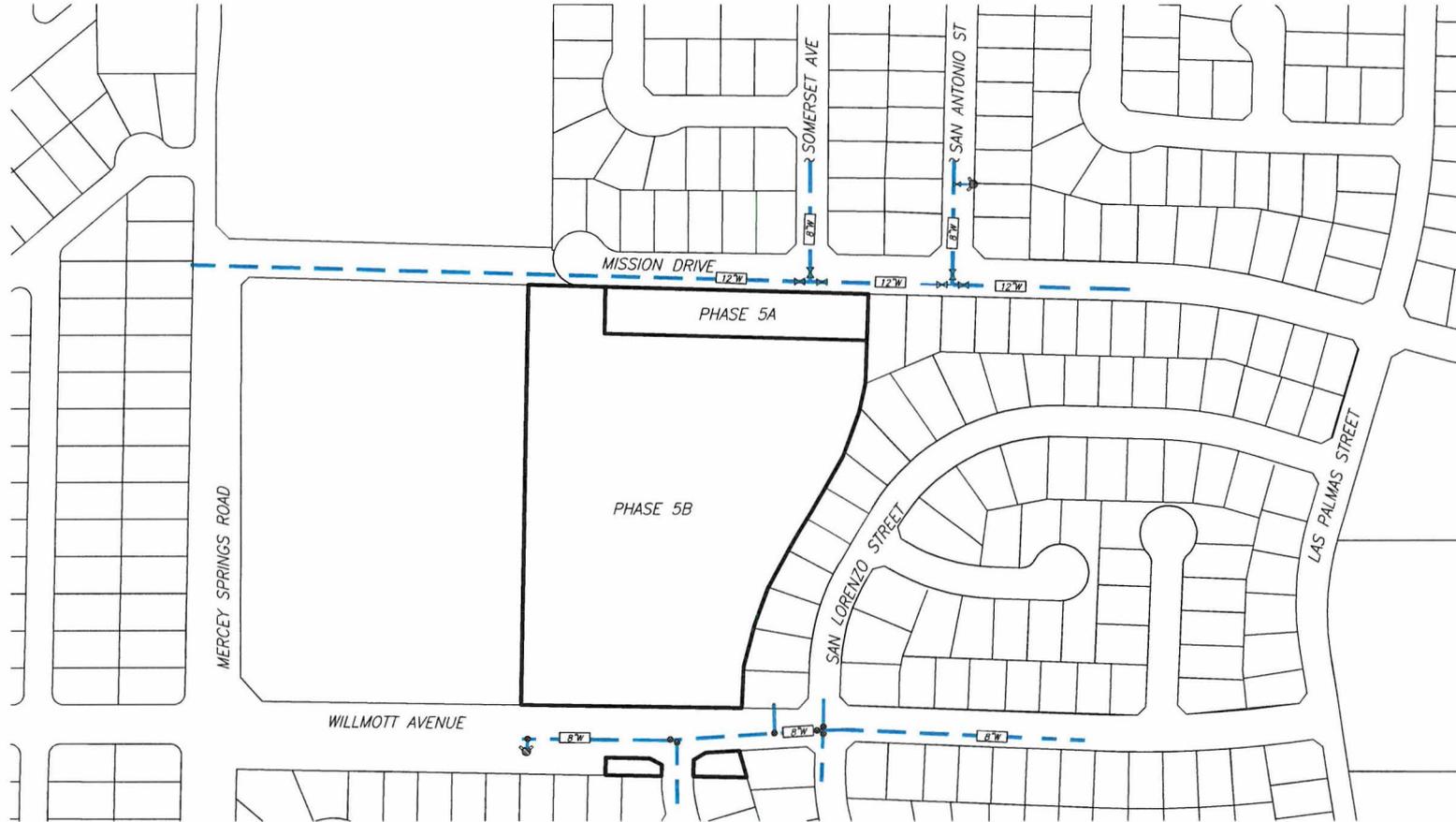
Storm drainage disposal would be by local collection system and connection to City's storm drain system.

#### **5.4.3 PIPE DESIGN**

Storm drain piping shall be designed according to City of Los Banos Improvement Standards and Specifications.



# MISSION VILLAGE SOUTH PHASE 5 EXISTING WATER SYSTEM EXHIBIT

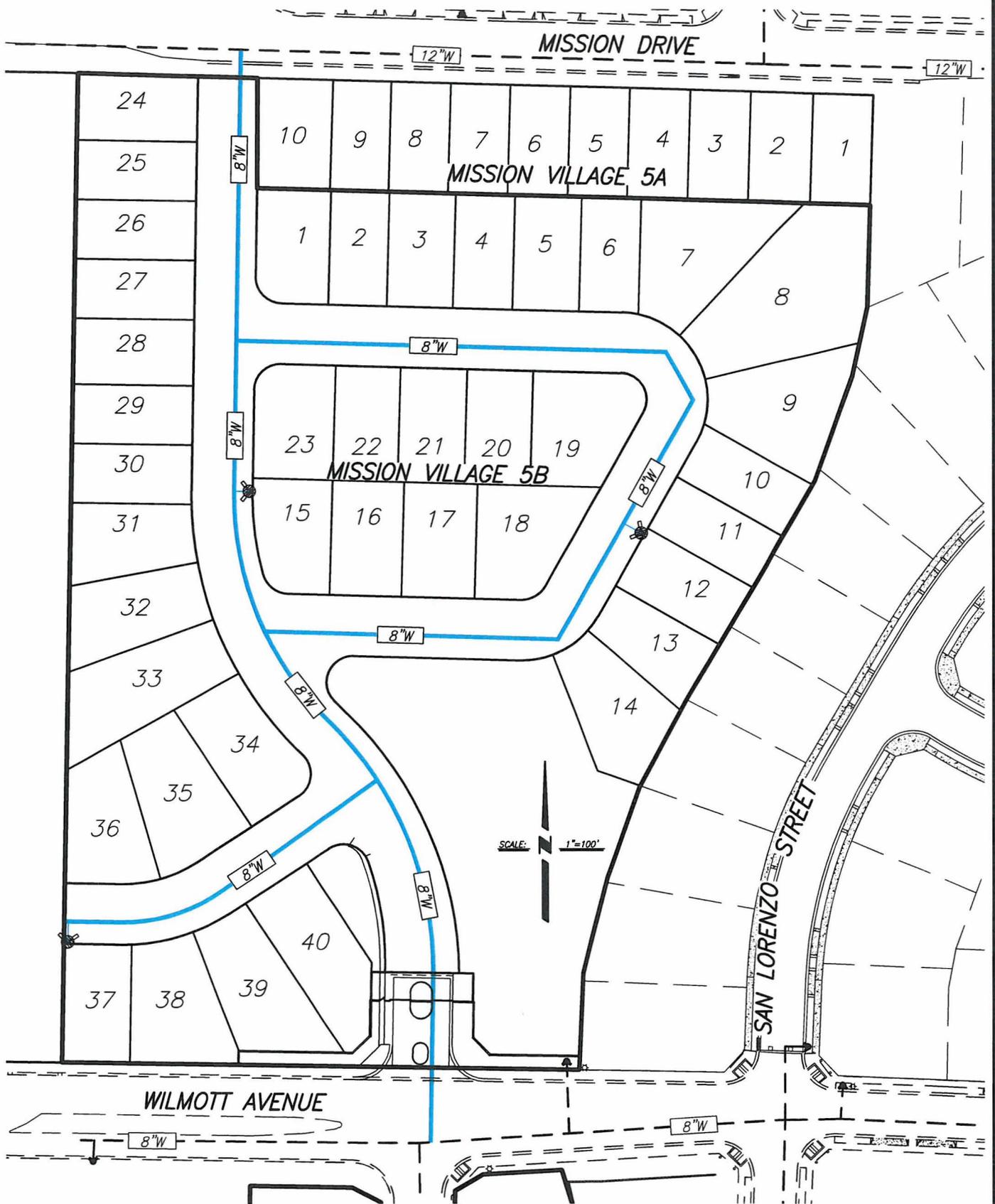


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**EXISTING WATER SYSTEM EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**

**LOS BANOS, CALIFORNIA**

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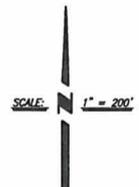


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**PROPOSED WATER SYSTEM EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY: JP  
 DATE: 5-14-2020  
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# MISSION VILLAGE SOUTH PHASE 5 EXISTING STORM DRAIN SYSTEM EXHIBIT



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**EXISTING STORM DRAIN SYSTEM EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
**LOS BANOS, CALIFORNIA**

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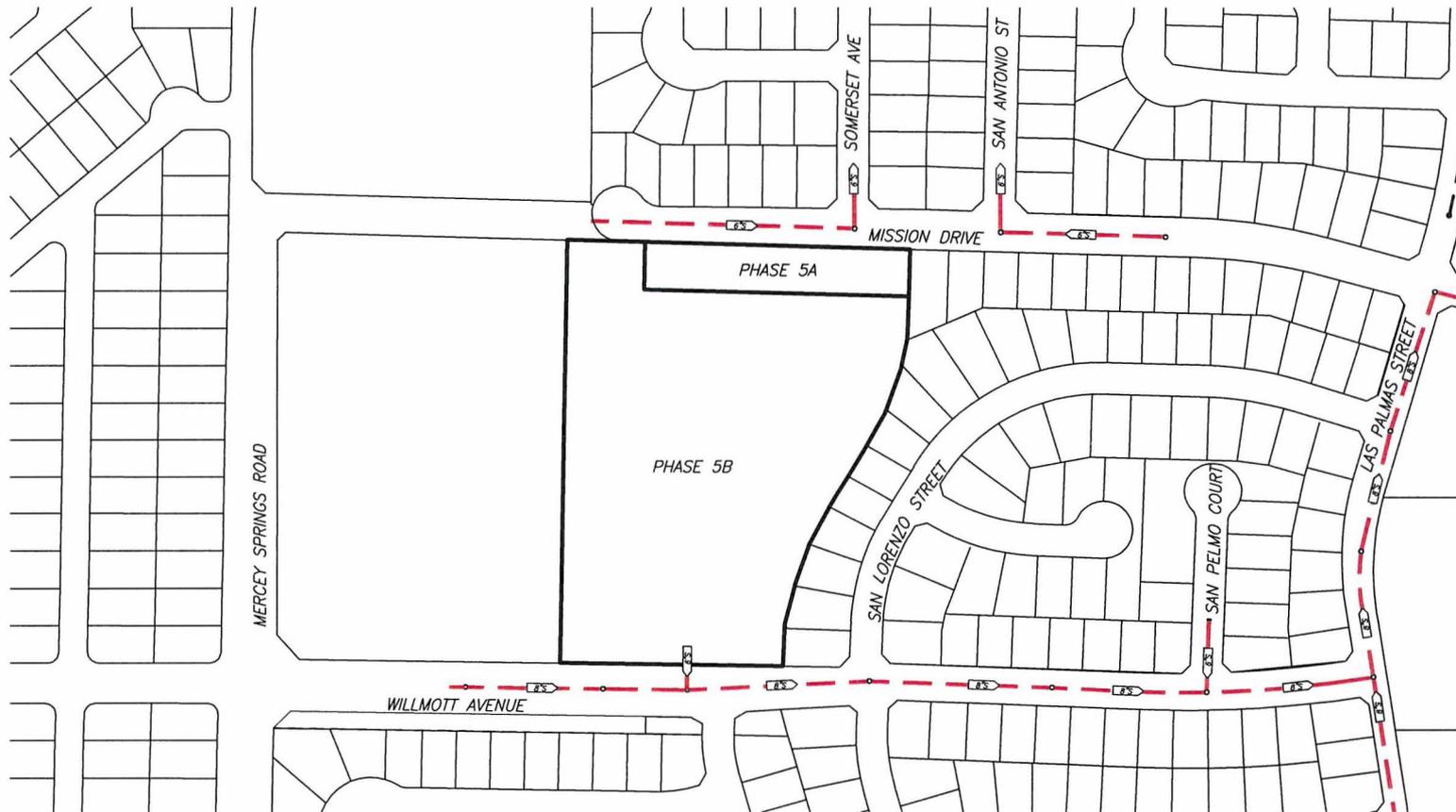
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**PROPOSED STORM DRAIN SYSTEM EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**

LOS BANOS, CALIFORNIA

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 DATE: 5-14-2020  
 SHEET: 1 OF 1  
 JOB: 209239

# MISSION VILLAGE SOUTH PHASE 5 EXISTING SEWER SYSTEM EXHIBIT

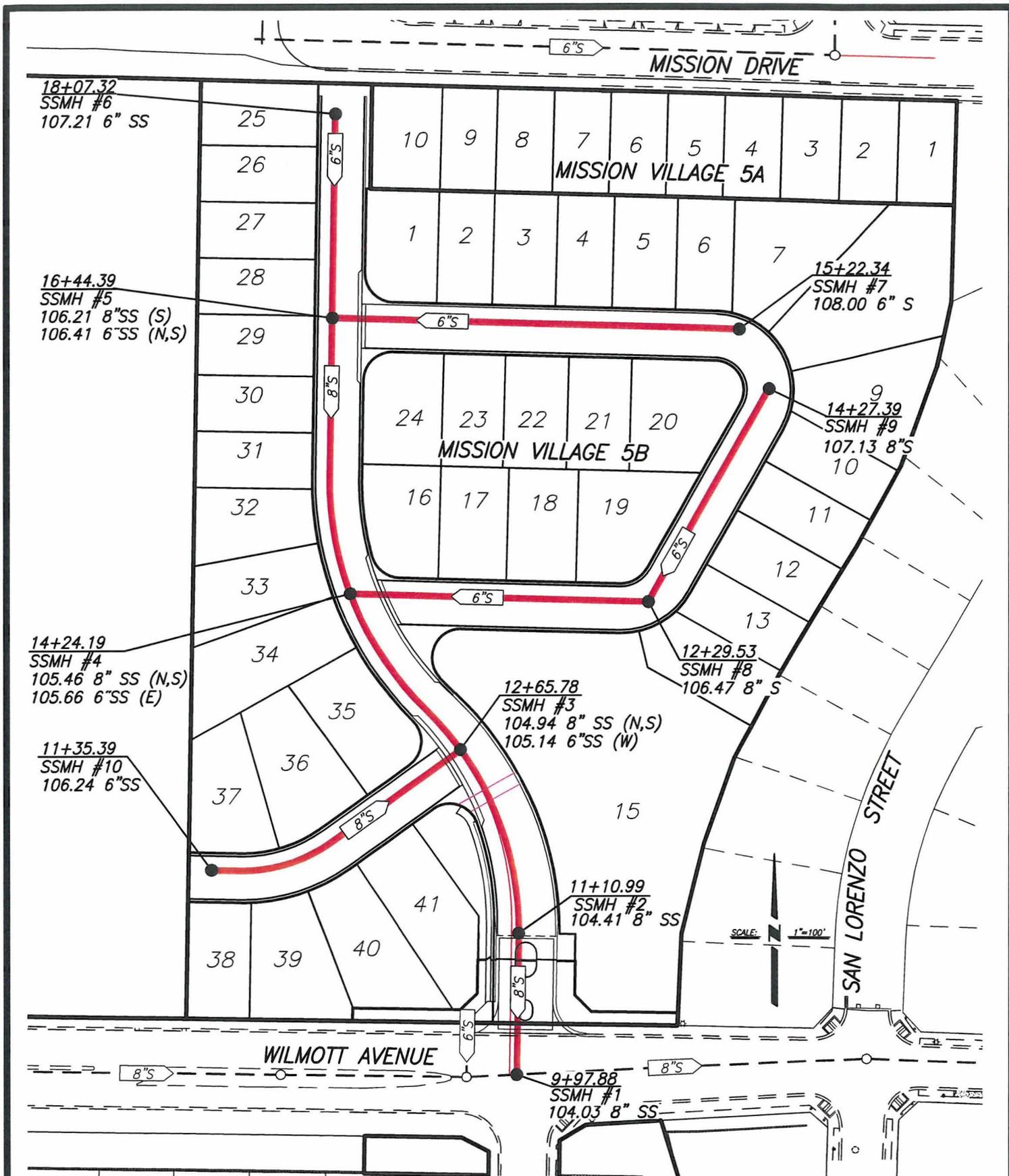


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**EXISTING SEWER SYSTEM EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**

**LOS BANOS, CALIFORNIA**

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**PROPOSED SEWER SYSTEM EXHIBIT**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY: JP  
 DATE: 5-14-2020  
 SHEET: 1 OF 1  
 JOB: 209239

# ARCHITECTURE

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## Section 6

# ARCHITECTURE



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**Mission Village South Phase 5 – Final  
Development Plan**

# ARCHITECTURE

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## 6.1 NEIGHBORHOOD CHARACTER AND COMPATIBILITY

Our goal for Mission Village South Phase 5 is to provide high quality architecture and planning that combine to create neighborhoods of diverse character that are compatible to the surroundings areas as well as an enhancement to the overall value of the community. This diversity is achieved through the use of a variety of lot sizes, floor plans, elevation styles, differing rooflines and garage configurations, and a wide range of colors and material selections.

The single family detached lots have been arranged to minimize the number of rear yards abutting the lots of Mission Village South Phase 3C to the east. The apartment buildings have been arranged on the site plan so that only one side of one building abuts the lots to the east. The northern apartment building is designed with the shorter side of the structure facing only proposed Lot 14. Parking areas and open space on the site provides a buffer between the project and future homes to the east.

## 6.2 ARCHITECTURE AND APPEARANCE

Mission Village South Phase 5 consists of 7 different, detached single-family floor plans ranging from 1,380 square feet to 2,392 square feet with 2 car garages. These plans are divided among neighborhoods of 3,755 to 12,135 square foot lots, with 4 single-story and 3 two-story designs. Plan widths are 35' while the depths vary from 43' to 60'.

Each plan includes 3 distinct elevation styles and color/material palettes. By mixing single and two-story plans and varying floor plan types, elevation styles, colors and materials each neighborhood is insured a rich texture of facades and massing. Differing garage treatments will provide for an articulated streetscape.

## 6.3 ELEVATION STYLES

The elevation styles chosen for Mission Village South Phase 5 invoke the character and charm of many of the older communities found

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## **ARCHITECTURE**

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throughout the central valley. Recognizable styles such as Early Californian, California Coastal and California Rustic are part California's architectural history since the turn of the century and many examples can be found in the surrounding neighborhoods.

As mentioned in the previous subsection, each plan will have three distinct corresponding elevations adding up to a total of 21 different designs. Articulated front elevations and set back second stories provide richness to the massing of the homes. A mixture of gable and hip roofs vary appearance and each design uses a roof pitch that is consistent with the style it represents giving the different elevations higher or lower ridgelines depending on the style. Exterior materials and detailing also vary between styles. This diverse combination of elements will produce neighborhoods that are visually dynamic and rich in architectural character.

### **6.4 COLORS AND MATERIALS**

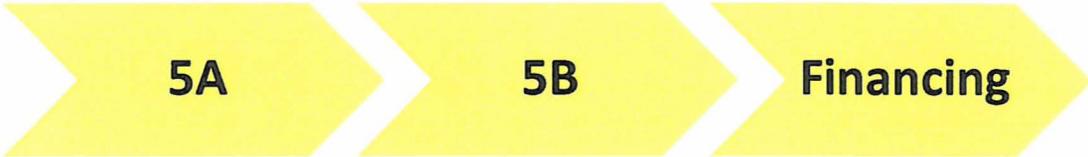
Materials and colors have been chosen for each design to be compatible with its corresponding style. There are 3 color schemes per style, allowing for 21 unique color schemes spread across the neighborhood.

**PHASING AND FINANCING**

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**Section 7**

**PHASING AND FINANCING**



# PHASING AND FINANCING

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## 7.1 PURPOSE AND INTENT

The following text addresses the proposed phasing of the project and the associated major infrastructure improvements that will be required for the sequential build out of Mission Village South Phase 5A and 5B.

Various funding methods for financing the FDP capital improvements are available to the owner.

Various lenders may be used to meet the funding needs as they arise depending upon phasing sizes, infrastructure complexity, and economies of scale and market demand.

## 7.2 PHASING OF IMPROVEMENTS

This is the final residential phase of the larger Mission Village South project. It is anticipated that build out of the FDP will occur in two phases. This document identifies improvements that will have to be undertaken both on-site and off-site. They must correspond in timing and capacity to the phasing.

## 7.3 PROJECT BENEFIT

Some project facilities will consist of improvements that will benefit the FDP solely. These will be termed in-tract improvements. These improvements will be fully funded by the project proponents and will not be eligible for reimbursement through the City. Examples of such ineligible improvements are:

- curbs, gutters, sidewalks, and park strip landscaping of neighborhood and collector streets
- all paving on neighborhood streets and slurry seal on Mission Drive
- on-site sanitary sewer collection system
- on-site storm drainage collection system including pipes, manholes, inlet structures and outlet structures

## **PHASING AND FINANCING**

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- domestic water and fire flow distribution system, piping, valves, and hydrants

If there are beneficiaries of the project infrastructure other than the proponents, it is expected that the City of Los Banos will enter into appropriate reimbursement agreements as permitted by the Municipal Code.

### **7.4 FINANCING MECHANISMS**

#### **7.4.1 CAPITAL FACILITIES**

The City of Los Banos currently has ordinances that describe the procedures for obtaining reimbursement for utilities and roads that may benefit off-site areas. Mission Village South Phase 5B will use existing City mechanisms for reimbursement for such conditions if they occur.

#### **7.4.2 DEVELOPER FINANCING**

Developers typically finance in-tract subdivision improvements including roads, sewer, storm drainage, water, landscaping and utilities using private funding sources. In addition, major public facilities can be financed by the developers at the request of, and reimbursed by, the City of Los Banos. This will be addressed in the Developer's Agreement.

#### **7.4.3 LANDSCAPE AND LIGHTING DISTRICTS**

The Landscape and Lighting Act of 1972 permits the installation, maintenance and servicing of landscaping and lighting through annual assessments on real property benefiting from those improvements. Mission Village South Phase 5 is annexed to the City of Los Banos Landscape and Lighting District.

**APPENDICES**

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**Appendix A**

**CERTIFICATE OF COMPLIANCE, LLA NO. 2018-02 AND PLATS**

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**Mission Village South Phase 5- Final  
Development Plan**

**BARBARA J LEVEY**  
Merced County Clerk - Recorder

204 Fidelity National Title

**RECORDING REQUESTED BY:**

City of Los Banos

Doc#: **2019005704**

**Titles: 1    Pages: 6**

**WHEN RECORDED RETURN TO:**

City Clerk  
City of Los Banos  
520 J Street  
Los Banos, CA 93635



\* \$ R 0 0 0 0 2 5 2 2 4 0 \$ \*

Fees 29.00  
Taxes 0.00  
Housing Fee 0.00  
PAID 29.00

Space above this line for Recorder's use.

**CERTIFICATE OF COMPLIANCE**  
(Government Code, Section 66499.35)  
**CITY OF LOS BANOS, STATE OF CALIFORNIA**

Lot Line Adjustment No. 2018-02

Acting at the request of the CITY OF LOS BANOS, CALIFORNIA, the Subdivision Review Board of the City of Los Banos, pursuant to Section 66412. (d) and 66499.35, of the Subdivision Map Act and Section 9-2.1011 of the City of Los Banos Municipal Code, as amended,

**HEREBY CERTIFIES:**

- (1) That the real property and the adjustment thereof, described herein complies with the applicable provisions of the Subdivision Map Act and of the City of Los Banos Code as of the date of issue; and,
- (2) That any conditions imposed in granting this Certificate of Compliance have been fulfilled and implemented, and that recording of new deeds as described in (3) remains to be fulfilled and implemented; and,
- (3) That the issuance and recordation of this Certificate of Compliance has been duly authorized and approved by the City of Los Banos. The recording of new deeds with the legal descriptions entitled "PARCEL 1" and "PARCEL 2" shall complete this approval.

The real property affected by this action is situated in the City of Los Banos, California, and is more commonly known as Assessor Parcel No 428-280-001, and 428-280-002 and are particularly described in Exhibits "A" and Exhibit "B", attached hereto and made part hereof for all purposes.

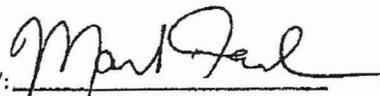
**OWNERS:**

Trevino Pioneer, LLC, Parcel 1  
Trevino Pioneer, LLC, Parcel 2

APN: 428-280-001  
APN: 428-280-002

DATE OF ISSUANCE: FEB 7<sup>TH</sup>, 2019

BY:   
Ryan J. Schiess, P.L.S. 8366  
Reviewing City Surveyor  
Gouveia Engineering

BY:   
Mark Fachin, P.E.  
Public Works Director / City Engineer  
City of Los Banos

**ORIGINAL**

**RECORDING REQUESTED BY:**

City of Los Banos

**WHEN RECORDED RETURN TO:**

City Clerk  
City of Los Banos  
520 J Street  
Los Banos CA 93635

Space above this line for Recorder's use.

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- (1) That the real property and the adjustment thereof, described herein complies with the applicable provisions of the Subdivision Map Act and of the City of Los Banos Code as of the date of issue; and,
- (2) That any conditions imposed in granting this Certificate of Compliance have been fulfilled and implemented, and that recording of new deeds as described in (3) remains to be fulfilled and implemented; and,
- (3) That the issuance and recordation of this Certificate of Compliance has been duly authorized and approved by the City of Los Banos. The recording of new deeds with the legal descriptions entitled "PARCEL 1" and "PARCEL 2" shall complete this approval.

The real property affected by this action is situated in the City of Los Banos, California, and is more commonly known as Assessor Parcel No 428-280-001, and 428-280-002 and are particularly described in Exhibits "A" and Exhibit "B", attached hereto and made part hereof for all purposes.

**OWNERS:**

Trevino Pioneer, LLC, Parcel 1  
Trevino Pioneer, LLC, Parcel 2

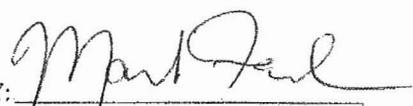
APN: 428-280-001  
APN: 428-280-002

DATE OF ISSUANCE: FEB. 7<sup>TH</sup>, 2019

BY:

  
Ryan J. Schiess, P.L.S. 8366  
Reviewing City Surveyor  
Gougeon Engineering

BY:

  
Mark Fachin, P.E.  
Public Works Director/ City Engineer  
City of Los Banos

# State of California acknowledgment effective January 1, 2015

A notary public or other officer completing this Certificate verifies only the identity of the Individual who signed the document to which this Certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of

On February 7, 2019 before me, (here insert the name and title of officer), personally appeared Ryan Schiess,

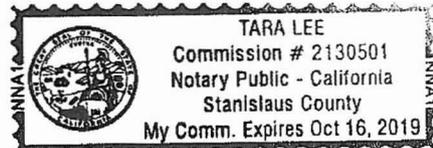
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature Tara Lee

(Seal)



# CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

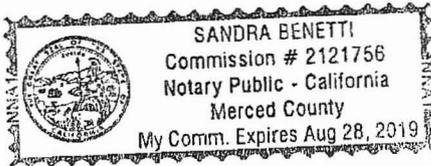
State of California

County of Merced

} ss

On February 8, 2019 before me, Sandra Benetti, Notary Public,

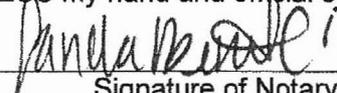
personally appeared Mark Fachin



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature on the instrument the person(s), or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Certificate of Compliance

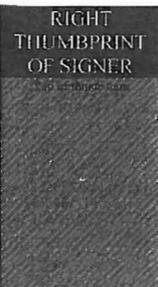
Document Date: \_\_\_\_\_ Number of Pages: 7

Signer(s) Other Than Named Above: Ryan J. Schiess

Signer's Name: Mark Fachin

- Individual
- Corporate Officer - Title(s): N/A
- Partner -  Limited  General
- Attorney of Fact
- Trustee
- Guardian or Conservator
- Other:

Signer Is Representing: N/A



**LEGAL DESCRIPTION**

**PROPOSED PARCEL 1**

All that certain real property situate, lying, and being a portion of Lot 5 as shown on the map of Mission Village South, Phase 1, filed for record in Volume 72 of Official Plats, at Pages 4 to 8, Merced County Records, in the north half of Section 13, Township 10 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Los Banos, County of Merced, State of California, being more particularly described as follows:

Lot 5 as shown on said map of Mission Village South, Phase 1; EXCEPTING THEREFROM the following described land:

BEGINNING at the northeast corner of said Lot 5, thence, along the north line of said Lot 5, North 88°23'51" West 142.79 feet; thence, South 0°55'25" West 750.71 feet, to a point on the north line of Willmott Road, as shown on said map of Mission Village South, Phase 1; thence, along the north line of said Willmott Road, South 89°04'35" East 142.34 feet, to the southeast corner of said Lot 5; thence, along the east line of said Lot 5, North 0°57'25" East 749.02 feet, to the point of beginning.

Containing a total of 9.06 acres, more or less.

Subject to conditions, covenants, restrictions, easements, and rights-of-way of record, if any.

This legal description was prepared by me, or under my direction.



---

Michael Halterman, LS 8040



6 DEC 2018

**LEGAL DESCRIPTION**

**PROPOSED PARCEL 2**

All that certain real property situate, lying, and being Lot 4 and a portion of Lot 5 as shown on the map of Mission Village South, Phase 1, filed for record in Volume 72 of Official Plats, at Pages 4 to 8, Merced County Records, in the north half of Section 13, Township 10 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Los Banos, County of Merced, State of California, being more particularly described as follows:

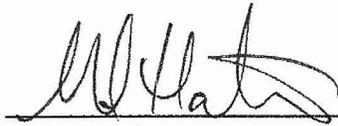
Lot 4 as shown on said map of Mission Village South, Phase 1; TOGETHER WITH the following described land:

BEGINNING at the northwest corner of said Lot 4, thence, along the north line of Lot 5 as shown on said map of Mission Village South, Phase 1, North  $88^{\circ}23'51''$  West 142.79 feet; thence, South  $0^{\circ}55'25''$  West 750.71 feet, to a point on the north line of Willmott Road, as shown on said map of Mission Village South, Phase 1; thence, along the north line of said Willmott Road, South  $89^{\circ}04'35''$  East 142.34 feet, to the southwest corner of said Lot 4; thence, along the west line of said Lot 4, North  $0^{\circ}57'25''$  East 749.02 feet, to the point of beginning.

Containing a total of 8.85 acres, more or less.

Subject to conditions, covenants, restrictions, easements, and rights-of-way of record, if any.

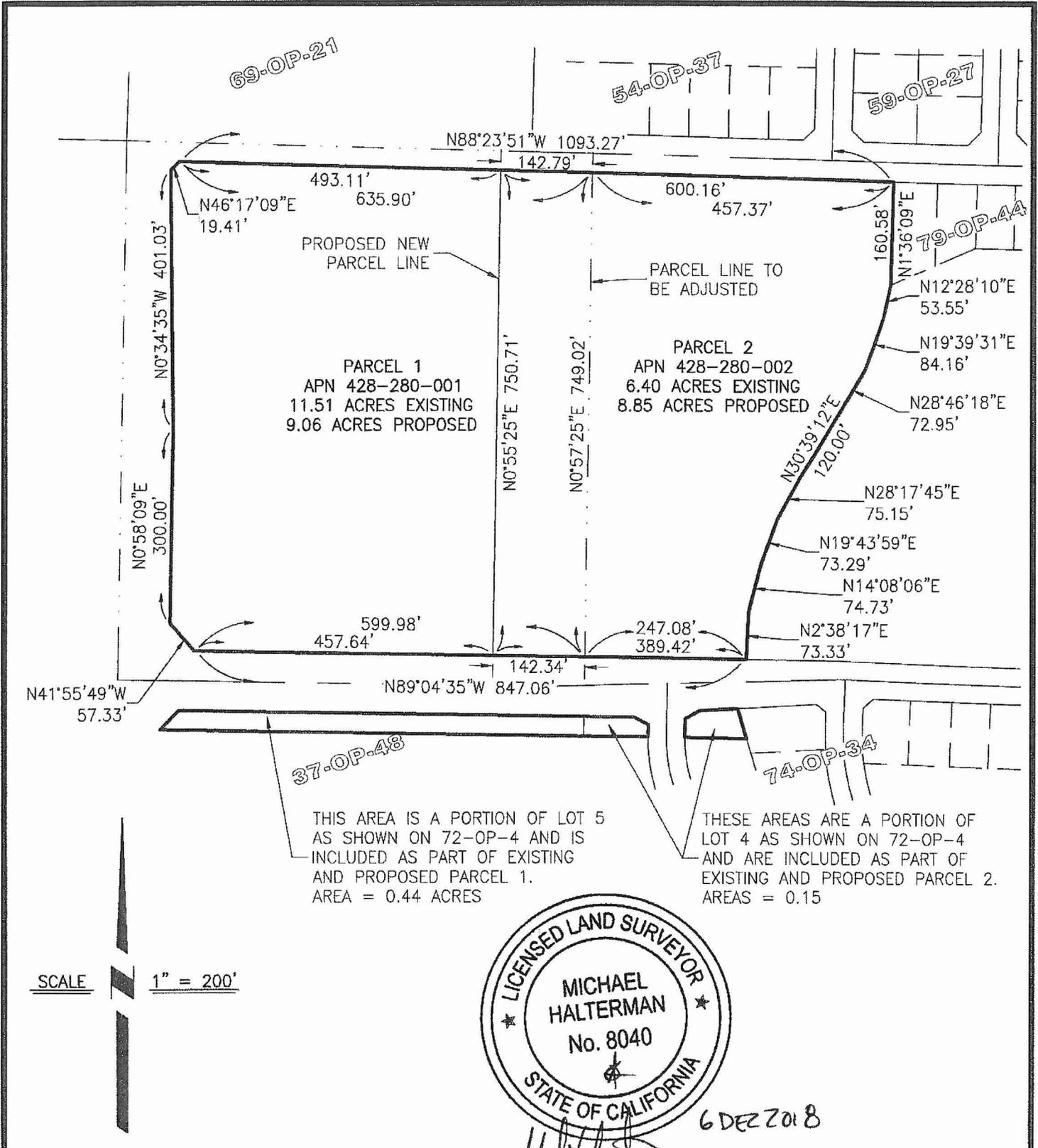
This legal description was prepared by me, or under my direction.



Michael Halterman, LS 8040



6 DEC 2018



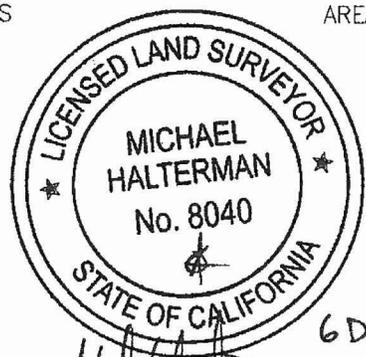
37-OP-48

74-OP-34

THIS AREA IS A PORTION OF LOT 5 AS SHOWN ON 72-OP-4 AND IS INCLUDED AS PART OF EXISTING AND PROPOSED PARCEL 1. AREA = 0.44 ACRES

THESE AREAS ARE A PORTION OF LOT 4 AS SHOWN ON 72-OP-4 AND ARE INCLUDED AS PART OF EXISTING AND PROPOSED PARCEL 2. AREAS = 0.15

SCALE 1" = 200'



6 DEC 2018

DATE: 12/6/2018 8:14 FILE: M:\209239\Survey Drawings\LLA\209239-LLA.dwg



**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 915 17TH STREET • MODESTO, CALIFORNIA • 95354  
 (209) 548-8300 FAX: (209) 548-8305

**LOT LINE ADJUSTMENT**  
**MISSION VILLAGE SOUTH - PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY:	JJ
DATE:	2018-09-06
SHEET:	1 OF 1
JOB:	209239

**BARBARA J LEVEY**

Merced County Clerk - Recorder

**RECORDING REQUESTED BY:**  
Fidelity National Title Company

204 Fidelity National Title

Doc#: **2019005706**

Titles: 1 Pages: 5

Fees 26.00

Taxes 0.00

Housing Fee 75.00

PAID 101.00



\* \$ R 0 0 0 0 2 5 2 2 4 2 \$ \*

**When Recorded Mail Document  
and Tax Statement To:**  
Trevino Pioneer  
923 E. Pacheco Blvd  
Los Banos, CA 93635

Escrow Order No.: FFOM-3011801491

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN/Parcel ID(s): 428-280-001 portion  
428-280-002 portion

Exempt from fee per GC sec 27388.1 (a)  
(1); fee cap of \$225 reached

**GRANT DEED**

The undersigned grantor(s) declare(s)

This transfer is exempt from the documentary transfer tax.  
The grantors and the grantees in this conveyance are comprised of the same parties who continue to hold the same proportionate interest in the property, R & T 11911. This is a Merger Deed required pursuant to a Certificate of Compliance recording concurrently herewith.

The documentary transfer tax is \$ 0.00 and is computed on:  
 the full value of the interest or property conveyed.  
 the full value less the liens or encumbrances remaining thereon at the time of sale.  
The property is located in  the City of Los Banos.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Trevino Pioneer, LLC, a California Limited Liability Company

hereby GRANT(S) to

Trevino Pioneer, LLC, a California Limited Liability Company

the following described real property in the City of Los Banos, County of Merced, State of California:

PARCEL 2 of Certificate of Compliance described more particularly on "A" & "B" attached hereto and made a part hereof

EXCEPTING THEREFROM THE PROPERTY RIGHTS EXCEPTED AND RESERVED IN DEED RECORDED APRIL 29, 1936 IN BOOK 502 OF OFFICIAL RECORDS, PAGE 108, AS INSTRUMENT NO. 4124; MERCED COUNTY RECORDS, BY BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, A NATIONAL BANKING ASSOCIATION, SAID PROPERTY RIGHTS BEING AN UNDIVIDED 1/2 INTEREST IN ALL OIL, GAS AND OTHER HYDROCARBONS AND MINERALS WITH THE RIGHT OF ENTRY.

**MAIL TAX STATEMENTS AS DIRECTED ABOVE**

**ORIGINAL**

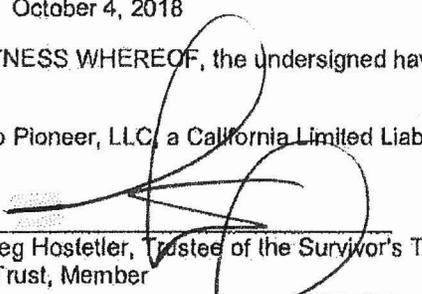
**GRANT DEED**  
(continued)

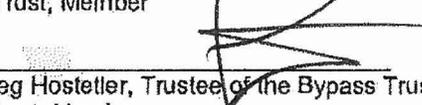
APN/Parcel ID(s): 428-280-001 PORTION  
428-280-002 PORTION

Dated: October 4, 2018

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Trevino Pioneer, LLC, a California Limited Liability Company

BY:   
Greg Hostetler, Trustee of the Survivor's Trust under the 2008 Amended and Restated Hostetler Revocable Trust, Member

BY:   
Greg Hostetler, Trustee of the Bypass Trust under the 2008 Amended and Restated Hostetler Revocable Trust, Member

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA \_\_\_\_\_

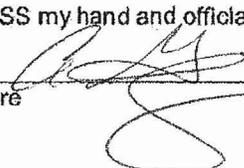
County of MERCED \_\_\_\_\_

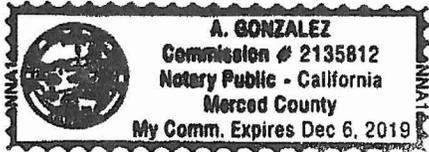
On December 12, 2018 before me, A. Gonzalez, Notary Public,  
(here insert name and title of the officer)

personally appeared GREG HOSTETLER \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature   
(Seal)



GOVERNMENT CODE 27361.7

I certify under penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: A. Gonzalez

Date Commission Expires: 12-6-19 # 2135812

Place of Execution: Merced, CA on Dec 12, 2018

Date: 2-6-19 by: 

**EXHIBIT A  
LEGAL DESCRIPTION  
PARCEL 2**

All that certain real property situate, lying, and being Lot 4 and a portion of Lot 5 as shown on the map of Mission Village South, Phase 1, filed for record in Volume 72 of Official Plats, at Pages 4 to 8, Merced County Records, in the north half of Section 13, Township 10 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Los Banos, County of Merced, State of California, being more particularly described as follows:

Lot 4 as shown on said map of Mission Village South, Phase 1; TOGETHER WITH the following described land:

BEGINNING at the northwest corner of said Lot 4, thence, along the north line of Lot 5 as shown on said map of Mission Village South, Phase 1, North 88°23'51" West 142.79 feet; thence, South 0°55'25" West 750.71 feet, to a point on the north line of Willmott Road, as shown on said map of Mission Village South, Phase 1; thence, along the north line of said Willmott Road, South 89°04'35" East 142.34 feet, to the southwest corner of said Lot 4; thence, along the west line of said Lot 4, North 0°57'25" East 749.02 feet, to the point of beginning.

Containing a total of 8.85 acres, more or less.

Subject to conditions, covenants, restrictions, easements, and rights-of-way of record, if any.

This legal description was prepared by me, or under my direction.



Michael Halterman, LS 8040



6 DEC 2018

EXHIBIT B

MERCY SPRINGS ROAD  
HIGHWAY 165

69-OP-21

54-OP-37  
MISSION DRIVE

SOMERSET AVENUE

59-OP-27

N88°23'51"W 600.16'

PORTION OF LOT 5  
72-OP-04

PARCEL 2  
8.85 ACRES TOTAL

160.58'  
N1°36'09"E  
79-OP-44

N12°28'10"E  
53.55'

N19°39'31"E  
84.16'

N28°46'18"E  
72.95'

N0°55'25"E 750.71'

N28°17'45"E  
75.15'

N19°43'59"E  
73.29'

N14°08'06"E  
74.73'

N2°38'17"E  
73.33'

LOT 2  
72-OP-04

N89°04'35"W 389.42'

WILLMOTT ROAD

37-OP-48

74-OP-34

THESE AREAS ARE INCLUDED  
AS PART OF PARCEL 2

SCALE

1" = 200'



*Michael Halterman*

6 DEC 2018

DATE: 12/6/2018 8:17 FILE: M:\209239\Survey Drawings\LLA\DEED 2.dwg



**BENCHMARK ENGINEERING, INC.**  
CIVIL ENGINEERING & LAND SURVEYING  
916 17TH STREET • MODESTO, CALIFORNIA • 95364  
(209) 548-8300 FAX: (209) 548-8305

**LOT LINE ADJUSTMENT**  
**MISSION VILLAGE SOUTH - PHASE 5**  
LOS BANOS, CALIFORNIA

DRAWN BY: JJ  
DATE: 2018-11-01  
SHEET: 1 OF 1  
JOB: 209239

**BARBARA J LEVEY**  
Merced County Clerk - Recorder

RECORDING REQUESTED BY:  
Fidelity National Title Company

204 Fidelity National Title

Doc#: 2019005705



\* \$ R 0 0 0 0 2 5 2 2 4 1 \$ \*

Titles: 1	Pages: 5
Fees	26.00
Taxes	0.00
Housing Fee	75.00
PAID	101.00

When Recorded Mail Document  
and Tax Statement To:  
Trevino Pioneer  
923 E. Pacheco Blvd  
Los Banos, CA 93835

Escrow Order No.: FFOM-3011801491

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN/Parcel ID(s): 420-280-001 portion

### GRANT DEED

The undersigned grantor(s) declare(s)

This transfer is exempt from the documentary transfer tax.  
The grantors and the grantees in this conveyance are comprised of the same parties who continue to hold the same proportionate interest in the property, R & T 11911. This is a Merger Deed required pursuant to a Certificate of Compliance recording concurrently herewith.

The documentary transfer tax is \$ 0.00 and is computed on:  
 the full value of the interest or property conveyed.  
 the full value less the liens or encumbrances remaining thereon at the time of sale.  
The property is located in  the City of Los Banos.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Trevino Pioneer, LLC, a California Limited Liability Company

hereby GRANT(S) to

Trevino Pioneer, LLC, a California Limited Liability Company

the following described real property in the City of Los Banos, County of Merced, State of California:

PARCEL 1 of Certificate of Compliance described more particularity on "A" & "B" attached hereto and made a part hereof

EXCEPTING THEREFROM THE PROPERTY RIGHTS EXCEPTED AND RESERVED IN DEED RECORDED APRIL 29, 1936 IN BOOK 502 OF OFFICIAL RECORDS, PAGE 108, AS INSTRUMENT NO. 4124, MERCED COUNTY RECORDS, BY BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, A NATIONAL BANKING ASSOCIATION, SAID PROPERTY RIGHTS BEING AN UNDIVIDED 1/2 INTEREST IN ALL OIL, GAS AND OTHER HYDROCARBONS AND MINERALS WITH THE RIGHT OF ENTRY.

### MAIL TAX STATEMENTS AS DIRECTED ABOVE

ORIGINAL

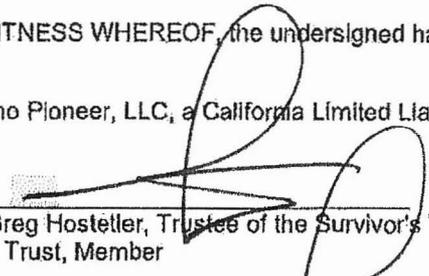
**GRANT DEED**  
(continued)

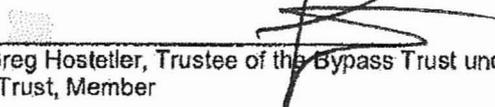
APN/Parcel ID(s): 428-280-001 PORTION

Dated: October 4, 2018

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Trevino Pioneer, LLC, a California Limited Liability Company

BY:   
Greg Hostetler, Trustee of the Survivor's Trust under the 2008 Amended and Restated Hostetler Revocable Trust, Member

BY:   
Greg Hostetler, Trustee of the Bypass Trust under the 2008 Amended and Restated Hostetler Revocable Trust, Member

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA \_\_\_\_\_

County of MERCED \_\_\_\_\_

On December 12, 2018 before me, A. Gonzalez, Notary Public,  
(here insert name and title of the officer)

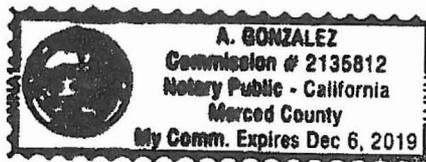
personally appeared GREG HOSTETLER \_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_  


(Seal)



GOVERNMENT CODE 27361.7

I certify under penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: A. Gonzalez

Date Commission Expires: 12-6-19 # 2135812

Place of Execution: Merced, CA on Dec 12, 2018

Date: 2-6-19 by: 

**EXHIBIT A  
LEGAL DESCRIPTION  
PARCEL 1**

All that certain real property situate, lying, and being a portion of Lot 5 as shown on the map of Mission Village South, Phase 1, filed for record in Volume 72 of Official Plats, at Pages 4 to 8, Merced County Records, in the north half of Section 13, Township 10 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Los Banos, County of Merced, State of California, being more particularly described as follows:

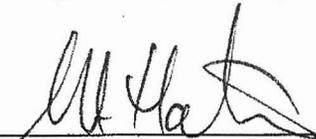
Lot 5 as shown on said map of Mission Village South, Phase 1; EXCEPTING THEREFROM the following described land:

BEGINNING at the northeast corner of said Lot 5, thence, along the north line of said Lot 5, North 88°23'51" West 142.79 feet; thence, South 0°55'25" West 750.71 feet, to a point on the north line of Willmott Road, as shown on said map of Mission Village South, Phase 1; thence, along the north line of said Willmott Road, South 89°04'35" East 142.34 feet, to the southeast corner of said Lot 5; thence, along the east line of said Lot 5, North 0°57'25" East 749.02 feet, to the point of beginning.

Containing a total of 9.06 acres, more or less.

Subject to conditions, covenants, restrictions, easements, and rights-of-way of record, if any.

This legal description was prepared by me, or under my direction.

  
\_\_\_\_\_  
Michael Halterman, LS 8040



6 DEC 2018

EXHIBIT B

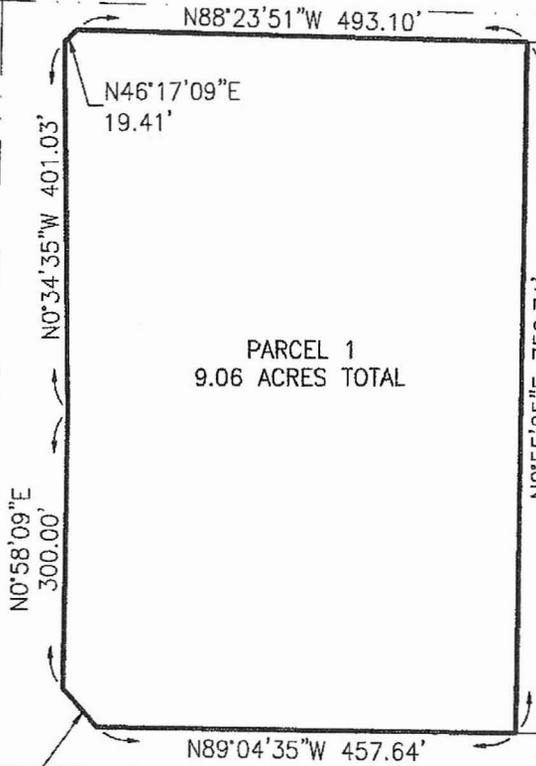
69-OP-21

54-OP-37  
MISSION DRIVE

SOMERSET AVENUE

59-OP-27

MERCY SPRINGS ROAD  
HIGHWAY 165



PARCEL 1  
9.06 ACRES TOTAL

LOT 4 AND  
PORTION OF LOT 5  
72-OP-04

LOT 2  
72-OP-04

N41°55'49\"W  
57.33'

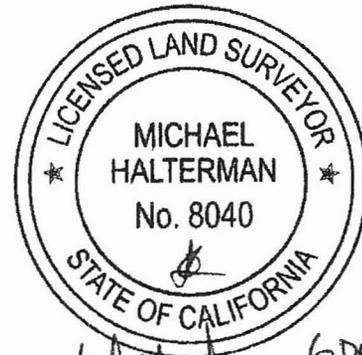
WILLMOTT ROAD

N89°04'35\"W 457.64'

37-OP-48

74-OP-34

THIS AREA IS INCLUDED  
AS PART OF PARCEL 1



*Michael Halterman*

6 DEC 2018

SCALE

1" = 200'

DATE: 12/6/2018 8:17 FILE: M:\209239\Survey Drawings\LLA\DEED 1.dwg



**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 015 17TH STREET • MODESTO, CALIFORNIA • 0535-4  
 (209) 548-9300 FAX(209) 548-9305

**LOT LINE ADJUSTMENT**  
**MISSION VILLAGE SOUTH - PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY: JJ  
 DATE: 2018-11-01  
 SHEET: 1 OF 1  
 JOB: 209239

# APPENDICES

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## Appendix B

### TITLE REPORTS

---

**Mission Village South Phase 5- Final  
Development Plan**

Mission Village

**Fidelity National Title Company**

**PRELIMINARY REPORT**

In response to the application for a policy of title insurance referenced herein, **Fidelity National Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

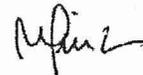
The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Fidelity National Title Insurance Company, a Florida corporation.

**Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.**

Fidelity National Title Insurance Company

By:



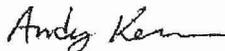
President

Attest:



Secretary

Countersigned By:



Authorized Officer or Agent



Visit Us on our Website: [www.fnctic.com](http://www.fnctic.com)



## Fidelity National Title Company

**ISSUING OFFICE:** 2540 W. Shaw Lane, Suite 112, Fresno, CA 93711

**FOR SETTLEMENT INQUIRIES, CONTACT:**

Fidelity National Title Company  
155 West El Portal Drive, Suite B • Merced, CA 95340  
(209)722-3911 • FAX (209)722-7812

**Another Prompt Delivery From Fidelity National Title Company Title Department  
Where Local Experience And Expertise Make A Difference**

### PRELIMINARY REPORT

#### **Amendment E**

---

Title Officer: Bob Tully  
Email: [robert.tully@fnf.com](mailto:robert.tully@fnf.com)  
Title No.: FFOM-3011900431-BT

TO: Trevino Pioneer, LLC, a California Limited Liability Company  
923 E. Pacheco Blvd.  
Los Banos, CA 93635  
Attn:

**PROPERTY ADDRESS(ES):** Parcel 2 of Certificate of Compliance recorded as #2019-005704, Los Banos, CA

---

**EFFECTIVE DATE: March 12, 2020 at 07:30 AM**

The form of policy or policies of title insurance contemplated by this report is:

CLTA Subdivision

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Stonefiled Home, Inc., a California Corporation

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 428-280-012**

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THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS BANOS, COUNTY OF MERCED, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcel 2 of Certificate of Compliance, Lot Line Adjustment No. 2018-02, recorded February 27, 2019 as Document No. 2019005704 of Official Records, more particularly described as follows:

All that certain real property situate, lying and being Lot 4 and a portion of Lot 5, as shown on the map of Mission Village South, Phase 1, recorded November 10, 2005 in Book 72, Pages 4 to 8, inclusive, of Maps, Merced County Records, in the North half of Section 13, Township 10 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Los Banos, County of Merced, State of California, being more particularly described as follows:

Lot 4 as shown on said map of Mission Village South, Phase 1; together with the following described land:

Beginning at the Northwest corner of said Lot 4; thence along the North line of Lot 5 as shown on said map of Mission Village South, Phase 1, North 88° 23' 51" West 142.79 feet; thence South 00° 55' 25" West 750.71 feet to a point on the North line of Willmott Road, as shown on said map of Mission Village South, Phase 1; thence along the North line of said Willmott Road, South 89° 04' 35" East 142.34 feet to the Southwest corner of said Lot 4; thence along the West line of said Lot 4, North 00° 57' 25" East 749.02 feet to the point of beginning.

Excepting therefrom an undivided one-half interest in all oil, gas, and other hydrocarbons and minerals, with the right of entry, as reserved by Bank of America National Trust and Savings Association, NA, in deed recorded April 29, 1936 in Book 502, Page 108 of Official Records.

**AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:**

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021.
2. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
3. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Reserved by: Miller and Lux, Inc.  
Purpose: public streets/roads; telephone, telegraph & electric power lines;  
pipelines; sewers; drainage ditches; canals; reclamation & irrigation  
works; maintenance  
Recording Date: August 7, 1931  
Recording No.: Book 338, Page 376 of Official Records

The exact location and extent of said easement is not disclosed of record.

4. Matters contained in that certain document

Entitled: Development Agreement  
Dated: October 12, 2001  
Executed by: The City of Los Banos,  
Mission Village, LLC, and  
Anderson Homes, Inc.  
Recording Date: February 11, 2002  
Recording No.: 6859 of Official Records

Amendment to Development Agreement recorded August 31, 2009 as Document No. 2009-042677 of Official Records.

Reference is hereby made to said document for full particulars.

5. The herein described property lies within the boundaries of a Mello-Roos Community Facilities District (CFD) as follows:

CFD No.: 2002-01  
For: financing certain public safety services  
Disclosed by: Resolution No. 4279 - Approval of Boundary Map - Intent to Establish -  
City of Los Banos Community Facilities District No. 2002-01  
(Public Safety Services) to Levy a Special Tax in said Community  
Facilities District  
Recording Date: August 19, 2002  
Recording No.: 2002-039324 of Official Records (and all amendments thereunder)

This property, along with all other parcels in the CFD, is liable for an annual special tax. This special tax is included with and payable with the general property taxes of the City of Los Banos, County of Merced. The tax may not be prepaid.

**EXCEPTIONS**  
(continued)

6. An instrument entitled Subdivision Improvement Agreement

Executed by: Anderson Homes  
In favor of: City of Los Banos  
Recording Date: November 8, 2005  
Recording No.: 2005-089301 and 2005-089302 of Official Records

Reference is hereby made to said document for full particulars.

and Recording Date: August 30, 2006  
and Recording No.: 2006-060472 of Official Records

7. The following as disclosed on the Official Plat referenced on the legal description attached herewith:

Right to Farm statement the property described on the Final Map is in the vicinity of land utilized for agricultural and residents of this property may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, including, but not limited to, pesticides and fertilizers, and from the pursuit of agricultural operations, but not limited to, plowing, spraying and burning which occasionally may generate dust, smoke, noise and odor.

The County of Merced has established agriculture as a priority use in agricultural zones which are outside of an established Specific Urban Development Plan (SUDP) boundary, Rural Residential Center (RRC) boundary, Highway Interchange Center (HIC) boundary, or Agricultural Service Center (ASC) boundary, and residents of property in the vicinity of such agricultural zones should be prepared to accept inconvenience or discomfort from normal, necessary agricultural operations.

8. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of Mission Village South, Phase 1, Tract No. 2001-02:

Purpose: public utilities and incidental purposes  
Affects: as shown on said map  
Recording No.: Book 72, Page 4 of Maps

9. Matters contained in that certain document

Entitled: First Amendment to Reimbursement Agreement Between the  
City of Los Banos and Ranchwood Homes Corp.  
Dated: September 7, 2016  
Executed by: City of Los Banos, a California municipal corporation and  
Ranchwood Homes Corp., a California corporation  
Recording Date: October 11, 2016  
Recording No.: 2016034739 of Official Records

Reference is hereby made to said document for full particulars.

**EXCEPTIONS**  
(continued)

10. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$6,206,750.00  
Dated: November 14, 2016  
Trustor/Grantor: Trevino Pioneer, LLC, a California limited liability company  
Trustee: Fidelity National Title Company  
Beneficiary: U.S. Bank National Association, d/b/a Housing Capital Company  
Loan No.: 2511L  
Recording Date: December 8, 2016  
Recording No.: 2016043887 of Official Records of Merced County

Recording Date: December 8, 2016  
Recording No.: 1622497 of Official Records of Kings County

Affects: The herein described Land and other land.

Said deed of trust has been partially reconveyed by instrument

Recording Date: February 17, 2017  
Recording No.: 2017005484 of Official Records

The land described in said partial reconveyance is as follows: property not contained herein

Said deed of trust has been partially reconveyed by instrument

Recording Date: December 18, 2017  
Recording No.: 2017042811 of Official Records

The land described in said partial reconveyance is as follows: property not contained herein

Said deed of trust has been partially reconveyed by instrument

Recording Date: January 31, 2018  
Recording No.: 2018003036 of Official Records

The land described in said partial reconveyance is as follows: property not contained herein

Said deed of trust has been partially reconveyed by instrument

Recording Date: April 20, 2018  
Recording No.: 2018011633 of Official Records

The land described in said partial reconveyance is as follows: property not contained herein

Said deed of trust has been partially reconveyed by instrument

Recording Date: September 21, 2018  
Recording No.: 2018029482 of Official Records

The land described in said partial reconveyance is as follows: property not contained herein

**EXCEPTIONS**  
(continued)

Said deed of trust has been partially reconveyed by instrument

Recording Date: October 4, 2018  
Recording No.: 2018030974 of Official Records

The land described in said partial reconveyance is as follows: property not contained herein

Said deed of trust has been partially reconveyed by instrument

Recording Date: October 10, 2018  
Recording No.: 2018031590 of Official Records

The land described in said partial reconveyance is as follows: property not contained herein

11. Matters contained in that certain document

Entitled: Certificate of Compliance  
Dated: February 7, 2019  
Executed by: City of Los Banos  
Recording Date: February 27, 2019  
Recording No.: 2019005704 of Official Records

Reference is hereby made to said document for full particulars.

12. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the corporation named below:

Name of Corporation: Stonefiled Home, Inc., a California Corporation

- a) A Copy of the corporation By-laws and Articles of Incorporation
- b) An original or certified copy of a resolution authorizing the transaction contemplated herein
- c) If the Articles and/or By-laws require approval by a 'parent' organization, a copy of the Articles and By-laws of the parent
- d) A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

**END OF EXCEPTIONS**

**NOTES**

Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

- Note 1.** Note: The charge for a policy of title insurance, when issued through this application for title insurance, will be based on the Short Term Rate.
- Note 2.** Note: The name(s) of the proposed insured(s) furnished with this application for title insurance is/are:  
  
No names were furnished with the application. Please provide the name(s) of the buyers as soon as possible.
- Note 3.** Note: Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts were:

Tax Identification No.: 428-280-001-000  
Fiscal Year: 2019-2020  
1st Installment: \$5,757.65  
2nd Installment: \$5,757.65  
Exemption: \$0.00  
Land: \$1,044,511.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 004-001

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- Note 4.** Note: Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts were:

Tax Identification No.: 428-280-002-000  
Fiscal Year: 2019-2020  
1st Installment: \$3,085.58  
2nd Installment: \$3,085.58  
Exemption: \$0.00  
Land: \$559,342.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 004-001

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- Note 5.** Note: The only conveyance(s) affecting said Land, which recorded within 24 months of the date of this report, are as follows:

Grantor: Trevino Pioneer, LLC, a California Limited Liability Company  
Grantee: Trevino Pioneer, LLC, a California Limited Liability Company  
Recording Date: February 27, 2019  
Recording No.: 2019005706 of Official Records

**NOTES**  
(continued)

Grantor: Trevino Pioneer, LLC, a California Limited Liability Company  
Grantee: Stonefiled Home, Inc., a California Corporation  
Recording Date: January 22, 2020  
Recording No.: 2020002376, of Official Records

- Note 6.** The application for title insurance was placed by reference to only a street address or tax identification number. The proposed Insured must confirm that the legal description in this report covers the parcel(s) of Land requested to be insured. If the legal description is incorrect, the proposed Insured must notify the Company and/or the settlement company in order to prevent errors and to be certain that the legal description for the intended parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.
- Note 7.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 8.** Note: Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirement cannot be met, please call the Company at the number provided in this report.
- Note 9.** Pursuant to Government Code Section 27388.1, as amended and effective as of 1-1-2018, a Documentary Transfer Tax (DTT) Affidavit may be required to be completed and submitted with each document when DTT is being paid or when an exemption is being claimed from paying the tax. If a governmental agency is a party to the document, the form will not be required. DTT Affidavits may be available at a Tax Assessor-County Clerk-Recorder.
- Note 10.** Due to the special requirements of SB 50 (California Public Resources Code Section 8560 et seq.), any transaction that includes the conveyance of title by an agency of the United States must be approved in advance by the Company's State Counsel, Regional Counsel, or one of their designees.

**END OF NOTES**



Inquire before you wire!

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## WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.  
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. **DO NOT** use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** **DO NOT** send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do **NOT** reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

**Federal Bureau of Investigation:**  
<http://www.fbi.gov>

**Internet Crime Complaint Center:**  
<http://www.ic3.gov>

## **FIDELITY NATIONAL FINANCIAL CALIFORNIA PRIVACY NOTICE**

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This California Privacy Notice explains how we collect, use, and disclose Personal Information, when and to whom we disclose such information, and the rights you, as a California resident ("Consumer"), have regarding your Personal Information ("California Privacy Rights"). Some subsidiaries maintain separate California Privacy Notices or privacy statements. If a subsidiary has a separate California Privacy Notice, it will be available on the subsidiary's website, and this California Privacy Notice does not apply.

### **Collection of categories of Personal Information:**

In the preceding twelve (12) months FNF has collected, and will continue to collect, the following categories of Personal Information from you:

- Identifiers such as name, address, telephone number, IP address, email address, account name, social security number, driver's license number, state identification card, financial information, date of birth, or other similar identifiers;
- Characteristics of protected classifications under California or Federal law;
- Commercial information, including records of personal property, products or services purchased, or other purchasing or consuming histories;
- Internet or other electronic network activity information including, but not limited to browsing history, search history, and information regarding a Consumer's interaction with an Internet website;
- Geolocation data;
- Professional or employment information;
- Education Information.

### **This Personal Information is collected from the following sources:**

- Information we receive from you on applications or other forms;
- Information about your transactions with FNF, our affiliates, or others;
- Information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others;
- Information from the use of our websites and mobile applications.

### **This Personal Information is collected for the following business purposes:**

- To provide products and services to you or in connection with a transaction involving you;
- To perform a contract between FNF and the Consumer;
- To improve our products and services;
- To comply with legal obligations;
- To protect against fraudulent or illegal activity;
- To communicate with you about FNF or our affiliates;
- To maintain an account with FNF or our affiliates;
- To provide, support, personalize, and develop our websites, products, and services;
- As described to you when collecting your personal information or as otherwise set forth in the California Consumer Privacy Act.

**Disclosures of Personal Information for a business purpose:**

In the preceding twelve (12) months FNF has disclosed, and will continue to disclose, the categories of Personal Information listed above for a business purpose. We may disclose Personal Information for a business purpose to the following categories of third parties:

- FNF affiliates and subsidiaries;
- Businesses in connection with the sale or other disposition of all or part of the FNF business and/or assets;
- Service Providers;
- Law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order.

**Sale of Personal Information:**

In the preceding twelve (12) months, FNF has not sold Personal Information. FNF does not sell Personal Information.

**Personal Information of minors:**

FNF does not knowingly collect the Personal Information of minors.

**Right to know:**

Consumers have a right to know about Personal Information collected, used, disclosed, or sold. Consumers have the right to request FNF disclose what personal information it collected, used, and disclosed in the past twelve (12) months.

**Right to request deletion:**

Consumers have a right to request the deletion of their personal information.

**Right to non-discrimination:**

Consumers have a right not to be discriminated against by exercising their consumer privacy rights. We will not discriminate against Consumers for exercising any of their California Privacy Rights.

**Right to use an Authorized Agent:**

A Consumer may use an Authorized Agent to submit a request to know or a request to delete his or her information. Should a Consumer utilize an Authorized Agent, FNF will require the Consumer provide the agent written permission to make the request and verify his or her identity with FNF.

**To exercise any of your California Privacy Rights, please follow the link "[California Privacy Request](#)" or call Toll Free 888-413-1748.**

Upon making a California Privacy Request, Consumers will be prompted to verify their identity through a third-party ID validation or by utilizing an existing login if applicable.

The above rights are subject to any applicable rights and obligations including both Federal and California exemptions rendering FNF, or Personal Information collected by FNF, exempt from certain CCPA requirements.

**FNF website services for mortgage loans:**

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice describing the categories, sources, and uses of your Personal Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Information. FNF does not share Information collected through the Service Websites, except (1) as required or authorized by contract with the mortgage loan servicer or lender, or (2) as required by law or in the good faith belief that such disclosure is necessary to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

**California Privacy Notice - Effective Date:**

This California Privacy Notice was last updated on January 1, 2020.

**Contact for more information:**

For questions or concerns about FNF's California Privacy Notice and privacy practices, or to exercise any of your California Privacy Rights, please follow the link "[California Privacy](#)," call Toll Free 888-413-1748, or by mail to the below address.

We may use your Personal Information for our affiliates (companies owned by FNF) to directly market to you. If you do not want FNF affiliates to directly market to you, you may send an "opt out" request to [privacy@fnf.com](mailto:privacy@fnf.com), by phone to (888) 934-3354, or by mail to:

Fidelity National Financial, Inc.  
601 Riverside Avenue  
Jacksonville, Florida 32204  
Attn: Chief Privacy Officer

## ATTACHMENT ONE

### CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990

#### EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

#### EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.  
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or In Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE  
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)  
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE**

**EXCLUSIONS**

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
  - a. building;
  - b. zoning;
  - c. land use;
  - d. improvements on the Land;
  - e. land division; and
  - f. environmental protection.This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
  - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
  - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
  - c. that result in no loss to You; or
  - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
  - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
  - b. in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

**LIMITATIONS ON COVERED RISKS**

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$ 10,000.00
Covered Risk 18:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 19:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 21:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$ 5,000.00

**ATTACHMENT ONE  
(CONTINUED)**

**2006 ALTA LOAN POLICY (06-17-06)**

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

**EXCEPTIONS FROM COVERAGE**

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

**[PART I**

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]

**PART II**

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

**ATTACHMENT ONE  
(CONTINUED)**

**2006 ALTA OWNER'S POLICY (06-17-06)**

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
  - (a) a fraudulent conveyance or fraudulent transfer; or
  - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]
7. [Variable exceptions such as taxes, easements, CC&R's, etc., shown here.]

**ATTACHMENT ONE  
(CONTINUED)**

**ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY - ASSESSMENTS PRIORITY (04-02-15)**

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

## Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

### FNF Underwritten Title Companies

CTC - Chicago Title Company  
CLTC - Commonwealth Land Title Company  
FNTC - Fidelity National Title Company of California  
FNTCCA - Fidelity National Title Company of California  
TICOR - Ticor Title Company of California  
LTC - Lawyer's Title Company  
SLTC - ServiceLink Title Company

### Underwritten by FNF Underwriters

CTIC - Chicago Title Insurance Company  
CLTIC - Commonwealth Land Title Insurance Company  
FNTIC - Fidelity National Title Insurance Company  
FNTIC - Fidelity National Title Insurance Company  
CTIC - Chicago Title Insurance Company  
CLTIC - Commonwealth Land Title Insurance Company  
CTIC - Chicago Title Insurance Company

### Available Discounts

#### **DISASTER LOANS (CTIC, CLTIC, FNTIC)**

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within twenty-four (24) months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be fifty percent (50%) of the appropriate title insurance rate.

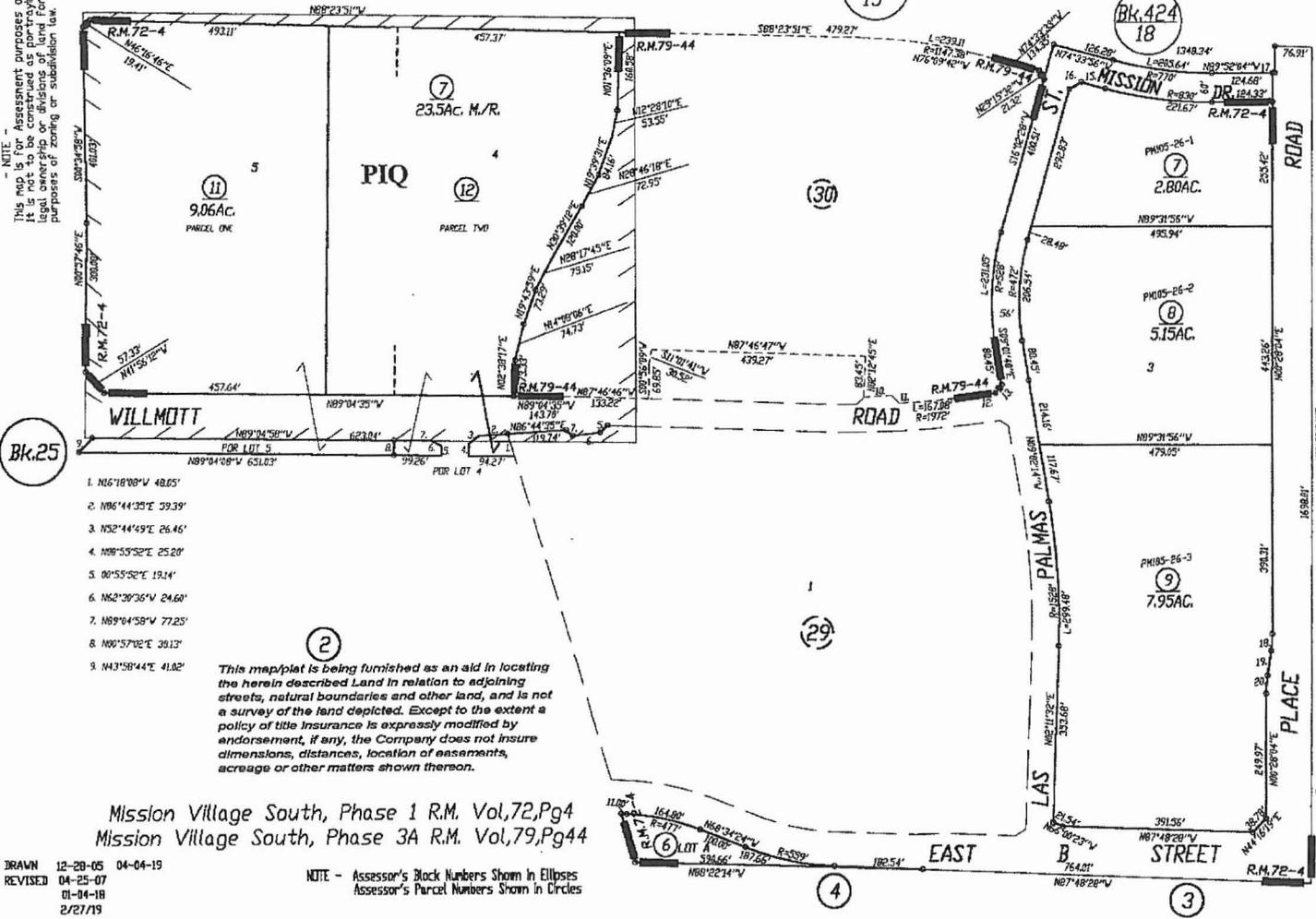
#### **CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC, FNTIC)**

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be fifty percent (50%) to seventy percent (70%) of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be forty percent (40%) to fifty percent (50%) of the appropriate title insurance rate, depending on the type of coverage selected.

PDR. SEC.13, T.10S.,R.10E., M.D.B.& M.

Tax Rate Area 004-001 428-28

NOTE - This map is for Assessment purposes only. It is not to be construed as a title or for purposes of zoning or subdivision law.



1. N6°18'00"W 48.05'
2. N06°44'35"E 39.39'
3. N52°44'49"E 26.46'
4. N09°55'32"E 25.20'
5. 00°55'52"E 19.14'
6. N62°20'35"W 24.60'
7. N09°04'58"W 77.25'
8. N00°57'02"E 30.13'
9. N43°58'44"E 41.02'

This map/plot is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Mission Village South, Phase 1 R.M. Vol, 72, Pg 4  
Mission Village South, Phase 3A R.M. Vol, 79, Pg 44

DRAWN 12-20-05 04-04-19  
REVISED 04-25-07 01-04-18  
2/27/19

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

5. N47°12'30"E 21.21'
6. N03°16'48"E 36.69'
7. N49°51'31"W 16.61'
10. S36°47'41"W 56.25'
11. N43°11'36"W 22.89'
12. S02°23'47"W 33.09'
13. S36°45'03"W 21.51'
15. N74°33'36"W 51.12'
16. N60°44'04"E 20.14'
17. N02°28'04"E 53.39'
18. N=25.00' L=35.15'
19. N09°31'21"E 50.44'
20. R=250.00' L=35.15'

Assessor's Map  
Bk. 428 - Pg 28  
County of Merced, Calif.  
2005

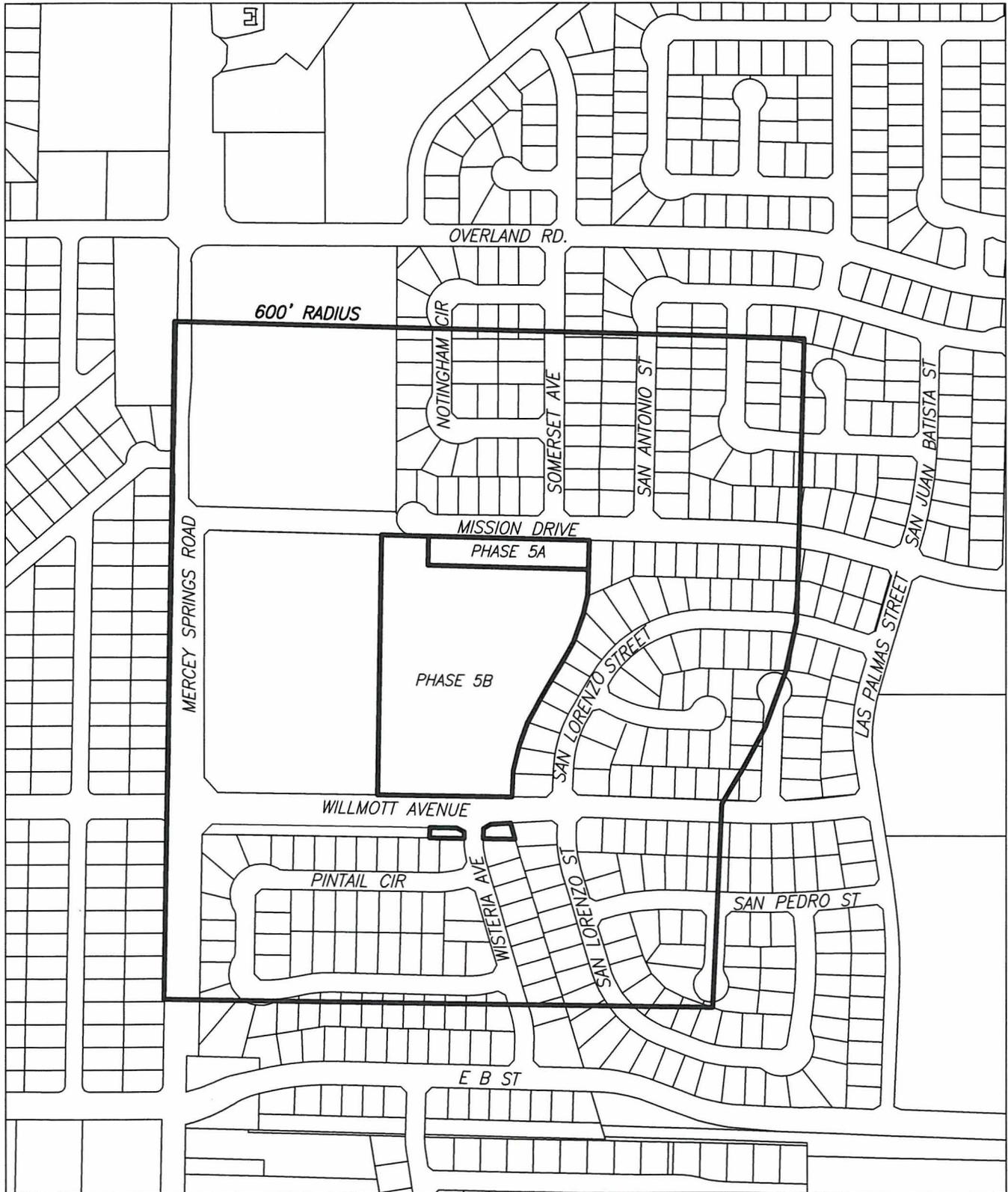
# APPENDICES

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## Appendix C

### 600' RADIUS MAP

# MISSION VILLAGE SOUTH PHASE 5 600' RADIUS MAP



**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 507 J STREET • LOS BANOS, CALIFORNIA • 93835  
 (209) 737-0900 FAX: (209) 548-9305

**600' RADIUS MAP**  
**MISSION VILLAGE SOUTH**  
**PHASE 5**  
 LOS BANOS, CALIFORNIA

DRAWN BY:	BB
DATE:	5-14-2020
SHEET:	
JOB:	209239

**APPENDICES**

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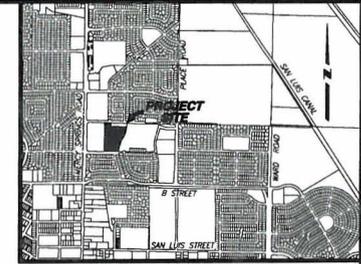
**Appendix D**

**TENTATIVE SUBDIVISION MAP – MISSION VILLAGE SOUTH-  
PHASE 5B**

# VESTING TENTATIVE SUBDIVISION MAP MISSION VILLAGE SOUTH PHASE 5B

## LOS BANOS, CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS DESCRIBED IN THE GRANT DEED RECORDED 27 FEBRUARY, 2019, AS DOCUMENT NO. 2019005706, MERCED COUNTY RECORDS, LYING IN A PORTION OF SECTION 13, TOWNSHIP 10 SOUTH, RANGE 10 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF LOS BANOS, COUNTY OF MERCED, STATE OF CALIFORNIA



SHEET NO.	DESCRIPTION
1	COVER SHEET
2	HORIZONTAL CONTROL PLAN
3	GRADING PLAN
4	UTILITY PLAN

**OWNER & SUBDIVIDER**  
 STONEFIELD HOME, INC.  
 933 PACIFIC BLVD., SUITE C  
 LOS BANOS, CA 93801  
 (209) 826-6200 (PHONE)  
 (209) 826-6200 (FAX)  
 CONTACT: JONAN GRANADOS

**STATEMENT OF SUBDIVIDER**  
 (AS REQUESTED BY CITY OF LOS BANOS MUNICIPAL CODE, ARTICLE 10 & SECTION 9-2.803.)

- ASSESSORS PARCEL NO. 428-260-012
- EXISTING ZONING: R-2/PD (MULTI-FAMILY WITH PLANNED DEVELOPMENT OVERLAY)
- EROSION CONTROL PER CITY OF LOS BANOS ORDINANCES AND STANDARDS
- FRONT YARD SETBACK AND BUILDING LINES PER PLANNED DEVELOPMENT
- WATER SUPPLY BY CITY OF LOS BANOS AS SHOWN ON THIS MAP.
  - A. ANTICIPATED WATER DEMANDS: (SINGLE FAMILY RESIDENTIAL)  
 AVG. DAILY DEMAND = 600 GPD X 40 UNITS = 24,000 GPD  
 PEAK HOURLY DEMAND = 4 X 24,000 / 1,440 = 66.67 GPM  
 MAX. DAILY + FIRE = 2 X 24,000 / 1,440 + 2,000 GPM = 2,033.33 GPM
  - B. ANTICIPATED WATER DEMANDS: (MULTIFAMILY RESIDENTIAL)  
 AVG. DAILY DEMAND = 400 GPD X 16 UNITS = 6,400 GPD  
 PEAK HOURLY DEMAND = 4 X 6,400 / 1,440 = 17.78 GPM  
 MAX. DAILY + FIRE = 2 X 6,400 / 1,440 + 2,000 GPM = 2,008.89 GPM
- SEWAGE DISPOSAL:
  - A. ANTICIPATED SEWER DEMANDS: (SINGLE FAMILY RESIDENTIAL)  
 AVG. DAILY FLOW = 300 GPD X 40 UNITS = 12,000 GPD  
 PEAK FLOW = 12,000 GPD X 3 / 1,440 = 25.00 GPM
  - B. ANTICIPATED SEWER DEMANDS: (MULTIFAMILY RESIDENTIAL)  
 AVG. DAILY FLOW = 200 GPD X 16 UNITS = 3,200 GPD  
 PEAK FLOW = 3,200 GPD X 3 / 1,440 = 6.67 GPM
- STORM DRAINAGE: BY CITY OF LOS BANOS AS SHOWN ON THIS MAP
- A 10' PUBLIC UTILITY EASEMENT SHALL BE DESIGNATED ALONG ALL STREET FRONTS.
- RESTRICTIVE COVENANTS TO BE SUBMITTED AT THE TIME OF FINAL MAP (IF ANY)
- TREE TYPE AND LOCATION SHALL BE DETERMINED BY CITY OF LOS BANOS.
- WATER SUPPLY AND SEWAGE DISPOSAL SHALL BE COMPLIED WITH AS PER ARTICLE 6 OF TITLE 9 OF THE MUNICIPAL CODE.
- ALL IMPROVEMENTS AND PUBLIC FACILITIES WILL BE INSTALLED OR CONSTRUCTED AT THE TIME OF DEVELOPMENT. ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN COMPLIANCE WITH ARTICLES 4 AND 9 OF TITLE 9 OF THE MUNICIPAL CODE REGULATIONS AND STANDARDS.
- DEVELOPER RESERVES THE RIGHT TO SELL LOTS ONLY.
- THE SUB-DIVIDER HEREBY RESERVES THE RIGHT TO FILE MULTIPLE SUBDIVISION MAPS AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 65464.1.
- A FINAL DEVELOPMENT PLAN WILL BE FILED CONCURRENTLY WITH THE FILING OF THIS MAP.

- NOTES:**
- ALL WELLS AND SEPTIC TANKS TO BE ABANDONED PER MERCED COUNTY HEALTH DEPARTMENT STANDARDS.
  - NO AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE STORM.
  - NO STRUCTURES PRESENTLY EXIST ON SITE.
  - TOTAL AREA OF THIS SUBDIVISION IS 7.8 ACRES CONTAINING 2 PARCELS.
  - EXISTING IRRIGATION FACILITIES TO BE ABANDONED, IF NOT REQUIRED, OR RELOCATED IN PIPELINES ALONG NEW PROPERTY LINES.
  - FINAL DEVELOPMENT PLAN TO BE FILED CONCURRENTLY WITH THIS MAP.

APPROVED BY THE PLANNING DEPARTMENT, CITY OF LOS BANOS, CALIFORNIA.

BY: STACY SOLZA ELMS, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR  
 REVIEWED BY THE COMMUNITY DEVELOPMENT DIRECTOR FOR CONFORMANCE WITH PLANNING COMMISSION RESOLUTION \_\_\_\_\_ VESTING TENTATIVE TRACT MAP \_\_\_\_\_

DATE: \_\_\_\_\_



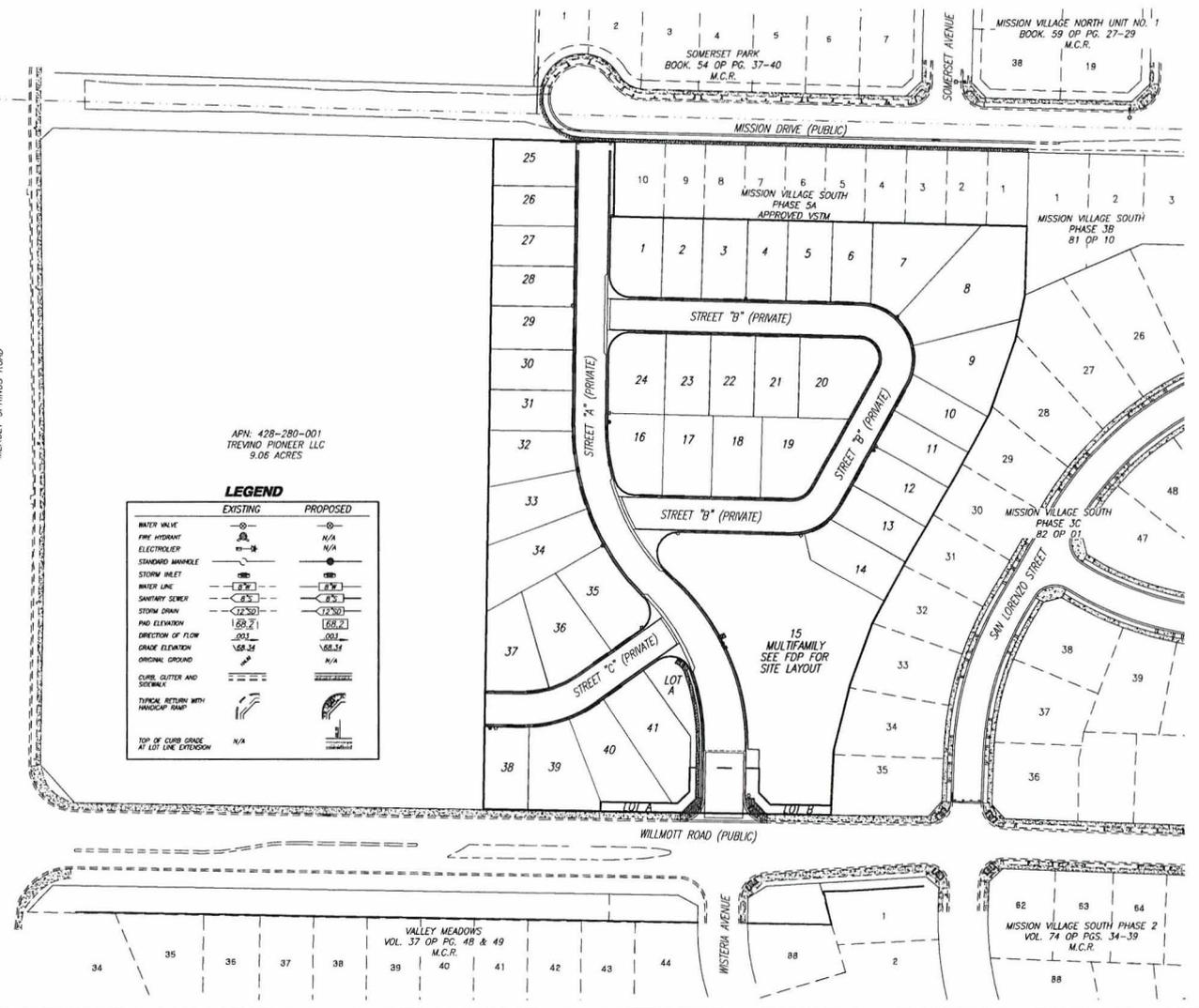
**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 915 W. GARDNER AVENUE, SUITE 200  
 LOS BANOS, CALIFORNIA 93801  
 (209) 826-8800  
 FAX: (209) 826-8800

**COVER SHEET**  
 VESTING TENTATIVE MAP FOR  
**MISSION VILLAGE SOUTH PHASE 5B**  
 LOS BANOS, CALIFORNIA

NO.	DESCRIPTIONS	DATE	APPROVED

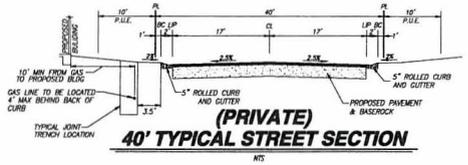
JOB NO. 202338  
 DATE 5/14/20  
 DR BY JP  
 CK BY TG  
 SCALE AS SHOWN

SHEET NUMBER  
**1**  
 OF 4 SHEETS

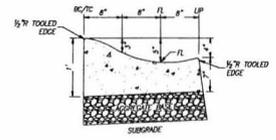


APH: 428-260-001  
 TREVINO PIONEER, LLC  
 9.06 ACRES

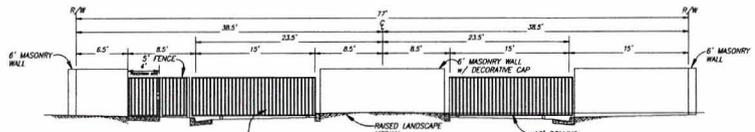
LEGEND	
EXISTING	PROPOSED
WATER WALK	WATER WALK
PIPE HYDRANT	N/A
ELECTRODE	N/A
STANDARD MANHOLE	STANDARD MANHOLE
STORM INLET	STORM INLET
WATER LINE	WATER LINE
SANITARY SEWER	SANITARY SEWER
STORM DRAIN	STORM DRAIN
PAID ELEVATION	PAID ELEVATION
DIRECTION OF FLOW	DIRECTION OF FLOW
GRADE ELEVATION	GRADE ELEVATION
ORIGINAL GROUND	ORIGINAL GROUND
CURB, GUTTER AND SIDEWALK	CURB, GUTTER AND SIDEWALK
TYPICAL RETAIN WITH HANDICAP RAMP	TYPICAL RETAIN WITH HANDICAP RAMP
TOP OF CURB GRADE AT LOT LINE EXTENSION	N/A



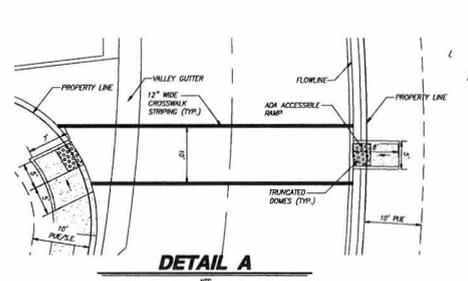
**(PRIVATE)  
40' TYPICAL STREET SECTION**  
N/S



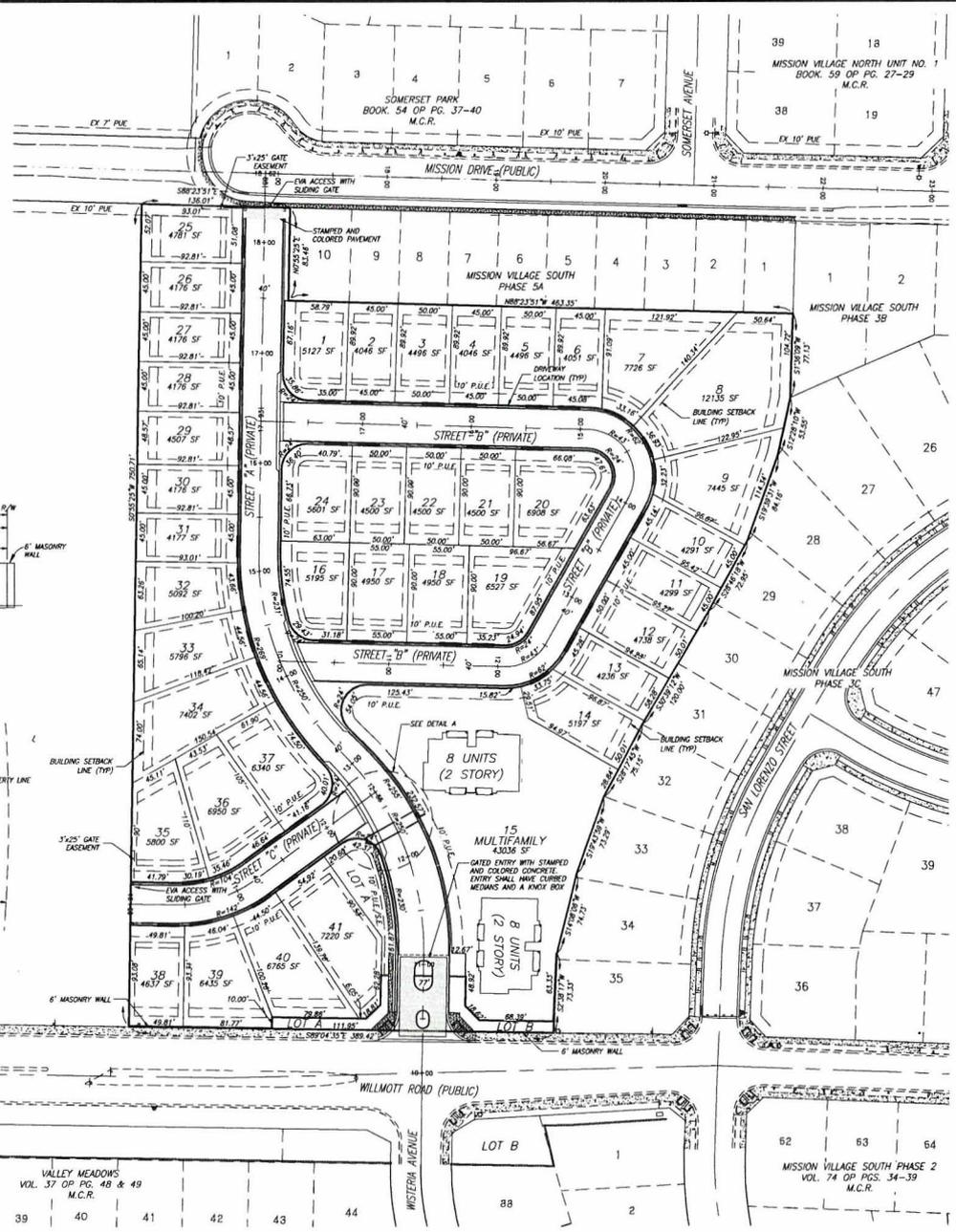
**5\"/>**



**GATED ENTRY DETAIL**  
N/S



**DETAIL A**  
N/S



NO.	DESCRIPTIONS	DATE	APPROVED

**BENCHMARK ENGINEERING, INC.**  
 CIVIL ENGINEERING & LAND SURVEYING  
 915 17th STREET - MODERNO, CALIFORNIA - 94888  
 (925) 546-6000  
 (925) 546-6000



**HORIZONTAL CONTROL PLAN**  
 VERTING TENTATIVE MAP FOR  
**MISSION VILLAGE SOUTH PHASE 5B**  
 LOS ANGELES, CALIFORNIA

JOB NO. 209229  
 DATE: 5/14/20  
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 CK BY: TO  
 SCALE: AS SHOWN

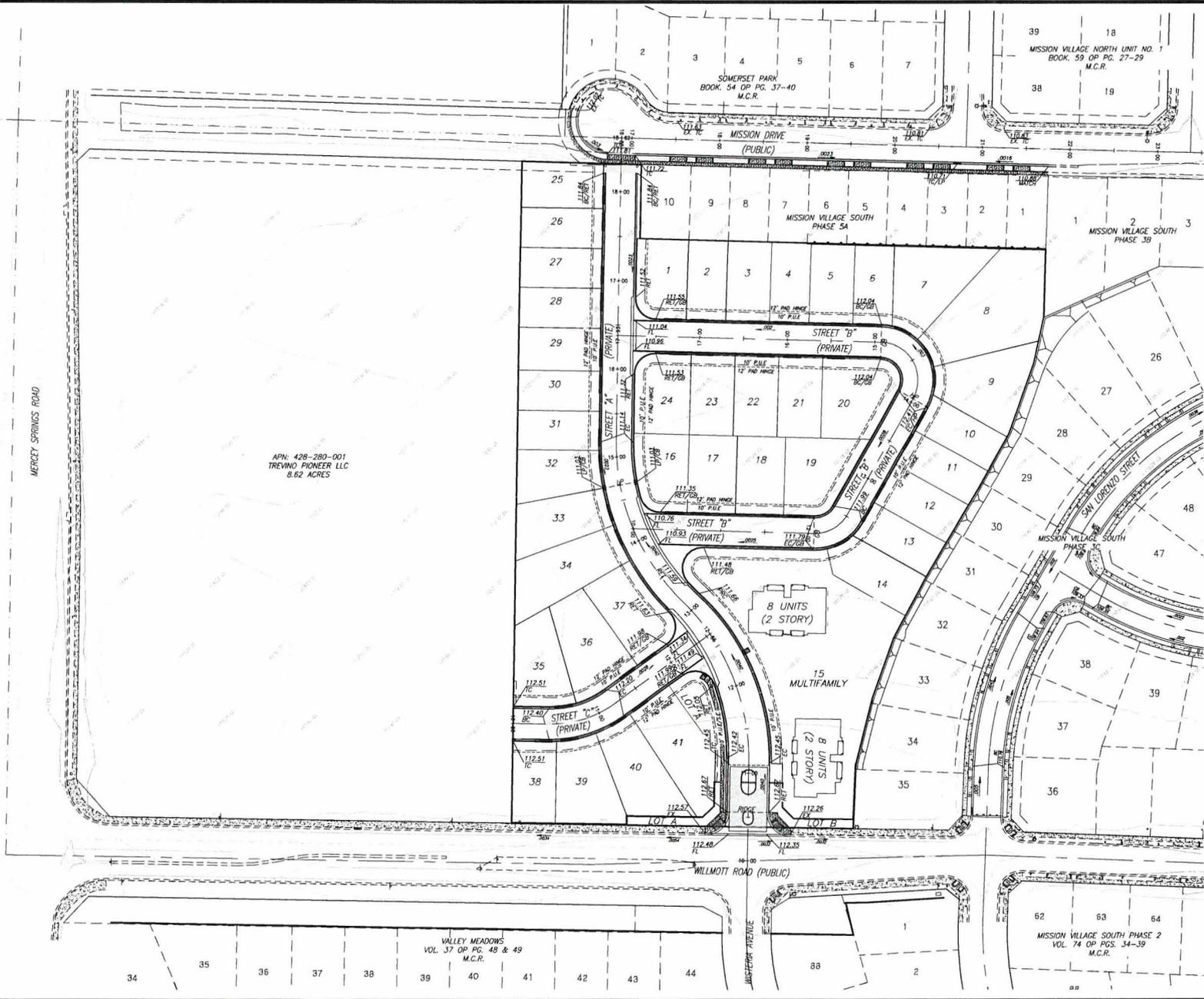


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 OF 4 SHEETS

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MERCY SPRINGS ROAD

APN: 428-280-001  
TREVINO PIONEER LLC  
8.62 ACRES



NO.	DESCRIPTIONS	DATE	APPROVED

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**CIVIL ENGINEERING & LAND SURVEYING**  
 915 17th Street, Suite 200  
 Modesto, CA 95208  
 (951) 948-8200



**GRADING PLAN**  
 VESTING TENTATIVE MAP FOR:  
**MISSION VILLAGE SOUTH PHASE 5B**  
 LOS BANOS, CALIFORNIA

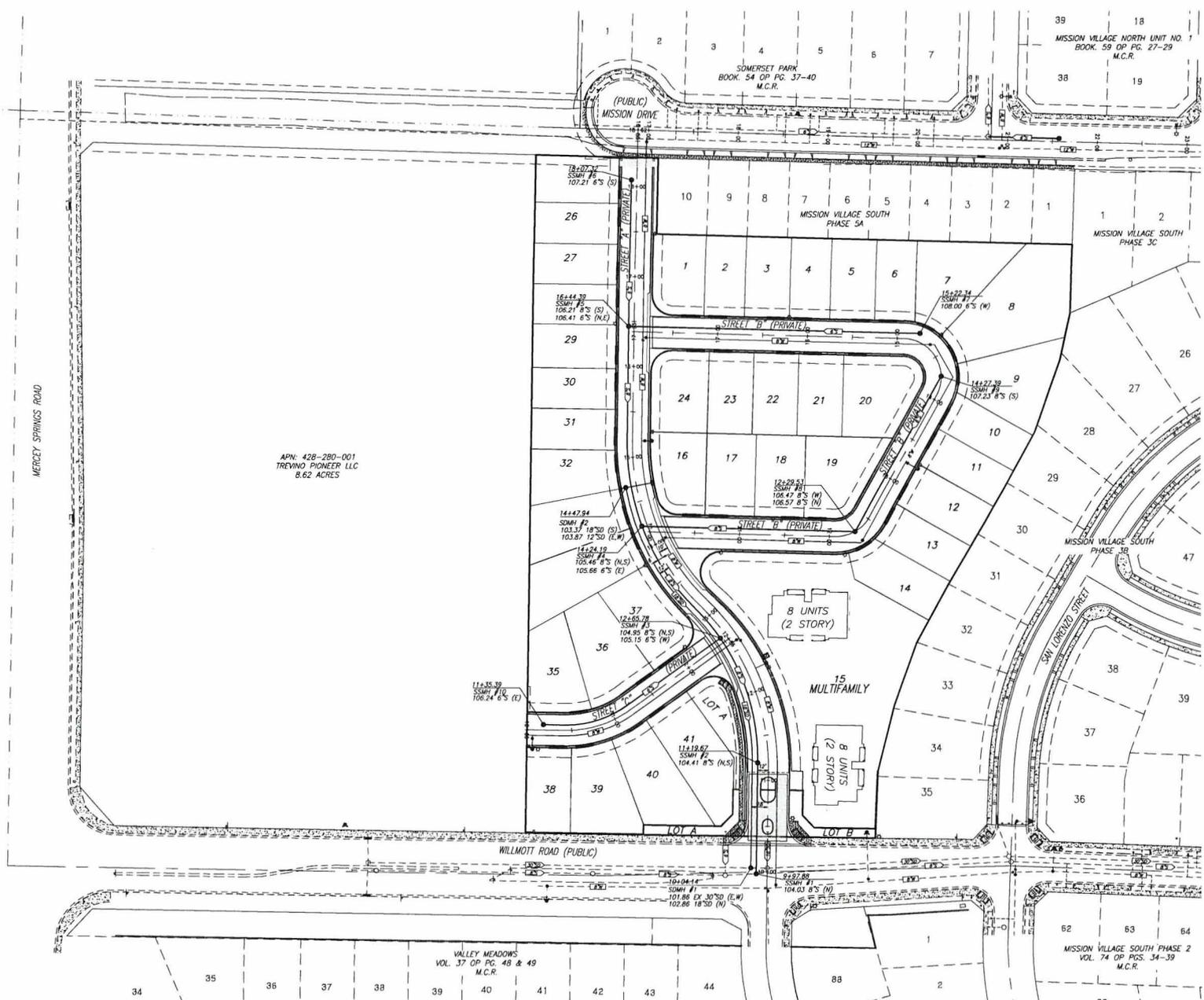
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 CHECKED BY  
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SHEET NUMBER  
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 OF 4 SHEETS



MERCY SPRINGS ROAD

APN: 428-280-001  
TREVINO PIONEER LLC  
8.62 ACRES



SCALE 1" = 50'

PREPARED UNDER THE DIRECTION OF:

NO.	DESCRIPTIONS	DATE	APPROVED

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 FAX: (909) 546-9005



**UTILITY PLAN**  
 VESTING TENTATIVE MAP FOR:  
**MISSION VILLAGE SOUTH PHASE 5B**  
 LOS BANOS, CALIFORNIA

JOB NO. 239239  
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SHEET NUMBER  
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 OF 4 SHEETS



**APPENDICES**

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**Appendix E**

**SITE PHOTOGRAPHS**

**SITE PHOTOGRAPHS -CONTINUED**

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AERIAL VIEW



MISSION DRIVE WEST VIEW



**Mission Village South Phase 5- Final  
Development Plan**

**SITE PHOTOGRAPHS -CONTINUED**

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**MISSION DRIVE EAST VIEW**



**MISSION DRIVE SOUTH VIEW**

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**Mission Village South Phase 5- Final  
Development Plan**

**SITE PHOTOGRAPHS -CONTINUED**

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WILLMOTT RD EAST VIEW



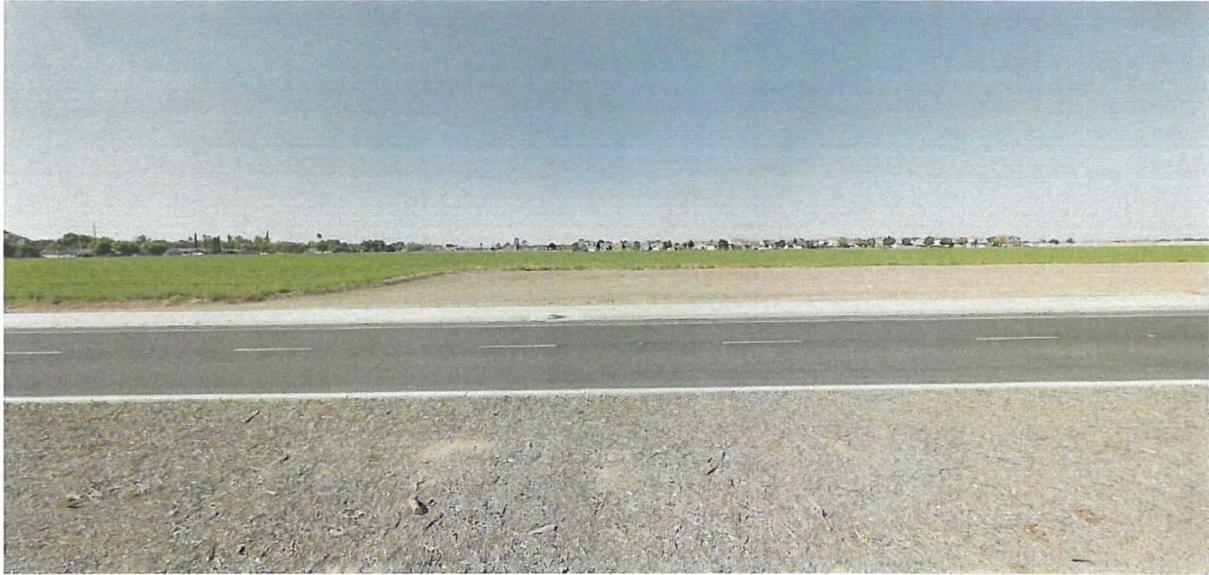
WILLMOTT RD WEST VIEW

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**Mission Village South Phase 5- Final  
Development Plan**

**SITE PHOTOGRAPHS -CONTINUED**

---



**WILLMOTT RD NORTH VIEW**

# STONEFIELD

HOME.com



## MISSION VILLAGE SOUTH PHASE 5

FINAL DEVELOPMENT PLAN  
ARCHITECTURAL ELEVATIONS  
MARCH 2020

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507 J Street, Los Banos, CA 93635  
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FINAL DEVELOPMENT PLAN  
ARCHITECTURAL ELEVATIONS

MISSION VILLAGE SOUTH  
PHASE 5



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ph. 209.577.4661  
fx. 209.577.0213  
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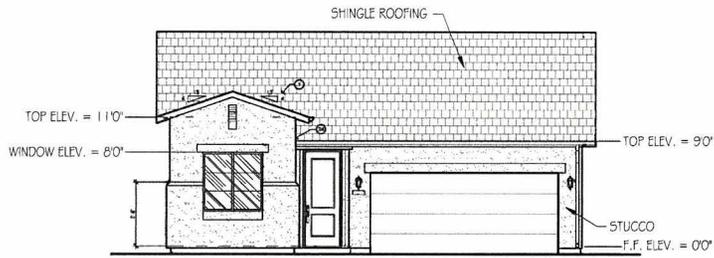


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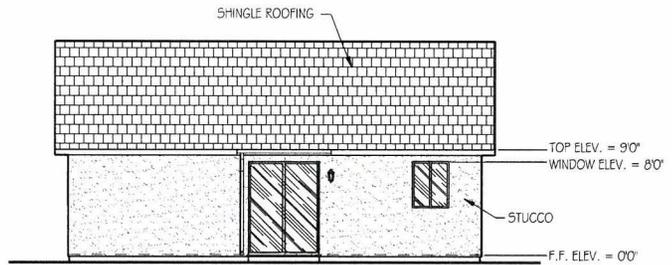
MISSION VILLAGE SOUTH  
PHASE 5



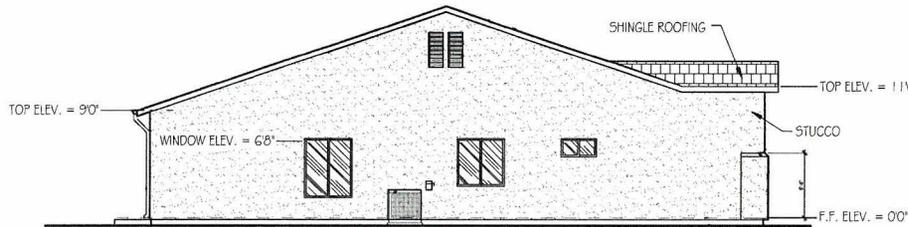
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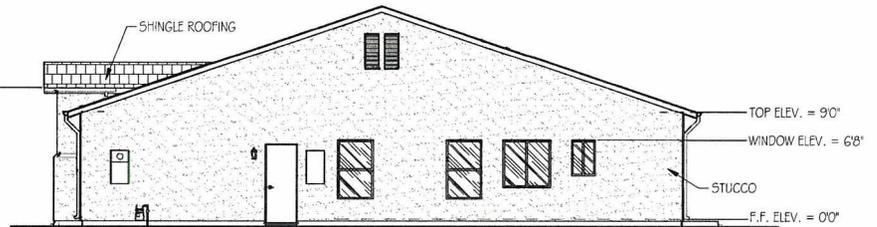
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**REAR ELEVATION**  
SCALE: 1"=10"



**LEFT SIDE ELEVATION**  
SCALE: 1"=10"



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10"



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**PHASE 5**



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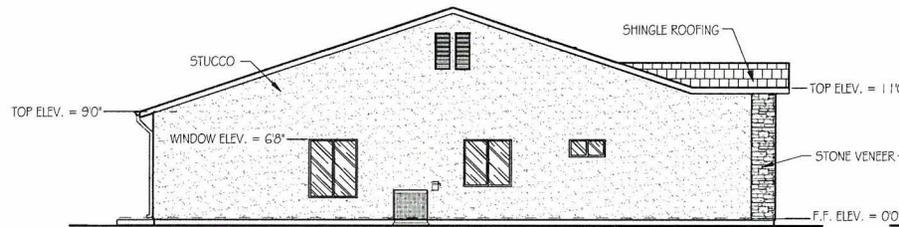




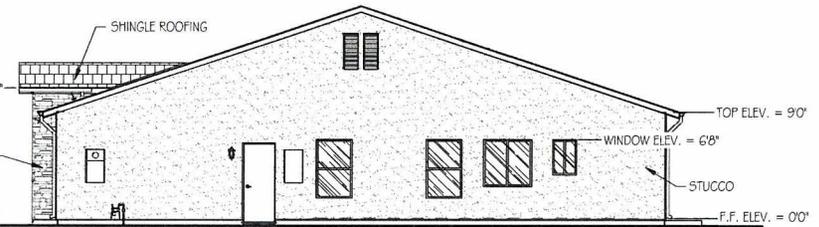
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**REAR ELEVATION**  
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**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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PHASE 5

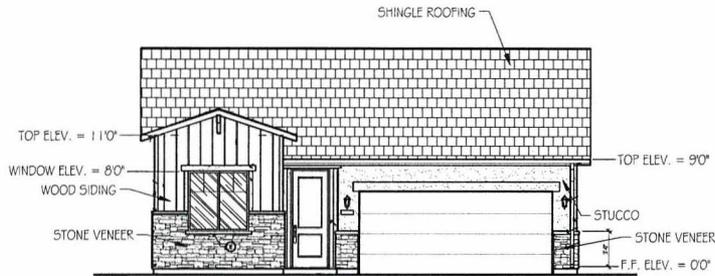
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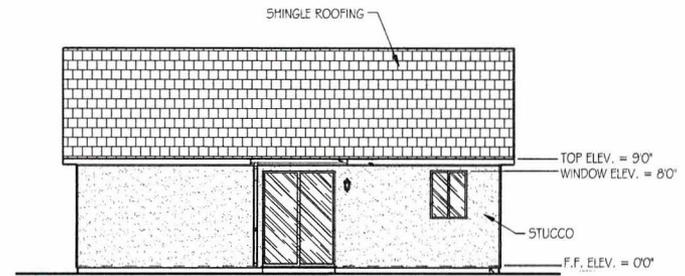
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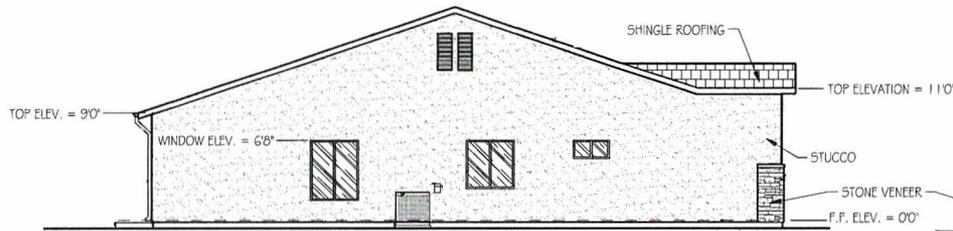
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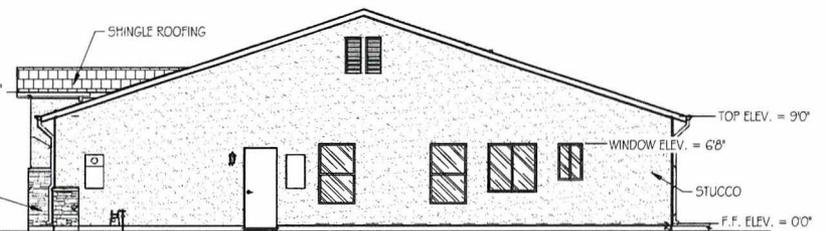
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**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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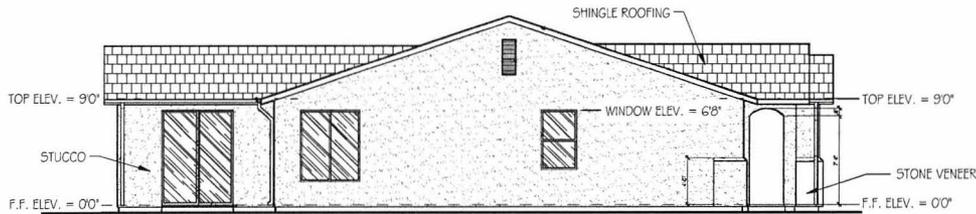
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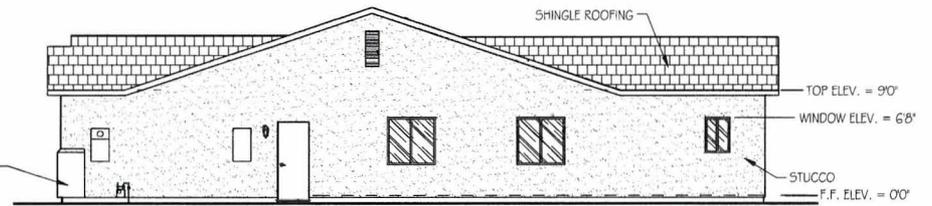
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SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
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**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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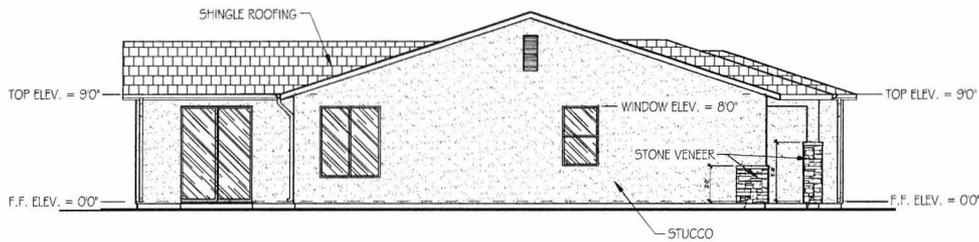
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**FRONT ELEVATION**  
SCALE: 1"=10'



**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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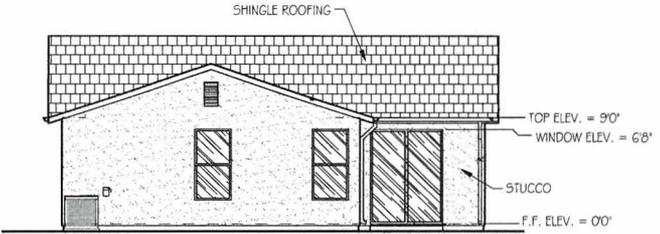
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MISSION VILLAGE SOUTH  
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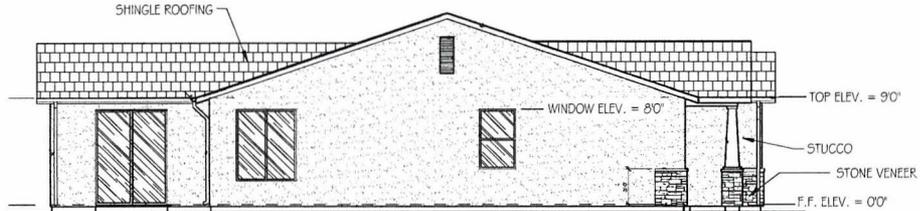
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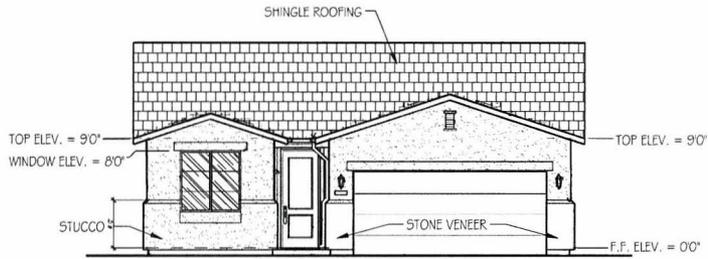


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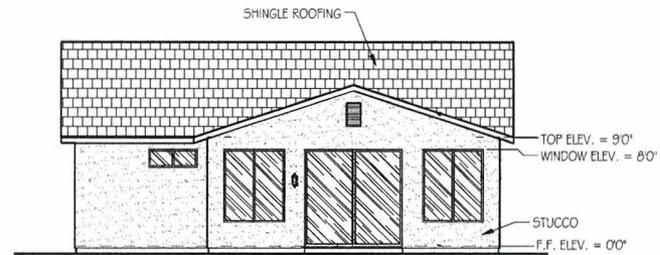
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PHASE 5

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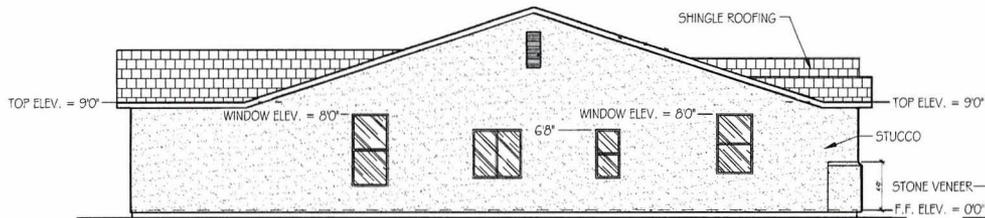




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PHASE 5



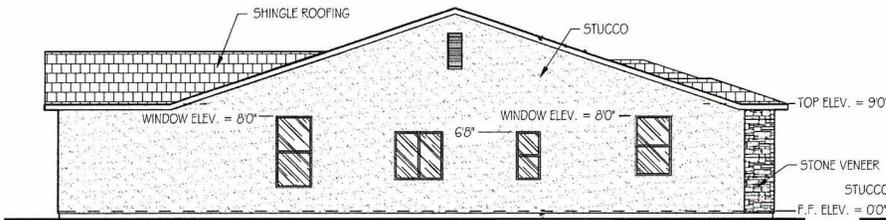
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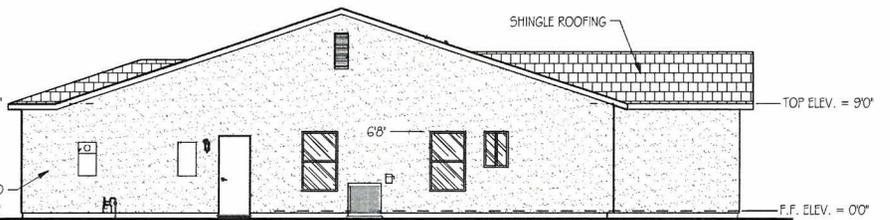
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**RIGHT SIDE ELEVATION**  
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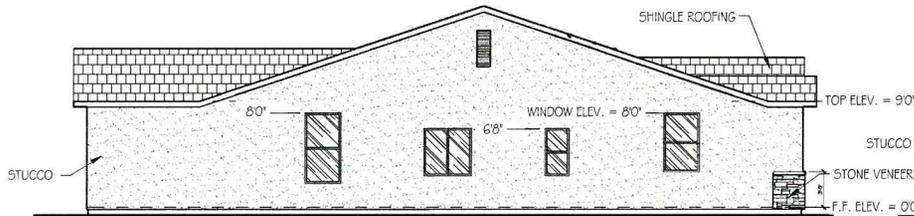
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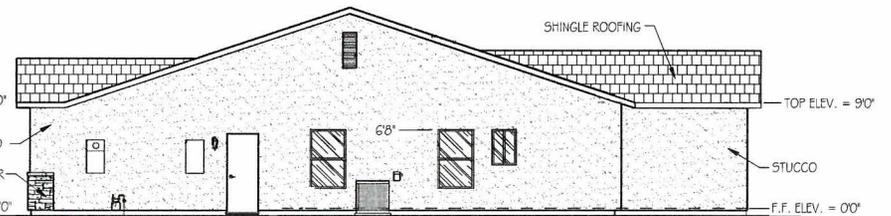
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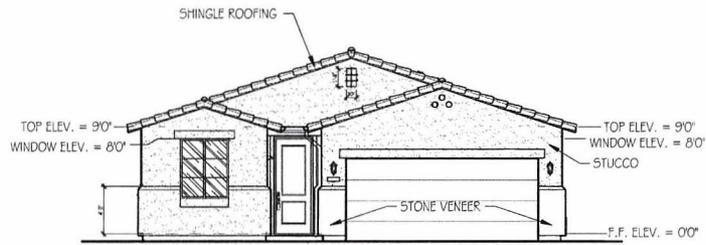
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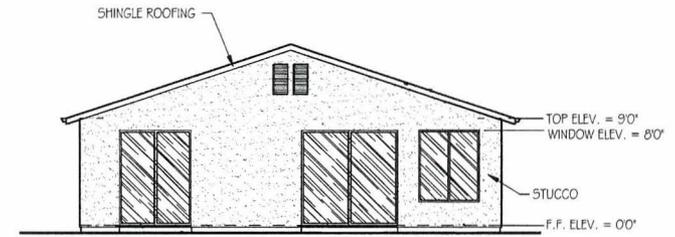
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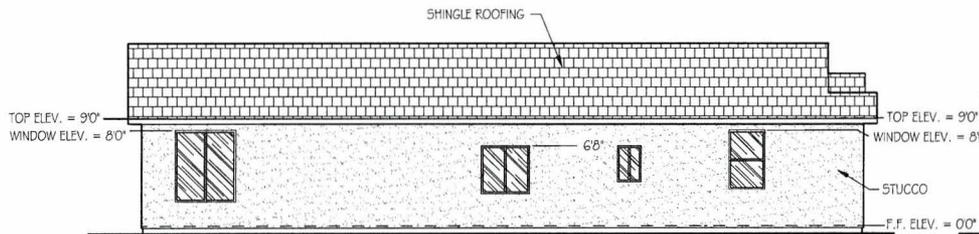
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**api** **1617 A**  
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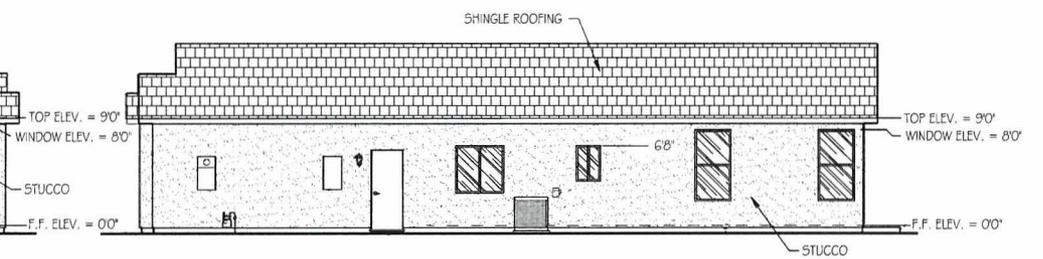
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**REAR ELEVATION**  
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**LEFT SIDE ELEVATION**  
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**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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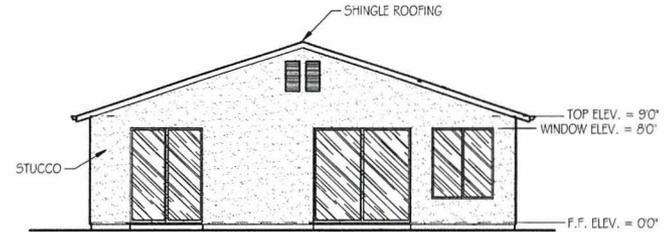
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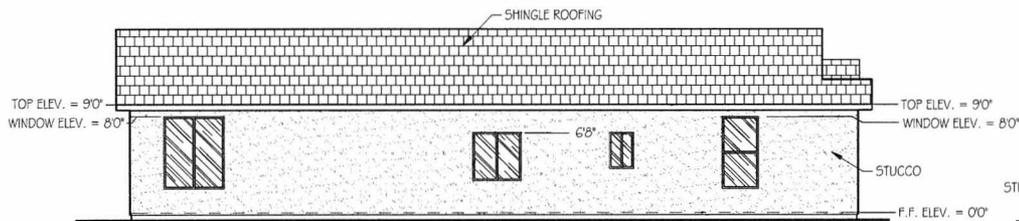




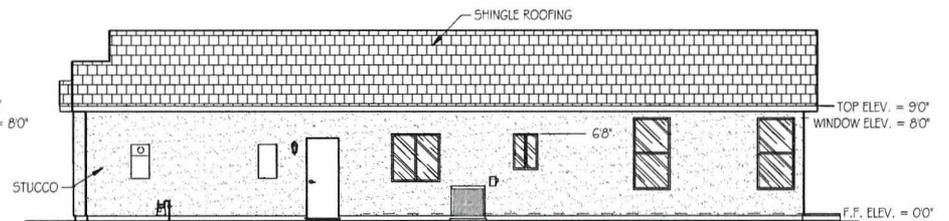
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**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
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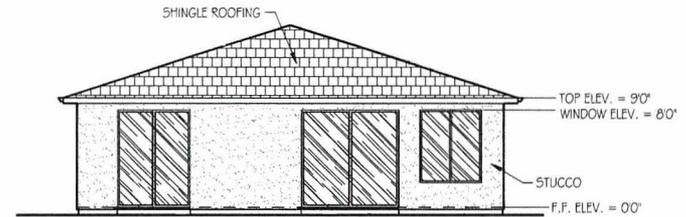
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MISSION VILLAGE SOUTH  
PHASE 5

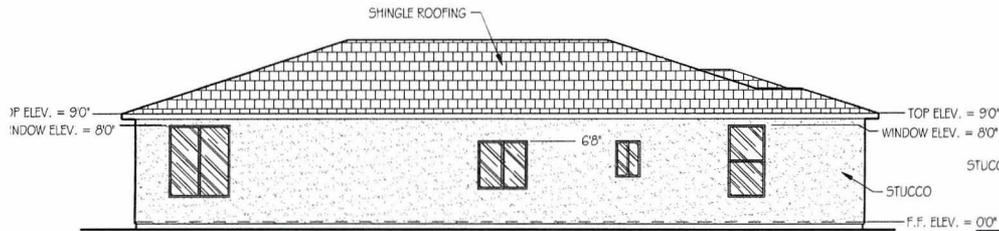
PLANNING ARCHITECTURE **1617 C**  
ARCHITECTURE PLUS INC.  
4335-B NORTH STAR WAY  
MODESTO, CA 95356  
ph. 209.577.4661  
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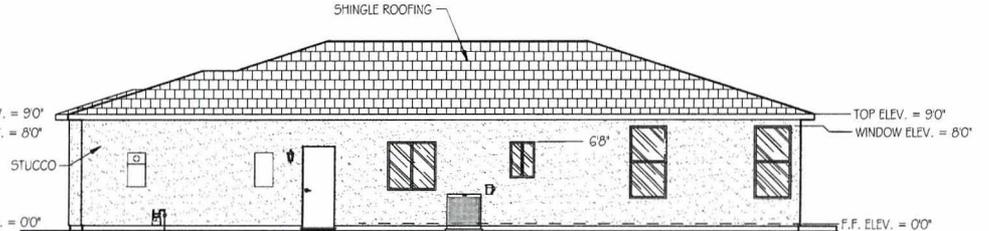
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**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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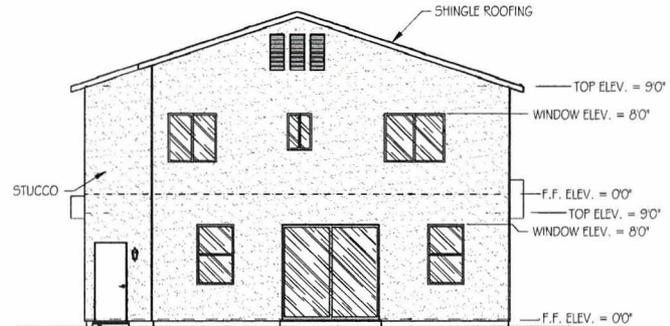
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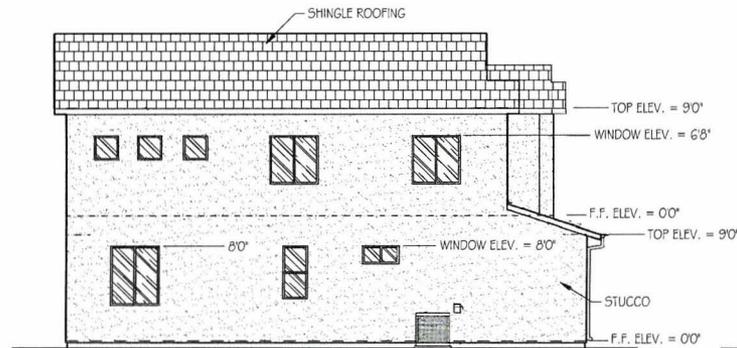
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**api** ARCHITECTURE PLUS INC.  
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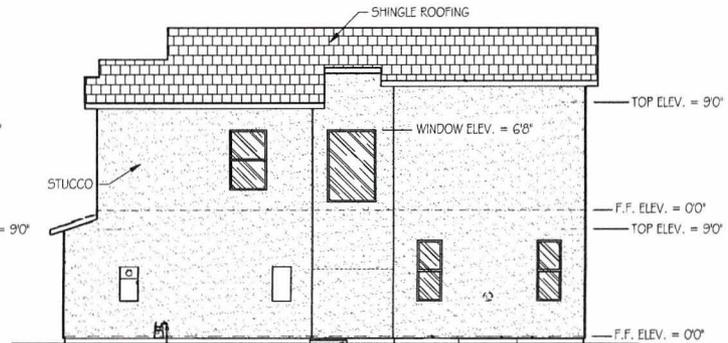
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**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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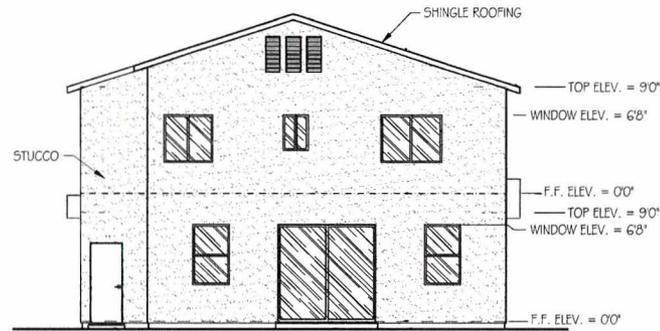
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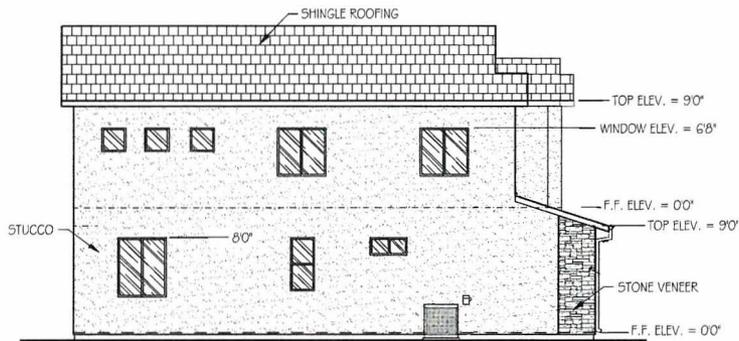
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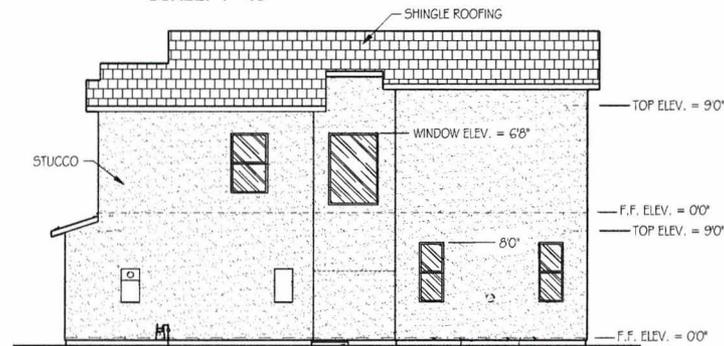
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**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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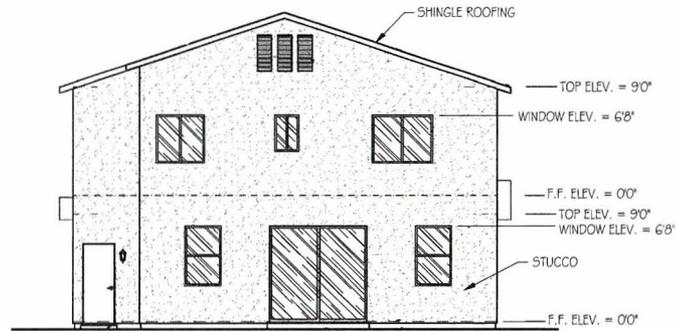
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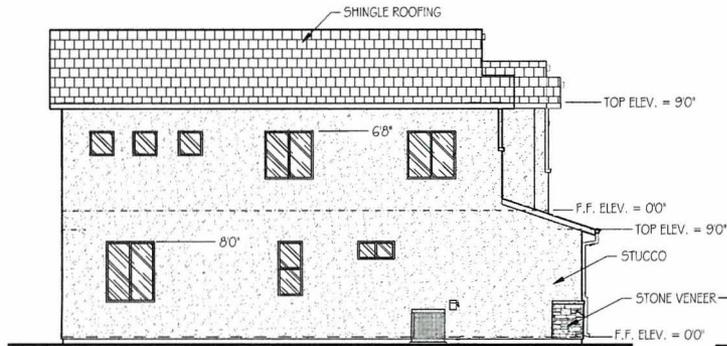
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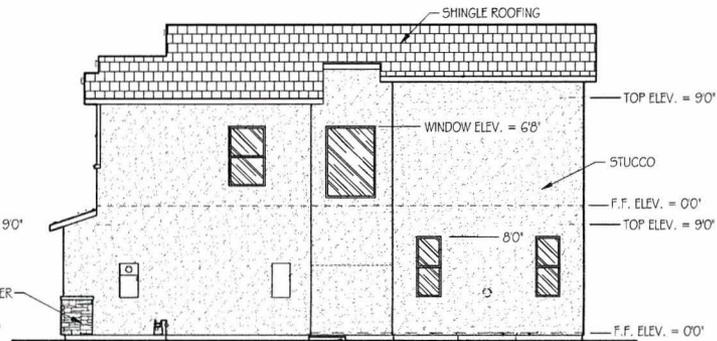
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SCALE: 1"=10'



**LEFT SIDE ELEVATION**

SCALE: 1"=10'



**RIGHT SIDE ELEVATION**

SCALE: 1"=10'



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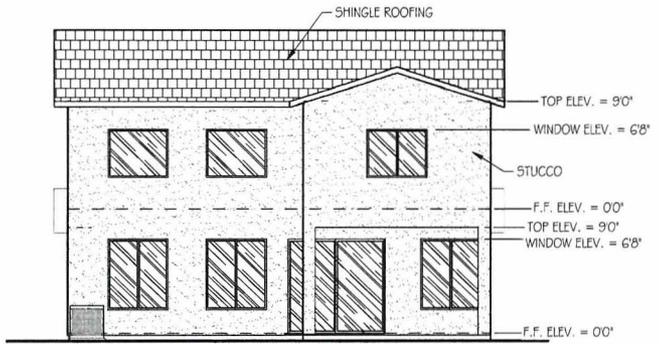
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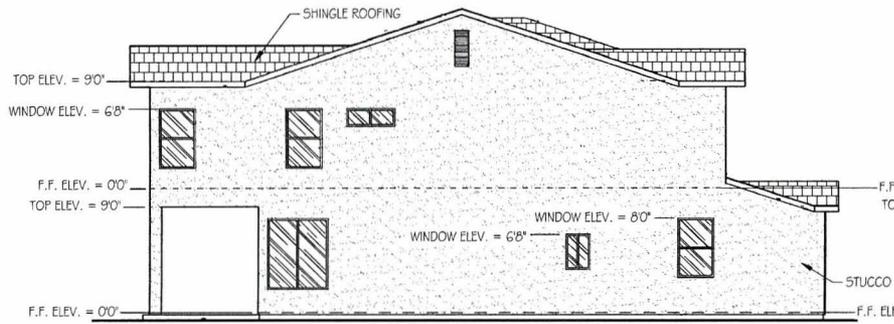
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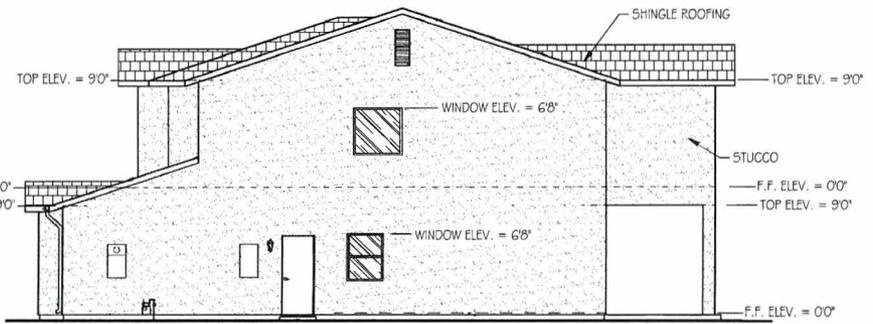
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**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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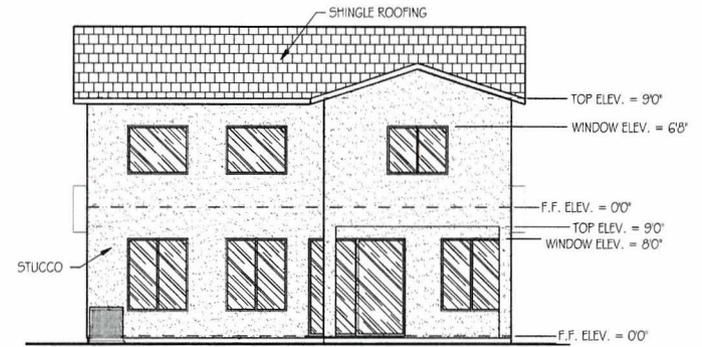
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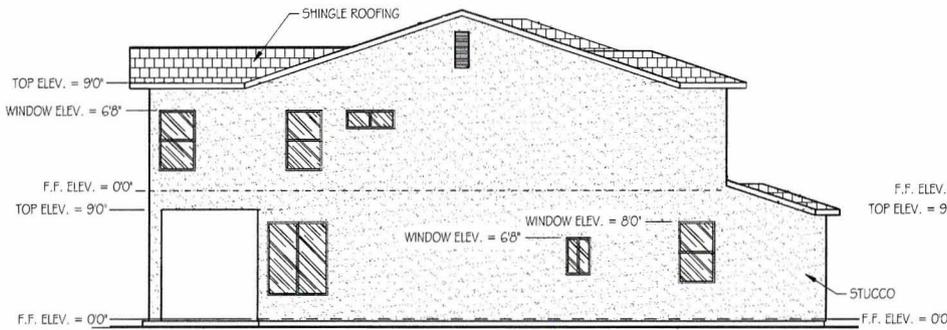
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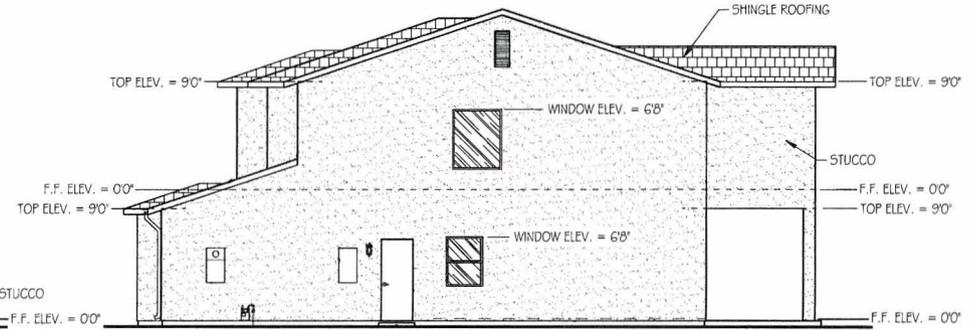
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**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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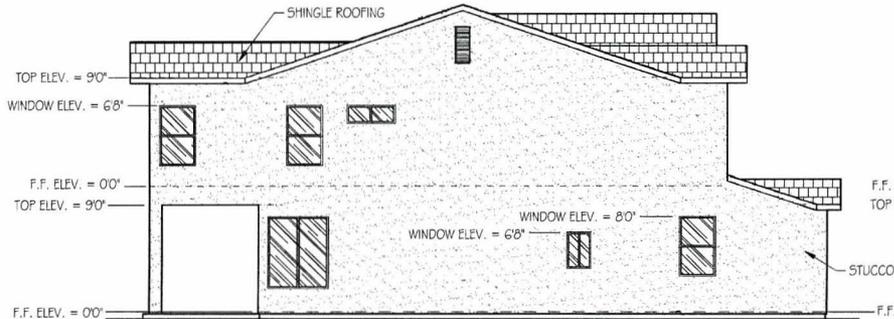
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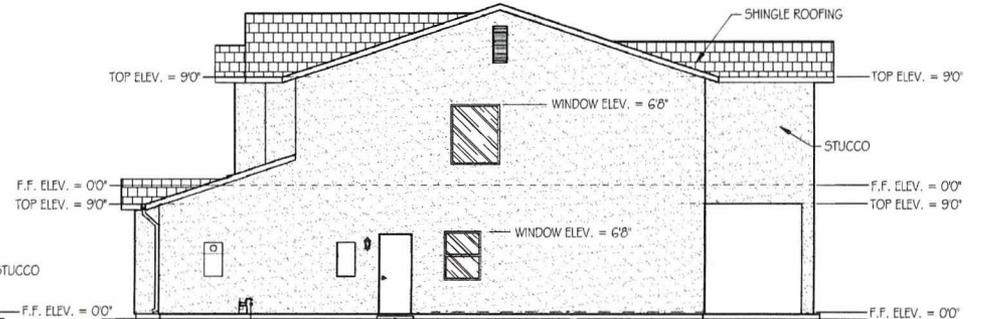
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**LEFT SIDE ELEVATION**  
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**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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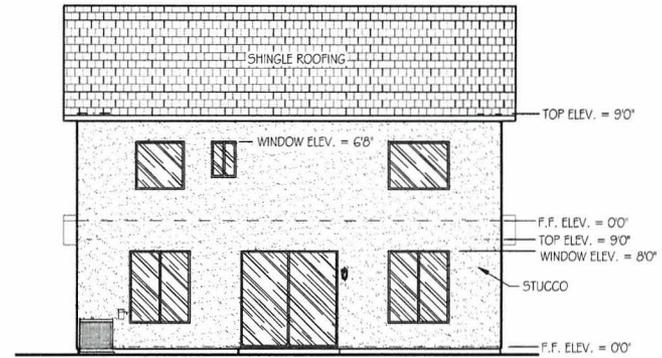
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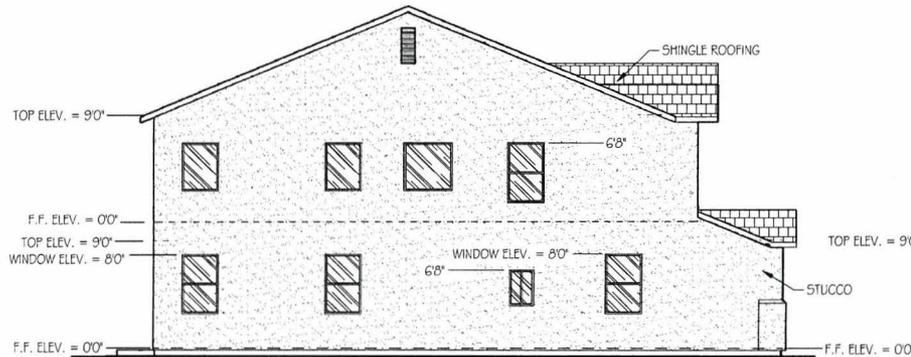
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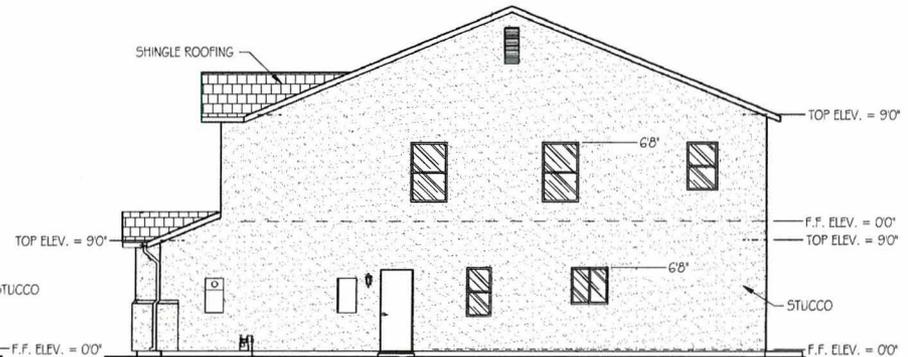
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**REAR ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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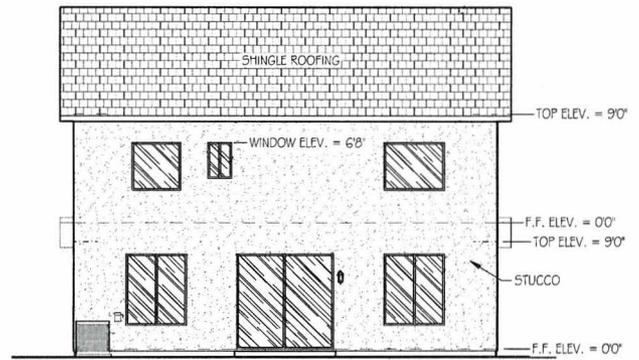
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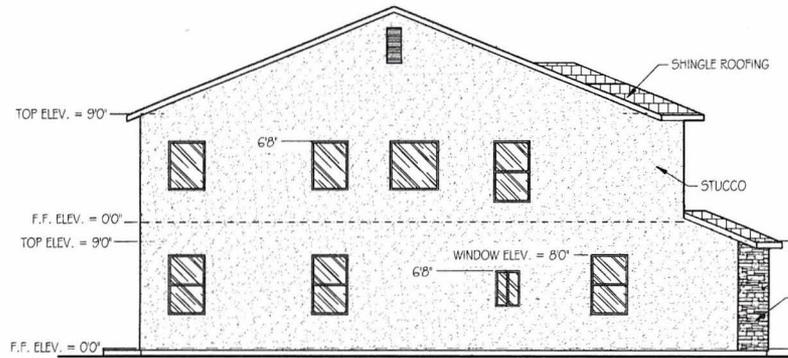
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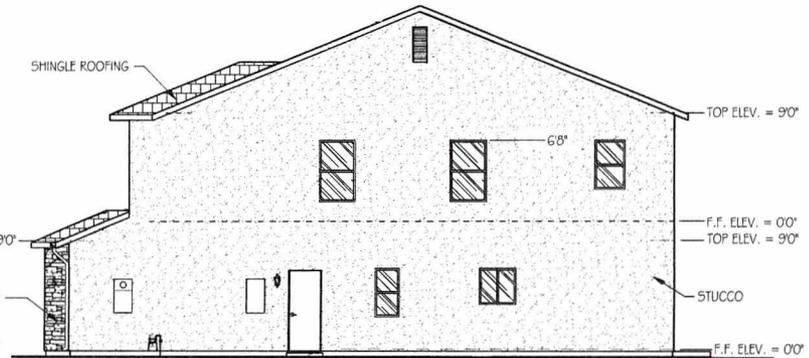
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SCALE: 1"=10"



**RIGHT SIDE ELEVATION**  
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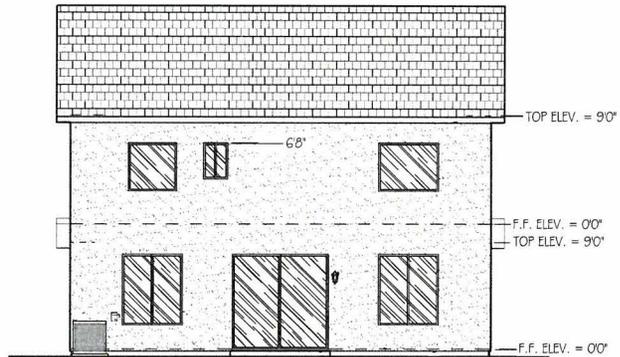
MISSION VILLAGE SOUTH  
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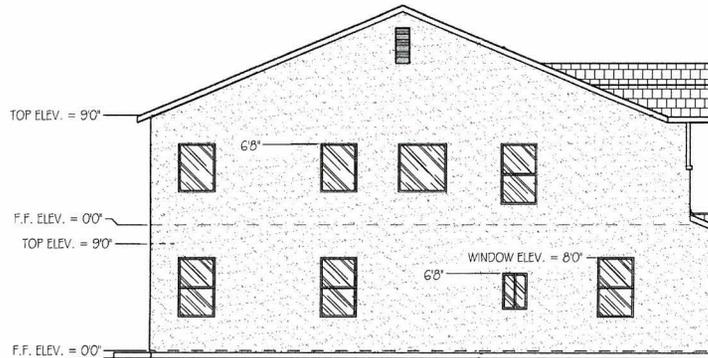
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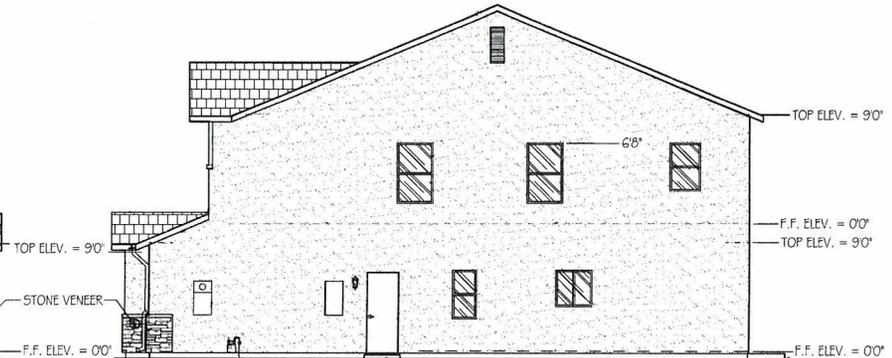
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SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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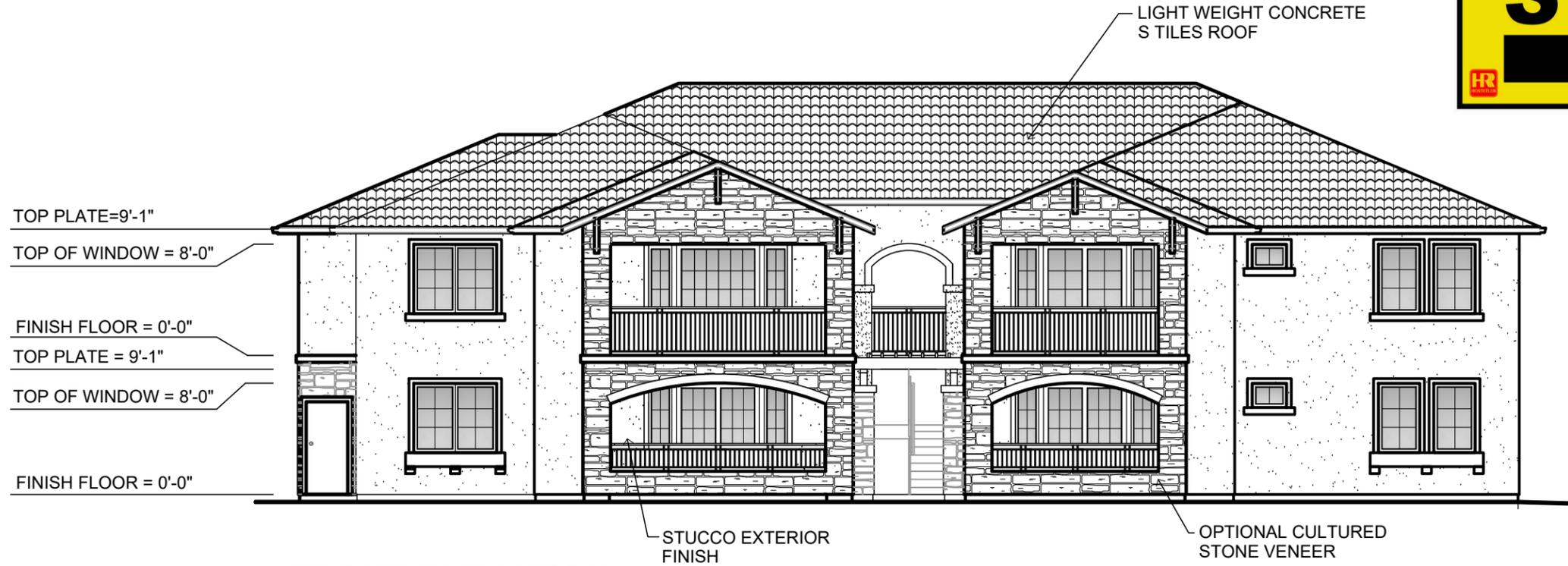
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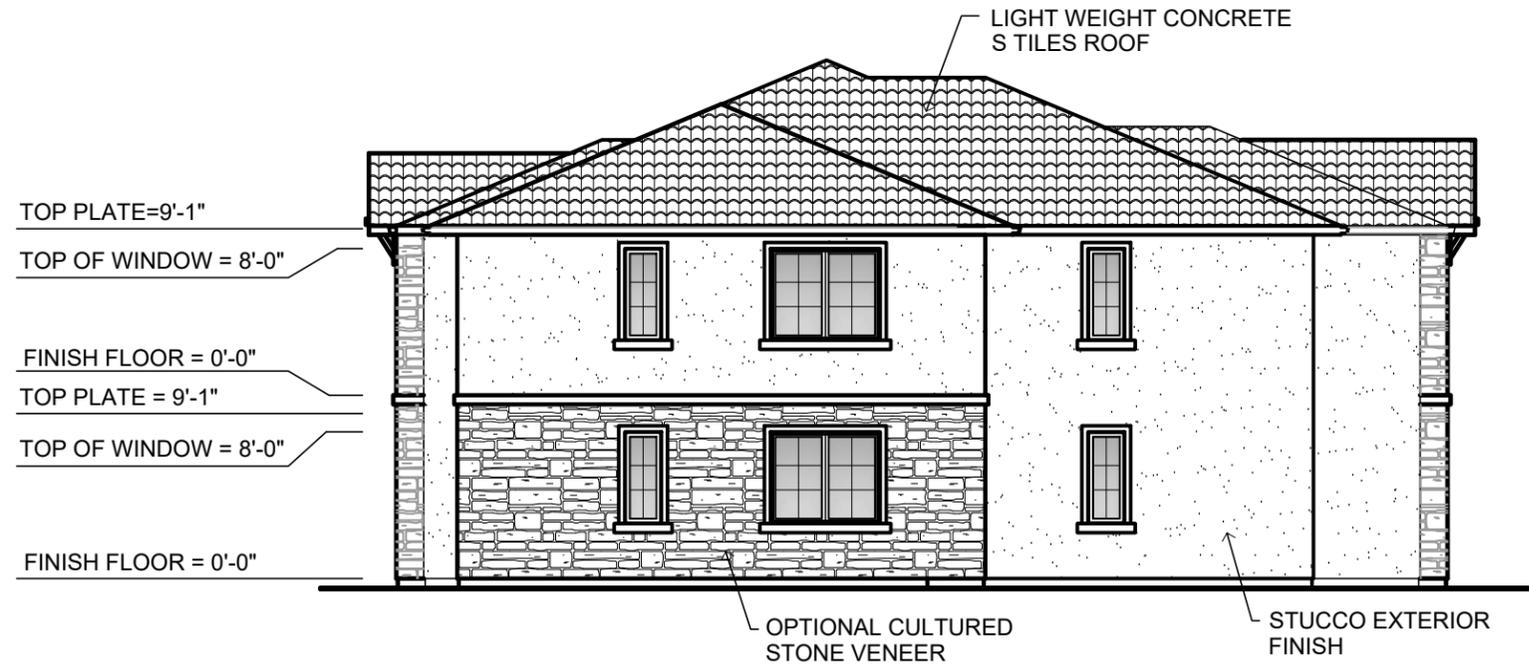
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MISSION VILLAGE SOUTH  
PHASE 5

**MULTI-FAMILY APARTMENTS**  
**(2) 8 UNIT BUILDINGS**



**FRONT ELEVATION**  
SCALE: 1"=10'



**LEFT SIDE ELEVATION**  
SCALE: 1"=10'

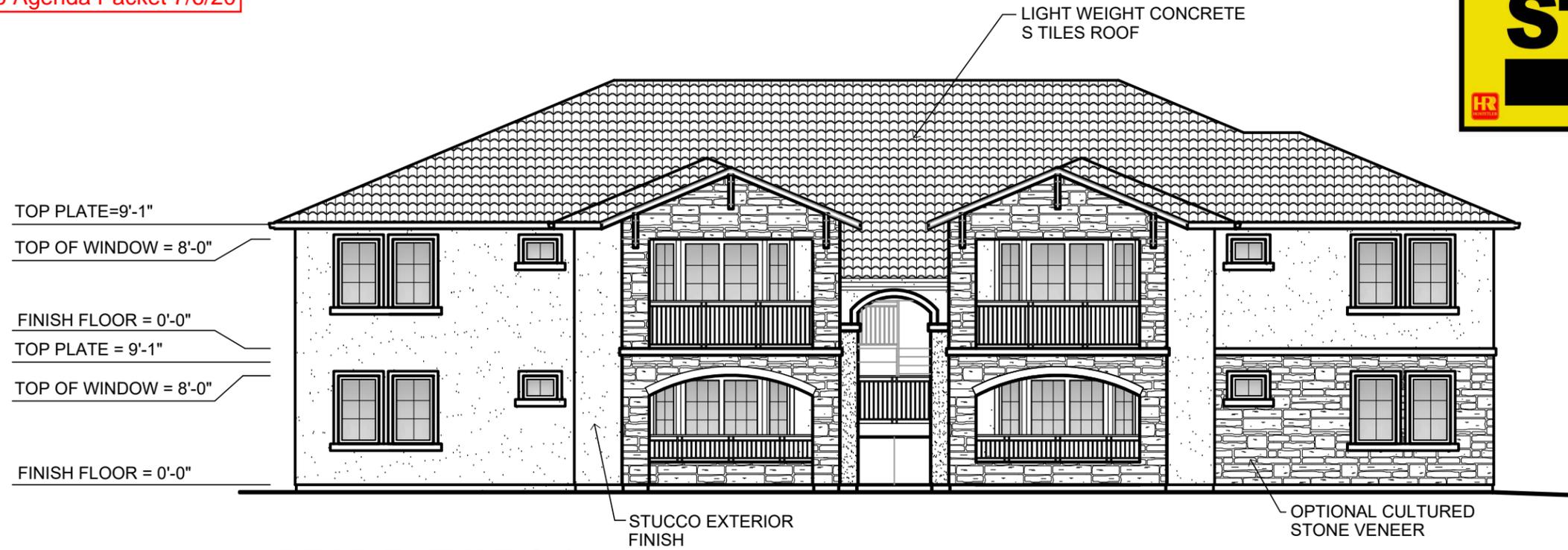


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PHASE 5

**MULTI-FAMILY APARTMENTS  
(2) 8 UNIT BUILDINGS**

Added to Agenda Packet 7/6/20



**REAR ELEVATION**  
SCALE: 1"=10'



**RIGHT SIDE ELEVATION**  
SCALE: 1"=10'



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**MULTI-FAMILY APARTMENTS  
(2) 8 UNIT BUILDINGS**



City of  
**Los Banos**  
*At the Crossroads of California*

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**COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT**

Date: June 26, 2020

Re: Notice of Public Hearing

Proposal: Vesting Tentative Tract Map #2020-02 & Final Development Plan #2020-01- Mission Village South Phase 5B

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider Vesting Tentative Tract Map #2020-02 for Mission Village South Phase 5B. The proposed project consists of the subdivision of approximately 7.81 acres into forty (40) Medium Density residential lots and one (1) High Density Residential lot for 16 multi-family units and Final Development Plan #2020-01 for Mission Village South Phases 5A and 5B. The project site is located east of Mercey Springs Road, south of Mission Drive and north of Willmott Avenue; more specifically identified as Assessor's Parcel Numbers: 428-280-012.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Planning Commission on Wednesday, July 8, 2020 at 4:00 p.m. in the Council Chambers of Los Banos City Hall located at 520 "J" Street. Questions regarding the above-referenced item may be directed to Rudy Luquin, Associate Planner at City Hall or at (209) 827-2432.

All persons are invited to be present at the public hearing. Written and oral testimony is invited. Notice is hereby further given that if you challenge the above described Project 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 Planning Commission at, or prior to, the public hearing.

Additional information may be obtained from the Community & Economic Development Department at 520 J Street, Los Banos, California. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (209) 827-7000. Notification at least 72 hours prior to the public hearing will enable the City to make reasonable arrangements to allow participation at this hearing

THE CITY OF LOS BANOS

  
Rudy Luquin  
Associate Planner



**DESIGN REVIEW STUDY SESSION**

**TO:** Chairman Cates and Planning Commissioners

**FROM:** Rudy Luquin, Associate Planner 

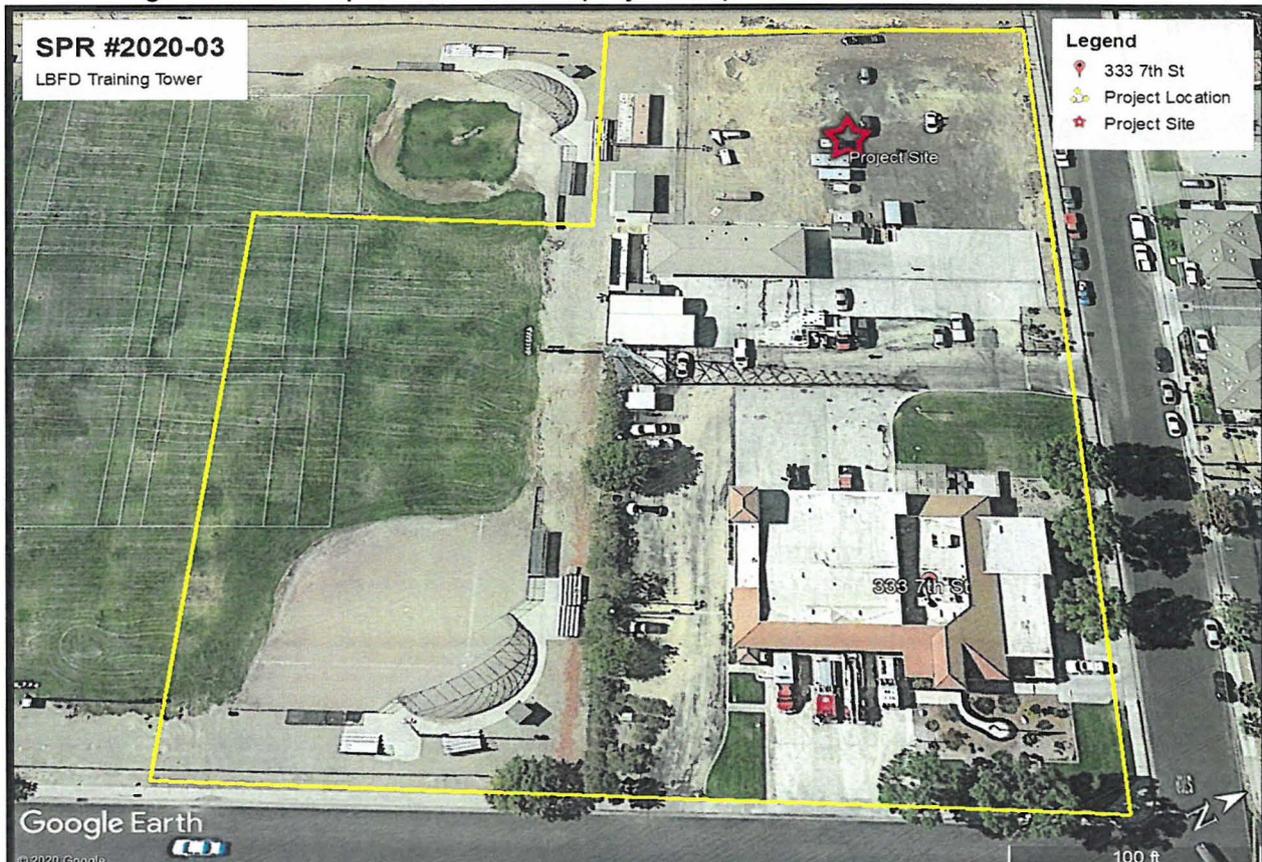
**DATE:** July 8, 2020

**SUBJECT:** Project Study Session Review – LBFD Training Tower

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**Project Description**

The City of Los Banos Fire Department is proposing to develop a four (4) story training tower that will be 43.5 foot tall to be located at 333 Seventh Street. The project will consist of the development of a four (4) story-training tower that is 43.5 foot tall that will be enclosed on all sides. The proposed structure is a prefabricated metal structure which will be assembled and erected at the project site. The proposed project will also consist of grading, drainage, paving, seven (7) exterior lights for safety and planting of trees along the western perimeter of the project to provide a visual buffer.



---

The Community and Economic Development Department has referred the project to the Planning Commission for a study session on the aesthetic aspects related to the proposed project pursuant to Section 9-3.2318(a) of the Design Review Ordinance. The proposed project will require final site plan approval by the Planning Commission through a public hearing at a later date.

### **Planning Commission Project Study Session Review**

Pursuant to Section 9-3.2318(a) of the Design Review Ordinance, the purpose of the study session is to provide the applicant with feedback from the Planning Commission early on in the design process, before becoming overly invested in a design. The review is in the nature of a discussion between the Planning Commission and the applicant concerning the aesthetic aspects of a proposal, and does not constitute a final decision by the Planning Commission concerning the proposed development.

Pursuant to Section 9-3.2318(b) of the Design Review Ordinance, the Planning Commission's scope during the study session is to review, consider, and provide feedback on the following design aspects of the proposed project in light of the City's General Plan and applicable policies:

- Architecture;
- Landscaping; and
- Lighting.

### **Architecture**

Pursuant to Section 9-3.2318(c) of the Design Review Ordinance, the Planning Commission shall evaluate and provide feedback on the following architectural elements:

- Architectural style and consistency;
- Height;
- Bulk;
- Area;
- Color of buildings;
- Types of construction materials;
- Physical and architectural relationships with existing and proposed structures;
- Materials and variations of boundary walls;
- Fences;
- Exterior elevations of all sides of the buildings or structures; and
- Methods used to screen mechanical equipment from public view.

The Los Banos Community Design Standards does not have specific guidelines for buildings along Seventh Street or C Street. The Planning Commission is required to make specific findings for approval related to the design of the project.

The materials for the training tower will consist of prefabricated metal. The east elevation will be the taller end of the structure measuring to 43.5 feet with no windows or doors. The western elevation will measure approximately twenty- four (24) feet tall and will have a door, windows, and exterior stairs. The northern elevation will have a

door and four windows and the south elevation will have five (5) doors and eight (8) windows. The proposed Training Tower will match in color to the main structure on the property, Fire Station No. 1 to create a harmonious and consistent character.

The placement of seven (7) exterior lights proposed along the perimeter for safety purposes and planting of trees along the western perimeter of the project to serve as a visual buffer is also proposed.

The project site currently is utilized for firefighting training, and parking/ storage of two rescue trailers and a few training props.

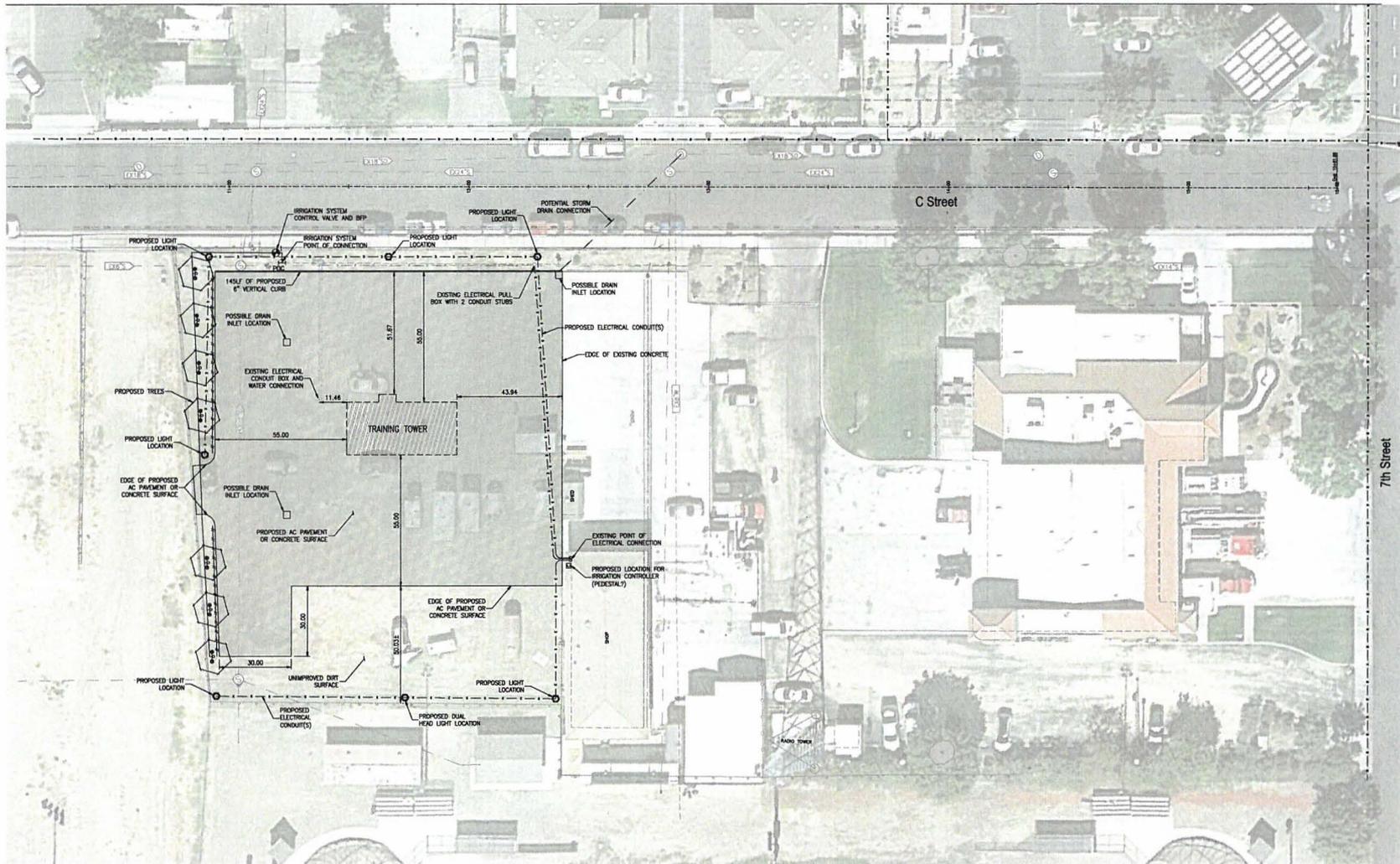
**Recommendation**

Staff is requesting that the Planning Commission evaluate the architectural considerations as described above and provide initial feedback to the applicant on the proposed design. No formal action will be taken at this time.

**Attachment**

Site Plan/Elevations  
Site Photos






**FIRE STATION No.1**  
AERIAL IS NOT ORTHORECTIFIED

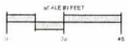
## Fire Station Training Tower Layout Review Exhibit

City of Los Banos, California  
April, 2020

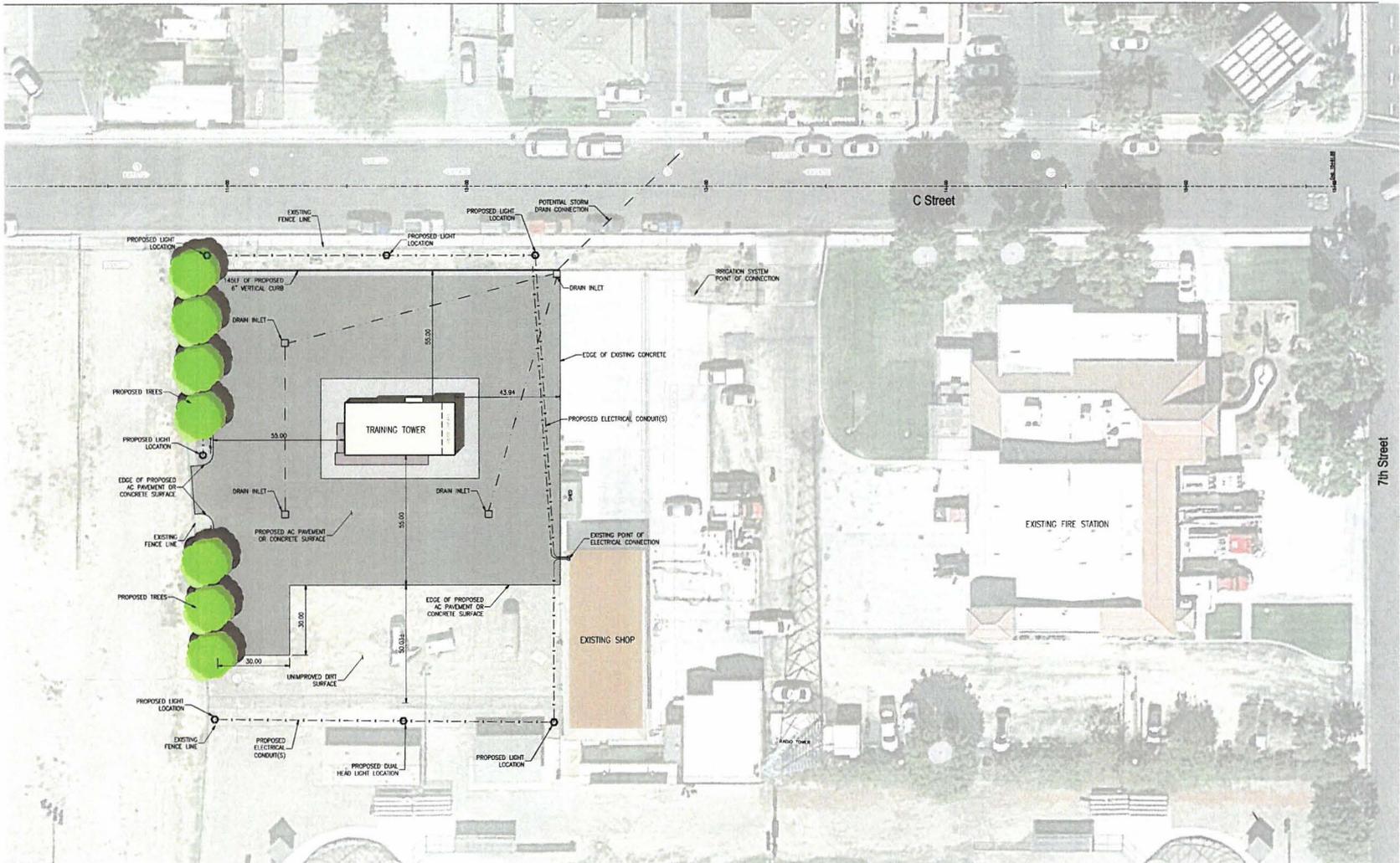
Gouveia Engineering, Inc. • 456 Sixth Street • Gustine, California 95322 • (209) 854-3300



V:\02\02102\02102.dwg (print) 4/24/20 10:07



Prepared By: DGR Project No.: 02102



**Fire Station Training Tower Layout Exhibit**  
 City of Los Banos, California  
 June, 2020

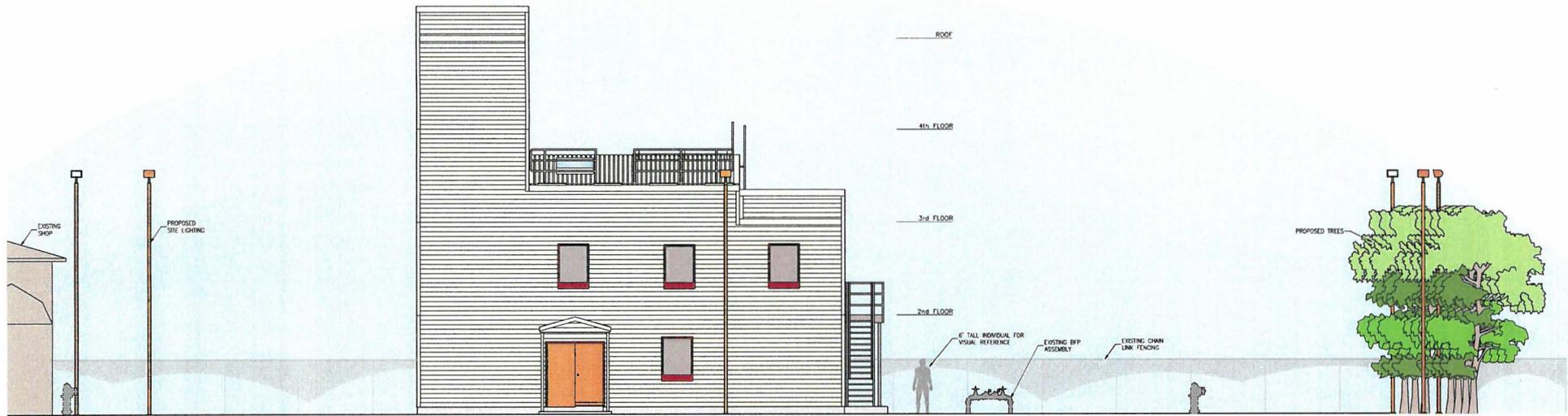
Gouveia Engineering, Inc. • 456 Sixth Street • Gustine, California 95322 • (209) 854-3300



V:\2020\2020\06\06\06200-Planning-act\lay sheet 7/1/20 7:10



Prepared By: DOR Project No.: 875,810



**NORTH SIDE ELEVATION**  
 VIEW FROM C STREET  
 NOTE: THE ORNAMENTAL FENCE ALONG C STREET HAS BEEN OMITTED FOR CLARITY PURPOSES.



**EAST SIDE ELEVATION**  
 VIEW FROM FIRE STATION No. 1

## Fire Station Training Tower Elevations

City of Los Banos, California  
 June, 2020

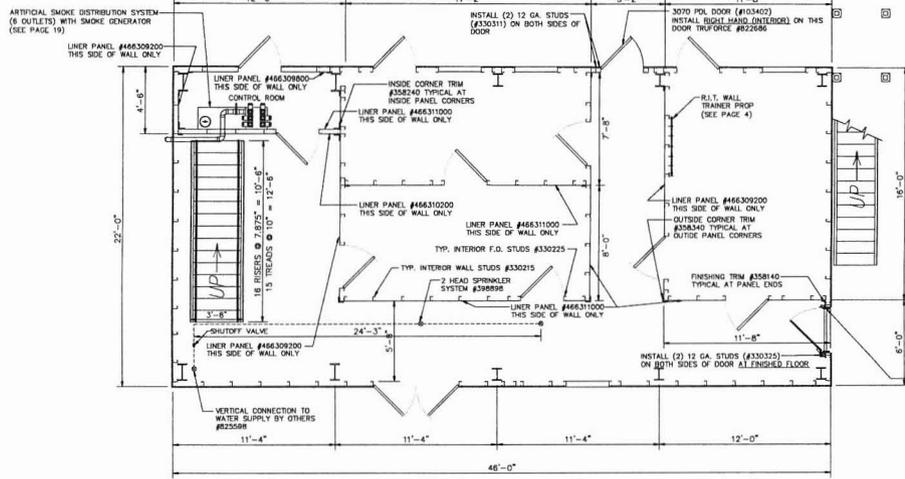
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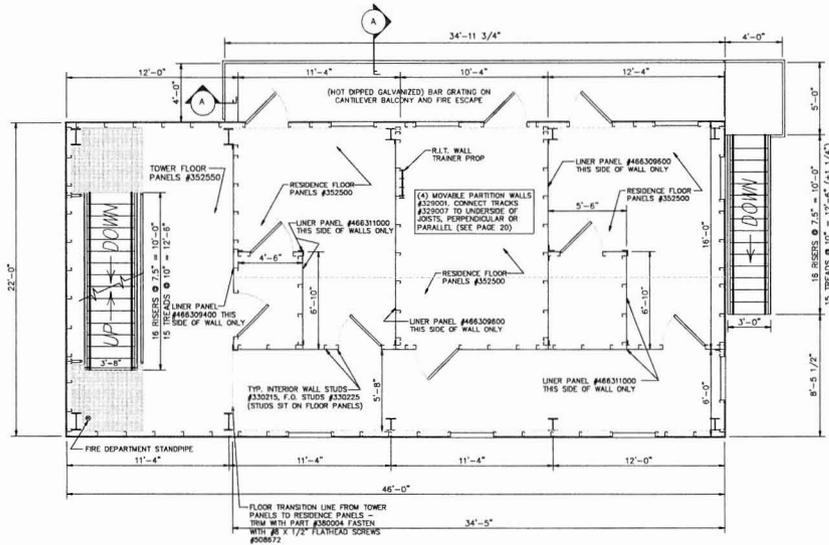


**NOTE: ALL SHUTTERS IN TOWER SWING IN, UNLESS OTHERWISE SHOWN  
ALL SHUTTERS IN BURN ROOM & ATTIC SWING OUT, UNLESS OTHERWISE SHOWN**



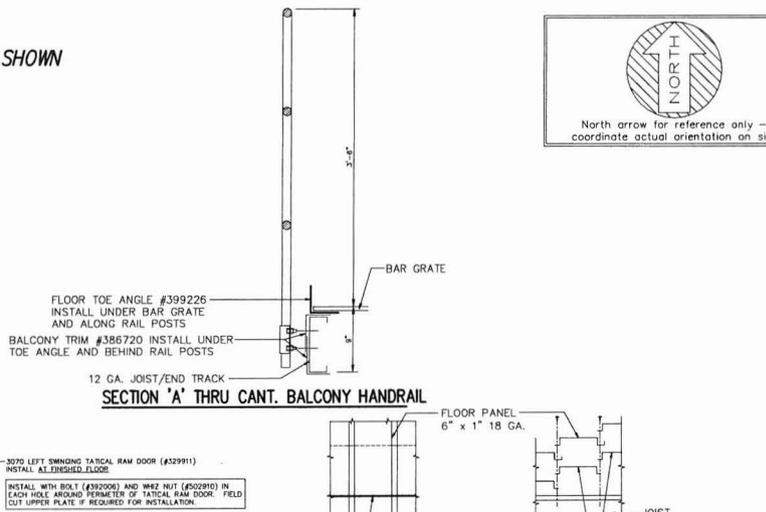
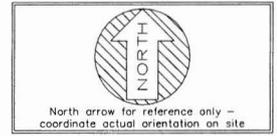
**FIRST FLOOR PLAN**

SCALE: 1/4" = 1'-0"

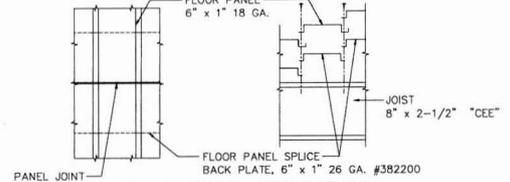


**SECOND FLOOR PLAN**

SCALE: 1/4" = 1'-0"

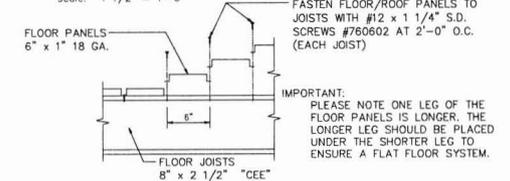


**SECTION 'A' THRU CANT. BALCONY HANDRAIL**



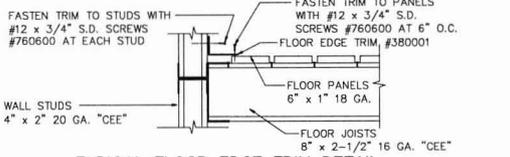
**FLOOR PANEL SPLICE PLATE**

scale: 1 1/2" = 1'-0"



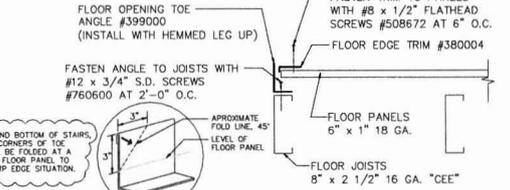
**TYPICAL FLOOR PANEL FASTENING DETAIL**

scale: 1 1/2" = 1'-0"



**TYPICAL FLOOR EDGE TRIM DETAIL**

scale: 1 1/2" = 1'-0"



**TYPICAL FLOOR OPENING TRIM DETAIL**

scale: 1 1/2" = 1'-0"

REVISIONS	by



Ross T. Mori  
320.56.11  
8-58-11-05000

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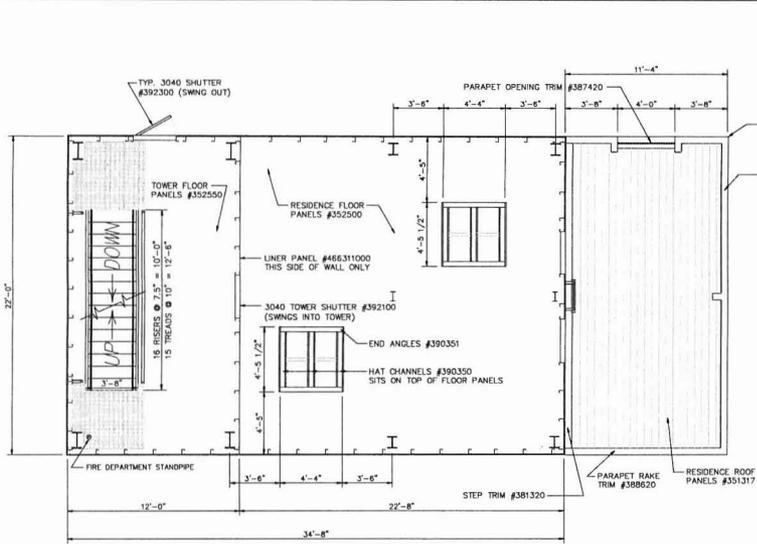
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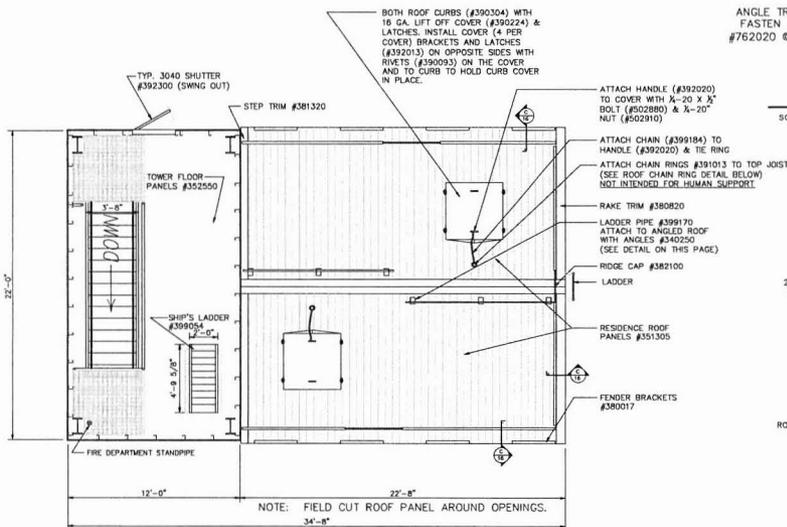
**WESCO MODEL WH-4**  
CUSTOM  
LOS BANOS, CA

Date: 5/22/2020  
Drawn by: KAH  
Checked by: SPW  
Scale: SHOWN  
Order No: FTE-762/223489  
Sheet No:



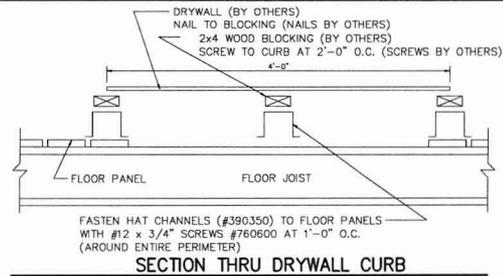
**TOWER THIRD FLOOR & ATTIC PLAN**

SCALE: 1/4" = 1'-0"

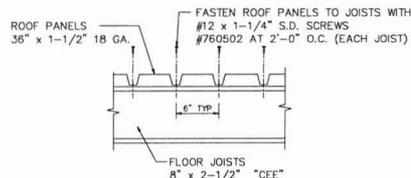


**TOWER FOURTH FLOOR AND RESIDENCE ROOF PLAN**

SCALE: 1/4" = 1'-0"

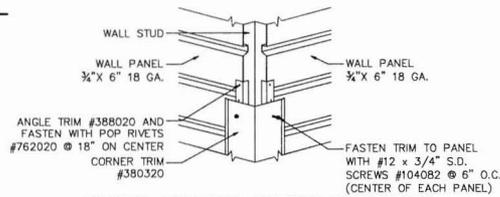


**SECTION THRU DRYWALL CURB**



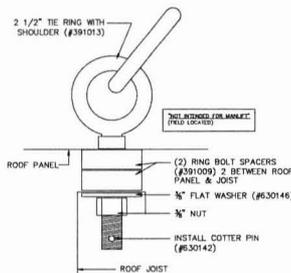
**TYPICAL ROOF PANEL FASTENING DETAIL**

scale: 1 1/2" = 1'-0"



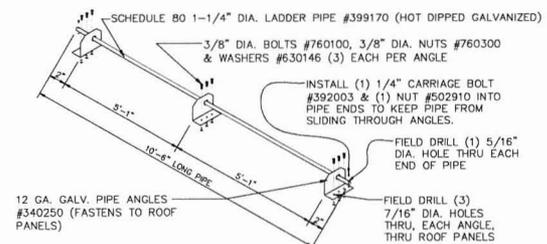
**TYPICAL EXTERIOR CORNER TRIM DETAIL**

scale: 1 1/2" = 1'-0"

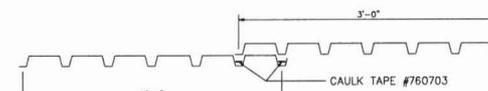


**ROOF CHAIN RING INSTALLATION DETAIL**

N.T.S.

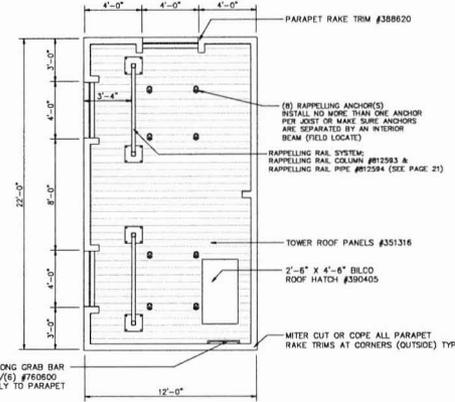


**LADDER PIPE ANCHOR DETAIL (X2)**



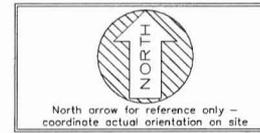
**TYPICAL ROOF PANEL OVERLAP**

scale: 1 1/2" = 1'-0"



**TOWER ROOF PLAN**

SCALE: 1/4" = 1'-0"



REVISIONS	By



Press T. Mori  
 620.06.11  
 859.14.0507

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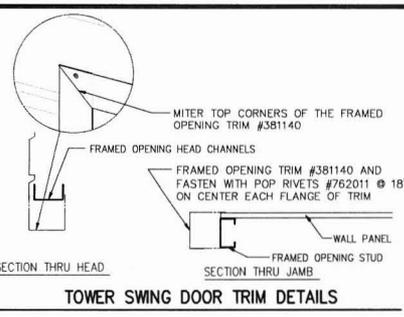
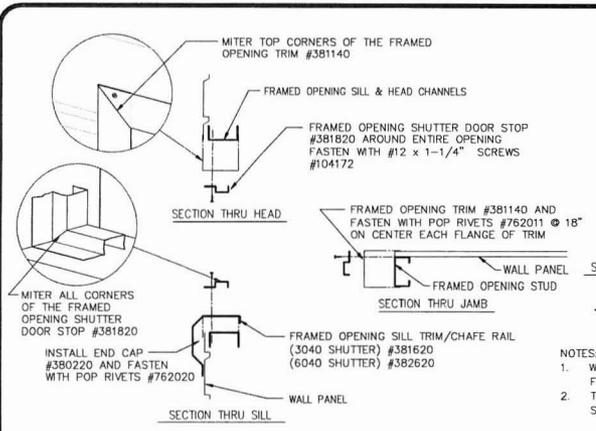


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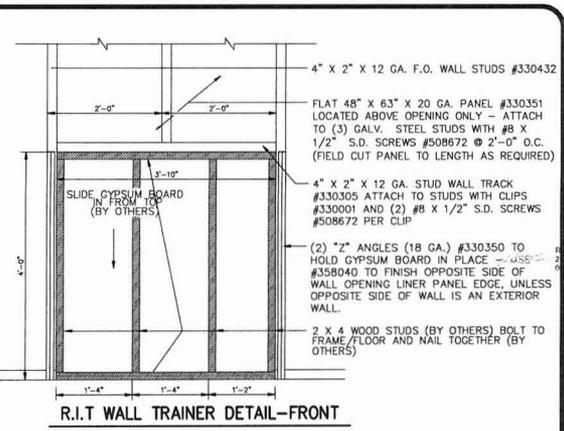
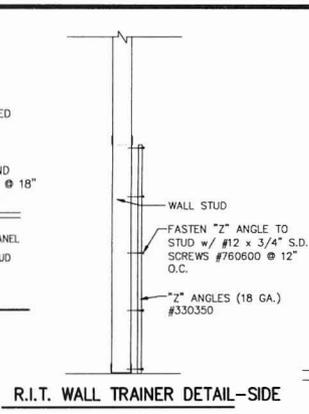
**MESCO MODEL WH-4**  
 CUSTOM  
 LOS BANOS, CA

Job Description: FLOOR PLANS  
 Date: 5/22/2020  
 Drawn by: KAH  
 Checked by: SPW  
 Scale: SHOWN  
 Order No. FTE-762/223489  
 Sheet No.



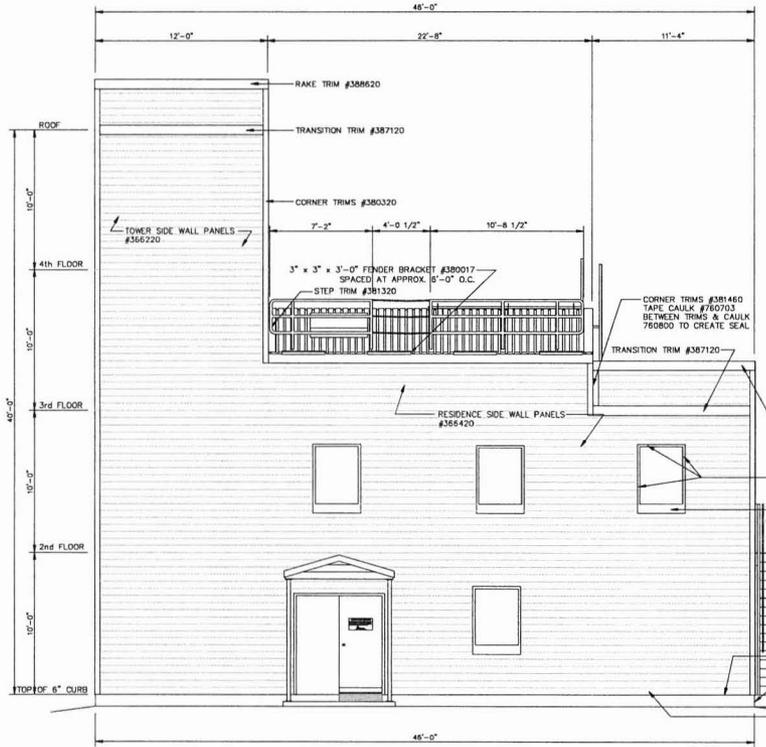


- NOTES:
1. WALL PANEL MUST BE FIELD CUT AROUND FRAMED OPENINGS
  2. TRIMS ARE IN STANDARD 10' LENGTHS SOME FIELD CUTTING OF TRIMS IS REQUIRED



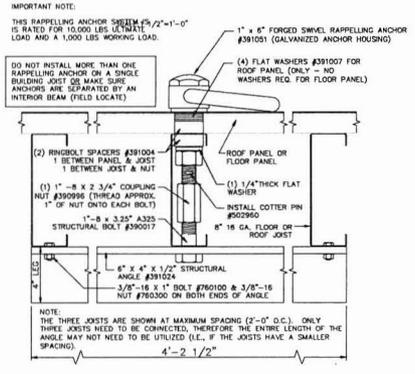
**STANDARD SHUTTER TRIM DETAILS (NON BURN ROOM ONLY)**

scale: 1 1/2" = 1'-0"



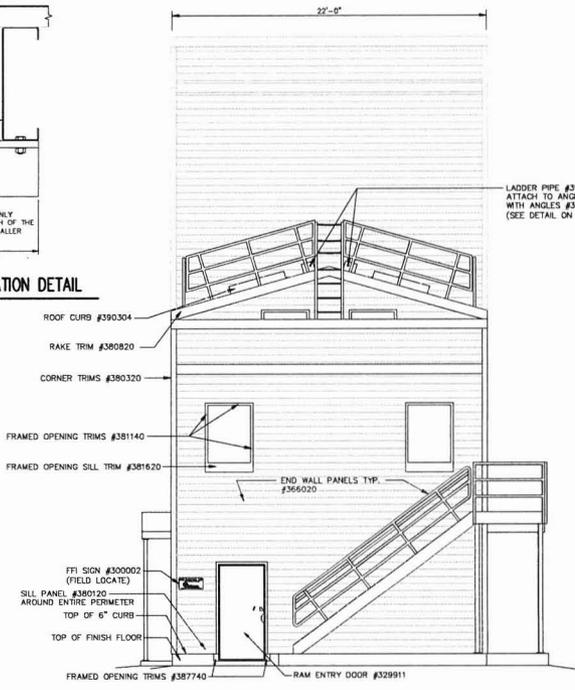
**SOUTH SIDE ELEVATION**

SCALE: 1/4" = 1'-0"



**FORGED SWIVEL RAPPELLING ANCHOR INSTALLATION DETAIL**

scale: 3" = 1'-0"



**EAST END ELEVATION**

SCALE: 1/4" = 1'-0"

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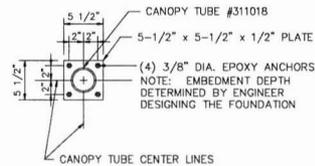
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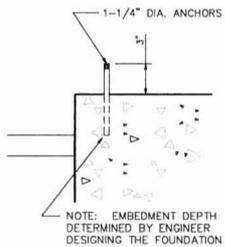
Date: 5/22/2020  
 Drawn by: KAH  
 Checked by: SPW  
 Scale: SHOWN  
 Order No. FTE-762/223489  
 Sheet No.

LOAD CASE	COLUMN	SHEAR (KIPS)	DOWNWARD (KIPS)	UPLIFT (KIPS)
WIND	A1 B1	3.23	11.71	14.94
	A2 B2	3.21	11.77	16.23
	A3 B3	1.87	1.65	5.42
	A4 B4	1.73	0.63	5.44
	A5 B5	0.77	0.07	2.52
DEAD	A1 A2	0.21	7.90	0.00
	B1 B2	0.30	12.76	0.00
	A3 B3	0.19	9.75	0.00
	A4 B4	0.20	8.68	0.00
	A5 B5	0.18	4.33	0.00
LIVE	A1 A2	0.61	28.40	0.00
	B1 B2	1.27	49.62	0.00
	A3 B3	1.06	48.43	0.00
	A4 B4	1.07	39.87	0.00
	A5 B5	0.50	16.67	0.00
SEISMIC	A1 A2	9.50	45.17	45.14
	B1 B2	9.54	46.00	45.97
	A3 B3	3.69	6.63	8.60
	A4 B4	3.22	6.88	6.86
	A5 B5	1.28	2.52	2.52

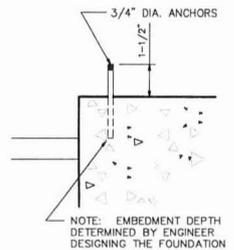
Reactions shown above are individual load cases with a load factor of one (no reductions). These reactions are based on the CBC 2019 with a 87 mph, exo C wind and a seismic category D (p = 1.3). Please note that the overstrength factor  $\Omega = 2.0$  was not included in these reactions. Please also note that these reactions are based on the fire training simulator show on the Fire Facilities drawing dated or revised on 03/11/2020



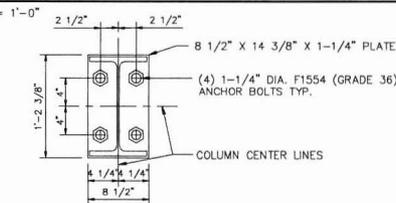
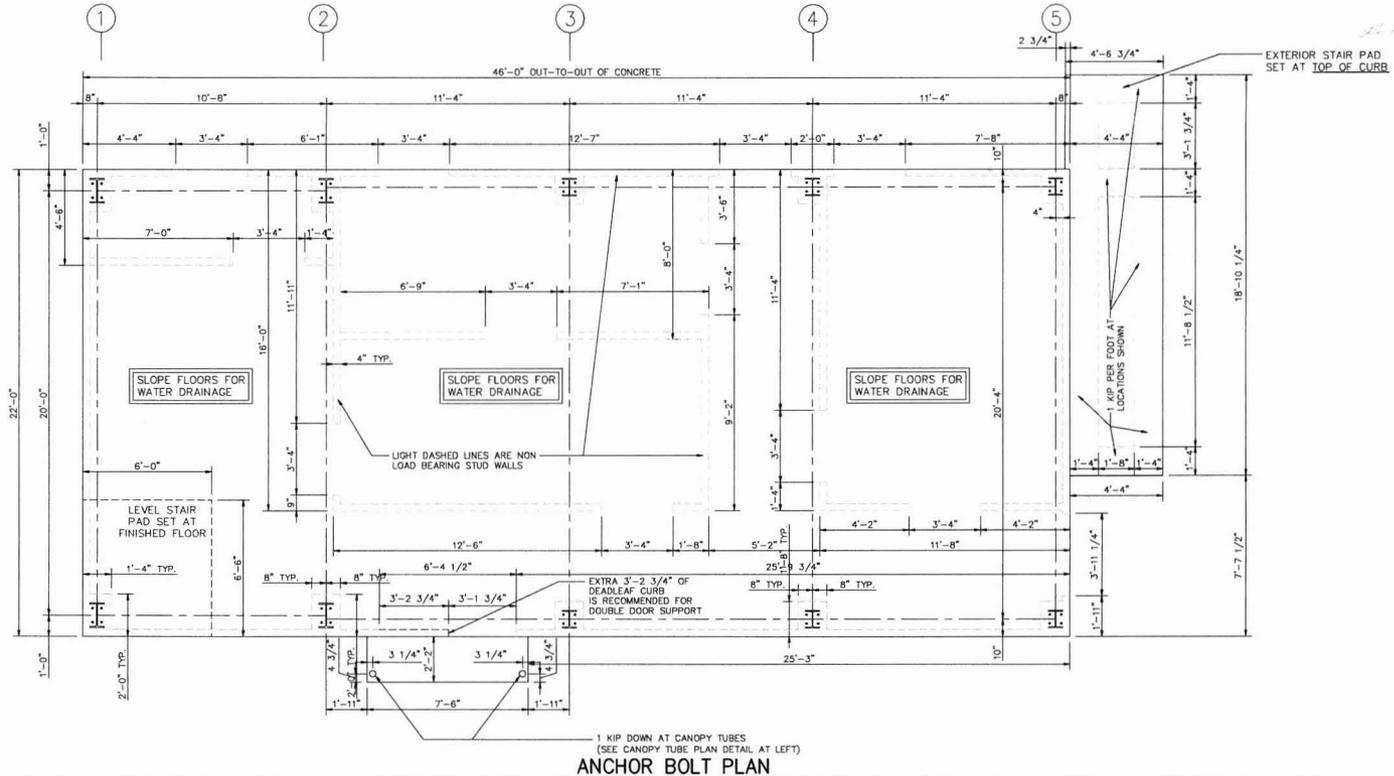
**CANOPY TUBE PLAN DETAIL**  
scale: 1 1/2" = 1'-0"



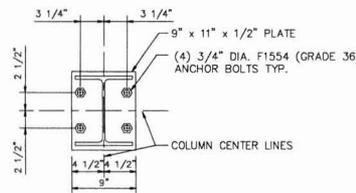
**ANCHOR BOLT PROJECTION DETAIL**



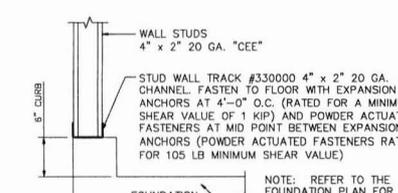
**ANCHOR BOLT PROJECTION DETAIL**



**TOWER COLUMN ANCHOR BOLT DETAIL**  
scale: 1 1/2" = 1'-0"



**RESIDENCE END COLUMN ANCHOR BOLT DETAIL**  
scale: 1 1/2" = 1'-0"

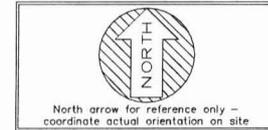


**TYPICAL STUD WALL BASE DETAIL**  
scale: 1 1/2" = 1'-0"

- ALL COLUMNS, FIRE ESCAPE PADS AND STUD WALLS ARE SET AT TOP OF CURB (FINISHED FLOOR IS 6" BELOW TOP OF CURB).
- ALL PADS OUTSIDE OF EXTERIOR DOORS SHOULD BE SET AT FINISHED FLOOR (IF APPLICABLE).
- ALL DOOR OPENINGS THAT ARE DIMENSIONED SHOULD BE HELD EXACT (DOOR LOCATIONS NOT DIMENSIONED CAN BE FIELD LOCATED).

**NOTE:**  
EXCLUDES ANY AND ALL PREPARATIONS INVOLVED IN PROVIDING SUITABLE CONCRETE PADS AND/OR FOUNDATIONS

ALSO EXCLUDES ANY ANCHORS REQUIRED TO SECURE THE BUILDING TO THE FOUNDATION.



REVISIONS	by



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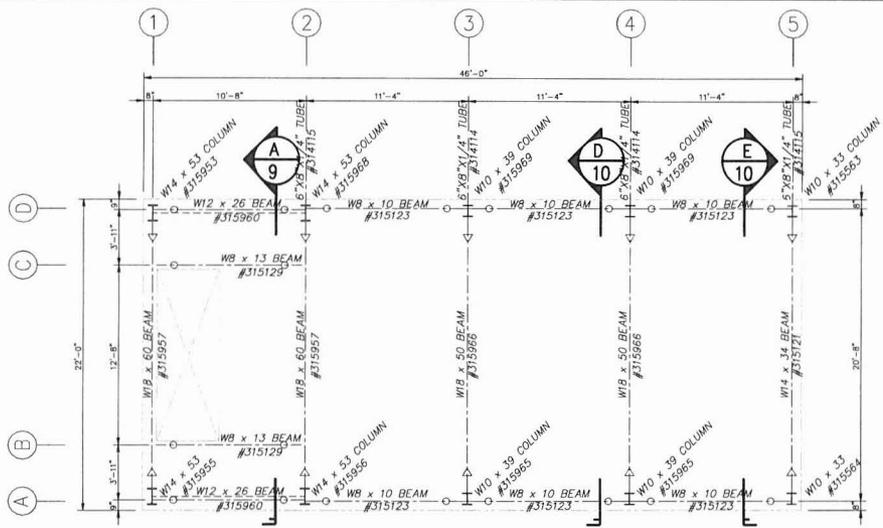
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**WESCO MODEL WH-4**  
CUSTOM  
LOS BANOS, CA

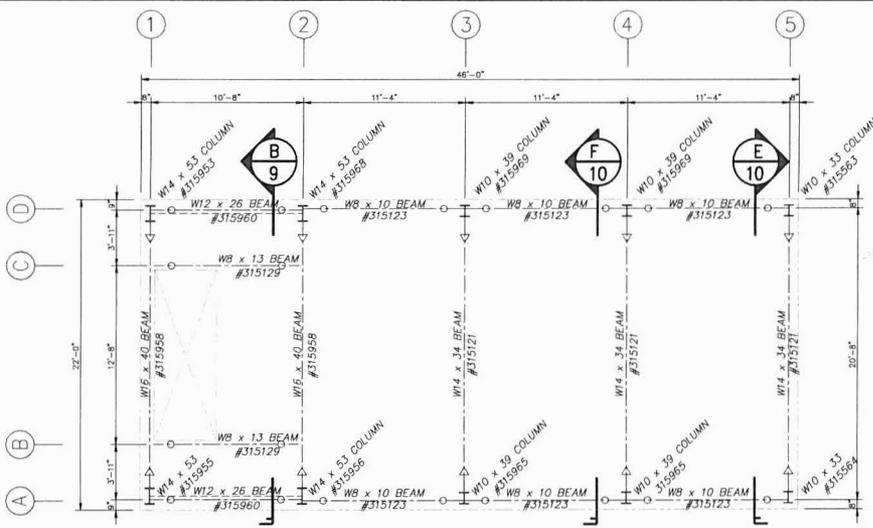
Job Description: ANCHOR BOLT PLAN

Date: 5/22/2020  
Drawn by: KAH  
Checked by: SPW  
Scale: SHOWN  
Order No.: FTE-762/223489  
Sheet No.:



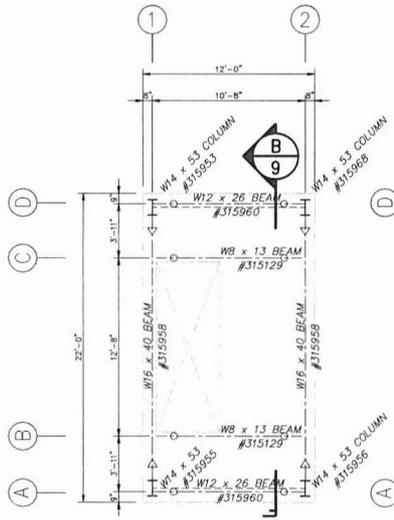
SECOND FLOOR STRUCTURAL FRAMING PLAN

SCALE: 1/4"=1'-0"



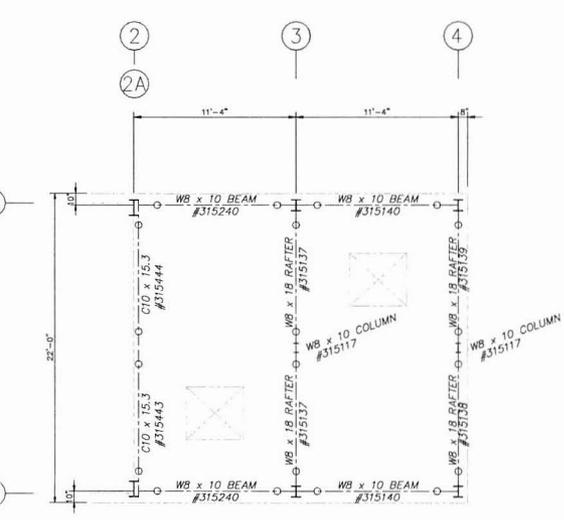
THIRD FLOOR/ATTIC STRUCTURAL FRAMING PLAN

SCALE: 1/4"=1'-0"



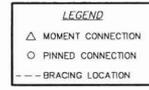
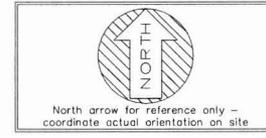
FOURTH FLOOR STRUCTURAL FRAMING PLAN

SCALE: 1/4"=1'-0"



RESIDENCE ROOF STRUCTURAL FRAMING PLAN

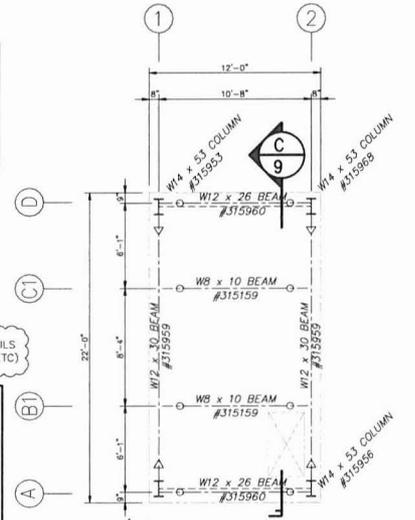
SCALE: 1/4"=1'-0"



SEE APPENDIX B FOR ADDITIONAL DETAILS (WELDS, BOLT PATTERNS, CLIP SIZES, ETC)

NOTE: TEMPORARY SUPPORT OF THIS STRUCTURAL FRAME IS REQUIRED AND IS THE SOLE RESPONSIBILITY OF THE ERECTOR. THIS TEMPORARY SUPPORT SHOULD NOT BE REMOVED UNTIL ALL OF THE FLOOR AND WALL SYSTEMS ARE IN PLACE.

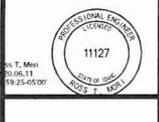
NOTE: THIS STRUCTURAL FRAME IS DESIGNED WITH ALL SHEAR/BEARING CONNECTIONS (NOT SLIP-CRITICAL) AND ALL JOINTS ARE OF THE PRETENSIONED TYPE. PRETENSIONED JOINTS (TURN-OF-NUT PRETENSIONING METHOD) REQUIRES A NUT ROTATION OF 1/2 TURN FROM SNUG-TIGHT CONDITION FOR BOLTS WITH A LENGTH LESS THAN FOUR TIMES ITS DIAMETER AND A NUT ROTATION OF 1/2 TURN FROM SNUG-TIGHT CONDITION FOR BOLTS WITH A LENGTH GREATER THAN OR EQUAL TO FOUR TIMES BUT LESS THAN EIGHT TIMES ITS DIAMETER. COMPACTING THE JOINT TO THE SNUG-TIGHT CONDITION SHALL PROGRESS SYSTEMATICALLY FROM THE MOST RIGID PART OF THE JOINT. THE SNUG-TIGHTENED CONDITION IS THE TIGHTNESS THAT IS ATTAINED BY A FEW IMPACTS OF AN IMPACT WRENCH OR THE FULL EFFORT OF AN IRONWORKER USING AN ORDINARY SPUD WRENCH TO BRING THE CONNECTED PILES INTO FIRM CONTACT.



TOWER ROOF STRUCTURAL FRAMING PLAN

SCALE: 1/4"=1'-0"

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**WESCO MODEL WH-4**  
CUSTOM  
LOS BANOS, CA

Sheet Title: STRUCTURAL FRAMING PLAN

Date	5/22/2020
Drawn by	KAH
Checked by	SPW
Scale	SHOWN
Order No.	FT-762/223489
Sheet No.	









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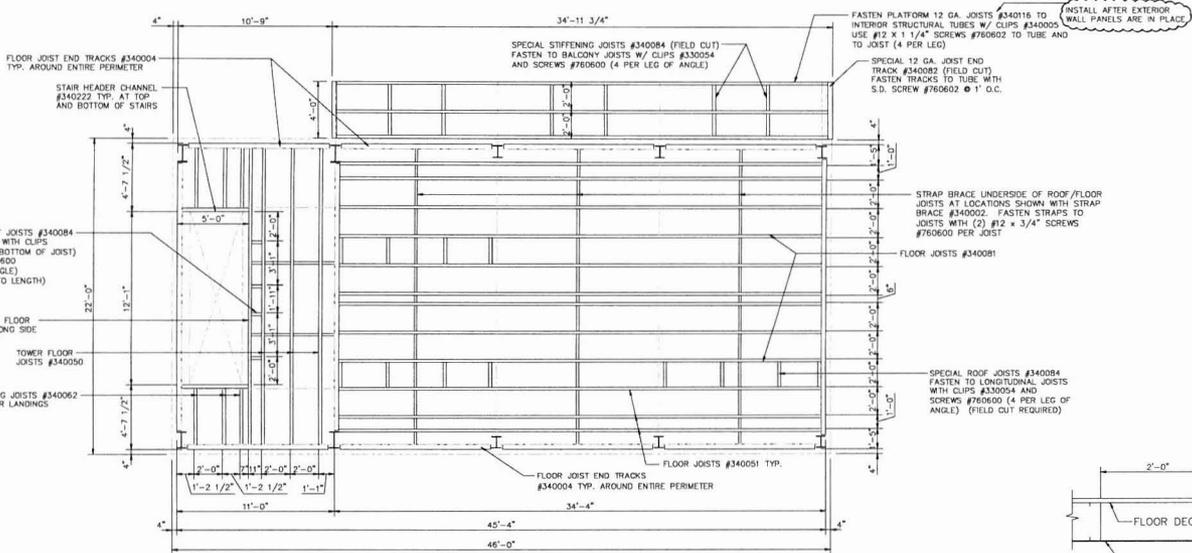
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Web Description  
**WESCO MODEL WH-4**  
 CUSTOM  
 LOS BANOS, CA

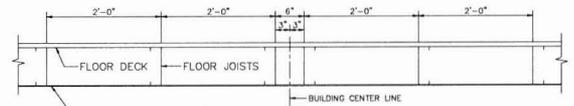
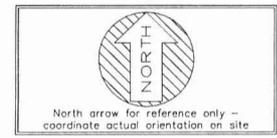
Date: 5/22/2020  
 Drawn by: KAH  
 Checked by: SPW  
 Scale: SHOWN  
 Order No.: FTE-762/223489  
 Sheet No.:



**SECOND FLOOR JOIST FRAMING PLAN**

SCALE: 1/4"=1'-0"

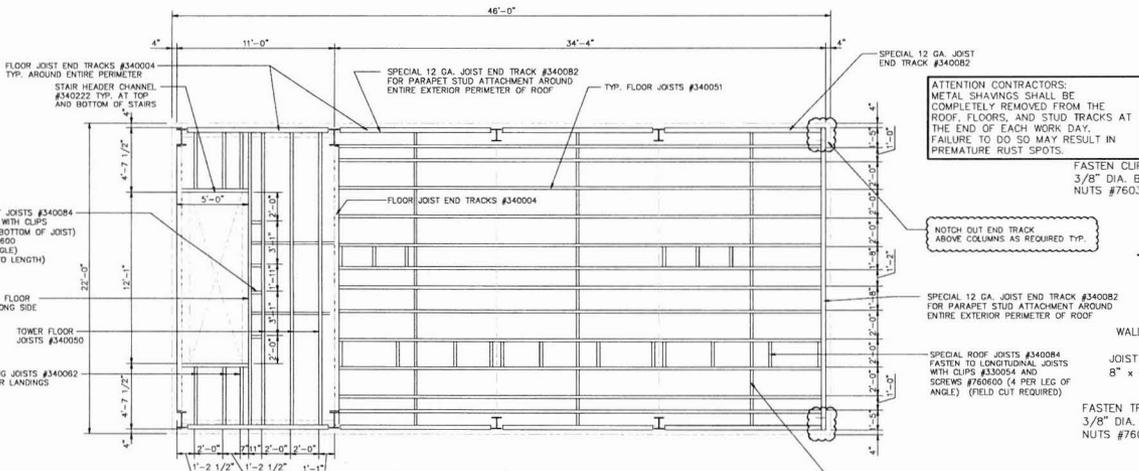
NOTE: THERE ARE TWO TYPES OF JOIST END TRACK THAT HAVE THE EXACT SAME PROFILE (#340004 IS 18 GAGE, WHILE #340082 IS 12 GAGE). ONLY USE THE 12 GAGE TRACK ON THE ROOF OF THE TOWER AND/OR WHERE SPECIFICALLY DETAILED.  
 NOTE: FIELD CUT JOISTS AND TRACK AROUND STAIR OPENINGS.



**SECTION THRU FLOOR SHOWING TYP. JOIST SPACING**

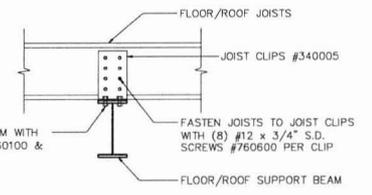
**TYPICAL FLOOR &/or ROOF JOIST**

SOME FIELD DRILLING OF HOLES IN THE STRUCT. BEAM WILL BE REQUIRED FOR THE 3/8" BOLT ATTACHMENT OF THE CLIP TO THE STRUCTURAL BEAM

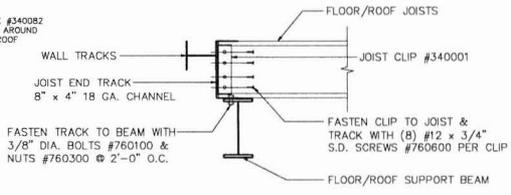


**3RD FLOOR/ATTIC JOIST FRAMING PLAN**

SCALE: 1/4"=1'-0"



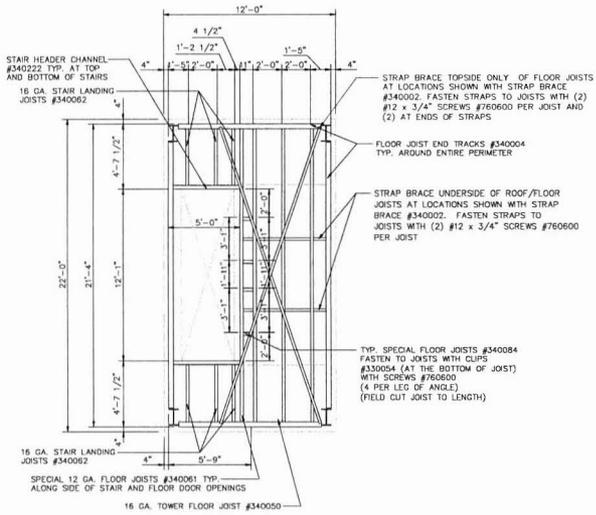
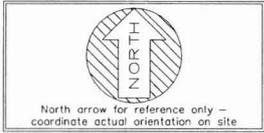
**TYP. JOIST TO INTERIOR BEAM CONN.**



**TYP. JOIST TO EXTERIOR BEAM CONN.**

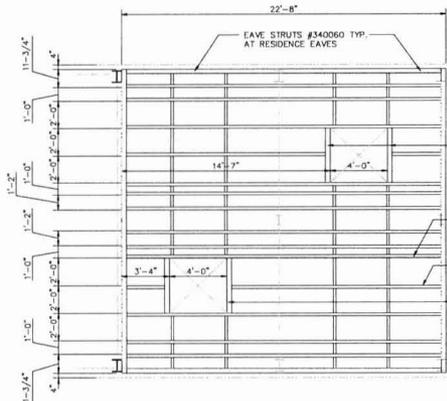
ATTENTION CONTRACTORS: METAL SHAVINGS SHALL BE COMPLETELY REMOVED FROM THE ROOF, FLOORS, AND STUD TRACKS AT THE END OF EACH WORK DAY. FAILURE TO DO SO MAY RESULT IN PREMATURE RUST SPOTS.

NOTCH OUT END TRACK ABOVE COLUMNS AS REQUIRED TYP.



**FOURTH FLOOR JOIST FRAMING PLAN**

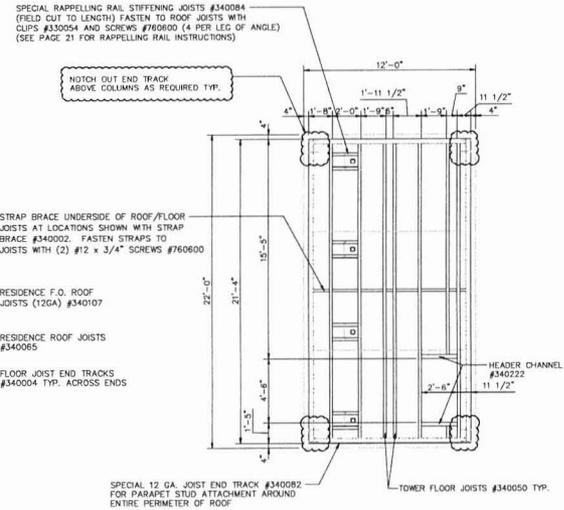
SCALE: 1/4"=1'-0"



**RESIDENCE ROOF JOIST FRAMING PLAN**

SCALE: 1/4"=1'-0"

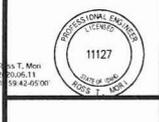
NOTE: THERE ARE TWO TYPES OF JOIST END TRACK THAT HAVE THE EXACT SAME PROFILE. (#340004 IS 18 GAGE, WHILE #340082 IS 12 GAGE). ONLY USE THE 12 GAGE TRACK ON THE ROOF OF THE TOWER AND/OR WHERE SPECIFICALLY DETAILED.  
NOTE: FIELD CUT JOISTS AND TRACK AROUND STAIR OPENINGS.



**TOWER ROOF JOIST FRAMING PLAN**

SCALE: 1/4"=1'-0"

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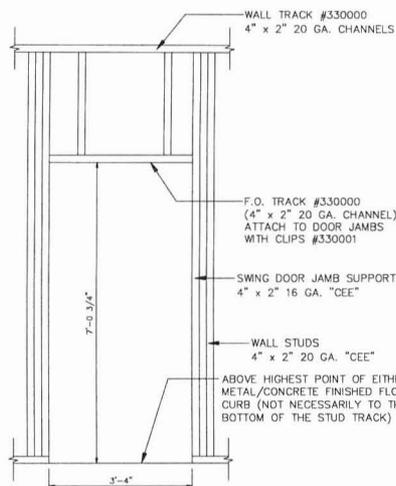
Job Description: **WESCO MODEL WH-4**  
CUSTOM  
LOS BANOS, CA

Date: 5/22/2020  
Drawn by: KAH  
Checked by: SPW  
Scale: SHOWN  
Order No: FTE-762/223489  
Sheet No:

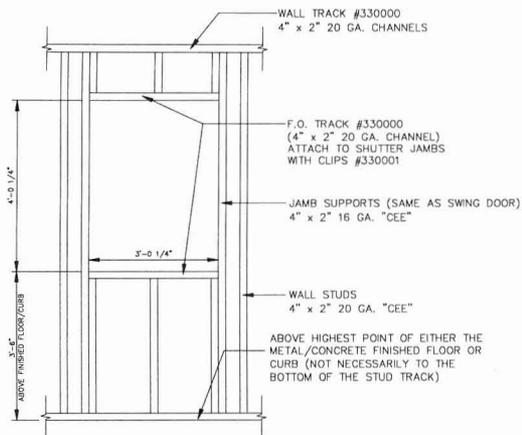




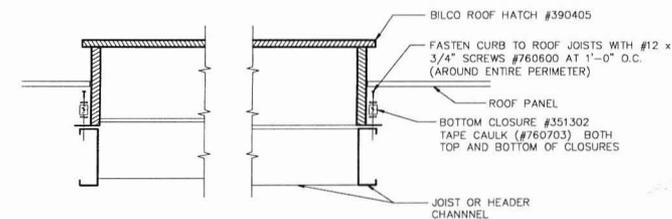
NOTE: FRAMED OPENING FRAMING WILL REQUIRE SOME FIELD CUTTING



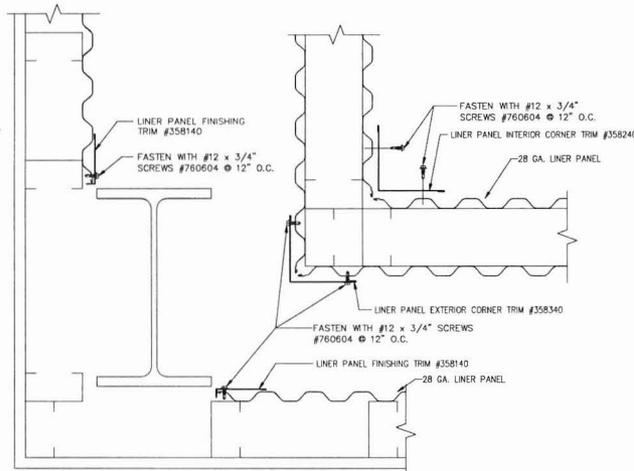
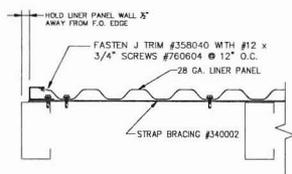
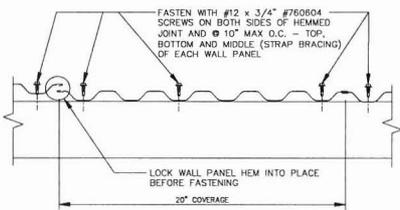
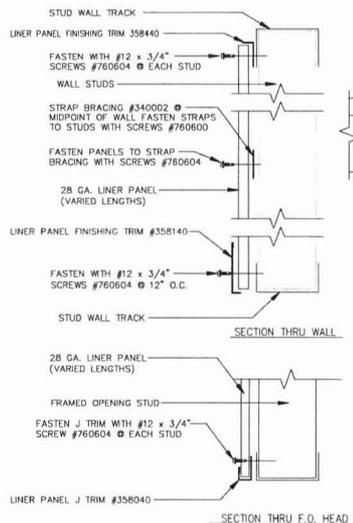
TYPICAL TOWER SWING DOOR  
FRAMED OPENING ELEVATION



TYPICAL TOWER WINDOW/SHUTTER  
FRAMED OPENING ELEVATION



BILCO ROOF HATCH INSTALLATION DETAIL



LINER PANEL FASTENING DETAILS

REVISIONS	By



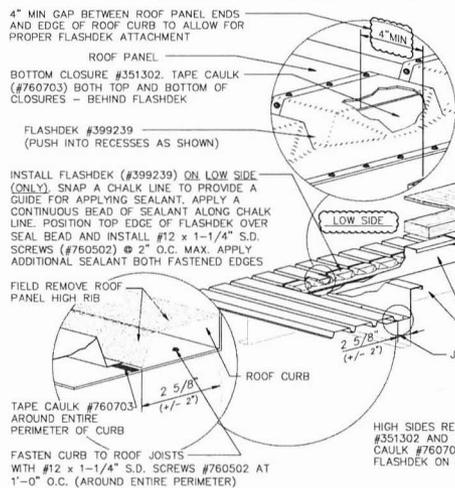
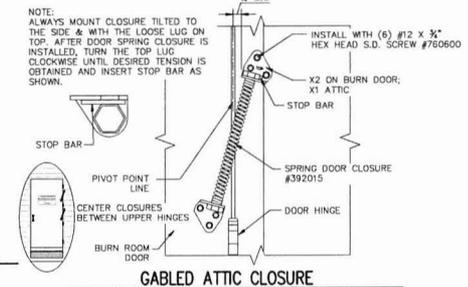
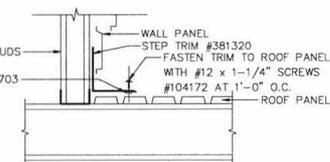
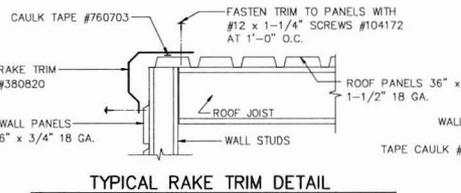
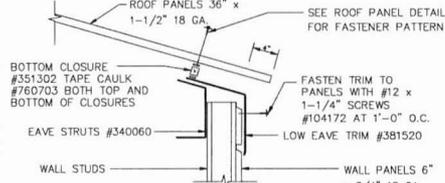
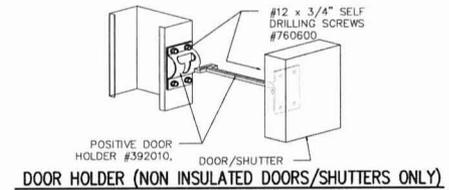
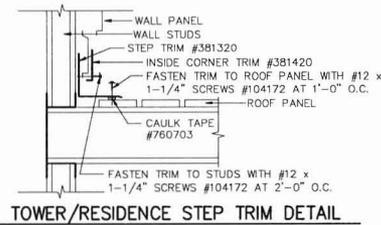
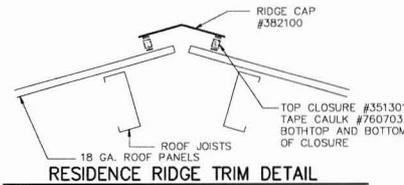
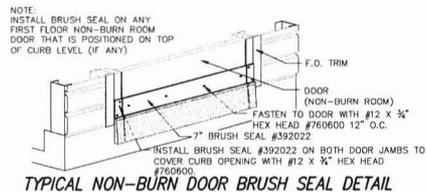
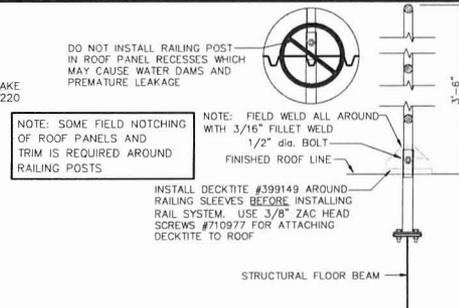
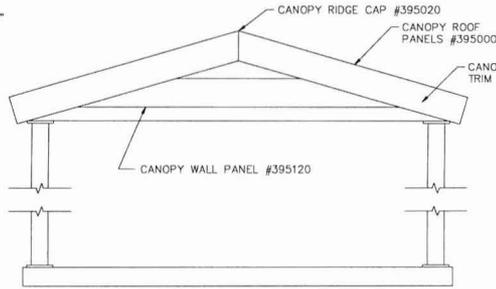
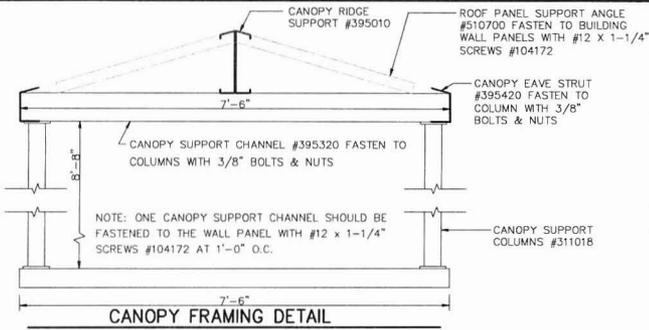
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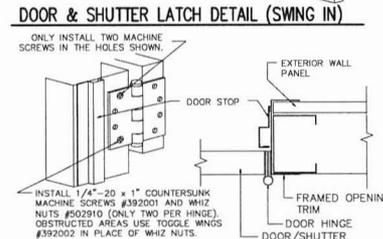
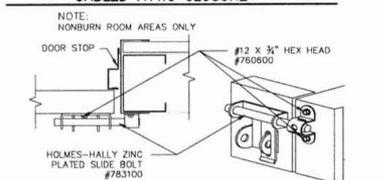
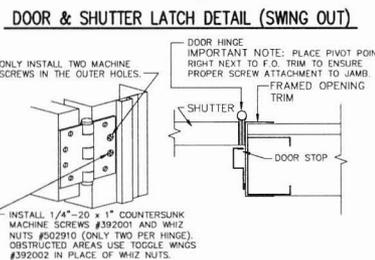
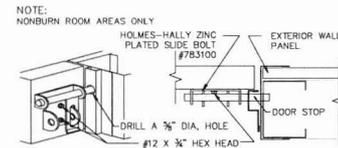
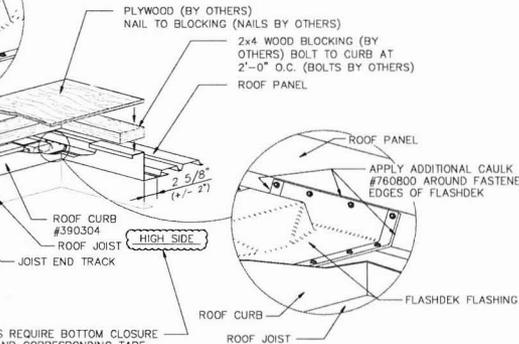
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WESCO MODEL WH-4  
 CUSTOM  
 LOS BANOS, CA

Date: 5/22/2020  
 Drawn by: KAH  
 Checked by: SPW  
 Scale: SHOWN  
 Order No. FTE-762/223489  
 Sheet No.



**IMPORTANT:** RECOMMEND POSITIONING ROOF PANELS ON ROOF STARTING AT ROOF CURB AND WORKING OUT FROM THAT POINT. POSITION ROOF PANEL 2 5/8" (+/- 2") FROM EDGE OF CURBS AS SHOWN BELOW.



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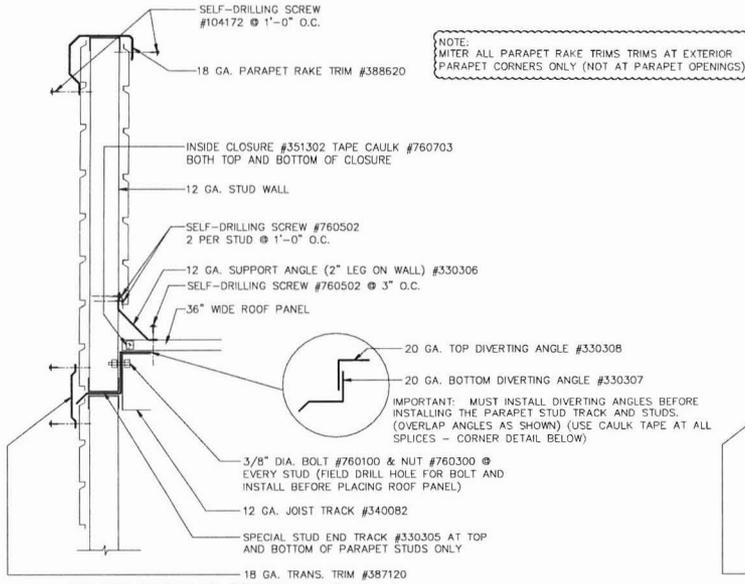
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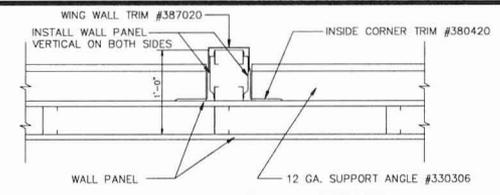
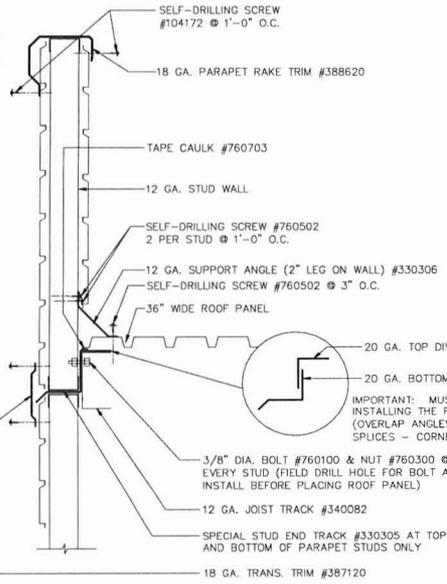
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**MESCO MODEL WH-4**  
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 LOS BANOS, CA

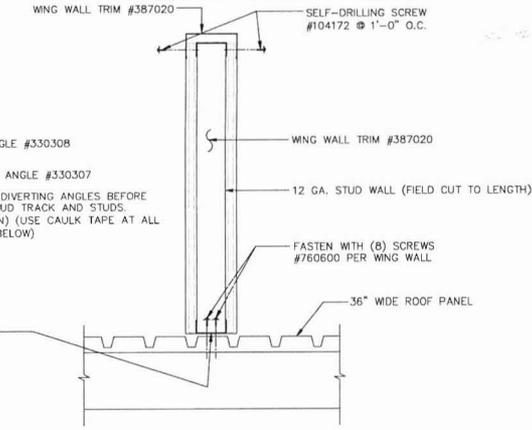
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 Checked by: SPW  
 Scale:  
 Order No. FTE-762/223489  
 Sheet No.



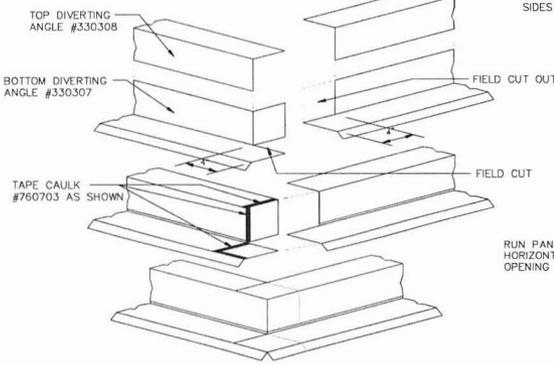
NOTE:  
MITER ALL PARAPET RAKE TRIMS TRIMS AT EXTERIOR PARAPET CORNERS ONLY (NOT AT PARAPET OPENINGS)



SECTION THRU PARAPET AT WING WALL

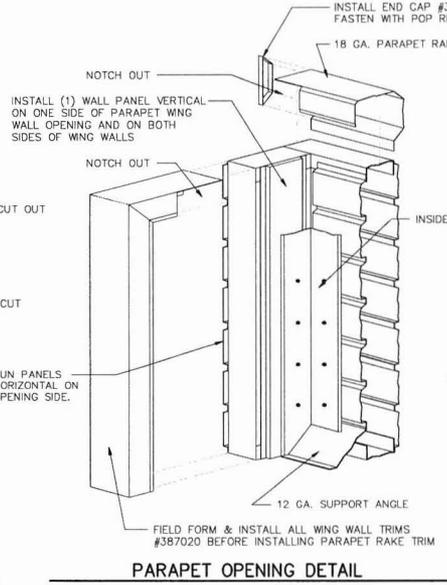


PARAPET WING WALL DETAIL AT END

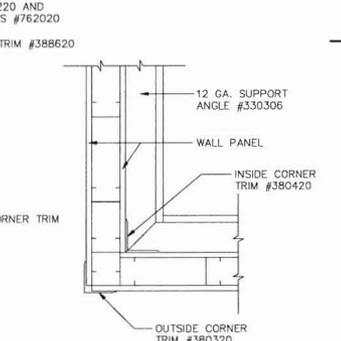


\*CAULK ALONG ALL DIVERTING ANGLES WHERE TWO PIECES OVERLAP EACH OTHER (APPLIES TO NONCORNER OVERLAPPING AREAS ALSO)\*

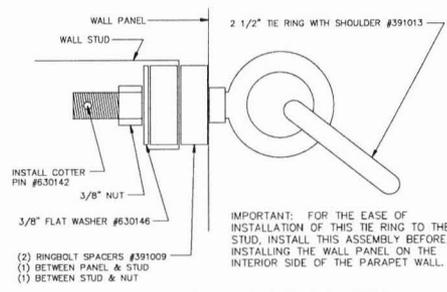
DIVERTING ANGLES/CAULK TAPE DETAIL AT CORNER OF BUILDING



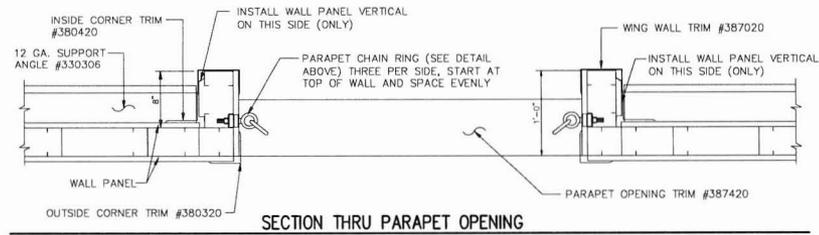
PARAPET OPENING DETAIL



SECTION THRU PARAPET AT BUILDING CORNER



PARAPET CHAIN RING INSTALLATION DETAIL



SECTION THRU PARAPET OPENING

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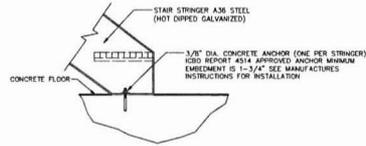
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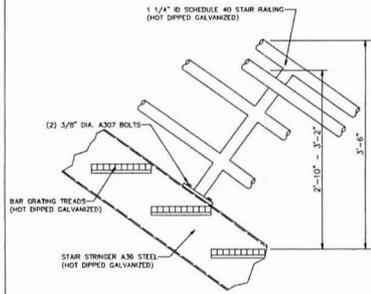
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**WESCO MODEL WH-4**  
 CUSTOM  
 LOS BANOS, CA

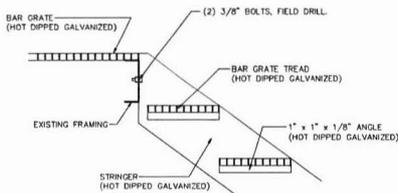
Date: 5/22/2020  
 Drawn by: KAH  
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 Scale: SHOWN  
 Order No. FTE-762/223489  
 Sheet No.



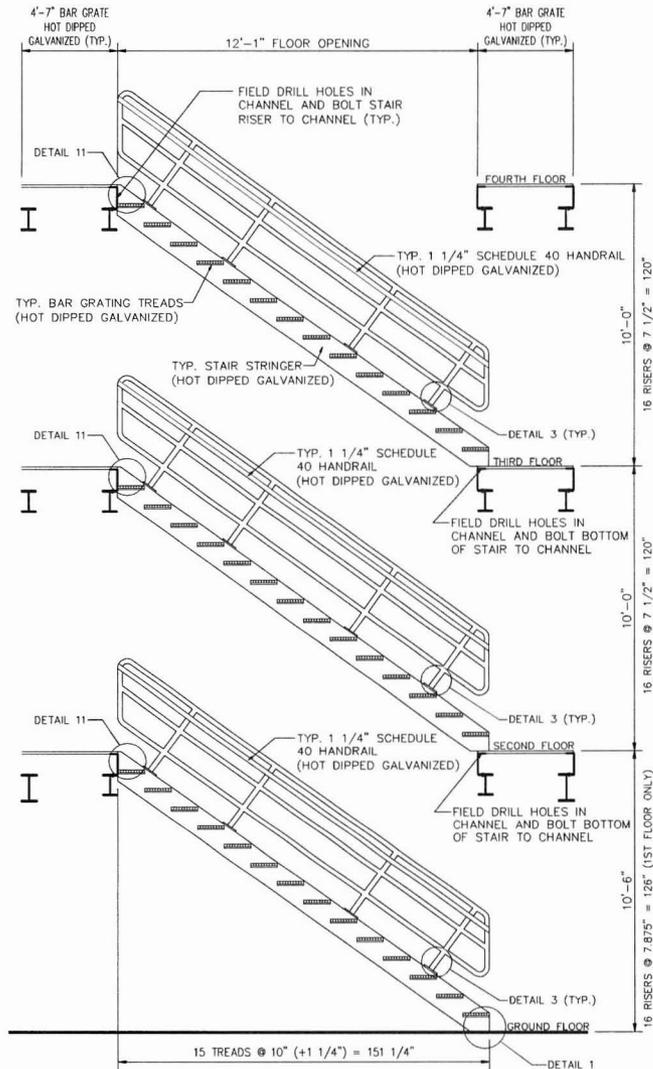
DETAIL 1



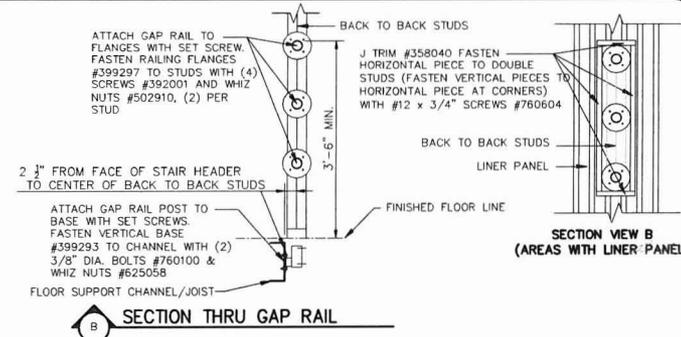
DETAIL 3



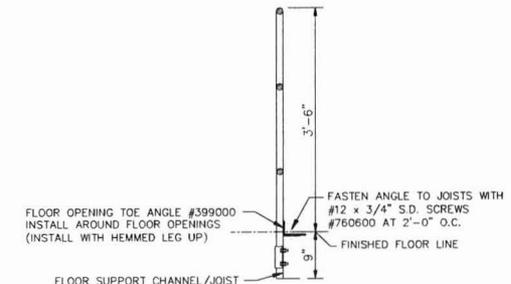
DETAIL 11



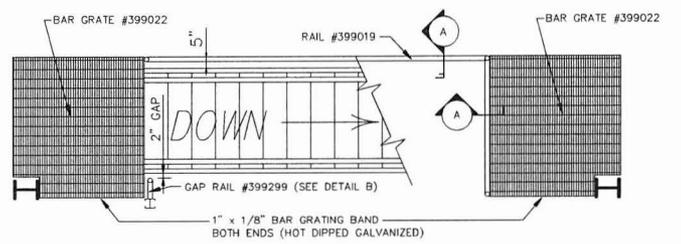
SECTION THRU STAIRS scale: N.T.S.



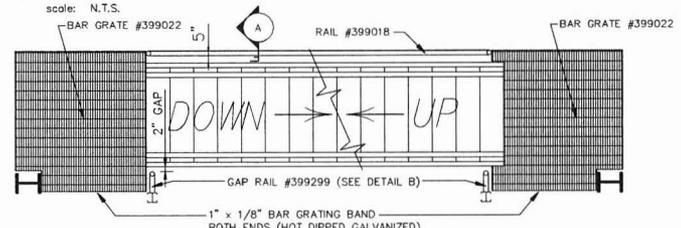
SECTION THRU GAP RAIL



SECTION THRU HANDRAIL



TOWER FOURTH FLOOR STAIR & RAILING PLAN



TOWER SECOND/THIRD FLOOR STAIR & RAILING PLAN

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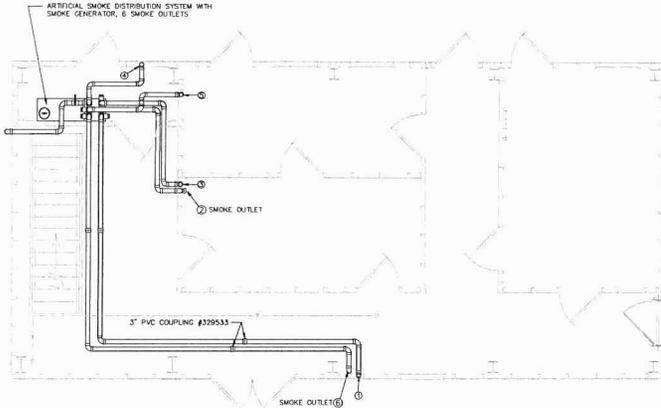
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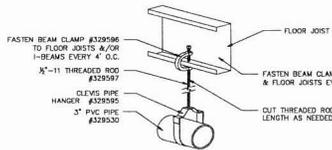
**WESCO MODEL WH-4**  
 CUSTOM  
 LOS BANOS, CA

App. Description: STAIRS  
 Date: OCTOBER 1, 2006  
 Drawn by: KAH  
 Checked by: SPW  
 Scale: SHOWN  
 Order No. FTE-762/223489  
 Sheet No.



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



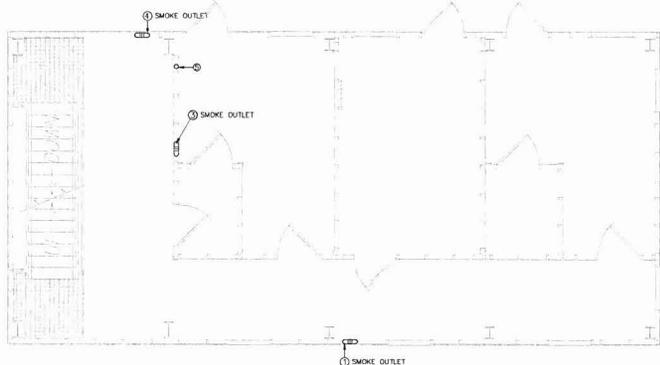
HANGER DETAIL

SCALE: NTS 2X

\*RUN ALL VERTICAL PVC PIPE IN STUD WALL CAVITY TO UPPER FLOORS ALSO KEEPING 3" PVC 90° ELBOWS IN LINE AS WELL TO PREVENT TRIP HAZARD\*

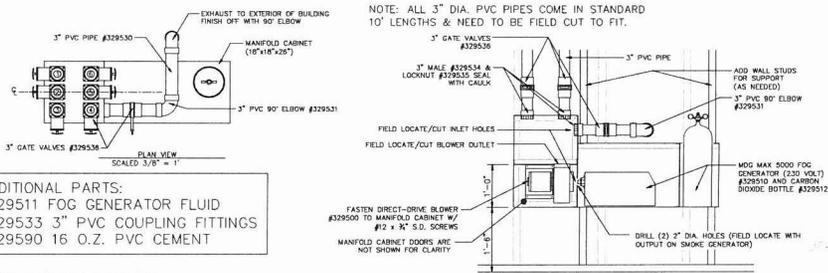
2<sup>ND</sup> & 3<sup>RD</sup> FLOOR SMOKE OUTLET DETAIL

SCALE: NTS 4X



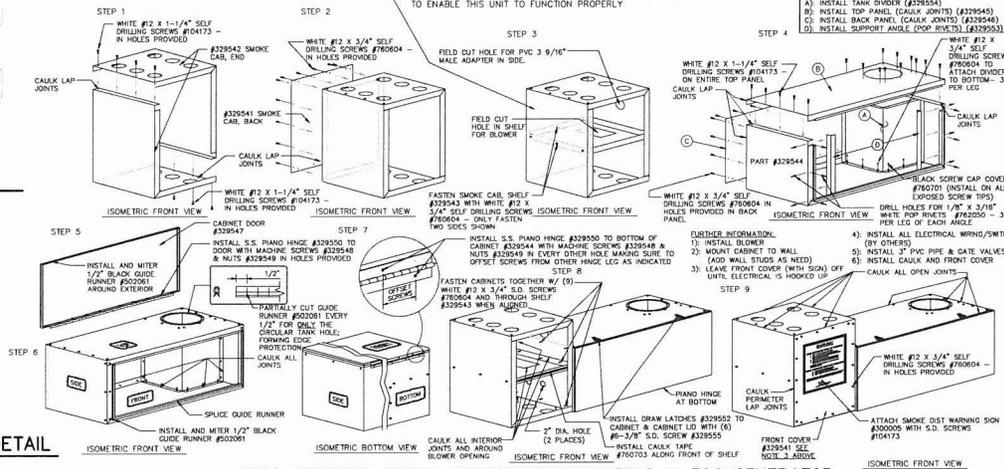
SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



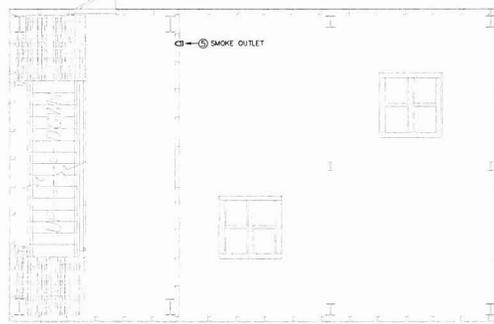
ADDITIONAL PARTS:  
#329511 FOG GENERATOR FLUID  
#329533 3" PVC COUPLING FITTINGS  
#329590 16 O.Z. PVC CEMENT

NOTE:  
ELECTRICAL SWITCH FOR FAN BY OTHERS (MOUNT ON OUTSIDE OF CABINET)  
(FAN IS 115 VOLT, 1 PHASE)



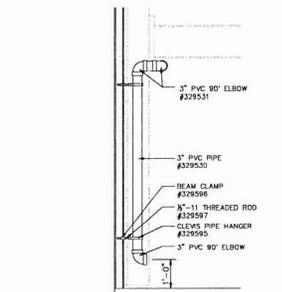
WALL MOUNTED SMOKE DISTRIBUTION MANIFOLD & FOG GENERATOR

SCALE: 3/8" = 1'-0"



TOWER THIRD FLOOR & ATTIC PLAN

SCALE: 1/4" = 1'-0"



1<sup>ST</sup> FLOOR SMOKE OUTLET DETAIL

SCALE: NTS 2X

REVISIONS	by



Robert T. Mohr  
28006.11  
00 01-05-00

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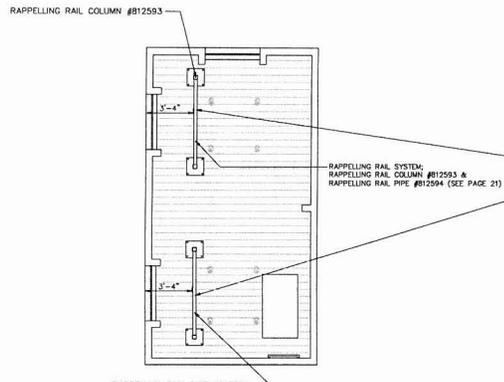
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**WESCO MODEL WH-4**  
CUSTOM  
LOS BANOS, CA

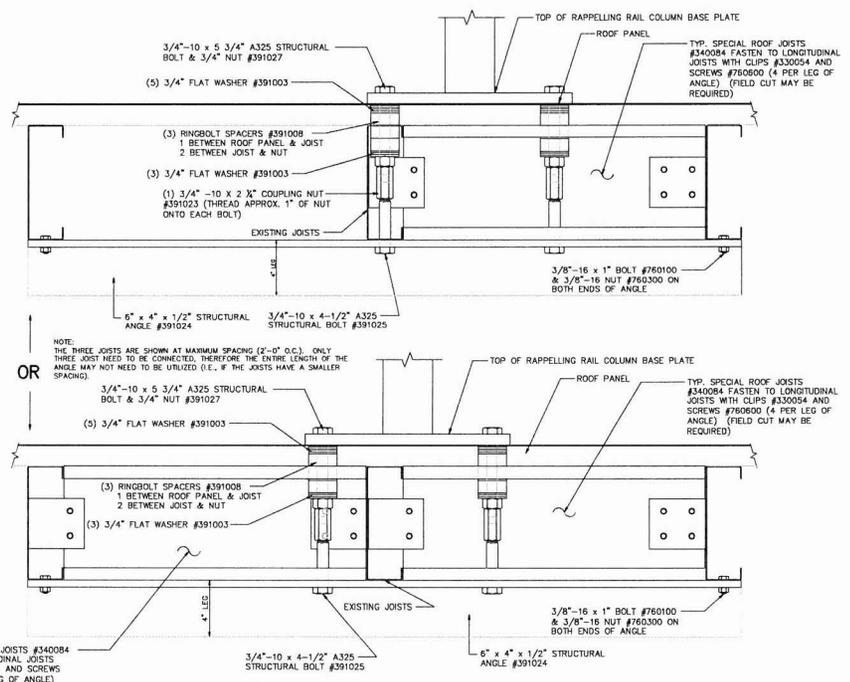
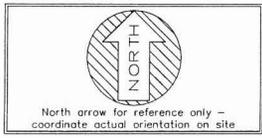
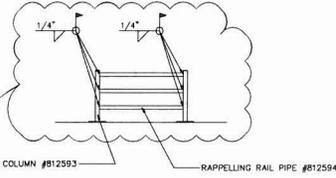
Job Description: SMOKE DISTRIBUTION SYSTEM  
Date: 5/22/2020  
Drawn by: KAH  
Checked by:  
Scale: SHOW  
Order No: FTE-762/223489  
Sheet No.





**ROOF PLAN (RAPPELLING RAIL)**

SCALE: 1/4" = 1'-0"



**RAPPELLING RAIL INSTALLATION DETAIL**

scale: 3" = 1'-0"

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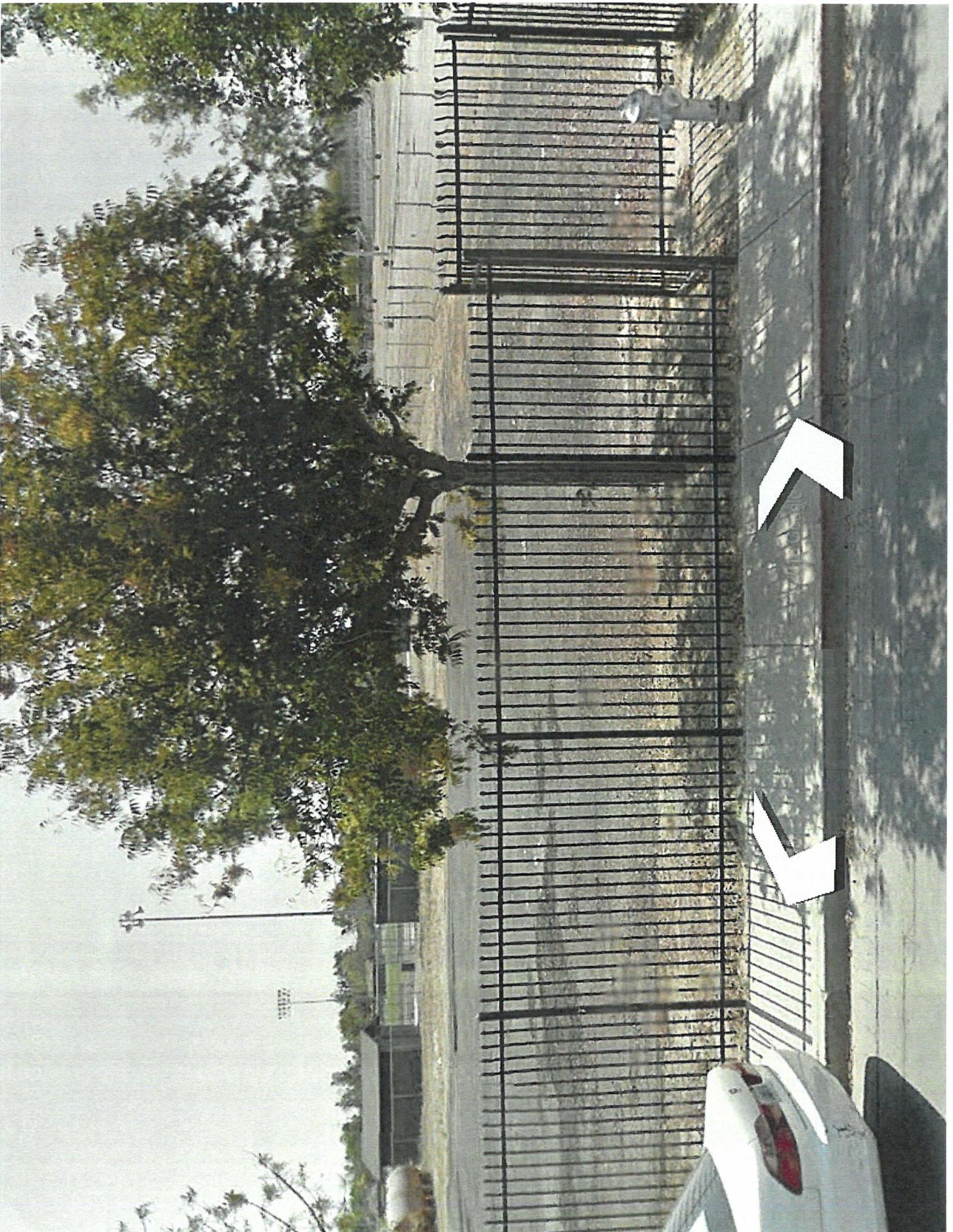
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Job Description: **WESCO MODEL WH-4**  
CUSTOM  
LOS BANOS, CA

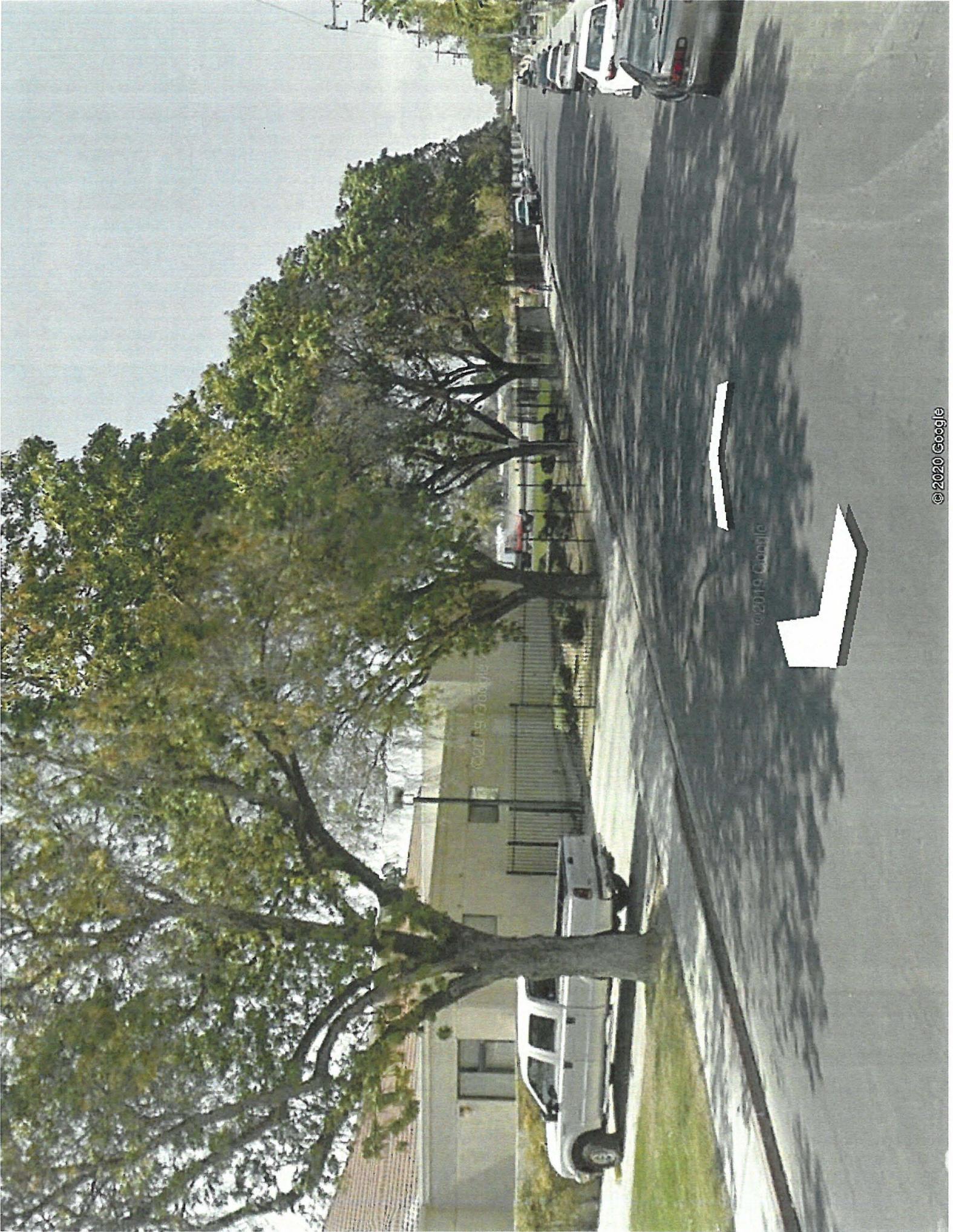
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Order No. FTE-762/223489  
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Date: 5/22/2020  
Scale: SHOWN  
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