

DRAFT
PLANNING COMMISSION MINUTE EXCERPT
JUNE 17, 2015

- 4.1 Conditional Use Permit #1200, initiated by BP Investors, LLC, property owners. This application involves a request to construct a 216-unit apartment complex in two phases on a 9.8-acre parcel located on the north side of Merrill Place (extended) approximately 1,200 feet east of G Street. This parcel is located within Residential Planned Development (RP-D) #61 and has a Village Residential (VR) General Plan designation. (Continued from May 20, 2015)

Associate Planner Nelson reviewed the report on this item. She noted a letter from Pete and Vicki Bandoni in opposition to the project which was provided to the Commission prior to the meeting. For further information, refer to Staff Report #15-11 – Addendum.

Commissioner COLBY suggested an amendment to Finding N to clarify that 60% of the proposed units are 4 bedroom units as opposed to the previous statement that 36% of the proposed units are 4 bedroom/4 bath units since this statistic doesn't address the 4 bedroom/2 bath units.

Public testimony was opened at 7:16 p.m.

Speaker from the Audience in Opposition:

PETE BANDONI, Merced

No one spoke in favor of the project.

Public testimony was completed at 7:22 p.m.

The Commission discussed the project and briefly revisited the reasons they did not support it, which were voiced at the previous Planning Commission meeting of May 20, 2015.

M/S COLBY-PADILLA, and carried by the following vote, to deny Environmental Review #15-07 and Conditional Use Permit #1200, subject to the Findings set forth in Staff Report #15-11 – Addendum, amending Finding N as follows (RESOLUTION #3051):

(Note: ~~Strikethrough~~ deleted language, underline added language.)

Parking (Finding for Denial)

“N. The off-street parking space requirement for multiple-family dwellings is 1.75 spaces for each unit up to 30 units, and 1.5 spaces for each unit thereafter. Based on this formula, the project would be required to provide 233 spaces with Phase One and 99 spaces with Phase Two for a total of 332 parking spaces. The project proposes to construct 362 parking spaces which would meet the minimum requirements plus an additional 30 spaces.

“Although the proposal includes on-site parking spaces that exceed City code requirements, the unique needs and parking demands of student housing are not addressed. The proposal provides 1.68 parking spaces per unit. As proposed the project consists of 1, 2, and 4 bedroom units with approximately 60~~36~~% of the units being 4 bedroom/~~4 bath~~ units (see table below).

UNIT BREAKDOWN BY BEDROOM/BATH

Unit Type	Size	Phase 1 Units	Phase 2 Units	Total Units	Total Bedrooms
1 Bedroom/1 Bath	542 s.f.	9	3	12	12
2 Bedroom/1 Bath	782 s.f.	24	3	27	54
2 Bedroom/2 Bath	916 s.f.	30	18	48	96
4 Bedroom/2 Bath	1,270 s.f.	36	15	51	204
4 Bedroom/4 Bath	1,339 s.f.	51	27	78	312
TOTAL		150	66	216	678

“If each bedroom is occupied by a single occupant, the maximum number of people occupying the apartment complex in Phase One would be 465 people. Phase Two would add an additional 213 people for an overall total of 678 people. If each bedroom were occupied by 2 people, the total project occupancy could be up to 1,356 people. The proposal does not

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include any measures to limit the occupancy of rooms, which could lead to parking demands that exceed the spaces provided (362 spaces). This would lead to project occupants parking on the street and on the adjacent properties, including the streets within the future single-family residential development to the west and the other areas designated for residential uses within close proximity.”

AYES: Commissioners McCoy, Padilla, Smoot, Smith, Colby,
and Chairperson Williams

NOES: None

ABSENT: None (one vacancy)

ABSTAIN: None