

Planning Commission DRAFT Minutes Excerpt
APRIL 19, 2017

- 4.1 General Plan Amendment #16-06 and Zone Change #424, and the Establishment of Planned Development (P-D) #76, initiated by University Village LLC, on behalf of Fagundes Dairy, A Partnership and CBCP Assets, LLC, property owners. The application is a request to change the General Plan and Zoning designations and to establish a Planned Development (P-D) for approximately 17.25 acres of land located on the south side of Yosemite Avenue at Lake Road. The requested General Plan Amendment would change the General Plan designation from Low Density Residential (LD) to High-Medium Density Residential (HMD) for approximately 16.25 acres and to Neighborhood Commercial (CN) for approximately 1 acre of the site. The Zone Change would change the Zoning designation for 14.86 acres from R-1-6 to Planned Development (P-D) #76 and 2.39 acres from Planned Development (P-D) #52 to Planned Development (P-D) #76 for the future development of 225 student housing units and a 6,600-square-foot commercial building.

Associate Planner NELSON reviewed the report. She noted a memo from staff modifying Condition #17, adding Condition #38, and adding Finding M, which was provided to the Commission prior to the meeting. For further information, refer to Staff Report #17-08.

Public testimony was opened at 7:37 p.m.

Speakers in the Audience in Favor:

JOHN HEINTZ, University Village Merced, Merced, CA, applicant

JAY BLATTER, Hochhauser Blatter Architects, Santa Barbara, CA, representing the applicant

DESMOND JOHNSTON, Quad Knof, Merced, CA, representing the applicant

GREG FISH, University Village Merced, Incline Village, NV, applicant

Speakers in the Audience in Opposition:

CASEY STEED, Merced, CA

CASEY STEED noted his opposition to the sequence in which the development of the site was being executed, and he stated that the illumination of the surrounding bike paths, as well as an underpass for safe bike travel, within the area need to be required.

Public testimony was closed at 7:59 p.m.

Planning Manager ESPINOSA addressed the issue regarding the bike paths. She stated that the idea of underpasses on bike paths were no longer an ideal traffic solution for bike travel due to the heightened security issues involved with existing underpasses, and that it was much safer to cross at signal lights, which will be required at Yosemite Avenue and Lake Road.

M/S PADILLA-COLBY, and carried by the following vote, to recommend to City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program regarding Initial Study #16-37, and approval of General Plan Amendment #16-06 and Zone Change #424, and the Establishment of Planned Development (P-D) #76, subject to the Findings and thirty seven (37) Conditions set forth in Staff Report #17-08, with additional Finding M, Condition #17 modified as follows, and additional Condition #38 (RESOLUTION #3082):

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

“M. State law requires the City make a finding related to the California Urban Level of Flood Protection (200-year Flood) for all new development within any Special Flood Hazard Area (SFHA) as defined by FEMA. The project site is located in a FEMA Flood Zone X (shaded). According to the Urban Level of Flood Protection Summary Report prepared for the City in November 2015, projects within this FEMA Flood Zone are only required to meet the FEMA Standard of Flood Protection in order to comply with the California Urban Level of Flood Protection requirements. Condition #38 below has been added to address compliance with all flood requirements.”

“17. The existing sewer line in Yosemite Avenue shall be extended from Via Moraga across the full frontage of shall be extended to a point to

adequately serve the project site. The connection point shall be approved by the City Engineer and Public Works Director.”

“38. The project shall comply with all FEMA Flood Zone requirements for Zone X (shaded) which will also comply with the California 200-year Urban Level of Flood Protection requirements.”

AYES: Commissioners Baker, Camper, Colby, Padilla, Smith, Smoot, and Chairperson Dylina

NOES: None

ABSENT: None

ABSTAIN: None