

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #15-08 -2nd Addendum

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: May 20, 2015
(Continued from May 6, 2015)

PREPARED BY: Bill King, Principal Planner

CITY COUNCIL
MEETING DATE: July 6 or 20, 2015
(Tentative)

SUBJECT: **Adoption of Resolutions of Denial of General Plan Amendment #15-01, Site Utilization Plan Revision #11 to Planned Development (P-D) #42, and Conditional Use Permit #1197** (“Bellevue Ranch Apartments”) , initiated by Golden Valley Engineering, on behalf of C.W.N. Development, LLC, property owner. This application involves: a General Plan Amendment and Site Utilization Plan Revision to modify the improvement order and financing of off-site infrastructure within the Bellevue Ranch Master Development Plan; and a Conditional Use Permit to allow the construction of 432 apartment dwellings and associated parking, open space and on-site amenities on 20.77 acres. The project site is bound by M Street, M Street Circle, Mandeville Lane and Barclay Way within the Bellevue Ranch Master Development Plan Area and is zoned Planned Development (P-D) #42.

ACTION: Adopt Resolutions of Denial for:

- 1) Environmental Review #15-03 (Subsequent EIR/ND Section 15162 Findings)
- 2) General Plan Amendment #15-01
- 3) Site Utilization Plan Revision #11 to Planned Development (P-D) #42
- 4) Conditional Use Permit #1197

HISTORY

On May 6, 2015, the Planning Commission held a public hearing, closed public testimony and voted to deny Conditional Use Permit #1197 and Environmental Review #15-03, and to recommend that the City Council deny General Plan Amendment #15-01 and Site Utilization Plan Revision #11 to Planned Development (P-D) #42. The Planning Commission also voted to have staff prepare resolutions detailing their reasons for said denials, which would be reviewed and acted on by the Commission at the May 20, 2015 Planning Commission meeting. The draft resolutions are attached for consideration and action by the Planning Commission (Attachments A and B).

Modification to Findings B, C, E, F, and R of “Staff Report #15-08 – Addendum” were made based on comments from members of the Planning Commission at the May 6, 2015, public meeting for this project. Added language is underscored and deleted language is ~~struck through~~. The attached resolutions include these changes.

- B) *Project Density:* Based on 432 units on 20.77 acres, the overall project density is approximately 20.8 dwelling-units per acre. Residential densities of between 10 and 22 dwelling units per acre may be permitted according to the adopted Bellevue Ranch ~~Development~~-Master Development Plan. Multi-family housing is an important component of the City’s Bellevue Ranch project’s mixed-use neighborhoods and is necessary to support the economic viability of the commercial core, maintain a walkable urban core, support transit services, and to provide housing for all income levels within the City. However, the proposed density project is not compatible with the area for the reasons discussed in Finding C below. ~~given the existing parking congestion in the area, and due to inadequate on-site parking spaces to accommodate the anticipated parking demand that would result from student housing that could have up to two beds in each bedroom.~~
- C) *Dwelling Units and Bedrooms:* The 432 dwelling units consist of 216 dwellings on each parcel. Each parcel will have 8 buildings, each with 27 dwelling units (7 on the first floor, 10 on the second floor, and 10 on the third floor). Within each building, these 27 dwellings are comprised of 9 one-bedroom units, 12-two-bedroom units, 4 three-bedroom units, and 2 four-bedroom units. Of the 216 dwelling units on each parcel, 72 are one-bedroom units, 96-two-bedroom units, 32 three-bedroom units, and 16 four-bedroom units. The ratios of bedrooms per parcel are 33.4% one-bedroom; 44.4% two-bedroom; 14.8% three-bedroom; and 7.4% four-bedroom (Attachment E). Therefore, a total of 848 bedrooms are proposed. According to the applicant, ~~t~~he proposed student housing project comes with the potential for several students to share rental space, thereby filling bedrooms to their maximum occupancy of 2 students per bedroom. If each bedroom was filled to capacity, that would mean up to 1,696 occupants total for this project with 882 on-site parking spaces provided. This in turn may lead to inadequate parking and a corresponding increase in on-street parking throughout the adjoining neighborhood, which is already experiencing congested parking conditions due to students parking near a UC Merced bus stop in the neighborhood. ~~service.~~

It should be noted that the previous condominium project (CUP #1114) approved on this site in 2008 was for 440 dwelling units, but only 688 total bedrooms for a maximum occupancy of 1,376 (assuming 2 per bedroom). Condominiums have less potential for reaching that full occupancy because individual ownership of many of the units would likely result in only 1 person per bedroom in many of the units. In apartments, it is more likely to have full occupancy.

- E) *Neighborhood Amenities:* The project will have access to future commercial sites, neighborhood parks, and schools. All these amenities will be located within the Bellevue Ranch area (Attachment A of Staff Report #15-08 Addendum). However, the commercial site and schools have not been developed, and all the planned neighborhood parks have not been developed at this time.
- F) *Interface with the Neighborhood:* While the land use designation and zoning for the site are consistent with the adopted General Plan, Bellevue Ranch Master Development Plan, and Official Zoning Map, site design features can be required to assure compatibility with adjacent land uses. The project site design and recommended conditions are intended to create a compatible development with the future shopping center to the north and the single family homes located east and south of the project site. The project design and conditions fall short of this intent, however. The project design is incompatible with the adjacent single-family homes due to the massing of three-story, 40-foot tall buildings across the street from one and two story single family homes. The density Density of the project is driving such height and massing, as well as the location and parking layout of the project. The density further drives the design and location of parking, which is proposed to be sited around the perimeter of the project. This design detracts from the open space and aesthetics of the neighborhood, and introduces noise and light nuisances to adjacent properties.
- R) *Parking:*
1. *On-Street Parking:* Per BRMDP Condition #74, the developer is required to include on-street parking within the rights-of-way on adjacent roads; these roads are constructed and provide such space. This provision is independent of any off-street parking requirements.
 2. *Off-Street Parking Amount:* 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. For each 10-acre parcel, which is proposed to contain 216 units, the following minimum parking is determined as follows: 53 parking spaces are required for the first 30 units, and 279 parking spaces for the remaining 186 units, totaling 332 parking spaces, or 664 parking spaces for both 10-acre sites. For each 10-acre site, the applicant proposes 441 parking spaces, for a total of 882 spaces, resulting in 109 spaces over the minimum requirement. The applicant is not currently proposing any of the parking spaces to be covered or enclosed. Although the proposal includes on-site parking spaces that exceed City code requirements, the unique needs and parking demands of student housing parking demand and needs are not addressed in the code. The parking standard should be based on the actual proposed use of the site—Only 2 parking spaces are allocated per unit and some 4-bedroom units could have up to 8 occupants. The total project occupancy could be up to 1,696 individuals with 2 per bedroom. The proposal does not include any measures to limit the occupancy of rooms, which will could lead to parking demands that will could exceed the spaces provided (882). This would lead to project occupants parking on the street and in the adjacent single-family neighborhood which is already impacted with student parking in vicinity to a bus stop.
 3. *Off-Street Parking Location:* The proposal places the off-street parking between the buildings and public sidewalk and street. Doing so enables the formation of a large private open space

enclosed by the buildings (Attachment B), and minimizes the size and bulk of the proposed units as viewed from existing residents and property owners on the south side of Barclay Way (Attachment F of Staff Report #15-08 Addendum), whose homes face the project. Placing off-street parking adjacent to the street, however, is inconsistent with BRMDP Condition of Approval #77 (Location of parking lots set behind buildings); BRMDP Condition of Approval #88 (Requirement for specific design elements that face a street); and Condition of Approval 10c of CUP #1114. These three conditions support the plan's goal to emphasize: (a) choice in mobility (in this case pedestrian travel); (b) attractive neighborhoods; (c) a strong market for nearby commercial uses; and (d) a functional transit system, all of which support efforts to provide clean air.

As a Planned Development, the Planning Commission has significant leeway to adjust the design of the project if merited, however. An option could be to require buildings to be placed adjacent to some of the streets, but to balance issues of scale and bulk with appearance and aesthetic considerations. For example, placing buildings adjacent to Barclay Way directly across the street from existing single-family homes, would score high in appearance, but the scale and bulk of the condos as compared to the detached single-family homes raises issues of light, noise, and imbalance of building sizes. Alternatively, two-story buildings could be constructed and be placed adjacent to the public sidewalk along Barclay Way. This design option is preferred as it reduces the density and associated impacts to parking, services and infrastructure, and provides the best aesthetic option, thereby adding value to the project and the adjacent neighborhood. Also refer to discussion presented in Finding Q3 under *Building Setback*, and R4 below.

4. *Off-Street Parking Lot Screen*: To partially screen the parking area, a combination of low walls, wrought iron fencing and dense landscaping is being proposed (Attachment F of Staff Report #15-08 Addendum), which would help shield the nearby homes from vehicle lights and would form an attractive streetscape.

FF) At its May 6, 2015 meeting, the Planning Commission heard testimony from over 25 adjacent residents who were opposed to the project. Reasons cited for their opposition included the change from condominiums to apartments, the current parking problems in the neighborhood that could be exacerbated by this project and its lack of parking for all the prospective occupants, the appearance of the proposed project design and lack of aesthetic appeal, the height of the buildings, the potential increase in crime and noise, the limited on-site management, and the possible effect on their property values, etc.

GG) After considering all the public testimony, the Planning Commission determined that they could not support this project for the following reasons: the increased number of bedrooms and potential occupants, the corresponding increase in traffic, insufficient parking, the change from potential owners in condominiums to renters in apartments, and that the project and its design was not a good fit for the neighborhood.

Attachments:

- A) Draft Planning Commission Resolution for GPA/SUP Revision.
- B) Draft Planning Commission Resolution for CUP

CITY OF MERCED
Planning Commission

Resolution #3047

WHEREAS, the Merced City Planning Commission at its regular meeting of May 6, 2015, held a public hearing and considered **General Plan Amendment #15-01 and Site Utilization Plan Revision #11 to Planned Development (P-D) #42**, initiated by Golden Valley Engineering, on behalf of C.W.N. Development, LLC, property owner. This application involves a General Plan Amendment and Site Utilization Plan Revision to modify the improvement order and financing of off-site infrastructure within the Bellevue Ranch Master Development Plan. The project site is bound by M Street, M Street Circle, Mandeville Lane, and Barclay Way within the Bellevue Ranch Master Development Plan Area and is zoned Planned Development (P-D) #42; also known as Assessor's Parcel Numbers 224-020-006 and 224-020-008; and,

WHEREAS, the Merced City Planning Commission concurs with modified Findings B, C, E, F, and R of Staff Report #15-08 – Addendum and makes additional Findings FF and GG as indicated below:

- B) *Project Density*: Based on 432 units on 20.77 acres, the overall project density is approximately 20.8 dwelling-units per acre. Residential densities of between 10 and 22 dwelling units per acre may be permitted according to the adopted Bellevue Ranch Master Development Plan. Multi-family housing is an important component of the Bellevue Ranch project's mixed-use neighborhoods and is necessary to support the economic viability of the commercial core, maintain a walkable urban core, support transit services, and to provide housing for all income levels within the City. However, the proposed project is not compatible with the area for the reasons discussed in Finding C below.

- C) *Dwelling Units and Bedrooms*: The 432 dwelling units consist of 216 dwellings on each parcel. Each parcel will have 8 buildings, each with 27 dwelling units (7 on the first floor, 10 on the second floor, and 10 on the third floor). Within each building, these 27 dwellings are comprised of 9 one-bedroom units, 12 two-bedroom units, 4 three-bedroom units, and 2 four-bedroom units. Of the 216 dwelling units on each parcel, 72 are one-bedroom units, 96 two-bedroom units, 32 three-bedroom units, and 16 four-bedroom units. The ratios of bedrooms per parcel are 33.4% one-bedroom; 44.4% two-bedroom; 14.8% three-bedroom; and 7.4% four-bedroom (Attachment E). Therefore, a total of 848 bedrooms are

PLANNING COMMISSION RESOLUTION #3047

Page 2

May 20, 2015

proposed. According to the applicant, the proposed student housing project comes with the potential for several students to share rental space, thereby filling bedrooms to their maximum occupancy of 2 students per bedroom. If each bedroom was filled to capacity, that would mean up to 1,696 occupants total for this project with 882 on-site parking spaces provided. This in turn may lead to inadequate parking and a corresponding increase in on-street parking throughout the adjoining neighborhood, which is already experiencing congested parking conditions due to students parking near a UC Merced bus stop in the neighborhood.

It should be noted that the previous condominium project (CUP #1114) approved on this site in 2008 was for 440 dwelling units, but only 688 total bedrooms for a maximum occupancy of 1,376 (assuming 2 per bedroom). Condominiums have less potential for reaching that full occupancy because individual ownership of many of the units would likely result in only 1 person per bedroom in many of the units. In apartments, it is more likely to have full occupancy.

- E) *Neighborhood Amenities:* The project will have access to future commercial sites, neighborhood parks, and schools. All these amenities will be located within the Bellevue Ranch area (Attachment A of Staff Report #15-08 Addendum). However, the commercial site and schools have not been developed, and all the planned neighborhood parks have not been developed at this time.

- F) *Interface with the Neighborhood:* While the land use designation and zoning for the site are consistent with the adopted General Plan, Bellevue Ranch Master Development Plan, and Official Zoning Map, site design features can be required to assure compatibility with adjacent land uses. The project site design and recommended conditions are intended to create a compatible development with the future shopping center to the north and the single family homes located east and south of the project site. The project design and conditions fall short of this intent, however. The project design is incompatible with the adjacent single-family homes due to the massing of three-story, 40-foot tall buildings across the street from one and two story single family homes. The density of the project is driving such height and massing, as well as the location and parking layout of the project. The density further drives the design and location of

PLANNING COMMISSION RESOLUTION #3047

Page 3

May 20, 2015

parking, which is proposed to be sited around the perimeter of the project. This design detracts from the open space and aesthetics of the neighborhood, and introduces noise and light nuisances to adjacent properties.

R) *Parking:*

1. *On-Street Parking:* Per BRMDP Condition #74, the developer is required to include on-street parking within the rights-of-way on adjacent roads; these roads are constructed and provide such space. This provision is independent of any off-street parking requirements.
2. *Off-Street Parking Amount:* 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. For each 10-acre parcel, which is proposed to contain 216 units, the following minimum parking is determined as follows: 53 parking spaces are required for the first 30 units, and 279 parking spaces for the remaining 186 units, totaling 332 parking spaces, or 664 parking spaces for both 10-acre sites. For each 10-acre site, the applicant proposes 441 parking spaces, for a total of 882 spaces, resulting in 109 spaces over the minimum requirement. The applicant is not currently proposing any of the parking spaces to be covered or enclosed. 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. Only 2 parking spaces are allocated per unit and some 4-bedroom units could have up to 8 occupants. The total project occupancy could be up to 1,696 individuals with 2 per bedroom. The proposal does not include any measures to limit the occupancy of rooms, which could lead to parking demands that could exceed the spaces provided (882). This would lead to project occupants parking on the street and in the adjacent single-family neighborhood which is already impacted with student parking in vicinity to a bus stop.
3. *Off-Street Parking Location:* The proposal places the off-street parking between the buildings and public sidewalk and street. Doing so enables the formation of a large private open space enclosed by the buildings (Attachment B), and minimizes the size

and bulk of the proposed units as viewed from existing residents and property owners on the south side of Barclay Way (Attachment F of Staff Report #15-08 Addendum), whose homes face the project. Placing off-street parking adjacent to the street, however, is inconsistent with BRMDP Condition of Approval #77 (Location of parking lots set behind buildings); BRMDP Condition of Approval #88 (Requirement for specific design elements that face a street); and Condition of Approval 10c of CUP #1114. These three conditions support the plan's goal to emphasize: (a) choice in mobility (in this case pedestrian travel); (b) attractive neighborhoods; (c) a strong market for nearby commercial uses; and (d) a functional transit system, all of which support efforts to provide clean air.

As a Planned Development, the Planning Commission has significant leeway to adjust the design of the project if merited, however. An option could be to require buildings to be placed adjacent to some of the streets, but to balance issues of scale and bulk with appearance and aesthetic considerations. For example, placing buildings adjacent to Barclay Way directly across the street from existing single-family homes, would score high in appearance, but the scale and bulk of the condos as compared to the detached single-family homes raises issues of light, noise, and imbalance of building sizes. Alternatively, two-story buildings could be constructed and be placed adjacent to the public sidewalk along Barclay Way. This design option is preferred as it reduces the density and associated impacts to parking, services and infrastructure, and provides the best aesthetic option, thereby adding value to the project and the adjacent neighborhood. Also refer to discussion presented in Finding Q3 under *Building Setback*, and R4 below.

4. *Off-Street Parking Lot Screen*: To partially screen the parking area, a combination of low walls, wrought iron fencing and dense landscaping is being proposed (Attachment F of Staff Report #15-08 Addendum), which would help shield the nearby homes from vehicle lights and would form an attractive streetscape.

PLANNING COMMISSION RESOLUTION #3047

Page 5

May 20, 2015

- FF) At its May 6, 2015 meeting, the Planning Commission heard testimony from over 25 adjacent residents who were opposed to the project. Reasons cited for their opposition included the change from condominiums to apartments, the current parking problems in the neighborhood that could be exacerbated by this project and its lack of parking for all the prospective occupants, the appearance of the proposed project design and lack of aesthetic appeal, the height of the buildings, the potential increase in crime and noise, the limited on-site management, and the possible effect on their property values, etc.
- GG) After considering all the public testimony, the Planning Commission determined that they could not support this project for the following reasons: the increased number of bedrooms and potential occupants, the corresponding increase in traffic, insufficient parking, the change from potential owners in condominiums to renters in apartments, and that the project and its design was not a good fit for the neighborhood.

NOW THEREFORE, after reviewing the City's Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend denial of Environmental Review #15-03, General Plan Amendment #15-01 and Site Utilization Plan Revision #11 to Planned Development (P-D) #42.

Upon motion by Commissioner COLBY, seconded by Commissioner PADILLA, and carried by the following vote:

AYES: Commissioner(s) McCoy, Padilla, Smoot, Smith, and Colby

NOES: Chairperson Williams

ABSENT: None (one vacancy)

ABSTAIN: None

Adopted this 20th day of May 2015

PLANNING COMMISSION RESOLUTION #3047

Page 6

May 20, 2015

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

n:\shared\planning\PC Resolutions\GPA#15-01\SUP REV#11 to PD#42 Bellevue Apts

CITY OF MERCED
Planning Commission

Resolution #3048

WHEREAS, the Merced City Planning Commission at its regular meeting of May 6, 2015, held a public hearing and considered **Conditional Use Permit #1197** (“Bellevue Ranch Apartments”), initiated by Golden Valley Engineering, on behalf of C.W.N. Development, LLC, property owner. This application involves a Conditional Use Permit to allow the construction of 432 apartment dwellings and associated parking, open space and on-site amenities on 20.77 acres. The project site is bound by M Street, M Street Circle, Mandeville Lane, and Barclay Way within the Bellevue Ranch Master Development Plan Area and is zoned Planned Development (P-D) #42; also known as Assessor’s Parcel Numbers 224-020-006 and 224-020-008; and,

WHEREAS, the Merced City Planning Commission concurs with modified Findings B, C, E, F, and R of Staff Report #15-08 – Addendum and makes additional Findings FF and GG as indicated below:

- B) *Project Density:* Based on 432 units on 20.77 acres, the overall project density is approximately 20.8 dwelling-units per acre. Residential densities of between 10 and 22 dwelling units per acre may be permitted according to the adopted Bellevue Ranch Master Development Plan. Multi-family housing is an important component of the Bellevue Ranch project’s mixed-use neighborhoods and is necessary to support the economic viability of the commercial core, maintain a walkable urban core, support transit services, and to provide housing for all income levels within the City. However, the proposed project is not compatible with the area for the reasons discussed in Finding C below.

- C) *Dwelling Units and Bedrooms:* The 432 dwelling units consist of 216 dwellings on each parcel. Each parcel will have 8 buildings, each with 27 dwelling units (7 on the first floor, 10 on the second floor, and 10 on the third floor). Within each building, these 27 dwellings are comprised of 9 one-bedroom units, 12-two-bedroom units, 4 three-bedroom units, and 2 four-bedroom units. Of the 216 dwelling units on each parcel, 72 are one-bedroom units, 96-two-bedroom units, 32 three-bedroom units, and 16 four-bedroom units. The ratios of bedrooms per parcel are 33.4% one-bedroom; 44.4% two-bedroom; 14.8% three-bedroom; and 7.4% four-bedroom (Attachment E). Therefore, a total of 848 bedrooms are proposed. According to the applicant, the proposed student housing

PLANNING COMMISSION RESOLUTION #3048

Page 2

May 20, 2015

project comes with the potential for several students to share rental space, thereby filling bedrooms to their maximum occupancy of 2 students per bedroom. If each bedroom was filled to capacity, that would mean up to 1,696 occupants total for this project with 882 on-site parking spaces provided. This in turn may lead to inadequate parking and a corresponding increase in on-street parking throughout the adjoining neighborhood, which is already experiencing congested parking conditions due to students parking near a UC Merced bus stop in the neighborhood.

It should be noted that the previous condominium project (CUP #1114) approved on this site in 2008 was for 440 dwelling units, but only 688 total bedrooms for a maximum occupancy of 1,376 (assuming 2 per bedroom). Condominiums have less potential for reaching that full occupancy because individual ownership of many of the units would likely result in only 1 person per bedroom in many of the units. In apartments, it is more likely to have full occupancy.

- E) *Neighborhood Amenities:* The project will have access to future commercial sites, neighborhood parks, and schools. All these amenities will be located within the Bellevue Ranch area (Attachment A of Staff Report #15-08 Addendum). However, the commercial site and schools have not been developed, and all the planned neighborhood parks have not been developed at this time.

- F) *Interface with the Neighborhood:* While the land use designation and zoning for the site are consistent with the adopted General Plan, Bellevue Ranch Master Development Plan, and Official Zoning Map, site design features can be required to assure compatibility with adjacent land uses. The project site design and recommended conditions are intended to create a compatible development with the future shopping center to the north and the single family homes located east and south of the project site. The project design and conditions fall short of this intent, however. The project design is incompatible with the adjacent single-family homes due to the massing of three-story, 40-foot tall buildings across the street from one and two story single family homes. The density of the project is driving such height and massing, as well as the location and parking layout of the project. The density further drives the design and location of parking, which is proposed to be sited around the perimeter of the project.

This design detracts from the open space and aesthetics of the neighborhood, and introduces noise and light nuisances to adjacent properties.

R) *Parking:*

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3. *Off-Street Parking Location:* The proposal places the off-street parking between the buildings and public sidewalk and street. Doing so enables the formation of a large private open space enclosed by the buildings (Attachment B), and minimizes the size and bulk of the proposed units as viewed from existing residents

and property owners on the south side of Barclay Way (Attachment F of Staff Report #15-08 Addendum), whose homes face the project. Placing off-street parking adjacent to the street, however, is inconsistent with BRMDP Condition of Approval #77 (Location of parking lots set behind buildings); BRMDP Condition of Approval #88 (Requirement for specific design elements that face a street); and Condition of Approval 10c of CUP #1114. These three conditions support the plan's goal to emphasize: (a) choice in mobility (in this case pedestrian travel); (b) attractive neighborhoods; (c) a strong market for nearby commercial uses; and (d) a functional transit system, all of which support efforts to provide clean air.

As a Planned Development, the Planning Commission has significant leeway to adjust the design of the project if merited, however. An option could be to require buildings to be placed adjacent to some of the streets, but to balance issues of scale and bulk with appearance and aesthetic considerations. For example, placing buildings adjacent to Barclay Way directly across the street from existing single-family homes, would score high in appearance, but the scale and bulk of the condos as compared to the detached single-family homes raises issues of light, noise, and imbalance of building sizes. Alternatively, two-story buildings could be constructed and be placed adjacent to the public sidewalk along Barclay Way. This design option is preferred as it reduces the density and associated impacts to parking, services and infrastructure, and provides the best aesthetic option, thereby adding value to the project and the adjacent neighborhood. Also refer to discussion presented in Finding Q3 under *Building Setback*, and R4 below.

4. *Off-Street Parking Lot Screen*: To partially screen the parking area, a combination of low walls, wrought iron fencing and dense landscaping is being proposed (Attachment F of Staff Report #15-08 Addendum), which would help shield the nearby homes from vehicle lights and would form an attractive streetscape.

PLANNING COMMISSION RESOLUTION #3048

Page 5

May 20, 2015

- FF) At its May 6, 2015 meeting, the Planning Commission heard testimony from over 25 adjacent residents who were opposed to the project. Reasons cited for their opposition included the change from condominiums to apartments, the current parking problems in the neighborhood that could be exacerbated by this project and its lack of parking for all the prospective occupants, the appearance of the proposed project design and lack of aesthetic appeal, the height of the buildings, the potential increase in crime and noise, the limited on-site management, and the possible effect on their property values, etc.
- GG) After considering all the public testimony, the Planning Commission determined that they could not support this project for the following reasons: the increased number of bedrooms and potential occupants, the corresponding increase in traffic, insufficient parking, the change from potential owners in condominiums to renters in apartments, and that the project and its design was not a good fit for the neighborhood.

NOW THEREFORE, after reviewing the City's Initial Study and Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby deny Environmental Review #15-03 and Conditional Use Permit #1197.

Upon motion by Commissioner COLBY, seconded by Commissioner PADILLA, and carried by the following vote:

AYES: Commissioner(s) McCoy, Padilla, Smoot, Smith, and Colby

NOES: Chairperson Williams

ABSENT: None (one vacancy)

ABSTAIN: None

Adopted this 20th day of May 2015

PLANNING COMMISSION RESOLUTION #3048

Page 6

May 20, 2015

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

n:shared:planning:PC Resolutions:CUP#1197 Bellevue Apts