

NOTICE OF PUBLIC HEARING
FOR GENERAL PLAN AMENDMENT #12-03, ZONE CHANGE #416,
REVISION #5 TO THE NORTHEAST YOSEMITE SPECIFIC PLAN, AND
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

A public hearing will be held by the Merced City Council on Monday, May 6, 2013, at 7:00 p.m., or as soon thereafter as may be heard in the City Council Chambers located in the Civic Center at 678 W. 18th Street, Merced, California, concerning General Plan Amendment #12-03, Zone Change #416, and Revision #5 to the Northeast Yosemite Specific Plan, initiated by Golden Valley Engineering, applicant for V & S Real Estate Investments, LLC, property owner. This application involves a request to amend the General Plan land use designation from Low-Density Residential (LD) Residential to Commercial Office (CO), a request for a Zone Change from Low Density Residential (R-1-6) to Commercial Office (C-O), with an option to prohibit R-4 residential uses, mortuaries, and bail bonds businesses, and a request to change the land use designation in the Northeast Yosemite Specific Plan from Low-Density Residential to Commercial Office to allow the construction of an approximately 117,800-square-foot, office complex consisting of three two-story buildings and one single-story building on an approximately 7.5-acre parcel located on the south side of Mercy Avenue between the future Sandpiper Avenue and Mansionette Drive; said property being more particularly described as Remainder F as shown on the map entitled "Mansionette Estates Unit 2" recorded in Volume 55, Page 13 of Merced County Records; also known as Assessor's Parcel Number (APN) 231-040-002.

On March 20, 2013, the Planning Commission considered this matter at a duly noticed public hearing. Because the Commission failed to obtain a majority vote for recommending approval or denial of the request, the Commission's action is deemed a recommendation for denial of the project.

At the meeting, the City Council will also consider the introduction of the Ordinance entitled: "An Ordinance of the City Council of the City of Merced, California, Amending the Official Zoning Map by Rezoning Certain Property Located on the South Side of Mercy Avenue Between Sandpiper Avenue and Mansionette Drive from Low Density Residential (R-1-6) to Conditional Commercial Office (C-O) and Approving a Developer Agreement Therefore."

If enacted, this ordinance would change the zoning designation for the above described parcel from Low Density Residential (R-1-6) to Conditional Commercial Office (C-O) prohibiting mortuaries, crematories, bail bonds businesses, and R-4 residential uses. You may view a full copy of this ordinance at the City Clerk's Department, City Hall, 678 W. 18th Street, Merced, California or on the Internet at www.cityofmerced.org.

An environmental review checklist has been filed for this project, and a draft mitigated negative declaration (i.e., no significant effect in this case because of mitigation measures and/or modifications described in the draft) has been prepared. A copy of this staff evaluation ("Initial Study") is available for public inspection at the City of Merced Planning Department during regular business hours, at 678 West 18th Street, Merced, California. A copy of this document can also be purchased at the Planning Department for the price of reproduction.

All persons in favor of, opposed to, or in any manner interested in this request for a General Plan Amendment, Zone Change, and Revision to the Northeast Yosemite Specific Plan are invited to attend this public hearing or forward written comments to the Director of Development Services, City of Merced, 678 West 18th Street, Merced, California 95340. The public review period for the environmental determination begins on April 25, 2013 and ends on May 6, 2013.

Please feel free to call the Planning Department at (209) 385-6858 for additional information. If you challenge this action 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 City at, or prior to, the public hearing.

April 15, 2013

/s/ Kim Espinosa

KIM ESPINOSA,
Planning Manager

/s/ Deneen Proctor

Deputy City Clerk