

NOTICE OF PUBLIC HEARING
FOR CONDITIONAL USE PERMIT #1200 AND NOTICE OF INTENT TO RELY ON A
PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION

A public hearing will be held by the Merced City Council on Monday, August 3, 2015, at 7:00 p.m., or as soon thereafter as may be heard in the City Council Chambers located at 678 W. 18th Street, Merced, CA, concerning Conditional Use Permit #1200, initiated by BP Investors, LLC, property owners. This application involves a request to construct a 216-unit apartment complex 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; said property being more particularly described Parcel 4, as shown on that certain map entitled "Parcel Map for Benber Property" recorded in Book 97, Page 17, of Merced County Records; also known as Assessor's Parcel Number (APN) 060-030-039.

On May 20, 2015, the Planning Commission considered this matter at a duly noticed public hearing and adopted Planning Commission Resolution #3051 denying Conditional Use Permit #1200. The applicant has appealed the Planning Commission's decision to deny Conditional Use Permit #1200.

An environmental review carried out for this project under the California Environmental Quality Act (CEQA) concluded that Environmental Review #15-07 is a second tier environmental document, based upon the City's determination that the proposed document remains consistent with the previously adopted provisions of CEQA Guidelines Section 15162 (Mitigated Negative Declaration), previously certified by the City of Merced. A copy of this staff evaluation 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 Conditional Use Permit 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, CA 95340. The public review period for the environmental determination begins on July 23, 2015 and ends on August 3, 2015. Please feel free to call the Planning Department at (209) 385-6858 for additional information. If you challenge the decision of the City Council 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 of Merced at, or prior to, the public hearing.

July 23, 2015

/s/ Bill King for Kim Espinosa

Kim Espinosa,
Planning Manager