

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Merced
2222 M St
Merced, CA 95340

From: (Public Agency): City of Merced
678 W. 18th Street
Merced, CA 95340

(Address)

Project Title: Site Plan Review #509 - Merced Station Retail Building (Env. Review #23-01)

Project Applicant: Greg Fish for 2980 Yosemite LLC

Project Location - Specific:
2990 E Yosemite Avenue

Project Location - City: Merced Project Location - County: Merced

Description of Nature, Purpose and Beneficiaries of Project:

Construct a new 6,500 s.f. retail building with a drive-thru coffee shop and two other tenants

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Greg Fish

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15162
- Statutory Exemptions. State code number: _____

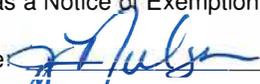
Reasons why project is exempt:

The proposed retail building was contemplated with the approval of General Plan Amendment #16-06, Zone Change #424, and the establishment of Planned Development (P-D) #76. Impacts from the retail building were evaluated as part of Environmental Review #16-37. No substantial changes are proposed with this application. The proposed project remains consistent with the previous Environmental Review.

Lead Agency
Contact Person: Julie Nelson Area Code/Telephone/Extension: 209-385-6967

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 1/12/23 Title: City Planner

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



**The California Environmental Quality Act
(CEQA) Section 15162 Findings:**

Application: Site Plan Review #509 – Environmental Review #22-51

Assessor Parcel Number or Location: Assessor’s Parcel Numbers (APN): 008-520-001 (a .078-acre portion)

Previous Initial Study/EIR Reference: Initial Study #16-37 for General Plan Amendment #16-06, Zone Change #424, and the establishment of Planned Development (P-D) #76.

Original Project Date: General Plan Amendment #16-06 was adopted June 5, 2017, Zone Change #424 and the Establishment of Planned Development (P-D) #76 were adopted June 19, 2017.

Section A - Previous Studies

- | | | |
|--|--------------------------|-------------------------------------|
| | Yes | No |
| 1. Substantial changes are proposed in the project that will require major revisions of the previous project EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment/Finding: The proposed retail building was contemplated with the approval of General Plan Amendment #16-06, Zone Change #424, and the establishment of Planned Development (P-D) #76. Impacts from the retail building were evaluated as part of Environmental Review #16-37. No substantial changes are proposed with this application. This application is to review the architectural and design elements of the proposed retail building.

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|--|--------------------------|-------------------------------------|
| | Yes | No |
| 2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment/Finding: There have been no changes in the circumstances under which the project is undertaken that would require major revisions in the previous EIR. There are no new significant environmental effects or substantial increases in the severity of previously identified environmental effects.

- | | | |
|---|--------------------------|-------------------------------------|
| | Yes | No |
| 3. New information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, has been revealed? (If “Yes” is checked, go to Section “B” below) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment/Finding: There is no new information of substantial importance that was not known and could not have been known with the reasonable diligence at the time the previous EIR was adopted.

Section B - New Information

- | | | |
|---|---------------------------------|---|
| A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration. | Yes
<input type="checkbox"/> | No
<input checked="" type="checkbox"/> |
| B) Significant effects previously examined will be substantially more severe than shown in the previous EIR. | Yes
<input type="checkbox"/> | No
<input checked="" type="checkbox"/> |
| C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative. | Yes
<input type="checkbox"/> | No
<input checked="" type="checkbox"/> |
| D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. | Yes
<input type="checkbox"/> | No
<input checked="" type="checkbox"/> |

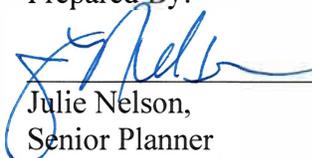
Comment/Finding: The proposed Conditional Use Permit is substantially consistent with the stated plan in the GPA and SUP Revision, no significant new information is present as a result of this application.

On the basis of this evaluation, in accordance with the requirements of Section 15162 of the CEQA Guidelines:

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | 1. It is found that subsequent negative declaration will need to be prepared. |
| <input type="checkbox"/> | 2. It is found that an addendum Negative Declaration will need to be prepared. |
| <input type="checkbox"/> | 3. That a subsequent EIR will need to be prepared. |
| <input checked="" type="checkbox"/> | 4. No further documentation is required. |

Date: January 3, 2023

Prepared By:



 Julie Nelson,
 Senior Planner