

Date: May 4th, 2020

To: Merced City Council Members

On behalf of Merced Holdings

Re: Appeal of CUP #1238 and Appeal of Site plan review #455 for “The Hub” on Yosemite

VIA EMAIL TRANSMISSION

Merced City Council

City of Merced

678 W. 18th Street

Merced, CA 95340

Dear Mayor Murphy, Mayor Pro Tempore Serrato, and members of the Merced City Council,

The Hub at Yosemite is in full compliance with the City of Merced’s General Plan and zoning ordinances. The City of Merced’s General Plan encourages the development of Mixed-Use projects and with the Commercial Neighborhood (C-N) designation, allows for residential uses. IF the intent of the City Council and the General plan was to exclude certain residential uses in C-N zoning, the City would have expressly done so.

Impact of traffic has been a vocal concern. We are glad to report that Merced Holdings has worked vigorously to minimize any developmental traffic impacts, including conducting multiple traffic studies (all with favorable conclusions) and proposing several reasonable mitigation measures.

In response to community concerns, two ENTIRE buildings were reduced by an ENTIRE floor, and building set-backs were substantially increased from the required 20’ set back to over 75’-125’ setbacks. Further, extensive very mature foliage will be planted around the perimeter to beautify the development and an 8’ solid wall will be built on the south side of the property to further respect surrounding neighbors privacy. Our project height is completely in line with recently approved similar projects. As an example. the fifteen- 3 story buildings of the development know as “Merced Station” and the five- 3 story buildings of the Childs and B street development—are both approved and of equal (Or greater) heights than our approved buildings.

The waste-water collection and disposal plan was developed in conjunction with the City of Merced’s Department of Public works and the City has testified that the concept and process is in compliance with the City guidelines. Final designs must be approved by the Department of Public works and oversight is both expected and welcomed.

All procedural requirements surrounding the process of obtaining our 7-0 unanimous approvals of CUP #1238 and our obtaining another 7-0 unanimous approval for Site Plan #455 have been met. "The Hub" is the only development since the interfacing regulations were enacted in 2016, that was required to submit to secondary interface hearings and diligently complied.

Furthermore, at the prior council meeting it was stressed that a "partnership" with UC Merced would "go a long way." We are glad to report that we have had several high-level discussions with UC Merced about our project. There is tremendous interest on their part to utilize our development as a "Hub" for their graduate student program. UC Merced currently has just under 1,000 graduate students and not a single bed to offer them. Hence, the UC have graciously provided us a "Letter of Interest" and are anxiously awaiting the green light from this body so we can finalize the partnership. Everyone values the imperativeness to foster growth at the University and what it means to the City of Merced. Our project is right in line with those goals.

Despite the additional time, energy and great cost levied on this project, due to appeals and procedural concerns, we stand before you today committed, not only to this project but to the City of Merced overall. We truly hope and believe this will be the first of many projects within the City and look forward to being a long-term partner.

One last comment that relates to our current national status is warranted. In these times of unimaginable uncertainty, skyrocketing unemployment, numbers reminiscent of the great depression, and impending economic collapse, you, the Members of the City Council have a fiduciary responsibility to the citizens of Merced and the City as a whole--to support job growth and development. This responsibility extends to the over 84,900 voices you did NOT hear from who are relying on all of you to make the right decision for the betterment, protection and economic survival of the WHOLE City. With over 30 Million Americans out of work and counting, OUR PROJECT can bring desperately vital near-term jobs to the area, boost tax revenue and commerce while alleviating some of the current and future housing burdens Merced is and will be facing.

We respectfully request, Mayor Murphy, Mayor Pro Tempore Serratto and ALL the honorable Members of the Merced City Council to uphold the Merced City Planning Commission's unanimous multiple decisions and deny the appeals before you.

Thank You for time,

Sincerely,

Joseph Englanoff, Trustee

Merced Holdings