

RESOLUTION NO. 2014-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA, APPROVING AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR UNIVERSITY DISTRICT SPECIFIC PLAN PROJECT LOCATED SOUTH OF KEISER AVENUE, WEST OF PETALUMA HILL ROAD, AND NORTH OF COPELAND CREEK (APNs 045-253-007, 045-253-009 THROUGH -012, 045-253-018, 045-262-001 THROUGH -004, 047-131-019, AND 047-131-024 THROUGH -027)

WHEREAS, the applicant, University District LLC, filed Planning Applications proposing a General Plan Amendment (PL2012-043), Specific Plan revision (PL2012-044), Tentative Map (PL2013-009), Tentative Parcel Map (PL2012-047), Development Agreement (PL2012-048), and related applications and approval of an Addendum to the Final Environmental Impact Report ("EIR") (PL2012-045) in connection with the proposed University District Specific Plan ("UDSP") Project located south of Keiser Avenue, west of Petaluma Hill Road, and north of Copeland Creek (APNs 045-253-007, 045-253-009 through -012, 045-253-018, 045-262-001 through -004, 047-131-019, and 047-131-024 through -027 (the "Project")), in accordance with the City of Rohnert Park Municipal Code ("RPMC"); and

WHEREAS, the applicant is proposing revisions to the University District Specific Plan project that was approved in 2006. The current Project, as proposed, would result in no changes to the total number of residential units (1,645 units), but would result in changes to the number of residential units by land use designation and would change the gross acreage and configuration for each designation in the UDSP area and reduce the total commercial building area; and

WHEREAS, for the environmental review of the 2006 project, the City of Rohnert Park, acting as the Lead Agency under the California Environmental Quality Act ("CEQA"), published a Notice of Preparation ("NOP") of a Draft EIR for the proposed Project on December 1, 2003. The NOP was distributed for a 30-day comment period beginning on December 1, 2003. The City then initiated work on a Draft EIR for the project (Project); and

WHEREAS, the City completed the Draft EIR on July 27, 2005 and circulated it to affected public agencies and interested members of the public for the required 45 day public comment period, from July 27, 2005 to September 15, 2005; and

WHEREAS, the Planning Commission of the City of Rohnert Park duly noticed and conducted a public hearing on August 25, 2005 in order to receive comments on the Draft EIR; and

WHEREAS, the City completed the Recirculated Draft EIR to update two sections of the Draft EIR and circulated it for public review on June 24, 2009 for the required minimum of 45 days, from November 28, 2005 through January 11, 2006; and

WHEREAS, on April 26, 2006, the City published the Final EIR for the Project by incorporating: 1) the Draft EIR and Recirculated Draft EIR; 2) comments received about the Draft EIR and Recirculated Draft EIR and responses to those comments; 3) changes,

clarifications and corrections to the Draft EIR and Recirculated Draft EIR; and 4) appendices; and

WHEREAS, on May 23, 2006, the Planning Commission held a public hearing at which time interested persons had an opportunity to testify either in support or opposition to the Final EIR;

WHEREAS, to assess potential environmental impacts associated with the proposed revisions associated with Project relative to the 2006 EIR, the City retained ICF International to prepare an addendum to the UDSP Final EIR pursuant to the California Environmental Quality Act ("CEQA"); and

WHEREAS, the EIR Addendum concluded that the proposed changes in the project would not result in a new or substantially more severe impact than disclosed in the 2006 EIR; and

WHEREAS, Section 21000, *et. seq.*, of the Public Resources Code and Section 15000, *et. seq.*, of Title 14 of the California Code of Regulations (the "CEQA Guidelines"), which govern the preparation, content, and processing of environmental impact reports, have been fully implemented in the preparation of the EIR and Addendum; and

WHEREAS, pursuant to California State Law and the RPMC, public hearing notices were mailed to all property owners within an area exceeding a three hundred foot radius of the subject property and a public hearing was published for a minimum of 10 days prior to the first public hearing in the Community Voice; and

WHEREAS, on March 13, 2014, the Planning Commission of the City of Rohnert Park held a public hearing at which time interested persons had an opportunity to testify regarding the EIR Addendum; and

WHEREAS, at the March 13, 2014 public hearing, the Planning Commission reviewed and considered the information contained in the EIR Addendum for the Project as well as information presented by staff and the public, and recommended its approval by the City Council; and

WHEREAS, on April 8, 2014, the City Council of the City of Rohnert Park held a duly noticed public hearing at which time interested persons had an opportunity to testify either in support or opposition to the EIR Addendum; and

WHEREAS, the City Council reviewed and considered the information contained in the EIR Addendum for the Project as well as information presented by staff and the public; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rohnert Park ("Commission") makes the following findings, determinations and recommendations with respect to the Addendum to the Final EIR for the proposed Project:

1. The Council has independently reviewed, analyzed and considered the Final EIR and Addendum and all written documentation and public comments on the proposed Project; and

2. The Final EIR Addendum was prepared and reviewed in compliance with the provisions of CEQA and the CEQA Guidelines; and
3. That the Final EIR Addendum constitutes an adequate, accurate, objective, and complete EIR in compliance with all legal standards; and
4. The information and analysis contained in the Final EIR Addendum reflects the City's independent judgment as to the environmental consequences of the proposed Project; and
5. The documents and other materials, including without limitation staff reports, memoranda, maps, letters and minutes of all relevant meetings, which constitute the administrative record of proceedings upon which the Council's resolution is based are located at the City of Rohnert Park, City Clerk, 130 Avram Ave., Rohnert Park, CA 94928. The custodian of records is the City Clerk.
6. The EIR Addendum identifies that the proposed revised Project was examined pursuant to CEQA Guidelines Section 15162 and the conclusion of the analysis is that the changes in the project would have no new or substantially more severe impact. All of the pertinent mitigation measures from the 2006 EIR continue to apply to the Project and not new effects could occur and no new mitigation measures are required.

BE IT FURTHER RESOLVED that after considering the EIR and Addendum and in conjunction with making these findings, the City Council hereby finds that pursuant to CEQA Guidelines Section 15164, the Project would not cause a new impact or substantially more severe impact than was assessed in the 2006 EIR, thus the City, as lead agency can adopt an addendum; and

BE IT FURTHER RESOLVED that **Exhibit A** (CEQA Addendum) provides the analysis conducted light of the provisions of CEQA Guidelines Section 15162; and

BE IT FURTHER RESOLVED that all of the pertinent mitigation measures from the 2006 UDSP EIR continue to apply to the proposed changes to the project; and

BE IT FURTHER RESOLVED that the City Council of the City of Rohnert Park does hereby approve the Final EIR Addendum as provided at **Exhibit A**, in its entirety, which is attached hereto and incorporated by this reference.

DULY AND REGULARLY ADOPTED on this 8th day of April, 2014.

CITY OF ROHNERT PARK


Joseph T. Callinan, Mayor



ATTEST:


JoAnne M. Buergler, City Clerk

BELFORTE: AYE MACKENZIE: AYE STAFFORD: AYE AHANOTU: AYE CALLINAN: AYE
 AYES: (5) NOES: (0) ABSENT: (0) ABSTAIN: (0)

EXHIBIT A

**ADDENDUM MEMO
EIR ADDENDUM**

**EXHIBITS TOO VOLUMINOUS TO DISPLAY HERE
PLEASE GO TO MEETING AGENDAS, VIDEOS & MINUTES AND VIEW THE
AGENDA FOR THE APPROPRIATE MEETING DATE TO VIEW AND PRINT
COMPLETE EXHIBITS.**