

RESOLUTION NO. 2017-008

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
CALIFORNIA APPROVING THE MITIGATED NEGATIVE DECLARATION FOR
THE RESIDENCES AT FIVE CREEK PROJECT AND CITY PUBLIC SAFETY AND
PUBLIC WORKS FACILITIES (APN 143-040-124)**

WHEREAS, MJW Investments, LLC, filed Planning Application No. PLDV2016-0001 proposing a General Plan Amendment, an amendment to the Stadium Area Master Plan (a Planned Development), adoption of a Final Development Plan (including a related Conditional Use Permit), a Development Agreement and Planning Application No. PLEN 2016-0003 for the related certification of a Mitigated Negative Declaration (“MND”) and Planning Application No. PLSD2016-0001 proposing a Tentative Map for a proposed project, which includes the site of the proposed City Public Safety/Public Works Facilities, on a 15.25 acre parcel located at 5900 Labath Avenue (APN 143-040-124) (the “Project”), in accordance with the City of Rohnert Park Municipal Code (“RPMC”); and

WHEREAS, the City of Rohnert Park proposes future construction of a Public Safety and Public works facilities on 2.97 acres of the 15.25 acre parcel located at 5900 Labath Avenue (APN 143-040-124); and

WHEREAS, Planning Application No. PLEN16-0003 was processed in the time and manner prescribed by State and local law; and

WHEREAS, an Initial Study was prepared and on the basis of that study, it was determined that the Project, including the proposed City Public Safety/Public Works Facilities, would not have a significant adverse effect on the environment with implementation of mitigation measures, and a Mitigated Negative Declaration (MND) was prepared and circulated for public review for a 30 day period from November 8, 2016 to December 8, 2016; 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 Negative Declarations, have been fully implemented in the preparation of the Mitigated Negative Declaration.

WHEREAS, pursuant to California State Laws and the City of Rohnert Park Municipal Code (RPMC), a public hearing notice for the Project was mailed to all property owners within a 300 foot radius of the subject property and to all agencies and interested parties as required by California State Planning Law, and a public hearing notice was published in the Community Voice for a minimum of 10 days prior to the first public hearing; and

WHEREAS, on December 8, 2016 the Planning Commission reviewed Planning Application No. PLEN16-0003 during a scheduled public meeting at which time interested persons had an opportunity to testify regarding the proposed MND, closed the public hearing on the MND, and continued Planning Commission deliberation on the MND to December 22, 2016 ; and

WHEREAS, at the December 22, 2016 public meeting the Planning Commission of the City of Rohnert Park reviewed and considered the information contained in the Initial Study and Mitigated Negative Declaration for the Project, which is attached to this resolution as Exhibit 1; and

WHEREAS, the Planning Commission voted 4-0 to recommend approval of the MND; and

WHEREAS, on January 10, 2017, the City Council held a public hearing at which time interested persons had an opportunity to testify either in support or opposition of the MND; and

WHEREAS, the City Council has reviewed and considered the information contained in the Initial Study and MND; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rohnert Park makes the following findings, determinations, and recommendations with respect to the MND:

Section 1. The above recitations are true and correct.

Section 2. Findings Regarding the Mitigated Negative Declaration. The City Council of the City of Rohnert Park makes the following findings, determinations and recommendations with respect to the Mitigated Negative Declaration for the proposed Project, which includes the City Public Safety/Public Works Facilities:

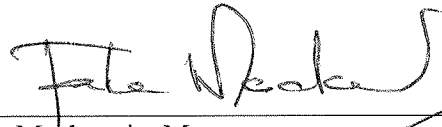
1. The City Council has independently reviewed, analyzed and considered the Mitigated Negative Declaration and all written documentation and public comments prior to approval of the proposed Project; and
2. An Initial Study was prepared for the Project, and on the basis of substantial evidence in the whole record, there is no substantial evidence that the Project will have a significant effect on the environment, therefore a Mitigated Negative Declaration has been prepared which reflects the lead agency's independent judgment and analysis.
3. The Mitigated Negative Declaration was prepared, publicized, circulated and reviewed in compliance with the provisions of CEQA Guidelines; and
4. The Mitigated Negative Declaration constitutes an adequate, accurate, objective and complete Mitigated Negative Declaration in compliance with all legal standards; and
5. The documents and other materials, including without limitation, staff reports, memoranda, maps, letters and minutes of all relevant meetings, which constitute and administrative record of proceedings upon which the Commission'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.

Section 3. Adoption of the Mitigated Negative Declaration. The City Council of the City of Rohnert Park finds that approval of the Project would not result in any significant effects on the environment with implementation of mitigation measures identified in the Mitigated Negative Declaration and the City Council does hereby approve and adopt the Mitigated Negative Declaration and Initial Study set forth in Exhibit 1 and direct the filing of a Notice of Determination with the County Clerk; and

Section 4. The City Council of City of Rohnert Park hereby adopts the Mitigation, Monitoring and Report Program, attached as Exhibit 2 to this resolution to provide mitigation required under Section 15091 of the CEQA Guidelines for significant effects of the Project.


DULY AND REGULARLY ADOPTED on this 10th day of January, 2017.

CITY OF ROHNERT PARK



Jake Mackenzie, Mayor

ATTEST:



Caitlin Saldanha, Deputy City Clerk

Attachments: Exhibit 1 and Exhibit 2

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

**Due to the large file sizes,
Exhibit(s) to this Resolution
are available upon request
at the City Clerk's Office.**

**Please call 707-588-2227 or
email cityclerk@rpcity.org
if you would like to obtain
these attachments.**

Thank you