

RESOLUTION NO.

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING FINDINGS AND APPROVING THE SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT (SCEA) AND MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE 3575 MENDOCINO AVENUE PROJECT, ASSESSOR'S PARCEL NUMBERS 173-030-001 and 173-030-001, FILE NUMBER PRJ20-002

WHEREAS, on February 24 2020, an application to develop a 532 multifamily project (including 162 units for low and very low senior households) and associated improvements including a 1-acre park on a 13.3 infill site located at 3575 Mendocino Avenue ("proposed Project"), was submitted to the Planning and Economic Development Department; and

WHEREAS, the proposed Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in the Plan Bay Area 2040 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) prepared by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) for the San Francisco Bay Area Region pursuant to Public Resources Code (PRC) Section 21155(a); and

WHEREAS, the proposed Project qualifies as a transit priority project pursuant to PRC Section 21155(b) and is a residential or mixed-use project as defined by PRC Section 21159.28(d), and therefore the proposed Project meets the criteria for the environmental review with a Sustainable Communities Environmental Assessment (SCEA); and

WHEREAS, all potentially significant or significant effects required to be identified and analyzed pursuant to the California Environmental Quality Act (CEQA) have been identified and analyzed in the attached SCEA; and

WHEREAS, the proposed Project, as mitigated, either avoids or mitigates to a level of insignificance all potentially significant or significant effects of the proposed project required to be analyzed pursuant to CEQA; and

WHEREAS, pursuant to Section 21155.2 of the PRC, the Sustainable Communities Environmental Assessment ("SCEA"), attached as "Exhibit A": 1) incorporates all feasible mitigation measures, performance standards, or criteria set forth in the prior applicable environmental impact reports (EIR), including the Plan Bay Area EIR (Plan Bay Area 2017) and the City of Santa Rosa General Plan EIR, and adopted in findings made pursuant to Section 21081; and 2) contains measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the proposed project required to be identified in this SCEA; and

WHEREAS, pursuant to the requirements of the PRC 21155.2(3) and PRC 21092, a Notice of Intent to adopt the SCEA for the proposed project was circulated for a 30-day public

Commented [CA1]: Amy, the other resolutions include the APNs. Also, the reso for the GPA includes one APN and the reso for the TM includes two APNs, which is correct?

Commented [NA2R1]: I have added the two APNs. The SCEA and TM reso should have two. The GPA and Rezoning resos should only have one. The APN not listed on the GPA and Rezoning is a Water Agency property where a storm water outfall will be installed, so I want to make sure it is clear that the SCEA considered that property, and the Tentative Map shows improvements on that property. The GPA and rezoning does not apply to the Water Agency parcel.

review period, from September 28, 2020, through October 27, 2020, to offer interested individuals, organizations, and governmental agencies an opportunity to provide input regarding the potential environmental effects of the proposed project; and

WHEREAS, the SCEA was prepared and sent to the State Clearinghouse (#2020090518) for review by State and responsible agencies and was made available to the public for review and comment for a period of 30 days beginning on September 28, 2020, and ending on October 27, 2020; and

WHEREAS, no written responses were provided during the public comment period between September 28, 2020, and October 27, 2020; and

WHEREAS, an MMRP dated November 2, 2020, and attached as Exhibit C was prepared according to the requirements of the Public Resources Code Section 15097; and

WHEREAS, on November 12, 2020, at a public meeting of the Planning Commission, the Commission considered the contents of the SCEA and the MMRP and recommended to the Council approval of the SCEA and MMRP; and

WHEREAS, on December 8, 2020, at a public meeting of the City Council, the Council considered the contents of the SCEA and MMRP in accordance with the requirements of CEQA and the Santa Rosa City Code.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa makes the following findings:

1. Pursuant to Public Resources Code, Section 21155, the proposed Project is a Transit Priority Project (TPP) based on the following:
 - a. The Project contains at least 50 percent residential use; and
 - b. The Project provides a minimum net density of at least 20 dwelling units per acre in that the project includes up to 40 dwelling units per acre of affordable senior and market rate housing.
 - c. The Project is located within one-half mile of a major transit or high-quality transit corridor included in a regional transportation plan in that the project site is located less than one half mile from the Bicentennial Way Transit Facility and within the Mendocino Avenue Corridor Plan area.
2. The proposed Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in the Plan Bay Area 2040 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) prepared by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) for the San Francisco Bay Area Region pursuant to Public Resources Code (PRC) Section 21155(a).

3. Pursuant to Section 21155.2 of the PRC, the attached Sustainable Communities Environmental Assessment (“SCEA”): 1) incorporates all feasible mitigation measures, performance standards, or criteria set forth in the prior applicable environmental impact reports (EIR), including the Plan Bay Area EIR (Plan Bay Area 2017) and the City of Santa Rosa General Plan EIR, and adopted in findings made pursuant to Section 21081; and 2) contains measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the proposed project required to be identified in the SCEA.
4. The SCEA identifies all potentially significant or significant effects required to be identified in the initial study. With respect to each significant effect on the environment required to be identified in the initial study, changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.
5. An Initial Study has been prepared that identifies all significant or potentially significant impacts of the project. The Initial Study identifies cumulative effects that have been adequately addressed and mitigated in the prior applicable certified EIRs. Cumulative effects have been found to be adequately addressed or mitigated in these prior applicable certified EIRs and are not considered cumulatively considerable. The SCEA includes measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the project required to be identified in the Initial Study.
6. Each member of the Council has independently reviewed and considered the information contained within the SCEA and finds the material represents the independent judgement and analysis of the City, as the lead agency.
7. An adequate opportunity for public participation, including review and comment on the SCEA, circulated for a period of 30 days commencing on September 28, 2020, and ending on October 27, 2020, was provided in accordance with the requirements of CEQA.

BE IT FURTHER RESOLVED that the Council finds that based on the whole record including the SCEA and all other written and oral evidence presented, all environmental impacts of the project are either less than significant or no impact as outlined in the SCEA. The Council further finds that there is no substantial evidence in the administrative record that the Project may result in any significant environmental impacts. The Council finds that the SCEA contains a complete, objective, and accurate reporting of the environmental impacts associated with the project and reflects the independent judgement and analysis of the City.

BE IT FURTHER RESOLVED that the Council, based on the findings above, hereby approves the SCEA, attached hereto as “Exhibit A” and its appendices, attached hereto as “Exhibit B”, subject to the condition outlined below:

1. Mitigation Measure BIO-3: Sensitive Aquatic Habitat, shall be amended to read as follows: Following the completion of construction, temporary impacts to the perennial stream (Russell Creek) shall be restored to return the impacted area to preconstruction conditions, including grading and revegetation using a local native seed mix. Permanent impacts to the perennial stream and emergent wetland shall be mitigated at a 1:1 (impact:mitigation) ratio through the purchase of wetland mitigation credits at a local mitigation bank approved by North Coast RWQCB.

BE IT FURTHER RESOLVED in accordance with the Public Resources Code Section 21081.6, the Council hereby adopts the MMRP, attached hereto as "Exhibit C".

IN COUNCIL DULY PASSED this 8th day of December, 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A – 3575 Mendocino Avenue Project - Sustainable Communities Environmental Assessment (SCEA), dated September 28, 2020

Exhibit B – 3575 Mendocino Avenue Project - Sustainable Communities Environmental Assessment (SCEA) Appendices

Exhibit C – 3575 Mendocino Avenue Project - Sustainable Communities Environmental Assessment (SCEA) Mitigation Monitoring and Reporting Program (MMRP), dated November 2, 2020