

TOWN OF LOOMIS

RESOLUTION NO: 19-__

A RESOLUTION OF THE TOWN COUNCIL OF LOOMIS CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE VILLAGE AT LOOMIS PROJECT, ADOPTING THE FINDINGS OF FACTS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVING THE MITIGATION MONITORING AND REPORTING PLAN

WHEREAS, to comply with the California Environmental Quality Act (CEQA), the Town of Loomis (the "Town") prepared an environmental impact report (EIR) for the Village at Loomis project (the "Project"); and,

WHEREAS, a Notice of Preparation of the EIR was issued on November 13, 2014; and,

WHEREAS, the Draft EIR was circulated for a 45-day public comment period from May, 2016 through June 16, 2016; and,

WHEREAS, the complete EIR consists of the Draft EIR, the final EIR, the errata, comments received on the documents, responses to comments contained in the FEIR, appendices to the Draft and Final EIRS, and all documents and resources referenced and incorporated by reference in the EIR (collectively, the "EIR"); and,

WHEREAS, the EIR identified certain significant and potentially significant impacts on the environment, and outlined mitigation measures that would substantially lessen or avoid the Project's significant effects as well as analyze a reasonable range of feasible alternatives; and,

WHEREAS, those significant impacts that cannot be avoided or substantially reduced by the adoption of feasible mitigation measures will necessarily remain significant and unavoidable; and,

WHEREAS, on April 25, 2018, the Town's Planning Commission held a public hearing and made certain recommendations to the Town Council; and,

WHEREAS, the applicant made changes to the Project as a result of the Planning Commission comments and a meeting before the Town Council to reduce the density of the Project; and,

WHEREAS, an errata was prepared to analyze whether the modifications to the Project would result in new impacts or an exacerbation of existing impacts on the environment and concluded they would not; and,

WHEREAS, on December 10, 2018, the Town Council, as Lead Agency, reviewed and considered the contents of the EIR in its decision-making process; and,

WHEREAS, the Town Council has determined that the EIR has been prepared in accordance with CEQA; and,

WHEREAS, the Town Council has determined, based on the reasons and substantial evidence set forth in the Findings of Fact, that none of the alternatives addressed in the final EIR are feasible and environmentally superior to the modified Project; and,

WHEREAS, Public Resources Code section 21081(b), and CEQA Guidelines section 15093 require the Lead Agency to adopt a "Statement of Overriding Considerations" before approving a project with significant unavoidable environmental effects; and,

WHEREAS, the Town Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant unavoidable environmental effects associated with the Project as mitigated and adopted, there exist certain overriding economic, social and other considerations for approving the Project that the Town Council, in its legislative capacity, believes justify the occurrence or potential occurrence of those impacts and render them acceptable; and,

WHEREAS, attached hereto are the Findings of Fact and Statement of Overriding Considerations specifying the economic, social and other benefits that render acceptable the significant unavoidable environmental effects associated with the mitigated Project; and,

WHEREAS, the Town Council recognizes its obligation, pursuant to Public Resources Code section 21081.6(a), to ensure the monitoring of all adopted mitigation measures necessary to substantially lessen or avoid the significant effects of the Project; and,

WHEREAS, attached to this Resolution is the Mitigation Monitoring and Reporting Plan prepared in order to comply with Public Resources Section 21081.6(a).

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Loomis as follows:

Section 1. The Town Council has reviewed and considered the information contained in the EIR on the Project prior to acting upon the Project.

Section 2. The Town Council certifies that the EIR for the Project was fully presented to the Council, that the EIR was completed in full compliance with CEQA, that there was adequate public review of the Draft EIR, that it has considered all comments submitted on the Draft EIR and responses to those comments, that the Final EIR adequately addresses all significant environmental issues and reflects the independent judgment and analysis of the Town, that the errata adequately analyzes environmental impacts from the Project, as modified, and the Town Council has reviewed and considered the information contained in the EIR in its decision-making process.

Section 3. The Town Council hereby certifies the EIR in accordance with the requirements of CEQA.

Section 4. The Town Council hereby adopts the Findings of Fact and Statement of Overriding Considerations, attached hereto, and finds that they meet the requirements of CEQA and are supported by substantial evidence in the record.

Section 5. The Town Council hereby approves the Mitigation Monitoring and Reporting Plan attached hereto. The Town Council finds that these mitigation measures are fully enforceable conditions on the project and shall be binding upon the Town and affected parties. The Council

further finds that the applicant's requirement to fund and construct those traffic improvements set forth in the EIR and the Development Agreement for the Project exceed the requirements set forth in Mitigation Measures 4.6(a) and 4.6(g), but the applicant agrees to them.

Section 6. The Town Council directs staff to file a Notice of Determination immediately after approval of the Project.

PASSED AND ADOPTED this ____ day of January, 2019, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

Mayor

ATTEST:

Charleen Strock, Town Clerk