

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Certifying the Final )  
Environmental Impact Report )  
For the Tuscany Meadows )  
Residential Subdivision, )  
AP-12-843 (SUB, DA, ANNEX) )

RESOLUTION NO. 15-13083

The City Council DOES RESOLVE as follows:

WHEREAS, on May 10, 2012, Seecon Built Homes applied for approval of a Vesting Tentative Map to subdivide a 170-acre undeveloped parcel for construction of up to 917 single-family homes, 365 multi-family apartments, and three parks totaling approximately 18.6 acres. The project site (APN 089-150-015) is on unincorporated land located between the cities of Pittsburg and Antioch; and

WHEREAS, the project requires Contra Costa Local Agency Formation (LAFCO) review and approval of amendments to the City of Pittsburg and City of Antioch Spheres of Influence (SOI) and annexations of land to both cities. Approximately 191.44 acres would be annexed to the City of Pittsburg and 2.18 acres would be annexed to the City of Antioch. The project also requires annexation to the Contra Costa Water District and Delta Diablo for the provision of water and wastewater services; and

WHEREAS, State Public Resources Code (PRC) section 21080(d), requires that a lead agency prepare an Environmental Impact Report (EIR) for any project that it expects to have a significant effect on the environment; and

WHEREAS, a Notice of Preparation of the Draft EIR for the Tuscany Meadows Residential Subdivision ("Project") was mailed to all responsible and affected agencies on November 29, 2012, pursuant to Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082; and

WHEREAS, a public scoping meeting was held on December 11, 2012, to solicit comments and guidance on the scope and content of the EIR; and

WHEREAS, a Draft EIR was prepared for the Project in accordance with Public Resources Code Section 21000 et seq. and CEQA Guidelines Section 15000 et seq., and was circulated for public review between November 1, 2014 and December 15, 2014; and

WHEREAS, the City distributed copies of the Draft EIR to the public agencies which have jurisdiction by law with respect to the Project and to other interested persons and agencies and sought the comments of such persons and agencies; and

WHEREAS, a notice inviting comments on the Draft EIR was given in compliance with CEQA Guidelines Section 15085, and a public meeting was held on December 1, 2014, to accept oral comments on the adequacy of the Draft EIR. Written and oral

comments on the Draft EIR have been received and response to those comments have been prepared in the form of the Final EIR; and

WHEREAS, pursuant to Public Resources Code Section 21092.5, the City provided notice regarding the availability of the Final EIR and circulated the proposed response to comments to public agencies that submitted comments on the Draft EIR; and

WHEREAS, on or prior to July 24, 2015, notice of the City Council public meeting to consider certification of the EIR was posted at City Hall and on the "Public Notices" section of the City's website; was delivered to the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to the parties that had commented on the Draft EIR, and to individuals who had previously filed written request for such notice.

WHEREAS, the City Council held a public meeting on the Final EIR on August 3, 2015, and accepted public testimony on the Final EIR at that time; and

WHEREAS, the Final EIR identifies significant impacts that can be mitigated as well as significant unavoidable impacts; and

WHEREAS, if, after review of the certified Final EIR, and upon consideration of the Project, the Planning Commission determines to approve the Project, the approval must be supported by mitigation findings pursuant to CEQA Guidelines Section 15091; and

WHEREAS, approval of the Project would also require adoption of a Mitigation Monitoring and Reporting Program pursuant to CEQA Guidelines Section 15097 and a Statement of Overriding Considerations pursuant to CEQ Guidelines Section 15093.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED as follows:

A. The Final EIR for the Project consists of the Draft EIR (SCH#2012112061), dated October 2014, and the Final EIR, dated July 2015. Together, the Draft EIR and Final EIR documents constitute the Final EIR for the Project.

B. Based on the evidence and oral and written testimony presented at the public meetings, and based on all the information contained in the City's files on the Project, including not limited to, the Final EIR for the Project, and the City Council staff report dated August 3, 2015, and entitled, "Adoption of a City Council Resolution Certifying the Final Environmental Impact Report for the Tuscany Meadows Residential Subdivision, AP-12-843 (SUB, DA, ANNEX)," the City Council does certify, in accordance with CEQA Guidelines Section 15090, that:

1. The Final EIR for the Project was prepared and completed in compliance with Public Resources Code Section 21000 et seq. and CEQA Guidelines Section 15000 et seq.; and

2. The Final EIR was presented to the City Council of the City of Pittsburg and that the City Council has reviewed and considered the information contained in the Final EIR prior to action on the Project; and
3. The Final EIR reflects the independent judgment and analysis of the City Council of the City of Pittsburg.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

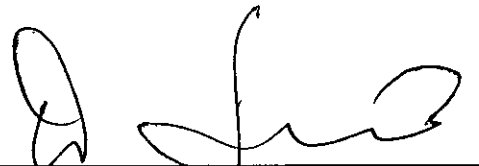
PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 3<sup>rd</sup> day of August 2015, by the following vote:

AYES: Casey, Craft, Evola, Johnson, Longmire

NAYES: None

ABSTAIN: None

ABSENT: None



Dwaine "Pete" Longmire, Mayor

ATTEST:



Alice E. Evenson, City Clerk