

RESOLUTION NO.

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT AND
MAKING CERTAIN FINDINGS REQUIRED BY THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT IN CONNECTION WITH
A ZONE CHANGE FROM R:PD TO R:PD
FOR PROPERTY LOCATED AT
110 WOOD ROAD (APN 510-47-038)
PLANNED DEVELOPMENT: PD-20-001
ENVIRONMENTAL IMPACT REPORT: EIR-21-002**

WHEREAS:

A. The applicant, Rockwood Pacific, proposes a Planned Development to rezone the property located at 110 Wood Road from R:PD to R:PD, to allow for the demolition of all existing buildings, construction of a new senior living community, removal of large protected trees, and site improvements requiring a Grading Permit. The project includes a Planned Development application (PD-20-001) and an Environmental Impact Report (EIR-21-002).

B. A Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Planned Development (PD-20-001) was distributed on February 1, 2021, for a 30-day comment period.

C. A Notice of Completion and Availability for review of the Draft Environmental Impact Report (Draft EIR) was prepared and issued for agency and public review and comment on May 28, 2021, for a 45-day public review period ending on July 12, 2021.

D. On June 23, 2021, the Planning Commission held a duly noticed public hearing to accept comments on the Draft EIR. No comments were received at this meeting. Written comments on the Draft EIR were received from the applicant, one public agency, and three individuals.

E. Pursuant to the California Environmental Quality Act and the implementing Guidelines adopted therefore (CEQA), the Town prepared a Final Environmental Impact Report (Final EIR), incorporating responses to comments on the Draft EIR which was issued in August 2021.

F. The Planning Commission held a duly noticed public hearing on January 12, 2022, at which time the Commission considered the public testimony, the staff report prepared for that meeting (Staff Report), and all other documentation related to the Planned Development and Final EIR, and forwarded a recommendation that the Town Council not certify the Final EIR (EIR-21-002) and deny the Planned Development (PD-20-001).

G. The Town Council held a duly noticed public hearing on April 5, 2022, at which time the Town Council considered the public testimony, the Staff Report, and all other documentation related to the Planned Development and Final EIR and made a motion to certify the Final EIR.

H. The Town Council recognizes the Town's obligation, pursuant to the Public Resources Code § 21081.6 subdivision (a), to ensure the monitoring of all adopted mitigation measures necessary to substantially lessen or avoid the significant effects of the project. Such monitoring will occur pursuant to the adopted Mitigation Monitoring and Reporting Program.

I. The location and custodian of the documents or other materials which constitute the record of proceedings upon which the Town Council's decision is based is in the office of the Town Clerk, 110 E. Main Street, Los Gatos, CA 95030.

NOW, THEREFORE, BE IT RESOLVED:

A. That the Town Council hereby certifies the Final EIR, adopts the CEQA Findings of Fact attached hereto as Exhibit A, and adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit B. In certifying the Final EIR, the Town Council specifically finds that:

1. The document has been completed in compliance with CEQA;
2. The document was presented to the Town Council as the decision-making body of the lead agency, and as such, the Council has reviewed and considered the information contained therein; and
3. The Final EIR reflects the Town's independent judgment and analysis.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 5th day of April, 2022, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

GATOS

MAYOR OF THE TOWN OF LOS

LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS

LOS GATOS, CALIFORNIA

DATE: _____

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