

RESOLUTION NO. 99-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, PURSUANT TO A REQUEST FOR APPROVAL FROM THE APPLICANT (GPA 1102866), TO AMEND THE GENERAL PLAN LAND USE MAP FOR AN 11.2 ACRE PROPERTY LOCATED AT 3185 GARRITY WAY (APN: 405-290-068) FROM 930/REGIONAL OFFICE AND/OR SHOPPING LAND USE DESIGNATION TO 922/GENERAL COMMERCIAL LAND USE DESIGNATION

WHEREAS, The Richmond City Council adopted the Richmond General Plan by Resolution No. 164-94 on August 15, 1994 as the official plan to guide the future physical development of the City of Richmond; and

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and Resolution No. 93-96 of the City of Richmond as amended, the Planning Department prepared an Initial Study and Mitigated Negative Declaration (MND), EID 02-01, for the subject project site known as The Tides Apartments, and on July 11, 2002, the Environmental Assessment Panel issued a Mitigated Negative Declaration for the project. The Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) were incorporated as project Conditions of Approval; and

WHEREAS, the Richmond City Council finds that the future development of the Richmond Planning Area can be more appropriately guided with the adoption of the recommended revisions referred to herein; and

WHEREAS, the City Council of the City of Richmond also finds the recommended revisions are consistent with other existing elements of the current Richmond General Plan; and

WHEREAS, the Planning Commission on July 6, 2006 held a properly noticed public hearing on the proposed General Plan Amendment, GPA 1102866, and recommended the said General Plan Amendment to the Richmond City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Richmond, California, has reviewed and considered the proposed General Plan Amendment staff report with the subject heading of "General Plan Amendment GPA 1102866 (The Tides), . . 3185 Garrity Way" for an existing 200-unit multi-family community, and such other related information as was presented to the City Council and accordingly certifies, finds, and approves as follows:

1. Certify that the City Council has reviewed and considered the City of Richmond General Plan and Zoning Ordinance *Updates Program Environmental Impact Report* (consisting of the Draft EIR dated August 17, 1993 and the Response to Comments Addendum dated February 11, 1994) certified by the City Council.
2. That said City Council, pursuant to Section 15091 of the California Environmental Quality Act, finds the proposed project is within the scope of the Richmond General Plan and Zoning Ordinance Updates Program Environmental Impact Report since it incorporates a much smaller project scale and a substantially reduced potential for impacts than those identified in the Program EIR.
3. That said City Council hereby certifies, pursuant to Section 15090 of the State CEQA Guidelines, that it has reviewed and considered the information contained in the pertinent Mitigated Negative Declaration (MND), EID 02-01, before reaching a decision on this General Plan Amendment GPA 1102866; and that said MND has been completed in compliance with the California Environmental Quality Act, as amended, and the State CEQA Guidelines; and, the said MND adequately addresses the current "Request for Approval" and reflects the independent judgment of the City of Richmond as lead agency. As the proposed project does not present the possibility for adverse environmental impacts because a Mitigated Negative Declaration was adopted for the project and the proposed Mitigation Measures as identified in the Mitigation Monitoring and Reporting Program were made project conditions and have been implemented.
4. That said City Council of the City of Richmond hereby approves General Plan Amendment Application, GPA 1102866, subject to the Mitigation Measures incorporated into the Mitigation Monitoring and Reporting Program of the MND for this project, and subject to the requirement that the applicant shall provide a legal description for each area amended.

I certify that the foregoing resolution was adopted by the City Council of the City of Richmond at a regular meeting held on September 12, 2006:

AYES: Councilmembers Bates, Butt, Griffin, Marquez, McLaughlin, Rogers, Thurmond and Mayor Anderson

NOES: None

ABSTAIN: None

ABSENT: Vice-Mayor Viramontes

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

IRMA L. ANDERSON
Mayor

Approved as to form:

JOHN EASTMAN
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Resolution No. 99-06, finally passed and adopted by the Council of the City of Richmond at a meeting held on September 12, 2006.

ATTACHMENT:

1. Exhibit A, General Plan Map (illustrating land use designation change)