

CITY OF MOUNTAIN VIEW
ENVIRONMENTAL PLANNING COMMISSION
RESOLUTION NO.
SERIES 2019

A RESOLUTION RECOMMENDING THE CITY COUNCIL CERTIFY THE
EAST WHISMAN PRECISE PLAN FINAL ENVIRONMENTAL IMPACT REPORT
AND ADOPT THE CEQA FINDINGS, INCLUDING STATEMENT OF OVERRIDING
CONSIDERATIONS AND MITIGATION MONITORING AND
REPORTING PROGRAM

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000, *et seq.*, the City has prepared an Environmental Impact Report (EIR) for the East Whisman Precise Plan (hereinafter "Project"); and

WHEREAS, the City of Mountain View prepared and circulated a Draft EIR for the requisite 45-day public comment period, which ended on July 22 ,2019, and gave all public notices in the manner and at the times required by law; and

WHEREAS, the response to comments and EIR text revisions, together with the Draft EIR, comprise the Final EIR and were made available to the public on September 20, 2019; and

WHEREAS, the Environmental Planning Commission held a public hearing on October 2, 2019 on said Project and the Final EIR, and received and considered all evidence presented at said hearing, including all associated staff reports, meeting minutes, testimony, and evidence constituting the record of proceedings (as defined in the CEQA Findings); and

WHEREAS, the Final EIR identifies certain significant effects on the environment that would result from the implementation of the proposed Project; and

WHEREAS, the Final EIR identifies mitigation measures which, when implemented, will substantially lessen or avoid the significant effects on the environment caused by the proposed Project, with the exception of the significant unavoidable impacts to project-level and cumulative vehicle miles traveled and transit vehicle delay at intersections; and

WHEREAS, a Statement of Overriding Considerations has been prepared, which finds that the benefits of the Project outweigh the significant unavoidable impacts to

project-level and cumulative vehicle miles traveled and transit vehicle delay at intersections; and

WHEREAS, the Final EIR, Statement of Overriding Considerations, and the Mitigation Monitoring or Reporting document for the Project were presented to the Environmental Planning Commission on October 2, 2019, and the Environmental Planning Commission has reviewed the Final EIR and all associated staff reports, meeting minutes, testimony, and evidence constituting the record of proceedings; and

WHEREAS, the Final EIR identifies and analyzes a reasonable range of alternatives to the proposed Project; and

WHEREAS, the Mitigation Monitoring or Reporting Program has been prepared pursuant to CEQA to monitor the Project, which the lead agency has approved in conjunction with certification of the EIR in order to mitigate or avoid significant effects on the environment;

NOW, THEREFORE, BE IT RESOLVED that the Environmental Planning Commission of the City of Mountain View recommends that the City Council of the City of Mountain View:

1. Certify that the Final EIR has been completed in compliance with CEQA, reflects the independent judgment and analysis of the City and has been presented to the Environmental Planning Commission, which reviewed and considered the information in it before making a recommendation of approval on the Project, attached hereto as Attachment A.
2. Adopt the CEQA findings and Statement of Overriding Considerations for the Project, attached hereto as Attachment B.
3. Adopt the Mitigation Monitoring or Reporting Program for the Project, attached hereto as Attachment C.
4. Adopt all of the feasible mitigation measures identified and described in the Final EIR and determine that the Project, as mitigated, will avoid or reduce all of the significant adverse impacts to a less-than-significant level, with the exception of the significant unavoidable impacts to project-level and cumulative vehicle miles traveled and transit vehicle delay at intersections, which significant unavoidable impacts are considered acceptable because these unavoidable adverse environmental effects are outweighed by the benefits of the Project as set forth in the Statement of Overriding Considerations.

5. Find that the no-project, increased housing, and reduced office alternatives identified and analyzed in the Final EIR cannot achieve the Project objectives to the same degree as the proposed Project, and that the location alternatives do not represent substantial environmental benefits over the proposed Project and are, therefore, rejected as infeasible, within the meaning of CEQA, in favor of the proposed Project.

TIME FOR JUDICIAL REVIEW

The time within which judicial review of this document must be sought is governed by California Code of Procedure Section 1094.6 as established by Resolution No. 13850 adopted by the City Council on August 9, 1983.

EA/6/CDD
899-10-02-19epcr-1

- Attachments:
- A. Final EIR
 - B. Statement of Overriding Considerations
 - C. Mitigation Monitoring or Reporting Program