

RESOLUTION NO. 2017-165

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE LOAN DOCUMENTS
NECESSARY TO MAKE A \$4,700,000 LOAN TO PHASE II OF THE BOW STREET
APARTMENTS PROJECT AND TO RESTRICT THE AFFORDABILITY OF THE
PROJECT UNITS (CEQA EXEMPT)**

WHEREAS, the City of Elk Grove (City) has recognized the need to provide affordable housing to all economic segments of the City; and

WHEREAS, the City's affordable housing development impact fee provides financial resources to promote and assist in the development of new affordable housing in the City; and

WHEREAS, the Affordable Housing Fund (AHF) may be used to provide assistance with new rental residential development costs for low-income and very low-income housing; and

WHEREAS, Pacific West Communities, Inc. ("Developer"), in partnership with Pacific Housing, Inc. and Kelley Ventures, LLC, proposed to develop a ninety-eight (98) unit affordable housing project, including one unrestricted unit available for the full-time property manager or the maintenance supervisor, known as Bow Street Apartments (Project), and submitted a request for gap financial assistance from the City to help achieve financial feasibility for the project and maximize the affordability of project units; and

WHEREAS, on June 22, 2016, the City Council approved a conditional loan commitment of \$5 million to the Project; and

WHEREAS, subsequent to the conditional loan approval, the Developer acquired two funding sources, each of which required the Project to be bifurcated into two separate projects; and

WHEREAS, the Developer proposed to develop one 50-unit project using 9% tax credit financing and a \$300,000 loan from the City (Phase I Project); and a second 48-unit project using 4% tax credit financing and a \$4,700,000 loan from the City (Phase II Project); and

WHEREAS, a set of loan documents, including a Loan Agreement (with exhibits) and Notice of Affordability Restrictions, for the Phase I project was approved by the City Council on July 12, 2017; and

WHEREAS, staff has negotiated a set of loan documents, including a Loan Agreement (with exhibits) and Notice of Affordability Restrictions, for the Phase II project; and

WHEREAS, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000 et seq.; and

WHEREAS, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of Title 14 of the California Code of Regulations (State CEQA Guidelines) provides an exemption from CEQA for projects that are consistent with the applicable General Plan and Zoning for which an EIR was certified.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove finds that no further environmental review is required under the California Environmental Quality Act for the Project pursuant to State CEQA Guidelines Section 15183 based upon the following finding:

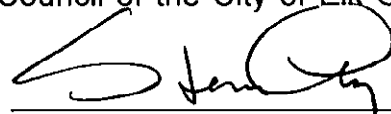
Finding: No further environmental review is required under the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan, or Zoning for Which an EIR was Prepared).

Evidence: CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." An EIR was prepared and certified by the City Council as part of the City's General Plan Housing Element Update in 2014 (SCH 2013082012), which included the Project site in the analysis. Additionally, an EIR was certified by the City Council for the adoption of the City of Elk Grove General Plan in 2003 (SCH 2002062082).

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR and the 2014 Housing Element Update EIR. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, the Project, and the approval of the required Density Bonus to approve concessions required to develop the Project, qualifies for the exemption under CEQA Guidelines Section 15183 and no further environmental review is required.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute loan documents, in substantially the form presented and subject to the review and approval of senior loan documents by the City Manager and City Attorney, necessary to make a \$4,700,000 loan to the Phase II Project and to restrict the affordability of the Phase II Project units.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 26th day of July 2017.



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-165

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

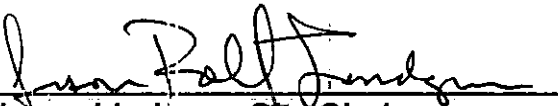
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 26, 2017 by the following vote:

AYES: **COUNCILMEMBERS:** *Ly, Detrick, Hume, Nguyen, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California