

RESOLUTION NO. 16097

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HARBOR VIEW PROJECT; ADOPTING CEQA FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATION; AND ADOPTING A MITIGATION MONITORING AND REPORTING PLAN, ALL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Applicant, Jay Paul, submitted an application for a General Plan Amendment (GP 2018-0001), Zoning Map Amendment (ZM 2018-001), Development Agreement, Vesting Map (TM 2018-008), and Architectural Permit (AP 2018-45) for the Harbor View project consisting of 765,150 square foot office complex, 35,000 square foot amenities building and 2,591 parking spaces located at 320-350 and 410 Blomquist Street, 19 Seaport Boulevard and 15 and 30 Stein Am Rhein Court; and

WHEREAS, on January 22, 2018, the City Council held a duly noticed scoping session for the preparation of an EIR to analyze the Harbor View project; and

WHEREAS, the City determined that the Project required the preparation of an "EIR", pursuant to the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*; hereafter, "CEQA"), and the Guidelines for Implementation of the California Environmental Quality Act (Title 14, Sections 15000 *et seq.* of the California Code of Regulations; hereafter, the "CEQA Guidelines"); and

WHEREAS, the Draft EIR for the Project ("DEIR") was circulated for public review and comment for 52 days beginning on January 16, 2019 and ending on March 8, 2019 and was filed with the State Office of Planning & Research under State Clearinghouse No. 2018012016; and

WHEREAS, on February 11, 2019, the City Council held a duly noticed public hearing and received public comment on the DEIR. The City received also received written comments during the DEIR public review period; and

WHEREAS, the City prepared written responses to the comments received during the comment period, which together with revisions to the DEIR and the Mitigation Monitoring and Reporting Program and the DEIR constitutes the Final EIR ("FEIR"); and

WHEREAS, no significant new information has been added to the EIR after public notice of the availability of the DEIR or added or modified in the FEIR, under CEQA Guidelines section 15088.5. The additional information and modifications that have been provided does not show (1) a new significant environmental impact, (2) a substantial increase in the severity of an environmental impact, (3) that a feasible project alternative or mitigation measure would clearly lessen the significant impacts of the Project, but that the developer declines to adopt it, or (4) that the DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comments are precluded. The EIR mitigation measures are incorporated in the FEIR for the Project to avoid or substantially lessen significant environmental effects. Therefore, no further analysis is required and there is no need to recirculate a revised EIR for further review and comment; and

WHEREAS, the FEIR was published on October 21, 2022; and

WHEREAS, on November 1, 2022, the Planning Commission held a duly noticed public hearing on the FEIR for the Project; and

WHEREAS, the Planning Commission recommended certification of the EIR and the approval of Findings of Fact, a Statement of Overriding Consideration and Mitigation Monitoring and Reporting Program, with a change to Mitigation Measure BIO-3a to delete language that certain bird-safe measures are required only “to the extent feasible;” and

WHEREAS, the applicant agreed to the change to Mitigation Measure BIO-3a and an Errata to the FEIR was prepared to document the amendment to the mitigation measure and is hereby incorporated in the FEIR by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REDWOOD CITY, AS FOLLOWS:

1. The above recitals are true and correct and together with the staff report and the application materials, including without limitation the FEIR, and all other documents, reports, studies, memoranda, maps, oral and written testimony, and materials in the City's file for the applications and the Project, including the Errata to the FEIR, and all adopted City planning documents relating to the Project and the property including the City's General Plan, Zoning Ordinance, and other applicable City laws and regulations, and all associated approved and certified environmental documents, have together served as an adequate and appropriate evidentiary basis for the findings and actions set forth in this Resolution.

2. The City of Redwood City is the lead agency under CEQA for preparing the FEIR, and is the entity with final decision-making authority, as defined in Section 15356 of the CEQA Guidelines, with regard to approval of the Project.

3. The City Council finds that the FEIR for the project was presented to the City Council, that the FEIR was prepared, published, circulated, reviewed and completed in full compliance with State law and CEQA Guidelines, that there was adequate public review of the DEIR, that it has considered all comments on the DEIR and responses to comments, that the FEIR adequately discusses all significant environmental issues, and that the FEIR reflects the independent judgment and analysis of the City Council. The City Council further certifies that it has reviewed and considered the information in the FEIR.

4. The City Council finds that the information added in the FEIR (including the Errata to the FEIR) does not constitute significant new information requiring recirculation, but rather that additional information clarifies or amplifies an adequate EIR.

5. The City Council hereby certifies the Final EIR for the Project.

6. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council has reviewed and considered the CEQA Findings of Fact and Statement of Overriding Considerations for the Project, attached hereto as Exhibit A incorporated herein by reference, finds that such Findings of Fact are supported by substantial evidence and hereby adopts the Findings of Fact and Statement of Overriding Considerations.

7. Pursuant to CEQA Section 21081.6 and CEQA Guidelines section 15091 and in support of its approval of the Project the City Council has reviewed and considered the Mitigation Monitoring and Reporting Program (MMRP) that requires all mitigation measures described in the FEIR be implemented by means of Project conditions, agreements, or other measures, as set forth in the MMRP, attached hereto as Exhibit B and incorporated herein by reference. The City Council hereby adopts the MMRP.

8. The record of proceedings is available for review by responsible agencies and interested members of the public during normal business hours at 1017 Middlefield Road, Redwood City, California. The custodian of these documents is the City of Redwood City's City Clerk.

9. This Resolution is effective upon its adoption.

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Passed and adopted by the Council of the City of Redwood City at a
Joint City Council/Successor Agency Board/Public Financing Authority Meeting
thereof held on the 14th day of November 2022 by the following votes:

AYES: Aguirre, Espinoza-Garnica, Gee, Martinez Saballos, and
Mayor Hale

NOES: Howard, Reddy

ABSENT: None

ABSTAINED: None

RECUSED: None



Giselle Hale
Mayor of the City of Redwood City

Attest:



Pamela Aguilar, CMC
City Clerk of Redwood City

I hereby approve the foregoing resolution this
17th day of November 2022.



Giselle Hale
Mayor of the City of Redwood City