

## RESOLUTION NO. 16156

### **A RESOLUTION OF THE CITY COUNCIL OF REDWOOD CITY CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 505 EAST BAYSHORE ROAD TOWNHOUSE PROJECT; ADOPTING CEQA FINDINGS; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, ALL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the Applicant, Regis Homes Bay Area, LLC (“Applicant”), submitted an application for a General Plan Amendment (2019-0001), Zoning Map Amendment (ZM2019-003), Vesting Tentative Map (TM2019-003), Condominium Permit (CP2019-004), Architectural Permit (AP2019-045), State Density Bonus Law Request, and Affordable Housing Plan for the 505 East Bayshore Townhouse Project consisting of 56 ownership townhomes, including 8 townhomes (15%) to be sold at Moderate Below Market levels (the “Project”); and

**WHEREAS**, the City determined that the Project required the preparation of an Environmental Impact Report (“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**, on September 16, 2021, a duly noticed scoping meeting was held for the preparation of an EIR to analyze the Project; and

**WHEREAS**, an EIR has been prepared in accordance with the requirements of the CEQA and the CEQA Guidelines; and

**WHEREAS**, the Draft EIR for the Project (“DEIR”) was circulated for public review and comment for 45 days beginning on September 21, 2022 and ended on November 7, 2022, and was filed with the State Office of Planning & Research under State Clearinghouse No 2021080447; and

**WHEREAS**, on October 4, 2022, the Planning Commission held a duly noticed public hearing and received comments on the DEIR. The City 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 March 24 2023; and

**WHEREAS**, on May 16, 2023, the Planning Commission held a duly noticed public hearing on the FEIR for the Project and voted 6-0 recommending that the City Council certify the Final EIR, CEQA Findings of Fact, and a Mitigation Monitoring and Reporting Program, along with the Project entitlements; and

**WHEREAS**, on June 26, 2023, the City Council held a duly noticed public hearing on the Project entitlements as well as certification of the FEIR, adoption of CEQA Findings of Fact, and a Mitigation Monitoring and Reporting Program.

**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 incorporated by this reference, 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, 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 does not constitute significant new information requiring recirculation, but rather that additional information clarifies or amplifies an adequate EIR.

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

6. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and as a prerequisite for approval of the Project, the City Council has reviewed and considered the CEQA Findings of Fact attached hereto as **Exhibit A** incorporated herein by reference, finds that such Findings of Fact are supported by substantial evidence. The City Council adopts the Findings of Fact.

7. Pursuant to CEQA Section 21081.6 and CEQA Guidelines section 15091 and as a prerequisite for 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 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 26th day of June 2023 by the following votes:

AYES: Aguirre, Eakin, Howard, Martinez Saballos, Sturken, and  
Vice Mayor Espinoza-Garnica

NOES: None

ABSENT: None

ABSTAINED: None

RECUSED: Gee



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Jeff Gee  
Mayor of the City of Redwood City

Attest:



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Pamela Aguilar, CMC  
City Clerk of Redwood City

I hereby approve the foregoing resolution this  
29<sup>th</sup> day June 2023.



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Jeff Gee  
Mayor of the City of Redwood City