

RESOLUTION NO 16120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY APPROVING A DOWNTOWN PRECISE PLAN (DTPP) AMENDMENT, A DOWNTOWN PLANNED COMMUNITY PERMIT, A TENTATIVE PARCEL MAP, CONCESSIONS AND WAIVERS OF DEVELOPMENT STANDARDS UNDER STATE DENSITY BONUS LAW, AND AN AFFORDABLE HOUSING PLAN FOR THE PROJECT AND CONSIDERING THE PREVIOUSLY CERTIFIED DOWNTOWN PRECISE PLAN PROGRAM ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE #2006052027) PURSUANT TO SECTIONS 15162, 15168 AND 15183 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

WHEREAS, the applicant, Toby Long Design, submitted an application for approval of a Downtown Precise Plan (DTPP) Amendment, a Downtown Planned Community permit (“DPC”) including seven guideline deviations, a Tentative Parcel Map, State Density Bonus Law concession and waivers, and Affordable Housing Plan for a 6-story multifamily residential project consisting of 130 units (including 13 moderate, 6 low income, and 7 very-low income affordable units), located at 1320 El Camino Real, 1322 El Camino Real, 1326 El Camino Real, 1330 El Camino Real, and 114 Madison Avenue, (the “Project”) which is located within the DTPP area; and

WHEREAS, the requested State Density Bonus Law concession would allow the Project to construct a residential building with 6 stories and 64 feet of building height; and

WHEREAS, the requested State Density Bonus Law waiver of development standards would allow the Project to implement a 40 degree daylight plane; and

WHEREAS, on June 11, 2020, the Historic Resources Advisory Committee (“HRAC”) conducted a public hearing to consider the historic evaluation and the peer review for 1322 El Camino Real, and provide an assessment on whether the property qualifies or doesn’t qualify as an individual historic resource based on the findings in the historic evaluation and peer review. The HRAC concurred with the peer review memo provided by Stantec stating that the property is not individually eligible for the California Register of Historic Resources or Redwood City local landmark designation; and

WHEREAS, on September 15, 2022, the Architectural Advisory Committee (“AAC”) conducted a public hearing to consider the seven (7) proposed deviations from the DTPP guidelines, including bundled parking, planters being considered a plinth, greater than 25% or 25’ of Madison Avenue building base be inactive, stoops be less than 4 feet above sidewalk grade, secondary colors that are brighter be included, the omission of hipped and gabled roofs and the primary roof be accepted as flat roof with parapets, and fixed and casement windows be allowed instead of only single or double hung windows. The AAC supported all 7 deviations. The AAC forwarded its recommendation

for approval to the Planning Commission (PC); and

WHEREAS, prior to the December 6, 2022, Planning Commission hearing, the developer agreed to revise the Project to provide unbundled parking removing the request for a deviation from the DTPP Guideline requiring unbundled parking; and

WHEREAS, on December 6, 2022, the Planning Commission conducted a public hearing on the Project applications in accordance with all applicable requirements of the California Planning and Zoning Laws, the Subdivision Map Act, and the Redwood City Municipal Code, at which it considered an Initial Study ("IS") checklist and findings prepared by the City's Planning Division in compliance with the California Environmental Quality Act ("CEQA"), the previously certified Downtown Precise Plan Program Environmental Impact Report (State Clearinghouse #2006052027) ("DTPP EIR"), the DTPP Amendment Application ZT2021-001, Downtown Planned Community Permit Application DPC2021-005, Tentative Parcel Map Application TM2021-007, the requests for the State Density Bonus Law concession and waiver and approval of the Affordable Housing Plan, the recommendations of the HRAC and AAC, and all applicable requirements of the Planning and Zoning Laws, the Subdivision Map Act and the Redwood City Municipal Code and Zoning Ordinance, and at which the applicant, adjacent neighbors and all other interested parties were given the opportunity to participate through oral testimony and submittal of written comments; and

WHEREAS, following its deliberation on all of the foregoing, the Planning Commission determined that the Project is within the scope of the project evaluated in the DTPP EIR and, pursuant to Sections 15162, 15168 and 15183 of the CEQA Guidelines, no further environmental review is required for the Project; and

WHEREAS, the Planning Commission further determined that approval of the Project, including the proposed DTPP Amendment, Downtown Planned Community Permit, Tentative Parcel Map, State Density Bonus Law concession and waiver, and Affordable Housing Plan would further the purposes of and appropriately implement the City of Redwood City General Plan and the applicable provisions of the Redwood City Municipal Code and DTPP and recommended approval of all of the foregoing to the City Council;

WHEREAS, on January 13, 2023, a public hearing notice of the City Council hearing was published in the San Mateo Daily Journal and sent to the Property Owner and was mailed to owners and tenants within 300 feet of the Project; and

WHEREAS, on January 23, 2023, the City Council conducted a duly noticed public hearing in accordance with all applicable requirements of the State Planning and Zoning Law and the Redwood City Zoning Ordinance, to consider the Project and review the permit application and support materials; and

WHEREAS, on January 23, 2023, the applicant, adjacent neighbors and all other interested parties were given the opportunity to participate in the public hearing through

oral testimony and the submittal of written comments; and

WHEREAS, on January 23, 2023, the City Council fully reviewed, considered, and evaluated the staff report prepared for the Project including the attachments to the staff report, oral and written public testimony, and all other documents and evidence in the public record on the Project.

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

1. The City Council hereby finds that the above recitals are accurate and constitute findings in this matter, and with the staff reports, the application materials, development plan, and all other documents, reports, studies, memoranda, maps, oral and written testimony, including the environmental review documents and materials and all other materials in the City's file for the application and the Project, and all adopted City planning documents relating to the Project and the property including the City's General Plan, Municipal Code, Zoning Ordinance, and other applicable City laws and regulations, have together served as an adequate and appropriate evidentiary basis for the findings and actions set forth in this Resolution.

2. The City Council hereby finds that the Project, in its entirety, is consistent with the General Plan, the applicable laws and regulations, the public interest, the existing zoning of the properties in the immediate vicinity, and the purpose of amendments to increase the quality of the provisions of the General Plan and DTPP in guiding and regulating the future development, growth, and evolution of Redwood City.

3. The City Council hereby finds that:

- a. The IS was prepared in accordance with all legal requirements.
- b. The City Council has reviewed and analyzed the IS and other information in the entire record and has considered the information contained therein, including the written and oral comments received at the public hearing on the Project, prior to acting upon or approving the Project.
- c. Based on substantial evidence in the record, the proposed Project is within the scope of the previously approved Downtown Precise Plan and is adequately described and evaluated in the previously certified Downtown Precise Plan Program EIR for purposes of CEQA. The mitigation measures and Statement of Overriding Considerations associated with certification of the Program EIR address the environmental effects of the Project. Accordingly, with the approval of this Project, all applicable mitigation measures and the Statement of Overriding Considerations are hereby reconfirmed and readopted.

- d. As set forth in CEQA Guidelines sections 15162 and 15168, the proposed project will not result in any new or more significant environmental effects or require new mitigation measures beyond those identified in the Downtown Precise Plan Program EIR and adopted upon approval of the Downtown Precise Plan. No new environmental document is required.
- e. As set forth in CEQA Guidelines section 15183, subdivisions (a) and (b), the proposed project is consistent with the Downtown Precise Plan (for which the EIR was certified on January 24, 2011) which provides the necessary zoning to accommodate the proposed development density. Further, as discussed in the IS Checklist, there are no environmental effects which are peculiar to the project or its site, nor are there any new significant effects that were not already identified and analyzed in the certified EIR, nor are there any potentially significant off-site impacts or cumulative impacts that were not already identified and analyzed in the certified EIR, nor is there any new information which was not known at the time of the certification of the EIR that identifies any significant effects which will have a more severe adverse impact than discussed in the certified EIR. Further, as set forth in subdivision (d) of CEQA Guidelines section 15183, the proposed project is consistent with the DTPP, and an EIR was prepared for the DTPP.
- f. Pursuant to CEQA Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 1017 Middlefield Road, Redwood City California. The City Clerk is the custodian of records for all matters before the City.

4. **Downtown Precise Plan Amendment.** The City Council City hereby finds that the DTPP Amendment Application as shown in **Exhibit A and Exhibit B** is appropriate because the building at 1322 El Camino Real is not eligible as an individual historic resource and because the proposed Project is consistent with, conforms to the intent of, and will appropriately implement, the DTPP.

5. **Downtown Planned Community Permit.** The City Council makes the following findings for the Downtown Planned Community Permit Application DPC2021-005:

- a. The Project and improvements proposed therein are consistent with, conform to the intent of, and will appropriately implement the DTPP for the Project; and
- b. The establishment, maintenance and operation of the project and improvements proposed by Downtown Planned Community permit

DPC2021-005 will not, under the circumstances of this particular case, be detrimental to the health, safety peace, morals, or general welfare of persons residing or working in the neighborhood of the project, or be detrimental or injurious to property or improvements in the neighborhood of the project, or to the general welfare of the City, because the project has been found to be consistent with the community goals established in the City's General Plan and Zoning Ordinance; and

- c. The Project and improvements comply fully with all applicable standards of the DTPP; and
- d. The Project and improvements comply with all but seven (7) guidelines of the DTPP. The aspects of the Project which do not conform to the guidelines of the DTPP (which are recommended, not mandatory) nonetheless adequately promote the overall intent of the DTPP.

6. **Tentative Parcel Map Findings.** Pursuant to Municipal Code Section 30.42 and Subdivision Map Act section 66473.5, the City Council finds that none of the following findings requiring or supporting denial of the Tentative Parcel Map Application apply to the Project:

A. The map, design, or improvement of the proposed subdivision are inconsistent with the general or specific plans, the Zoning Ordinance, or subdivision improvement requirements.

The proposed combination is consistent with the City's General Plan, Zoning Ordinance, and subdivision improvement requirements. The newly combined parcel meets all minimum lot size, width, and square footage requirements and was evaluated by the City's Engineering Division to ensure compliance with the subdivision improvement requirements.

B. The site is not physically suited for the proposed type or density of development.

The project site is located within the Mixed-Use Downtown character area of the General Plan and zoned for multi-family medium density residential use. The site already includes the necessary infrastructure to support such a use. The project is consistent with the DTPP.

C. The design or proposed improvements are likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife or their habitat, or cause serious public health problems.

The project will not cause substantial environmental damage as the lots are already developed with existing structures and associated parking areas and located along the major corridor of El Camino Real. The proposed lot would

accommodate future residences as permitted by the General Plan and DTPP and would not cause degradation of habitat or public health problems.

- D. The design or improvements of the proposed subdivision will conflict with essential public easements for access through, or use of, property within the proposed subdivision, unless acceptable alternate public easements will be provided.**

The design or improvements of the proposed combination does not conflict with essential public easements.

- E. The reasons submitted for the granting of any exceptions applied for do not comply with requirements for findings described in Section 30.69, and the tentative map is deemed not workable without the granting of such exceptions.**

No exceptions are needed for the proposed combination.

- F. Such other findings of conflict with written public policy or with the public interest as the Subdivision Committee may determine.**

The project does not conflict with written public policy or the public interest.

7. **Affordable Housing Findings.** The City Council is able make the required findings for approval of an Affordable Housing Plan (Zoning Ordinance Section 29.7(C)). Specifically, the City Council finds that:

- A. Alternative percentages and levels of affordability may be considered as part of the Affordable Housing Plan and Agreement where such alternative percentages and levels of affordability will provide as many or more affordable units at the same or lower income levels or will otherwise provide greater public benefit than the standard requirement.**

The proposed affordable units would comply with the required standards including providing a comparable quality of construction to onsite market rate units, making the units available for occupancy at the same time as market-rate units, and ensuring the continued affordability of the units. The affordable units would provide compatible exterior and interior finishes, and amenities as market rate units. This includes the same access to common open space, parking, storage, fitness center, and other onsite facilities. The number of bedrooms and distribution of units within the development would also be comparable to the market-rate units. The affordable units would be available to qualifying moderate-, low-, and very-low income households and remain affordable units for a duration of at least 55 years.

B. The affordable units will mitigate the impact of the project on the need for affordable housing if the units are being provided under the Affordable Housing Impact Fee program.

The proposed affordable units mitigate the projects impact on the need for affordable housing by providing twenty percent (20%) of the units as affordable onsite, or twenty-six (26) units as specified in Section 29.4.A.1. These units are comprised of thirteen (13) moderate, six (6) low, and seven (7) very low-income levels. The thirteen (13) moderate units would be comprised of eleven (11) studio units, one (1) one-bedroom unit, and one (1) three-bedroom unit; the six (6) low-income units would be comprised of four (4) studio units and two (2) one-bedroom units; and the seven (7) very-low income units would be comprised of six (6) studio units and one (1) two-bedroom unit.

8. Based on all of the foregoing, the City Council hereby approves the Project in its entirety subject to the Conditions of Approval attached as **Exhibit C**, which includes approval of the DTPP Amendment Application ZT2021-001 as shown in **Exhibits A and B**, the Downtown Planned Community Permit Application DPC2021-005, the Tentative Parcel Map Application TM2021-007, the requests for the State Density Bonus Law concession and waivers, and approval of the Affordable Housing Plan.

9. This Resolution is effective upon its adoption.

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EXHIBIT A

DOWNTOWN PRECISE PLAN TEXT AMENDMENTS

Sec. 2.1 – HISTORIC RESOURCE PRESERVATION REGULATIONS

Sec. 2.1.3 – ADDITIONS OR MODIFICATIONS TO HISTORIC RESOURCES (AMHR) REGULATIONS:

~~R)1322 El Camino Real (The Record Man) <RESERVED – THIS STRUCTURE HAS BEEN REMOVED OR RELOCATED>~~

~~The following historic resource preservation standards and guidelines shall pertain to new development on assessor's parcel number 053-063-090.~~

~~2. Standards~~

- ~~a. The entire El Camino Real façade must be retained and should not be modified in any significant way.~~
- ~~b. No less than 75% of historic exterior walls shall be retained.~~
- c. Addition Setback: Additions to this property shall be set back 30' from El Camino Real.
- d. Addition Height: No addition to this property may exceed the height of the historic structure by more than 1 story.

~~3. Guidelines~~

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- a. Surviving historic interior features should be preserved.
 - ~~b. The massing of additions to this structure should consist of simple, traditional volumes similar to those of the resource. Highly stepped or irregularly shaped additions are not recommended.~~
 - ~~c. It is recommended that any addition to this structure conform to the "Art Deco" architectural character regulations found in Section 2.9.~~
 - d. Additions to this structure should use colors, materials, and ornamentation compatible to but clearly differentiated from the historic façade.

- e. New signage on historic façades should be compatible with the architecture of the historic façade in terms of colors, materials, size, placement, and style.

EXHIBIT B

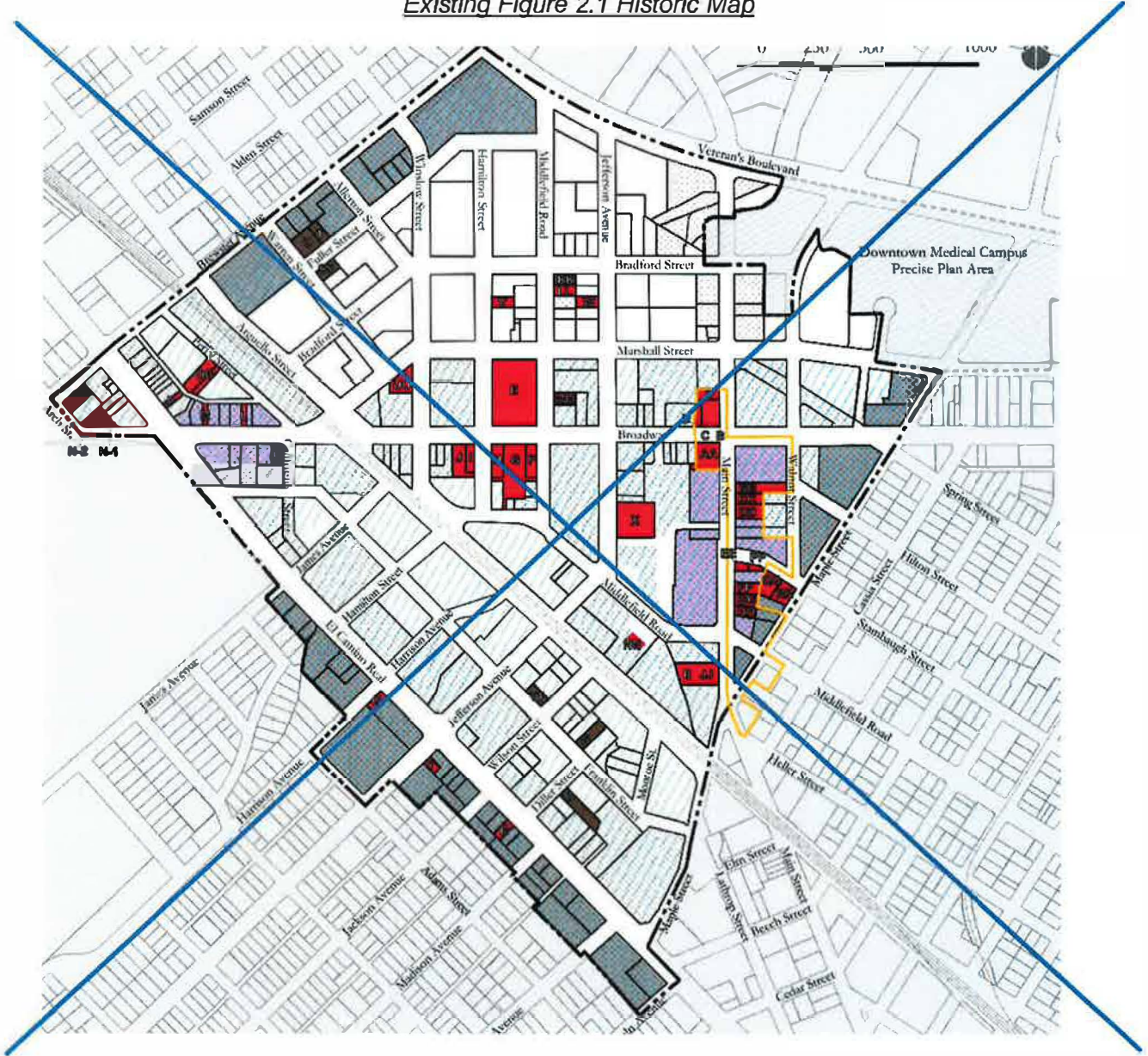
DOWNTOWN PRECISE PLAN MAP AMENDMENT

Sec. 2.1 – HISTORIC RESOURCE PRESERVATION REGULATIONS

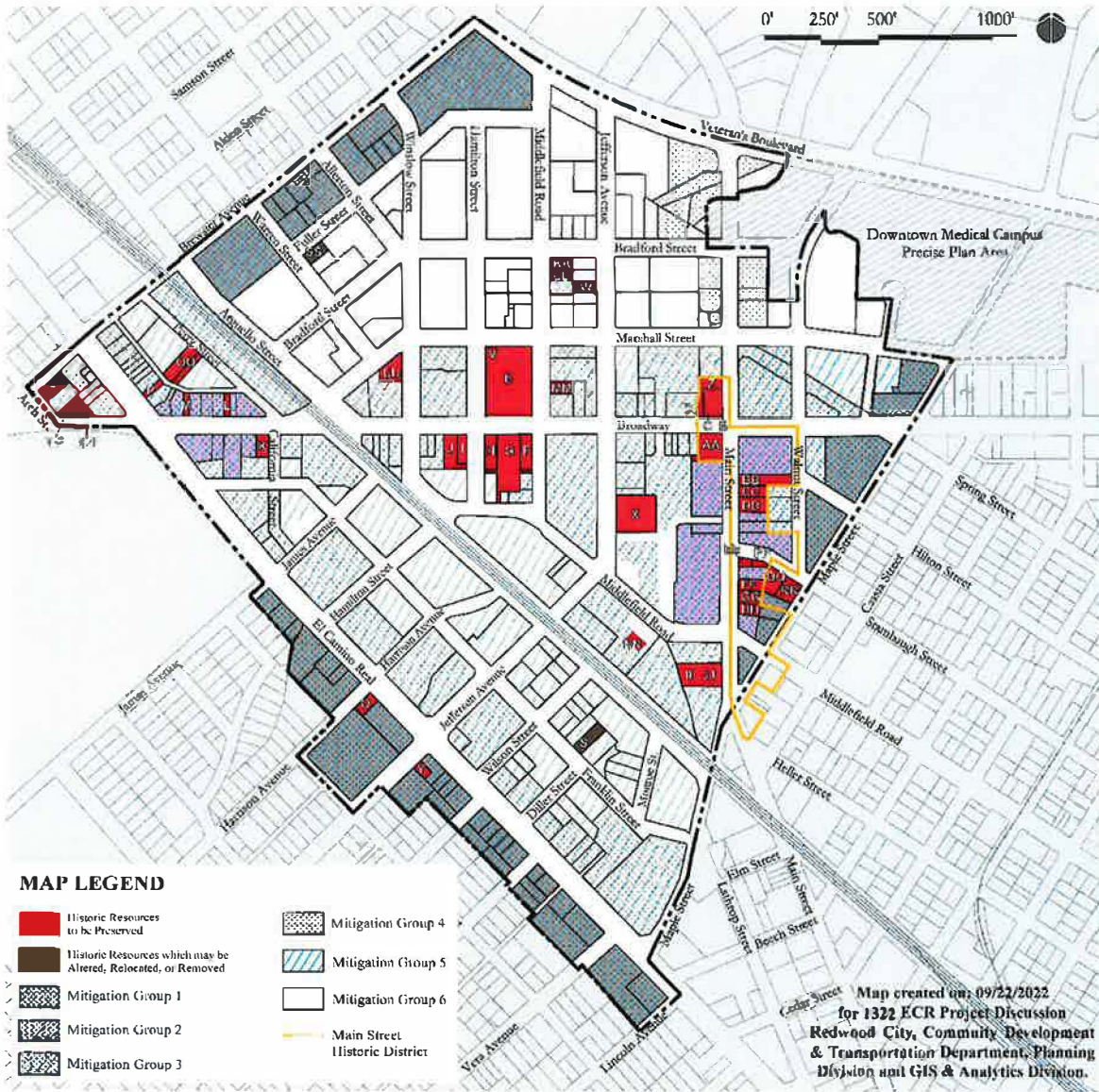
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Replace Map with **Figure 2.1-Historic Map**

Existing Figure 2.1 Historic Map



Proposed Figure 2.1 Historic Map





CITY OF REDWOOD CITY CONDITIONS OF APPROVAL

EXHIBIT C

**1330 EI
Camino Real
ZT2021-001 Downtown Precise Plan
Amendment DPC2021-005 Downtown
Planned Community Permit TM2021-007
Tentative Map**

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to this project. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may be appealed or changed. The SDRs are not intended as a comprehensive list of all applicable laws, rules and regulations that may apply to the project, and the applicant is responsible for ensuring that the project complies with all applicable laws, rules and regulations. The COAs and SDRs are grouped under specific headings that related to the subject matter and the division responsible for enforcement is described in brackets, i.e. [PLANNING].

The applicant is responsible for the fulfillment of all conditions and standard development requirements, unless specifically stated otherwise.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

Project Conformance

1. **Substantial Conformity** - All improvements shall substantially conform to the approved plans prepared by Clever Homes by Toby Long Design, dated August 1st, 2022, and related information submitted by the Applicant, on file with the Community Development Department. [COA][PLANNING]

2. **Approval & Conditions in Building Permit Plans** - This Resolution, with the accompanying conditions of approval, shall be printed on the first page of the building permit plans. [COA][PLANNING]
3. **Use** - The project approval is for General Residential use only. Lodging is prohibited. Any change to the approved use is subject to review and approval by the City. [COA][PLANNING]
4. **Exterior Color and Materials** - The exterior materials, colors, textures, trim elements, windows and roof pitch of the project shall be consistent throughout and substantially

conform to the colors and materials board, on file with Planning Services. [COA][PLANNING]

5. **Parking.** Prior to approval of a Final Map, the project applicant shall revise all application materials, to the reasonable satisfaction of the Zoning Administrator to implement an unbundled parking program for the project. All revised application materials shall be approved in writing by the Zoning Administrator prior to a Final Map approval. [COA][PLANNING][HOUSING][ENGINEERING]

Fees

The following fees must be paid in full prior to issuance of the building permit unless otherwise described below. All fees are estimates only and actual fee payment due will be determined at the time of issuance of the building permit.

6. **Transportation Impact Fee** - Pay a Traffic Impact Fee for the net new trips resulting from the proposed project, estimated at \$128,960. [SDR] [ENGINEERING]
7. **Parks Impact Fee** - Pay a Parks Impact Fee for the net new dwelling units resulting from the proposed project, estimated at \$1,464,479.63. [SDR][PARKS]
8. **School Impact Fee** - For residential additions greater than 500 square feet and new commercial or industrial construction, pay a School Impact Fee to the Sequoia Union High School District. Information regarding this fee may be obtained by contacting the Sequoia Union High School District at (650) 369-1411. [SDR][SCHOOL DISTRICT]
9. **Water and Sewer Fees** - Pay applicable water, recycled water, and wastewater-related fees as outlined on the City's website. [SDR][ENGINEERING]
10. **Notice of Fees Protest** - The applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development within ninety (90) days of project approval. Per California Government Code Section 66020, this 90-day protest period has begun as of the date of the approval of this application, and failure to protest any such imposition by the City in compliance with all requirements of Section 66020 may result in waiver of such protest. [SDR][OFFICE OF THE CITY ATTORNEY]

Landscaping and Site Improvements

11. **Water-Efficient Landscaping** - Provide a landscaping and irrigation plan conforming to the California Water-Efficient Landscape Ordinance (AB 1881), including an automatic irrigation system (drip, micro-spray, or bubblers) with a rain sensor, and show these measures on the building permit plans.

[COA][PLANNING]

12. **Tree Survey** - Provide a tree survey that identifies type, diameter at breast height (DBH), condition and location prior to building permit issuance. [COA][PLANNING]
13. **Tree Protection** - Provide tree protection measures for ordinance-sized trees near the project and show these measures on the building permit plans. [COA][PLANNING]
14. **Tree Removal Permit** - Obtain a Tree Removal Permit for the removal and tree trimming of all ordinance-size trees (number, type and location) defined within the City's Tree Preservation Ordinance prior to building permit issuance. [SDR][PLANNING]
15. **Tree Planting Plan** - Provide a detailed landscaping plan with the number of proposed trees, size, and species for approval to the Parks and Recreation department prior to building permit issuance. [COA][PLANNING]
16. **Stormwater Runoff** - Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels. The applicant's design professional shall evaluate the project's impact to the City's storm drainage system and shall substantiate their conclusions with drainage calculations to the satisfaction of the City Engineer. The project shall be designed in conformance with the Drainage Guidelines for Residential or Commercial Development. [SDR] [ENGINEERING]
17. **Exterior Lighting** - Provide a lighting plan for proposed exterior lighting, including cut sheets, a photometric site plan demonstrating light levels and a diagram showing light spillover. This information shall be included in the building permit plans. New light sources must not introduce glare or light effects that spill off the property. [COA][PLANNING]
18. **Bicycle Parking** - Provide for twenty-two (22) number of bicycle storage spaces and demonstrate this on the building permit plans. [COA][ENGINEERING]
19. **Electric Vehicle Charging Stations** - Provide for and install eight (8) Electric Vehicle Charging Stations (EVCS). Provide the appropriate number of accessible EVCS with at least one van accessible, including considerations for signage and time limits. Demonstrate this on the building permit plans. [COA][ENGINEERING]
20. **Resurface Parking Lot** - Slurry-seal and restripe the parking lot. This work shall be included as part of the building permit plans. [COA][PLANNING]
21. **Discards Collection** - Prior to the issuance of a building permit, the applicant shall submit to Engineering a Discards Collection Plan for review and approval. The plan

shall include the following elements and additional elements as required by City staff:
[COA][ENGINEERING]

- a. **Adequate Space:** Adequate space for trash, recycling and composting (Discards) storage and servicing areas shall be provided, including areas for wastes banned from regular trash containers such as electronics, fluorescent lamps and batteries. Residential properties will also provide area for bulky item collection such as mattresses, furniture, tires and white goods. Space provided for recyclable materials shall equal or exceed the space provided for trash materials and be appropriately sized.
- b. **Convenience and Accessibility:** If the storage area is located outside, then it must be easily accessible by the collection vehicles. If the discards area cannot be located adjacent to the street, then service-day locations easily accessible by the collection vehicle staff must be provided. The recycling area shall be equally accessible as trash and storage areas.
- c. **Screening:** All discards areas shall be completely screened and covered from off-site view by a solid fence or masonry wall at least six feet high and compatible with the building architecture. Alternatively, the trash facilities may be placed within the building.
- d. **Implementation and Reporting:** Applicant and its successors and assigns shall implement the approved Discards Collection Plan and report its activities and achievements to the Public Works Department annually.

Agreements

22. **Final Parcel Map** - Obtain approval and record a Final Parcel Map prior to building permit issuance. All final parcel maps shall include the lot configuration and proposed easements and conform to the Subdivision Map Act and Chapter 30 of the Municipal Code. [SDR][ENGINEERING]
23. **Agreements** - Prior to Building Permit issuance, enter into the following agreements in a form acceptable to the City Attorney and the Community Development Director:
[COA][ENGINEERING][HOUSING]
 - a. **A Landscape Maintenance Agreement** for all assigned landscape areas in public rights of way, easements, and/or on property in which the City holds an interest to be maintained. Maintenance items shall include, but are not limited to, planting trees, shrubs, flowers, grass and all appurtenances including irrigation systems and pedestrian scale lighting.
 - b. **A Stormwater Treatment Measures Maintenance Agreement** for all on-site stormwater treatment measures associated with the project.
 - c. **An Improvement Agreement** to guarantee the installation of all

improvements required of the project and to provide for payment of all City inspection and plan check charges associated with the installation of public and private improvements, including, but not limited to, streets, sanitary sewers, water, storm drains and streetlights.

- d. **Affordable Housing Agreement** with the City restricting the rental of twenty- six (26) units, comprised of
- i. Eleven (11) studio units, one (1) one-bedroom unit, and one (1) three- bedroom unit to moderate income households (as defined in Health & Safety Code Section 50093) which shall in no event exceed 120 percent of area median income, adjusted for family size at an “affordable rent” including a reasonable utility allowance (as defined in Health & Safety Code Section 50053); and
 - ii. Four (4) studio units and two (2) one-bedroom units to low income households (as defined in Health & Safety Code Section 50079.5) which shall in no event exceed 80 percent of area median income, adjusted for family size at an “affordable rent” including a reasonable utility allowance (as defined in Health & Safety Code Section 50053).
 - iii. Six (6) studio units and one (1) two-bedroom units to very low income households (as defined in Health & Safety Code Section 50105) which shall in no event exceed 50 percent of area median income, adjusted for family size at an “affordable rent” including a reasonable utility allowance (as defined in Health & Safety Code Section 50053).

The Affordable Housing Agreement term shall be for a period of 55 years from the date of final certificate of occupancy. The affordable housing agreement shall specify the number, type, location, size, and phasing of all affordable units, provisions for marketing, income certification and screening of potential renters of units including the financing of ongoing administrative and monitoring costs, consistent with the approved affordable housing plan.

Reports and Surveys

24. **Geotechnical Report** - Include a geotechnical field review and reports for all grading work, prepared by a licensed geotechnical engineer and in conformance with Engineering Standards, Volumes II & III, CBC, and other State regulations. This shall be submitted as part of the building permit application. [SDR][ENGINEERING]
25. **As-Builts** – Provide “as-built” or “record” drawings, to be submitted in paper, PDF and AutoCAD formats prior to project sign-off. [COA][ENGINEERING]

26. **Transportation Demand Management Program** – A final Transportation Demand Management (TDM) program, describing the elements to be implemented, shall be reviewed and approved by the City's Engineering staff prior to certificate of building occupancy. The TDM program shall include an annual reporting requirement for the first three years that details daytime parking utilization rates and employee use and awareness of the program. Annual reporting shall begin on December 1 of each year. [COA][ENGINEERING]
27. **Recycled Water Report** - The applicant shall enter into a Recycled Water Use Agreement and shall hire an engineer licensed in California and experienced in the field of wastewater treatment to prepare a recycled water report for dual plumbed facilities, pursuant to California Water Code section 13522.5 and in accordance with California Code of Regulations sections 60314 and 60323 (found within Title 22, Division 4, Chapter 3). The first draft of the report and the signed agreement shall be submitted to Engineering with the first building permit submittal, and will be routed to the Public Works Department for approval prior to first building permit issuance. [COA] [ENGINEERING]

Utility Infrastructure Improvements

28. **Conformance with the City's Engineering Standards** – All public improvements shall be designed and constructed in accordance with the [City's Engineering Standards as determined by the City Engineer](#). [SDR][ENGINEERING]
29. **Encroachment Permits** – Obtain an Encroachment Permit from the Engineering and Transportation Division for work listed below. This permit shall be obtained prior to the commencement of construction of the road, utilities, or any site improvements. [SDR][ENGINEERING]
 - a. Work in the City public right-of-way, easements or property in which the City holds an interest.
 - b. Work requiring a grading permit. Grading permits require a Plot and Finished Grading Plan prepared by a California-registered Civil Engineer.
 - c. Work requiring on-site shoring which affects the public right of way
30. **Undergrounding Utilities** - The applicant shall underground all overhead utilities along Madison Avenue to the nearest pole offsite, which shall be shown on the building permit plans. The plans shall also demonstrate that there will be no overhead utilities conflicting with fire access. [SDR][ENGINEERING]
31. **Sewer Capacity** – Prior to encroachment permit issuance, submit to the City, and obtain approval of, an evaluation and report prepared by a licensed engineer demonstrating that the existing sewer mains have sufficient capacity for the project. The study shall consider existing, project, other approved projects, and applications currently under review in determining the needed capacity. If the existing sewer main

is less than 6" in size, or is in any other way not sufficient as determined by the City Engineer, applicant shall, as part of the Project, construct and install new sewer mains sufficient to meet such requirements, in accordance with the City's Engineering standards and as directed by the City Engineer to the City Engineer's satisfaction. [SDR][ENGINEERING]

32. **Peak Wet Weather Flow Capacity** – Redwood City has exceeded its Peak Wet Weather Flow (PWWF) capacity in the past. A methodology to reduce inflow and infiltration (I/I) by pipe replacement was determined. The applicant shall reduce (I/I) to offset increased sewer demand from the project by replacing aged sewer mains or pay an equivalent in-lieu fee. The length of pipe replacement required or the amount of fee will be based on the project's sewage generation projection (Attachment L of the City's Engineering Standards). For parcels within Redwood City but connecting to County owned and maintained sewer, an I/I in-lieu fee may be collected by Redwood City if the County does not require main replacement or collect and in-lieu fee. [COA][ENGINEERING]
33. **Sewer Lateral Limit** – The project is limited to one sewer lateral per parcel. [COA][ENGINEERING]
34. **Sewer Lateral Size for Commercial Development** - For new or remodeled commercial buildings, sewer laterals less than 4" shall be upgraded to a minimum 6" size. [SDR] [ENGINEERING]
35. **Water Mains** – Prior to encroachment permit issuance, submit to City, and obtain approval of, an evaluation and report, prepared by a licensed engineer, in conformance with the City's Engineering Standards, demonstrating that the proposed water main meets the domestic and fire flow requirements in accordance with City Code Section 38.26 and the International Fire Code. If the existing water main is less than 6" in size, or is in any other way not sufficient as determined by the City Engineer, applicant shall, as part of the Project, construct and install new water mains sufficient to meet such requirements, in accordance with the City's Engineering Standards and as directed by the City Engineer. New water mains shall be 8" minimum in size and extend across the entire property frontage, from the nearest point of connection to an existing 6" or larger water main.[SDR][ENGINEERING]
36. **Water Meters** – The project is limited to one "master" water meter for domestic water service. Any metering for individual units must be accomplished by private sub-meters within the property. [COA][ENGINEERING]
37. **Recycled Water Facilities** – Recycled water (purple pipe) facilities shall be provided and designed in accordance with Engineering Standards for dual plumbing, irrigation, and other warranted uses per the Recycled Water Ordinance, Chapter 38. Services that are to be supplied by recycled water (either at the time of project completion or at

a future date) shall be designed to properly function at the design pressure required by Engineering. Upon a final determination by the City that recycled water is available for the property, the applicant shall connect the project to the recycled water system. Pipe material for internally dual plumbed systems intended for the conveyance of recycled water shall be constructed of non-metallic materials as allowed in the California Plumbing Code, and in accordance with the City's Recycled Water Development Standards. [SDR][ENGINEERING]

38. **Cross-Connection Control Test** - Prior to issuance of the certificate of occupancy, all applicable plumbing systems must pass a cross-connection control test, performed by a Cross-Connection Control Specialist Certified through the CA-NV Section of the AWWA and observed by Public Works staff. The cross-connection control test method must be included in the Recycled Water Report. The applicant is responsible for all fees associated with the performance of the cross-connection control test. [COA] [ENGINEERING]
39. **Discharge Permit for Subterranean Garages** - If the subterranean garage requires groundwater pumping into the sewer system, a Discharge fee will apply and a Discharge Permit will be required by Silicon Valley Clean Water (SCVW) prior to issuance of the building permit. [SDR][ENGINEERING]
40. **Backflow Protection** - Backflow protection on all water services is required. The backflow preventer shall be above grade and located on private property, accessible to the Public Works division for testing. [COA][ENGINEERING]
41. **Fire Flow** - The Project shall meet fire flow requirements as established by the Fire Department which are based on the Fire Code. Fire flow tests are typically performed during the preliminary design phase but must be completed prior to submittal of final design. Applicant shall contact the Fire Department for fire flow requirements, and then submit a written fire flow test request to Engineering. [COA][ENGINEERING]
42. **C3 Requirements** - Plans shall be designed to meet C3 requirements of the Municipal Regional Permit (MRP) NPDES Permit CAS612008 and comply with San Mateo County C.3 Stormwater Technical Guidance as determined by the City Engineer. [SDR][ENGINEERING]
 - a. **Treatment Controls** - Treatment measures to be shown on final improvement or grading plans shall not differ materially from the treatment measures presented on the project's Vesting Tentative Map, approved in 2007, without written approval from the Engineering Department.
 - b. **Treatment Measure Inspection** - Applicant shall coordinate installation of stormwater treatment measures with the municipality, shall arrange to have the City's designated inspector present at the time of installation, and shall have the City's designated inspector complete a final inspection

of installed stormwater treatment measure immediately after installation is complete.

43. **Stormwater Management Plan (SWMP)** – Applicant shall prepare a SWMP that includes, at a minimum, exhibit(s) showing drainage areas and location of Low Impact Development (LID) treatment measures; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; saturated hydraulic conductivity rate(s) at relevant locations or hydrologic soil type (A, B, C or D) and source of information; elevation of high seasonal groundwater table; and a brief summary of how the project is complying with Provision C.3 of the MRP. [COA][ENGINEERING]
44. **Stormwater BMPs** - The project plans shall include a Stormwater Pollution Prevention and Erosion Control Plan for the City’s review and approval. Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP). BMP plan sheets are available electronically for inserting into project plans. [SDR][ENGINEERING]

Street Infrastructure Improvements

45. **Repair or Replace Street Infrastructure** - Restore streets surrounding the project site to the satisfaction of the City Engineer at project completion. When this requires additional pavement restoration, the Engineer shall approve the preferred layout of pavement markings. [SDR][ENGINEERING]
46. **Parking Garage Ramps** - Parking garage ramps shall meet the Design Criteria of the Engineering Standards and consider safety and visibility of pedestrians to the satisfaction of the City Engineer. Access controls shall be designed and placed in such a way that vehicles do not block the public sidewalk or queue in the public right-of-way. The access control system shall be delineated in the building permit submittal. Person doors with panic hardware and alarms shall be installed at or adjacent to gates between private and public parking to allow the safest emergency egress path of travel. [SDR][ENGINEERING]
47. **Shoring for Excavations** – No tiebacks shall extend into the public right of way or onto adjacent properties without the written agreement of the City and/or private property owner. Any tie-backs within the City’s right of way shall be de-tensioned prior to permit sign-off and/or project acceptance. [COA] [ENGINEERING]

Fire and Safety

48. **Radio Coverage for Emergency Responders** – All building and parking garages shall have approved radio coverage for emergency responders within the building.

Upon completion of the building construction, a radio coverage test shall be conducted per the applicable codes and standards and if the test fails an Emergency Responders Radio Coverage System shall be installed. Verify any Blue Box phone communication requirements with the Redwood City Police Department. [COA][POLICE]

49. **Addressing and Access** – The following requirements apply: [COA][FIRE]
- a. Addresses must be logical, sequential numbers, i.e. First Floor 101, 102, 103, Second Floor 202, 203, 204, as opposed to F303, G401, etc.
 - b. Floor plan maps shall be submitted with unit numbers at all entrances, excluding fire exits.
 - c. Provide a keypad with 24 hour access code for public safety personnel at the main entrance, as opposed to just RFID readers or similar devices.
50. **Elevator Requirements** – The following requirements for elevators apply: [SDR][BUILDING]
- a. One elevator shall be available for use as an accessible means of egress in case of emergency.
 - b. One elevator shall be connected to backup generator power in order to remain operable during emergencies. This elevator shall be provided with appropriate signage and shall extend to all floors including the lower levels of the parking structure
 - c. All additional elevators shall be connected to battery backup with sufficient power to bring the elevator to the exit level in the event of an emergency.
 - d. All elevators shall be equipped with smoke curtains.

Construction-Related Activities

51. **Verification for Dimensions** – All dimensions, including building location on the site, setbacks, building height, etc. shall be verified by a licensed surveyor. A survey report shall be provided to the Building Inspector for review and approval. [COA][BUILDING]
52. **Sales and Use Taxes** – Applicant shall use good faith efforts to register with the Board of Equalization to create an ID prior to project construction and operation. This maximizes the City's allocation of sales and use taxes associated with project construction. Contact Nancy Murguia, Finance Department, at (650) 780-7097 or nmurguia@redwoodcity.org. [COA][FINANCE]
53. **Hours of Construction** – On-Site Construction activity is permitted between 7:00 a.m. and 8:00 p.m. Monday through Friday, except as permitted on weekends by the Building Official, and shall adhere to the City's Noise Ordinance. If possible, the noisiest construction activities should be scheduled for daytime hours when the ambient noise

levels are highest. [SDR][BUILDING]

54. **Construction Sign** - Prior to the start of any construction work, including demolition, install at least one 36" x 48" (minimum) construction sign in a visible location along the project frontage for the duration of construction. The sign shall include, at minimum, the following information: project name & address, elevation or rendering, construction manager (name, phone number), anticipated completion (season, year), and the City's permitting website <http://permits.redwoodcity.org> [COA][PLANNING]
55. **Construction Meetings** – The applicant is required to contact the Permit Counter (650.780.7350) to schedule the following meetings prior to or during construction. [COA][BUILDING]
 - a. **Pre-Construction** - Prior to building permit issuance, schedule a pre-construction meeting with Engineering, Building Fire, and Planning staff to discuss the inspection process and requirements for construction and site work. The applicant shall arrange for the attendance of the owner, developer, construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
 - b. **Finishes & Amenities** - After sheetrock inspection but prior to installation, contact the Project Planner and Housing Staff to verify, to the City's satisfaction, that all interior finishes and amenities in the affordable units are equivalent to amenities used in market rate units.
56. **Materials Mock-Up** – Prior to final foundation inspection, prepare a mock-up that is outdoors, readily accessible, and will remain intact until the project has reached substantial completion. The mock-up should include all project colors and materials, windows for the base and top, balconies, lighting, and architectural details, as well as construction details, such as the weep screed, to understand how the design addresses them. Then schedule a mock-up meeting with the Planning and Building Departments for final review and approval of the project details. Submit an updated colors and materials board or details if any changes are made as a result of the mock-up meeting. [COA][PLANNING]
57. **Certification Letters** - Prior to final inspection, submit certification letters from the following architects verifying that the project, as constructed, complies with approved plans. After the certification letter has been submitted, the project planner will also confirm substantial compliance with the approved plans during the scheduled final inspection. [COA][PLANNING]:
 - a. Project Landscape Architect verifying substantial conformance with the approved landscape plan, including species, size, quantity, and location of the approved trees, shrubs, and groundcover. It shall also verify landscape

Mitigation Monitoring Program (MMRP) for the Downtown Precise Plan, adopted by the City Council by Resolution No. 15086, including mitigations expressly identified in the Initial Study for this project. [SDR][PLANNING]

- a. **Archaeological Resources (Mitigation 7-1)** - In the event that any deposits of prehistoric or historic archaeological materials are encountered during project construction activities, all work within an appropriate buffer area shall be stopped and a qualified archaeologist shall be contacted to assess the deposit and make recommendations, possibly including complete avoidance of the resources, in- place preservation, or data recovery as detailed in Mitigation 7-1 of the DTPP EIR.[COA][PLANNING]
- b. **Paleontological Resources (Mitigation 7-5)** - Prior to the issuance of grading or demolition permits, the Community Development Department, in coordination with a qualified paleontologist, shall assess the project for the potential to destroy unique paleontological resources and to determine provisions to protect such resources when applicable, possibly including complete avoidance of the resources, in-place preservation, and/or data recovery as detailed in Mitigation 7- 2 of the DTPP EIR. [COA][PLANNING]
- c. **Noise and Vibration Studies (Mitigation 11-1)** - The applicant shall submit a site-specific noise study consistent with the requirements of the California Building Code (CBC) and incorporate noise reduction measures necessary to achieve compatibility with the City's Noise Element guidelines (55 dBA CNEL at sensitive exterior spaces) and Title 24 standards (45 dBA CNEL within residential units). Each noise study shall be approved by the Building Division prior to issuance of the building permit per Mitigation 11-1 of the DTPP EIR. [COA][BUILDING]
- d. **Construction Noise and Vibration (Mitigations 11-3 and 11-4)** - Construction activities shall minimize the impacts of noise and vibration on adjacent properties. More requirements and details of these mitigation measures are found in Mitigation 11-3 and 11-4 of the DTPP EIR. [COA][ENGINEERING]
- e. **Air Quality Report (Mitigation 12-1)** - The applicant shall provide an air quality report to analyze the potential health risks and incorporate appropriate design and construction features that reduce potential exposure of persons to pollutants in accordance with BAAQMD adopted standards for control of odor/toxics for sensitive receptors. More requirements and details of this mitigation measure are found in Mitigation 12-1 of the DTPP EIR. [COA][BUILDING]
- f. **Wildlife Movement and Impacts (Mitigation 15-3)** - The applicant shall hire a qualified biologist to conduct a survey for nesting birds prior to tree removal

or trimming, and submit the survey for filing. All tree removal and trimming shall take place outside of the breeding season. [COA][PLANNING]

- g. **Tree Removal (Mitigation 15-4)** - Any project in the DPP area that would involve the removal of any tree shall complete the application and review process specified in the City's Tree Preservation Ordinance (Municipal Code chapter 35) prior to project approval. Implementation of this measure would ensure protection of heritage trees, as well as planting of replacement trees in cases that trees are removed. [COA][PLANNING]
 - h. **Geotechnical Reports (Mitigation 16-1)** - The detailed, design-level geotechnical investigations required by the City Building Official shall include analysis of expansive soil hazards and recommend stabilization measures. Once grading plans have been developed, the actual use of expansive soils in engineered fill construction shall be further evaluated and the location of primary borrow source areas for fills shall be determined. Additionally, supplemental field and laboratory testing of potential cut materials shall be completed. In addition to observing all cut and fill slope construction, the project geotechnical engineer shall inspect and certify that any expansive soils underlying individual building pads and all roadway subgrades have been either removed or amended in accordance with City-approved construction specifications. [COA][BUILDING]
 - i. **Erosion Control (Mitigation 16-3)** - Future development projects in the DPP area involving a grading area of 10,000 or more square feet to prepare erosion control plans subject to City approval and consistent with the required project Stormwater Pollution Prevention Plans (SWPPPs) as well as Best Management Practices (BMPs) specified by the Redwood City Stormwater Management and Discharge Control Program (Municipal Code Chapter 27A). [COA][ENGINEERING]
64. **Notice of Right to Operations** – Provide a “Notice of Right to Downtown Operations” to all tenants prior to execution of any lease per DTPP Section 2.2.5. [SDR][PLANNING]
65. **Window Visibility** – Ground floor windows for non-residential uses shall provide an unobstructed view into the building of at least 20 feet. [SDR][PLANNING]
66. **Signs** – Future signs require a separate sign permit and shall conform to the requirements of the Downtown Precise Plan and Chapter 3 of the Municipal Code. [SDR][PLANNING]

General Requirements

67. **Modifications** - Modifications to the approved plans require Planning review and

approval prior to building permit issuance. Minor project modifications required to meet building, fire, and safety codes at time of building permit plan check may be allowed, at the project planner's discretion. Substantial modification of approved plans, as determined by the Zoning Administrator, may be subject to an amendment or a new Permit. [COA][PLANNING]

Indemnification – Per Redwood City Municipal Code Section 1.54, Applicant shall defend (with counsel approved by City), indemnify, and hold harmless the City, its agents, officers, and employees from and against any claim, action, or proceeding against the City or its agents, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods (“Challenge”). If Applicant does not promptly defend any Challenge, City may (but is not obligated to) defend such Challenge as City, in its sole discretion, determines appropriate, all at applicant's sole cost and expense. Applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge (“Costs”), whether incurred by Developer, City, or awarded to any third party, and shall pay to the City within ten (10) days of receipt of a demand from City any Costs incurred by the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation. Per Government Code Section 66474.9, Applicant's indemnification obligation with respect to any claim, action or proceeding to attack, set aside, void, or annul an approval of City concerning a subdivision (tentative, parcel, or final map application or approval) shall be limited to actions brought within the time period provided for in Government Code Section 66499.37, unless such time period is extended for any reason. The City shall promptly notify Applicant of any such claim, action or proceeding and shall cooperate fully in the defense. [COA] [OFFICE OF THE CITY ATTORNEY]

-end-

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 23rd day of January 2023 by the following votes:


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

NOES: None

ABSENT: None

ABSTAINED: None

RECUSED: None



Jeff Gee
Mayor of the City of Redwood City

Attest:



Pamela Aguilar, CMC
City Clerk of Redwood City

I hereby approve the foregoing resolution this
24th day of January 2023.



Jeff Gee
Mayor of the City of Redwood City