



**CITY OF NEWARK**  
**PLANNING COMMISSION**

37101 Newark Boulevard, Newark, California 94560-3796 □ 510/578-4330 □ FAX 510/578-4265

City Administration Building  
7:30 p.m.  
City Council Chambers

**AGENDA**      **Tuesday, February 24, 2015**

**A. ROLL CALL**

**B. MINUTES**

**B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, January 13, 2015. (MOTION)**

**C. WRITTEN COMMUNICATIONS**

**D. ORAL COMMUNICATIONS (Anyone wishing to address the Commission on any planning item not on the Agenda may take the podium and state his/her name and address clearly for the recorder.)**

**E. PUBLIC HEARINGS**

**E.1 Hearing to consider an amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen of California, Inc.) – from Assistant City Manager Grindall. (RESOLUTION)**

**F. STAFF REPORTS**

**G. COMMISSION MATTERS**

**G.1 Report on City Council actions.**

**H. ADJOURNMENT**

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the Planning Commission, will be made available for public inspection at this meeting and at the Planning Division Counter located at 37101 Newark Boulevard, 1st Floor, during normal business hours. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection.

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# CITY OF NEWARK PLANNING COMMISSION

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City Administration Building  
7:30 p.m.  
City Council Chambers

## MINUTES

Tuesday, January 13, 2015

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### A. ROLL CALL

At 7:33 p.m., Chairperson Fitts called the meeting to order. All Planning Commissioners were present except Commissioner Drews (personal). There is one vacancy.

### B. MINUTES

#### B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, December 9, 2014.

Commissioner Nillo moved, Vice-Chairperson Aguilar seconded, to approve the Minutes of December 9, 2014. The motion passed 4 AYES, 1 ABSTENTION (Bridges).

### C. WRITTEN COMMUNICATIONS

None.

### D. ORAL COMMUNICATIONS

None.

### E. PUBLIC HEARINGS

#### E.1 Hearing to consider: (1) adopting a resolution making certain findings and recommending City Council approval of an Initial Study and Mitigated Negative Declaration (E-14-39); (2) adopting a resolution recommending City Council approval of a rezoning (RZ-14-40) for an approximately 10.1 acre portion of Vesting Tentative Map 8212 from R6000 (Single Family Residential) to LDR-FBC (Low Density Residential-Form Based Code); (3) adopting a resolution approving P-14-41, a planned unit development, and U-14-42, a conditional use permit, for a 77 lot single-family residential subdivision at 36120 Ruschin Drive, with Exhibit A, pages 1 through 34; and (4) by motion, recommending the City Council approve TM-14-43, Vesting Tentative Map 8212.

Assistant City Manager Grindall presented the staff report via PowerPoint.

Consultant Gary Black, President of Hexagon Transportation Consultants, Inc., gave a presentation on the Traffic Analysis.

Answering Commissioner Bridges, ACM Grindall stated the proposed 2,100 sq.ft. single-story homes would not be the largest in Newark.

Answering Vice-Chairperson Aguilar, ACM Grindall stated the density of 7.62 units per acre is in conformance with the General Plan.

ACM Grindall informed the Planning Commission that 30 members of the public wish to speak on this item and 86 members of the public indicated they were in support of the project but did not wish to speak tonight.

Chairperson Fitts opened the Public Hearing.

Mr. Dave Marken, Superintendent of Schools for the Newark Unified School District (NUSD) stated there were 150 people in attendance in support of this project of which 20 will be speaking tonight.

Superintendent Marken gave his opinion that this project would be beneficial for the NUSD, the City and the Community.

Jim Pollart, representing the Applicant Classic Communities, gave background information on his Company and stated the payment to NUSD is approximately \$20 Million.

Mr. Pollart asked to add Condition "v" to Resolution 1895 to address the removal of all pests and rodents from the existing structures; and stated his construction timeline to be 2 ½ years after obtaining necessary approvals.

Mr. Pollart stated he has read and is in agreement with all conditions for this project.

Answering Chairperson Fitts, Mr. Pollart estimated home prices to be between the mid \$700,000 to the high \$800,000.

Ms. Villa Pulliam, stated she and her sister Briana Pulliam, supports the Ruschin School Site plans as submitted, and feels it will give current and future teachers the tools necessary to bring Newark students into the 21<sup>st</sup> Century and keep them in the NUSD.

Mr. Mike Sehr, 35157 Blackburn Drive, Newark, CA 94560, stated his support for this project is based on the needs of the 6,000 students currently enrolled in the NUSD and for the future students.

Ms. Ann Terrasas, 35908 Vinewood Street, Newark, CA 94560, commented due to the poor sound system she estimates 2/3 of the 50 people who were downstairs went home and she requested that a more accommodating venue be used whenever a large turnout is expected.

Ms. Terrasas gave her opinion that people living in the immediate area should have more weight in their vote and doesn't feel it is right to state if you do not support this project you do not support students; she also believes there will be an increase in traffic and that numbers are being manipulated.

Ms. Lucir Schlickmann believes the addition of new homes and new Newark residents will attract businesses to Newark; that the Newark teachers are working without enough funds and the NUSD needs better technology to compete with Fremont.

Mr. Jose Perenga, 36327 Sandalwood Street, Newark, CA 94560, stated he is not opposed to the NUSD receiving funding, but he does oppose additional traffic and wants the Planning Commission to get the Developer to agree to adding parks, street lights and stop signs and would also like the Developer to provide better practice fields. Mr. Perenga also mentioned the poor sound system and the need to hold Public Hearing Meetings in a larger facility.

Ms. Michelle Pimentel stated all the schools in the NUSD would benefit in the areas of technology, science and music.

Mr. Stephen Tyley, 5319 Surrey Court, Newark, CA 94560, stated both sides have valid arguments but he believes the current Ruschin School site is not serving anyone's needs, and he believes the proposal has good traffic flow and safety measures.

Ms. Deborah Borsa, 36075 Sandalwood Street, Newark, CA 94560, stated she is not looking forward to losing her view of open space and feels two-story homes are not consistent with the neighborhood. Ms. Borsa stated she felt bullied and intimidated by the comments Superintendent Dave Marken made during the Community meeting and said she would be receptive to having all single-story homes built on this site.

Ms. Michelle Padiilla believes this project is a good deal.

Mr. Elias Pereda thanked Mr. Jack Burgess for informing him about tonight's meeting and stated he and his wife oppose this project. Mr. Pereda also commented on not being able to hear the meeting downstairs and not being able to see the words from the Power Point presentation on the monitor.

Ms. Marguerite Durand, stated she is proud with the progress in development that is currently taking place in Newark and although she is concerned about traffic issues she gives her support to this project.

Ms. Jennifer McMenemy believes the benefits to the Community, the City and the NUSD will outweigh the inconvenience of the nearby residents and states she also drives through this neighborhood daily. She believes it is important to bring in new tax-paying families into Newark.

Mr. Vince Licon, 7618 Redwood Court, Newark, CA 94560, stated he sees good things going on at this daughter's school and approves this project for the future of children.

Mr. Jack Burgess, 36129 Sandalwood Street, Newark, CA 94560, stated his opinion that 77 units are still too much for this site and he is worried about additional traffic. Mr. Burgess stated he does not oppose development and acknowledges the NUSD has the right to sell their property but he does not believe this project fits in with the existing neighborhood.

Mr. Burgess described the Community Meetings and Environmental Review process and stated he was displeased that only questions by the public were accepted. Mr. Burgess stated his belief that the number of housing units were reduced only to allow fire truck access and the lot square footage does not meet general plan requirements.

Ms. Julia Martinez, 36862 Cherry Street, Newark, CA 94560, supports this project and stated her belief that the Newark students will benefit with improved schools, better fields, more musical instruments and money to make needed repairs.

Ms. Jacque Burgess, 36129 Sandalwood Street, Newark, CA 94560, stated she believes too many housing units are being proposed in the center of the project and they are too close to each other; and that the project is not consistent with her neighborhood which consists of single-story homes and 5 houses with additions that are built in the back of their homes.

Ms. Burgess described her experience with Mr. Pollart during the Community Meeting and agreed with Mr. Burgess that the project should be decided on its own merits instead on focusing on the monetary benefits to the NUSD.

Ms. Burgess would like the Public Hearing be continued to a larger facility and estimated 75 to 100 people who were unable to get into the Council Chambers had left.

Mr. Ricardo Corte listed standards in the General Plan which he feels were not being met by this project: Policy LU2.1; the preservation of a portion of the Ruschin School playfield for a neighborhood park; the density requirement for low density residential areas for lots larger than 5,000 sq. ft.

Mr. Corte believes the Developer changed their plans to allow fire truck access, and expressed disappointment during the Community Meeting process, and felt the NUSD Superintendent used fear tactics.

Mr. Tom McThorn, 36111 Sandalwood Street, Newark, CA 94560, stated he is not opposed to development of the site but he opposes the plan for two-story houses and feels traffic will become a problem.

Ms. Alice McThorn, 36111 Sandalwood Street, Newark, CA 94560, stated she does not oppose new housing on the site and does not oppose the NUSD receiving money for the sale of the site, but feels the neighbors were not given the opportunity to have their concerns addressed during the Community Meeting.

Ms. McThorn believes the new home buyers will not have a backyard and would not be able to park vehicles in front of their homes.

Mr. Ronald Katsanes, 5421 Fernwood Drive, Newark, CA 94560, asked the Planning Commission to not approve the proposed number of housing units and listed the main objections from the neighborhood meetings as: crowding too many homes into the neighborhood; an increase in auto traffic congestion; neighborhood loss of privacy; and the loss of open space.

Mr. Katsanes stated his belief that reducing the number of housing units would not drastically affect the money given to the NUSD.

Ms. Angela Akridge, 36236 Sandalwood Street, Newark, CA 94560, stated she supports Newark kids, but opposes this development project. Ms. Akridge stated she could accept the increase of safe traffic increases in the neighborhood but only if significant benefits are provided to local residents such as employment opportunities and open space preservation via a school gardening project or a recreational park. Ms. Akridge did not believe an \$800,000 home would be affordable to a majority of the population.

Third Grader Nathaniel Huffmaster and Ms. Elizabeth Huffmaster, stated their decision to stay with the NUSD was based on Nathaniel's love for his public school teachers and she feels all NUSD students would benefit from the sale of the site and feels Newark could become an "Education Destination".

Ms. Estella Montenegro, stated she supports this project and believes everyone was given the opportunity to speak during the Community Meetings.

Unidentified Newark Memorial High School Senior, stated future Newark students would benefit from better technology, be better prepared for life challenges, and would become equal to other school districts.

Ms. Sue Johnson stated her support for this project and stressed the need for new equipment and renovations at existing Newark Schools and the need for additional revenue for Newark parks.

Ms. Johnson stated her belief that the new homes will be affordable and will provide options for people who are looking to downsize and be able to stay in Newark.

An unidentified speaker stated this project is typical of in-fill projects being built today and stressed the public had ample time to review the plans and wishes this project to move forward.

Another unidentified speaker stated her belief that Newark schools do not measure up to Fremont in terms of technology.

Ms. Kim Cross, 6507 Wilma Avenue, Newark, CA 94560, stated she supports this project and believes the design of the project is consistent with what she has seen throughout the State and believes the NUSD is in desperate need of funds.

Ms. Donna Hennefin believes this project is necessary for Newark to grow; property values would increase; and attracting new families would prevent Newark from turning into a Ghost Town.

Ms. Janet Suttler, 38378 Birch Street, Newark, CA 94560, stated her appreciation to the Planning Commission and the challenges they face.

Ms. Suttler described her personal experiences with new development in her neighborhood and believes this project is fair and is needed in Newark and asked the Planning Commission to set the emotional aspects of the Public Hearing aside and approve this project.

Mr. Tristan Thoronsen stated he believes Newark Memorial High School would benefit by receiving new technology, computers and textbooks and that teacher's salaries would increase so they can teach more classes.

Ms. Debra Romero, 6376 Escallonia Drive, Newark, CA 94560, stated she was excited with the new businesses and housing being built by her neighborhood and feels development at the Ruschin School Site would keep the momentum going for attracting new families and businesses to Newark.

Ms. Romero stated her preference to seeing new homes on the school site instead of dilapidated buildings.

A brief recess was held.

An unidentified Newark Memorial High School student described the poor conditions of her textbooks and stated the funds received would provide her school with new textbooks, better technology, have access to computer laptops and provide a better education for her and her sister.

Ms. Isabelle McCoy stated her Junior High School class must share their textbooks with other classes.

Mr. Mark McCoy, 5793 Smith Avenue, Newark, CA 94560, described his family's involvement with the NUSD and stated they need funding to bring 21<sup>st</sup> Century technology to the schools.

Ms. Hillary White, teacher in the NUSD, stated she must fundraise for items such as paper, pencils, scissors, crayons and glue. Ms. White stated she must shop in Fremont because the Newark business that she buys her school supplies from had relocated.

An unidentified speaker stated the project is too dense and asked the Planning Commission to continue this item until new plans are submitted.

Ms. Cindy Parks, 36283 Birkshire Place, Newark, CA 94560, stated she is concerned by the comment that the proposed plans do not adhere to the General Plan. Ms. Parks also stated that home appraisals are based on similar sized home sales and not new construction in a neighborhood.

ACM Grindall informed the Planning Commission that 90 comment cards in support of the project was received, 8 comment cards opposing the project was received from people who chose not to speak, and 5 people who turned in cards to speak did not speak at tonight's meeting.

Chairperson Fitts closed the Public Hearing.

Answering Chairperson Fitts, ACM Grindall stated this project does meet the density requirement of the General Plan and is in conformance with the General Plan Land Use, Policies and Procedures.

Answering Commissioner Bridges, ACM Grindall stated the General Plan designation for this site was changed in December 2013 to residential and no rezoning of the property was done at that time.

Answering Commissioner Otterstetter, ACM Grindall stated construction hours would be from 8 to 5 but the Building Official has the discretion to change those hours if necessary as long as no complaints are received.

Answering Vice-Chairperson Aguilar, ACM Grindall stated neighbors could register a complaint via a contact number provided on signage at the site or they can contact City staff.

Answering Vice-Chairperson Aguilar, ACM Grindall explained the deed restriction would be in place to ensure that the single-story homes located at the perimeter of the project would remain as single-story homes.

Discussion ensued on addressing the webcast audio issues.

Answering Commissioner Nillo, Mr. Black stated the time periods that were studied for the traffic analysis were from 7 to 9 in the morning and between 4 and 6 in the afternoon.

Answering Commissioner Nillo, Mr. Black stated this project did not meet the 3 warrant criteria for installing a signal light.

Chairperson Fitts gave his opinion that he liked seeing new projects that include a large number of single-story homes and he did not believe additional homes would create significantly more traffic than an operational school would generate.

Commissioner Bridges stated she agrees with Mr. Burgess that the project should be decided upon based on its own merits and not based on the benefits to the School District.

Commissioner Bridges stated her opinion that the Developer had been responsive to the Community by reducing the number of units from their original plan and feels the neighborhood is in need of some renovations.

Vice-Chairperson Aguilar thanked the public for attending and stated his belief that the project is in conformance with the General Plan and stated the benefits associated with this project is significant.

Commissioner Nillo thanked the public and stated it concerns him to hear the public felt dissatisfied during the Community Meeting process but is glad their voices were heard at tonight's meeting.

Motion made by Commissioner Bridges, seconded by Commissioner Nillo, to: 1) adopt Resolution 1894, making certain findings and recommending City Council approval of an Initial Study and Mitigated Negative Declaration (E-14-9); 2) adopt Resolution 1895, recommending City Council approval of a rezoning (RZ-14-40) for an approximately 10.1 acre portion of Vesting Tentative Map 8212 from R6000 (Single-Family Residential) to LDR-FBC (Low Density Residential-Form Based Code); 3) adopt Resolution 1896, approving P-14-41, a planned unit development, and U-14-42, a conditional use permit, for a 77 lot single-family residential subdivision at 36120 Ruschin Drive, with Exhibit A, pages 1 through 34; and 4) recommend that the City Council approve TM-14-43, Vesting Tentative Map 8212. Motion passed 5 AYES.

This item will be heard at the February 12, 2015 City Council Meeting to be held at the Newark Pavilion, 6430 Thornton Avenue, Newark, CA, 94560.

## F. STAFF REPORTS

**F.1 Recommendation that the City Council approve the Draft Housing Element Update and transmit the Draft Housing Element Update to the State Department of Housing and Community Development for their review and approval.**

Assistant City Manager Grindall gave the staff report.

Answering Commissioner Bridges, ACM Grindall stated Site J does not pertain to a specific project being planned but is a projection of the number of housing units that could be built based upon the acreage of the site.

Commissioner Otterstetter gave her opinion that Developers for new housing should be responsive to the needs of an aging population.

Answering Commissioner Otterstetter, ACM Grindall stated high technological jobs are included in the service job category. ACM Grindall agreed to specifically mention high technology jobs in the Draft Housing Element Update document.

Answering Commission Otterstetter, ACM Grindall stated he would make the corrections to page 18.

Discussion ensued on the use of the Affordable Housing In-Lieu fees that the City collects from developers.

No one from the public chose to speak on this item.

Motion made by Commissioner Nillo, seconded by Commissioner Otterstetter, recommending the City Council approve the Draft Housing Element Update and transmit the Draft Housing Element Update to the State Department of Housing and Community Development for their review and approval. Motion passed 5 AYES.

**G. COMMISSION MATTERS**

**G.1 Report on City Council actions.**

None.

Commissioners' Comments

Commissioner Otterstetter welcomed Commissioner Bridges back.

Commissioner Nillo asked that tonight's meeting be adjourned in memory of Newark Resident and former member of the Newark Chamber of Commerce Frank Carroll.

**H. ADJOURNMENT**

At 10:37 p.m., Chairperson Fitts adjourned the regular Planning Commission meeting of Tuesday, January 13, 2015.

Respectfully submitted,



TERRENCE GRINDALL  
Secretary



**E.1 Hearing to consider an amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen of California, Inc.) – from Assistant City Manager Grindall. (RESOLUTION)**

**Background/Discussion** – Safety-Kleen is subject to the conditions of the use permit previously associated with Evergreen Oil. As such, any notable changes to the site or new structures visible from the adjacent right-of-way require Planning Commission and City Council review.

Safety-Kleen is the largest re-refiner of used oil and provider of parts cleaning services in North America. An important part of Safety-Kleen's operation is the offloading of used oil from trucks. The purpose of this proposal is to improve safety and operating efficiency.

The new truck unloading station will be located adjacent to the existing loading/unloading stations, which will remain intact. The new station consists of a truck access platform and an unloading pump. The access platform will be fabricated from carbon steel with a sliding gangway to allow safe access to multi-compartment truck domes. The platform columns will be mounted on concrete piers. This expansion will safely increase truck unloading capacity to facilitate the use of greater quantities of California-collected used motor oils. This will not change the production capacity of the refinery.

Safety-Kleen currently loads asphalt product onto tanker trucks. They would like to have the capability to load asphalt onto railcars which will reduce the asphalt truck loading frequency. Utilizing the existing railcar loading/unloading station and truck loading pump, loading asphalt to railcar is simply a piping system connecting the existing loading pump, piping will be added to the railcar loading area to move asphalt to railcars. The project provides better loading capabilities and new equipment which will make the transfers safer.

The proposal is categorically exempt from the California Environmental Quality Act per Section 15301, Class 1, (Existing Facilities) in that the new structure and process involve a negligible expansion of the existing recycling use.

**Attachment**

**Action** – It is recommended that the Planning Commission, by resolution, with Exhibit A, pages 1 through 7, approve the amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen).

RESOLUTION NO.

RESOLUTION APPROVING AN AMENDMENT TO U-83-41,  
A CONDITIONAL USE PERMIT, FOR A TRUCK  
UNLOADING STATION AND THE ADDITION OF LOADING  
ASPHALT TO RAILCAR AT 6880 SMITH AVENUE (SAFETY-  
KLEEN OF CALIFORNIA, INC.)

WHEREAS, Clean Harbors has filed with the Planning Commission of the City of Newark application for an amendment to a conditional use permit for a truck unloading station the addition of loading asphalt to railcar at 6880 Smith Avenue; and

PURSUANT to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on February 13, 2015 and mailed as required, and the Planning Commission held a public hearing on said application at 7:30 p.m. on February 24, 2015 at the City Administration Building, 37101 Newark Boulevard, Newark, California; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve this application as shown on Exhibit A, pages 1 through 7, subject to compliance with the following conditions and recommends that the City Council find that the project is categorically exempt from the California Environmental Quality Act per Section 15301, Class 1, operation of existing facilities involving negligible or no expansion of an existing use:

Planning Division

- a. The site and its improvements shall be maintained in a neat and presentable condition, to the satisfaction of the Community Development Director. This shall include, but not be limited to, repainting surfaces damaged by graffiti and site clean-up. Graffiti removal/repainting and site clean-up shall occur on a continuing, as needed basis, as required by the Community Development Director. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- b. Prior to the issuance of a building permit, the color elevations of all dissimilar sides of the buildings as submitted as part of this application, shall be submitted for the review and approval of the Planning Commission and City Council. The building elevations shall reflect all architectural features and projections and shall specify exterior materials. A site plan showing the building locations with respect to property lines shall also show the projections.
- c. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters.
- d. Prior to the issuance of a building permit, the developer shall pay the Community Development Maintenance Fee which is 0.5% of the construction valuation.

Engineering Division

- e. The project must be designed to include appropriate source control, site design, and stormwater treatment measures to prevent stormwater runoff pollutant discharges and increases in runoff flows from the site in accordance with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2009-0074, revised November 28, 2011, issued to the City of Newark by the Regional Water Quality Control Board, San Francisco Bay Region. Examples of source control and site design requirements include, but are not limited to: secondary containment, sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, etc.
- f. The property owner shall submit a grading and drainage plan for review and approval by the City Engineer prior to the issuance of a building permit. This plan must be based upon a City benchmark and needs to include sufficient elevations to show drainage patterns upon completion of work. All on-site pavement shall drain at a minimum of one percent. The developer shall ensure that all upstream drainage is not blocked and that no ponding is created by this development. Any construction necessary to ensure this shall be the property owner's responsibility. A note to this effect shall appear on the plans.
- g. The contractor shall implement all applicable Best Management Practices (BMPs) from the California Stormwater Quality Association's (CASQA) Handbook for Construction for the duration of all work activity. Additional BMPs may be required by the City Engineer as necessary to minimize the pollution of stormwater runoff from the project area. A note to this effect shall appear on the plans.

General

- h. All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission and City Council review and, if so decided, said changes shall be submitted for the Commission's and Council's review and decision. The applicant shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval.
- i. If any condition of this amendment to a conditional use permit be declared invalid or unenforceable by a court of competent jurisdiction, this amendment to a conditional use permit shall terminate and be of no force and effect, at the election of the City Council on motion.
- j. This amendment to a conditional use permit shall be given a hearing before the City Council for the Council's review and approval.
- k. Prior to the submittal for building permit review, all conditions of approval of this project, as approved by the City Council, shall be printed on the plans.

- l. The developer hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto or, alternatively, the City will rescind the approval.
  
- m. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The developer is hereby further notified that the 90-day approval period in which the developer may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the developer fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the developer will be legally barred from later challenging such exactions.

This Resolution was introduced at the Planning Commission's February 24, 2015 meeting by Commissioner, seconded by Commissioner, and passed as follows:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
TERRENCE GRINDALL, Secretary

\_\_\_\_\_  
WILLILAM FITTS, Chairperson

# CONSULTANTS

## ENGINEER:

DAVID K. BROWN  
 111 CLORINDA AVE  
 SAN RAFAEL, CA 94901  
 PH. 415-847-5018  
 PE C30008

# CODES AND STANDARDS

## LIST OF APPLICABLE CODES AND REGULATIONS

1. CALIFORNIA BUILDING CODE (CBC) - 2013 EDITION
2. 2013 CALIFORNIA MECHANICAL CODE (CMC) (process piping)
3. 2013 CALIFORNIA PLUMBING CODE (CPC)
4. 2013 CALIFORNIA ELECTRICAL CODE (CEC)
5. 2013 CALIFORNIA FIRE CODE (CFC)

# DRAWING LIST

# SPECIAL INSPECTIONS

## CBC - SPECIAL INSPECTION REQUIREMENTS

- REQUIRED       NOT REQUIRED
- CONCRETE
  - REINFORCING STEEL
  - WELDING
  - HIGH STRENGTH BOLTING
  - STRUCTURAL MASONRY
  - OTHER

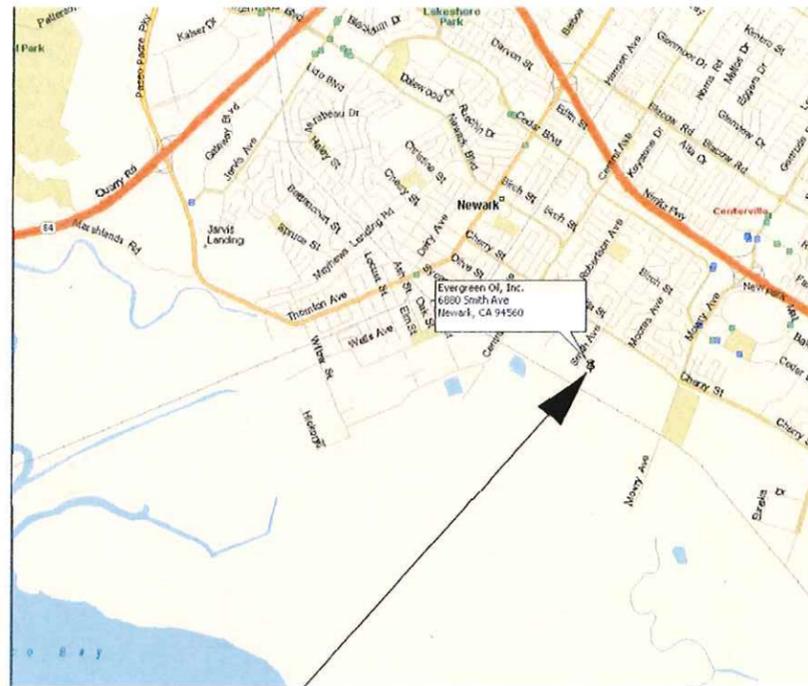
THE OWNER AND GENERAL CONTRACTOR, WHERE APPLICABLE, SHALL ALSO ACKNOWLEDGE THE FOLLOWING CONDITIONS APPLICABLE TO SPECIAL INSPECTION AND/OR TESTING:

1. CONTRACTOR IS RESPONSIBLE FOR PROPER NOTIFICATION TO THE INSPECTING OR TESTING AGENCY FOR ITEMS LISTED.
2. TESTING LABORATORY ONLY SHOULD TAKE SAMPLES AND TRANSPORT THEM TO THEIR LABORATORY.
3. COPIES OF ALL LABORATORY REPORTS AND INSPECTIONS ARE TO BE SENT DIRECTLY TO THE OWNER
4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW CITY APPROVAL PLANS FOR ADDITIONAL INSPECTION OR TESTING REQUIREMENTS THAT MAY BE NOTED.

# SEISMIC DESIGN CRITERIA

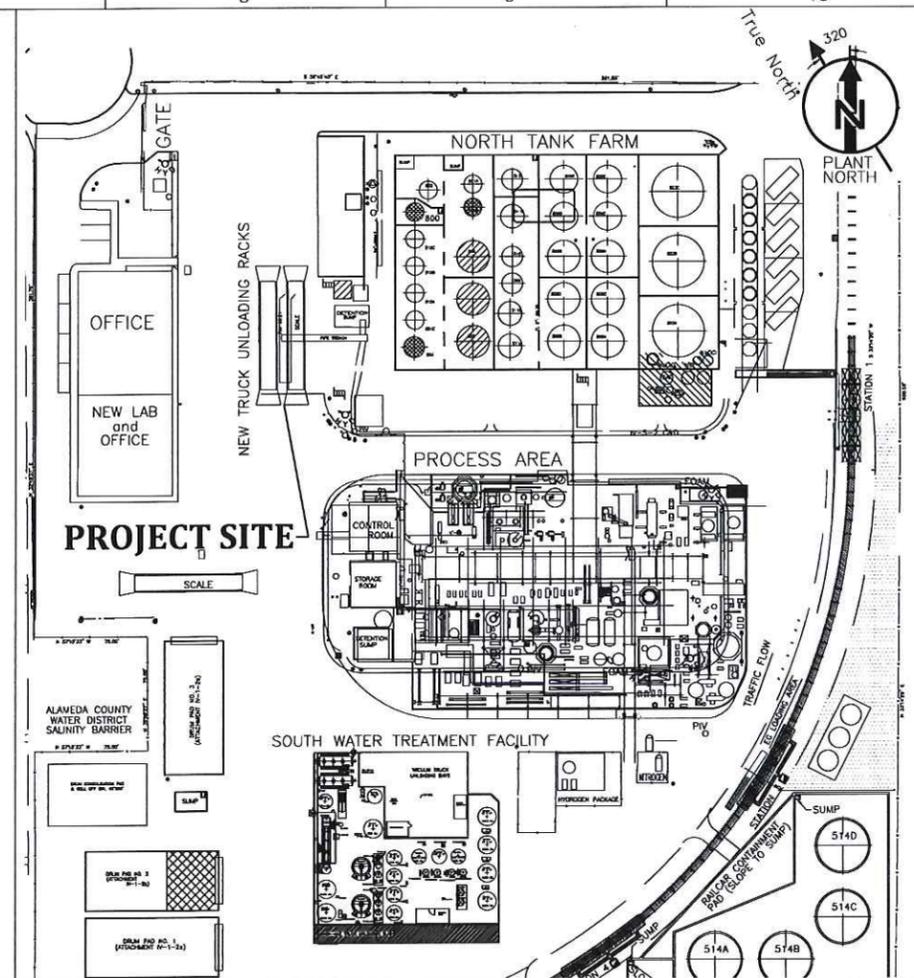
## SEISMIC PARAMETERS

LONG. -122.02      LAT. 37.52  
 S<sub>ms</sub> = 1.558, S<sub>m1</sub> = 0.601, S<sub>ds</sub> = 1.038, S<sub>d1</sub> = 0.608, S<sub>s</sub> = 1.558,  
 S<sub>1</sub> = 0.608, F<sub>a</sub> = 1.0, F<sub>v</sub> = 1.5  
 I<sub>p</sub> = 1.0  
 SITE CLASS D STIFF SOIL  
 RISK CATAGORY I/II/III



SAFETY-KLEEN OF CALIFORNIA, INC.  
 6880 SMITH AVE  
 NEWARK, CA

# VICINITY MAP



# KEY PLAN

RECEIVED

DEC 18 2014

CITY OF NEWARK  
 BUILDING INSPECTION

# TRUCK UNLOADING FACILITY

EXHIBIT Apl

**S** OIL RECOVERY DIVISION  
 Safety-Kleen Newark, CA

## TRUCK UNLOADING FACILITY

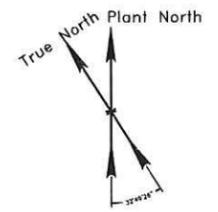
COVER SHEET

ISSUED FOR USE PERMIT	DKB				12-05-14	DRAWING NO.	EONWR2-CI-900	REV	A	SHEET
DESCRIPTION	DWN	CKD	SE	PE	FM					

PARCEL 3  
PM 1425

NEW UNLOADING/LOADING RACK LOCATION

TRUCK ENTRANCE TO FACILITY



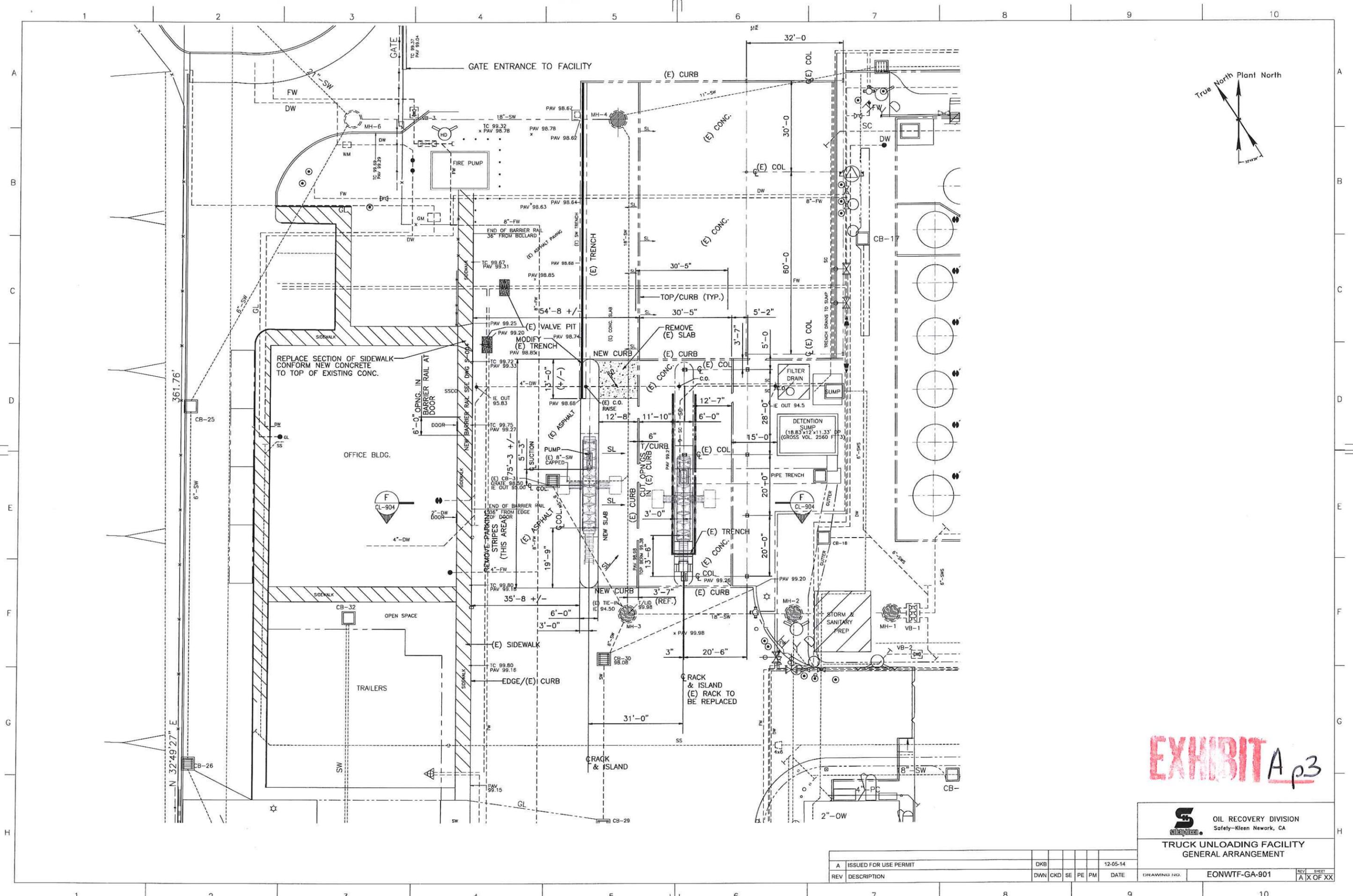
SITE PLAN

**EXHIBIT** A<sub>p2</sub>

**S** OIL RECOVERY DIVISION  
Safety-Kleen Newark, CA

TRUCK UNLOADING FACILITY  
OVERALL SITE PLAN

ISSUED FOR USE PERMIT	DKB	12-5-14							
REV DESCRIPTION	DWN	CKD	SE	PE	PM	DATE	DRAWING NO.	EONWTF-GA-900	SHEET A X OF XX

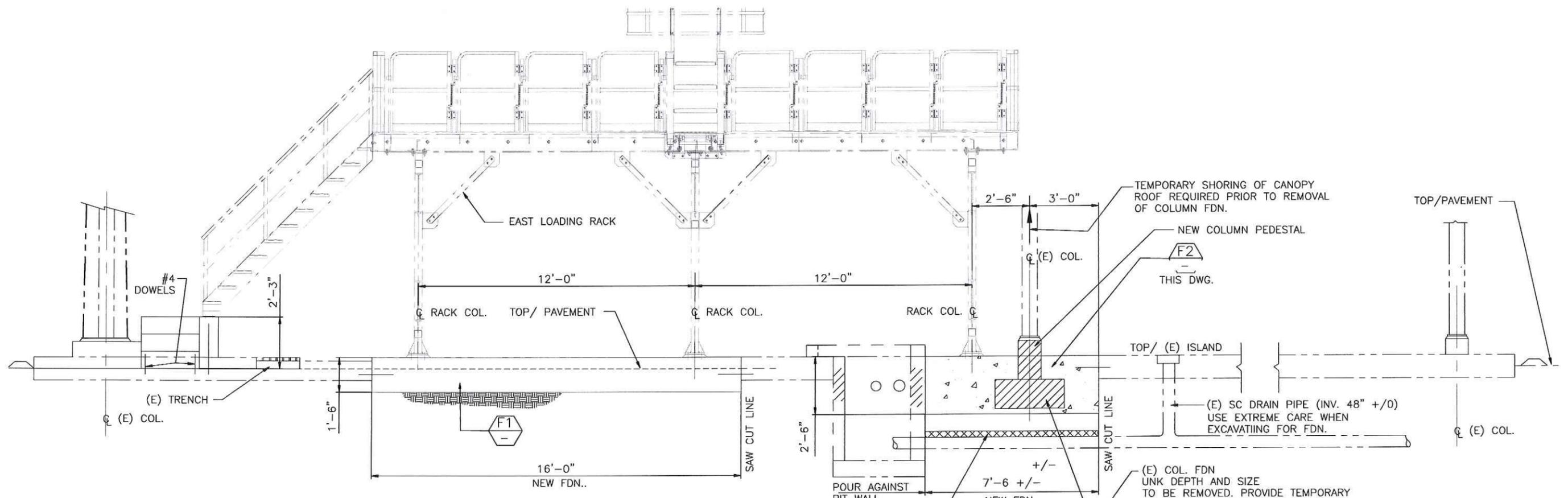


**EXHIBIT A p3**

**S** OIL RECOVERY DIVISION  
 Safety-Kleen Newark, CA  
**TRUCK UNLOADING FACILITY  
 GENERAL ARRANGEMENT**

A	ISSUED FOR USE PERMIT	DKB					12-05-14
REV	DESCRIPTION	DWN	CKD	SE	PE	PM	DATE
DRAWING NO. EONWTF-GA-901		REV. SHEET A		X OF XX			





**SECTION C-901**  
 SCALE: EAST LOADING RACK - LOOKING WEST

2"X12" WD. STYROFOAM BOARD OVER TOP OF PIPE UNDER FDN. VERIFY IF PIPE EXTENDS UNDER FDN.

TEMPORARY SHORING OF CANOPY ROOF REQUIRED PRIOR TO REMOVAL OF COLUMN FDN.

NEW COLUMN PEDESTAL  
 THIS DWG.

(E) SC DRAIN PIPE (INV. 48" +/-) USE EXTREME CARE WHEN EXCAVATING FOR FDN.

(E) COL. FDN UNK DEPTH AND SIZE TO BE REMOVED. PROVIDE TEMPORARY SHORING OF CANOPY COLUMN. USE EXTREME CAUTION SINCE BURIED PIPE MAYBE IN THIS AREA.

SAW CUT LINE FOR LOADING RACK ANCHOR RODS SEE DETAIL X DWG C-90X (TYP.)

(E) TRENCH

5-#4 X 18" LG DOWELS @ 15" C/C 6" +/- EDGE DISTANCE AT EDGE OF ISLAND

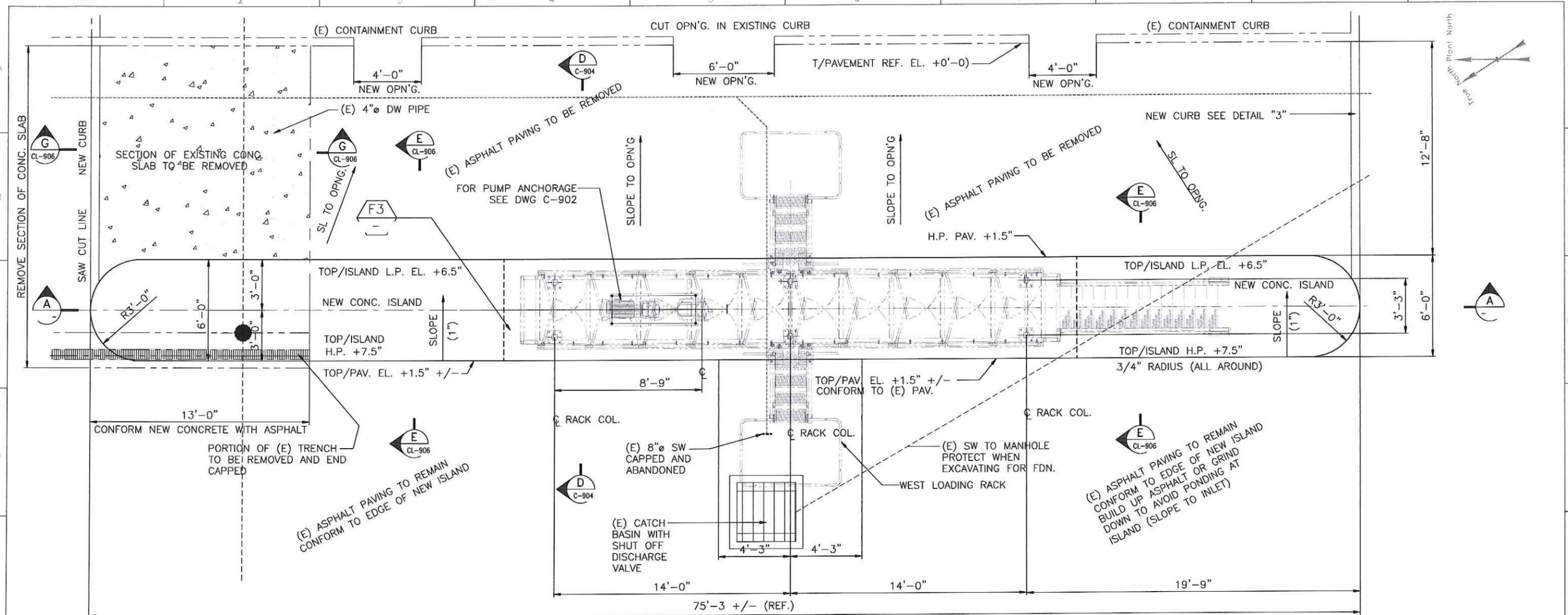
#5 REBAR @ ABT. 12" C/C 5-#4 X 18" LG DOWELS EQUAL SPACING START 6" IN FROM EDGE OF ISLAND

**F1** RACK FDN. DETAIL

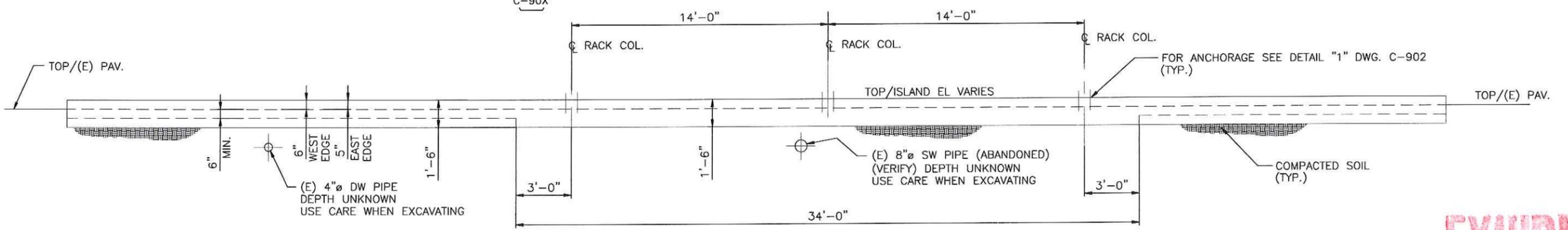
**EXHIBIT Ap5**

		OIL RECOVERY DIVISION Safety-Kleen Newark, CA	
<b>TRUCK UNLOADING FACILITY          EAST &amp; WEST LOADING RACK FDN.          PLAN AND SECTIONS</b>			
A ISSUED FOR USE PERMIT REV DESCRIPTION	DKB DWN CKD SE PE PM	12-05-14 DATE	DRAWING NO. EONWTF-CL-902 SHEET A IX OF XX

A ISSUED FOR USE PERMIT REV DESCRIPTION	DKB DWN CKD SE PE PM	12-05-14 DATE	DRAWING NO. EONWTF-CL-902 SHEET A IX OF XX
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F3 WEST LOADING RACK ENLARGED FDN. PLAN  
C-90X



SECTION A-A  
SCALE: 2

**EXHIBIT** *A<sub>p6</sub>*

										OIL RECOVERY DIVISION Safety-Kleen Network, CA	
										TRUCK UNLOADING FACILITY WEST LOADING RACK FD. ENLARGED PLAN AND SECTION	
REV	DESCRIPTION	DWN	CKD	SE	PE	PM	DATE	DRAWING NO.	EONWTF-CL-903	REV	SHEET
A	ISSUED FOR USE PERMIT						12-05-14				A X OF XX

