

E.2 Hearing to consider an Initial Study and Mitigated Negative Declaration; an Architectural and Site Plan Review, to construct a new, approximately 135,884 square foot three-story self-storage warehouse at 6649 Central Avenue (APN's: 092-0074-007; 092-0074-008) – from Assistant City Manager Grindall.

(RESOLUTIONS-2)

Background/Discussion – Mr. Venkata Vemireddy, on behalf of 6649 Central Ave, LLC, has submitted an application for a new self-storage warehouse at 6649 Central Avenue.

The proposed project involves the construction of a three-story personal storage warehouse at an approximately 1.96-acre vacant parcel of land on the north side of Central Avenue west of the intersection of Central Avenue and Cherry Street. The site is an irregular shaped lot which is zoned CG (General Commercial) and has a LI (Limited Industrial) General Plan land use designation. One building would be constructed on three floors approximately 135,884 square feet in size. Each floor would be approximately 45,000 square feet in floor area and would house individual personal storage areas rented to the public. Approximately 853 individual storage areas are proposed, with sizes of the individual units ranging from 2.5-feet x 5-feet to 15.4-feet x 40-feet. Each floor would include a lobby, stairwells, and an elevator to provide access to the storage units. A managers/retail sales office is proposed on the first floor near the building's main entrance. The retail sales component includes the sale of materials such as boxes and tape. The facility would be staffed by three employees during the proposed operation hours of 9:00 a.m. to 5:00 p.m. Monday through Saturday. Facility gates would be available to customers from 6:00 a.m. to 9:00 p.m.

Vehicular access to the project site would be via two driveways along Central Avenue. A total of eleven parking spaces would be provided, including one disabled-accessible stall. Although the Newark Municipal Code requires storage facilities to provide one parking space for each one thousand square feet of gross floor area, a parking demand analysis provided by the applicant based on industry data shows that self-storage facilities, although large in size, generate few vehicle trips per day and require a maximum average of five parking spaces. With the proposed provision of ten standard parking spaces, staff feels that the parking provided would be sufficient to accommodate the use.

The storage spaces would be accessed from drive aisles located next to the exterior doors, which are wide enough to allow customers to park and also allow other vehicles to pass. A meandering sidewalk would be provided along the project's frontage, and a disabled travel path would lead from the sidewalk to the sales office. Landscaping would be provided on either side of the six-foot wide sidewalk.

The building's exterior would be comprised of masonry block, plaster, and metal. Glass windows would surround the front entrance and faux windows would be provided on the second and third floors to aid in breaking up the large structure. Orange-color entry and roll-up warehouse doors would be provided on each elevation to complement the beige and brown earth color tones of the façade. The Architectural and Site Plan Review is attached as Exhibit A.

Environmental Analysis

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared by Mr. Jerry Haag, Urban Planner. The analysis concluded that the proposal would not have a significant impact on overall environmental quality, including biological and cultural resources, with adherence to the mitigation measures. One potential impact was identified concerning air quality, however it can be mitigated to a less than significant level as discussed in Section 3 of the Initial Study and Mitigated Negative Declaration and in the Mitigation Monitoring Reporting Program (MMRP). The project would not result in any short-term traffic impacts and cumulative impacts are considered to be less than significant with the addition of only a few peak hour trips. The review period for the IS/MND ended on October 14, 2014. Staff did not receive any letters from the public.

Update – At its meeting of October 28, 2014, the Newark Planning Commission approved Resolution 1892, making certain findings and recommending City Council approval of E-14-31, an Initial Study/Mitigated Negative Declaration; and approved Resolution 1893 recommending that the City Council approve ASR-14-30, an Architectural and Site Plan Review, with Exhibit A pages 1 to 9, to construct a new, approximately 135,884 square foot three-story self-storage warehouse at 6649 Central Avenue (APN's: 092-0074-007; 092-0074-008).

Attachments

Action – It is recommended that the City Council: (1) By resolution, make certain findings and adopting an Initial Study/Mitigated Negative Declaration for a self-storage facility (Three Sixty Storage Center) at 6649 Central Avenue; and (2) By resolution, approve ASR-14-30, an Architectural and Site Plan Review for a self-storage facility (Three Sixty Storage Center) at 6649 Central Avenue.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK MAKING CERTAIN FINDINGS AND ADOPTING
AN INITIAL STUDY AND MITIGATED NEGATIVE
DECLARATION FOR A SELF-STORAGE FACILITY (THREE
SIXTY STORAGE CENTER) AT 6649 CENTRAL AVENUE

WHEREAS, the Three Sixty Storage Center Project (“Project”), consists of the construction of a three-story, approximately 135,884 square foot self-storage facility with associated parking, landscaping and extension of utility services; and

WHEREAS, the entitlements requested include an Architectural and Site Plan Review; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), a project level Initial Study and Mitigated Negative Declaration has been prepared for the Project, pursuant to Section 15070 *et seq.* of the CEQA Guidelines, to analyze and mitigate the Project’s potentially significant environmental impacts; and

WHEREAS, through this study, it has been determined that the Project’s potentially significant environmental impact specifically relates to an impact associated with air quality; and

WHEREAS, this potentially significant impact can be mitigated to less than significant as shown in Section 3 of the Initial Study/Mitigated Negative Declaration; and

WHEREAS, a 20-day public review period for the Notice of Availability of the IS/MND was established beginning on September 25, 2014 and ending on October 14, 2014. Copies of the notice were transmitted, along with copies of the IS/MND, to local agencies concerned with the Project. The notice was posted with the Office of the Alameda County Clerk on September 25, 2014; and

WHEREAS, as of the date of this resolution, November 13, 2014, no comment letters have been received; and

WHEREAS, on October 28, 2014, the Planning Commission of the City of Newark conducted a duly noticed public hearing to consider the Initial Study and Mitigated Negative Declaration of environmental impact for the proposed Project, considered all public testimony, written and oral, presented at the public hearing; and received and considered the written information and recommendation of the staff report for the October 28, 2014 meeting related to the proposed Project, and;

WHEREAS, the Planning Commission of the City of Newark recommended that City Council consider adopting the Initial Study and approving the Mitigated Negative Declaration

and; recommended that the City Council approve ASR-14-30, an Architectural and Site Plan Review; and

NOW, THEREFORE, the City Council finds and resolves the following:

1. The Initial Study and corresponding Mitigated Negative Declaration of environmental impact were released for public review and said mitigation measures contained within the same would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and;
2. There is no substantial evidence in light of the whole record before the City of Newark that the project may have a significant effect on the environment.
3. The Planning Commission has read and considered the Initial Study and the Mitigated Negative Declaration, and the comments thereon, and has determined the Initial Study and the Mitigated Negative Declaration reflect the independent judgment of the City and were prepared in accordance with CEQA.
4. The Initial Study and the Mitigated Negative Declaration (including any revisions developed under 14 C.C.R § 15070(b)), all documents referenced in the same, and the record of proceedings on which the Planning Commission's decision is based is are located in the Community Development Department at City Hall for the City of Newark, located at 37101 Newark Boulevard, California, and are available for public review.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark:

- a. Adopts the Mitigation Monitoring and Reporting Program, as set forth in Exhibit B to this Resolution and incorporated herein by reference;
- b. Based on the evidence and oral and written testimony presented at public hearings, and based on all the information contained in the Community Development Department's files on the project, including, but not limited to, the Initial Study/Mitigated Negative Declaration, the Planning Commission's and City Council's staff reports, certifies in accordance with CEQA guidelines that:
 1. The Initial Study/Mitigated Negative Declaration was prepared in compliance with CEQA and CEQA guidelines;
 2. The City Council has reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration prior to approving the project;
 3. The Initial Study/Mitigated Negative Declaration adequately describes the project, its environmental impacts, reasonable alternatives and appropriate mitigation measures;
 4. The Initial Study/Mitigated Negative Declaration reflects the independent judgment and analysis of the City Council.

Initial Study/ Mitigated Negative Declaration

Project:
Central Storage Project

Lead Agency:
City of Newark

September 2014

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**City of Newark
Environmental Checklist/
Initial Study**

Introduction

This Initial Study has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) and assesses the potential environmental impacts of implementing the proposed project described below. The Initial Study consists of a completed environmental checklist and a brief explanation of the environmental topics addressed in the checklist.

Contact Person

Terrence Grindall, AICP
City of Newark
Community Development Department
37101 Newark Boulevard
Newark, CA 94560
(510) 578 4208

Project Sponsor

6649 Central Ave, LLC
Attn: Venkata Vemireddy
252 Gravatt Drive
Berkeley, CA 94705
(408) 758-8657

Project Location and Context

The project site is located within the City of Newark on the north side of Central Avenue west of the intersection of Central Avenue and Cherry Street. The site address is 6649 Central Avenue. The Alameda County Assessors Parcel Numbers (APN) are 092-0074-007 and 092-0074-008.

The site contains approximately 1.96-acres of land and is currently vacant. No significant vegetation or other scenic features exist on the site.

Surrounding land uses consist of industrial buildings east and west of the project site. Land to the north is a public utility easement and is vacant. Property south of the site is occupied by industrial buildings and an application has been filed with the City to demolish existing buildings and construct an industrial laundry facility.

Exhibit 1 depicts the project site in relation to the City of Newark. **Exhibit 2** shows the project site in context of surrounding streets and other features.

Project Description

Development Plan. The applicant is proposing to construct a public storage warehouse complex on the site. **Exhibit 3** shows the proposed project site plan.

The three-story main building would be located on the western side of the site and would contain up to 135,884 square feet. Each floor would contain approximately 45,000 square feet and would house individual storage areas rented to the public. Sizes of the individual storage areas would range from 25 sq. ft. to 617 sq. ft each. The height of the building would be 50 feet to the top of the proposed decorative tower.

The proposed facility would contain up to 853 individual storage spaces. Hours of operation would be from 9 a.m. to 5 p.m. The facility would be staffed by two employees during the hours of operation. Security cameras would be installed for the lobby elevators and office area

Building Elevations. Exterior material of the three-story building would include a mix of brown masonry block and beige exterior plaster. Roll up metal warehouse doors would be painted green. The building frontage along Central Avenue would include a bank of windows denoting the manager units and faux windows on the second and third floors. Decorative painted panels would be located along this frontage as well.

Exhibit 4 depicts proposed elevations.

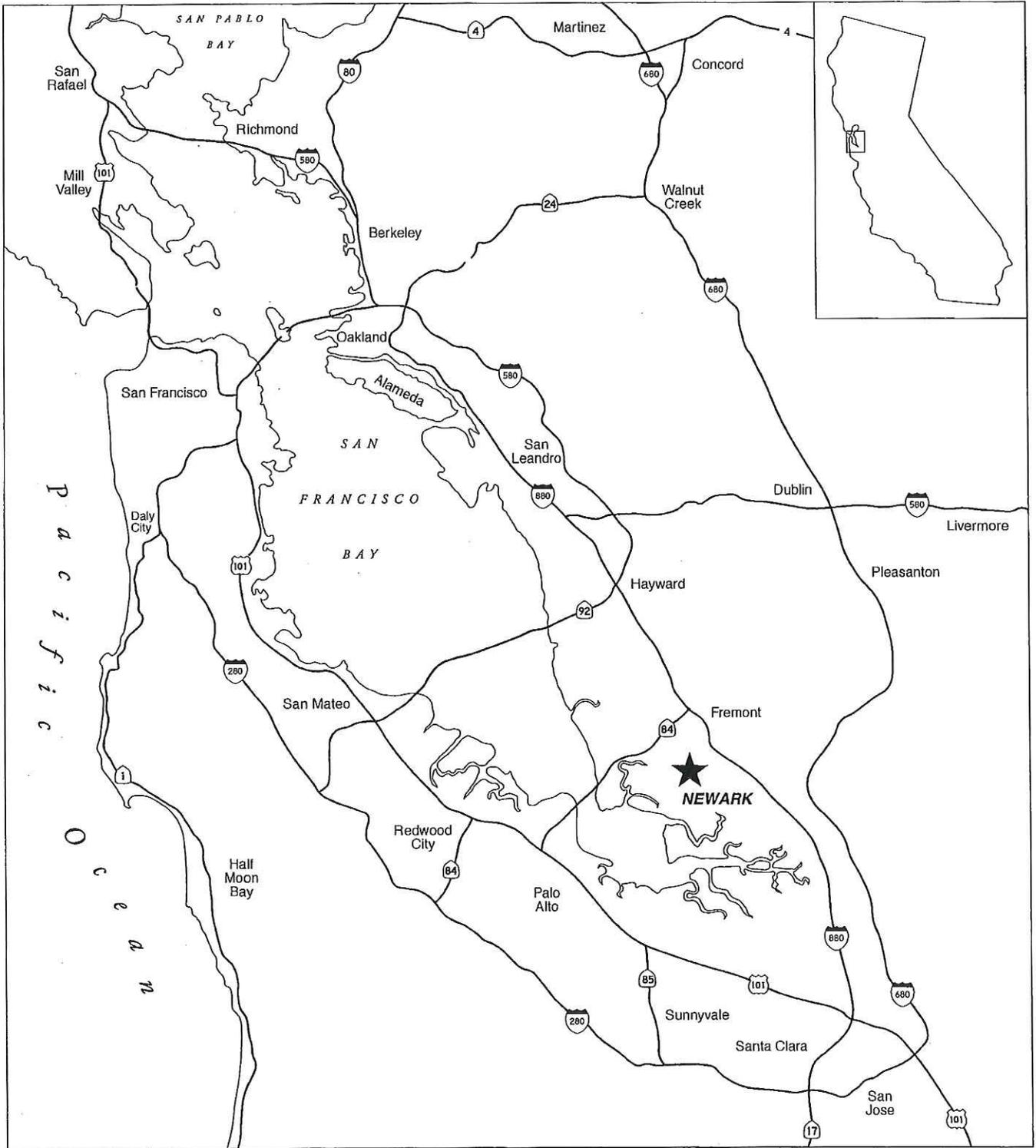
Circulation, Parking and Access. Vehicle access to and from the project would be provided by two driveways along Central Avenue. Parking for 10 vehicles would be provided along the Central Avenue frontage with truck access available around each of the buildings. Parking would include standard-size stalls and accessible parking for disabled patrons. Portions of the parking area and vehicular access to the storage buildings would be controlled by a keypad for visitors.

Landscaping. Landscaping would be provided along the Central Avenue frontage.

Utilities Grading and Water Quality. The applicant has also proposes to extend water and sewer lines into the project site as well as providing storm drain, water quality and related infrastructure improvements.

Land Use Entitlements. Requested land use entitlements include the following:

- *Architectural & Site Plan Review.* Architectural and Site Plan review will be required to approve the overall layout of the proposed project, exterior building elevations, landscaping, lighting and project signs.

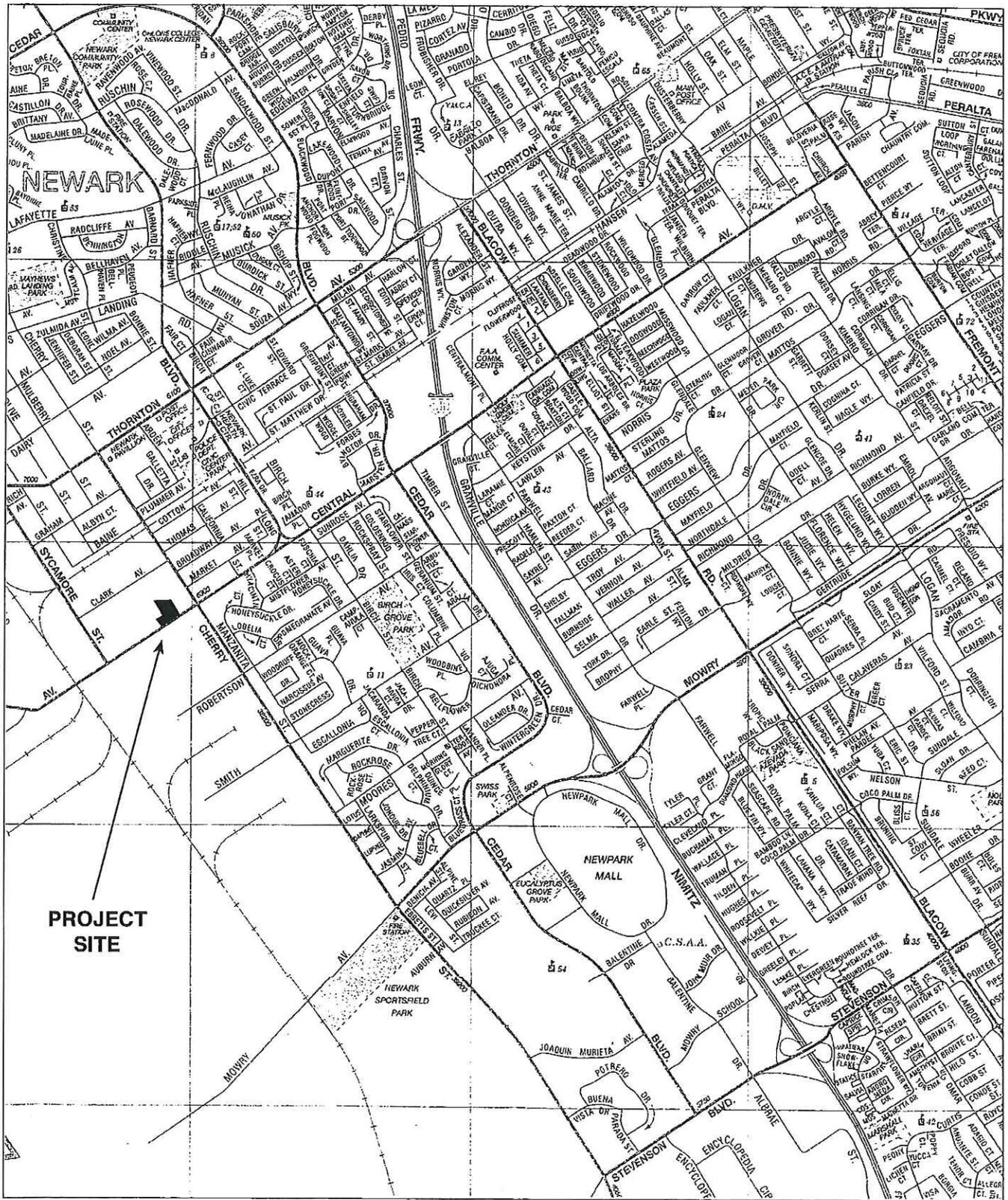


Blue Ox Associates, Berkeley, California 9-22-2014

**CITY OF NEWARK
CENTRAL STORAGE PROJECT
INITIAL STUDY**

**Exhibit 1
REGIONAL LOCATION**

0 2 4 6 8 10 miles



**PROJECT
SITE**

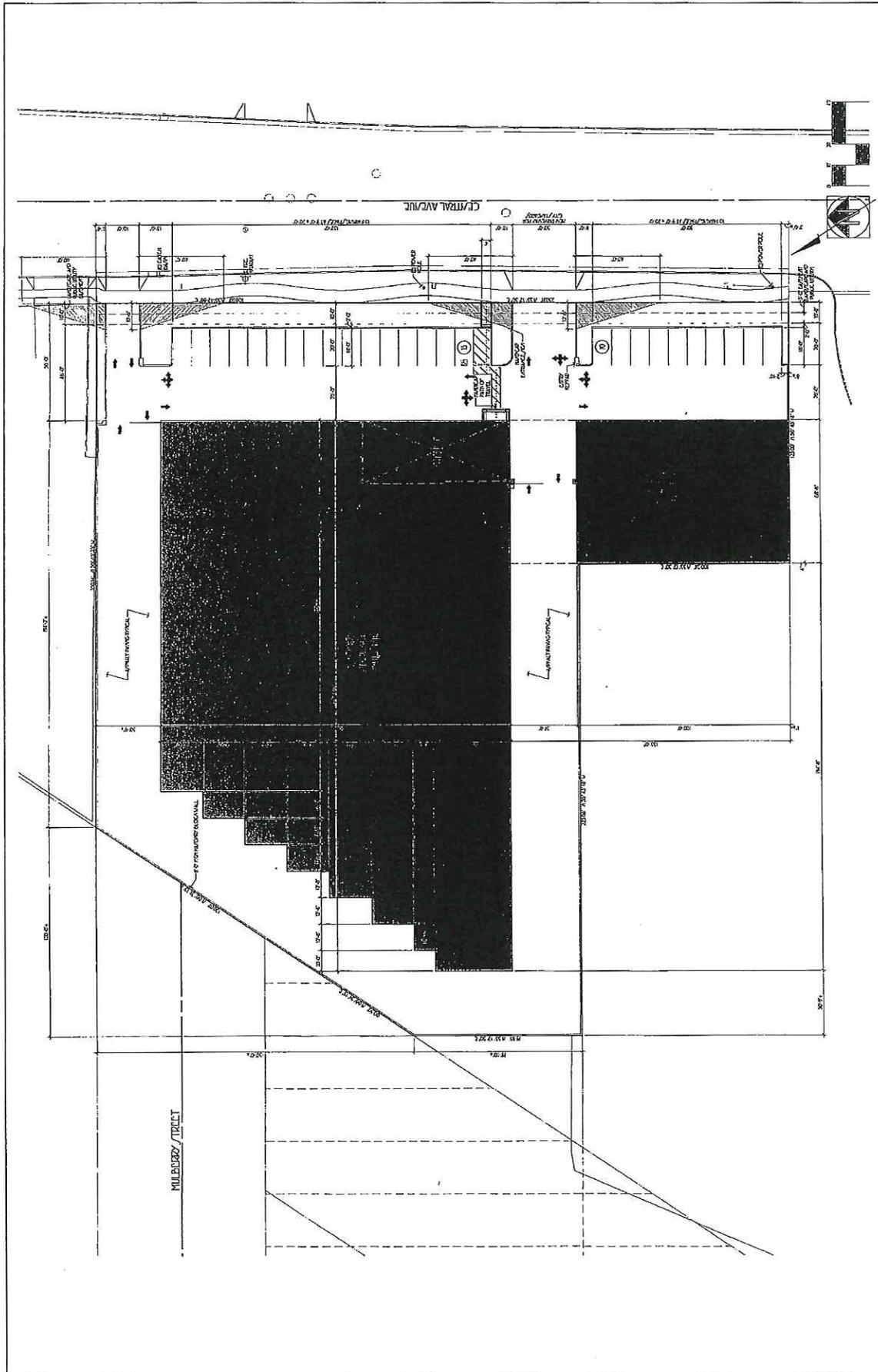


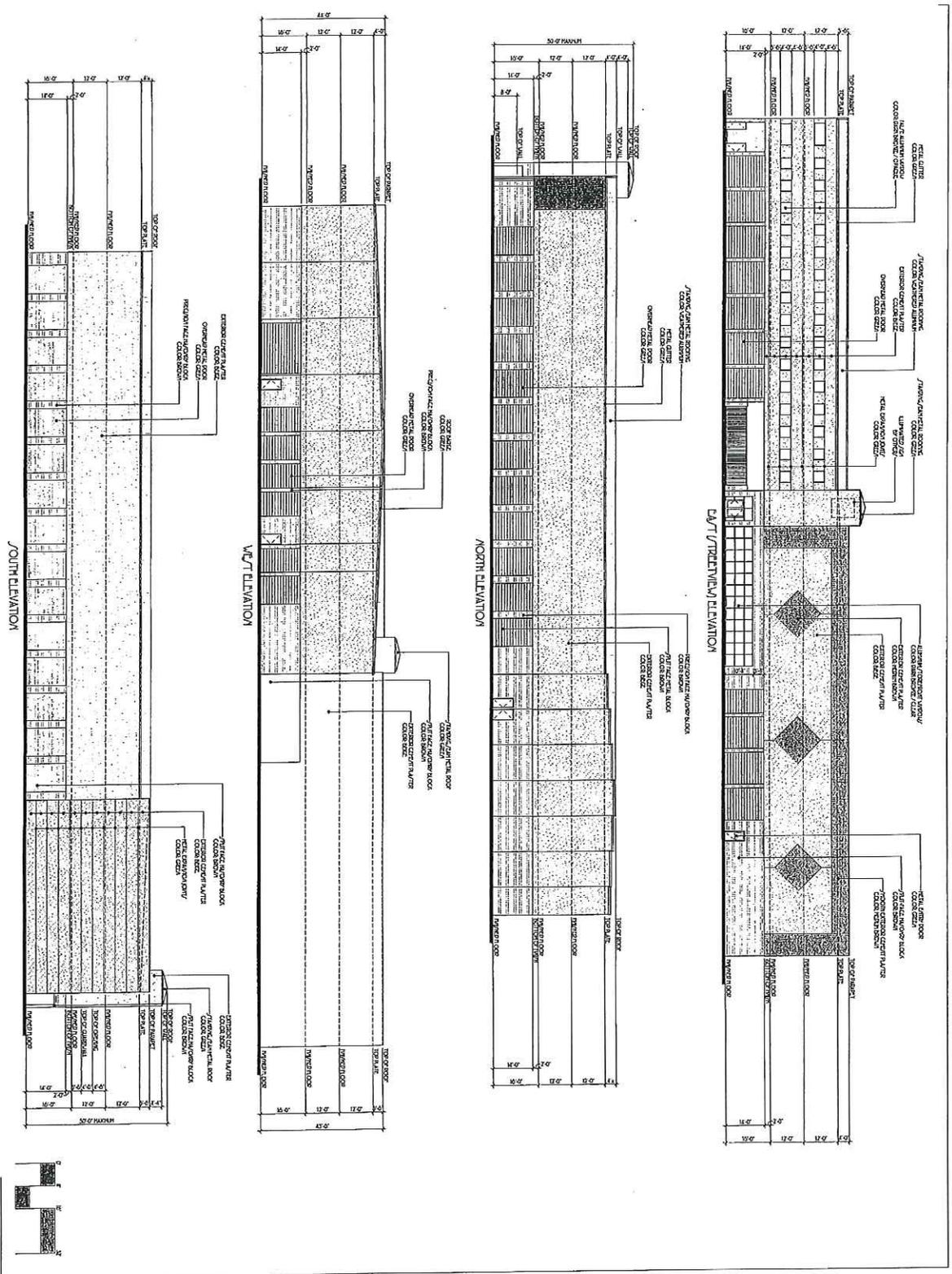
Exhibit 3
PROPOSED SITE PLAN

SOURCE: ARE Associates, 27 March 2014.

**CITY OF NEWARK
 CENTRAL STORAGE PROJECT
 INITIAL STUDY**

**Exhibit 4
BUILDING
ELEVATIONS**

SOURCE: ABE Associates, 27 March 2014.



1. **Project description:** Proposed construction of a three-story public storage and warehouse building consisting of up to 135,884 square feet of floor area along with parking, landscaping and water quality features. City approval of Architectural and Site Plan Review (ASR) is required.
2. **Lead agency:** City of Newark
3. **Contact person:** Yesenia Jimenez, Community Development Department
4. **Project location:** North side of Central Avenue west of the intersection of Central Avenue and Cherry Street. The site address is 6649 Central Avenue. The Alameda County Assessors Parcel Numbers (APN) are 092-0074-007 & 092-0074-008.
and
5. **Project sponsor:** 6649 Central Ave, LLC.
6. **General Plan designation:** General Industrial
7. **Zoning:** CG-General Commercial
8. **Other public agency required approvals:**
 - Architectural & Site Plan Review (City of Newark)
 - Building Permits (City of Newark)
 - Encroachment Permit (City of Newark)
 - Water connection (Alameda County Water District)
 - Sewer connection (Union Sanitary District)
 - Stormwater quality treatment measure installations (Alameda County Mosquito Abatement District)
 - Notice of Intent (State Water Resources Control Board)

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "potentially significant impact" as indicated by the checklist on the following pages.

--	Aesthetics	-	Agricultural Resources	X	Air Quality
--	Biological Resources	-	Cultural Resources	-	Geology/Soils
-	Hazards and Hazardous Materials	-	Hydrology/Water Quality	-	Land Use/Planning
-	Mineral Resources	-	Noise	--	Population/Housing
--	Public Services	-	Recreation	-	Transportation/Circulation
--	Utilities/Service Systems	-	Mandatory Findings of Significance		

Determination (to be completed by Lead Agency):

 I find that the proposed project **could not** have a significant effect on the environment and a **Negative Declaration** will be prepared.

 X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **Mitigated Negative Declaration** will be prepared.

 I find that although the proposed project **may** have a significant effect on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on the attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **Environmental Impact Report** is required, but must only analyze the effects that remain to be addressed.

 I find that although the proposed project could have a significant effect on the environment, there **will not** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed on the proposed project.

Signature: Terence Grindall by [Signature] Date: 9/24/14

Printed Name: Terence Grindall by [Signature] For: City of Newark

Evaluation of Environmental Impacts

- 1) A brief explanation is required for all answers except "no impact" answers that are adequately supported by the information sources a lead agency cites in the parenthesis following each question. A "no impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "no impact" answer should be explained where it is based on project-specific factors as well as general factors (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less-than-significant with mitigation, or less-than-significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less-than-Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-than-Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from Section 17, "Earlier Analysis," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). The checklist will include a response "no new impact" in these circumstances. In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed: Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less-Than-Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead Agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances, etc.). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached and other sources used or individuals contacted should be cited in the discussion.
- 8) This is a suggested form and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each agency should identify the significance criteria or threshold, if any, used to evaluate each question and the mitigation measures identified, if any, to reduce the impact to a less than significant level.

Environmental Impacts (Note: Source of determination listed in parenthesis. See listing of sources used to determine each potential impact at the end of the checklist)

Note: A full discussion of each item is found following the checklist.

1. Aesthetics. *Would the project:*

- a) Have a substantial adverse impact on a scenic vista?
- b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings and historic buildings within a state scenic highway? (Source: 1, 5)
- c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 5)
- d) Create a new source of substantial light or glare, which would adversely affect day o nighttime views in the area? (Source: 5)

2. Agricultural Resources. *Would the project:*

- a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance, as show on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use? (Source: 1, 5)
- b) Conflict with existing zoning for agriculture use or a Williamson Act contract? (1, 4)
- c) Conflict with existing zoning for, or cause rezoning of forestland (as defined by PRC Sec. 12220(g), timberland (as defined in PRC Sec. 4526), or timberland zoned Timberland Production (as defined in PRC Sec. 51104 (g)? (Source: 1, 4)
- d) Result in the loss of forest land or conversion of forest land to non-forest use? (1, 5)
- e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to a non-agricultural use or conversion of forestland to a non-forest use? (Source: 5)

Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
			X
			X
		X	
		X	
			X
			X
			X
			X
			X
			X
			X

3. Air Quality (Where available, the significance criteria established by the applicable air quality management district may be relied on to make the following determinations).

Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1, 6)
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1, 6)
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors? (6)
- d) Expose sensitive receptors to substantial pollutant concentrations? (1, 5, 6)
- e) Create objectionable odors affecting a substantial number of people? (1, 5)

4. Biological Resources. *Would the project*

- a) Have a substantial adverse effect, either directly through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service? (2)
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service? (2)
- c) Have a substantial adverse impact on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means? (2)

Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
			X
	X		
		X	
			X
			X
			X
			X
			X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (2)				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1)				X
f) Conflict with the provision of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan? (Source: 1)				X
5. Cultural Resources. Would the project				
a) Cause a substantial adverse impact in the significance of a historical resource as defined in Sec. 15064.5? (Source: 1, 5)				X
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to Sec. 15064.5? (Source: 1)			X	
c) Directly or indirectly destroy a unique paleontological resource or unique geologic feature? (Source: 1)			X	
d) Disturb any human remains, including those interred outside of a formal cemetery? (1)			X	
6. Geology and Soils. Would the project				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Fault Zoning Map issued by the State Geologist or based on other known evidence of a known fault? (Source: 1)				X
ii) Strong seismic ground shaking? (1)			X	
iii) Seismic-related ground failure, including liquefaction? (Source: 1)			X	
iv) Landslides? (Source: 1)				X
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1)			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- and off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (1)			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1)			X	
e) Have soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for wastewater disposal? (1)				X
7. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1, 6)			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
8. Hazards and Hazardous Materials. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (1, 3)			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous into the environment? (3)			X	
c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 3)				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Sec. 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (6)				X
e) For a project located within an airport land use plan or, where such plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1)				X
f) For a project within the vicinity of private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1)				X
g) Impair implementation of or physically interfere with the adopted emergency response plan or emergency evacuation plan? (Source: 1)				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (1)				X
9. Hydrology and Water Quality. Would the project:				
a) Violate any water quality standards or waste discharge requirements? (Source: 1, 3)			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1, 4)				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 1, 4)			X	
d) Substantially alter the existing drainage pattern of the site or areas, including through the alteration of a course or stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1, 4)			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 4)			X	
f) Otherwise substantially degrade water quality? (Source: 1, 4)			X	
g) Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map? (Source: 1)				X
h) Place within a 100-year flood hazard area structures which impede or redirect flood flows? (Source: 1)				X
i) Expose people or structures to a significant risk of loss, injury, and death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1)				X
j) Inundation by seiche, tsunami or mudflow?				X
10. Land Use and Planning. Would the project:				
a) Physically divide an established community? (Source: 1, 5)				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1)				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1)				X
11. Mineral Resources. <i>Would the project</i>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1)				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1)				X
12. Noise. <i>Would the proposal result in:</i>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the general plan or noise ordinance, or applicable standards of other agencies? (1)			X	
b) Exposure of persons or to generation of excessive groundborne vibration or groundborne noise levels? (Source: 1, 4)				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above existing levels without the project? (1, 5)			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (1)			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (1)				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (1)				X
13. Population and Housing. Would the project				
a) Induce substantial population growth in an area, either directly or indirectly (for example, through extension of roads or other infrastructure)? (1, 5)				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1, 5)				X
c) Displace substantial numbers of people, necessitating the replacement of housing elsewhere? (Source: 1, 5)				X
14. Public Services. Would the proposal:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services? (Source: 1, 4)				
Fire protection?			X	
Police protection?			X	
Schools?				X
Parks?				X
Other public facilities				X
15. Recreation:				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1)				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1)				X

16. Transportation and Traffic. *Would the project:*

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and all non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit? (Source: 1, 6)
- b) Conflict with an applicable congestion management program, including but not limited to, level of service and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Source: 1, 6)
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1)
- d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses, such as farm equipment? (Source: 5)
- e) Result in inadequate emergency access? (6)
- f) Conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance of safety of such facilities? (1)

17. Utilities and Service Systems. *Would the project*

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 4)

Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
		X	
		X	
			X
			X
			X
			X
		X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (4)			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (4)			X	
d) Have sufficient water supplies available to serve the project from existing water entitlements and resources, or are new or expanded entitlements needed? (4)			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments? (Source: 4)			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state and local statutes and regulations related to solid waste? (1)			X	
18. Mandatory Findings of Significance.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects).				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Sources used to determine potential environmental impacts

1. General Plan Tune Up EIR (2013)
2. Biological Reconnaissance (2014)
3. Project Phase I ESA (2013)
4. Discussion with City staff or service provider
5. Site Visit
6. Other Source

XVII. Earlier Analyses

a) **Earlier analyses used.** Identify earlier analyses and state where they are available for review.

This document relies on the City of Newark General Plan Tune Up EIR, SCH #2013012052, October 2013. This document is available for review at the City of Newark Community Development Department during normal business hours.

Attachment to Initial Study

Discussion of Checklist

Legend

- PS: Potentially Significant
LS/M: Less Than Significant After Mitigation
LS: Less Than Significant Impact
NI: No Impact

1. Aesthetics

Environmental Setting

The project site is located in an urbanized, developed portion of Newark, within the City's northern industrial park area. The subject site is vacant and contains no City parks, public playgrounds, public trails or other places of public gathering. No native trees, unusual rock outcroppings or historic structures exist on the site. Neither Central Avenue or Cherry Street are designated as a state or local scenic highway is not identified as a scenic highway by the City of Newark or the State of California (source: <http://www.dot.ca.gov/hq/LandArch/scenic/schwy.htm>).

Several sources of light and glare are present on adjacent sites, including building and parking lot lights associated with the surrounding industrial uses. No sources of lights exist on the site.

Project Impacts

- a) *Have a substantial adverse impact on a scenic vista?* **NI**. There are no public places on the project site for viewing scenic vistas nor do any residential uses exist on surrounding properties that have views to surrounding foothills. Construction of the public storage complex on the site would not have a significant impact with regard to impacts to scenic vistas.
- b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings and historic buildings within a state scenic highway?* **NI**. There are no native trees, rock outcroppings or historic buildings on the site that would be lost should the project be constructed. The site is also not located near any state or locally designated scenic highways. No impacts therefore, anticipated with regard to damage to scenic resources adjacent to a scenic highway.
- c) *Substantially degrade the existing visual character or quality of the site and its surroundings?* **LS**. The proposed project would allow conversion of a vacant site to a three-story public storage/warehouse complex. The proposed project is subject to design review by the Planning Commission and City Council to determine if the overall site design, exterior building elevations, colors, materials and landscaping are appropriate for the site. Although the visual character of the site would change, the scenic and visual quality of the site would not significantly be degraded and his impact would be less-than-significant.

- d) *Create light or glare?* **LS.** Approval of the proposed project would add new light sources associated with the proposed development where no sources of on-site lighting currently exist. Specifically, there would be new lights on the proposed three-story building and within the parking lot. Since surrounding land uses include light industrial uses, no significant impact would result with respect to this topic.

2. Agricultural and Forestry Resources

Environmental Setting

The project site is located in an urbanized portion of Newark, is not used for agricultural cultivation, is not zoned for agricultural and is not encumbered with a Williamson Act Land Conservation Agreement (source: Newark Community Development Department, 9/4/14). Similarly, no trees or forestry resources are present on the site.

Project Impacts

- a,c) *Convert prime farmland to a non-agricultural use or involve other changes which could result in conversion of farmland to a non-agricultural use?* **NI.** The site is not zoned or used for agricultural purposes. Approval and construction of the proposed warehouse would have no impact on prime farmland or convert existing farmland to a non-farm use.
- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* **NI.** No Williamson Act contract or agricultural zoning is present on the site, so there would be no impact with respect to this topic.
- d) *Result in the loss of forest land or conversion of forest land to a non-forest use?* **NI.** No forest land exists on the project site and no impact would result with respect to this topic.
- e) *Involve other changes which, due to their location or nature, could result of forest land to a non-forest use?* **NI.** See item "d," above.

3. Air Quality

Environmental Setting

Air pollution climatology. Newark is located in southwestern Alameda County, part of the nine-county San Francisco Bay Air Basin. Newark is bounded on the west by San Francisco Bay and is indirectly affected by marine airflow. Marine air entering through the Golden Gate is blocked by the East Bay hills, forcing the air to diverge into northerly and southerly paths. The southern flow is directed down the bay, parallel to the hills, where it eventually passes over the Newark area. These sea breezes are strongest in the afternoon. The farther from the ocean the marine air travels, however, the ocean's effect

is diminished. Thus, although the climate of Newark is affected by sea breezes, it is affected less so than the regions of the Bay Area closer to the Golden Gate.

The climate of Newark is also affected by its proximity to the San Francisco Bay. The bay cools the air with which it comes in contact during warm weather, while during cold weather the bay warms the air. The normal northwest wind pattern carries this air onshore. Bay breezes push cool air inshore during the day and draw air from the land offshore at night.

Newark has a relatively high potential for air pollution during the summer and fall. When high pressure dominates, low mixing depths and bay and ocean wind patterns can concentrate and carry pollutants from other cities to Newark, adding to the locally emitted pollutant mix. In winter and spring, the air pollution potential in Newark is moderate.

Air pollutants. Principal sources of air pollutants include carbon monoxide, reactive organic gasses, nitrous oxides, particulate matter and lead. Table 1 presents applicable state and federal air quality standards.

Table 1. Relevant California and National Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards	National Standards
Ozone	8-hour	0.070 ppm (137 $\mu\text{g}/\text{m}^3$)	0.075 ppm (147 $\mu\text{g}/\text{m}^3$)
	1-hour	0.09 ppm (180 $\mu\text{g}/\text{m}^3$)	—
Carbon monoxide	1-hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)
	8-hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)
Nitrogen dioxide	1-hour	0.18 ppm (339 $\mu\text{g}/\text{m}^3$)	0.100 ppm (188 $\mu\text{g}/\text{m}^3$)
	Annual	0.030 ppm (57 $\mu\text{g}/\text{m}^3$)	0.053 ppm (100 $\mu\text{g}/\text{m}^3$)
Sulfur Dioxide	1-hour	0.25 ppm (655 $\mu\text{g}/\text{m}^3$)	0.075 ppm (196 $\mu\text{g}/\text{m}^3$)
	24-hour	0.04 ppm (105 $\mu\text{g}/\text{m}^3$)	0.14 ppm (365 $\mu\text{g}/\text{m}^3$)
	Annual	—	0.03 ppm (56 $\mu\text{g}/\text{m}^3$)
Particulate Matter (PM ₁₀)	Annual	20 $\mu\text{g}/\text{m}^3$	—
	24-hour	50 $\mu\text{g}/\text{m}^3$	150 $\mu\text{g}/\text{m}^3$
Particulate Matter (PM _{2.5})	Annual	12 $\mu\text{g}/\text{m}^3$	12 $\mu\text{g}/\text{m}^3$
	24-hour	—	35 $\mu\text{g}/\text{m}^3$

Pollutant	Averaging Time	California Standards	National Standards
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Source: BAAQMD and EPA, 2013.

Notes: ppm = parts per million mg/m³ = milligrams per cubic meter µg/m³ = micrograms per cubic meter

Toxic Air Contaminants. Toxic Air Contaminants (TACs) are another group of pollutants of concern. There are many different types of TACs, with varying degrees of toxicity. Sources of TACs include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Cars and trucks release at least 40 different toxic air contaminants. The most important, in terms of health risk, are diesel particulate, benzene, formaldehyde, 1,3-butadiene and acetaldehyde.

Public exposure to TACs can result from emissions from normal operations, as well as accidental releases. Possible health risks associated with TACs include cancer, birth defects, neurological damage and death.

No sensitive air quality receptors were observed near the project site which include schools, hospitals, convalescent homes and senior-only residential complexes.

Project Impacts

- a) *Would the project conflict or obstruct implementation of an air quality plan?* **NI.** Approval and construction of the proposed project would be consistent with the Newark General Plan which designates the site for general industrial land use. The project's use have been included in the regional Clean Air Plan so that no impacts would result with regard to obstruction of or conflict with the regional air quality plan.
- b) *Would the project violate any air quality standards?* **LS/M.** Construction of the proposed storage would have a potentially significant impact with regard to air short-term construction impacts. Construction dust associated with site grading and utility trenching would affect local air quality during construction of the project. The effects of demolition and construction activities would be increased dust and locally elevated levels of PM₁₀ downwind of construction activity, generally toward the east.

During construction, various diesel-powered vehicles and equipment would be in use on the site, and diesel trucks would be used to carry demolition debris from the site. The California Air Resources Board (CARB) has identified particulate matter from diesel-fueled engines as a toxic air contaminant (TAC). CARB has completed a risk management process that identified potential cancer risks for a range of activities using diesel-fueled engines.

Health risks from TACs are a function of both concentration and duration of exposure. Unlike the above identified high-risk sources, construction equipment diesel emissions are temporary, affecting an area for a period of days or perhaps weeks. Additionally, construction related sources are mobile and transient in nature. Because of its short duration and lack of nearby sensitive receptors, health

risks from construction emissions of diesel particulate would be a less-than-significant impact.

According to the BAAQMD CEQA Guidelines, emissions of ozone precursors (ROG and NOx) and carbon monoxide related to construction equipment are already included in the emission inventory that is the basis for regional air quality plans and, thus, are not expected to impede attainment or maintenance of ozone and carbon monoxide standards in the Bay Area. Thus, the potentially significant effect of construction activities would be increased dust and locally elevated levels of PM10 downwind of construction activity. Unmitigated construction dust has the potential for creating a nuisance at nearby properties and would be a significant air quality impact.

Implementation of the following measure will reduce construction-related air quality emissions to a less-than-significant level (these measures are consistent with BAAQMD recommendations):

Mitigation Measure AIR-1. The developer shall be responsible for the following measures to control fugitive dust emissions. These measures shall be included on construction and demolition plans and specifications.

- a) Using water as needed to control dust and eliminate visible dust plumes.
- b) Covering all trucks hauling building debris, soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- c) Sweeping daily all paved access roads, parking areas and staging areas at construction sites.
- d) Sweeping streets daily if visible soil material is carried onto adjacent public streets.
- e) Watering or covering of stockpiles of construction debris, soil, sand or other materials that can be blown by the wind.

These measures shall be done to the satisfaction of the Newark City Engineer and/or the City Building Official.

- c) *Would the project result in cumulatively considerable air pollutants?* **LS.** Vehicle trips generated by the project would result in air pollutant emissions affecting the entire San Francisco Bay Air Basin. However, as noted in the Transportation and Traffic section of this Initial Study, the nature of the proposed use is such that few daily or peak hour trips would be generated associated with the project. As noted in the recently certified General Plan EIR, development under the General Plan would not contribute to a cumulatively considerable air pollutant condition and a less-than-significant impact would result.
- d,e) *Expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people?* **NI.** The site is surrounded by residential and warehouse uses. No sensitive air quality receptors are located near

the site so that no significant populations would be affected by TACs. Similarly, no impacts are anticipated with regard to significantly objectionable odors since the proposed warehouse would not include industrial or similar uses that would t emit significant odors.

4. Biological Resources

Environmental Setting

The analysis of biological resources on the site is based on a biological reconnaissance of the property prepared by WRA, Inc. The WRA report is incorporated by reference into this Initial Study and is available for review at the Newark Community Development Department during normal business hours.

A majority of the project site is characterized by ruderal (weedy) uplands with landscaped areas lining the perimeter. Plant species observed in the Project Area are predominantly non-native ornamental and weedy species typical of disturbed urban sites. Numerous large, ornamental trees line the perimeter of the site. Elevation within the site ranges from 13 to 17 feet above sea level.

Existing biological communities observed on the site by WRA biologists include landscaped and ruderal upland habitats. No sensitive biological communities were observed on the project site.

Based on the resources reviewed and the types and condition of habitats observed at the site, WRA biologists determined that no special-status wildlife or plant species have a moderate to high potential to occur on the project site. No special-status wildlife or plant species were actually observed in the site during the site visit.

All wildlife species observed during the site assessment were common species, adapted to urban development.

Project Impacts

- a) *Have a substantial adverse impact on a candidate, sensitive, or special-status species?* **NI.** Based on the biological assessment performed by WRA, no impacts to candidate, sensitive or special-status species are anticipated should the project be approved and constructed.
- b, c) *Have a substantial adverse impact on riparian habitat or federally protected wetlands?* **NI.** The site is inland and surrounded by urban land uses or major roadways. No wetlands, waters of the United States or waters of the state have been observed on the site by WRA biologists. There would be no impact on riparian habitat or federally or state protected wetlands.
- d) *Interfere with movement of native fish or wildlife species?* **NI.** The project site and surrounding areas are developed with industrial buildings and roadways. No streams or watercourses exist on the site. Therefore, no impacts are anticipated with regard to blockage of fish or wildlife corridors.

- e, f) *Conflict with local policies or ordinances protecting biological resources or any adopted Habitat Conservation Plans or Natural Community Conservation Plans? NI.*
The site is not located within the boundaries of any Habitat Conservation Plan or Natural Community Conservation Plan so no impacts would result with respect to this topic.

5. Cultural Resources

Environmental Setting

The project site is vacant and contains no historic structures.

The City of Newark is relatively flat and lies near San Francisco Bay. Based on the General Plan EIR, there is a moderate potential for encountering archeological, prehistoric and/or Native American artifacts during grading and trenching operations associated with the proposed project.

Project Impacts

- a) *Cause substantial adverse change to significant historic resources? NI.* Since the site is vacant and contains no historic above ground resources no impacts are anticipated with respect to this topic.
- b, c) *Cause a substantial adverse impact or destruction to archeological or paleontological resources? LS.* Based information contained in the Newark General Plan EIR, there is a low to moderate probability of encountering buried archeological, paleontological or Native American artifacts on the project area. A condition of project approval will require that construction of the project be halted within a 50-foot wide radius of any discovery of historic, archeological or Native American artifacts by the project contractor. If this occurs, the City will select a qualified professional to evaluate such resources and prepare a resource protection plan that complies with CEQA standards; work could not be restarted until the resource protection plan is fully implemented. If human remains are encountered, the County Coroner will be immediately notified. Based on this condition of project approval, impacts to significant cultural resources will be less-than-significant.
- d) *Disturb any human remains, including those interred outside of a formal cemetery? LS.* Based on previous environmental documentation in the Newark area, there is low to moderate potential of encountering human remains as part of project construction and adherence to the condition of project approval outlines in section "b" and "c" above, this impact would be less-than-significant.

6. Geology and Soils

Environmental Setting

The project site is topographically flat and contains no unique rock outcroppings. No known active seismic faults have been identified in the Newark planning area; however, the area is subject to moderate to severe ground shaking from the nearby Hayward, San Andreas, Monte Vista-Shannon and Calaveras Faults.

Project Impacts

- a) *Expose people or structures to potential substantial adverse impacts, including loss, injury or death related to ground rupture, seismic ground shaking, ground failure, or landslides?* **LS.** Proposed improvements on the site would be subject to moderate to severe ground shaking during seismic events on nearby fault zones. In the absence of an Earthquake Safety Zone on the site, as documented in the General Plan EIR, the risk of ground rupture is considered low. With adherence to construction techniques identified in the California Building Code and other applicable State of California standards, less-than-significant seismic impacts to humans or structures are anticipated. As part of the normal development review process, the City of Newark will require submittal of a soils and geotechnical report prepared by an engineering professional to ensure that seismic and soil hazards would be reduced to a less-than-significant level. As required by the City, the geotechnical report will contain recommended designs for building foundations and other improvements to ensure impacts related to seismic ground shaking, liquefaction and related hazards will be less-than-significant. This impact will be reduced to a less-than-significant level.

No impacts related to landslide hazard are anticipated since the project site contains minimal topographic relief.

- b) *Is the site subject to substantial erosion and/or the loss of topsoil?* **LS.** There is a possibility that grading activities and stockpiling of trench spoils could erode into nearby streets, Alameda County Flood Control and Water Conservation District regional drainage channels and ultimately into San Francisco Bay. This would be a significant impact and would be mitigated to a less-than-significant impact by adherence to standard Newark Engineering Division conditions that require conformance with Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) permit standards, enforced by the City of Newark, that mandates reduction of erosion off of all project sites in the community. Adherence to NPDES during construction and post construction periods will reduce the potential for soil erosion to a less-than-significant level.
- c-d) *Is the site located on soil that is unstable or expansive or could result in potential lateral spreading, liquefaction, landslide or collapse?* **LS.** The City-required geotechnical report will contain site-specific recommendations to reduce lateral spreading,

liquefaction and unstable soils conditions to a less-than-significant level. These recommendations will be included in final building plans and specifications.

- e) *Have soils incapable of supporting on-site septic tanks if sewers are not available? NI.* The proposed buildings will be connected to the Union Sanitary District (USD) sanitary sewer system under existing City ordinance and USD policy. There would, therefore, be no impact with regard to septic tanks.

7. Greenhouse Gas Emissions

Environmental Setting

Greenhouse gasses (GHGs) are gasses that trap heat in the earth's atmosphere and affect the earth's temperature. This is also known as the Greenhouse Effect. Elements and compounds that typically comprise carbon dioxide and water vapor but also include other compounds, such as methane, nitrous oxides and others.

Although still controversial, GHGs have been linked to such phenomenon as changes in the earth's temperature, weather patterns and sea levels.

The City of Newark has adopted a Climate Action Plan (CAP) to investigate and identify feasible measures that could be taken on a local level to reduce GHG emissions. The CAP establishes a target for a 5% reduction of municipal emissions by July 2012, a 5% reduction of community wide GHG reductions by July 2015 and a 15% reduction by 2020.

Even if the GHG reduction targets are met the General Plan found that building out of all land uses included in the General Plan would exceed GHG emissions thresholds established by the Bay Area Air Quality Management District and would result in a significant and unavoidable impact.

Project Impacts

- a,b) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? LS.* Construction of the proposed project would add a number of additional vehicle trips to the site that would incrementally add to greenhouse gas emissions. However, Table 3-1 contained in the May 2011 Bay Area Air Quality Management District CEQA Guidelines demonstrates that a light industrial project with less than 541,000 square feet does not significantly contribute to greenhouse gas emissions. Since the proposed project approximately 136,000 square feet, this impact would be less-than-significant.

8. Hazards and Hazardous Materials

Environmental Setting

The project site is not listed as a Hazardous Materials site on Figure 4.7-1 of the General Plan EIR and is not listed as a contaminated site on the Cortese List of contaminated sites (http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm).

The site is not within an airport planning area of any public or private airport or airstrip.

Project Impacts

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* **LS.** The proposed project, if approved, would include normal and customary transport, use and storage of building and maintenance materials, including but not limited to paints, solvents and lawn care chemicals. Many of these substances are considered hazardous or potentially hazardous in sufficient quantity. However, storage and use of such materials for the proposed project is not anticipated to result in a significant hazard to the public since limited quantities of these materials are anticipated to be used as part of the project. A less-than-significant impact would result with respect to this topic.
- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment?* **NI.** The applicant commissioned a Phase I Environmental Site Assessment to determine the presence or absence of significant quantities of contaminants on the site ("Phase I Environmental Site Assessment, 6691 Central Avenue, Newark CA, prepared by GRIBI Associates, dated October 14, 2013.") This report is hereby incorporated by reference into this Initial Study and is available for review at the Newark Community Development Department during normal business hours.

The report concludes that "this assessment has revealed no evidence of recognized environmental conditions relative to the Property." Based on this summary, no impacts are anticipated with respect to a significant hazard to the public due to upset or release of hazardous material into the environment.

- c) *Emit hazardous materials or handle hazardous or acutely hazardous materials, substances, waste within one-quarter mile of a school?* **NI.** The project site is located within an industrial area of Newark and no public schools are located within one-quarter mile from the project site. No impact is anticipated with regard to emitting acutely hazardous materials near a school site.
- d) *Is the site listed as a hazardous materials site?* **NI.** The project site is not listed on the State of California Department of Toxics Substances Control list (the Cortese List) as of August 7, 2014. No impacts are, therefore, anticipated.

- e,f) *Is the site located within an airport land use plan of a public airport or private airstrip?* **NI.** No public or private airstrips or airfields exist within or immediately adjacent to the City of Newark, so there would be no conflict with airport land use plans or local airport activities.
- g) *Interference with an emergency evacuation plan?* **NI.** The proposed project is not designed in such a manner as to block vehicular traffic along Central Avenue, which provides normal and emergency access to and from the site. Therefore, no impacts are anticipated with regard to interference with emergency evacuation plans.
- h) *Expose people or structures to significant risk due to wildlife fire, including where residences are intermixed with wildlife?* **NI.** The project site is located in an urban area, substantially surrounded by major public roads or industrial uses. No impacts are, therefore, anticipated with respect to significant risk of the proposed project to wildland fire.

9. Hydrology and Water Quality

Environmental Setting

Surface water. Surface water flows within channelized creeks maintained by the Alameda County Flood Control and Water Conservation District. The nearest body of surface water is Plummer Creek, located north of the project site.

Groundwater. The Newark planning area overlays a major aquifer known as the Niles Cone. Niles Cone has historically provided water to the Newark and Fremont areas and continues to play a part in satisfying the overall water demand from the region.

Surface water quality. The City of Newark, along with all other cities in Alameda County and Alameda County itself, is a participant in the Alameda Countywide Clean Water Program that was formed in 1989 to control urban runoff. The City of Newark enforces the most recent C.3 and C.6 requirements set forth in the Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) permit issued to the City by the San Francisco Bay Regional Water Quality Control Board in October 2009. The C.3 and C.6 requirements state that development projects are to provide site design measures, source controls, Low Impact Development (LID) treatment measures, hydromodification management, and construction best management practices that are appropriate for the type and size of the project to control stormwater pollution. Treatment measures could include biotreatment systems that are designed subject to established numeric sizing criteria. Each development project is required to complete a Stormwater Requirements Checklist and prepare Stormwater Treatment Design Plans and a Stormwater Pollution Prevention Plan that collectively establish how the project will satisfy NPDES water quality standards.

Flooding. The project site lies outside of a 100-year flood hazard area as depicted on Figure 4.8-4 of the Newark General Plan.

Project Impacts

- a) *Violate any water quality standards or waste discharge requirements?* **LS.** The proposed project would dispose of wastewater through Union Sanitary District treatment facilities, which can accommodate the additional amount of wastewater generated by the proposed project. The project will also be required to comply with NPDES surface water quality standards as enforced by the City of Newark, so that less-than-significant impacts will result with regard to violation of water quality standards or waste discharge requirements (source: Al Bunyi, USD engineer, 8/27/14).
- b) *Substantially deplete groundwater recharge areas or lowering of water table?* **NI.** Although the project sites within the boundaries of the Alameda County Water District (ACWD), it is vacant and not currently using domestic water. Additional water would likely be required to serve the proposed warehouse use on the site. The ACWD obtains water from a combination of sources including delivery of imported water during normal years supplemented by locally pumped groundwater. There would therefore be no covering of an existing groundwater recharge area or lowering of the water table.
- c) *Substantially alter drainage patterns, including streambed courses such that substantial siltation or erosion would occur?* **LS.** The project site is currently vacant. Construction of the proposed project would increase the amount of impervious surfaces on the site. The amount, velocity and rate of increased stormwater runoff from the site is unknown; however, the amount of increased runoff would likely not be significant, especially since the project will be required to comply with C.3 hydromodification requirements to meter peak runoff flows from the site. This impact would be less-than-significant.
- d) *Substantially alter drainage patterns or result in flooding, either on or off the project site?* **LS.** See item "c" above.
- e) *Create stormwater runoff that would exceed the capacity of drainage systems or add substantial amounts of polluted runoff?* **LS.** See items "c" and "d" above.
- f) *Substantially degrade water quality?* **LS.** Construction of the proposed project has the potential to degrade surface water quality through runoff of polluted stormwater and debris from the site. To reduce this impact to a less-than-significant level, the Newark Engineering Division will require that the developer prepare and implement a Stormwater Treatment Design Plan and a Stormwater Pollution Prevention Plan to ensure that the subdivision will comply with C.3 and C.6 Municipal Regional Stormwater NPDES water quality standards and other applicable standards.
- g-i) *Place housing within a 100-year flood hazard area as mapped by a Flood Insurance Rate Map, or impede or redirect flood flow, including dam failure?* **NI.** The project does not include a housing component, so no impact would result with respect to this topic.

- j) *Result in inundation by seiche, tsunami or mudflows?* **NI.** There are expected to be no impacts with regard to seiche, or tsunamis since the project site is located a sufficiently large distance east of San Francisco Bay. The site and surrounding properties are relatively flat so there would be no impact with respect to mudflows.

10. Land Use and Planning

Environmental Setting

The project site is undeveloped and has been planned and zoned for industrial land uses by the City of Newark.

Project Impacts

- a) *Physically divide an established community?* **NI.** The project site is presently vacant. Approval of the proposed public storage facility would result in a continuation of existing land uses in the area. There would be no impact with respect to this topic.
- b) *Conflict with any applicable land use plan, policy or regulation?* **NI.** The proposed project complies with the existing General Plan land use designations. No applications have been made to change or delete any City land use policy or regulation affecting environmental protection. There would be no impact with regard to land use regulatory conflicts.
- c) *Conflict with a habitat conservation plan or natural community conservation plan?* **NI.** No impacts would result regarding Habitat Conservation Plans or Natural Community Conservation Plans since none of these preserves have been created on the project site nor are such plans being contemplated.

11. Mineral Resources

Environmental Setting

The Newark General Plan does not indicate the project site contains any significant sources of minerals.

Project Impacts

- a, b) *Result in the loss of availability of regionally or locally significant mineral resources?* **NI.** No impacts would occur to any mineral resources since none have been identified on this site in the General Plan.

12. Noise

Environmental Setting

The project site is located within an industrial portion of Newark. Surrounding land uses include warehousing and manufacturing facilities.

The City of Newark has adopted a standard of 70 decibels (CNEL or Ldn scale) as the normally acceptable exterior noise exposure level for industrial and manufacturing land uses. Exterior noise exposure up to 75 decibels is considered conditionally acceptable for this land use (Newark Noise Element, Table EH-2).

Project Impacts

- a) *Would the project result in exposure of persons to, or generate noise levels in excess of standards established by the General Plan or noise ordinance or applicable standards of other agencies?* **LS.** The project site is located within an established industrial area with no surrounding sensitive noise receptors. Project buildings would have limited occupancy with small number of on-site staff. Use of the building would be for storage of goods with no manufacturing, assembly or similar noise generating uses. There would be limited noise from vehicles using the site. This impact is anticipated to be less-than-significant.
- b) *Exposure of people to excessive groundborne vibration or groundborne noise levels?* **NI.** No major pile driving or other activities that would result in excessive groundborne vibration would be created as part of project construction. Once constructed, operation of the project would include typical warehouse that would not result in vibration. No impacts are anticipated related to groundborne vibration.
- c) *Substantial permanent increases in ambient noise levels?* **LS.** The site is currently vacant and does not generate any noise. Approval and construction of the proposed storage warehouse would increase vehicle trips to and from the site but likely not to a level that would exceed City exterior noise exposure levels. This impact is anticipated to be less-than-significant.
- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?* **LS.** Construction of the proposed storage buildings and associated site improvements would generate noise from various sources, including but limited to bulldozers, large trucks, delivery vehicles, framing activities and roofing. Since no sensitive noise receptors are located in the immediate vicinity, short-term construction noise activities are anticipated to be less-than-significant.
- e,f) *Be located within an airport land use plan area, within two miles of a public or private airport or airstrip?* **NI.** No public or private airports or airstrips exist within or near the City of Newark. No impact would result.

13. Population and Housing

Environmental Setting

Newark is a balanced community consisting of stable residential neighborhoods, shopping districts, and a large industrial and research and development base.

The project site is vacant and is planned and zoned for industrial uses, which is consistent with the proposed use.

Project Impacts

- a) *Induce substantial population growth in an area, either directly or indirectly?* **NI.** The proposed project would not include any residences. No impacts would result.
- b,c) *Would the project displace substantial numbers of existing housing units or people?* **NI.** The project site is vacant and contains no dwellings or residents would be displaced to accommodate the proposed project. No impacts would result with respect to this topic.

14. Public Services

Environmental Setting

Services to the City of Newark are provided by the following:

Fire and Emergency Services: The City of Newark contracts with the Alameda County Fire Department for fire suppression, emergency medical, fire inspection, hazardous materials response and similar services. The project site is served by Alameda County Fire Station No. 27, located at 39039 Cherry Street.

Police Services: Police and emergency response is provided by the Newark Police Department, headquartered at the Newark Civic Center.

Public Educational Service: The Newark Unified School District operates a number of K-12 schools within the community.

Solid Waste Collection and Disposal: Republic Services of Alameda County.

Project Impacts

- a) *Fire protection?* **LS.** The closest fire station to the project area is Alameda County Station No. 27 at the southwest corner of Cherry Street and Mowry Avenue. Approval of the proposed project would increase the number of calls for service to the Fire Department based on occupancy of additional dwellings on the site. Based on discussions with Fire Department staff, construction of the proposed project would not require the construction of new or expanded Fire Department facilities (source: Holly Guier, ACFD, 9/5/14). This would be less-than-significant.
- b) *Police protection?* **LS.** The Newark Police Station is located approximately 1 to 1.5 miles north of the project site. Based on information provided by the Newark Police Department, construction of the proposed subdivision could be served by the existing police facility without the need for additional facilities so that impacts to the Police Department would be less-than-significant (source: Commander R. Lawson, Newark Police Department, 8/29/14).

- c) *Schools?* **NI.** There would be no impact to the Newark Unified School District since payment of mandated school impact fees to the District will off-set potentially higher student enrollment generated by the proposed project.
- d) *Other governmental service, including maintenance of public facilities?* **NI.** There would be no impact to maintenance services provided by the City since the project involves private improvements on private property. On-site roads would be privately maintained.
- e) *Solid waste generation?* **LS.** Less-than-significant impacts regarding generation of solid waste are anticipated since any additional staffing and equipment to collect solid waste and recycling by Waste Management, Inc. would be offset by user fees charged to commercial customers. The amount of solid waste generated from the site is anticipated to be reduced in the future as the requirements of AB 939 take effect. This law, adopted in 1989, mandates a reduction in the municipal waste stream.

15. Recreation

Environmental Setting

The City of Newark maintains a wide range of parks and associated recreational services for residents. The nearest neighborhood park to the project site is Civic Center Park located northeast of the project site.

Regional park facilities in Newark and surrounding communities are provided by the East Bay Regional Park District.

Project Impacts

- a) *Would the project increase the use of existing neighborhood or regional parks?* **NI.** The proposed project would not add to Newark's population base that would use local or regional parks. No impact is anticipated with respect to this topic.
- b) *Does the project include recreational facilities or require the construction of recreational facilities?* **NI.** The proposed project does not include a recreational component since no residences are proposed. No impacts would result.

16. Transportation/Traffic

Environmental Setting

The project site is served by Central Avenue, an east-west arterial, and Cherry Street, a north-south arterial roadway. Regional access is provided by Interstate 880, located west of the site.

Pedestrian sidewalks are located on the north side of Central Avenue

Bus transit in the project study area is provided by the Alameda-Contra Costa Transit District (AC Transit). The Bay Area Rapid Transit District (BART) provides regional public transit, with the closest station being in Fremont.

Existing traffic operations. The project site is currently vacant and generates no vehicle trips.

The General Plan Environmental Impact Report (Table 4.13-3, Existing Intersection Levels of Service) notes that existing (2013) intersections near the site operate at acceptable levels of service.

Project Impacts

a,b) *Conflict with applicable plans related to the effectiveness of the circulation system, including all modes of travel, including intersections, streets, highways and other components or conflict with an applicable congestion management program, including level of service standards, travel demand measures and other applicable standard or conflict with an applicable congestion management program including but not limited to level of service standards and travel demand measures or other standards established by the CMA for designated roads or highways?* **LS.** Daily and peak hour vehicle trip generation for the proposed project has been based on established rates published in the Institute of Transportation Engineers (ITE) trip research manual for warehouse uses. Based on the size of the proposed self-storage site, there would be an estimated 340 trips generated during a 24-hour daily period. During the AM peak period, there would be an estimated 20 trips to and from the site and there would be an estimated 35 trips to and from the site during the PM peak period. During the short-term period, existing nearby intersections currently operate at acceptable levels and no impacts would result.

In terms of long-term, cumulative traffic impacts, most of the nearby roadway intersections would continue to operate at acceptable levels. The General Plan EIR (see Table 4.13-4, Existing and Projected 2035 Intersection Levels of Service). The General Plan EIR noted that nearby intersections of Central Avenue and Cherry Street, would operate at Level of Service D in the future. The addition of the project's few peak hour trips would not significantly increase vehicle delay at intersections near the site during peak periods of time. This impact is anticipated to be less-than-significant.

- c) *Result in a change of air traffic patterns?* **NI.** The proposed project would have no impact on air traffic patterns, since it consists of approval and construction of self-storage warehouse.
- d) *Substantially increase hazards due to a design feature or incompatible use?* **NI.** The proposed project will be required to comply with City of Newark zoning and engineering design standards to ensure that no impacts would result with respect to incompatible design features, including but not limited to inadequate sight lines and similar features. No impacts are anticipated with respect to this topic.
- e) *Result in inadequate emergency access?* **NI.** No impacts would occur with regard to

emergency access since the proposed project would not block any City streets or emergency access routes.

- f) *Conflict with adopted policies, plans or programs regarding public transit, pedestrian facilities or otherwise decrease the performance or safety of such facilities?* **NI.** No conflicts to plans, policies or programs that promote public transit, pedestrian use or similar features would occur for this project. City sidewalks exist along the north side of Central Avenue. Due to the nature of the facility as a warehouse, the number of pedestrians or bicyclists using the site is expected to be low. Public transit is available on Cherry Street via AC Transit Routes 264 and 345.

17. Utilities and Service Systems

Environmental Setting

The following utility providers serve the City of Newark and the project site.

Water Service: Alameda County Water District (ACWD)

Wastewater Service: Union Sanitary District (USD)

Public Educational Service: Newark Unified School District

Solid Waste Collection and Disposal: Republic Services

Project Impacts

- a) *Exceed wastewater treatment requirements of the RWQCB?* **LS.** The Union Sanitary District (USD) provides wastewater services to the City of Newark as well as a number of surrounding communities. Wastewater flows via local sewer laterals and main trunk sewers to Newark's pump station and then on to USD's Alvarado Treatment Plant, which has the treatment capacity of approximately 32 million gallons per day (mgd). USD staff has indicated that the treatment plant has the capacity to handle the anticipated small net increment of wastewater generated from new housing units as proposed as part of the project (source: Al Bunyi, USD, 6/20/14). Treated effluent is disposed of into San Francisco Bay through facilities operated by the East Bay Dischargers Authority. Overall, based on a discussion with USD staff representatives, a less-than-significant impact is anticipated with regard to exceeding Regional Water Board discharge requirements.
- b) *Require new water or wastewater treatment facilities or expansion of existing facilities?* **LS.** The Alameda County Water District (ACWD) provides water service to the City of Newark and surrounding communities. The existing church on the project site is connected to the ACWD system. Currently, ACWD relies on three sources of water: the State Water Project, groundwater aquifers and water supplies from the San Francisco Water Department via the Hetch Hetchy aqueduct. Although minor upgrades and improvements may need to be made in the local water distribution system, less-than-significant changes would result in terms of long-term water service (source: Ed Stevenson, ACWD, 6/23/14).

- c) *Require new storm drainage facilities?* **LS.** As noted in Section 9 of this Initial Study, this impact would be less-than-significant.
- d) *Are sufficient water supplies available?* **LS.** The Alameda County Water District staff has indicated that sufficient water supplies are available to serve future development within the project area. Less-than-significant impacts would result.
- e) *Adequate wastewater capacity to serve the proposed project?* **LS.** The staff of the Union Sanitary District has indicated that adequate capacity exists to serve future commercial development within the project area as per the zoning and General Plan. A less-than-significant impact would result.
- f,g) *Adequate solid waste disposal?* **LS.** Operation of the proposed project would generate solid waste based on residential use. Residents would participate in the City's recycling program for paper, glass, plastic and other material to reduce the project's contribution to the waste stream as required by AB 939. Overall, impacts related to solid waste generation are anticipated to be less-than-significant.

18. Mandatory Findings of Significance

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?* **No.** The preceding analysis indicates that the proposed project would not have a significant adverse impact on overall environmental quality, including biological resources or cultural resources with adherence to mitigation measures contained in this Initial Study.
- b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects).* **No.** Although additional traffic would be added to local and regional roadways as a result of this project and contributions would be made to regional air emissions and increases in the quantity of stormwater runoff, these impacts have not been found in the Initial Study to be cumulatively considerable. Less-than-significant impacts have been identified in the Initial Study to public services and utilities.
- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?* **No.** No such impacts have been discovered in the course of preparing this Initial Study.

Initial Study Preparers

Jerry Haag, Urban Planner, *project manager and principal author*

Agencies and Organizations Consulted

The following agencies and organizations were contacted in the course of this Initial Study:

City of Newark

Terrence Grindall, Community Development Director

Yesenia Jimenez, Planner

Soren Fajeau, Senior Civil Engineer

Sgt. Arguello, Newark Police Department

Holly Guier, Alameda County Fire Department

Union Sanitary District

Al Bunyi

Alameda County Water District

Ed Stevenson

Project Owner

Venkata Vemireddy

References

Biological Resources Assessment, 6601 Central Avenue, Newark CA, WRA, September 2014

CEQA Guidelines, Bay Area Air Quality Management District, May 2011

Department of Toxic Substances Control State of California, website, January 2014

General Plan Tune Up EIR (SCH #2013012052), City of Newark, October 2013

EXHIBIT B

City of Newark

Central Avenue Storage Project
Mitigation Monitoring and Reporting Program

October 2014

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Monitoring Schedule	Verification
<p>Mitigation Measure AIR-1. The developer shall be responsible for the following measures to control fugitive dust emissions. These measures shall be included on construction and demolition plans and specifications.</p> <ul style="list-style-type: none"> a) Using water as needed to control dust and eliminate visible dust plumes. b) Covering all trucks hauling building debris, soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. c) Sweeping daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites. d) Sweeping streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets. e) Watering or covering of stockpiles of construction debris, soil, sand or other materials that can be blown by the wind. 	<p>Project Developer</p>	<p>Newark City Engineer or Building Official</p>	<p>During project construction</p>	

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK APPROVING ASR-14-30, AN ARCHITECTURAL
AND SITE PLAN REVIEW FOR A SELF-STORGE FACILITY
(THREE SIXTY STORAGE CENTER) AT 6649 CENTRAL
AVENUE

WHEREAS, 6649 Central Ave, LLC, has filed with the Planning Commission of the City of Newark application for an Architectural and Site Plan Review for a self-storage facility (Three Sixty Storage Center) at 6649 Central Avenue; and

WHEREAS pursuant to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on October 17, 2014 and mailed as required, and the Planning Commission held a public hearing on said application at 7:30 p.m. on October 28, 2014 at the City Administration Building, 37101 Newark Boulevard, Newark, California.

WHEREAS, the Planning Commission of the City of Newark recommended that City Council consider approving ASR-14-30, an Architectural and Site Plan Review; and

WHEREAS pursuant to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on October 31, 2014 and mailed as required, and the City Council held a public hearing on said application at 7:30 p.m. on November 13, 2014 at the City Administration Building, 37101 Newark Boulevard, Newark, California; and

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve this application as shown on Exhibit A, pages 1 through 9, subject to compliance with the following conditions:

Planning Division

- a. The project shall be subject to the mitigation measures identified in the Initial Study/Mitigated Negative Declaration prepared for this project.
- b. The operators of the facility and their customers shall not conduct any activity in or around, nor store any property in the storage units which would result in a violation of any ordinance, statute, or regulation of the City of Newark, or permit such actions to occur. In addition, storage of perishable, flammable, explosive, dangerous materials, or live animals in the storage unit is prohibited. Trash or other materials shall not be left in or near the storage unit. Storage units shall not be used for a dwelling, place of business, manufacturing, or production. The storage facilities may be used for commercial and household goods.
- c. All operations associated with this proposal shall be conducted within an entirely enclosed structure. If any complaint regarding noise is received from nearby residential

properties, a supplemental noise analysis shall be prepared at the discretion of the Community Development Director and at the cost of the developer. The developer shall mitigate any problems identified by the noise study.

- d. Measures to respond to and track complaints regarding construction noise shall include: (1) a procedure and phone numbers for notifying the City of Newark Building Inspection Division and Newark Police Department (during regular construction hours and off-hours); and (2) a sign posted on-site pertaining to the permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours).
- e. The owner of the property is responsible for any recycling facilities located upon the subject property. The owner hereby agrees that if any illegal recycling facilities are located on this property, the City of Newark will have the right to enter said property and physically remove the illegal facilities if the owner thereof has not, within a reasonable period of time removed, or requested approval of, said facilities. The cost of removal and storage of the illegal facilities shall be the responsibility of the owner of said facilities except, if unpaid, then the cost shall become a lien upon the property.
- f. The drive aisles shall not be used by delivery trucks between the hours of 9:00 p.m. and 7:00 a.m. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 9:00 p.m. and 8:00 a.m. No delivery truck or van shall be left overnight on any portion of the site.
- g. Prior to the issuance of a building permit, a screening design shall be submitted to and approved by the Community Development Director. Roof equipment shall not be visible from public streets. All equipment shall be fully screened within the context of the buildings' architecture. Said screening design shall be maintained to the satisfaction of the Community Development Director. The building owner shall paint the roof equipment and the inside of its screening wall within the context of the buildings' color scheme and maintain the painted areas to the Community Development Director's satisfaction. Screening panels shall not exceed six feet in height unless the screens are part of the integral design elements of the buildings.
- h. Prior to the issuance of a building permit, the location and screening design for centralized garbage, refuse, and recycling collection areas for the project shall be submitted for the review and approval of Republic Services of Alameda County and the Community Development Director, in that order. All trash enclosures shall provide signage that states that the dumpsters shall remain in the enclosure(s) and that the enclosure's doors shall be closed immediately after use. The enclosure(s) shall be sited such that the enclosure's doors, when open, do not extend into drive aisles/back-up areas.

The enclosure(s) shall utilize integral color, split-face block or a suitable durable material, and be provided with a roof for storm water quality purposes. A stucco band shall be placed around the top of the enclosure(s) with a mortar cap on top to prevent the infiltration of water and leaching of materials from the block. The enclosure(s) shall be

treated with a waterproof finish approved by the Building Official. The doors of the enclosure(s) shall be made of metal and painted to match the color of the enclosure's walls. The enclosure's materials, colors, and roof design shall be subject to the review and approval of the Community Development Director.

- i. Prior to issuance of a sign permit, all signs, other than those referring to construction, sale or future use of this site, shall be submitted to the Community Development Director for review and approval.
- j. Prior to the issuance of a grading permit, the developer shall hire a qualified biologist to: (1) determine if Burrowing Owl habitat(s) exist on the site, and (2) implement a plan to protect the owls and to excavate the site around any active burrows using hand tools to assure that the owls are not buried during grading in the event Burrowing Owl habitat(s) is found on the site. The Burrowing Owl habitat(s), if found, shall not be disturbed during the nesting season. The Burrowing Owl study shall be conducted not more than 30 days prior to the time site grading activities will commence.
- k. 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. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- l. All exterior utility pipes and meters shall be painted to match and/or complement the color of the adjoining building surface, as approved by the Community Development Director.
- m. 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. Final building colors shall be reviewed and approved by the Community Development Director.
- n. Prior to the issuance of a building permit, roof material shall be submitted to the Planning Commission and City Council for review and approval. All roof material shall consist of fire retardant shake roof, concrete tile or a roof of similar non-combustible material. Mansard roofs with the above material may be used to screen tar and gravel roofs. All roofs shall be of Class C fire resistant construction or better.
- o. There shall be no outdoor vending machines other than for the sale of newspapers. There shall be no outdoor storage of any materials for sale, display, inventory, or advertisement without the review and approval of the Community Development Director.

- p. No refuse, garbage, or recycling shall be stored outdoors except within the approved trash and recycling enclosures.
- q. Prior to the issuance of a Certificate of Occupancy, all on-site parking facilities shown on the approved plans shall be installed and striped. This shall include, but not be limited to, identifying providing directional arrows as required by the Community Development Director.
- r. During project construction, if historic, archeological or Native American materials or artifacts are identified, work within a 50-foot radius of such find shall cease and the City shall retain the services of a qualified archeologist and/or paleontologist to assess the significance of the find. If such find is determined to be significant by the archeologist and/or paleontologist, a resource protection plan conforming to CEQA Section 15064.5 shall be prepared by the archeologist and/or paleontologist and approved by the Community Development Director. The plan may include, but would not be limited to, removal of resources or similar actions. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately and the provisions of State law carried out.

Engineering Division

- s. The development will require approval of a record parcel map to be filed in accordance with the State Subdivision Map Act and the City of Newark Subdivision Ordinance. Said parcel map shall merge the two existing parcels and create all required easements on the site, including a 5-foot Roadway and Public Utility Easement dedication on the Central Avenue frontage.
- t. Prior to the issuance of any building permits, the developer shall guarantee the construction of all necessary off-site improvements, including but not necessarily limited to: curb and gutter relocation to result in a 39-foot wide street centerline to curb face width for the entire project frontage, paving, pavement striping, utility relocations including installation of a new street light luminaire and arm on the joint utility pole located near the center of the frontage, signage, construction of a 6-foot wide meandering sidewalk along Central Avenue, driveway construction, utility tie-ins, and landscaping along the project frontage and adjoining easement areas. The new pavement section on Central Avenue shall be designed to a Traffic Index of 9.0. All off-site work shall be shown on separate off-site improvements plans that shall be prepared by a civil engineer licensed by the State of California to do such work.
- u. This site is subject to the State of California National Pollutant Discharge Elimination System (NPDES) Program General Permit for Storm Water Discharges Associated with Construction Activity. Prior to issuance of a grading permit or a building permit, the developer needs to provide evidence that the proposed site development work is covered by said General Permit for Construction Activity. This will require confirmation that a Notice of Intent (NOI) and the applicable fee were received by the State Water Resources Control Board and the submittal of the required Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer. In addition the grading plans

need to state: "All grading work shall be done in accordance with the Storm Water Pollution Prevention Plan prepared by the developer pursuant to the Notice of Intent on file with the State Water Resources Control Board."

- v. Prior to the issuance of a grading or any building permits for this project, the developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for the review and approval of the City Engineer. The site specific plan shall include sufficient details to show how storm water quality will be protected during both: (1) the construction phase of the project and (2) the post-construction, operational phase of the project. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD) in the State of California. The construction phase plan shall include Best Management Practices from the California Storm Water Quality Best Management Practices Handbook for Construction Activities. The specific storm water pollution prevention measures to be maintained by the contractor shall be printed on the plans. The operational phase plan shall include Best Management Practices appropriate to the uses conducted on the site to effectively prohibit the entry of pollutants into stormwater runoff from the project site including, but not limited to, low impact development stormwater treatment measures, trash and litter control, pavement sweeping, periodic storm water inlet cleaning, landscape controls for fertilizer and pesticide applications, labeling of storm water inlets with a permanent thermoplastic stencil with the wording "No Dumping - Drains to Bay," and other applicable practices.
- w. 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: properly designed trash storage areas, sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, and treatment of all runoff with Low Impact Development (LID) treatment measures. A properly engineered and maintained biotreatment system will only be allowed if it is infeasible to implement other LID measures such as harvesting and re-use, infiltration, or evapotranspiration. The stormwater treatment design shall be completed by a licensed civil engineer with sufficient experience in stormwater quality analysis and design. The design is subject to review by the City Engineer and modifications to the preliminary design may be required. The developer shall modify the site design to satisfy all elements of Provision C.3 of the MRP. The use of treatment controls for runoff requires the submittal of a Stormwater Treatment Measures Maintenance Agreement prior to the issuance of any Certificates of Occupancy.
- x. All stormwater treatment measures are subject to review and approval by the Alameda County Mosquito Abatement District. The developer shall modify the grading and drainage and stormwater treatment design as necessary to satisfy any imposed requirements from the District.
- y. The entire site shall be equipped with full trash capture devices approved by the Regional

Water Quality Control Board – San Francisco Bay Region, for 100% trash capture at all on-site and adjoining off-site storm drain inlets. All on-site trash capture devices shall be permanently maintained by the property owner.

- z. The developer shall submit a grading and drainage plan for review and approval by the City Engineer and the Alameda County Flood Control and Water Conservation District. This plan must be based upon a City benchmark and needs to include pad and finish floor elevations of each proposed structure, proposed on-site property grades, proposed elevations at property line, and sufficient elevations on all adjacent properties to show existing drainage patterns. 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 developer's responsibility.

Hydrology and hydraulic calculations shall be submitted for review and approval by the City Engineer prior to approval of the final map. The calculations shall show that the City freeboard requirements will be satisfied (0.75 feet to grate or 1.25 feet to the top of curb under a 10-year storm duration).

- aa. Prior to the issuance of any permits, any proposed permeable pavement design shall be based on a geotechnical engineer's recommendation and reviewed by the manufacturer or the National Ready Mixed Concrete Association (NRMCA). The developer shall submit documentation to the City confirming approval by the manufacturer or NRMCA and geotechnical engineer. The developer shall also ensure that the contractor hired to install the permeable pavement be certified by the NRMCA. Documentation that confirms certification shall be submitted directly to the City Engineer for review and approval.
- bb. Prior to the issuance of a building permit, the property owner shall enter into an agreement to guarantee the future undergrounding of all existing overhead utilities along the project frontage. This includes installation of a replacement stand-alone street light. The agreement shall be in form acceptable to the City Attorney and the City Engineer.
- cc. Where a grade differential of more than a 1-foot is created along the boundary parcel lines between the proposed development and adjacent property, the developer shall install a masonry retaining wall unless a slope easement is approved by the City Engineer. Said retaining wall shall be subject to review and approval of the City Engineer. A grading permit is required by the Building Inspection Division prior to starting site grading work.
- dd. Prior to issuance of a building permit, the developer shall submit a pavement maintenance program for the drive aisles and parking areas on the project site. The maintenance program shall be signed by the property owner and the property owner shall follow the maintenance program at the City Engineer's direction.
- ee. Any new utilities including, but not limited to, electric, telephone and cable television services shall be provided underground.
- ff. Any proposed utility connections and/or underground work within structurally sound

street pavement must be bored or jacked. Open street cuts will not be permitted across Central Avenue.

- gg. Prior to approval of the record parcel map, any outstanding Area Improvement District assessments will have to be either paid off or segregated. If the segregation is to occur, an amended assessment diagram will be required.
- hh. The developer shall repair and/or replace any public and private improvements damaged as a result of construction activity to the satisfaction of the City Engineer and adjoining property owners.
- ii. The developer shall ensure that a water vehicle for dust control operations is kept readily available at all times during construction at the City Engineer's direction. A pick-up or vacuum type street sweeper shall be available at all times at the direction of the City Engineer to be remove tracked dirt and debris from adjacent streets.
- jj. Prior to the issuance of a building permit, the developer shall demonstrate approval from the adjoining property owner(s) for any access to adjoining properties that is necessary for construction.

Landscape-Parks Division

- kk. Prior to issuance of a building permit, the property owner shall dedicate to the City of Newark a minimum 10-foot wide and up to 15-foot wide landscape, sidewalk, and public utility easement, exclusive of any parked vehicle overhangs, along the frontage of Central Avenue. This easement shall incorporate all landscape areas beyond the minimum dimension to the nearest physical constraints.
- ll. The developer shall enter into a Landscape Maintenance Agreement to ensure the perpetual maintenance of all landscaping along the property frontage and on the project site. This agreement shall run with the land and be binding upon all future owners or assigns.
- mm. The developer shall retain a licensed landscape architect to prepare working drawings for landscape plans in accordance to with City of Newark requirements and the State of California Model Water Efficient Landscape Ordinance. The associated Landscape Documentation Package must be approved by the City Engineer prior to the issuance of a building permit.
- nn. The developer shall implement Bay Friendly Landscaping Practices in accordance with Newark Municipal Code, Chapter 15.44.080. Prior to the issuance of a building permit, the developer shall provide sufficient information to detail the environmentally-conscious landscape practices to be used on the project.
- oo. The plant species identified for any proposed biotreatment measures are subject to final approval of the City Engineer.
- pp. Prior to installation by the developer, plant species, location, container size, quality, and

quantity of all landscaping plants and materials shall be reviewed and approved by the City Engineer. All plant replacements shall be to an equal or better standard than originally approved subject to approval by the City Engineer.

- qq. Prior to the release of utilities or issuance of any Certificate of Occupancy, all landscaping and irrigation systems shall be completed or guaranteed by a cash deposit deposited with the City in an amount to cover the remainder of the work.
- rr. Prior to issuance of Certificate of Occupancy or release of utilities, the developer shall guarantee all trees for a period of 6 months and all other plantings and landscape for 60 days after completion thereof. The developer shall insure that the landscape shall be installed properly and maintained to follow standard horticultural practices. All plant replacements shall be to an equal or better standard than originally approved subject to approval of the City Engineer.
- ss. Landscaping adjacent to the public right-of-way must conform to the City's visibility requirements in accordance with Newark Municipal Code, Chapter 10.36.
- tt. The developer's landscaping shall include minimum 30-inch high mounding or combination of mounding and low masonry screen walls to screen parking areas from Central Avenue. The height of said mounding or screen walls shall be measured from the higher of adjacent on-site or off-site curb elevations. A minimum of 12 inches of any screen wall shall be above the abutting finish grade. The screening shall be located outside of the City right-of-way and screen wall design, materials, and color finish shall be approved by the Community Development Director.

Building Inspection Division

- uu. Construction for this project, including site work and all structures, can occur only between the hours of 7:00 AM and 6:00 PM, Monday through Friday.

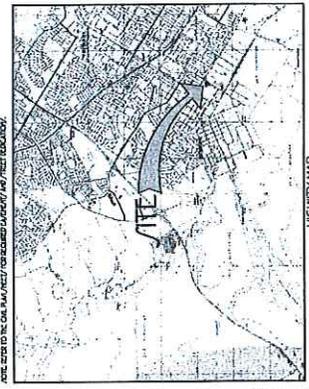
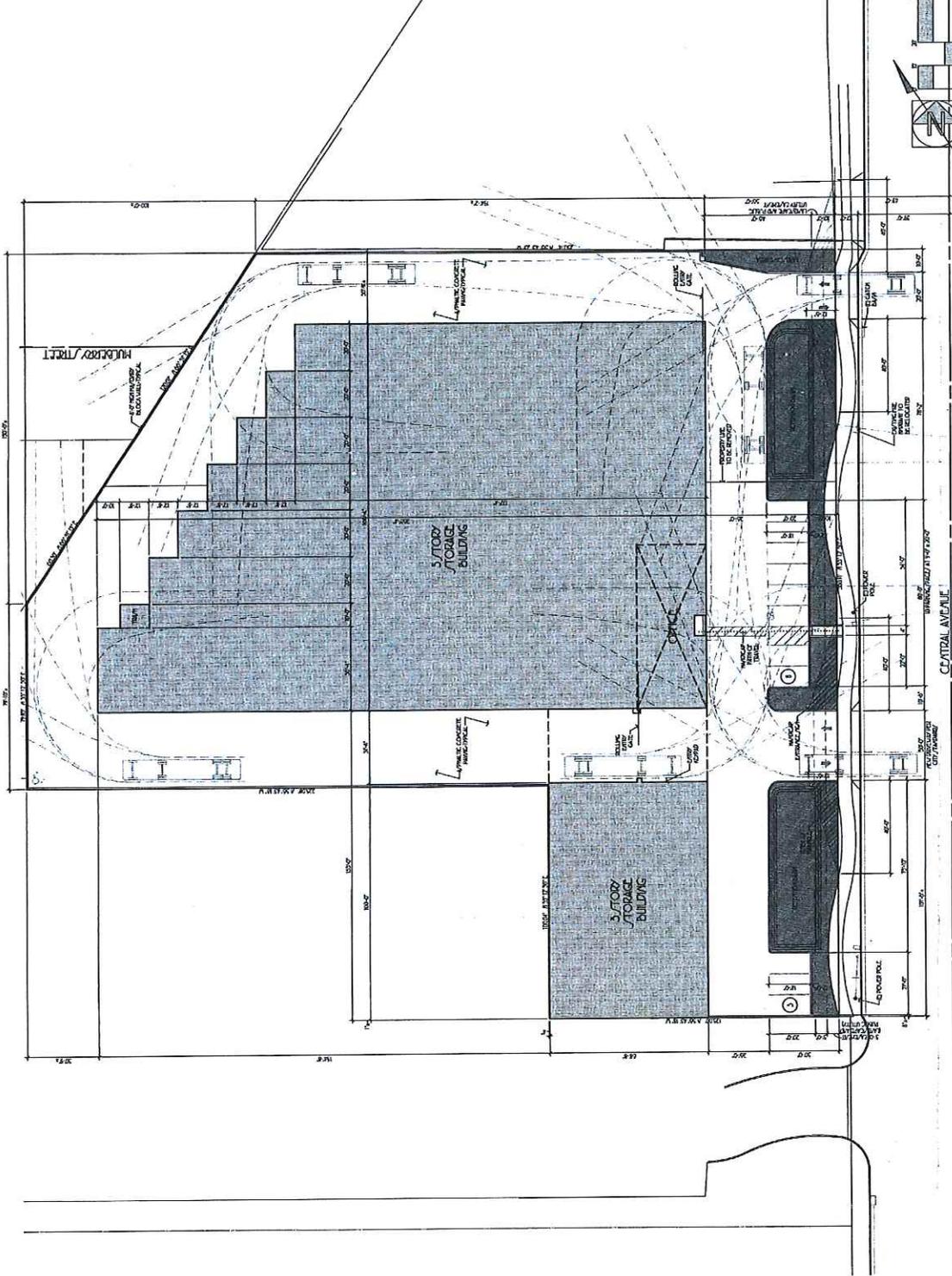
General Comments

- vv. 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 developer shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval.
- ww. If any condition of this Architectural and Site Plan Review be declared invalid or unenforceable by a court of competent jurisdiction, this Architectural and Site Plan Review shall terminate and be of no force and effect, at the election of the City Council on motion.
- xx. This Architectural and Site Plan Review shall be referred to the City Council for the Council's review and approval.

- yy. Prior to the submittal for building permit review, all conditions of approval for this project, as approved by the City Council, shall be printed on the plans.
- zz. 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.
- aaa. 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.

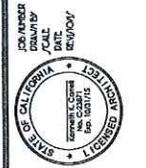
PROJECT DATA

CLIENT: ARE ASSOCIATES
PROJECT NAME: THREE SIXTY STORAGE CENTER
ADDRESS: 6649 CENTRAL AVENUE, NEWARK, CALIFORNIA
DATE: 11/11/11
SCALE: AS SHOWN
DESIGNER: ARE ASSOCIATES
ARCHITECT: ARE ASSOCIATES
ENGINEER: ARE ASSOCIATES
PLUMBER: ARE ASSOCIATES
ELECTRICIAN: ARE ASSOCIATES
Mechanical: ARE ASSOCIATES
Structural: ARE ASSOCIATES
Site: ARE ASSOCIATES
Interior: ARE ASSOCIATES
Exterior: ARE ASSOCIATES
Landscaping: ARE ASSOCIATES
Signage: ARE ASSOCIATES
Other: ARE ASSOCIATES

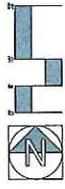
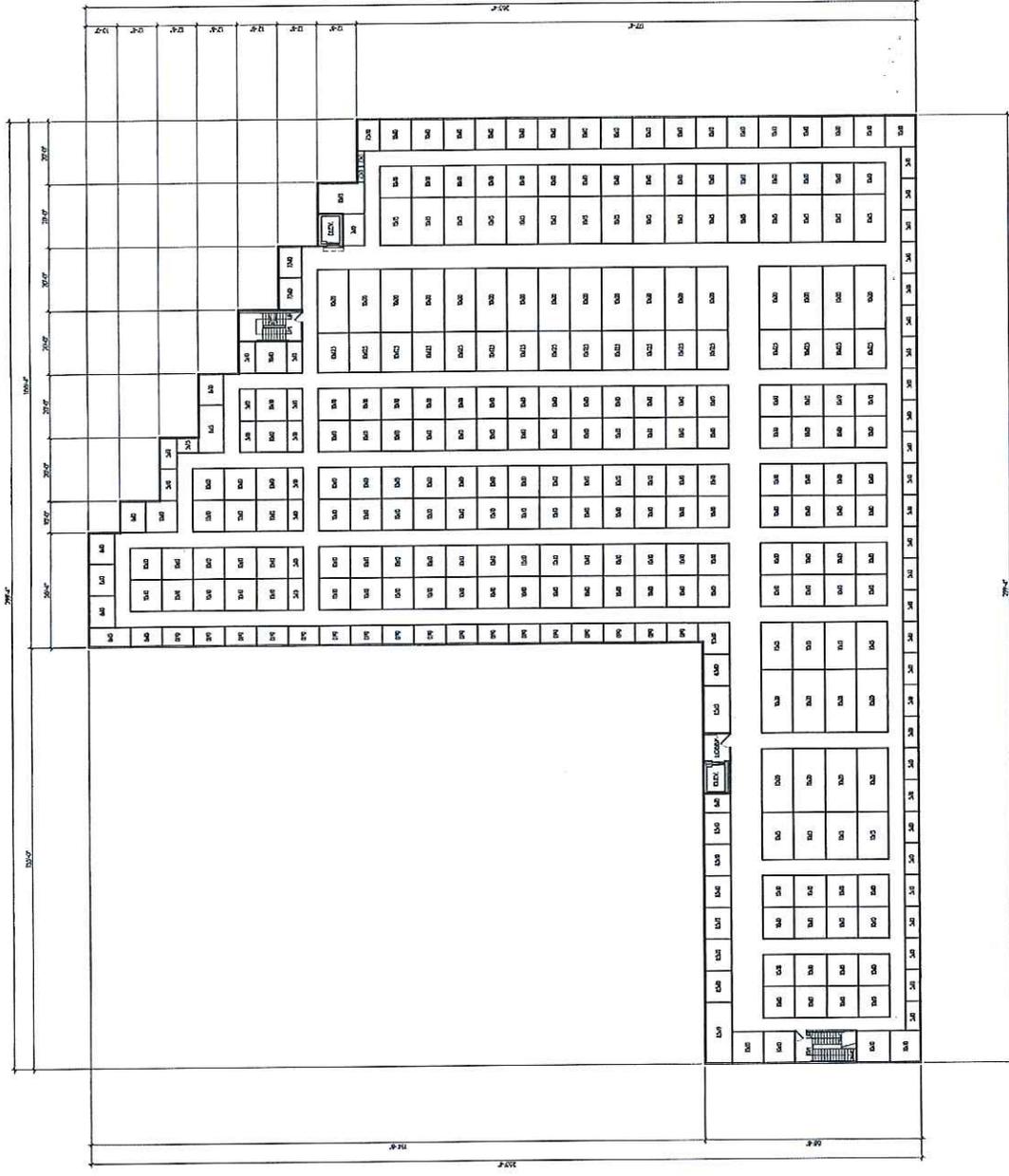


OVERALL SITE PLAN
THREE SIXTY STORAGE CENTER
 6649 CENTRAL AVENUE, NEWARK, CALIFORNIA

NO. 1000	11/11/11
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NO. 1002	11/11/11
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NO. 1004	11/11/11
NO. 1005	11/11/11
NO. 1006	11/11/11
NO. 1007	11/11/11
NO. 1008	11/11/11
NO. 1009	11/11/11
NO. 1010	11/11/11



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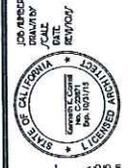


SECOND LEVEL FLOOR PLAN

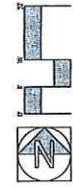
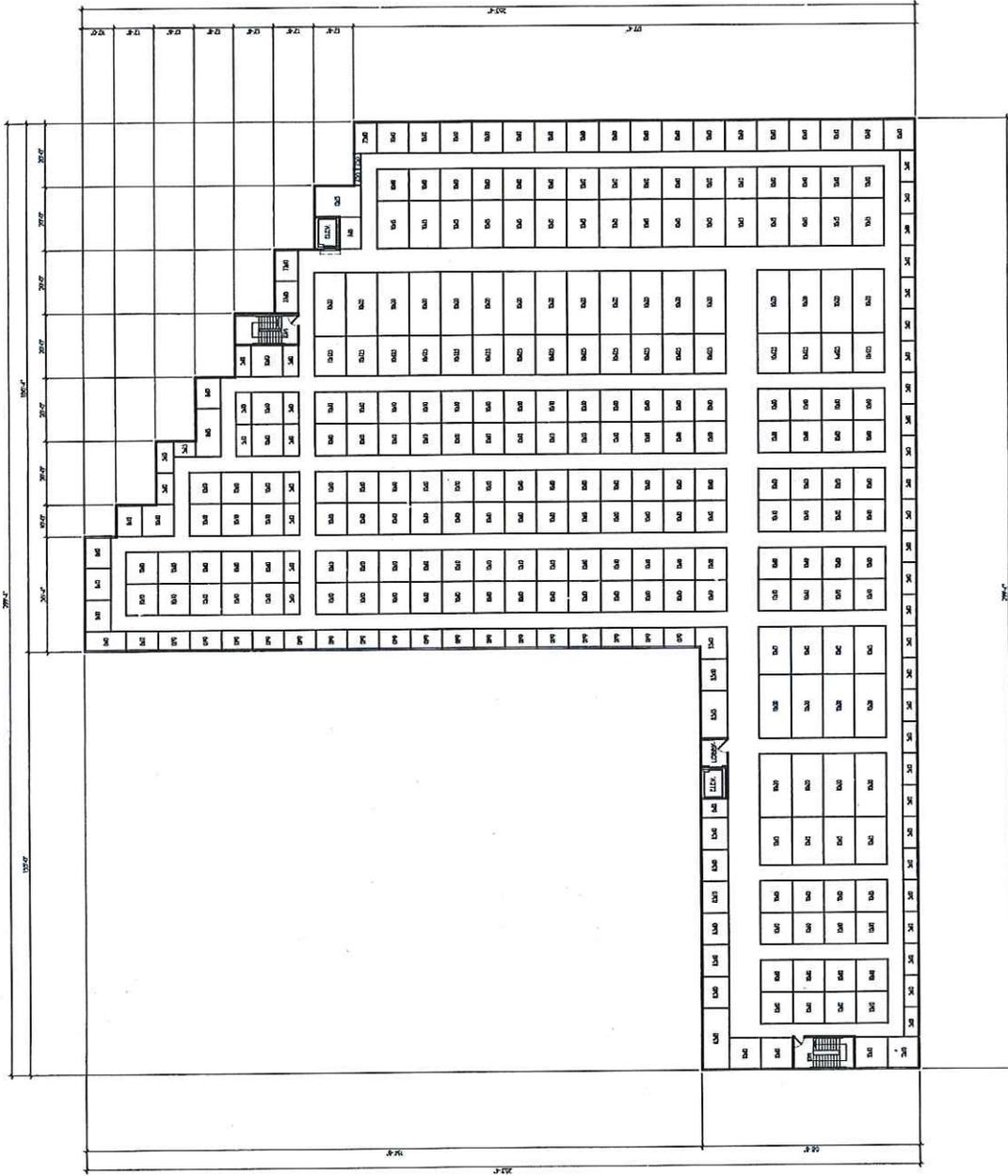
THREE SIXTY STORAGE CENTER

6649 CENTRAL AVENUE, NEWARK, CALIFORNIA

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 km@AREAssociates.com



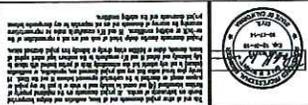
THIRD LEVEL FLOOR PLAN
CENTRAL AVENUE SELF STORAGE
 6649 CENTRAL AVENUE, NEWARK, CALIFORNIA

1000
 1/10/12
 14 FEB 12
 14 MAR 12
 14 AUG 12

JOB NUMBER
 1000
 DATE
 12/1/11



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 92550-2700
 www.arenazassociates.com



HARBISON INTERNATIONAL INC.
 ENGINEERS - SURVEYORS - PLANNERS
 2735 E. SHAW AVE., SUITE 101, PLEASANTON, CA 94588
 PHONE: (925) 299-7488 FAX: (925) 294-7481

SELF STORAGE FACILITY
 6649 CENTRAL AVENUE
 NEWARK, CALIFORNIA

DATE: 10/15/14
 DRAWN BY: M. A. HANCOCK
 CHECKED BY: M. A. HANCOCK
 PROJECT NO.: 10-15-14
 SHEET NO.: C-2 OF 3 SHEETS

LEGEND	NOTES
<p>EXISTING FOOT ELEVATION EXISTING GROUND ELEVATION PROPOSED FINISH GRADE PROPERTY LINE GRADE BREAK LIMIT OF WORK EXISTING DRAIN INLET UP EDGE OF SHALE OR GUTTER TOP OF CURB TO TOP OF CRATE TO TOP OF WALL TOP OF SLAB TOP OF CONCRETE TOP OF METALS PAVEMENT (1) WALL HEIGHT (2) ROOF DRAIN (3) CONCRETE (4) FINISHED FLOOR (5) FINISHED PAVEMENT ELEVATION</p>	<p>1. AT THE START OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND RECORD THE EXISTING UTILITIES ON THE SITE. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND RECORD THE EXISTING UTILITIES ON THE SITE. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND RECORD THE EXISTING UTILITIES ON THE SITE.</p> <p>2. ALL WORK SHALL BE PER CODE AND ALL APPLICABLE FEDERAL, STATE AND LOCAL CODE REQUIREMENTS.</p> <p>3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE CITY AND COUNTY OF ALAMEDA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE CITY AND COUNTY OF ALAMEDA.</p> <p>4. ALL GRADING AND PAVEMENT WORK SHALL BE IN ACCORDANCE WITH THE CITY STANDARD SPECIFICATIONS FOR GRADING AND PAVEMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE CITY AND COUNTY OF ALAMEDA.</p> <p>5. ALL GRADING AND PAVEMENT WORK SHALL BE IN ACCORDANCE WITH THE CITY STANDARD SPECIFICATIONS FOR GRADING AND PAVEMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE CITY AND COUNTY OF ALAMEDA.</p>

SITE AREA:
 EXISTING PARCEL: 2.23 ACRES
 TOTAL GROSS SQUARE FEET: 65340 S.E. 1.86 AC

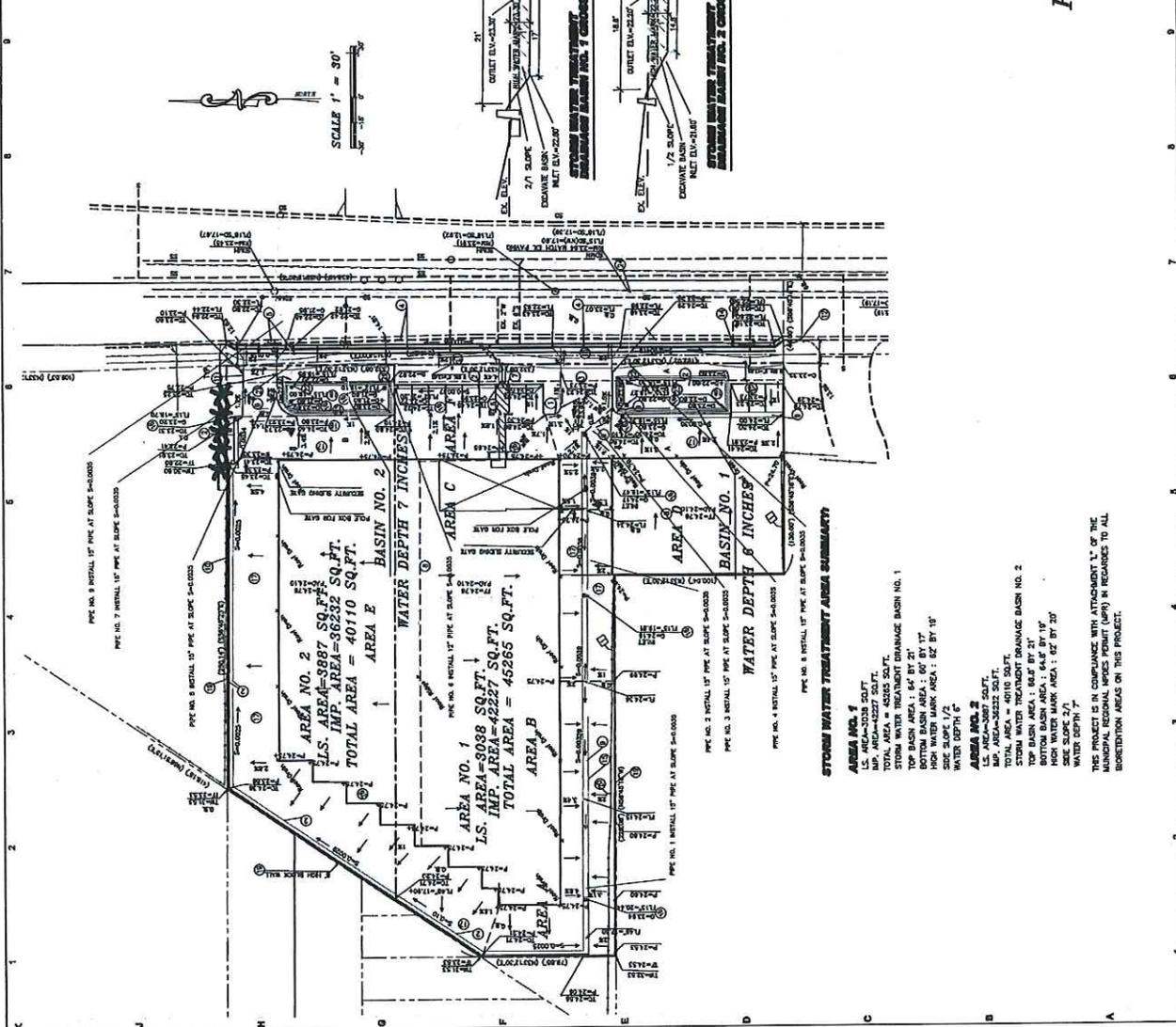
GENERAL NOTES:

1. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE CITY STANDARD SPECIFICATIONS FOR GRADING AND PAVEMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE CITY AND COUNTY OF ALAMEDA.
2. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE CITY STANDARD SPECIFICATIONS FOR GRADING AND PAVEMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE CITY AND COUNTY OF ALAMEDA.
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4. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE CITY STANDARD SPECIFICATIONS FOR GRADING AND PAVEMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE CITY AND COUNTY OF ALAMEDA.
5. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE CITY STANDARD SPECIFICATIONS FOR GRADING AND PAVEMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE CITY AND COUNTY OF ALAMEDA.

"NOT FOR CONSTRUCTION."

SELF STORAGE FACILITY
 6649 CENTRAL AVENUE
 PRELIMINARY STORM WATER STORAGE PLAN

CITY OF NEWARK
 ALAMEDA COUNTY, CALIFORNIA
 PROJECT NO.: 10-15-14
 SHEET NO.: C-2 OF 3 SHEETS





TREE LEGEND

SYMBOL	SPACING/COMMENTS	SIZE	QTY.	SPACING/COMMENTS
T1	AMERICAN LINDEN 'MORNING STAR' STRAIGHTY TREE	3" B.C.	7	STANDARD D.S.
T2	ORANGE BLOSSOM 'SWAN HILL' GLOBE TREE	3" B.C.	3	LOW BRANCHING
T3	LAURELLE 'MORNING STAR' CHAMP WYTIŁE	3" B.C.	3	STANDARD D.S.

SHRUBS AND GROUND COVER

SYMBOL	SPACING/COMMENTS	SIZE	QTY.	SPACING/COMMENTS
S1	PERSEA CAROLINANA 'REDT AND TERT' CANTON LABEL ORIENT	5 GAL	30	
S2	SALVIA GRECA 'RED BUTTERFLY' PLANT	5 GAL	18	
S3	IMPATIENS 'LAVANNA' RED HOT POWER	5 GAL	18	
S4	LAVANDELLA 'OPITHALUS' ENGLISH LAVENDER	5 GAL	9	
S5	LANTANA 'MORNING STAR' LANTANA YELLOW VARIETY	5 GAL	48	

GROUND COVER

G1	PERSEA CAROLINANA 'REDT AND TERT' CANTON LABEL ORIENT	4" POTS	AS REQUIRED	1" D.C.
G2	PERSEA CAROLINANA 'REDT AND TERT' CANTON LABEL ORIENT	4" POTS	AS REQUIRED	1" D.C.
G3	PERSEA CAROLINANA 'REDT AND TERT' CANTON LABEL ORIENT	4" POTS	AS REQUIRED	1" D.C.
G4	PERSEA CAROLINANA 'REDT AND TERT' CANTON LABEL ORIENT	4" POTS	AS REQUIRED	1" D.C.

LANDSCAPE AREA DATA

TOTAL SITE LANDSCAPE AREA	5,841 SQ FT
TOTAL EXISTING LANDSCAPE AREA	1,347 SQ FT
TOTAL LANDSCAPE AREA	7,221 SQ FT

PLANTING NOTES:

1. PRIOR TO COMMENCING ANY WORK, VERIFY LOCATION OF ALL EXISTING UTILITIES. THESE UTILITIES SHOULD BE IDENTIFIED AND MARKED PRIOR TO ANY PLANTING. ALL LANDSCAPE AREAS SHALL BE CARED TO PRODUCE A MINIMUM OF 75% POSITIVE DRAINAGE TO THE STREET OR TO AN ADJACENT WATER BODY.
2. ALL PLANTING SHALL BE APPROVED BY THE CITY OF SAN DIEGO.
3. ALL PLANTING SHALL BE APPROVED BY THE CITY OF SAN DIEGO.
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6. ALL PLANTING SHALL BE APPROVED BY THE CITY OF SAN DIEGO.

IRRIGATION TECHNIQUES

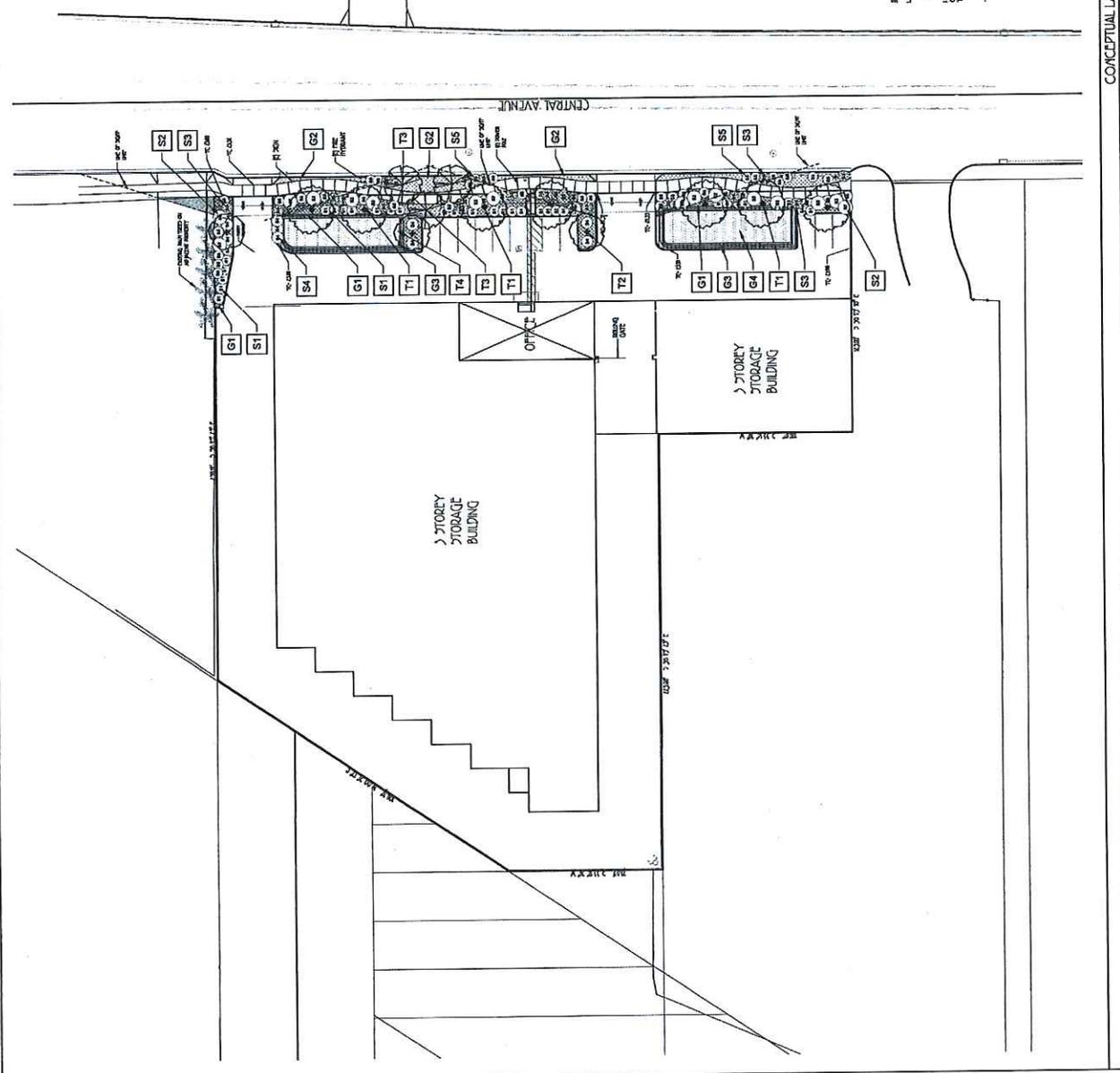
- ALL IRRIGATION SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS.
- NEW IRRIGATION SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS.
- IRRIGATION SHALL BE PROVIDED TO ALL AREAS WITH ACTUATOR DOP TURNING AND/OR LOW FLOW POP UP SPRAY NOZZLES AND/OR LOW FLOW POP UP ACTUATOR STREAM NOZZLES.
- ALL IRRIGATION SYSTEMS SHALL BE INSTALLED IN A STAINLESS STEEL CABINET.
- ALL IRRIGATION SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS.
- IRRIGATION SHALL UTILIZE UNDERGROUND STORAGE DEVICES PER CIVIL DRAWINGS.

WATER USE CALCULATIONS

- Plant ET (E_p) - 400 gallons per day
- Low ET (E_l) - 100 gallons per day
- Average ET (E_a) - 250 gallons per day

STATEMENT OF COMPLIANCE:

- THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS REQUIRE LANDSCAPE PLANS TO BE PREPARED IN ACCORDANCE WITH THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS.
- THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS REQUIRE LANDSCAPE PLANS TO BE PREPARED IN ACCORDANCE WITH THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS.
- THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS REQUIRE LANDSCAPE PLANS TO BE PREPARED IN ACCORDANCE WITH THE CITY OF SAN DIEGO IRRIGATION DISTRICT REGULATIONS.



DIALOGUE
CONCEPTUAL LANDSCAPE PLAN
DATE: 02/14/11
SCALE: AS SHOWN

RESOLUTION NO. 1892

RESOLUTION OF THE CITY OF NEWARK PLANNING COMMISSION MAKING CERTAIN FINDINGS AND RECOMMENDING CITY COUNCIL APPROVAL OF AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR A SELF-STORAGE FACILITY (THREE SIXTY STORAGE CENTER) AT 6649 CENTRAL AVENUE

WHEREAS, the Three Sixty Storage Center Project ("Project"), consists of the construction of a three-story, approximately 135,884 square foot self-storage facility with associated parking, landscaping and extension of utility services; and

WHEREAS, the entitlements requested include an Architectural and Site Plan Review; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), a project level Initial Study and Mitigated Negative Declaration has been prepared for the Project, pursuant to Section 15070 *et seq.* of the CEQA Guidelines, to analyze and mitigate the Project's potentially significant environmental impacts; and

WHEREAS, through this study, it has been determined that the Project's potentially significant environmental impact specifically relates to an impact associated with air quality; and

WHEREAS, this potentially significant impact can be mitigated to less than significant as shown in Section 3 of the Initial Study/Mitigated Negative Declaration; and

WHEREAS, a 20-day public review period for the Notice of Availability of the IS/MND was established beginning on September 25, 2014 and ending on October 14, 2014. Copies of the notice were transmitted, along with copies of the IS/MND, to local agencies concerned with the Project. The notice was posted with the Office of the Alameda County Clerk on September 25, 2014; and

WHEREAS, as of the date of this resolution, October 28, 2014, no comment letters have been received; and

WHEREAS, on October 28, 2014, the Planning Commission of the City of Newark conducted a duly noticed public hearing to consider the Initial Study and Mitigated Negative Declaration of environmental impact for the proposed Project, considered all public testimony, written and oral, presented at the public hearing; and received and considered the written information and recommendation of the staff report for the October 28, 2014 meeting related to the proposed Project.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Newark that it hereby recommends that City Council consider adopting the Initial Study and the

Mitigation Monitoring and Reporting Program as set forth in Exhibit B to this Resolution and incorporated herein by reference, and approving the Mitigated Negative Declaration of environmental impact for the Architectural and Site Plan Review, making the following findings:

1. The Initial Study and corresponding Mitigated Negative Declaration of environmental impact were released for public review and said mitigation measures contained within the same would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and;
2. There is no substantial evidence in light of the whole record before the City of Newark that the project may have a significant effect on the environment.
3. The Planning Commission has read and considered the Initial Study and the Mitigated Negative Declaration, and the comments thereon, and has determined the Initial Study and the Mitigated Negative Declaration reflect the independent judgment of the City and were prepared in accordance with CEQA.
4. The Initial Study and the Mitigated Negative Declaration (including any revisions developed under 14 C.C.R § 15070(b)), all documents referenced in the same, and the record of proceedings on which the Planning Commission's decision is based is are located at City Hall for the City of Newark, located at 37101 Newark Blvd, California, and is available for public review.

This Resolution was introduced at the Planning Commission's October 28, 2014 meeting by Commissioner Fitts, seconded by Vice-Chairperson Hannon, and passed as follows:

AYES: Aguilar, Bridges, Fitts, Hannon, Nillo and Otterstetter.

NOES: None.

ABSENT: Drews.

s/Terrence Grindall
TERRENCE GRINDALL, Secretary

s/Bernie Nillo
BERNIE NILLO, Chairperson

RESOLUTION NO. 1893

RESOLUTION APPROVING ASR-14-30, AN ARCHITECTURAL
AND SITE PLAN REVIEW FOR A SELF-STORAGE FACILITY
(THREE SIXTY STORAGE CENTER) AT 6649 CENTRAL AVENUE

WHEREAS, 6649 Central Ave, LLC, has filed with the Planning Commission of the City of Newark application for an Architectural and Site Plan Review for a self-storage facility (Three Sixty Storage Center) at 6649 Central Avenue; and

PURSUANT to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on October 17, 2014 and mailed as required, and the Planning Commission held a public hearing on said application at 7:30 p.m. on October 28, 2014 at the City Administration Building, 37101 Newark Boulevard, Newark, California.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve this application as shown on Exhibit A, pages 1 through 9, subject to compliance with the following conditions:

Planning Division

- a. The project shall be subject to the mitigation measures identified in the Initial Study/Mitigated Negative Declaration prepared for this project.
- b. The operators of the facility and their customers shall not conduct any activity in or around, nor store any property in the storage units which would result in a violation of any ordinance, statute, or regulation of the City of Newark, or permit such actions to occur. In addition, storage of perishable, flammable, explosive, dangerous materials, or live animals in the storage unit is prohibited. Trash or other materials shall not be left in or near the storage unit. Storage units shall not be used for a dwelling, place of business, manufacturing, or production. The storage facilities may be used for commercial and household goods.
- c. All operations associated with this proposal shall be conducted within an entirely enclosed structure. If any complaint regarding noise is received from nearby residential properties, a supplemental noise analysis shall be prepared at the discretion of the Community Development Director and at the cost of the developer. The developer shall mitigate any problems identified by the noise study.
- d. Measures to respond to and track complaints regarding construction noise shall include: (1) a procedure and phone numbers for notifying the City of Newark Building Inspection Division and Newark Police Department (during regular construction hours and off-hours); and (2) a sign posted on-site pertaining to the permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign

shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours).

- e. The owner of the property is responsible for any recycling facilities located upon the subject property. The owner hereby agrees that if any illegal recycling facilities are located on this property, the City of Newark will have the right to enter said property and physically remove the illegal facilities if the owner thereof has not, within a reasonable period of time removed, or requested approval of, said facilities. The cost of removal and storage of the illegal facilities shall be the responsibility of the owner of said facilities except, if unpaid, then the cost shall become a lien upon the property.
- f. The drive aisles shall not be used by delivery trucks between the hours of 9:00 p.m. and 7:00 a.m. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 9:00 p.m. and 8:00 a.m. No delivery truck or van shall be left overnight on any portion of the site.
- g. Prior to the issuance of a building permit, a screening design shall be submitted to and approved by the Community Development Director. Roof equipment shall not be visible from public streets. All equipment shall be fully screened within the context of the buildings' architecture. Said screening design shall be maintained to the satisfaction of the Community Development Director. The building owner shall paint the roof equipment and the inside of its screening wall within the context of the buildings' color scheme and maintain the painted areas to the Community Development Director's satisfaction. Screening panels shall not exceed six feet in height unless the screens are part of the integral design elements of the buildings.
- h. Prior to the issuance of a building permit, the location and screening design for centralized garbage, refuse, and recycling collection areas for the project shall be submitted for the review and approval of Republic Services of Alameda County and the Community Development Director, in that order. All trash enclosures shall provide signage that states that the dumpsters shall remain in the enclosure(s) and that the enclosure's doors shall be closed immediately after use. The enclosure(s) shall be sited such that the enclosure's doors, when open, do not extend into drive aisles/back-up areas.

The enclosure(s) shall utilize integral color, split-face block or a suitable durable material, and be provided with a roof for storm water quality purposes. A stucco band shall be placed around the top of the enclosure(s) with a mortar cap on top to prevent the infiltration of water and leaching of materials from the block. The enclosure(s) shall be treated with a waterproof finish approved by the Building Official. The doors of the enclosure(s) shall be made of metal and painted to match the color of the enclosure's walls. The enclosure's materials, colors, and roof design shall be subject to the review and approval of the Community Development Director.
- i. Prior to issuance of a sign permit, all signs, other than those referring to construction, sale or future use of this site, shall be submitted to the Community Development Director for review and approval.

- j. Prior to the issuance of a grading permit, the developer shall hire a qualified biologist to: (1) determine if Burrowing Owl habitat(s) exist on the site, and (2) implement a plan to protect the owls and to excavate the site around any active burrows using hand tools to assure that the owls are not buried during grading in the event Burrowing Owl habitat(s) is found on the site. The Burrowing Owl habitat(s), if found, shall not be disturbed during the nesting season. The Burrowing Owl study shall be conducted not more than 30 days prior to the time site grading activities will commence.
- k. 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. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- l. All exterior utility pipes and meters shall be painted to match and/or complement the color of the adjoining building surface, as approved by the Community Development Director.
- m. 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. Final building colors shall be reviewed and approved by the Community Development Director.
- n. Prior to the issuance of a building permit, roof material shall be submitted to the Planning Commission and City Council for review and approval. All roof material shall consist of fire retardant shake roof, concrete tile or a roof of similar non-combustible material. Mansard roofs with the above material may be used to screen tar and gravel roofs. All roofs shall be of Class C fire resistant construction or better.
- o. There shall be no outdoor vending machines other than for the sale of newspapers. There shall be no outdoor storage of any materials for sale, display, inventory, or advertisement without the review and approval of the Community Development Director.
- p. No refuse, garbage, or recycling shall be stored outdoors except within the approved trash and recycling enclosures.
- q. Prior to the issuance of a Certificate of Occupancy, all on-site parking facilities shown on the approved plans shall be installed and striped. This shall include, but not be limited to, identifying providing directional arrows as required by the Community Development Director.
- r. During project construction, if historic, archeological or Native American materials or artifacts are identified, work within a 50-foot radius of such find shall cease and the City

shall retain the services of a qualified archeologist and/or paleontologist to assess the significance of the find. If such find is determined to be significant by the archeologist and/or paleontologist, a resource protection plan conforming to CEQA Section 15064.5 shall be prepared by the archeologist and/or paleontologist and approved by the Community Development Director. The plan may include, but would not be limited to, removal of resources or similar actions. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately and the provisions of State law carried out.

Engineering Division

- s. The development will require approval of a record parcel map to be filed in accordance with the State Subdivision Map Act and the City of Newark Subdivision Ordinance. Said parcel map shall merge the two existing parcels and create all required easements on the site, including a 5-foot Roadway and Public Utility Easement dedication on the Central Avenue frontage.
- t. Prior to the issuance of any building permits, the developer shall guarantee the construction of all necessary off-site improvements, including but not necessarily limited to: curb and gutter relocation to result in a 39-foot wide street centerline to curb face width for the entire project frontage, paving, pavement striping, utility relocations including installation of a new street light luminaire and arm on the joint utility pole located near the center of the frontage, signage, construction of a 6-foot wide meandering sidewalk along Central Avenue, driveway construction, utility tie-ins, and landscaping along the project frontage and adjoining easement areas. The new pavement section on Central Avenue shall be designed to a Traffic Index of 9.0. All off-site work shall be shown on separate off-site improvements plans that shall be prepared by a civil engineer licensed by the State of California to do such work.
- u. This site is subject to the State of California National Pollutant Discharge Elimination System (NPDES) Program General Permit for Storm Water Discharges Associated with Construction Activity. Prior to issuance of a grading permit or a building permit, the developer needs to provide evidence that the proposed site development work is covered by said General Permit for Construction Activity. This will require confirmation that a Notice of Intent (NOI) and the applicable fee were received by the State Water Resources Control Board and the submittal of the required Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer. In addition the grading plans need to state: "All grading work shall be done in accordance with the Storm Water Pollution Prevention Plan prepared by the developer pursuant to the Notice of Intent on file with the State Water Resources Control Board."
- v. Prior to the issuance of a grading or any building permits for this project, the developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for the review and approval of the City Engineer. The site specific plan shall include sufficient details to show how storm water quality will be protected during both: (1) the construction phase of the project and (2) the post-construction, operational phase of the project. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD) in the State of California. The

construction phase plan shall include Best Management Practices from the California Storm Water Quality Best Management Practices Handbook for Construction Activities. The specific storm water pollution prevention measures to be maintained by the contractor shall be printed on the plans. The operational phase plan shall include Best Management Practices appropriate to the uses conducted on the site to effectively prohibit the entry of pollutants into stormwater runoff from the project site including, but not limited to, low impact development stormwater treatment measures, trash and litter control, pavement sweeping, periodic storm water inlet cleaning, landscape controls for fertilizer and pesticide applications, labeling of storm water inlets with a permanent thermoplastic stencil with the wording "No Dumping - Drains to Bay," and other applicable practices.

- w. 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: properly designed trash storage areas, sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, and treatment of all runoff with Low Impact Development (LID) treatment measures. A properly engineered and maintained biotreatment system will only be allowed if it is infeasible to implement other LID measures such as harvesting and re-use, infiltration, or evapotranspiration. The stormwater treatment design shall be completed by a licensed civil engineer with sufficient experience in stormwater quality analysis and design. The design is subject to review by the City Engineer and modifications to the preliminary design may be required. The developer shall modify the site design to satisfy all elements of Provision C.3 of the MRP. The use of treatment controls for runoff requires the submittal of a Stormwater Treatment Measures Maintenance Agreement prior to the issuance of any Certificates of Occupancy.
- x. All stormwater treatment measures are subject to review and approval by the Alameda County Mosquito Abatement District. The developer shall modify the grading and drainage and stormwater treatment design as necessary to satisfy any imposed requirements from the District.
- y. The entire site shall be equipped with full trash capture devices approved by the Regional Water Quality Control Board – San Francisco Bay Region, for 100% trash capture at all on-site and adjoining off-site storm drain inlets. All on-site trash capture devices shall be permanently maintained by the property owner.
- z. The developer shall submit a grading and drainage plan for review and approval by the City Engineer and the Alameda County Flood Control and Water Conservation District. This plan must be based upon a City benchmark and needs to include pad and finish floor elevations of each proposed structure, proposed on-site property grades, proposed elevations at property line, and sufficient elevations on all adjacent properties to show existing drainage patterns. 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 developer's responsibility.

Hydrology and hydraulic calculations shall be submitted for review and approval by the City Engineer prior to approval of the final map. The calculations shall show that the City freeboard requirements will be satisfied (0.75 feet to grate or 1.25 feet to the top of curb under a 10-year storm duration).

- aa. Prior to the issuance of any permits, any proposed permeable pavement design shall be based on a geotechnical engineer's recommendation and reviewed by the manufacturer or the National Ready Mixed Concrete Association (NRMCA). The developer shall submit documentation to the City confirming approval by the manufacturer or NRMCA and geotechnical engineer. The developer shall also ensure that the contractor hired to install the permeable pavement be certified by the NRMCA. Documentation that confirms certification shall be submitted directly to the City Engineer for review and approval.
- bb. Prior to the issuance of a building permit, the property owner shall enter into an agreement to guarantee the future undergrounding of all existing overhead utilities along the project frontage. This includes installation of a replacement stand-alone street light. The agreement shall be in form acceptable to the City Attorney and the City Engineer.
- cc. Where a grade differential of more than a 1-foot is created along the boundary parcel lines between the proposed development and adjacent property, the developer shall install a masonry retaining wall unless a slope easement is approved by the City Engineer. Said retaining wall shall be subject to review and approval of the City Engineer. A grading permit is required by the Building Inspection Division prior to starting site grading work.
- dd. Prior to issuance of a building permit, the developer shall submit a pavement maintenance program for the drive aisles and parking areas on the project site. The maintenance program shall be signed by the property owner and the property owner shall follow the maintenance program at the City Engineer's direction.
- ee. Any new utilities including, but not limited to, electric, telephone and cable television services shall be provided underground.
- ff. Any proposed utility connections and/or underground work within structurally sound street pavement must be bored or jacked. Open street cuts will not be permitted across Central Avenue.
- gg. Prior to approval of the record parcel map, any outstanding Area Improvement District assessments will have to be either paid off or segregated. If the segregation is to occur, an amended assessment diagram will be required.
- hh. The developer shall repair and/or replace any public and private improvements damaged as a result of construction activity to the satisfaction of the City Engineer and adjoining property owners.

- ii. The developer shall ensure that a water vehicle for dust control operations is kept readily available at all times during construction at the City Engineer's direction. A pick-up or vacuum type street sweeper shall be available at all times at the direction of the City Engineer to be remove tracked dirt and debris from adjacent streets.
- jj. Prior to the issuance of a building permit, the developer shall demonstrate approval from the adjoining property owner(s) for any access to adjoining properties that is necessary for construction.

Landscape-Parks Division

- kk. Prior to issuance of a building permit, the property owner shall dedicate to the City of Newark a minimum 10-foot wide and up to 15-foot wide landscape, sidewalk, and public utility easement, exclusive of any parked vehicle overhangs, along the frontage of Central Avenue. This easement shall incorporate all landscape areas beyond the minimum dimension to the nearest physical constraints.
- ll. The developer shall enter into a Landscape Maintenance Agreement to ensure the perpetual maintenance of all landscaping along the property frontage and on the project site. This agreement shall run with the land and be binding upon all future owners or assigns.
- mm. The developer shall retain a licensed landscape architect to prepare working drawings for landscape plans in accordance to with City of Newark requirements and the State of California Model Water Efficient Landscape Ordinance. The associated Landscape Documentation Package must be approved by the City Engineer prior to the issuance of a building permit.
- nn. The developer shall implement Bay Friendly Landscaping Practices in accordance with Newark Municipal Code, Chapter 15.44.080. Prior to the issuance of a building permit, the developer shall provide sufficient information to detail the environmentally-conscious landscape practices to be used on the project.
- oo. The plant species identified for any proposed biotreatment measures are subject to final approval of the City Engineer.
- pp. Prior to installation by the developer, plant species, location, container size, quality, and quantity of all landscaping plants and materials shall be reviewed and approved by the City Engineer. All plant replacements shall be to an equal or better standard than originally approved subject to approval by the City Engineer.
- qq. Prior to the release of utilities or issuance of any Certificate of Occupancy, all landscaping and irrigation systems shall be completed or guaranteed by a cash deposit deposited with the City in an amount to cover the remainder of the work.
- rr. Prior to issuance of Certificate of Occupancy or release of utilities, the developer shall guarantee all trees for a period of 6 months and all other plantings and landscape for 60

days after completion thereof. The developer shall insure that the landscape shall be installed properly and maintained to follow standard horticultural practices. All plant replacements shall be to an equal or better standard than originally approved subject to approval of the City Engineer.

- ss. Landscaping adjacent to the public right-of-way must conform to the City's visibility requirements in accordance with Newark Municipal Code, Chapter 10.36.
- tt. The developer's landscaping shall include minimum 30-inch high mounding or combination of mounding and low masonry screen walls to screen parking areas from Central Avenue. The height of said mounding or screen walls shall be measured from the higher of adjacent on-site or off-site curb elevations. A minimum of 12 inches of any screen wall shall be above the abutting finish grade. The screening shall be located outside of the City right-of-way and screen wall design, materials, and color finish shall be approved by the Community Development Director.

Building Inspection Division

- uu. Construction for this project, including site work and all structures, can occur only between the hours of 7:00 AM and 6:00 PM, Monday through Friday.

General Comments

- vv. 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 developer shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval.
- ww. If any condition of this Architectural and Site Plan Review be declared invalid or unenforceable by a court of competent jurisdiction, this Architectural and Site Plan Review shall terminate and be of no force and effect, at the election of the City Council on motion.
- xx. This Architectural and Site Plan Review shall be referred to the City Council for the Council's review and approval.
- yy. Prior to the submittal for building permit review, all conditions of approval for this project, as approved by the City Council, shall be printed on the plans.
- zz. 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.

- aaa. 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 October 28, 2014 meeting by Commissioner Fitts, seconded by Vice-Chairperson Nillo, and passed as follows:

AYES: Aguilar, Bridges, Fitts, Hannon, Nillo and Otterstetter.

NOES: None.

ABSENT: Drews.

s/Terrence Grindall
TERRENCE GRINDALL, Secretary

s/Bernie Nillo
BERNIE NILLO, Chairperson

CITY OF NEWARK
PLANNING COMMISSION **DRAFT**

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4330 • FAX 510-578-4265

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

MINUTES

Tuesday, October 28, 2014

A. ROLL CALL

At 7:32 p.m., Chairperson Nillo called the meeting to order. All Planning Commissioners were present except Commissioner Drews (personal).

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, October 14, 2014.

Commissioner Fitts moved, seconded by Commissioner Aguilar, to approve the Minutes of October 14, 2014. The motion passed 6 AYES, 1 ABSENT (Drews).

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-14-31); and (2) ASR-14-30, an Architectural and Site Plan Review, to construct a new, approximately 135,884 square foot three-story self-storage warehouse at 6649 Central Avenue (APNs: 092-0074-007; 092-0074-008).**

Assistant Planner Jimenez gave the staff report.

Assistant City Manager Grindall emphasized staff's opinion that this use is appropriate at this location given its surroundings.

Answering Vice-Chairperson Hannon, ACM Grindall explained the City Engineer and Building Official will not only inspect the project for compliance on the dust

mitigation measures, additionally, the Building Official will be handling any complaints on this issue.

ACM Grindall confirmed the Storm Water Prevention Plan would be obtained and approved prior to any construction taking place.

Vice-Chairperson Hannon suggested increasing the number of Handicap Parking spaces to two.

Answering Commissioner Otterstetter, ACM Grindall commented briefly on a future project located south of this project site and stated no complaints were received for this project.

Addressing Vice-Chairperson Hannon's concerns, ACM Grindall stated staff would work with any future owners to ensure landscape maintenance on this property.

Answering Commissioner Aguilar, ACM Grindall stated customers will not be allowed to park on Central Avenue; this property had always been vacant land; and a Phase 1 Soil Analysis was conducted and no contaminants were found.

Chairperson Nillo opened the Public Hearing.

Mr. Venkata Vemireddy, on behalf of 6649 Central Ave, LLC, stated he has read and agrees with all conditions listed in the Resolutions.

Vice-Chairperson Hannon welcomed the Applicant to Newark.

Answering Commissioner Aguilar, Mr. Vemireddy stated he would like to start the groundwork for construction prior to the rainy season, and estimates construction to last 10 months. Mr. Vemireddy stated his business would open next year.

Chairperson Nillo closed the Public Hearing.

Answering Commissioner Fitts, ACM Grindall discussed the marketing of a neighboring business.

Commissioner Fitts moved, seconded by Vice-Chairperson Hannon, to approve Resolution 1892, making certain findings and recommending City Council approval of an Initial Study and Mitigated Negative Declaration (E-14-31) for a self-storage facility at 6649 Central Avenue; and to approve Resolution 1893 approving an Architectural and Site Plan Review (ASR-14-30), for a self-storage facility (Three Sixty Storage Center) at 6649 Central Avenue. Both Motions passed 6 AYES.

F. STAFF REPORTS

DRAFT

None.

G. COMMISSION MATTERS

G.1 Cancellation of the regularly scheduled Planning Commission meeting of November 11, 2014.

Commissioner Bridges moved, seconded by Commissioner Otterstetter, to cancel the November 11, 2014 Planning Commission meeting. Motion passed 6 AYES.

G.2 Report on City Council actions.

ACM Grindall informed the Planning Commission that the City Council had approved the Prima Residential Project and stated Motel 6 will remain closed.

Addressing Vice-Chairperson Hannon's concerns on the fee waiver, ACM Grindall discussed the negotiations between staff and the Developers for the Prima Residential Project.

Commissioners' Comments

Commissioner Bridges requested a status report on the E-Z 8 Motel.

Chairperson Nillo wished the Public a Happy Halloween and wished the San Francisco Giants well in the World Series.

H. ADJOURNMENT

At 7:55 p.m., Chairperson Nillo adjourned the regular Planning Commission meeting of Tuesday, October 28, 2014.

Respectfully submitted,



TERRENCE GRINDALL

Secretary