

PROPOSED ZONING
AND GENERAL PLAN DESIGNATIONS
NEWARK PRIMA

TRACT 8208

CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA

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APM

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK APPROVING VESTING TENTATIVE MAP 8208
AND SUBDIVISION AND ZONING VARIANCES THERETO

WHEREAS, Prima Residential and Mowry Capella, LLC has submitted TM-14-18, Vesting Tentative Map 8208, to the City Council of the City of Newark with subdivision and zoning variances covered by P-14-16, a planned unit development, and U-14-17, a conditional use permit, for a 281-unit residential project at 5699 Mowry Avenue;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark does hereby approve TM-14-18, Vesting Tentative Map 8208 with said subdivision and zoning variances covered by P-14-16 and U-14-17, as shown on Exhibit A, pages 1 through 42 and made a part hereof by reference, subject to the following conditions:

- a. All applicable conditions listed in Planning Commission Resolution No. 1889, dated September 23, 2014, approving P-14-16 and U-14-17.
- b. 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.
- c. That if any condition of this vesting tentative map be declared invalid or unenforceable by a court of competent jurisdiction, this vesting tentative map shall terminate and be of no force and effect, at the election of the City Council on motion.
- d. Approval of this tentative tract map shall become effective at such time as GP-14-15, the General Plan Amendment, and RZ-14-38, the rezoning of the portion of property within the boundary of Vesting Tentative Map 8208, takes effect.

RESOLUTION NO. 1889

RESOLUTION APPROVING P-14-16, A PLANNED UNIT DEVELOPMENT, AND U-14-17, A CONDITIONAL USE PERMIT, FOR A 281-UNIT RESIDENTIAL DEVELOPMENT (PRIMA RESIDENTIAL) AT 5699 MOWRY AVENUE

WHEREAS, the Applicant has filed with the Planning Commission of the City of Newark an application for P-14-16, a planned unit development, and U-14-17, a conditional use permit, for a 281-unit residential development at 5699 Mowry Avenue; and

PURSUANT to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on August 29, 2014, and mailed as required, and the Planning Commission held a public hearing on said application at 7:00 p.m. on September 23, 2014 at the City Administration Building, 37101 Newark Boulevard, Newark, California.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council grant this application as shown on Exhibit A, pages 1 through 42, subject to compliance with the following conditions:

Planning Division

- a. The first permit issued for this project shall be the demolition permit(s) for the Motel-6 building. The building shall be demolished completely, as deemed by the Community Development Director, prior to release of any other permits.
- b. Approval of TM-14-18, Vesting Tentative Map 8208, shall be effective at such time RZ-14-38, the Rezoning of the property within the boundary of Vesting Tentative Map 8208, takes effect.
- c. The project shall be subject to the environmental mitigation measures as described in the Mitigated Negative Declaration prepared for this project.
- d. There shall be no roof-mounted equipment other than satellite dishes, other similar television or radio antennas, and solar equipment. AC units shall not be mounted on the roof.
- e. All lighting shall be directed on-site so as not to create glare off-site, as required by the Community Development Director.
- f. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters. Any vehicle or portable building brought on the site during construction shall remain graffiti free.

- g. The covenants, conditions and restrictions (CC&Rs) filed for this development shall include a provision requiring that that garages shall only be used for automobile parking.
- h. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 7:00 p.m. and 8:00 a.m.
- i. 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 cleanup shall occur on a continuing, as needed basis. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- j. 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.
- k. Prior to the issuance of a building permit, the elevations as submitted by the developer as part of this application shall be reviewed and approved by the Planning Commission and City Council. The building elevations shall reflect all architectural projections such as roof eaves, bay windows, greenhouse windows, chimneys and porches. A site plan showing the building locations with respect to property lines shall also show the projections. Said elevations shall specify exterior materials.
- l. Prior to the issuance of a building permit, the floor plans as submitted by the developer as part of this application shall be reviewed and approved by the Planning Commission and City Council.
- m. All roof material shall consist of fire retardant shake roof, concrete tile, or a roof of similar noncombustible 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. Composition shingles shall be Presidential-style or of comparable quality, subject to the review and approval of the Community Development Director.
- n. Prior to the issuance of a building permit, the location and screening design for garbage, refuse and recycling collection areas for the project shall be submitted for the review and approval of Republic Services and the Community Development Director, in that order. The approved garbage, refuse and recycling areas shall be provided prior to the issuance of a Certificate of Occupancy, as required by the Community Development Director. No refuse, garbage or recycling shall be stored outdoors except within the approved trash and recycling enclosures.
- o. Prior to issuance of building permit, an Acoustical Assessment shall be prepared to demonstrate that the exterior and interior noise levels are consistent with the City's land use compatibility standards and Title 25, Section 1092 of the California Code of Regulations. The Acoustical Assessment shall be prepared by a qualified Acoustical Consultant and submitted to the Community Development Director for review and

approval. Measures (e.g., attenuation barriers, acoustically rated windows [i.e. appropriate STC or OITC ratings, upgraded insulation, etc.] shall be implemented where conditions exceed the Noise and Land Use Compatibility Criteria of “Normally Acceptable” noise exposure levels.

Measures to respond to and track complaints pertaining to 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).

- p. Prior to issuance of a grading permit, the developer shall hire a qualified biologist to: (1) determine if occupied 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 occupied 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.
- q. 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.
- r. Prior to their installation, mailbox locations and designs shall be approved by the Community Development Director and Newark Postmaster. The mailbox compartments of centralized mailboxes shall identify the individual dwelling units with permanent, easily legible lettering.
- s. Prior to the issuance of a Certificate of Occupancy, the parking areas, aisles and access drives shall be installed and striped as shown on the approved site plan. Guest parking spaces shall be clearly marked as reserved for guests, as approved by the Community Development Director.
- t. Prior to the issuance of a Certificate of Occupancy, roll-up garage doors with automatic garage door openers shall be provided for each unit.
- u. Prior to final inspection and utility release for each unit, the developer shall pre-wire each unit for satellite and cable television connections, as required by the Community

Development Director.

- v. Prior to the issuance of a sign permit, all signs, other than those referring to construction, sale, or future use of this site, shall be submitted for the review and approval of the Community Development Director.

Engineering Division

- w. The development will require approval of a vesting tentative map and final tract map for the proposed residential development, filed in accordance with the State Subdivision Map Act and the City of Newark Subdivision Ordinance. The final map shall designate and/or dedicate emergency vehicle access easements, private vehicle access ways, open space/recreational easements and public utility easements, as appropriate, over common areas of the project. The final map shall also include a 2-foot wide street dedication along Cedar Boulevard frontage.
- x. Prior to any final map approvals, a lot line adjustment or parcel map to separate this proposed residential development from the remaining commercial site shall be approved by the City of Newark and recorded. Concurrent with recording of the lot line adjustment or parcel map, the property owner shall effectuate the removal of any and all record easements within the remaining commercial parcel that are no longer needed. All instruments to extinguish such easements are subject to review by the City Engineer and approval from the respective easement beneficiary.
- y. Concurrent with approval of the final map, the developer shall effectuate the removal of all existing easements encumbering the property within the tract boundary that conflict with areas proposed for improvement. Elimination or modification of existing utility easements on the site requires the approval from the respective utility district or company and the City of Newark.
- z. The project shall conform to the approved tentative map and all conditions of approval set forth herein. Approval of the tentative map shall expire according to the provisions of the State Subdivision Map Act and any amendments thereto and applicable provisions of the Newark Municipal Code. The tentative map provides a preliminary design for the infrastructure improvements associated with the proposed residential subdivision. The developer shall be responsible for any required changes to this preliminary design as determined necessary by the City of Newark to satisfy applicable design requirements of the City or any other public agencies or utilities with jurisdictional authority.
- aa. Prior to approval of the final map, the developer shall guarantee all necessary in-tract common area improvements and off-site street improvements as required by the City of Newark Subdivision Ordinance and these conditions of approval, and in accordance with tract improvement plans to be approved by the City Engineer. Improvements in the on-site common areas in the development shall include but are not necessarily limited to all private streets, underground utilities including all joint trench infrastructure, storm drain systems, common area stormwater bio-treatment facilities, in-tract lighting, perimeter walls and fences including an 8-foot high precast concrete masonry wall along the project

street frontages, public landscape areas, and bicycle and pedestrian facilities as required to satisfy mitigation measures of the approved environmental document. Pedestrian access to the adjoining commercial site shall be coordinated with the adjoining property owner.

Off-site improvements include, but are not necessarily limited to: City standard driveways; wheelchair accessible curb ramps built to current ADA standards; relocation of the curb and gutter (and associated public improvements) on the Cedar Boulevard frontage to provide a curb to curb width of 70 feet; replacement 5-foot wide sidewalk along all street frontages, including the adjoining San Francisco Public Utilities Commission right-of-way; full curb-to-curb pavement grinding and a minimum 0.20' thick pavement overlay on the entirety of Cedar Court; conform pavement grinding and a full curb-to-curb pavement overlay or a combination of patch paving and a full curb-to-curb microsurfacing treatment, with approved black aggregate, on Cedar Boulevard between the project limit to the west up to and including the Cedar Court/Cedar Boulevard intersection;; landscape and irrigation facilities; all utility connections; repair of any additional existing damaged public improvements (e.g curb and gutter, sidewalk, etc.) within the project limits; new signage and pavement striping modifications; and any necessary additional street lighting and fire hydrant installations.

All noted on-site and off-site improvements shall be considered in determination of the tract improvement plan set review and inspection fees for the subdivision and included in the tract improvement plan set to be submitted with the final map for City approval. Improvement plans must be prepared by a qualified person licensed by the State of California to do such work.

- bb. The developer shall install a minimum 8-foot high precast concrete wall along the north side of Cedar Boulevard from Moores Avenue to a point approximately 350 feet east of Birch Street. The scope of improvements associated with installation of this wall shall include but are not necessarily limited to sidewalk removal and replacement (5-foot standard width), all street tree removal and replacement, replacement of all existing damaged concrete curb and gutter improvements within the aforementioned limits, and new landscaping and irrigation system improvements as required by the Landscape-Parks Division.

- cc. 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."

- dd. 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.
- ee. 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 such as fountains, swimming pools, trash compactors, and trash enclosures; 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 Regional Water Quality Control Board. 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.
- ff. All stormwater treatment measures 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.
- gg. 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 homeowners association under the required Stormwater Treatment Measures Maintenance Agreement.

- hh. 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).

- ii. 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.
- jj. Prior to approval the final map(s), 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.
- kk. All new utilities including, but not limited to, electric, telephone and cable television services shall be provided underground. Any proposed utility connections and/or underground work within structurally sound street pavement must be bored or jacked unless otherwise approved by the City Engineer.
- ll. Prior to approval of the final map(s), the developer shall guarantee the undergrounding of the existing overhead utility lines adjacent to Interstate 880 in accordance with the City of Newark Subdivision Ordinance. The undergrounding shall extend from the most southerly existing pole located at the tract boundary and northwest of the southbound I-880 off-ramp, to the nearest existing pole north of the San Francisco Public Utilities Commission (SFPUC) right-of-way, subject to SFPUC approval. In the event SFPUC approval for undergrounding cannot be obtained, the developer shall set a new pole on the original overhead alignment at the northeast corner of the tract boundary. The undergrounding scope, design, and field work is subject to approval by Pacific, Gas and Electric Company and, if necessary, the California Department of Transportation. All associated work shall be completed prior to issuance of the first Certificate of Occupancy unless otherwise approved by the City Engineer.

- mm. 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.
- nn. 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.
- oo. The developer shall incorporate a Homeowner's Association consisting of all property owners of lots in the development at the time of incorporation and in the future for the purpose of owning and maintaining the association's property, including but not limited to all private streets and common drive aisles, parking areas, landscape areas, stormwater treatment areas, storm drain systems, public access areas, and for paying for security lighting, any common garbage collection services, any security patrol services, if provided, and other functions of a Homeowner's Association. All common areas within the development shall be owned and maintained by the Homeowner's Association. Each property owner shall automatically become a member of the association and shall be subject to a proportionate share of the maintenance expenses. The Homeowner's Association shall be incorporated prior to the sale of any individual lots and/or prior to acceptance of tract improvements, whichever occurs first. A centralized facility of sufficient size for Homeowner's Association use as a clubhouse/meeting room shall either be constructed on the property or designated at an off-site location, subject to approval by the Community Development Director. The CC&Rs shall prohibit the use of private streets as alternative routes to the in-tract public street system.
- pp. Prior to City Council approval of any final maps, the bylaws governing the property owner's association and any declaration of covenants, conditions and restrictions (CC&Rs) filed for this development shall be reviewed and approved by the City Council at its discretion after mandatory review and recommendations by the City Attorney. Said covenants, conditions and restrictions shall be prominently displayed in the project sales office at all times. Approval of the covenants, conditions and restrictions shall not make the City a party to enforcement of same. The CC&Rs shall apply equally to both owners and renters. The CC&Rs shall be written to require renters to comply with the regulations of the CC&Rs, and a copy of the CC&Rs shall be given to each renter. The CC&Rs shall be written to allow less than a majority of owners to have pavement or landscape maintenance done and the cost thereof assessed to all owners in the project. The CC&Rs shall include a pavement maintenance program for all private streets and common drive aisles.
- qq. The Homeowner's Association CC&Rs shall prohibit the on-site parking of non-self-propelled recreational vehicles, including boats, and any self-propelled recreational vehicles not used for transportation unless separate storage facilities are provided. The CC&Rs shall regulate the provision of any on-site parking of self-propelled recreational vehicles used for transportation. The CC&Rs shall prohibit the on-site repair and washing of all motor vehicles.
- rr. The CC&Rs for the project shall include a disclosure statement to all property owners indicating that the project site is located within a seismic hazard zone for liquefaction.

The disclosure statement shall indicate that the buildings have been designed to current code requirements. The statement shall further indicate that the buildings, site improvements, and utilities are subject to damage during an earthquake and that the buildings may be uninhabitable after an earthquake. This CC&R disclosure statement is subject to review and approval of the City Engineer prior to final map approval.

- ss. The developer shall also assist the Homeowner's Association by having a management consultant firm review the maintenance and operating functions of the association. The management consulting firm shall be responsible to prepare a written report with recommendations to the association for managing the association's obligations and setting initial monthly assessment costs for each lot in the development. Membership and assessment cost shall be mandatory for all property owners of property in the development and shall run with the land. The developer shall pay all costs of incorporation and initial management review and reports.
- tt. The Homeowner's Association shall be required to contract with a professional management firm to oversee all necessary maintenance operations. Documentation of such contract shall be submitted to the City of Newark. All commonly owned facilities shall be properly maintained in a manner consistent with the CC&Rs and project requirements.
- uu. The Homeowner's Association shall periodically provide educational materials on stormwater pollution prevention to all residents.
- vv. Each buyer shall sign an acknowledgment that he/she has read the constitution and bylaws of the Homeowner's Association and the CC&Rs applied to the development.
- ww. The developer shall provide a complete set of construction plans in electronic format and reproducible paper (mylar) format to the Homeowner's Association at the time of its formation.
- xx. All new utilities including, but not limited to, electric and communication services shall be provided underground for all buildings in the development in accordance with the City of Newark Subdivision Standards. Electrical transformers shall be installed in underground vaults with an appropriate public utility easement or within the public right-of-way.
- yy. Fire hydrants are to be located along public and private streets as determined by the Alameda County Fire Department.
- zz. A streetlight plan and joint trench plan shall be submitted by the applicant with the first tract improvement plan check and approved prior to final map approval. LED lighting shall be utilized on all public and private streets and other common areas.
- aaa. All tract improvement plans are subject to review and approval by the Alameda County Water District (ACWD), Union Sanitary District (USD), Alameda County Flood Control and Water Conservation District (ACFC&WCD), and Pacific, Gas, and Electric

Company (PG&E). Any modifications to the site design provided with the vesting tentative map as necessary to satisfy requirements from individual utilities or districts are the sole responsibility of the developer. The developer shall coordinate with PG&E as soon as practical following vesting tentative map approval.

- bbb. Prior to approval of any final map(s), the developer shall obtain and submit a Land Use Permit from the San Francisco Public Utilities Commission for all proposed improvements over the City and County of San Francisco's Hetch-Hetchy right-of-way, and pay all associated costs therewith. A note to this effect shall appear on the improvements plans for work on Cedar Boulevard and Cedar Court.
- ccc. Above ground architectural and building features that project over proposed property lines shall be permitted on townhouse and/or condominium units by easements recorded on the final map. Such features include, but are not limited to, eaves, bay windows, balconies, porches, landings, and stairways. The details for these easements, including dimensions and descriptions, shall be included on the final map. Foundations for townhouse units shall be contained within the individual lot.
- ddd. Street names and an addressing scheme shall be developed during the final map and improvement plan review process in accordance with the City of Newark's Street Numbering and Naming Ordinance (Chapter 12.12). This area of Newark has a "flower/shrub" theme for street names. Available street names will need to be determined. All addressing is based on the Alameda County grid pattern with streets running generally northerly and southerly having 5-digit addresses and streets running generally westerly and easterly having 4-digit addresses.
- eee. The developer shall repair and/or replace any public or private improvements damaged as a result of construction activity to the satisfaction of the City Engineer.
- fff. Prior to issuance of a Certificate of Occupancy or release of utilities for any residential units, private streets, common vehicle accessways and parking facilities serving said units shall be paved in accordance with the recommendation of a licensed engineer based on a minimum Traffic Index of 6.0.
- ggg. Prior to issuance of a Certificate of Occupancy or release of utilities for each dwelling unit, the on-site drive aisles and uncovered parking facilities shall be installed and striped as shown on the approved site plan. All on-site uncovered parking facilities and drive aisles shall be drained at a minimum slope of 1.0% for asphalt concrete surfaces and 0.3% for Portland cement concrete surfaces.
- hhh. 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.

- iii. The developer shall provide all required paper and digital submittals of the project final map, tract improvements plans, and as-built plans as required by the City Engineer, including, but not necessarily limited to the following: (1) One full-size reproducible copy and one reduced reproducible copy of the approved tentative map; (2) Two electronic copies of the approved final map and improvement plans in a format approved by the City Engineer; (3) One full-size mylar copy and one reduced copy of the recorded final map; (4) One reproducible set and four blue-line or photocopied sets of the approved tract improvement plans; (5) Two electronic copies and one mylar set of the as-built tract improvement plans. The City will require a digital submittal of all final maps and improvements plans. All CAD work must be prepared in a manner consistent with the Union Sanitary District's digital submittal requirements for layering conventions. This can be found on the web at: <http://www.unionsanitary.com/digitalSubmittal.htm>. Digital files submitted shall be based on accurate coordinate geometry calculations and the NAD83 State Plane Coordinate System (Zone III) and NGVD29 (USD requires NAVD88) as vertical datum. A deposit of \$5,000 shall be provided by the developer to the City to ensure submittal of all required documents.
- jjj. The developer shall provide as-built record drawings in both electronic format and on mylar paper based on full and complete review and inspection by the developer's project civil engineer, landscape architect, and other design professionals of all public improvements and all improvements on private streets and property included in the tract improvement plan set.
- kkk. If any condition of the tentative tract map be declared invalid or unenforceable by a court of competent jurisdiction, this vesting tentative map shall terminate and be of no force and effect, at the election of the City Council on motion.
- III. Pursuant to Government Code Section 66474.9, the subdivider, or any agent thereof, or successor thereto, shall defend, indemnify, and hold harmless the City of Newark, its officials, employees or agents (collectively "City") from any claim, action or proceeding against the City to attack, set aside, void, or annul, the City's approval concerning this subdivision map application, which action is brought within the time period provided for in Section 66499.37. The City will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.
- mmm. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of s 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 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.

Landscape-Parks Division

nnn. The developer shall install landscape improvements along the project frontages of Cedar Boulevard and Cedar Court in accordance with the approved Preliminary Landscape Plans. These improvements shall include but are not limited to replacement of all street trees, new shrubs and/or groundcover in the parkway strip, ivy adjacent to the new 8-foot masonry wall, soil amendments, and a fully functional drip irrigation system to irrigate all new trees and planting. Street trees shall be replaced at not less than a 1:1 ratio. All such improvements shall be maintained by the Homeowners Association.

The developer shall install landscape improvements on the north side of Cedar Boulevard between the San Francisco Public Utilities Commission right-of-way limit and a point approximately 350 feet east of Birch Street in accordance with the approved Preliminary Landscape Plans. These improvements shall include but are not limited to replacement of all street trees, new shrubs and/or groundcover in the parkway strip, ivy adjacent to the new 8-foot masonry wall, soil amendments, and a fully functional drip irrigation system to irrigate all new trees and planting. The irrigation system shall include a separate water meter and all backflow prevention equipment, to the extent necessary for a complete system. Street trees shall be replaced at not less than a 1:1 ratio. Maintenance of this area will not be the responsibility of the Homeowners Association.

ooo. All landscape maintenance on-site and along the project frontage of the project shall be the responsibility of the Homeowners Association. The developer shall enter into a Landscape Maintenance Agreement prior to approval of the final map. This agreement shall run with the land and be binding to the homeowners association as successors. Landscape maintenance of these areas by the City under the terms of the Agreement would occur only in the event that City Council deems the homeowners association's maintenance to be inadequate. Any project perimeter walls and adjoining landscape areas shall be included in a dedicated landscape easement to guarantee adequate maintenance of the walls. Maintenance of the walls and landscape features on the north side of Cedar Boulevard is explicitly not the responsibility of the homeowners association or its successors. Any work other than routine maintenance, including but not necessarily limited to, tree removal, tree pruning, or changes to the approved planting palette shall be approved in advance by the City Engineer. All tree pruning shall be performed by or under the direction of a certified arborist.

ppp. The developer shall retain a licensed landscape architect to prepare working drawings for both off-site and on-site landscape plans in accordance with City of Newark requirements, the approved Conceptual Landscape Plan, and the State of California Model Water Efficient Landscape Ordinance. The landscape plans shall be included with the full tract improvement plan set. The associated Landscape Documentation Package must be approved by the City Engineer prior to final map approval.

qqq. The developer shall implement Bay Friendly Landscaping Practices in accordance with Newark Municipal Code, Chapter 15.44.080. Prior to approval of the final map, the developer shall provide sufficient information to detail the environmentally-conscious landscape practices to be used on the project.

- rrr. All plant species identified for placement in the public right-of-way, common area landscaping, and as part of biotreatment measures are subject to final approval of the City Engineer as part of the landscape improvement plans.
- sss. 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.
- ttt. 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.
- uuu. 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.

Building Inspection Division

- vvv. Construction for this project can occur only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday. The developer may make a written request to the Building Official for extended working hours and/or days. In granting or denying any request, the Building Official will take into consideration the nature of the construction activity which would occur during extended hours/days, the time and duration of the request, the proximity to residential neighborhoods, and input by affected neighbors. All approvals will be done so in writing.

General

- www. 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. All time extensions for this planned unit development and conditional use permit shall be approved by the Planning Commission and City Council.
- xxx. If any condition of this planned unit development and conditional use permit be declared invalid or unenforceable by a court of competent jurisdiction, this planned unit development and conditional use permit shall terminate and be of no force and effect, at the election of the City Council on motion.

- yyy. This planned unit development and conditional use permit shall be given a public hearing before the City Council for the Council's review and approval.
- zzz. Prior to the submittal for building permit review, all conditions of approval of this project, as approved by the City Council, shall be printed on the plans.
- aaaa. 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.
- bbbb. 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.

The Commission makes the findings prescribed in Newark Municipal Code Sections 17.40.050 and 17.72.070, and directs a Notice of Decision be mailed to the applicant and filed with the City Clerk who shall present said Notice to the City Council pursuant to Newark Municipal Code Section 17.72.080.

This Resolution was introduced at the Planning Commission's September 23, 2014 meeting by Commissioner Fitts, seconded by Commissioner Bridges, and passed as follows:

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

NOES: None.

ABSENT: Aguilar.

s:/ Terrence Grindall
TERRENCE GRINDALL, Secretary

s:/Bernie Nillo
BERNIE NILLO, Chairperson

NEWARK PRIMA

PLANNED UNIT DEVELOPMENT AND VESTING TENTATIVE MAP

NEWARK, CALIFORNIA



PROJECT TEAM:

DEVELOPER
 CAPTELLA MOWRY, LLC
 info@captellemowry.com
 CONTACT: KELLY ENDER
 (650) 387-3132

CIVIL ENGINEER
 CARLSON, HARRIS & GIBSON, INC.
 GREG MILLER
 2033 CAMINO RAMON, SUITE 100
 SAN RAMON, CA 94583
 (925) 866-0322

ARCHITECT
 KRYV ARCHITECTURE AND PLANNING
 VOL COMTEK
 300 SECOND STREET, SUITE 200
 OAKLAND, CA 94607
 (510) 272-2910

LANDSCAPE ARCHITECT
 HWA LANDSCAPE ARCHITECTS
 B. BOSS WELLS
 702 ALTEZA DRIVE
 BREASTWOOD, CA 94515
 (925) 913-5091

SHEET INDEX:

- T1 TITLE SHEET
- P01 PLANNED UNIT DEVELOPMENT PLAN

ARCHITECTURAL PLANS:

- A.1 ARCHITECTURAL SITE PLAN, UNIT MIX & CODE ANALYSIS
- A.2 3 FLEX CONDOS & 3 FLEX CONDOS
- A.3 3 & 4 FLEX CONDO BLDG PLANS
- A.4 CONDO UNIT PLANS 1, 2 & 3
- A.5 3 FLEX & 4 FLEX TOWNHOMES
- A.6 3 FLEX & 4 FLEX TOWNHOMES
- A.7 4 & 5 FLEX TOWNHOMES BLDG PLANS
- A.8 4 & 5 FLEX TOWNHOMES BLDG PLANS
- A.9 4 FLEX TOWNHOME
- A.10 4 FLEX TOWNHOMES BLDG PLANS
- A.11 4 FLEX TOWNHOME
- A.12 40 BLDX TOWNHOME BLDG PLANS
- A.13 TOWNHOME PLANS 1, 2 & 3
- A.14 TOWNHOME PLANS 4, 5 & 6
- A.15 PLAN 1 ELEVATIONS
- A.16 PLAN 2 DETACHED
- A.17 PLAN 3 ELEVATIONS
- A.18 PLAN 4 ELEVATIONS
- A.19 PLAN 5 DETACHED
- A.20 PLAN 6 DETACHED
- A.21 COLOR & MATERIALS - TOWNHOMES
- A.22 COLOR & MATERIALS - CONDOS
- A.23 COLOR & MATERIALS - SINGLE FAMILY

LANDSCAPE PLANS:

- L-1 ILLUSTRATIVE SITE PLAN
- L-2 UTILITY SITE PLAN
- L-3 IRRIGATION ENLARGEMENT
- L-4 OPEN SPACE AND 4-5 YR OLD PLAY AREA ENLARGEMENTS
- L-5 MOWRY AVENUE AND 3-5 YR OLD PLAY AREA ENLARGEMENTS
- L-6 TYPICAL PAVED ENLARGEMENTS

CIVIL PLANS:

- TM.1 TITLE SHEET LOTTING PLAN
- TM.2 PROJECT INFORMATION
- TM.3 BOUNDARY AND EXISTING CONDITIONS
- TM.4 PRELIMINARY SITE PLAN
- TM.5 PRELIMINARY GRADING AND DRAINAGE PLAN
- TM.6 PRELIMINARY UTILITY AND WATER CONTROL PLAN
- TM.7 PRELIMINARY STORMWATER CONTROL PLAN
- TM.8 PRELIMINARY TREE AND PARKING PLAN

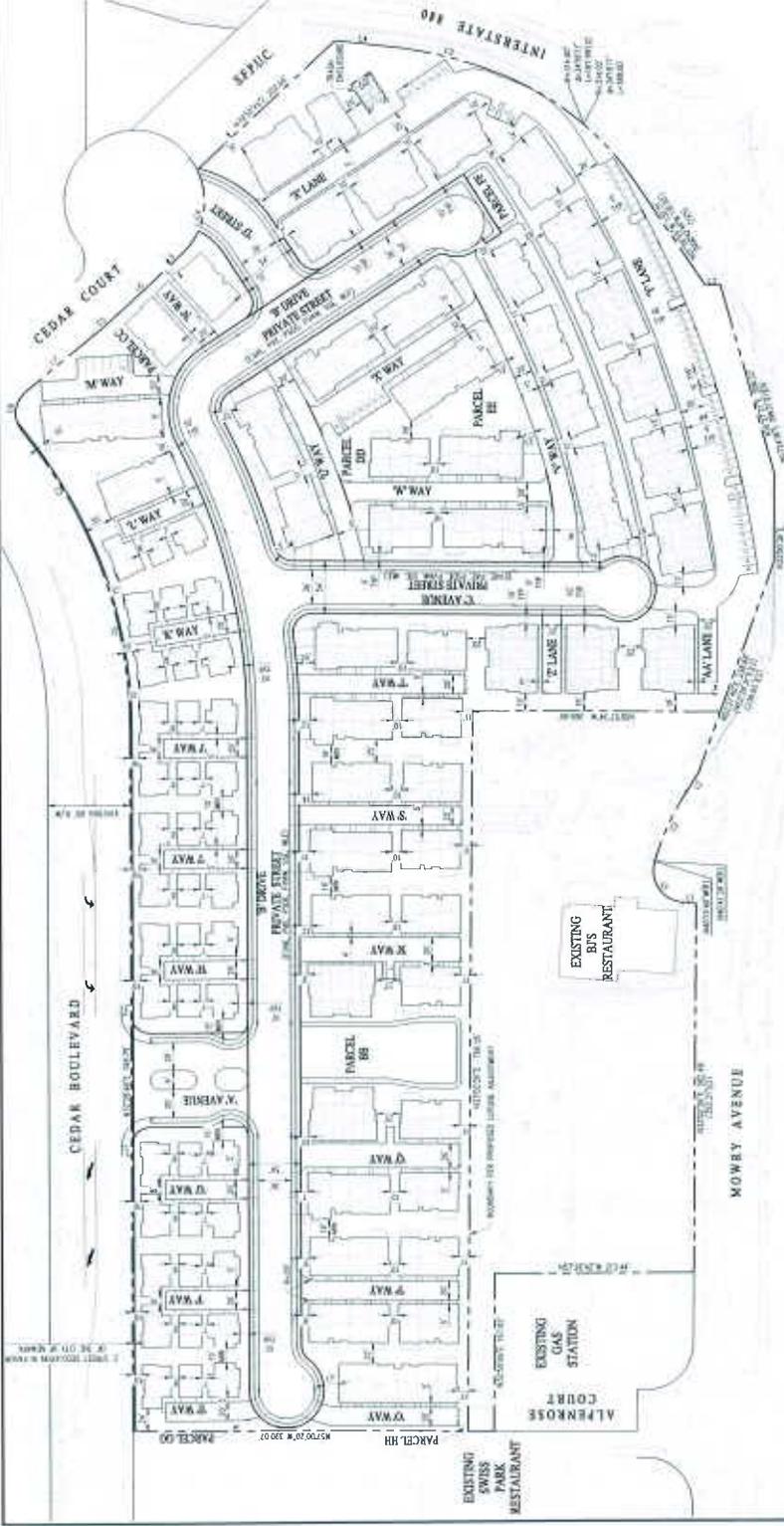
*UPDATED FOR CITY COUNCIL



T1

OCTOBER 1, 2014

EXHIBIT A.0.1



LEGEND:

EXISTING:

PROPOSED:

ABBREVIATIONS:

GENERAL NOTES:

ABBREVIATIONS:

GENERAL NOTES:

REFERENCES:

GENERAL NOTES:

GENERAL NOTES:

GENERAL NOTES:

PARKING SUMMARY:

EXISTING:

PROPOSED:

TOTAL PARKING REQUIRED:

GENERAL NOTES:

**VESTING TENTATIVE MAP
PLANNED UNIT DEVELOPMENT PLAN
FOR CONDOMINIUM PURPOSES
TRACT 8208
NEWARK PRIMA**

CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA

cbg California Building & Construction Consultants, Inc.

DATE: SEPTEMBER 6, 2014

SCALE: 1" = 40'

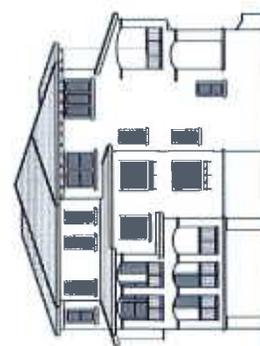
PDI OF 10 SHEETS

EXHIBIT A02

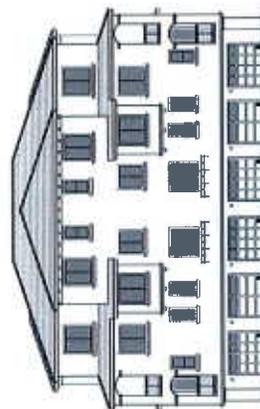


6 PLEX
FRONT ELEVATION

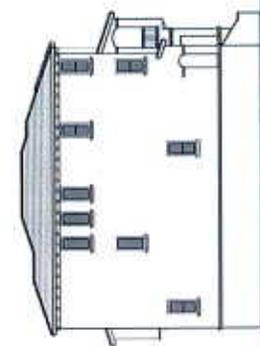
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FRONT ELEVATION



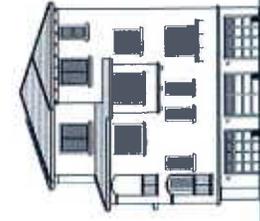
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LEFT ELEVATION



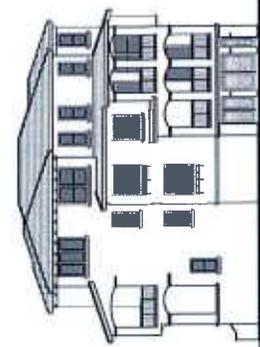
6 PLEX
REAR ELEVATION



3 PLEX
LEFT ELEVATION



3 PLEX
REAR ELEVATION



3 & 6 PLEX
RIGHT ELEVATION

NEWARK PRIMA

**3 PLEX CONDOS
& 6 PLEX CONDOS**

NEWARK, CA
REV # 202011

8/11/2018

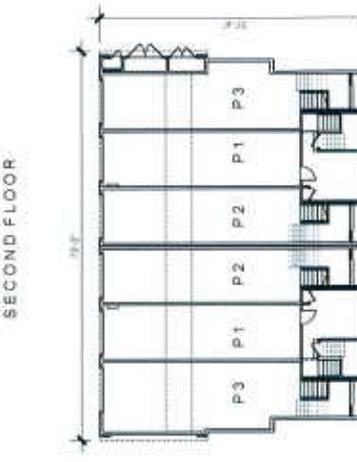
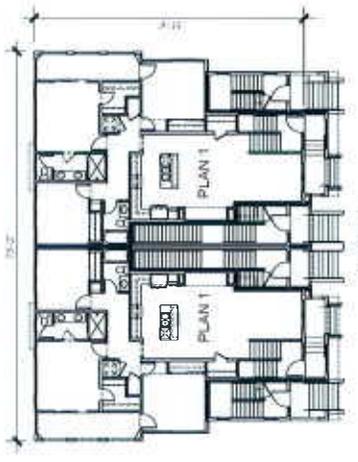
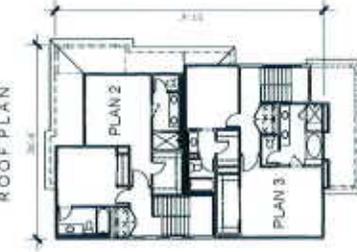
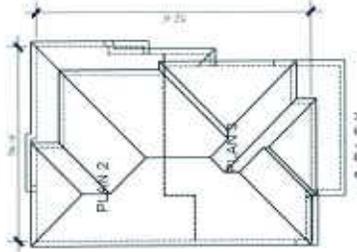
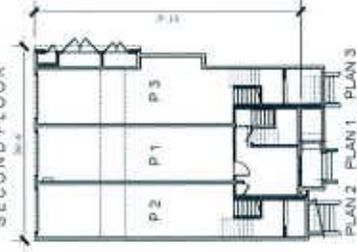
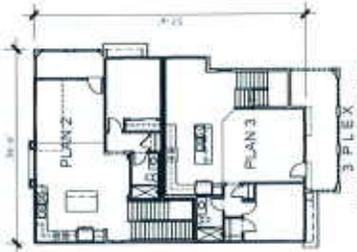
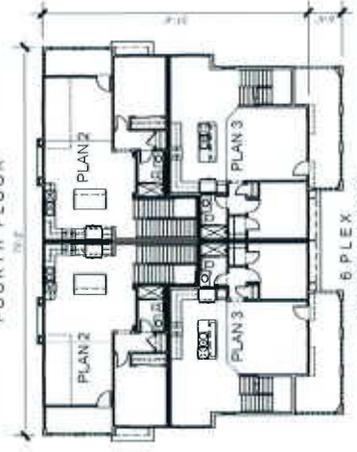
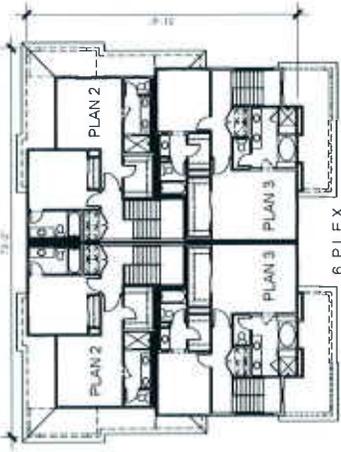
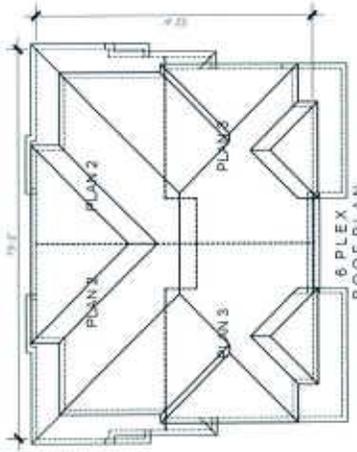


A.2

cbg
Curtis, Barber
& Dyer
Architects, Inc.
1000 Lakeside Blvd., Suite 100
Newark, CA 94560
925.438.1100
www.cbga.com

ktgy
KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com

EXHIBIT
Apt 4



NEWARK PRIMA

3 & 6 PLEX CONDO BLDG PLANS

A.3

California, Michigan & Oregon, Inc.
1000 Broadway, Suite 1000
San Francisco, CA 94133
www.cbg.com

NEWARK, CA
SEP 18, 2010

KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com



EXHIBIT A.3



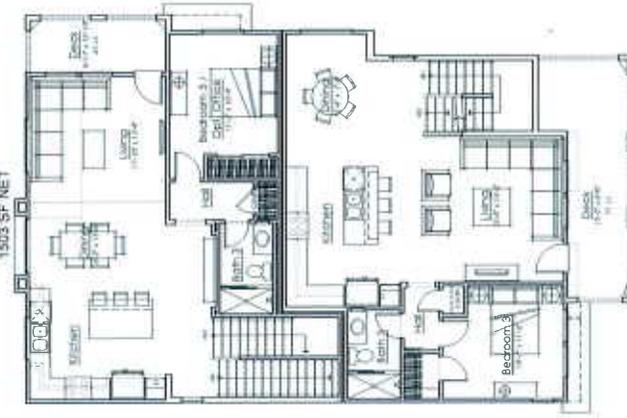


OPT. OFFICE (PLAN 1)



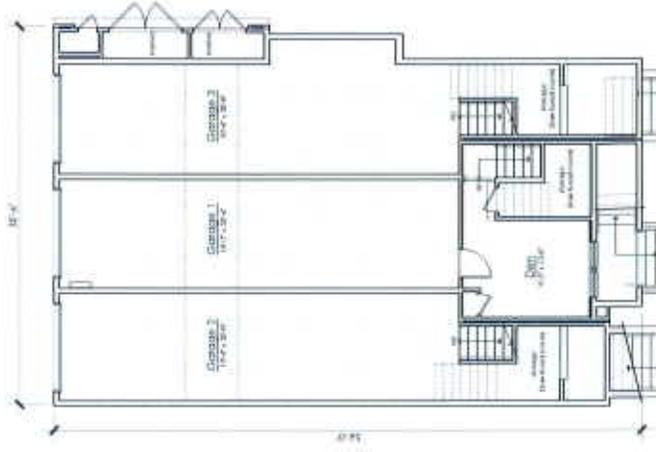
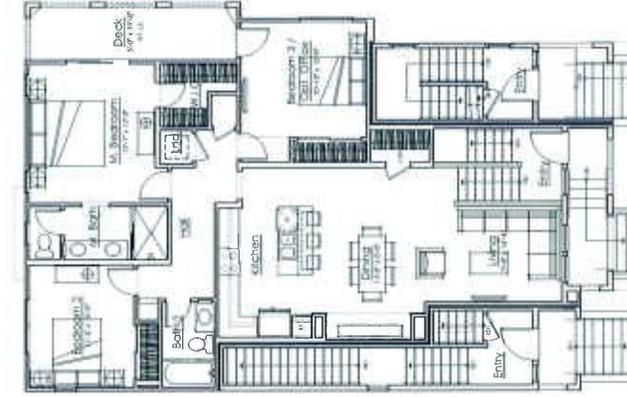
OPT. OFFICE (PLAN 2)

PLAN 2
3 BR / 3 BA
1503 SF NET



PLAN 3
3 BR / 3 BA
1622 SF NET

PLAN 1
3 BR + DEN / 2 BA
1456 SF NET



FOURTH FLOOR

THIRD FLOOR

SECOND FLOOR

FIRST FLOOR

NEWARK PRIMA

CONDO UNIT PLANS 1, 2 & 3

A.4



NEWARK, CA
REVISED 01/2010

KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2810
ktgy.com



EXHIBIT A.4



PLANS

PLAN 4
3 PLEX
FRONT ELEVATION

PLAN 6

PLAN 5

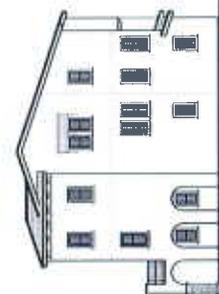
PLAN 3

PLAN 4
4 PLEX
FRONT ELEVATION

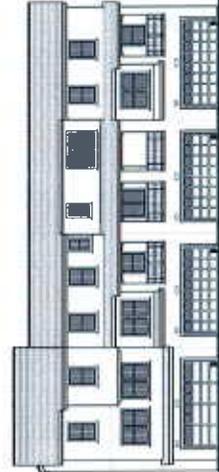
PLAN 6



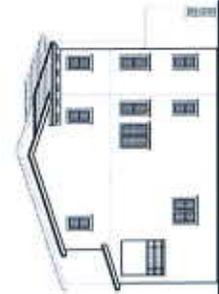
PLAN 6 PLAN 4 PLAN 5
3 PLEX
REAR ELEVATION



PLAN 6
3 & 4 PLEX
RIGHT ELEVATION



PLAN 6 PLAN 4 PLAN 3
4 PLEX
REAR ELEVATION



PLAN 5
3 & 4 PLEX
LEFT ELEVATION

NEWARK PRIMA

3 PLEX & 4 PLEX TOWNHOMES

A.5

NEWARK, CA

cbg
 Carlson, Bertram & Gilman, Inc.
 1000 UNIVERSITY AVENUE, SUITE 100
 OAKLAND, CALIFORNIA 94612
 TEL: (415) 778-1000 FAX: (415) 778-1001
 WWW.CBGARCHITECTS.COM

REVISED

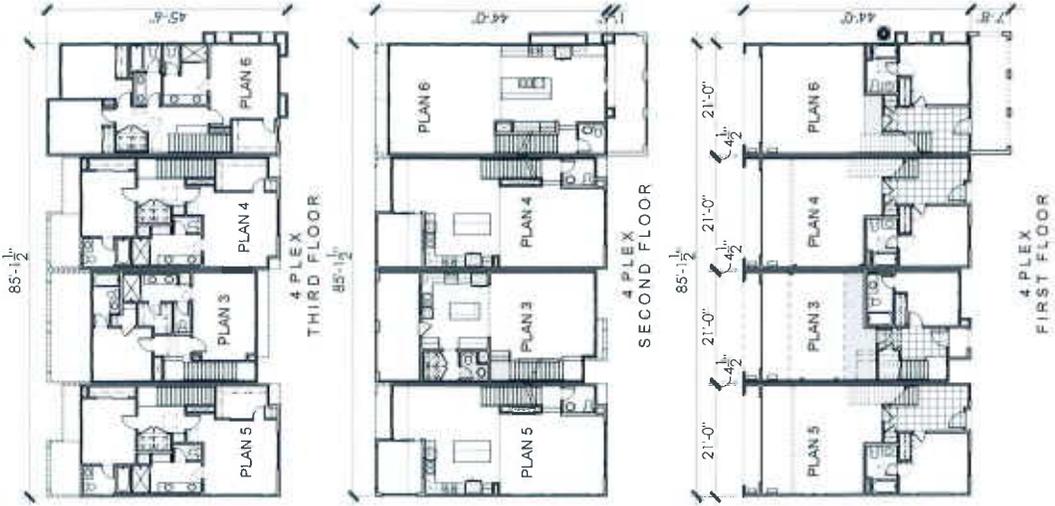
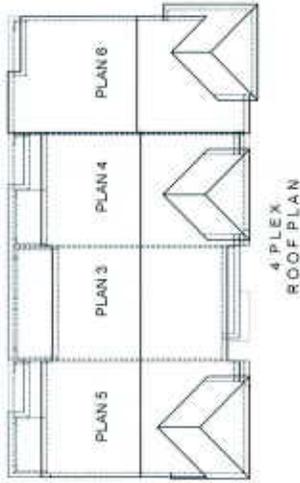
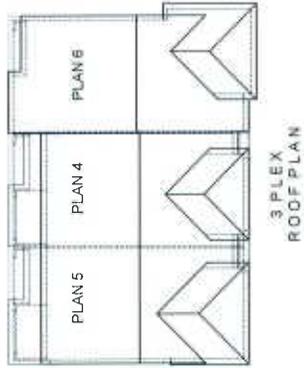
KTGY
 KTGY Group, Inc.
 Architecture+Planning
 560 Second St., Suite 200
 Oakland, CA 94607
 510.272.2910
 ktgy.com

EXHIBIT A.5





NEWARK PRIMA



3 & 4 PLEX TOWNHOME BLDG PLANS

NEWARK, CA
 REV # 201207
 07/11/11

KTGY
 KTGY Group, Inc.
 Architecture+Planning
 580 Second St., Suite 200
 Oakland, CA 94607
 510.272.2810
 ktgy.com

APR 2012



PLAN 1

PLAN 3

PLAN 4

PLAN 6

PLAN 1

PLAN 4

PLAN 8

5B PLEX
FRONT ELEVATION

4B PLEX
FRONT ELEVATION



PLAN 2

PLAN 4

PLAN 6

PLAN 6

PLAN 1/2
4B & 5B PLEX
RIGHT ELEVATION

PLAN 3
5B PLEX
REAR ELEVATION

PLAN 6
4B & 5B PLEX
LEFT ELEVATION

NEWARK PRIMA

4B & 5B TOWNHOMES

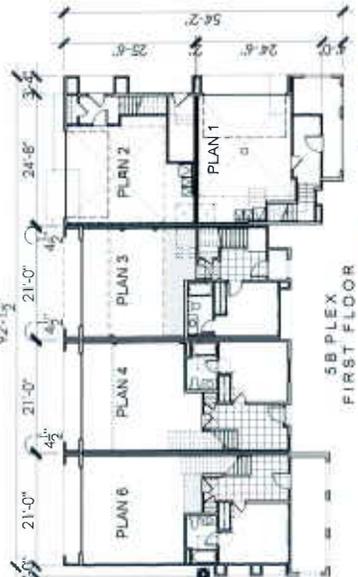
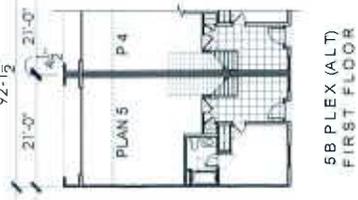
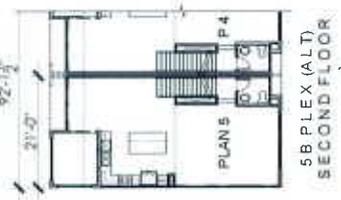
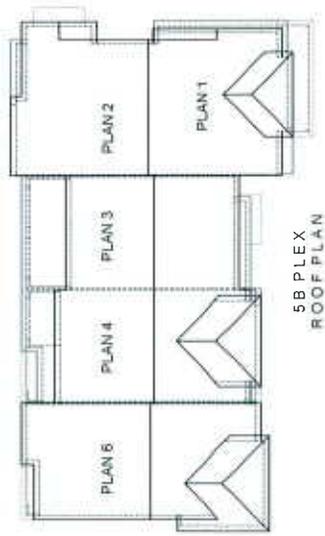
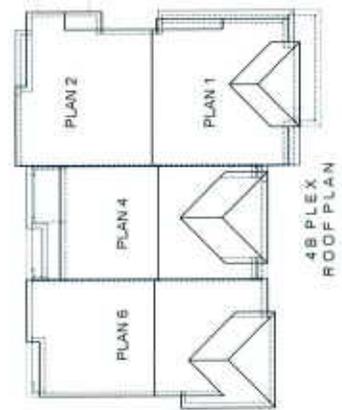
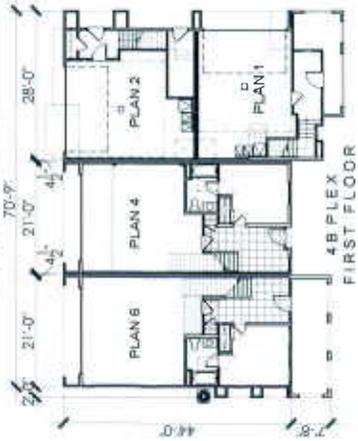
A.7

NEWARK, CA
812 W 20th St

KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com



EXHIBIT A.7



NEWARK PRIMA



4B & 5B PLEX TOWNHOME BLDG PLANS

NEWARK, CA

000-2-101010

SCALE

KTGY Group, Inc.
 Architecture+Planning
 580 Second St., Suite 200
 Oakland, CA 94607
 510.272.2910
 ktgy.com



EXHIBIT A-10

A.8



PLAN 5

PLAN 4

PLAN 3

PLAN 3

PLAN 4

PLAN 6

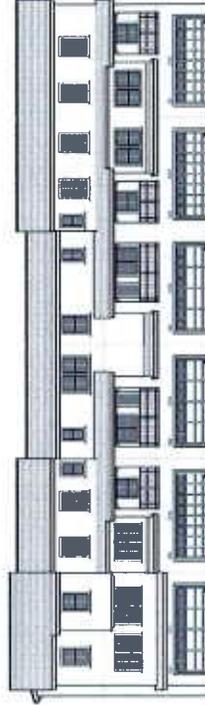
6 PLEX
FRONT ELEVATION



PLAN 5

6 PLEX

LEFT ELEVATION



PLAN 6

PLAN 4

PLAN 3

PLAN 3

PLAN 4

PLAN 5

6 PLEX

REAR ELEVATION



PLAN 6

6 PLEX

RIGHT ELEVATION

NEWARK PRIMA

6 PLEX TOWNHOME

NEWARK, CA

800 N. 214TH ST.

8117004

cbg
Cohen, Barkley
& Gossard Inc.
17711 Canyon Blvd., Suite 100
Denver, CO 80241
303.755.1100
www.cbgroup.com

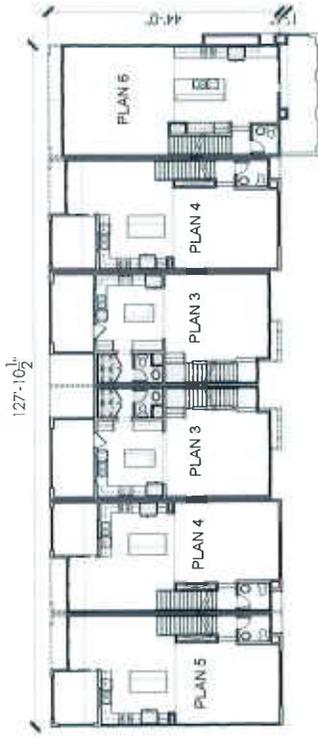


A.9

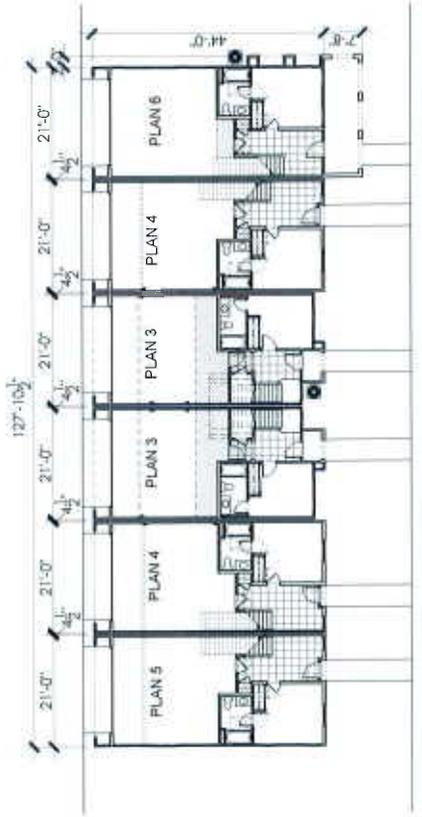


KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com

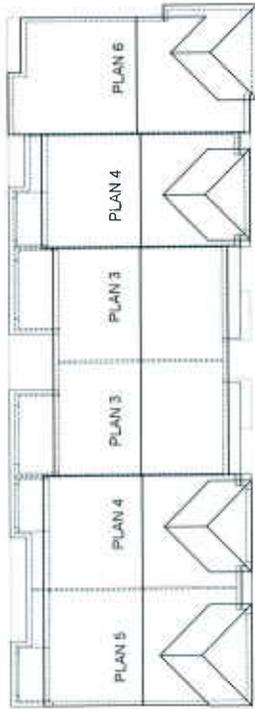
EXHIBIT A.9.1



6 PLEX
SECOND FLOOR



6 PLEX
FIRST FLOOR



6 PLEX
ROOF PLAN



6 PLEX
THIRD FLOOR

NEWARK PRIMA
A.10

6 PLEX TOWNHOME BLDG PLANS

NEWARK, CA
RIP # 201804



KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com



EXHIBIT
APR 12



PLAN 6

PLAN 4

PLAN 3

PLAN 4

PLAN 1

6B PLEX
FRONT ELEVATION



PLAN 6

6B PLEX
LEFT ELEVATION



PLAN 2

PLAN 3

PLAN 4

PLAN 6

6B PLEX
REAR ELEVATION



PLAN 1/2

6B PLEX
RIGHT ELEVATION

NEWARK PRIMA

6B PLEX TOWNHOME

NEWARK, CA

8531.MW

009 # 01/23/16



CHUCK BROWN, BRUCE
GILBERT, TONY
1000 UNIVERSITY AVENUE, SUITE 1000
SAN FRANCISCO, CALIFORNIA 94103
415.774.1100
WWW.CBG.COM

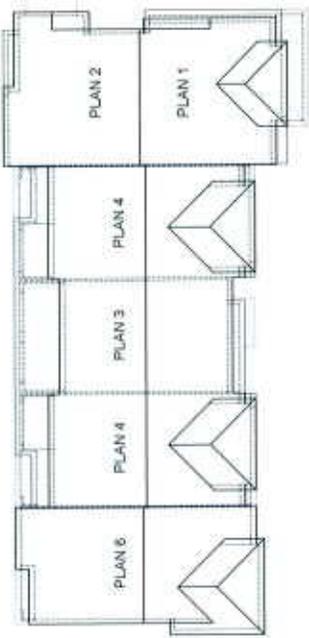
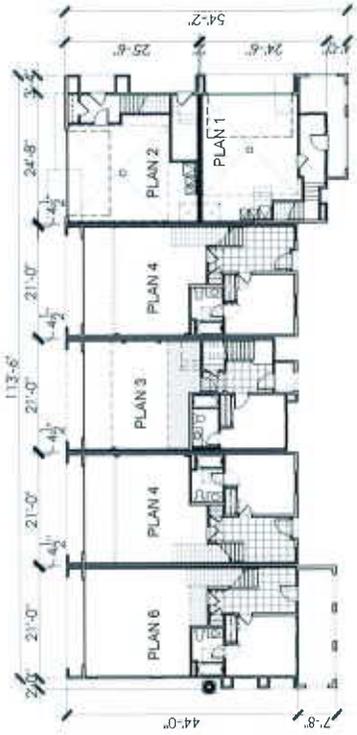


A.11



KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com

EXHIBIT
A.11
ApB



A.12



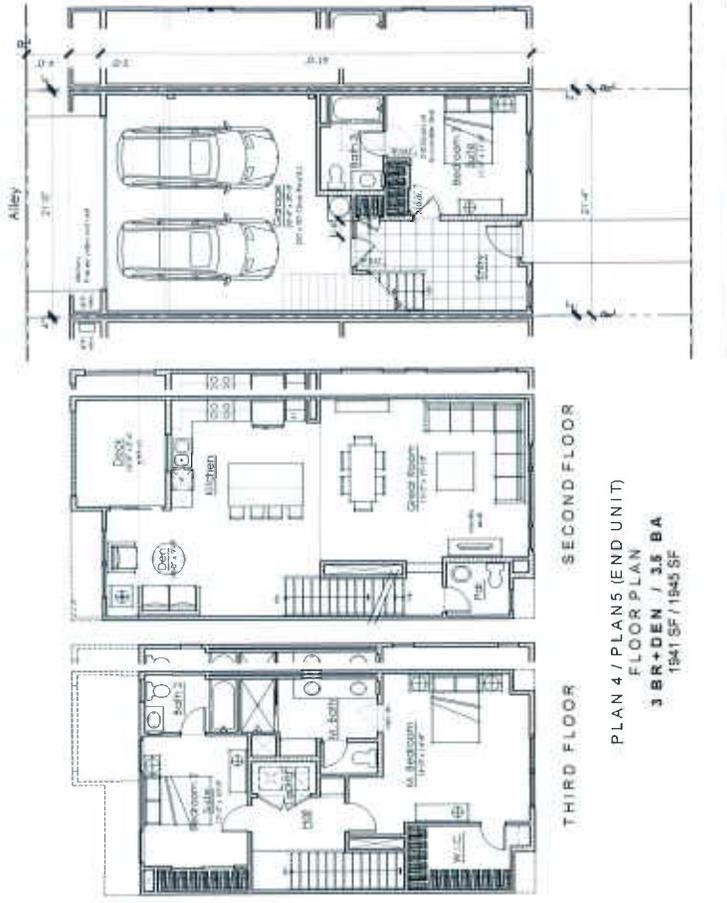
6B PLEX TOWNHOME BLDG PLANS

NEWARK, CA
103 W. 101st St.
97228-1111

KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com

Handwritten signature: K. B. Miller
Handwritten date: April

NEWARK PRIMA



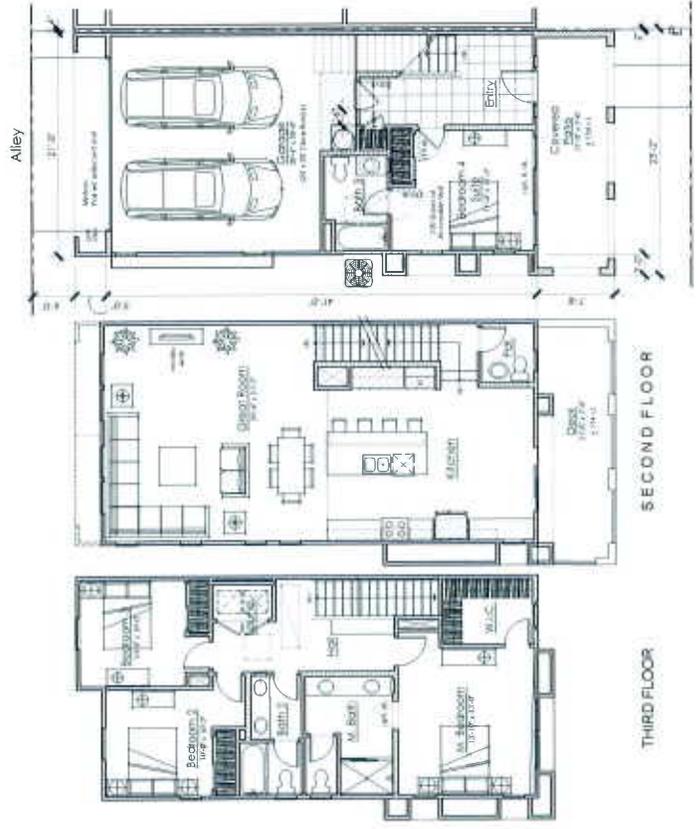
PLAN 4 / PLANS (END UNIT)
 FLOOR PLAN
 3 BR + DEN / 3.5 BA
 1941 SF / 1945 SF

A.14



KTGY Group, Inc.
 Architecture+Planning
 580 Second St., Suite 200
 Oakland, CA 94607
 510.272.2910
 ktgy.com

EXHIBIT A.14



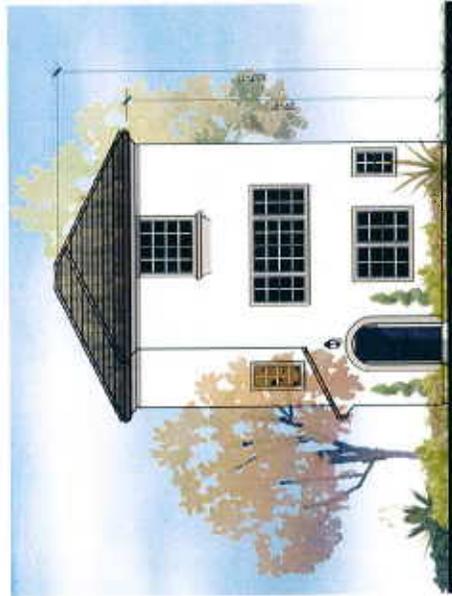
PLAN 6
 FLOOR PLAN
 4 BR / 3.5 BA
 2135 SF

NEWARK PRIMA

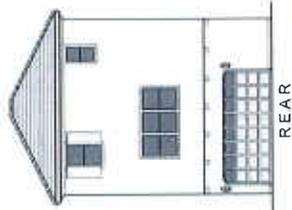
cbg
 Carlson, Batten & O'Brien, Inc.
 ARCHITECTS
 1000 UNIVERSITY AVENUE, SUITE 100
 NEWARK, CA 94607
 510.272.2910

NEWARK, CA
 REP # 202024

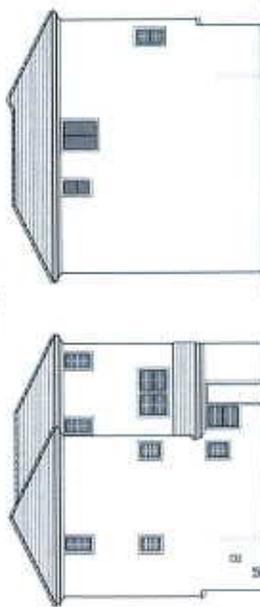
8/21/2019



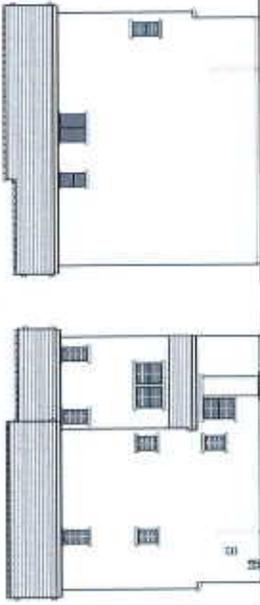
1A FRONT



REAR



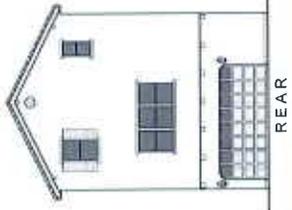
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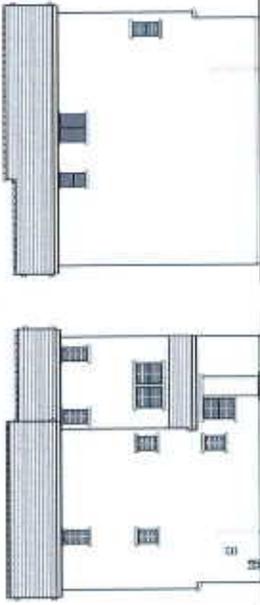
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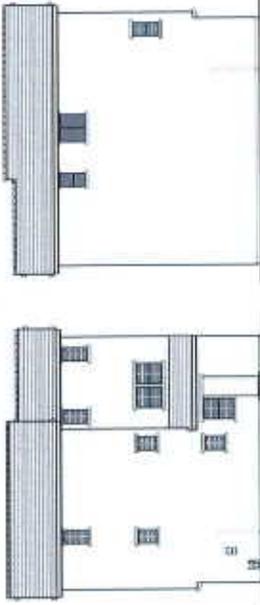
1B FRONT



REAR



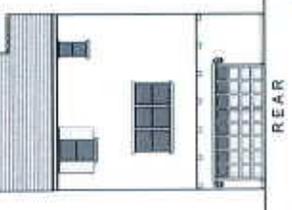
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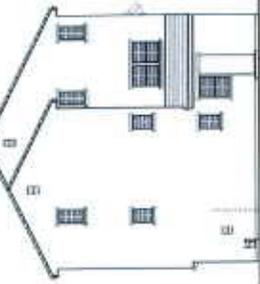
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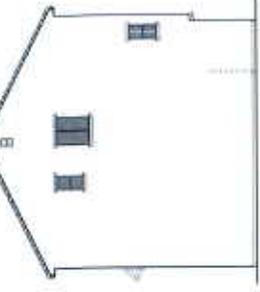
1C FRONT



REAR



LEFT



RIGHT

NEWARK PRIMA

PLAN | ELEVATIONS

A.15



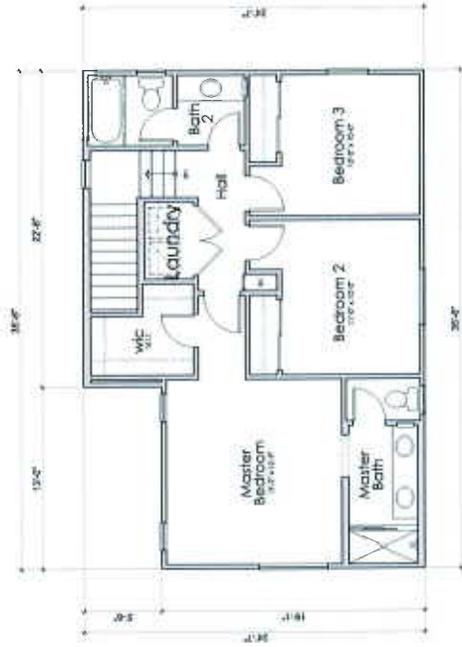
NEWARK, CA
95068-1000

818.338.8484

KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com

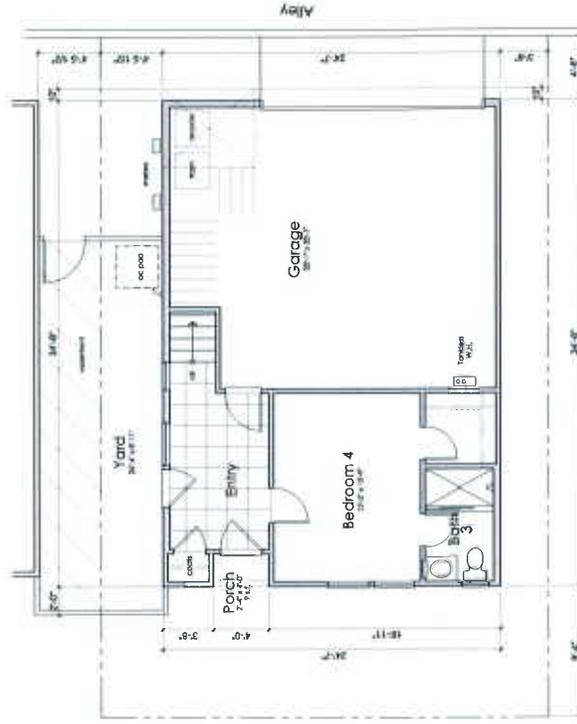


EXHIBIT A.15



Floor Plan
4 Bedrooms
3.5 Baths

1,910 S.F.
481 S.F.
Total Living
Garage



A.16



PLAN I DETACHED

NEWARK PRIMA

NEWARK, CA

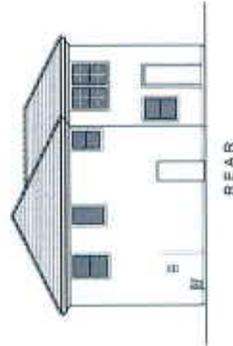
KTGY
 KTGY Group, Inc.
 Architecture+Planning
 580 Second St., Suite 200
 Oakland, CA 94607
 510.272.2910
 ktgy.com

cbg
 Collins, Beckler & Gilchrist
 ARCHITECTS
 1000 S. GATEWAY BLVD., SUITE 100
 NEWARK, CA 94568
 510.241.1100

EXHIBIT
 A218



2A FRONT



REAR



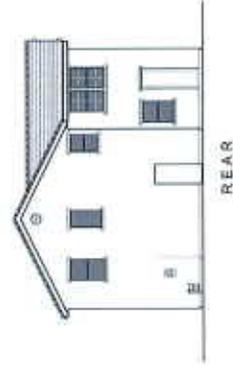
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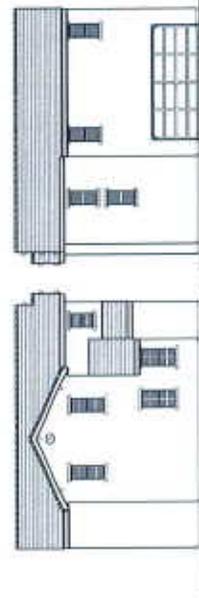
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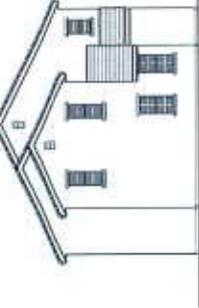
2B FRONT



REAR



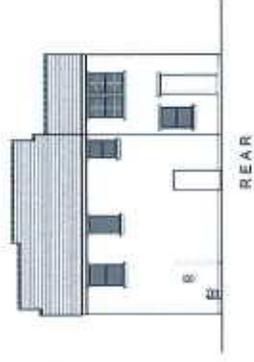
LEFT



RIGHT



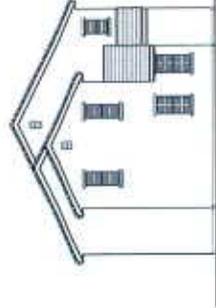
2C FRONT



REAR



LEFT



RIGHT

NEWARK PRIMA

PLAN 2 ELEVATIONS

A.17



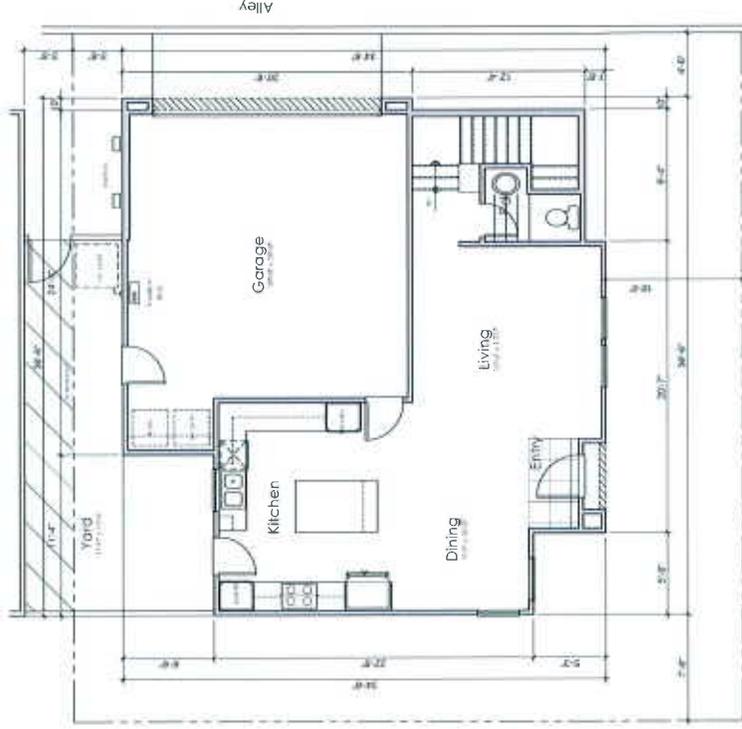
NEWARK, CA
 100 N. CENTRAL
 SUITE 100A

KTGY Group, Inc.
 Architecture+Planning
 580 Second St., Suite 200
 Oakland, CA 94607
 510.272.2910
 ktgy.com

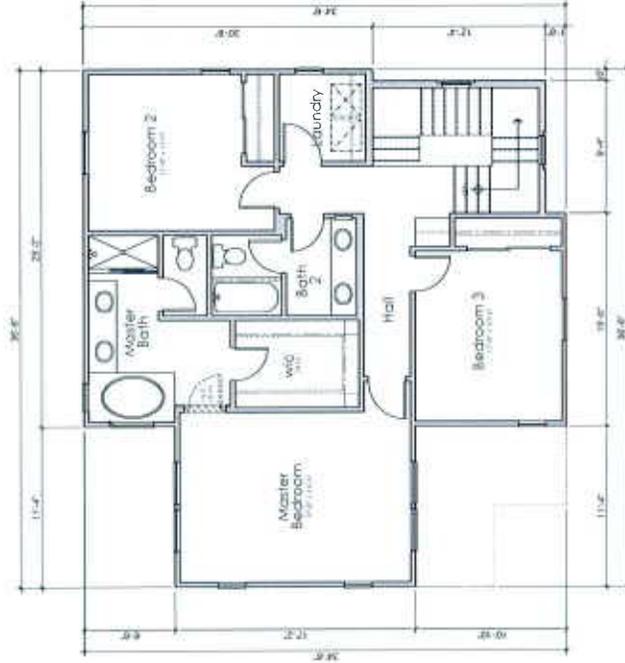


EXHIBIT
 A p19

Floor Plan
 3 Bedrooms
 2.5 Baths
 1,610 S.F. Total Living
 439 S.F. Garage



First Floor



Second Floor

A.18



KTGY Group, Inc.
 Architecture+Planning
 580 Second St., Suite 200
 Oakland, CA 94607
 510.272.2910
 ktgy.com

EXHIBIT A-20

PLAN 2 DETACHED

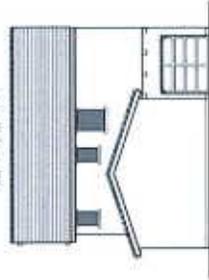
NEWARK, CA

NEWARK PRIMA





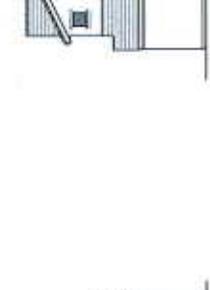
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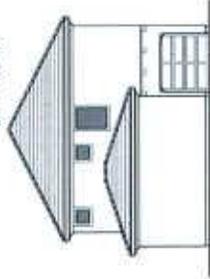
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RIGHT



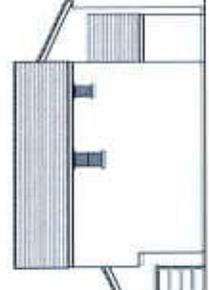
3A FRONT



REAR



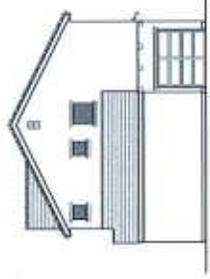
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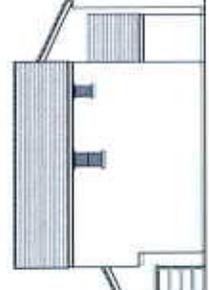
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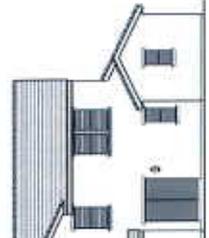
3C FRONT



REAR



LEFT



RIGHT

PLAN 3 ELEVATIONS

A.19

NEWARK, CA
 300 N. 101ST ST.
 94704

8/11/2014

KTGY Group, Inc.
 Architecture+Planning
 580 Second St., Suite 200
 Oakland, CA 94607
 510.273.2810
 ktgy.com



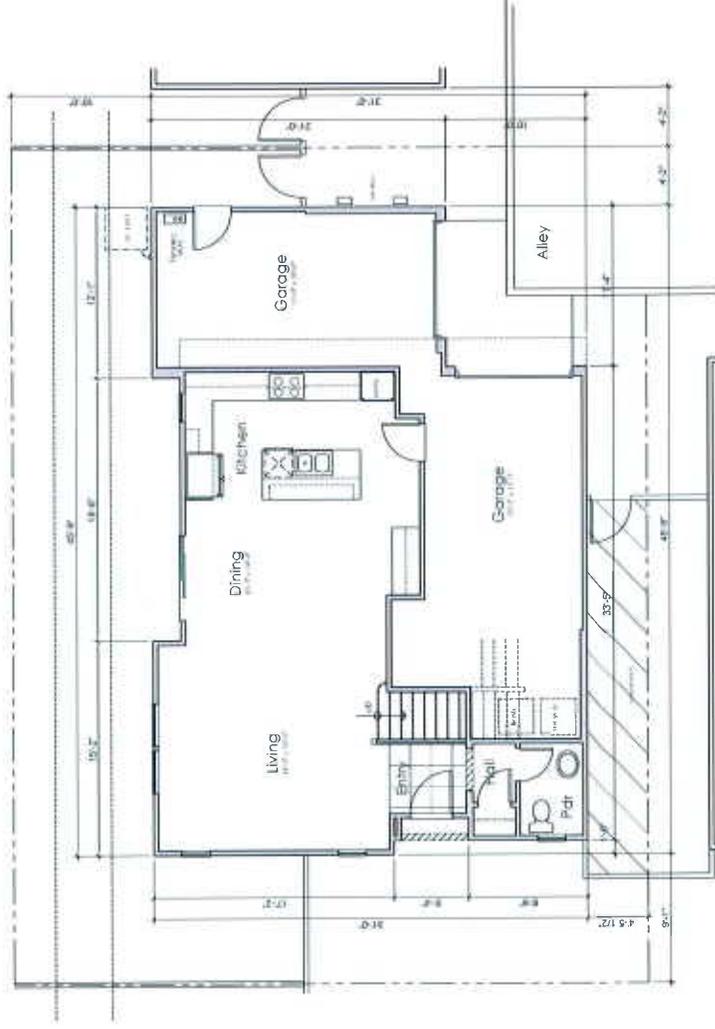
EXHIBIT A.19

Floor Plan
3 Bedrooms
2.5 Baths

1,619 S.F. Total Living
497 S.F. Garage



Second Floor



First Floor

PLAN 3 DETACHED

A.20

NEWARK, CA

11 JUN 11

KTGY Group, Inc.
Architecture-Planning
580 Second St., Suite 200
Oakland, CA 94607
510.273.2910
ktgy.com



EXHIBIT A.20

ALL SCHEMES



FLAT ROOF TILE
488703-PAVING-FLAT

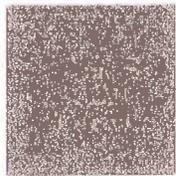


STONE VENEER
488704-FLAT-ROOF-TILE

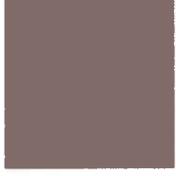
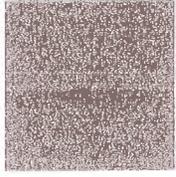


DECORATIVE METAL
POWER COATED BLACK

Manufacturers:
Sherrin Williams Paint
Eagle Roofing
El Dorado Stone



SCHEME 1



SCHEME 2



SCHEME 3



SCHEME 4



ENTRY DOORS
METAL FINISHED

GARAGE DOOR 2

GARAGE DOOR 1

FASCIA
ALL FINISHES
FRESH & BRIGHT PRINTED

STUCCO BODY 3

STUCCO BODY 2

STUCCO BODY 1

NEWARK PRIMA

COLOR & MATERIALS - TOWNHOUSES

A-21

cbg
Coburn, Barkley & Coyle, Inc.
1800-2000 Pacific Blvd. Ste. 200
1700 Broadway, Oakridge, WA 98641
360-882-1111

NEWARK, CA
800-2-ARTISTEN
811-1234

KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com



EXHIBIT A-21
Apr 23

ALL SCHEMES



FLAT ROOF TILE
AMBLUST PAINTS/BLIND



STONE VENEER
SANDDOWN/REMIC/REGGASTONE



DECORATIVE METAL
POWER COATED BLACK

Manufacturers:
Sherwin Williams Paint
Eagle Roofing
E Dorado Stone



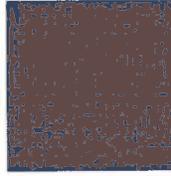
SW 7077 CHELSEA



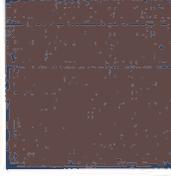
SW 7519 CORN MEDIC



SW 7248 PORCOC



SW 7740 WESBECHE HAIG



SW 7545 WEBB



SW 6887 BLOSSOM BUDS



SW 7423 MT. THRA



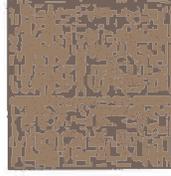
SW 7714 BISSCO CREAM



SW 0010 WOODSPRINKLE



SW 4103 TEA CUPPET



SW 7522 MEGOCOLONY



SW 4143 THATCH BROWN



SW 2838 FOURTH MANDALAY



SW 7026 BLACK FOX



SW 9525 CORN PEARL



SW 4119 RETRIEVED GOLD



SW 0127 SUNKUP



SW 4333 BAGUETTE



SW 7531 PEARLROSE BROWN



SW 4503 SUGGED BROWN



SW 7026 BLACK FOX



SW 4506 KUM BLOSS



SW 2506 BUCKLEWOOD BROWN



SW 1881 LAYWARD



SW 7521 WINDY PINK



SW 7531 PEARLROSE BROWN



SW 2838 FOURTH MANDALAY



SW 7423 MT. THRA

STUCCO BODY 1

STUCCO BODY 2

FASCIA
THREE CORNERS

STUCCO BODY 3

GARAGE DOORS

ENTRY DOOR 1

ENTRY DOOR 2
SIDE LOUVERED DRIS./
GABLE DETAILED VENTS

NEWARK PRIMA

COLOR & MATERIALS - CONDOS

A-22

NEWARK, CA

8123311



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Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com



EXHIBIT A-22

	SCHEME 1	SCHEME 2	SCHEME 3	SCHEME 4	SCHEME 5	SCHEME 6	SCHEME 7	SCHEME 8	SCHEME 9
STUCCO BODY	SW 7031 BLUNDER WHITE SW 7030 STATUE BROWN SW 4118 RELIANT BROWN	SW 4113 INTERACTIVE CREAM SW 4124 COFFEE SW 7032 FINE SAND	SW 6528 SAND TRAP SW 7041 VAN DYKE BROWN SW 4124 COFFEE	SW 7581 PEARL SW 4125 SUPERIOR WHITE SW 4126 UNIVERSAL BROWN	SW 6119 ARTISAN WHITE SW 7033 MARIU SLATE SW 4125 SUPERIOR WHITE	SW 4119 RESTORED GOLD SW 7034 COGNAC SW 7035 CHOCOLATE	SW 4117 SHAKER TOPAZ SW 4126 MACADAMIA SW 7036 ROCKET TAN	SW 4120 MEDITERRANEAN SW 4121 BARRICADE SW 4122 BLACK ZEPHYRUS	SW 4123 MEDITERRANEAN SW 4124 BARRICADE SW 4125 BLACK ZEPHYRUS
FASCIA/EAVES/ CORBELS/ GARAGE DR	SW 7031 BLUNDER WHITE SW 7030 STATUE BROWN SW 4118 RELIANT BROWN	SW 4113 INTERACTIVE CREAM SW 4124 COFFEE SW 7032 FINE SAND	SW 6528 SAND TRAP SW 7041 VAN DYKE BROWN SW 4124 COFFEE	SW 7581 PEARL SW 4125 SUPERIOR WHITE SW 4126 UNIVERSAL BROWN	SW 6119 ARTISAN WHITE SW 7033 MARIU SLATE SW 4125 SUPERIOR WHITE	SW 4119 RESTORED GOLD SW 7034 COGNAC SW 7035 CHOCOLATE	SW 4117 SHAKER TOPAZ SW 4126 MACADAMIA SW 7036 ROCKET TAN	SW 4120 MEDITERRANEAN SW 4121 BARRICADE SW 4122 BLACK ZEPHYRUS	SW 4123 MEDITERRANEAN SW 4124 BARRICADE SW 4125 BLACK ZEPHYRUS
WINDOW & DOOR TRIM / MEDALLION TRIM / ROLLED WINDOW SILL	SW 7031 BLUNDER WHITE SW 7030 STATUE BROWN SW 4118 RELIANT BROWN	SW 4113 INTERACTIVE CREAM SW 4124 COFFEE SW 7032 FINE SAND	SW 6528 SAND TRAP SW 7041 VAN DYKE BROWN SW 4124 COFFEE	SW 7581 PEARL SW 4125 SUPERIOR WHITE SW 4126 UNIVERSAL BROWN	SW 6119 ARTISAN WHITE SW 7033 MARIU SLATE SW 4125 SUPERIOR WHITE	SW 4119 RESTORED GOLD SW 7034 COGNAC SW 7035 CHOCOLATE	SW 4117 SHAKER TOPAZ SW 4126 MACADAMIA SW 7036 ROCKET TAN	SW 4120 MEDITERRANEAN SW 4121 BARRICADE SW 4122 BLACK ZEPHYRUS	SW 4123 MEDITERRANEAN SW 4124 BARRICADE SW 4125 BLACK ZEPHYRUS
SHUTTERS ELEVATIONS B & C ONLY	SW 7031 BLUNDER WHITE SW 7030 STATUE BROWN SW 4118 RELIANT BROWN	SW 4113 INTERACTIVE CREAM SW 4124 COFFEE SW 7032 FINE SAND	SW 6528 SAND TRAP SW 7041 VAN DYKE BROWN SW 4124 COFFEE	SW 7581 PEARL SW 4125 SUPERIOR WHITE SW 4126 UNIVERSAL BROWN	SW 6119 ARTISAN WHITE SW 7033 MARIU SLATE SW 4125 SUPERIOR WHITE	SW 4119 RESTORED GOLD SW 7034 COGNAC SW 7035 CHOCOLATE	SW 4117 SHAKER TOPAZ SW 4126 MACADAMIA SW 7036 ROCKET TAN	SW 4120 MEDITERRANEAN SW 4121 BARRICADE SW 4122 BLACK ZEPHYRUS	SW 4123 MEDITERRANEAN SW 4124 BARRICADE SW 4125 BLACK ZEPHYRUS
ENTRY DOORS	SW 7031 BLUNDER WHITE SW 7030 STATUE BROWN SW 4118 RELIANT BROWN	SW 4113 INTERACTIVE CREAM SW 4124 COFFEE SW 7032 FINE SAND	SW 6528 SAND TRAP SW 7041 VAN DYKE BROWN SW 4124 COFFEE	SW 7581 PEARL SW 4125 SUPERIOR WHITE SW 4126 UNIVERSAL BROWN	SW 6119 ARTISAN WHITE SW 7033 MARIU SLATE SW 4125 SUPERIOR WHITE	SW 4119 RESTORED GOLD SW 7034 COGNAC SW 7035 CHOCOLATE	SW 4117 SHAKER TOPAZ SW 4126 MACADAMIA SW 7036 ROCKET TAN	SW 4120 MEDITERRANEAN SW 4121 BARRICADE SW 4122 BLACK ZEPHYRUS	SW 4123 MEDITERRANEAN SW 4124 BARRICADE SW 4125 BLACK ZEPHYRUS
ROOF TILE FLAT SLATE PROFILE	SW 7031 BLUNDER WHITE SW 7030 STATUE BROWN SW 4118 RELIANT BROWN	SW 4113 INTERACTIVE CREAM SW 4124 COFFEE SW 7032 FINE SAND	SW 6528 SAND TRAP SW 7041 VAN DYKE BROWN SW 4124 COFFEE	SW 7581 PEARL SW 4125 SUPERIOR WHITE SW 4126 UNIVERSAL BROWN	SW 6119 ARTISAN WHITE SW 7033 MARIU SLATE SW 4125 SUPERIOR WHITE	SW 4119 RESTORED GOLD SW 7034 COGNAC SW 7035 CHOCOLATE	SW 4117 SHAKER TOPAZ SW 4126 MACADAMIA SW 7036 ROCKET TAN	SW 4120 MEDITERRANEAN SW 4121 BARRICADE SW 4122 BLACK ZEPHYRUS	SW 4123 MEDITERRANEAN SW 4124 BARRICADE SW 4125 BLACK ZEPHYRUS

ALL SCHEMES

Decorative METAL
POWDER COATED FINISH

Manufacturers:
Sherwin Williams Paint
Eagle Roofing
El Dorado Stone

NEWARK PRIMA

KTGY
KTGY Group, Inc.
Architecture+Planning
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com

NEWARK, CA
800.838.6411
833.3341

cbg
California Coatings
& Services, Inc.
10000 Wilshire Blvd, Suite 1000
Beverly Hills, CA 90210
909.499.1111

EXHIBIT A-23



Overall Site



Entry Monument Signage
Conceptual design

Newark Prima
Preliminary Landscape Plan

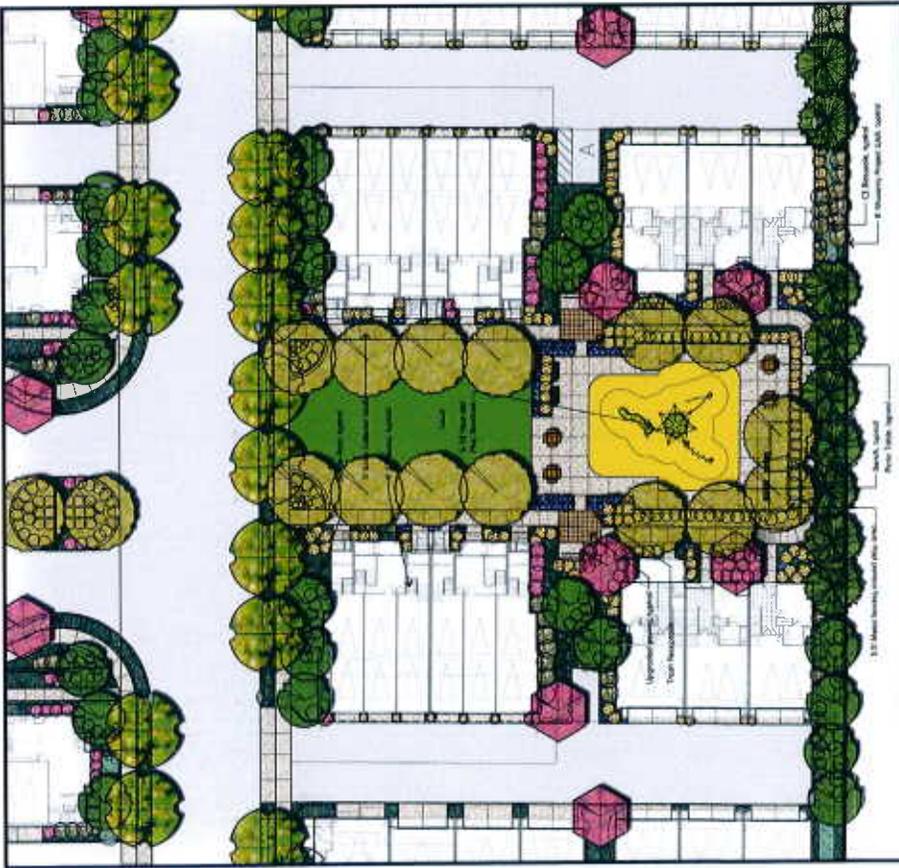
Newark, California

September 2014

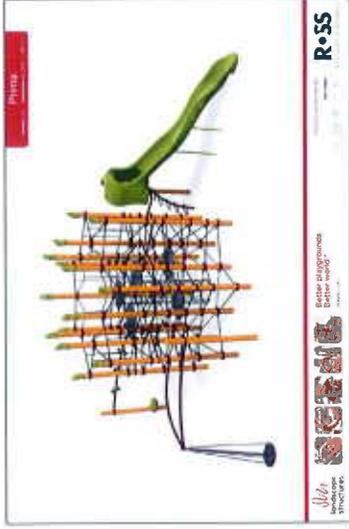


L.2

EXHIBIT
Ap27



Area 3 - Open Space Enlargement



5-12 Year-old Play Structure

Mfg: Landscape Structures, Inc.
Custom play structure components not selected at this time.



Park Bench

Mfg: Duman, Inc.
Style shown: 118
Color: to be determined



Bicycle Rack

Mfg: Duman, Inc.
Style shown: 125
Color: to be determined



Pedestal Table

Mfg: Duman, Inc.
Style shown: 448
Color: to be determined



Trash Receptacle

Mfg: Duman, Inc.
Style shown: 157
Color: to be determined

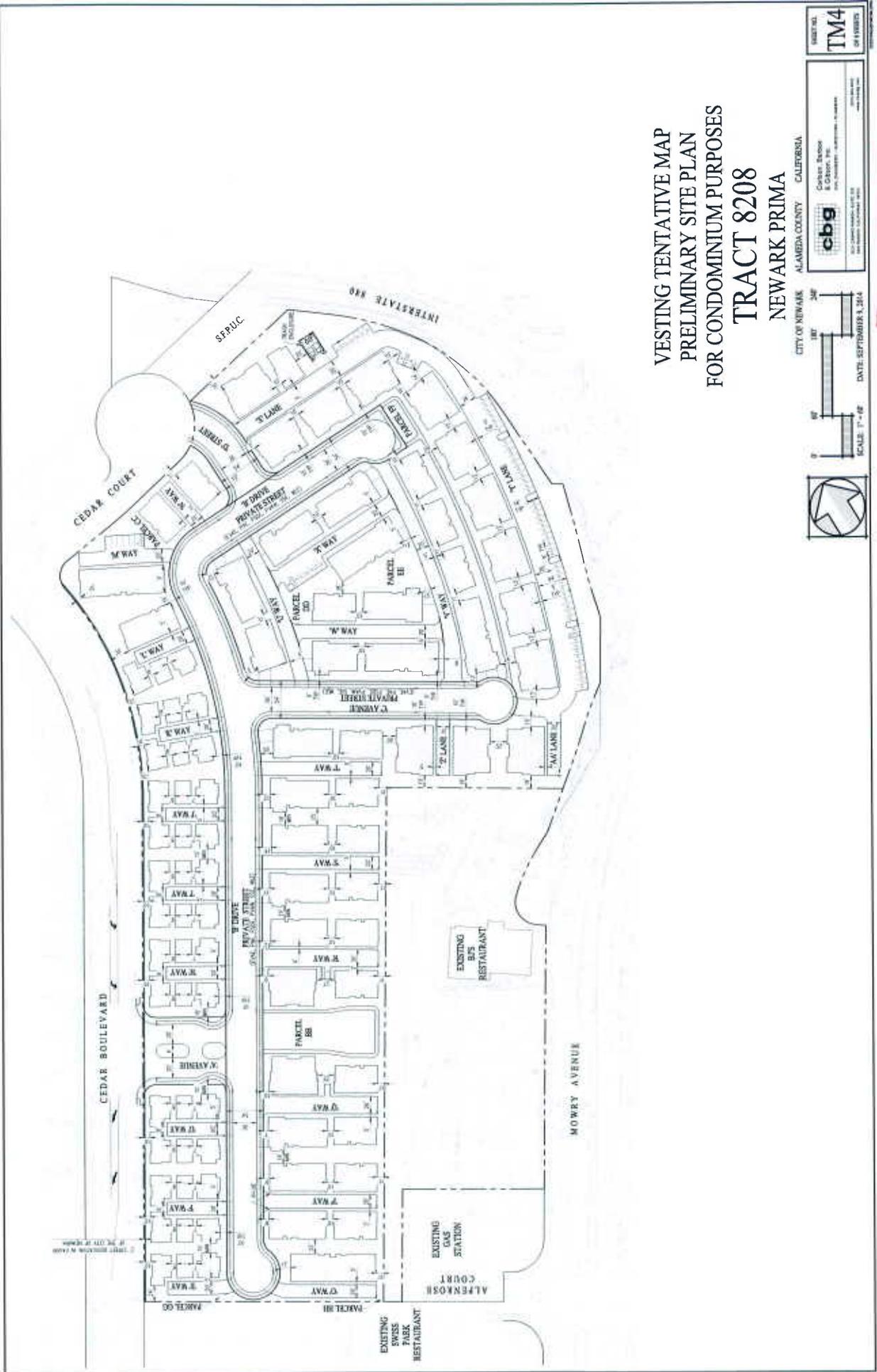


Newark, California

September 2014

Newark Prima
Preliminary Landscape Plan

EXHIBIT A-30



VESTING TENTATIVE MAP
 PRELIMINARY SITE PLAN
 FOR CONDOMINIUM PURPOSES
TRACT 8208
NEWARK PRIMA

CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA

cbg
 Civil Engineer
 1000 Lakeside Blvd., Suite 100
 Newark, CA 94590
 Phone: (415) 947-1100
 Fax: (415) 947-1101
 License No. 45487

PROJECT NO. **TM4**
 SHEET NO. **01** OF **10**

SCALE: 1" = 40'

DATE: SEPTEMBER 3, 2014

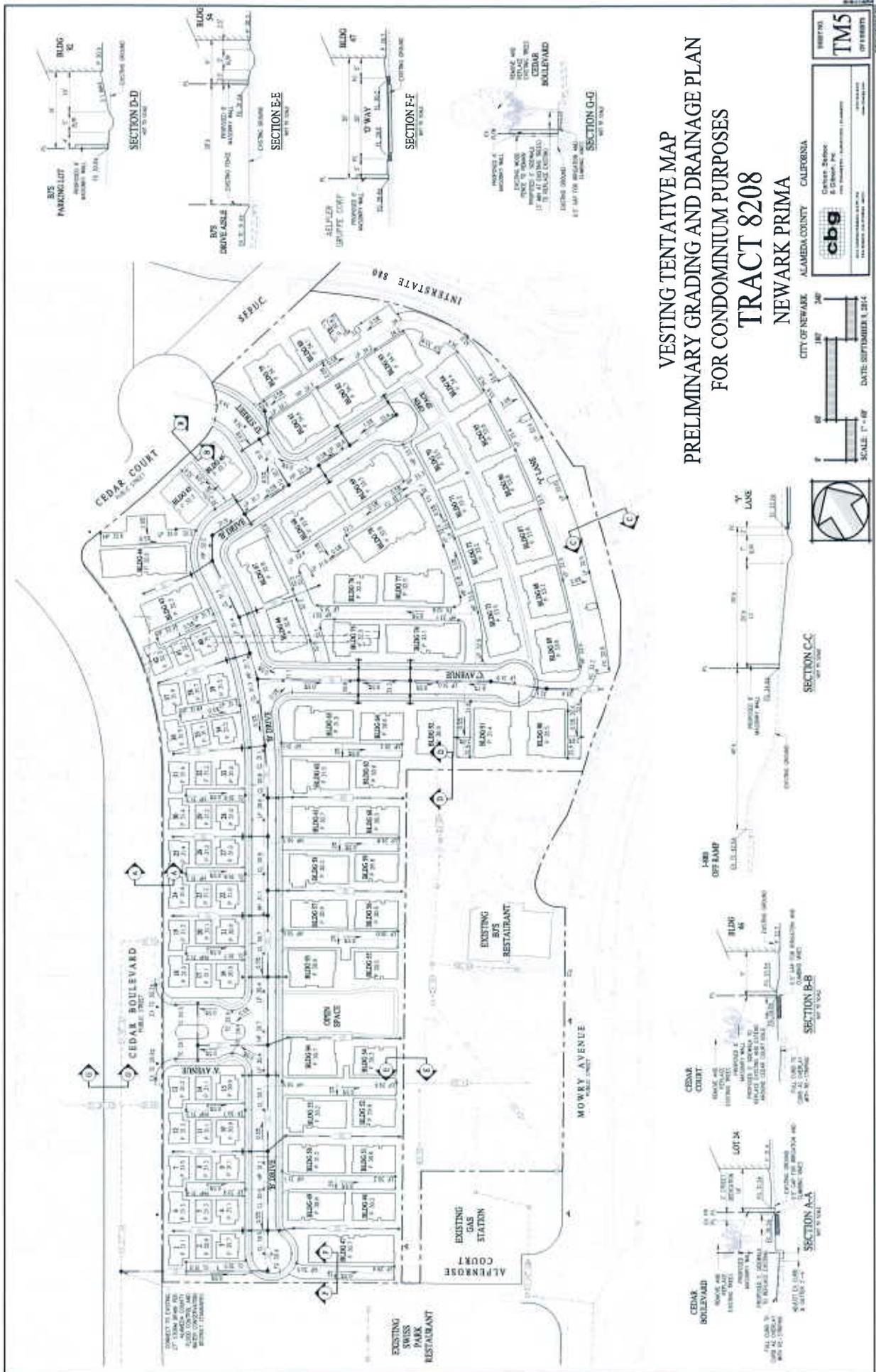
0 10 20 30 40 50 60 70 80 90 100

10' 20' 30' 40' 50' 60' 70' 80' 90' 100'

1" = 40'

DATE: SEPTEMBER 3, 2014

EXHIBIT Ap35



VESTING TENTATIVE MAP
PRELIMINARY GRADING AND DRAINAGE PLAN
FOR CONDOMINIUM PURPOSES
TRACT 8208
NEWARK PRIMA

CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA
cbg
 Civil & Building
 Engineering & Architecture
 1000 S. BRIDGEMAN AVENUE, SUITE 200
 NEWARK, CALIFORNIA 94561
 TEL: (925) 252-1100 FAX: (925) 252-1101
 WWW.CBG-CA.COM

SHEET 705
TMS
 OF SHEETS



SCALE: 1" = 40'
 DATE: SEPTEMBER 8, 2014

SECTION C-C
 SET TO SCALE

SECTION B-B
 SET TO SCALE

SECTION A-A
 SET TO SCALE

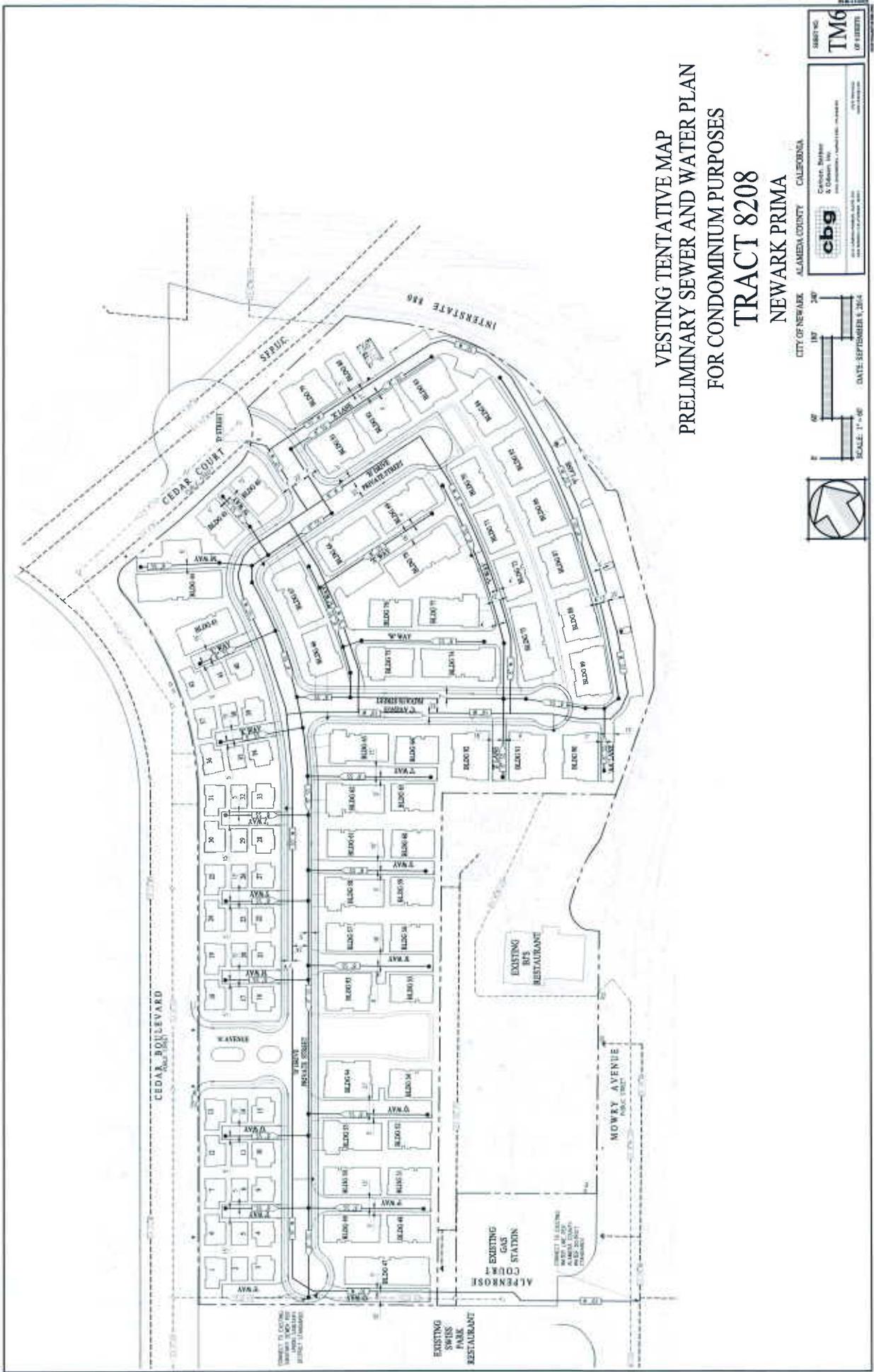
SECTION G-G
 SET TO SCALE

SECTION F-F
 SET TO SCALE

SECTION E-E
 SET TO SCALE

SECTION D-D
 SET TO SCALE

APPROVED
 AP 30

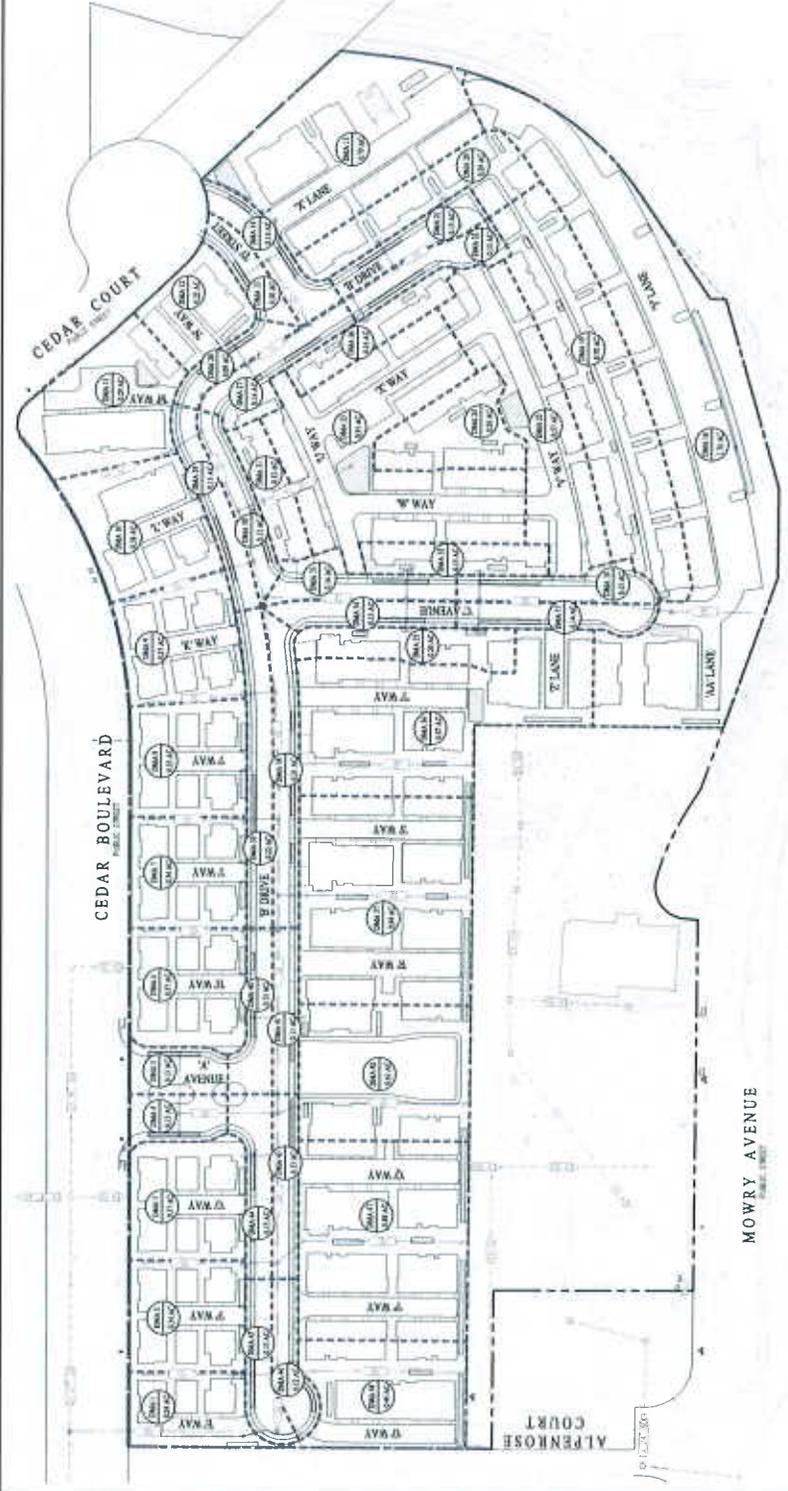


VESTING TENTATIVE MAP
 PRELIMINARY SEWER AND WATER PLAN
 FOR CONDOMINIUM PURPOSES
TRACT 8208
NEWARK PRIMA

CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA
cbg
 Civilian, Miller & Olson, Inc.
 10000 S. BRIDGEMAN AVENUE, SUITE 200
 SAN JOSE, CALIFORNIA 95128
 (408) 261-1111
 www.cbgsanjo.com

SCALE: 1" = 60'
 DATE: SEPTEMBER 1, 2014
 TM6
 OF 11 SHEETS

EXHIBIT A p 31



DRAINAGE MANAGEMENT SUMMARY TABLE

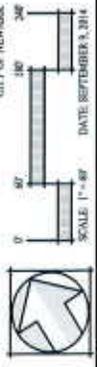
STRAINAGE MANAGEMENT AREA	TOTAL AREA (SF)	TOTAL IMPERVIOUS AREA (SF)	TOTAL PERVIOUS AREAS (SF)	SEWER TREATMENT AREA	DISPOSITION
20A-1	10,000	8,000	2,000	100	100
20A-2	10,000	8,000	2,000	100	100
20A-3	10,000	8,000	2,000	100	100
20A-4	10,000	8,000	2,000	100	100
20A-5	10,000	8,000	2,000	100	100
20A-6	10,000	8,000	2,000	100	100
20A-7	10,000	8,000	2,000	100	100
20A-8	10,000	8,000	2,000	100	100
20A-9	10,000	8,000	2,000	100	100
20A-10	10,000	8,000	2,000	100	100
20A-11	10,000	8,000	2,000	100	100
20A-12	10,000	8,000	2,000	100	100
20A-13	10,000	8,000	2,000	100	100
20A-14	10,000	8,000	2,000	100	100
20A-15	10,000	8,000	2,000	100	100
20A-16	10,000	8,000	2,000	100	100
20A-17	10,000	8,000	2,000	100	100
20A-18	10,000	8,000	2,000	100	100
20A-19	10,000	8,000	2,000	100	100
20A-20	10,000	8,000	2,000	100	100
20A-21	10,000	8,000	2,000	100	100
20A-22	10,000	8,000	2,000	100	100
20A-23	10,000	8,000	2,000	100	100
20A-24	10,000	8,000	2,000	100	100
20A-25	10,000	8,000	2,000	100	100
20A-26	10,000	8,000	2,000	100	100
20A-27	10,000	8,000	2,000	100	100
20A-28	10,000	8,000	2,000	100	100
20A-29	10,000	8,000	2,000	100	100
20A-30	10,000	8,000	2,000	100	100
20A-31	10,000	8,000	2,000	100	100
20A-32	10,000	8,000	2,000	100	100
20A-33	10,000	8,000	2,000	100	100
20A-34	10,000	8,000	2,000	100	100
20A-35	10,000	8,000	2,000	100	100
20A-36	10,000	8,000	2,000	100	100
20A-37	10,000	8,000	2,000	100	100
20A-38	10,000	8,000	2,000	100	100
20A-39	10,000	8,000	2,000	100	100
20A-40	10,000	8,000	2,000	100	100
20A-41	10,000	8,000	2,000	100	100
20A-42	10,000	8,000	2,000	100	100
20A-43	10,000	8,000	2,000	100	100
20A-44	10,000	8,000	2,000	100	100
20A-45	10,000	8,000	2,000	100	100
20A-46	10,000	8,000	2,000	100	100
20A-47	10,000	8,000	2,000	100	100
20A-48	10,000	8,000	2,000	100	100
20A-49	10,000	8,000	2,000	100	100
20A-50	10,000	8,000	2,000	100	100
TOTAL	500,000	400,000	100,000	10,000	10,000

PROFESSIONAL SEAL AND SIGNATURE OF THE ALABAMA REGISTERED PROFESSIONAL ENGINEER, CIVIL ENGINEER, AND SURVEYOR. THE ENGINEER'S SEAL AND SIGNATURE SHALL BE PLACED ON THIS PLAN IN THE MIDDLE OF THE DRAWING.

VESTING TENTATIVE MAP
 PRELIMINARY STORMWATER CONTROL PLAN
 FOR CONDOMINIUM PURPOSES
TRACT 8208
 NEWARK PRIMA
 ALABAMA COUNTY CALIFORNIA

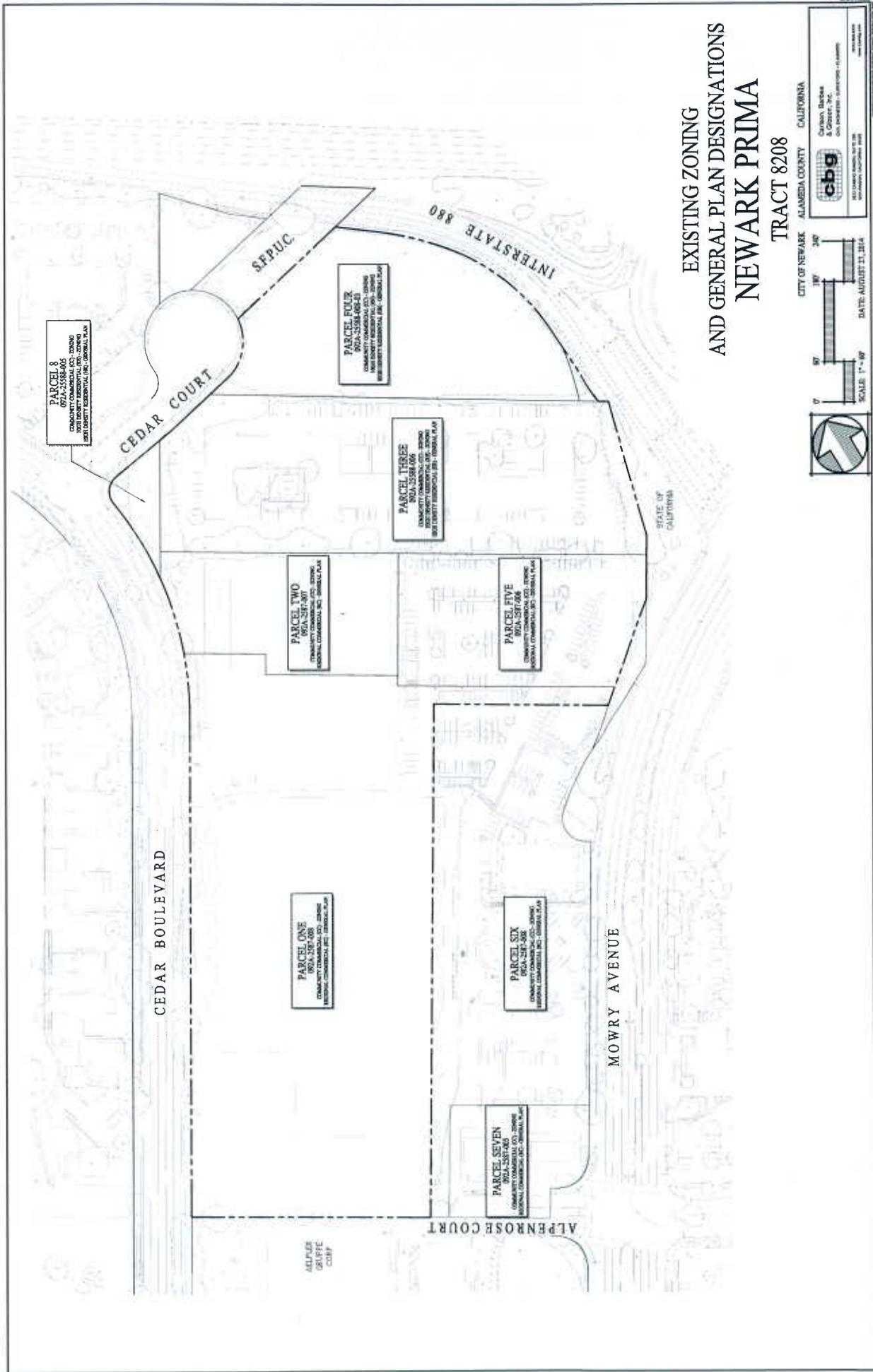
cbg
 Civil Engineers & Surveyors
 10000 W. 10th Street, Suite 100
 Westminster, CA 93783
 (916) 835-1111
 www.cbg-engineers.com

SHEET NO. **TM7**
 OF 8 SHEETS



- LEGEND**
- 1. THE CITY OF NEWARK SHALL BE ADVISED WHO HAS BEEN APPROVED BY THE CITY ENGINEER AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF NEWARK.
 - 2. THE ENGINEER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF NEWARK.
 - 3. THE CITY OF NEWARK SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF NEWARK.
 - 4. THE ENGINEER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF NEWARK.
- BIORETENTION AREA**
1. THE BIORETENTION AREA SHALL BE MAINTAINED AS SUCH AND SHALL NOT BE USED FOR ANY OTHER PURPOSE.

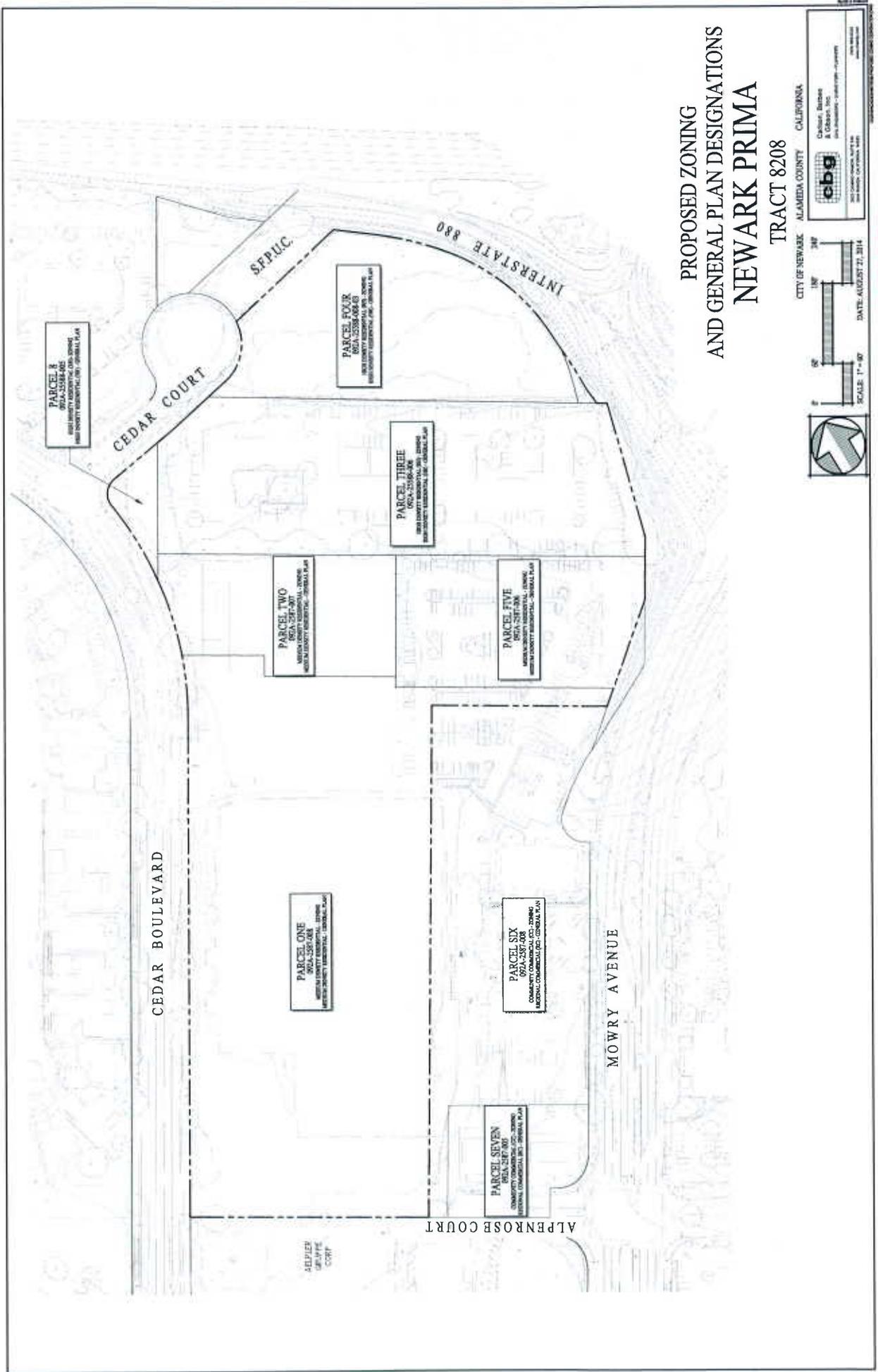
DATE
 Ap 38



**EXISTING ZONING
 AND GENERAL PLAN DESIGNATIONS
 NEWARK PRIMA
 TRACT 8208**

EXHIBIT

Ap46



PROPOSED ZONING
AND GENERAL PLAN DESIGNATIONS
NEWARK PRIMA

TRACT 8208

CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA

cbg
Charles B. Gable
& Company, Inc.
1000 BAY STREET, SUITE 100
NEWARK, CALIFORNIA 94560

DATE: AUGUST 27, 2014

SCALE: 1" = 40'

APR 11 2014

APM

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK MAKING FINDING THAT THE PROJECT
PROVIDES A BENEFIT TO THE COMMUNITY IN EXCESS OF
THOSE REQUIRED BY THE IMPACTS OF THE PROJECT
AND GRANTING A WAIVER OF THE HOUSING IMPACT
FEE

WHEREAS, the Prima Project (“Project”), consists of the construction of 281 dwelling units on approximately 16.3 acres; and

WHEREAS, the project involves the acquisition of 5600 Cedar Court (APN: 92A-2588-6), which is currently occupied by Motel 6; and

WHEREAS, the City has received numerous complaints alleging crimes and other illegal activity that has risen to the level of nuisance; and

WHEREAS, within a five year period more than 375 arrests have occurred at the premises; and

WHEREAS, within a four year period more than 565 Police reports have been taken in regard to the property; and

WHEREAS, within a four year period more than 1560 calls for police and/or emergency service were received in reference to the property; and

WHEREAS, it has been established that a number of the motel guests who stay at the subject property have committed crimes in both the nearby residential neighborhood and commercial districts; and

WHEREAS, the list of crimes allegedly committed on the subject property include: rape, battery and assault with a deadly weapon, robbery, burglary, grand theft, domestic violence, drugs, prostitution, and kidnapping; and

WHEREAS, the elimination of the Motel 6 and all of the associated criminal activity at this location will reduce crime in the area for both neighbors and businesses, reduce the impact on the Police Department freeing their resources for other issues, and;

NOW, THEREFORE, the City Council of the City of Newark finds that the project provides a benefit to the community in excess of those required by the impacts of the project and hereby grants a waiver of the Housing Impact Fee.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Newark makes the finding that the project provides a benefit to the community in excess of those required by the impacts of the project and grants a waiver of the Housing Impact Fee.