# Initial Study/ Mitigated Negative Declaration

*Project:*
**Prima Residential Project**

*Lead Agency:*
**City of Newark**

**August 2014**

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## 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

Prima Residential
2633 Camino Ramon, Suite 350
San Ramon, CA 94583

Attn: Kelly Snider
(650) 387-3132

## Project Location and Context

The project site is located within the City of Newark on the northwest corner of Mowry Avenue and the Interstate 880 freeway. Cedar Boulevard forms the northern boundary of the site. The Alameda County Assessors Parcel Numbers (APNs) are 092A–2587–006; 092A–2587–007; 092A–2587-008; 092A-2588–006; 092A-2588-005, 092A-2588-006 and 092A–2588–008–03.

Topographically, the site is flat with a gradual slope to the west, toward San Francisco Bay. The site contains approximately 19.43 acres of land and is developed with a vacant retail building (formerly Mervyns), a motel complex (Motel 6), a commercial parking lot and a vacant parcel of land. A number of ornamental trees have been planted on the site. No scenic resources exist on the site, including but not limited to major rock outcroppings, water courses or historic resources.

Surrounding land uses include single-family dwellings on the north side of Cedar Boulevard and commercial uses to the west and south. An existing restaurant (BJ's Brewhouse) is located immediately south of the project site and will remain. The I-880 freeway and Cedar Court forms the eastern boundary of the site

**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

Overview. The proposed project would include demolition of the existing buildings, parking lots and associated improvements and construction of up to 282 residences on the site at a variety of densities and product types. Related actions would include minor grading of the site to accommodate dwellings, construction of a main access roadway, extension of utilities to serve individual dwellings, installation of water quality features, construction of an 8-ft. tall privacy wall and landscaping of portions of the site. Implementation of the project would require a General Plan amendment, and rezoning portions of the site, a subdivision map to create individual lots and the roadway and Architectural and Site Plan Review by the City of Newark. These features are described below.

Proposed Development Plan. The applicant proposes to construct up to 282 dwellings on the site, which would include 42 detached dwellings, 147 attached townhouses and 93 attached condominium units.

Detached dwellings would be located on individual lots ranging in size from 1,618 to 2,317 square feet. The detached dwellings would include a mix of two and three stories with attached garages with two-story homes generally located adjacent to Cedar Boulevard and the three-story homes located toward the main project roadway. The proposed townhomes are three stories tall and would range in size between 1,232 to 2,135 square feet and would have a standard two-car garage. The townhomes would occur throughout the interior of the site. The condominium buildings would be four stories tall and would have interior spaces between 1,296 to 1,630 square feet per unit and each unit would have a two-car tandem garage. Condominium dwellings would generally be located along the eastern and southeastern portions of the site.

The Townhomes and the Condominiums are designed in the "Italianate" style. Each of the front elevations would contain several step-backs and roof variations, in order to add visual interest and allow for key details such as dentils underneath the gables, stone veneer accents and ornate pediments at the 6-panel doorways. The stucco walls are proposed to be painted with soft earth-toned colors and the roof tiles would be variegated asphalt.

The detached homes are intended to reflect a traditional California style, including sloped roofs with hipped gables; divided lights in the windows, many of which are framed by shutters and arched doorways and windows at the lower levels. The stucco on the detached homes would be painted in complementary earthy colors, though in an overall lighter palette.

Many of the proposed dwellings would have a ground-level patio or balcony.

**Exhibits 4a and 4b** depict exterior building elevations.

Circulation, Parking and Access. Vehicle access to and from the project site would be via a driveway along Cedar Boulevard. A secondary vehicular access point would be provided along the south side of Cedar Court, a cul-de-sac street immediately northeast of the project site. Both access drives would be gated with electronic keypads, as well as a pedestrian gate proposed to open onto the north end of Alpenrose Court. Minor changes to the existing striping along Cedar Boulevard would be required to accommodate the proposed driveway and provide for a left-turn pocket.

Interior access would be provided by an east-west private street, with other, small drives serving the project. Sidewalks would be provided along these interior roads. Interior roads would be designed to City of Newark width requirements and would serve fire and solid waste truck access, as well as postal and package delivery. In addition to the sidewalks along the private streets, each of the pedestrian-only paseos will feature enhanced tree-lined walkways, along which front doors will be located.

Pedestrian access would continue to be provided by a new sidewalk along both sides of Cedar Boulevard, to include new street trees and an attractive new privacy wall on both sides of the street. Pedestrian access will also be provided at the keypad-controlled pedestrian gate proposed at the north end of Alpenrose Ct.

Parking would be provided by a two-car attached garage for each dwelling. In addition, on-street parking will be allowed on all of the private drives (where not prohibited by driveways and fire hydrants) and in a guest parking lot at the southern edge of the site nearest the Mowry freeway ramp. The project would include 94 guest parking spaces, in addition to the private 2-car garage at each residence.

Landscaping and Open Spaces. The project entry at Cedar Boulevard would be landscaped with trees, shrubs and groundcover. The existing canary island pine trees which are located along Cedar Boulevard would be removed at the developer's expense and replaced with a city-approved new tree, along with a new landscaped park strip and sidewalk. A row of tall trees would be planted along the Mowry Avenue freeway ramp to provide privacy for the residents and additional greenery for drivers entering Newark from the east.

The community would be anchored around a landscaped community square approximately 0.3 acre (16,000 s.f.) in size along the south side of the main east-west drive. It would include a seating area with picnic tables, a youth play structure and an open turf field. Other recreational features would include a toddlers' play area located on the east side of the project as well as several other "pocket parks" areas within the project and the elegant pedestrian paseos serving each of the homes.

The proposed landscape concept plan is shown on **Exhibit 5**.

Utilities, Grading and Water Quality. The applicant has proposed installation of on-site water lines, sewer, storm drain and related infrastructure improvements. These improvements would include various surface water quality features including, but not limited to, grassy swales and bio filters. Grading of the project site is proposed to

improve site drainage and to allow construction of building pads, interior private streets and related improvements.

Maintenance. All proposed buildings, interior streets and related infrastructure would be maintained by a private Home Owner Association (HOA).

Perimeter Sound Wall. The applicant proposed to construct an 8-foot tall noise barrier wall around the perimeter of the project site to minimize off-site noise onto the site.

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

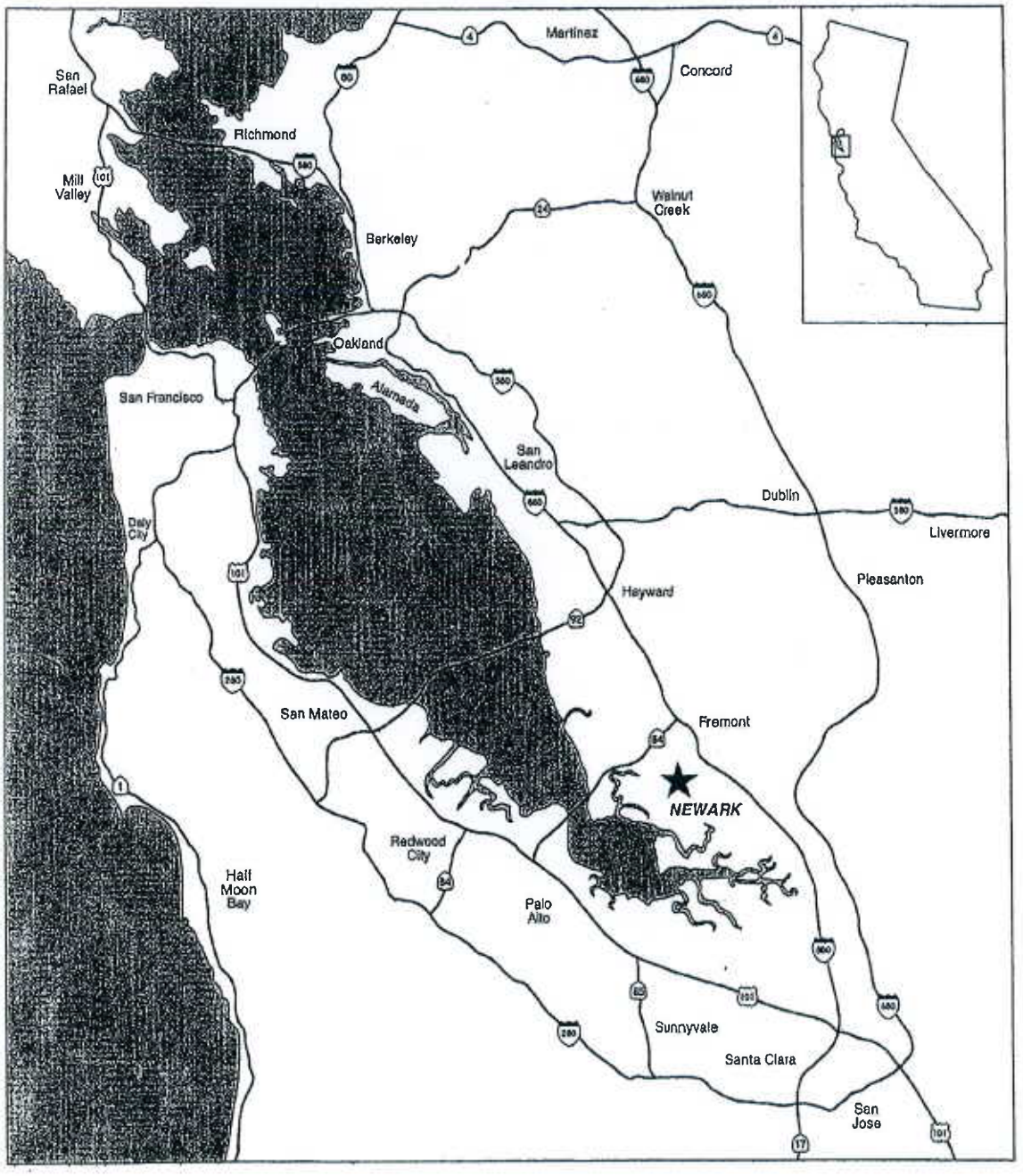
- A *General Plan Amendment*, to change the existing land use designation for the western portion of the site from "Regional Commercial" to "Medium Density Residential"

- *Planned Unit Development (PUD) & Rezoning*. Portions of the site are proposed to be rezoned from Community Commercial to Medium Density Residential to ensure that site zoning is consistent with the amended General Plan. The PUD overlay district will allow flexibility in site development standards.

- *Conditional Use Permit (CUP)*. Approval of the CUP would permit flexibility in lot sizes and dimensions.

- *Tentative and Final Subdivision Maps*. Tentative and Final subdivision maps will be required to create individual building lots.

- *Design Review*. Design review will be required as a part of the Conditional Use Permit/Planned Unit Development to approve the overall layout of the proposed project, exterior building elevations, landscaping, lighting and project signs.



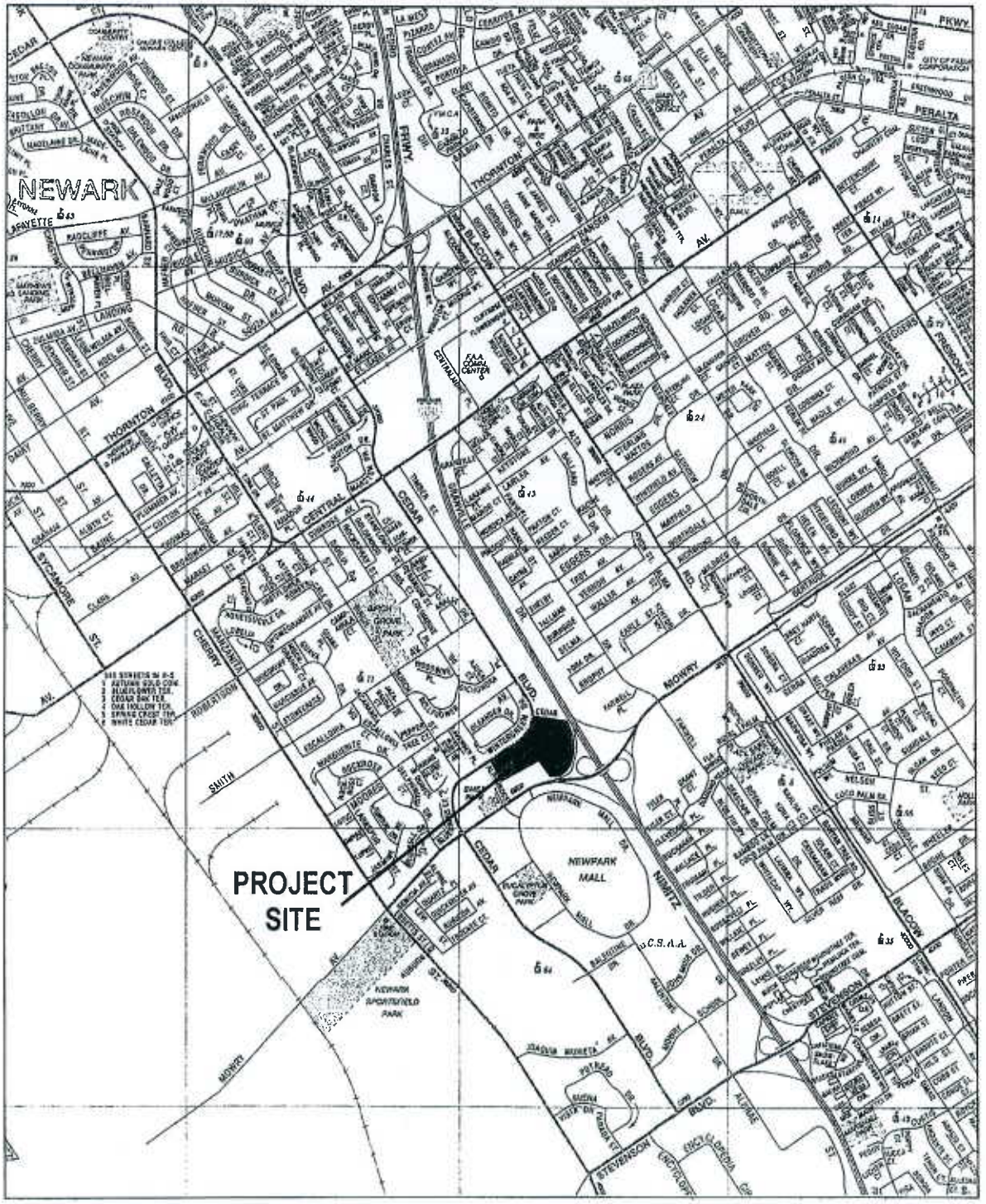

Blue Ox Associates, Berkeley, California 3-5-2014

**Exhibit 1**

**REGIONAL LOCATION**

0 2 4 6 8 10 miles

**CITY OF NEWARK**
**PRIMA RESIDENTIAL PROJECT**
**INITIAL STUDY**




CITY OF NEWARK
PRIMA RESIDENTIAL PROJECT
INITIAL STUDY

**Exhibit 2**
**SITE CONTEXT**


*SOURCE: HWA Landscape Architecture Site Planning*

**CITY OF NEWARK**
**PRIMA RESIDENTIAL PROJECT**
**INITIAL STUDY**

**Exhibit 3**
**PROPOSED SITE PLAN**

SOURCE: KTGY Group, Inc.

CITY OF NEWARK
PRIMA RESIDENTIAL PROJECT
INITIAL STUDY

**Exhibit 4a**
**PLAN 1: 'A' EXTERIOR ELEVATIONS**


SOURCE: KTGY Group, Inc.

CITY OF NEWARK
PRIMA RESIDENTIAL PROJECT
INITIAL STUDY

**Exhibit 4b**
**PLAN 2: 'B' EXTERIOR ELEVATIONS**


*SOURCE: HWA Landscape Architecture Site Planning*

**CITY OF NEWARK**
**PRIMA RESIDENTIAL PROJECT**
**INITIAL STUDY**

**Exhibit 5**
**PRELIMINARY LANDSCAPE PLAN**

| | | |
|---|---|---|
| 1. | **Project description:** | Proposed demolition of existing commercial buildings and development of up to 282 dwellings at various densities and product types. A private road would provide access to each lot. Requested City approvals include a General Plan Amendment, rezoning of a portion of the site, a Planned Unit Development (PUD) overlay zoning district and a Conditional Use Permit (CUP) and a tentative and final subdivision map. |
| 2. | **Lead agency:** | City of Newark |
| 3. | **Contact person:** | Yesenia Jimenez, Community Development Department |
| 4. | **Project location:** | North of Mowry Avenue, south of Cedar Boulevard, east of Alpenrose Court and west of Cedar Court and the I-880 Freeway, APNs 092A–2587–006; 092A–2587–007; 092A–2587-008; 092A-2588–006; 092A-2588-005, 092A-2588-006 and 092A–2588–008–03. |
| 5. | **Project sponsor:** | Prima Residential |
| 6. | **General Plan designation:** | *Existing*: High Density Residential & Regional Commercial<br>*Proposed*: Medium Density Residential |
| 7. | **Zoning:** | *Existing*: Community Commercial<br>*Proposed*: Medium Density Residential & Planned Unit Development |

8. **Other public agency required approvals:**

Demolition & 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.

| | | | | | |
|---|---|---|---|---|---|
| X | Aesthetics | _ | Agricultural Resources | X | Air Quality/GHG Emissions |
| X | Biological Resources | _ | Cultural Resources | - | Geology/Soils |
| X | Hazards and Hazardous Materials | - | Hydrology/Water Quality | _ | Land Use/ Planning |
| - | Mineral Resources | X | Noise | -- | Population/ Housing |
| -- | Public Services | _ | Recreation | X | 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: Terrence Grindell by DH Date: 8/28/14

Printed Name: Terrence Grindell by DH 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 at end of checklist used to determine each potential impact).

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

| | Potentially Significant Impact | Less Than Significant With Mitigation | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| **1. Aesthetics.** *Would the project:* | | | | |
| a) Have a substantial adverse impact on a scenic vista? | | | | X |
| b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings and historic buildings within a state scenic highway? (Source: 1, 7) | | | | X |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 7) | | | | X |
| d) Create a new source of substantial light or glare, which would adversely affect day o nighttime views in the area? (Source: 8) | | | X | |
| **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, 7, 8) | | | | X |
| b) Conflict with existing zoning for agriculture use or a Williamson Act contract? (1) | | | | X |
| 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, 7) | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? (1, 7) | | | | X |
| 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: 7) | | | | X |

| | Potentially Significant Impact | Less Than Significant With Mitigation | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| **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, 2) | | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1, 2) | | | | X |
| 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? (1,2) | | X | | |
| d) Expose sensitive receptors to substantial pollutant concentrations? (7) | | | X | |
| e) Create objectionable odors affecting a substantial number of people? (7) | | | | X |
| **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? (1, 7) | | | X | |
| 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? (1, 7) | | | | X |
| 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? (1, 7) | | | | 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? (7) | | | | 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, 8) | | | | 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, 7) | | | | X |
| b) Cause a substantial adverse change in the significance of an archeological resource pursuant to Sec. 15064.5? (Source: 1, 7) | | | X | |
| c) Directly or indirectly destroy a unique paleontological resource or unique geologic feature? (Source: 1, 7) | | | X | |
| d) Disturb any human remains, including those interred outside of a formal cemetery? (1, 7) | | | 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: 3) | | | | X |
| ii) Strong seismic ground shaking? (3) | | | X | |
| iii) Seismic-related ground failure, including liquefaction? (Source: 3) | | | X | |
| iv) Landslides? (Source: 3) | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil? (Source: 3) | | | 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? (3) | | | 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: 3) | | | 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? (8) | | | | 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? (2) | | | 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, 7) | | | | 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? (7) | | X | | |
| c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1, 7) | | | | 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? (8) | | | | 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: 8) | | | | X |
| g) Impair implementation of or physically interfere with the adopted emergency response plan or emergency evacuation plan? (Source: 1, 7) | | | | 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? (8) | | | | X |
| **9. Hydrology and Water Quality**. *Would the project*: | | | | |
| a) Violate any water quality standards or waste discharge requirements? (Source: 1, 6, 8) | | | 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, 8) | | | | 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, 6) | | | 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, 8) | | | 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, 6) | | | X | |
| f) Otherwise substantially degrade water quality? (Source: 1, 6, 8) | | | 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, 6) | | | | X |
| h) Place within a 100-year flood hazard area structures which impede or redirect flood flows? (Source: 1, 6) | | | | 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, 7) | | | | 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, 8) | | | | X |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 8) | | | | X |
| **11. Mineral Resources**. *Would the project* | | | | |
| 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**. *Would the proposal result in:* | | | | |
| 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? (4) | | X | | |
| b) Exposure of persons or to generation of excessive groundborne vibration or groundborne noise levels? (Source: 4, 8) | | | | X |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above existing levels without the project? (4) | | | X | |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (4) | | 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 n 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, 7) | | | X | |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1, 7) | | | | X |
| c) Displace substantial numbers of people, necessitating the replacement of housing elsewhere? (Source: 1, 2) | | | | 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, 6) | | | | |
| 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, 6) | | | 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, 6) | | | X | |

| | Potentially Significant Impact | Less Than Significant With Mitigation | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| **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, 5) | | | X | |
| 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, 5) | | | X | |
| 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, 5) | | | | X |
| 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) | | X | | |
| e) Result in inadequate emergency access? (4) | | | | X |
| 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? (5) | | | | X |
| **17. Utilities and Service Systems.** *Would the project* | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 6) | | | | 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? (6) | | | 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? (8) | | | X | |
| d) Have sufficient water supplies available to serve the project from existing water entitlements and resources, or are new or expanded entitlements needed? (6) | | | 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: 6) | | | 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? (6) | | | | 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. Project Air Quality and GHG Analysis (2014)
3. Project Geotechnical Analysis (2013)
4. Project Noise Analysis (2014)
5. Traffic Impact Analysis (2014)
6. Discussion with City staff or service provider
7. Site Visit
8. 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 eastern portion of the community. The project site has been developed with several large commercial buildings, parking lots and a vacant lot. The site contains no City parks, public playgrounds, public trails or other places of public gathering. A number of non-native ornamental trees have been planted within existing parking lots. No native trees, unusual rock outcroppings or historic structures exist on the site. Neither Mowry Avenue or Cedar Boulevard is 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 from adjoining commercial sites and lights from adjacent roads and the I-880 freeway.

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 including but not limited to parks, playgrounds or other public open spaces. No impact is anticipated with respect to this topic.

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 are 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*? **NI.** The proposed project would allow conversion of existing commercial buildings and parking lots to up to 282 dwellings. The proposed project is subject to design review by the Newark 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 from a commercial to a residential design, the

scenic and visual quality of the site would not be degraded and his impact would be less-than-significant.

d) *Create light or glare?* **LS.** Approval of the proposed project would replace existing sources of light and glare, and add some new light sources that do not currently exist, since two of the large buildings on the site are vacant. Examples of existing light and glare include the parking lot lights at Motel 6, building-mounted lights at Motel 6, parking lot lights at BJ's Brewhouse, and existing streetlights along Mowry Avenue, Cedar Boulevard, and along the freeway. Examples of new lighting sources are building-mounted downlights (sconces next to front doors and garage doors) and city-standard streetlights. Because the site does have existing light and glare sources, and because any new lighting sources would be consistent with the light and glare sources currently found in residential neighborhoods in the area and would not have the potential to generate significant glare or light 'spillover' on to neighboring properties, a less-than-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: project title report, per project applicant 8/4/14). Similarly, no 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 residential subdivision would therefore 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

This section is based on a report entitled "Mowry Residential Development Air Quality and Greenhouse Gas Technical Report, Newark CA" prepared by ENVIRON dated July 2014. 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.

*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 $\mu g/m^3$) | 0.075 ppm (147$\mu g/m^3$) |
| | 1-hour | 0.09 ppm (180 $\mu g/m^3$) | — |
| 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 $mg/m^3$) |

| Pollutant | Averaging Time | California Standards | National Standards |
|---|---|---|---|
| Nitrogen dioxide | 1-hour | 0.18 ppm (339 $\mu g/m^3$) | 0.100 ppm (188 $\mu g/m^3$) |
| | Annual | 0.030 ppm (57 $\mu g/m^3$) | 0.053 ppm (100 $\mu g/m^3$) |
| Sulfur Dioxide | 1-hour | 0.25 ppm (655 $\mu g/m^3$) | 0.075 ppm (196 $\mu g/m^3$) |
| | 24-hour | 0.04 ppm (105 $\mu g/m^3$) | 0.14 ppm (365 $\mu g/m^3$) |
| | Annual | — | 0.03 ppm (56 $\mu g/m^3$) |
| Particulate Matter ($PM_{10}$) | Annual | 20 $\mu g/m^3$ | — |
| | 24-hour | 50 $\mu g/m^3$ | 150 $\mu g/m^3$ |
| Particulate Matter ($PM_{2.5}$) | Annual | 12 $\mu g/m^3$ | 12 $\mu g/m^3$ |
| | 24-hour | — | 35 $\mu g/m^3$ |

Source: BAAQMD and EPA, 2013.
Notes: ppm = parts per million $mg/m^3$ = milligrams per cubic meter $\mu g/m^3$ = 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.** The San Francisco Bay Area is subject to the 2010 Bay Area Clean Air Plan (2010 CAP) and land use in the City of Newark is regulated by the General Plan EIR. The General Plan EIR states that the while the General Plan supports the primary goals of the Clean Air Plan, the build-out of the General Plan would not be consistent due to an increase in vehicle miles traveled. However, the BAAQMD's thresholds for air quality were developed to comply with the 2010 CAP. The project would not exceed these regional air quality thresholds, so the project would not conflict with the 2010 CAP. No impact would result with respect to this topic.

b) *Would the project violate any air quality standards*? **LS.** In terms of long-term, operational impacts, according to the BAAQMD, no single project is sufficient in

size to, by itself, result in nonattainment of ambient air quality standards. However, one project can contribute substantially to an exceedance of a projected air quality standard. To determine whether or not a proposed project would contribute substantially to an exceedance, BAAQMD developed thresholds of significance for criteria air pollutant emissions and CO concentrations. If a proposed project's impact would exceed these limits, a significant adverse air quality impact to the region's existing air quality conditions could result.

The thresholds for criteria air pollutant emissions are shown in the Environmental Setting section, above. As shown on Table 2, long-term project emissions would not exceed BAAQMD air quality standards and, based on the BAAQMD thresholds of significance, no impact would occur with respect to this topic.

**Table 2. Summary of Project Construction & Operational Emission Impacts**

| | Units | Project | Threshold | Exceed Threshold? |
|---|---|---|---|---|
| **Construction Emissions** | | | | |
| ROG | lb/day | 6.3 | 54 | No |
| $NO_x$ | | 17 | 54 | No |
| $PM_{10}$ | | 0.54 | 82 | No |
| $PM_{2.5}$ | | 0.47 | 54 | No |
| GHG | MT | 1,126 | -- | -- |
| **Operational Emissions** | | | | |
| ROG | tons/year | 2.7 | 10 | No |
| $NO_x$ | | 3.6 | 10 | No |
| $PM_{10}$ | | 0.11 | 15 | No |
| $PM_{2.5}$ | | 0.10 | 10 | No |
| ROG | lb/day | 15 | 54 | No |
| $NO_x$ | | 20 | 54 | No |
| $PM_{10}$ | | 0.59 | 82 | No |
| $PM_{2.5}$ | | 0.57 | 54 | No |
| GHG | MT $CO_2e$/SP/yr | 3.1 | 4.6 | No |
| **Construction Health Impacts on Off-site Receptors** | | | | |
| Excess Lifetime Cancer Risk | in a million | 7.8 | 10 | No |
| Chronic Hazard Index | Unitless | 0.008 | 1 | No |
| $PM_{2.5}$ Concentration | $\mu g/m^3$ | 0.035 | 0.3 | No |
| Acute Hazard Index | Unitless | 0.70 | 1 | No |
| **Maximum On-site Risks and Hazards** | | | | |
| Excess Lifetime Cancer Risk | in a million | 90 | 100 | No |
| Chronic Hazard Index | Unitless | 0.21 | 10 | No |

| | | | | |
|---|---|---|---|---|
| $PM_{2.5}$ Concentration | $\mu g/m^3$ | 0.67 | 0.8 | No |
| **Cumulative Risks and Hazards on Off-Site MEISR*** | | | | |
| Excess Lifetime Cancer Risk | in a million | 46 | 100 | No |
| Chronic Hazard Index | Unitless | 0.13 | 10 | No |
| $PM_{2.5}$ Concentration | $\mu g/m^3$ | 0.50 | 0.8 | No |

*Maximally Exposed Individual Sensitive Receptor
Source: ENVIRON, 2014

c) *Would the project result in cumulatively considerable air pollutants?* **LS/M.** Construction of the proposed project would have a potentially significant impact with regard to air short-term construction impacts. Construction dust associated with building demolition of existing structures, 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 $PM_{10}$ 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.

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, construction emissions from the proposed project would not be 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 (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.

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

Because the project would not exceed long-term operational emissions thresholds (see Table 2) for emissions and will be required to comply with BAAQMD's Basic Construction Mitigation Measures by Mitigation Measure AIR-1, the Project is not expected to result in a cumulatively considerable net increase in air emissions.

d) *Expose sensitive receptors to substantial pollutant concentrations?* **LS/M.** To determine if existing sensitive receptors would be exposed to substantial pollutant concentrations during construction, or if future sensitive receptors could be exposed to pollutants from nearby sources when the project is operational, BAAQMD recommends conducting a health risk assessment (HRA) and the City of Newark General Plan Update EIR states that that "HRAs shall be done in accordance with the latest State Office of Environmental Health Hazard Assessment and Bay Area Air Quality Management District (BAAQMD) guidelines, and shall mitigate impacts to levels deemed acceptable by these agencies." The thresholds of significance used to determine if the project would expose sensitive receptors to substantial pollutant concentrations are discussed in Section 1.3.1 of the ENVIRON report. The methodology used to conduct the health risk assessment is discussed in the ENVIRON report and the analysis indicated that the project would not exceed any threshold for construction-related health risk impacts. However the analysis also indicated that future residences closest to I-880 could be exposed to pollutants from vehicle traffic on I-880 that exceed the BAAQMD threshold for operational impacts. Adherence to the following measure will reduce this impact to a less-than-significant level by substantially reducing the levels of pollutants to which future residents would be exposed:

**Mitigation Measure AIR-2**: The project applicant shall install air filtration systems in residential or other buildings that would include sensitive receptors that have predicted PM2.5 concentrations above [0.8] micrograms per cubic meter ($\mu g/m3$ ) or excess lifetime cancer risk of [100] per million or greater. Air filtration devices shall be rated MERV13 equivalent or higher. To ensure adequate health protection to sensitive receptors, a ventilation system shall meet the following minimal design standards:

- A MERV13 equivalent or higher rating;
- At least one air exchange(s) per hour of fresh outside filtered air;
- At least four air exchange(s) per hour recirculation; and
- At least 0.25 air exchange(s) per hour in unfiltered infiltration.

As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be prepared and submitted to the City of Newark for review and approval. Recognizing that emissions from air pollution sources are decreasing, the maintenance period shall last as long as significant excess cancer risk or annual PM2.5 exposures are predicted. Subsequent studies could be conducted to identify the ongoing need for the ventilation systems as future information becomes available.

Mitigation Measure AIR-2 shall apply to dwellings as shown on **Exhibit 6**.

*e)* *Create objectionable odors affecting a substantial number of people*? **NI.** The project is a proposed residential development and hence is not expected to create objectionable odors to the surrounding community. BAAQMD developed screening distances to determine if existing sources of odors could impact the new receptors on the Project. As discussed in the ENVIRON report, none of the sources of odors are closer than the screening distances, so the project is not expected to create objectionable odors affecting a substantial number of people. No impacts would result.


*SOURCE: Environ*

**CITY OF NEWARK**
**PRIMA RESIDENTIAL PROJECT**
**INITIAL STUDY**

**Exhibit 6**
**PORTIONS OF SITE REQUIRING AIR FILTRATION**

## 4. Biological Resources

Environmental Setting

The project site is located in an urbanized, developed portion of Newark and contains existing commercial buildings and parking lots. Existing vegetation includes a number of ornamental trees, shrubs and other groundcover adjacent to buildings and within and adjacent to the parking lot. No wetlands or other waters have been observed on the site.

Figure 4.3-2 contained in the General Plan EIR indicates that no sensitive biological resources have been identified on or near the project site.

Project Impacts

a) *Have a substantial adverse impact on a candidate, sensitive, or special-status species?* **LS.** The project site area is developed with buildings and paved parking areas. Surrounding uses include residential to the north, the 880 freeway and commercial uses to the east and commercial uses to the south and west. A portion of the site is vacant and, while no sensitive species have been found on the site, this vacant portion could support a population of burrowing owl, which have been documented in the Newark Planning area, but not on the project site. A condition of project approval by the City of Newark will require the project developer's biologist to complete a preconstruction survey of vacant portions of the site for the presence of burrowing owl and, if found, develop and implement a plan to protect owls in accordance with applicable state and federal regulations. Protection measures may include using hand tools to excavate around burrows. Occupied burrows shall not be disturbed during the nesting season. Impacts to candidate, sensitive or special-status species are anticipated to be less-than-significant should the project be approved and implemented.

b, c) *Have a substantial adverse impact on riparian habitat or federally protected wetlands?* **NI.** The site is largely developed with urban uses and surrounded by similar uses. No wetlands, waters of the United States or waters of the state are present on the site. 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 residential and commercial uses 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?* **LS.** 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. In terms of trees, development of the proposed project would remove existing trees due to the location of the trees and required site grading. Trees proposed to be removed are non-native, ornamental species and would be

replaced by new trees as part of the proposed project. This impact would be less-than-significant.

## 5. Cultural Resources

Environmental Setting

The project site contains commercial buildings, one currently vacant, and a Motel 6 lodging complex. Due to the recent construction of the buildings (under 50 years) they are not considered a historic resource.

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 existing buildings on the site are not considered to be historic resources, the site 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

This section of the Initial Study is based on a report titled "Feasibility Level Geotechnical Report, Proposed 276-Unit Residential Development Northwest of Mowry

Avenue and Interstate 880, Newark CA" prepared by Berlogar Stevens & Associates dated April 15 2014. 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 project site is topographically flat and contains no unique rock outcroppings. The geotechnical report notes that the site and area soils consist of silty sand and clayey sand fill. The report notes the potential presence of liquefaction (a temporary transformation of the soil into a viscous liquid during a strong seismic action) as well as the presence of expansive soils. Expansive soil changes volume when wet and can damage building foundations and other structures.

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 soil hazards would be reduced to a less-than-significant level. The Berlogar Stevens geotechnical report contains 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. The Berlogar Stevens report recommendations will be included in the applicant's building plans and specifications. Impacts related to seismic hazards would be less-than-significant.

   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 Berlogar Stevens geotechnical report contains site-specific recommendation 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 GHGs 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.

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**. For operational Greenhouse Gas (GHG) emissions, the threshold of significance is 4.6 MT (Metric Tons) $CO_2e$/service population/year. BAAQMD does not have a threshold for construction-generated GHG emissions. A project that exceeded the operational GHG emissions threshold would be expected to substantially conflict with California legislation to reduce GHG emissions and hence would be considered to generate substantial GHG emissions. A description of the methodology used to estimate these emissions is provided in Section 2 of the ENVIRON report. As detailed in the ENVIRON report, the project would not exceed the threshold for GHG emissions and this impact would be less-than-significant.

Plans, policies, or documents applicable to this project include the State's AB32 and the City of Newark's Climate Action Plan. BAAQMD's thresholds of significance for GHGs were developed to establish a level for which projects would not be expected to substantially conflict with AB32. The project complies with the applicable BAAQMD threshold and current regulatory requirements, so the project would not conflict with AB32. The City of Newark's Climate Action Plan states several goals, including three GHG emissions reduction targets. The first two targets are for periods before the project would be in operation. The third target is consistency with AB32. As the project would not conflict with AB32 based on the BAAQMD threshold, the project would not conflict with this goal. The project would also not conflict with the other goals set in the Climate Action Plan. This impact would therefore 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 and be subject to normal and customary requirements for the transport, use and storage of building materials, paints, solvents and lawn care chemicals, many of which are considered hazardous or potentially hazardous in sufficient quantity. Small quantities of these materials would be used and stored on the project site for building and landscape maintenance and handled by homeowners or their contractors. Use of such materials is not anticipated to result in a significant hazard to the public and a less-than-significant impact would exist.

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?* **LS/M.** Existing buildings on the site are proposed to be demolished to accommodate proposed residential buildings, parking areas, open spaces and other project improvements. It is unknown when existing buildings were constructed, but there is a possibility that buildings could contain lead-based paint and/or asbestos containing building material. Demolition activities could release lead base paint and/or asbestos material into the environment. This could be a potentially significant impact and will be reduced to a less-than-significant level through adherence to the following measure.

> **Mitigation Measure HAZ-1.** Prior to issuance of a demolition permit for the site, a licensed contractor shall determine the presence or absence of

lead based paints or asbestos material on the site. If found in quantities at or above actionable levels as determined by the Alameda County Fire Department and Newark Building Department, these materials shall be safely removed consistent with OSHA and other applicable standards and disposed of in an appropriate location. Necessary permits and approvals shall be secured from appropriate regulatory agencies.

Proposed grading and trenching of the site would disturb existing ground and potentially local groundwater. The site is currently occupied by retail buildings, some of which are vacant. Previous uses on the site are unknown and could have included operations that contaminated the soil and/or groundwater. An auto service facility is located immediately west of the site and contaminants may have migrated onto the project site. Proposed grading operations could release contaminants into the environment, which would be a significant impact. Adherence to the following measure will ensure this impact is reduced to a less-than-significant level.

> **Mitigation Measure HAZ-2.** Prior to issuance of a grading permit for the site, a qualified environmental assessment firm shall prepare a Phase I Environmental Site Assessment for the site to determine the likelihood of the presence of soil or groundwater contamination. Based on the results of the Phase I Environmental Site Assessment, and if indicated according to criteria, as determined by the Alameda County Fire Department, the RWQCB, or other appropriate environmental regulatory agencies in coordination with the City of Newark, further investigation or testing may be warranted. Necessary permits and approvals shall be secured from appropriate regulatory agencies. Prior to commencement of remediation activities, if required, worker safety plans shall be prepared as well as plans to ensure that adjacent residential and commercial uses are protected from any impacts from possible contamination.

c) *Emit hazardous materials or handle hazardous or acutely hazardous materials, substances, waste within one-quarter mile of a school*? **NI.** The nearest school to the project area is James Bunker Elementary School, which is located more than one-quarter mile from the project site to the west. 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, and 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 Mowry Avenue,

Cedar Boulevard or Alpenrose Court, 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, with commercial or residential land uses on all sides. No impacts are 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. No channels are located on or adjacent to 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*. A portion of the site is located within a 500-year flood hazard area. The project site lies outside of a 100-year flood hazard area (source: S. Fajeau, Newark Public Works Department, 7/15/14).

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, 7/10/14).

b) *Substantially deplete groundwater recharge areas or lowering of water table*? **NI.** The existing motel on the site is currently receiving domestic water provided by the Alameda County Water District (ACWD). Additional water would likely be required for the proposed dwellings on the site that would replace the motel and former commercial buildings. 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 developed with retail buildings, a motel, a vacant area and extensive paved parking lots. Construction of the proposed project would incrementally decrease the amount of impervious surfaces on the site by adding landscaped setbacks, private yards areas and other open spaces where none currently exist. The amount, velocity and rate of increased stormwater runoff from the site is unknown; however, the amount of runoff would likely not be significant. The City of Newark will require compliance 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 site is not included within a 100-year flood hazard areas (see Existing Conditions section of this Initial Study). The site may be subject to inundation of flood water from upstream failure of Del Valle, Calaveras and Turner dams and reservoirs, but this is anticipated to be less-than-significant (source: http://www.abag.ca.gov/cgi-bin/pickdamx.pl)

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 developed with a commercial buildings, a vacant lot and parking lots. The site has been planned and zoned for a mix of residential and regional commercial uses by the City. The applicant has requested a General Plan Amendment and rezoning to ensure that the proposed project will be consistent with City land use regulations,

Project Impacts
a) *Physically divide an established community*? **NI.** The project site is presently developed with commercial buildings (vacant) and an operational motel use. These uses are proposed to be demolished and replaced by a single residential community. There would be no impact with respect to this topic.

b) *Conflict with any applicable land use plan, policy or regulation*? **NI.** 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.

## 10. 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

This portion of the Initial Study is based on a site-specific acoustic analysis of the proposed project entitled: "Mowry Residential Community, Newark CA, Environmental Noise Assessment" dated July 9, 2014 prepared by Illingworth & Rodkin. This report is hereby incorporated into the Initial Study by reference and is available for review at the Newark Community Development Department during normal business hours.

Existing noise conditions. A noise monitoring survey was performed at the site by Illingworth & Rodkin staff between April 8, 2014 and April 10, 2014 in order to document ambient noise conditions. The noise monitoring survey included three unattended long term noise measurements (LT) and six attended short-term noise measurements (ST). Noise measurement locations are shown on **Exhibit 7**. Based on the results of the noise survey, the major noise sources affecting the project site were determined to be vehicle traffic along Interstate 880 (I-880), Mowry Avenue, and Cedar Boulevard.

Long-term noise measurement LT-1 quantified existing noise levels resulting from I-880 traffic. The noise monitoring site was 180 feet from the center of I-880 and 60 feet from the center of the southbound I-880 off-ramp to Mowry Avenue, at the approximate setback of the nearest planned condominium units proposed by the project. Hourly average ($L_{eq}$) noise levels ranged from about 69 to 72 dBA $L_{eq}$ during daytime hours and from about 62 to 71 dBA $L_{eq}$ at night. The calculated day-night average noise level at LT-1 was 75 dBA $L_{dn}$. These data are summarized in Figures 2 and 3 of the full noise report.

Long-term noise measurement LT-2 was made approximately 75 feet from the centerline of Cedar Boulevard at the southwest corner of the project site. The noise environment at LT-2 results primarily from local traffic along Cedar Boulevard and distant traffic along Mowry Avenue and I-880. Hourly average noise levels ranged from about 59 to 65 dBA $L_{eq}$ during daytime hours and from about 49 to 61 dBA $L_{eq}$ at night. The calculated day-night average noise level at LT-2 was 64 to 65 dBA $L_{dn}$. These data are summarized in Figures 4 and 5 of the full noise report.

Noise measurements made at LT-3 quantified existing noise levels resulting from Mowry Avenue at a distance of approximately 100 feet from the roadway centerline. The noise environment at LT-3 results from local traffic along Mowry Avenue and I-880. Hourly average noise levels ranged from about 63 to 67 dBA $L_{eq}$ during daytime hours and from about 55 to 65 dBA $L_{eq}$ at night. The calculated day-night average noise level at LT-3 was 68 dBA $L_{dn}$. These data are summarized in Figures 6 and 7 of the full noise report.

A series of short-term noise measurements were made on April 10, 2014 at various locations throughout the project site representative of proposed noise-sensitive

residential land uses. Table 3 summarizes the data collected at the short-term measurement sites.

**Table 3. Summary of Short-Term Noise Measurements**

| Noise Measurement Location (Date, Time) | $L_{max}$ | $L_{(1)}$ | $L_{(10)}$ | $L_{(50)}$ | $L_{(90)}$ | $L_{eq}$ | $L_{dn}$ |
|---|---|---|---|---|---|---|---|
| ST-1: ~ 260 feet from the center of I-880. (4/10/2014, 2:50-3:00 p.m.) | 72 | 69 | 65 | 63 | 60 | 63 | 67 |
| ST-2: ~ 370 feet from the center of I-880 and 90 feet from the center of the southbound I-880 off-ramp to Mowry Avenue. (4/10/2014, 2:50-3:00 p.m.) | 74 | 71 | 67 | 64 | 61 | 65 | 68 |
| ST-3: ~ 160 feet from the center of Mowry Avenue. (4/10/2014, 3:10-3:20 p.m.) | 69 | 66 | 61 | 58 | 55 | 59 | 63 |
| ST-4: ~ 290 feet from the center of Mowry Avenue. (4/10/2014, 3:10-3:20 p.m.) | 77 | 71 | 66 | 60 | 55 | 62 | 63 |
| ST-5: ~ 70 feet from the center of Cedar Avenue; shielded by an existing noise barrier. (4/10/2014, 2:30-2:40 p.m.) | 66 | 65 | 62 | 57 | 52 | 59 | 63 |
| ST-6: ~ 75 feet from the center of Cedar Avenue; partially shielded by an existing noise barrier. (4/10/2014, 2:30-2:40 p.m.) | 74 | 70 | 66 | 61 | 52 | 63 | 66 |

Note: $L_{dn}$ approximated by correlating to corresponding period at long-term site.
Source: Illingworth & Rodkin 2014

One nearby source of noise is Swiss Park, located southwest of project site. Swiss Park is the site of outdoor concerts with amplified music approximately two to six times per month at the outdoor park and picnic area. The outdoor stage is located approximately 250 feet from the southwest corner of the project site. The acoustic analysis completed by Illingworth & Rodkin assumes that outdoor concerts would occur during daytime hours (7:00 a.m. and 10:00 p.m.) and these concerts would last up to four hours.

Data contained in Illingworth & Rodkin, Inc. files indicate that noise levels of approximately 68 dBA $L_{eq}$ could be expected at a distance of 325 feet from a typical concert event (classic rock concert with a crowd of 300 to 400 spectators) hosted at Swiss Park. At a distance of 250 feet, the noise level is estimated to be approximately 70 dBA $L_{eq}$. The predicted concert noise level at a distance of 550 feet, which represents the northwest corner of the project site near Cedar Boulevard, is estimated to be 64 dBA $L_{eq}$.

*Applicable Regulatory Criteria*. The City of Newark presents land use compatibility guidelines in the Environmental Hazards Element of the General Plan. These guidelines are used to assess the compatibility of a land use relative to the noise environment where the land use is proposed.

The City considers single-family residential land uses "normally acceptable" in noise environments of 60 dBA $L_{dn}$ or less. The City considers multi-family residential land uses "normally acceptable" in noise environments of 65 dBA $L_{dn}$ or less. The maximum

allowable interior noise level, attributable to exterior noise sources, is 45 dBA $L_{dn}$ for single-family and multi-family residential land uses. Where the exterior or interior noise levels would exceed the normally acceptable level, mitigation measures are required to achieve noise limits.

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/M.**

Future exterior noise impacts. The Environmental Hazards Element of the Newark General Plan contains a summary of existing and future (2035) noise levels within the City. At the project site, noise levels are projected to increase by about 1 dBA by 2035.

Traffic noise levels at the project site were predicted using the Federal Highway Administration's Traffic Noise Model (TNM). TNM calculates traffic noise levels based on the geometry of the site, which includes the positioning of travel lanes, receptors, barriers, terrain, ground type, buildings, etc. Geometrical features were digitized and input into the traffic noise model based on the project's geometric plans dated April 10, 2014. The noise source is the traffic flow, as defined by the user, in terms of hourly volumes of automobiles (autos), medium-duty trucks (medium), heavy-duty trucks (heavy), buses, and motorcycles. Travel speeds were input into the model based on observations made during the noise monitoring surveys.

The common use areas for the proposed multi-family condominium units and townhomes proposed at the site would be located at three locations on the interior of the site. Exterior noise levels at the 3,000 sq. ft. to 10,000 sq. ft. open space areas are calculated to be less than 60 dBA $L_{dn}$ when accounting for the distance from the noise sources and the acoustical attenuation provided by intervening buildings and 8-foot masonry noise barriers proposed at the perimeter of the project site. Exterior noise levels at these common use areas would be considered "normally acceptable" according to the Environmental Hazards Element of the Newark General Plan.

Single-family residences proposed along Cedar Boulevard would be exposed to future noise levels of approximately 67 dBA $L_{dn}$ and would be considered "conditionally acceptable" according to the Environmental Hazards Element of the Newark General Plan. As shown in the Perimeter Wall Plan as part of the proposed project, an 8-foot masonry noise barrier would shield private outdoor use areas, resulting in exterior noise levels of 60 dBA $L_{dn}$ or less when accounting for the acoustical attenuation provided by the proposed noise barrier. Exterior noise levels at private use areas of single-family residences along Cedar Boulevard would be considered "normally acceptable" according to the Environmental Hazards Element of the Newark General Plan. However, since the final designs of buildings and final topographic grades on the site are not established, adherence to

the following measure will ensure that no significant impact would occur with respect to exterior noise sources.

> **Mitigation Measure NOISE-1**. The final height and location of the perimeter wall shall be reviewed by a qualified acoustical professional to ensure that the ultimate height, location and design of the perimeter wall will ensure that City of Newark standards for exterior noise exposure are met.

Interior noise impacts. The City of Newark requires that interior noise levels within new residential units be maintained at or below 45 dBA $L_{dn}$. In buildings of typical construction, with the windows partially open, interior noise levels are generally 15 dBA lower than exterior noise levels. With the windows closed, standard residential construction typically provides about 20 to 25 decibels of noise reduction. For example, a unit exposed to exterior noise levels of 60 dBA $L_{dn}$ would be 45 dBA $L_{dn}$ inside with the windows partially open and would range from 35 to 40 dBA $L_{dn}$ with the windows shut. Attaining the necessary noise reduction from exterior to interior spaces is possible with proper wall construction techniques, the selection of proper windows and doors, and the incorporation of a forced-air mechanical ventilation system to allow the occupant the option of controlling noise by closing the windows.

To determine the expected interior noise levels resulting from traffic, calculations were made to estimate the transmission loss provided by the proposed building elements. Interior noise levels were calculated based on a review of the project's site plan dated July 1, 2014 and exterior building elevations and floor plans dated April 10, 2014. The relative areas of walls, windows, and doors were input into an acoustical model to calculate interior noise levels within individual units. The exterior walls of the proposed units were assumed to be 2x4 or 2x6 wood studs with fiberglass insulation, a single layer of gypsum board attached to the inside of the studs, and a 7/8" exterior cement plaster (Stucco) finish. This exterior wall construction has an approximate rating of STC 46. Windows and doors were then tested to determine the necessary sound transmission class ratings of these building elements in order to reduce interior noise levels due to traffic to acceptable levels.

With respect to noise generated by the adjacent Swiss Park use, data collected by Illingworth & Rodkin, Inc. indicate that noise levels of approximately 68 dBA $L_{eq}$ could be expected at a distance of 325 feet from a typical concert event (classic rock concert with a crowd of 300 to 400 spectators) hosted at Swiss Park. At a distance of 250 feet, the noise level is estimated to be approximately 70 dBA $L_{eq}$. The predicted concert noise level at a distance of 550 feet, which represents the northwest corner of the project site near Cedar Boulevard, is estimated to be 64 dBA $L_{eq}$.

Based on the above noise data, the day-night average noise level ($L_{dn}$) expected from a four-hour concert, held during daytime hours, would be 62 dBA $L_{dn}$ at the southwest corner of the project site, and 56 dBA $L_{dn}$ at the northwest corner of the project site. Intervening buildings and noise barriers would reduce concert-generated noise levels

by at least 10 dBA, to less than 60 dBA $L_{dn}$ at the nearest private residential outdoor use areas. Increasing the height of the planned 8-foot noise barrier that would separate the Prima Residential Community site from Swiss Park would not further reduce exterior noise levels in private residential outdoor use areas as these outdoor use areas would be shielded by the residential buildings themselves. The residential buildings would be much more effective noise barriers. On an hourly average basis, predicted exterior noise levels at the shielded outdoor use areas are estimated to range from 54 to 60 dBA $L_{eq}$. Such exterior noise levels would be at or below 60 dBA $L_{eq}$, the noise level where interference with outdoor speech communication could be expected.

Interior noise levels within the nearest residential land uses were also calculated. The calculations assumed that during concert events, residents concerned about the noise would close their windows and doors. Forced-air mechanical ventilation systems are proposed throughout the site to allow occupants the option of closing the windows to control noise. In addition, sound-rated windows (minimum STC 29) would be provided for residences throughout the site. With the windows closed, at least 25 decibels of noise reduction would be expected indoors. A unit exposed to exterior noise levels of 62 dBA $L_{dn}$ would experience noise levels of 37 dBA $L_{dn}$ inside with the windows shut. The resultant interior noise level would be below the City's maximum allowable interior noise level of 45 dBA $L_{dn}$ for single-family and multi-family residential land uses. On an hourly average basis, predicted noise levels within residential units along the westernmost boundary of the site are estimated to range from 39 to 45 dBA $L_{eq}$. Such interior noise levels would be at or below 45 dBA $L_{eq}$, the level where noise can begin to interfere with typical indoor activities such as reading or watching television.

As currently proposed, noise levels expected from outdoor concerts at Swiss Park would be in compliance with the City of Newark exterior and interior noise standards at the nearest residential land uses at the project site. Hourly average noise levels at residential outdoor activity areas and within the units themselves would be expected to be at or below the noise levels that begin to cause interference with outdoor speech communication or typical indoor activities. No additional measures would be necessary to comply with applicable City of Newark noise standards. However, to ensure that residents are fully aware of potential noise resulting from outdoor concerts at Swiss Park, notification should be provided to all future owners/tenants in order to disclose the effect of infrequent concert noise levels at the project site.

> **Mitigation Measure NOISE-2**. Residents of dwellings on the west side of the project site within 200 feet of the western property line, including owners and renters, shall receive written notice of that outdoor music concerts, some with amplified sound, and other outdoor activities at will occur at Swiss Park, immediately west of the project site. Wording of the disclosure shall be approved by the Newark Community Development Director prior to the issuance of the first residential permit. The developer/builder shall ensure that this required notification be included in the standard notification and disclosure process of the California Department of Real Estate.

Traffic noise levels at the exterior facades of condominium buildings proposed nearest to I-880 are calculated to range from 74 to 77 dBA $L_{dn}$ and would be considered "normally unacceptable" to "clearly unacceptable" according to the Environmental Hazards Element of the Newark General Plan. The facades of condominium buildings adjacent to I-880 would require sound rated building elements to control traffic noise intrusion. Adherence to the following measure will reduce this impact to a less-than-significant level:

> **Mitigation Measure NOISE-3**. Building facades for the proposed condominium dwellings near the I-880 freeway, shall achieve an outdoor to indoor composite noise reduction of 35 dBA to reduce traffic noise to below 45 dBA $L_{dn}$ with an adequate margin of safety. Based on preliminary calculations, windows and doors of stucco sided building facades will need to range from 35 to 38 STC to adequately reduce noise levels indoors. Final building plans for affected dwellings shall be reviewed by a qualified acoustic professional to ensure the City interior noise standard is achieved.

At the exterior facades of condominium buildings proposed nearest to Mowry Avenue, exterior noise levels are calculated to range from 68 to 71 dBA $L_{dn}$ and would be considered "conditionally acceptable" to "normally unacceptable." The north, east, and south facing facades of condominium buildings adjacent to Mowry Avenue would require sound rated building elements to control traffic noise intrusion. Adherence to the following measure will reduce this impact to a less-than-significant level.

> **Mitigation Measure NOISE-4**. Building facades of condominium dwellings nearest to Mowry Avenue shall achieve an outdoor to indoor composite noise reduction of 30 dBA to reduce traffic noise to below 45 dBA $L_{dn}$ with an adequate margin of safety. Windows and doors of stucco sided building facades would need to range from 30 to 33 STC to adequately reduce noise levels indoors. Final building plans for affected dwellings shall be reviewed by a qualified acoustic professional to ensure the City interior noise standard is achieved.

Single-family residences proposed along Cedar Boulevard would be exposed to future noise levels of approximately 67 dBA $L_{dn}$ and would be considered "conditionally acceptable" according to the Environmental Hazards Element of the Newark General Plan. Proposed residences would meet the interior standard (45 dBA $L_{dn}$) assuming standard California construction methods (STC 28).

Townhome units on the interior of the site would be exposed to exterior noise levels ranging from less than 60 to 70 dBA $L_{dn}$ and would be considered "normally acceptable" to "conditionally acceptable." Proposed residences would meet the interior standard (45 dBA $L_{dn}$) assuming standard California construction methods (STC 28).

Interior noise levels would exceed the maximum allowable interior sound level of 45 dBA $L_{dn}$. Forced-air mechanical ventilation, satisfactory to the local building official, would be required throughout the site to allow occupants to keep the windows closed to control noise.

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 (source: Kelly Snider, project applicant, 8/3/14). Once constructed, operation of the project would include typical residential uses that would not result in vibration. No impacts are, therefore, anticipated related to groundborne vibration.

c) *Substantial permanent increases in ambient noise levels*? **LS.** Project-generated traffic would not result in a substantial increase in ambient noise levels (3 dBA Ldn or more) at existing receptors near the site, specifically just north of the site along the north side of Cedar Blvd. The project is estimated to generate about 1 trip per unit during the peak traffic hours (282 project trips); therefore the increase in noise levels due to the project on surrounding residential areas would be less than 1 dBA Ldn. This impact would 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/M.** Construction of proposed residences would likely occur in multiple phases.

The noisiest phases would be site grading and foundation work. Site preparation efforts typically include use of heavy diesel powered machinery such as compactors, front loaders, backhoes, bulldozers, scrapers, graders, trucks and concrete equipment. Construction of the building, and may require a crane and other smaller equipment such as generators, compressors, power tools, and hand tools.

Construction noise could be audible at the adjacent residential dwellings and, if on-site construction takes place over multiple phases, occupants of earlier phases of construction could be subject to excessive noise from later phases of on-site construction. This would be a potentially significant impact and the following measure will assist in reducing construction noise to an acceptable level:

> **Mitigation Measure NOISE-4.** To reduce noise impacts due to demolition and construction, the project developer shall implement the following measures:
>
> a) Equipment and trucks used for project demolition and construction shall utilize the best available noise control techniques (*e.g.*, improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).

b) Impact tools (*e.g.*, jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.

c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers or other measures to the extent feasible.

d) Monitor the effectiveness of noise attenuation measures by taking noise measurements to the extent there are persistent and on-going complaints.

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.


*SOURCE: Illingworth & Rodkin, Inc.*

**CITY OF NEWARK**
**PRIMA RESIDENTIAL PROJECT**
**INITIAL STUDY**

**Exhibit 7**
**NOISE MEASUREMENT LOCATIONS**

## 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 developed with a mix of commercial uses and the General Plan designates the project site as a combination of Regional Commercial and High Density Residential.

Project Impacts

a) *Induce substantial population growth in an area, either directly or indirectly*? **LS.** The proposed project would result in the construction of up to 282 dwellings on the site with a mix of density types. Although a majority of the site is designated for regional commercial uses approval of the proposed project would directly induce population growth in this portion of Newark, no other immediate sites would be subject to future residential development. All surrounding properties are developed with commercial or low-density residential uses north, west and south of the site. A less-than-significant impact would result.

b,c) *Would the project displace substantial numbers of existing housing units or people*? **NI.** The project site contains a mix of currently vacant retail uses and a motel. All existing uses would be removed to accommodate the proposed project No dwellings or residents would be displaced to accommodate the proposed project. No impacts would, therefore, result.

## 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. The station is located west of the project site.

*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 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, 7/11/14). This would be less-than-significant.

b) *Police protection*? **LS.** The Newark Police Station is located northwest of the project site. Based on information provided by the Newark Police Department, construction of the proposed Prima project 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: Sgt. Arguello, Newark Police Department, 8/12/14).

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 Republic Services 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 community park to the project site is Birch Grove Park located north of the project site. A special-use park facility, Shirley Sisk Grove, is located south of the project site. The Shirley Sisk Grove is a passive open space area used for summer concerts.

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?* **LS.** The proposed project would add a permanent population to the City of Newark that could increase the need for local park and recreational facilities. Payment of park impact fees charged by the City would offset impacts to the City's park system by allowing the City to construct needed parks off of the project site. This impact is anticipated to be less-than-significant.

b) *Does the project include recreational facilities or require the construction of recreational facilities?* **LS.** The proposed project would include a 16,000 sq. ft. community square that would include a picnic area, youth play structure and an open turf field. However, the size of the proposed community square would not meet the minimum City park requirement of 3.0 acres of parkland per 1,000 residents. Future occupants of project dwellings could increase the use of local park and recreational facilities. Payment of required park impact fees to the City will offset this impact. This impact would be less-than-significant.

## 16. Transportation/Traffic

(Note: A traffic and transportation analysis for the proposed project was completed by the firm of Hexagon Transportation Consultants. Inc. A copy of the analysis is included as Attachment 1 to the Initial Study. The results of the traffic report are summarized below.)

Environmental Setting
The site is served by the following freeway and surface roads.

I-880 is a north-south freeway providing regional access from East Bay cities to San Jose, where it becomes SR 17 and extends into Santa Cruz. I-880 is primarily a six-lane freeway, though through Milpitas and north San Jose, the number of through lanes varies.

Cedar Boulevard is a north-south, four-lane, roadway that is located north and west of the project site. This roadway serves commercial/retail, industrial, and residential areas.

Mowry Avenue is an east-west roadway located south of the project site. Between I-880 and Cedar Boulevard, Mowry Avenue has six travel lanes with raised medians and turn lanes at major intersections. At Cedar Boulevard, the roadway narrows to four travel lanes to Cherry Street. West of Cherry Street, the roadway has two westbound travel lanes and one eastbound travel lane with a two-way left-turn lane. At the Union Pacific railroad tracks, the roadway has an at-grade crossing and narrows to two travel lanes. Mowry Avenue provides access to commercial-retail, residential, and light-industrial areas and also extends east over I-880 into Fremont.

Stevenson Boulevard is an east-west roadway located south of the project site. Between I-880 and Cedar Boulevard, Stevenson Boulevard has six travel lanes

with raised medians and turn lanes at major intersections. At Cedar Boulevard, the roadway narrows to four travel lanes and this configuration extends through Cherry Street/Boyce Road. Stevenson Boulevard provides access to commercial and light-industrial areas and also extends east over I-880 into Fremont.

Cedar Court is a cul-de-sac located off of Cedar Boulevard adjacent to the project site and providing direct access to the site.

Existing pedestrian facilities in the project area consist primarily of sidewalks along the streets near the project site. Sidewalks and crosswalks are found along virtually all previously-described local roadways in the study area and along the local collectors near the site. All study intersections have pedestrian crosswalks and curb ramps. All signalized intersections have pedestrian-actuated pedestrian-crossing phases.

According to the Alameda Countywide Bicycle Plan, there are numerous class II and III bicycle facilities within the vicinity of the project site. Bicycle facilities on Cedar Boulevard, Mowry Avenue, Stevenson Boulevard, Central Avenue, Thornton Avenue, Cherry Street, and Farwell Drive.

Bus transit in the project study area is provided by the Alameda-Contra Costa Transit District (AC Transit).

*Existing traffic operations*. Intersection LOS provides a measure of operational performance ranging from LOS A-F. These ratings correspond to a volume/capacity (v/c) ratio and vehicle delay in seconds. LOS A represents free-flow conditions with little delay at intersections. LOS E represents unstable or unbalanced flow conditions with volumes at or near design capacity. LOS F represents a significantly congested condition where traffic flows can exceed design capacities resulting in long vehicle queues and delays from the minor-street approach. At unsignalized intersections, stated intersection LOS usually refers to the stop-sign controlled approach and yields a vehicle delay in seconds (LOS criteria).

Existing AM and PM peak hour traffic volumes were obtained from traffic counts conducted between January and May 2014. The traffic count data are included in Appendix A. The operations of the study intersections were evaluated using TRAFFIX software to determine their levels of service (LOS). The lane configurations used for the calculations are shown on Figure 5 of the full traffic report. The intersection turning movement volumes are shown on Figure 6 of the full traffic report.

Table 4 of the full traffic analysis presents the results of the intersection level of service calculations. Three of the intersections currently operate at LOS D and therefore below the LOS C standard in the City of Newark. These intersections are: Cedar Boulevard and Thornton Avenue, Cherry Street and Mowry Avenue, and Cedar Boulevard and Mowry Avenue. All of the other study intersections operate at acceptable levels of service. The TRAFFIX level of service calculation sheets are included in the full traffic report.

Table 5 contained in the full traffic analysis presents the results of the freeway ramp operations analysis. The table shows that the eastbound Mowry Avenue on-ramps to southbound and northbound I-880 currently operate at a V/C lower than 1.0.

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.** The proposed project would generate an estimated 139 gross trips during the AM peak hour and 170 gross trips during the PM peak hour at full buildout of all residences. When trip credits for the existing uses are considered, under near-term project conditions, the project would cause an increase in traffic during the AM peak hour of 53 trips in the outbound direction from the site, but would result in a decrease in traffic inbound during the AM peak-hour and during both directions in the PM peak hour. The proposed project's trip distribution pattern was estimated based on the Alameda County Travel Demand Forecast Model.

The results of the intersection level of service analysis for the existing, background, and background plus project scenarios are summarized in Table ES-1 of the full traffic analysis. According to City of Newark guidelines, three of the study intersections would operate at an unacceptable LOS D or worse under background plus project conditions. The intersections of Cedar Boulevard and Thornton Avenue, and Cedar Boulevard and Mowry Avenue would operate at LOS D. The intersection of Cherry Street and Mowry Avenue would operate at LOS E in the AM peak hour. However, there would be no significant impacts at these intersections because the addition of project trips would neither cause the level of service to degrade to an unacceptable level nor cause the average delay at any of the intersections to increase by four or more seconds. All of the other study intersections would operate at acceptable levels of service.

An analysis of freeway ramp V/C ratios was conducted for the eastbound Mowry Avenue on-ramps to southbound and northbound I-880. The results, shown in Table ES-2 of the full traffic analysis, showed that the freeway ramps would operate at a V/C lower than 1.0 under all study scenarios. There would therefore be no significant impacts from buildout of the proposed project on adjacent freeway ramps.

In terms of cumulative transportation conditions, the project site includes an operational motel and has an existing approved entitlement for 200,000 square feet of retail space which could be occupied without any additional CEQA review in place of the proposed project. For the cumulative analysis, the project trip generation was estimated assuming credit for the full occupancy of its existing entitlement. When the existing site entitlement is considered, the project would result in considerably lower traffic volumes in both peak hours. During the

cumulative AM peak hour, the project would result in 151 fewer trips. During the PM peak hour, the project would result in 489 fewer trips. For this reason, it was determined that no further traffic analysis is needed for the cumulative scenario. Relative to its existing entitlement, the project would generally reduce the number of trips and delays at the intersections and freeway ramps in the project vicinity.

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 a residential development.

d) *Substantially increase hazards due to a design feature or incompatible use?* **LS/M.** The Hexagon traffic analysis does not identify impacts with respect to design features or hazards. However, the Hexagon analysis notes that a final site development plan was not reviewed and recommends that the final site integrate pedestrian and bicycle access with the existing on street sidewalks, crosswalks, and bike lanes to provide convenient pedestrian and bicycle circulation. In addition, the final site design should ensure that there is adequate space onsite for trucks, garbage collection, and emergency vehicles. If these steps are not taken, this would result in a potentially significant impact. Therefore, the project applicant shall adhere to the following measure to ensure that any such impact is less-than-significant:

> **Mitigation Measure TRA-1**. The final site plan shall incorporate on-site pedestrian and bicycle facilities, including but not limited to pedestrian paths and/or sidewalks, bicycle lanes, bicycle racks and/or guarded bicycle parking and marked crosswalks to facilitate pedestrian and bicycle circulation. In addition, the on-site circulation system shall ensure that adequate travel lanes and turning radii will allow access by trucks, solid waste collection vehicles and fire equipment.

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, the project's new streets are designed to provide adequate access for vehicles that serve the site, and the on-site circulation system shall be approved by the City of Newark to ensure that adequate travel lanes and turning radii are provided for trucks, solid waste collection vehicles, and fire equipment with the implementation of Mitigation Measure TRA-1 above.

f) *Conflict with adopted policies, plans or programs regarding public transit, pedestrian facilities or otherwise decrease the performance or safety of such facilities?* **LS.** The Hexagon traffic analysis did not document any project-related impacts to pedestrian, bicycle or transit service providers. The project as proposed complies with City design requirements requiring safe and practical access to public transit facilities on both Mowry Avenue and Cedar Boulevard, and will not result in impacts to any plans or programs. Measure TRA-1, above, will ensure that adequate bicycle parking will be provided on the project site.

## 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. Existing buildings on the project site are connected to USD wastewater facilities, although only the motel complex is currently generating wastewater. 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, 7/10/14). 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. Existing buildings on the project site are connected to the ACWD system, although only the motel use is using water. 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.

The District uses the following water use rates to estimate water use by land use type:

- Multi-family dwellings: 150 gallons per day
- Single-family dwellings: 215 gallons per day (average of dwellings with lot sizes under 2,000 sq. ft. and over 2,000 sq. ft.)

Based on the above factors, build-out of the project would be expected to require the use of 45,030 gallons per day.

**Table 4. Estimated Water Demand at Project Build-Out**

| Land Use | No. of Dwellings | Water Use Factor | Gallons/Day |
|---|---|---|---|
| Multi-family dwellings | 240 | 150 gal./day | 36,000 |
| Single-Family Dwellings | 42 | 215 gal./day | 9,030 |
| Total | 282 | -- | 45,030 |

Source: Jerry Haag, 2014, based on ACWD water use factors

Although minor upgrades and improvements may need to be made in the local water distribution system, the District can provide a long-term water supply for the project and less-than-significant changes would result in terms of long-term water service (source: Ed Stevenson, ACWD, 7/31/14). District staff notes that the ACWD may impose water use restrictions in the future depending on drought conditions.

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 and residential development within the project area as per the zoning and General Plan. A less-than-significant impact would result with respect to this topic.

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 greenhouse gas emissions, these impacts have been found in the Initial Study to be less than 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, AICP, Community Development Director
Yesenia Jimenez, Planner
Soren Fajeau, Senior Civil Engineer
Sgt. Jonathan Arguello, Newark Police Department
Holly Guier, Alameda County Fire Department

*Union Sanitary District*
Al Bunyi

*Alameda County Water District*
Ed Stevenson
Thomas Niesar

*Applicant Representative*
Kelly Snider

## References

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

# Attachment 1-Traffic Analysis (Hexagon Transportation Consultants)

HEXAGON TRANSPORTATION CONSULTANTS, INC.

# Mowry Residential Development

Transportation Impact Analysis

Prepared for:

**City of Newark**

**July 2014**

Hexagon Office: 4377 1st Street, Suite A
Pleasanton, CA 94566
Hexagon Job Number: 14BW10
Phone: 925.225.1439

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# Executive Summary

The purpose of this report is to document the transportation impacts of the proposed residential development located on Mowry Avenue in Newark, California. The project consists of 228 condominium/townhome units and 51 single-family homes. The project uses would replace 80,000 square feet of unoccupied retail space and a 217-room motel. The site had another 120,000 square feet of commercial space, but the buildings have been demolished. The site therefore has entitlement for 200,000 square feet of retail in addition to the motel. Project access is proposed via one driveway on Cedar Boulevard at the northwest end of the site, and one driveway on Cedar Court at the northeast end of the site.

The impacts of the development were evaluated relative to the level of service policies and methodologies applicable in the City of Newark and the City of Fremont. The study included an analysis of traffic conditions at 13 intersections and two freeway ramps. The intersections and ramps were analyzed during the weekday AM and PM peak hours of traffic, which occur from 7:00 to 9:00 AM and 4:00 to 6:00 PM. These periods represent the most congested traffic conditions of an average weekday. Since the project would generate fewer than 100 *net* project trips in the peak hours, an Alameda County Congestion Management Program (CMP) analysis and a freeway level of service analysis were not required for this study.

## Trip Generation & Assignment

The proposed project would generate 139 gross trips during the AM peak hour and 170 gross trips during the PM peak hour. When trip credits for the existing uses are considered, under near-term project conditions, the project would cause an increase in traffic during the AM peak hour of 53 trips in the outbound direction from the site, but would result in a decrease in traffic inbound during the AM peak-hour and during both directions in the PM peak hour. The proposed project's trip distribution pattern was estimated based on the Alameda County Travel Demand Forecast Model.

## Intersection Levels of Service

The results of the intersection level of service analysis for the existing, background, and background plus project scenarios are summarized in Table ES-1. According to City of Newark guidelines, three of the study intersections would operate at an unacceptable LOS D or worse under background plus project conditions. The intersections of Cedar Boulevard and Thornton Avenue, and Cedar Boulevard and Mowry Avenue would operate at LOS D. The intersection of Cherry Street and Mowry Avenue would operate at LOS E in the AM peak hour. There would be no impact at these intersections because the addition of project trips would neither cause the level of service to degrade to an unacceptable level nor cause the average delay at any of the intersections to increase by four or more seconds. All of the other study intersections would operate at acceptable levels of service.

## Freeway Ramp V/C Ratios

An analysis of freeway ramp V/C ratios was conducted for the eastbound Mowry Avenue on-ramps to southbound and northbound I-880. The results, shown in Table ES-2, showed that the freeway ramps would operate at a V/C lower than 1.0 under all study scenarios. The freeway ramps therefore currently operate and in the future would operate at acceptable conditions with the addition of traffic from the proposed project.

## Cumulative Conditions

According to California Environmental Quality Act (CEQA) guidelines, cumulative conditions should reflect approved, pending and foreseeable development projects. In the case of the proposed project, in addition to the existing motel, the site has an existing approved entitlement for 200,000 s.f. of retail which could be constructed and occupied without any additional CEQA review. For the cumulative analysis, the project trip generation was estimated assuming credit for the full occupancy of its existing entitlement. When the existing site entitlement is considered, the project would result in considerably lower traffic volumes in both peak hours. During the AM peak hour, the project would result in 151 fewer trips. During the PM peak hour, the project would result in 489 fewer trips. For this reason, it was determined that no further traffic analysis is needed for the cumulative scenario. Relative to its existing entitlement, the project would generally reduce the number of trips and delays at the intersections and freeway ramps in the project vicinity.

## Site Access & Circulation

The project site plan concept was reviewed for site circulation and access. No operational issues were identified. However, at the time of this analysis, details of the site design are still being contemplated. Prior to final design, it is recommended that the site integrate pedestrian and bicycle access with the existing on street sidewalks, crosswalks, and bike lanes to provide convenient pedestrian and bicycle circulation. In addition, the site design should ensure that there is adequate space onsite for trucks, garbage collection, and emergency vehicles.

## Pedestrian, Bicycle, & Transit Facilities

The proposed project impacts to existing pedestrian, bike, and transit facilities were evaluated. It was determined that the project would not create demand on these facilities beyond what can currently be accommodated. However, per the Alameda Countywide Bicycle Plan, the project should comply with bike parking guidelines and provide the prescribed number of Class I parking (lockers or guarded parking) and Class II bicycle spaces (bike racks).

**ce Summary**

| | | | Existing | | Background | | Background + Project | | |
|---|---|---|---|---|---|---|---|---|---|
| | LOS Standard[1] | Peak Hour | Avg. Delay[2] | LOS | Avg. Delay[2] | LOS | Avg. Delay[2] | LOS | Incr. In Avg. Delay |
| | LOS C | AM | 36.9 | D | 36.9 | D | 37.1 | D | 0.2 |
| | | PM | 43.8 | D | 44.2 | D | 44.5 | D | 0.3 |
| | LOS C | AM | 24.5 | C | 25.1 | C | 25.6 | C | 0.5 |
| | | PM | 21.1 | C | 21.9 | C | 22.2 | C | 0.3 |
| | LOS C | AM | 36.6 | D | 56.0 | E | 56.6 | E | 0.6 |
| | | PM | 23.7 | C | 31.2 | C | 30.9 | C | -0.3 |
| | LOS C | AM | 29.6 | C | 30.3 | C | 30.7 | C | 0.4 |
| | | PM | 38.4 | D | 38.3 | D | 38.6 | D | 0.3 |
| | LOS C | AM | 18.8 | B | 19.0 | B | 18.6 | B | -0.4 |
| | | PM | 23.2 | C | 26.9 | C | 24.9 | C | -2.0 |
| ve | LOS C | AM | 8.6 | A | 8.7 | A | 8.7 | A | 0.0 |
| | | PM | 11.7 | B | 11.6 | B | 11.6 | B | 0.0 |
| ve | LOS D | AM | 9.2 | A | 9.4 | A | 9.3 | A | -0.1 |
| | | PM | 12.6 | B | 12.7 | B | 12.7 | B | 0.0 |
| | LOS D | AM | 24.9 | C | 24.7 | C | 24.6 | C | -0.1 |
| | | PM | 28.0 | C | 27.8 | C | 27.9 | C | 0.1 |
| d | LOS C | AM | 20.1 | C | 22.8 | C | 22.9 | C | 0.1 |
| | | PM | 18.5 | B | 30.3 | C | 30.3 | C | 0.0 |
| venson Bl | LOS C | AM | 20.2 | C | 21.4 | C | 21.4 | C | 0.0 |
| | | PM | 26.8 | C | 26.3 | C | 26.3 | C | 0.0 |
| | LOS C | AM | 12.8 | B | 13.0 | B | 13.2 | B | 0.1 |
| | | PM | 12.3 | B | 17.0 | B | 17.1 | B | 0.1 |
| | N/A | AM | 0.2/16.3 | A/C | 0.2/17.6 | A/C | 0.8/15.4 | A/C | NA |
| | | PM | 0.3/12.9 | A/B | 0.3/13.8 | A/B | 0.9/14.6 | A/B | NA |
| lvd[3] | N/A | AM | -- | -- | -- | -- | 0.8/19.3 | A/C | NA |
| | | PM | -- | -- | -- | -- | 0.6/17.6 | A/C | NA |

ndard of LOS C in Newark and LOS D in Fremont.

s of service and delays reported are for overall average delay. Unsignalized intersection delays and LOS reported are / average delay on the worst approach.

tersection.

**tios Summary**

| | | | Existing Conditions | | Background Conditions | | Project Conditions | | |
|---|---|---|---|---|---|---|---|---|---|
| | Peak Hour | Capacity (vphpl)[1] | Volume | V/C Ratio[2] | Volume | V/C Ratio[2] | Project Trips | Total Volume | V/C Ratio[2] |
| 80 | AM | 450 | 358 | 0.80 | 408 | 0.91 | 18 | 426 | 0.95 |
| | PM | 900 | 286 | 0.32 | 381 | 0.42 | -21 | 360 | 0.40 |
| 80 | AM | 900 | 160 | 0.18 | 179 | 0.20 | -17 | 162 | 0.18 |
| | PM | 510 | 409 | 0.80 | 483 | 0.95 | -39 | 444 | 0.87 |

d from the Alameda County Transportation Model Update, August 9, 2011.
this calculation.
pacity ratio

# 1. Introduction

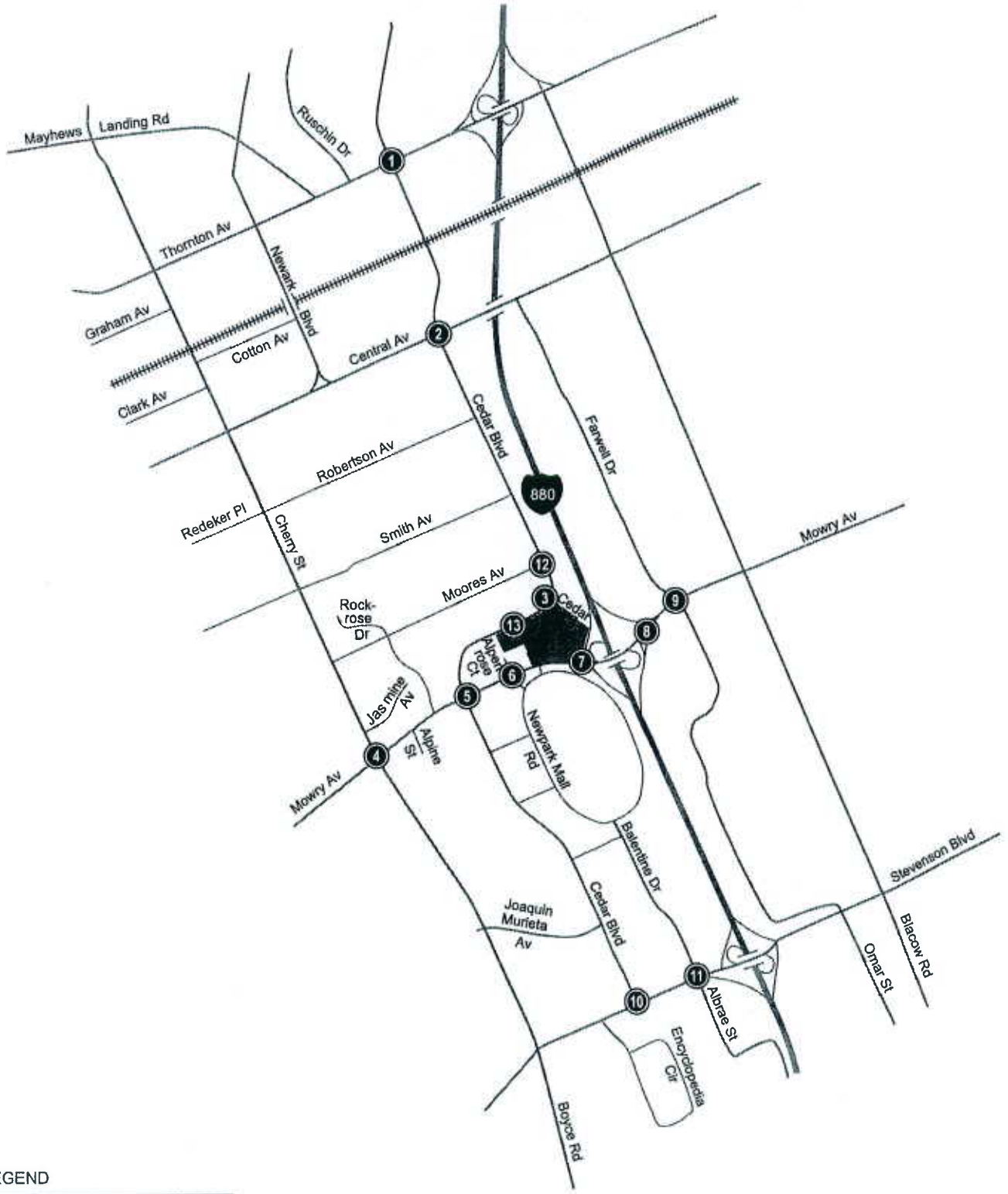
The purpose of this report is to document the transportation impacts of the proposed residential development located on Mowry Avenue in Newark, California. The site is bordered by Cedar Boulevard to the north and west, Mowry Avenue to the south, and I-880 to the east. The site location is shown on Figure 1.

The project consists of 228 condominium and townhome units and 51 single-family homes. The project uses would replace approximately 80,000 square feet of unoccupied retail space and a 217-room motel. The site had had another 120,000 square feet of commercial space, but the buildings have been demolished. The site therefore has entitlement for 200,000 square feet of retail in addition to the motel. Project access is proposed via one driveway on Cedar Boulevard at the northwest end of the site, and one driveway on Cedar Court at the northeast end of the site. The project site plan is shown on Figure 2.

The purpose of the analysis is to determine any potential traffic impacts of the project on key intersections and freeway ramps in the vicinity of the site and any corresponding mitigation measures that could be needed. Some of the study intersections are within the jurisdiction of Newark and some are within the jurisdiction of Fremont. The potential impacts of the project were evaluated in accordance with the standards set forth by the City of Newark and the City of Fremont, as applicable.

Following is a list of the key intersections analyzed as part of the study and the jurisdiction within which each is located.

- Cedar Boulevard and Thornton Avenue (Newark)
- Cedar Boulevard and Central Avenue (Newark)
- Cherry Street and Mowry Avenue (Newark)
- Cedar Boulevard and Mowry Avenue (Newark)
- Alpenrose Court and Mowry Avenue (Newark)
- I-880 SB off-ramp and Mowry Avenue (Newark)
- I-880 NB off-ramp and Mowry Avenue (Fremont)
- Farwell Drive and Mowry Avenue (Fremont)
- Cedar Boulevard and Stevenson Boulevard (Newark and Fremont)
- Albrae Street/Balentine Drive and Stevenson Boulevard (Newark and Fremont)
- Cedar Boulevard and Moores Avenue (Newark)
- Cedar Boulevard and Cedar Court (Newark)
- Cedar Boulevard and Project Driveway (Newark)




LEGEND

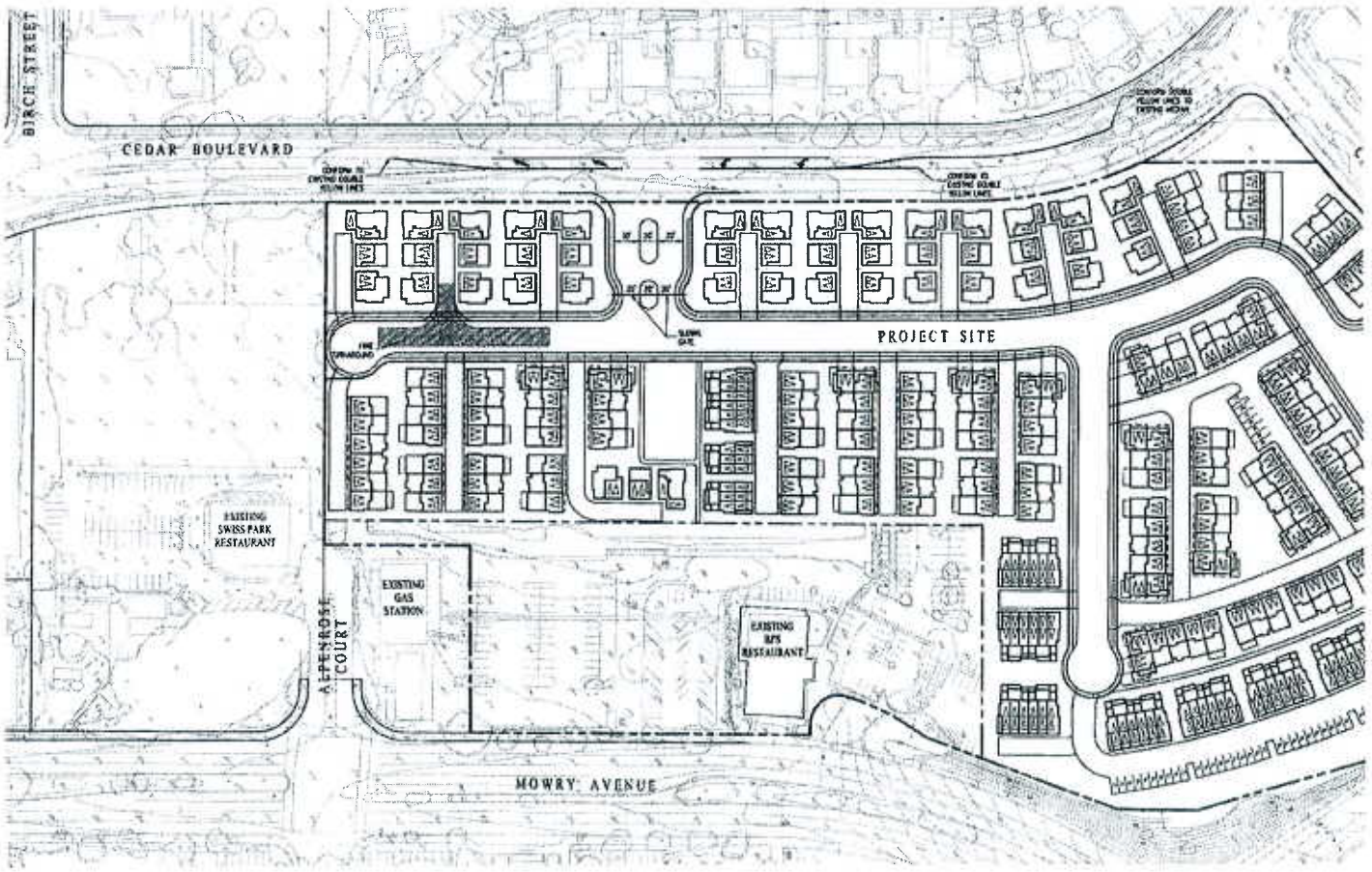
= Project Site Location

(X) = Study Intersection

**Figure 1**

**Study Area and Proposed Study Intersections**

Mowry Avenue Residential



All of the study intersections are signalized except for the intersection of Cedar Boulevard and Cedar Court, and the proposed intersection at Cedar Boulevard and the Project Driveway. Traffic conditions at the study intersections were analyzed for the weekday AM and PM peak hours of traffic. The AM peak hour is typically between 7:00 and 9:00 AM and the PM peak hour is typically between 4:00 and 6:00 PM. It is during these periods that the most congested traffic conditions occur on an average day. The operations of the study intersections were evaluated for the following scenarios:

**Scenario 1:** *Existing Conditions.* Existing traffic volumes were obtained from new traffic counts at the study intersections and freeway ramps.

**Scenario 2:** *Background Conditions.* Background conditions are represented by existing traffic plus traffic from approved developments in the area. The background traffic volumes also include traffic that would be generated by the unoccupied retail development (buildings) on site and from the motel that is currently in operation. The traffic from the existing motel is reflected in the existing volumes.

**Scenario 3:** *Near-Term Project Conditions.* The near-term project scenario is represented by project-generated traffic volumes added to background traffic volumes, minus (1) traffic generated by the unoccupied retail development on site and (2) traffic from the motel that is currently in operation. Near-term project conditions were evaluated relative to background conditions in order to determine potential project impacts.

**Scenario 4:** *General Plan Amendment (GPA) Conditions.* GPA conditions were evaluated by comparing the trip generation for the conforming uses on site (200,000 s.f. of retail and fully-occupied motel) to the trip generation for the project-proposed uses on site.

According to the Alameda County Congestion Management Program (CMP), a CMP traffic analysis is required for projects that generate more than 100 peak-hour vehicle trips. Since the project would generate fewer than 100 *net* project trips in the peak hours, a CMP analysis and a freeway level of service analysis are not required for this study.

# Methodology

This section describes the methods used to determine the traffic conditions for each scenario. It includes the methods used for data collection, level of service calculations, and describes the various level of service standards, as well as the criteria for project impacts.

## Data Collection

The data for the study locations were obtained through field observations, previous traffic studies, the City of Newark, the City of Fremont, and current traffic counts. The following data were collected from these sources:

- existing traffic volumes,
- lane geometries,
- signal timing and phasing,
- a list of approved projects, and
- Alameda County Transportation Model

Existing traffic counts are included in Appendix A.

## Signalized Intersection Level of Service

The previously described data were used to calculate the level of service (LOS) at each study location. Level of service is a qualitative measure of traffic operations, ranging from LOS A (free-flow conditions) to LOS F (forced-flow conditions). The levels of service at signalized intersections were evaluated using TRAFFIX software. This method uses the *2000 Highway Capacity Manual* methodology to estimate the average control delay per vehicle, in seconds. This average delay can then be correlated to a level of service as shown in Table 1.

**Table 1**
**Signalized Intersection Level of Service Definitions Based on Delay**

| Level of Service | Description | Average Control Delay Per Vehicle (sec.) |
|---|---|---|
| A | Signal progression is extremely favorable. Most vehicles arrive during the green phase and do not stop at all. Short cycle lengths may also contribute to the very low vehicle delay. | 10.0 or less |
| B | Operations characterized by good signal progression and/or short cycle lengths. More vehicles stop than with LOS A, causing higher levels of average vehicle delay. | 10.1 to 20.0 |
| C | Higher delays may result from fair signal progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, though may still pass through the intersection without stopping. | 20.1 to 35.0 |
| D | The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable signal progression, long cycle lenghts, or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable. | 35.1 to 55.0 |
| E | This is considered to be the limit of acceptable delay. These high delay values generally indicate poor signal progression, long cycle lengths, and high volume-to-capacity (V/C) ratios. Individual cycle failures occur frequently. | 55.1 to 80.0 |
| F | This level of delay is considered unacceptable by most drivers. This condition often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection. Poor progression and long cycle lengths may also be major contributing causes of such delay levels. | greater than 80.0 |

Source: Transportation Research Board, *2000 Highway Capacity Manual* (Washington, D.C., 2000) p10-16.

## Unsignalized Intersection Level of Service

Level of service for the unsignalized intersections was determined using TRAFFIX based on the *2000 Highway Capacity Manual* (HCM) methodology. Both unsignalized study intersections are or would be two-way stop-controlled intersections. For the purpose of this study, the level of service is reported for both the overall average delay and for the worst movement on the side street at the intersection. The correlation between average delay and level of service is shown in Table 2.