

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK APPROVING ASR-14-45, AN ARCHITECTURAL  
AND SITE PLAN REVIEW FOR A COMMERCIAL LAUNDRY  
FACILITY (MISSION LINEN SUPPLY) AT 6590 CENTRAL  
AVENUE

WHEREAS, Mission GoldRush, LLC., has filed with the City Council of the City of Newark application for an Architectural and Site Plan Review for a commercial laundry facility to locate at 6590 Central Avenue; and

PURSUANT to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on January 30, 2015 and mailed as required, and the City Council held a public hearing on said application at 7:30 p.m. on February 12, 2015 at the Newark Pavilion, 6430 Thornton Avenue, Newark, California; and

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve this application as shown on Exhibit A, pages 1 through 10, subject to compliance with the following conditions:

Planning Division

- a. This project is subject to the mitigation measures identified in the Initial Study/Mitigated Negative Declaration and all attachments prepared for this project.
- b. California State Law (AB341) requires that all business with four (4) or more cubic yards of waste per week must make arrangements for adequate recycling. Prior to issuance of a building permit, the location and screening design for centralized garbage, refuse, and recycling collection areas (including compactors) for the project shall be submitted for the review and approval of Republic Services, Inc. and the Community Development Director, in that order. Trash enclosures shall provide signage that states that the enclosure doors shall be closed immediately after use. Enclosures must be located so that the doors, when open, do not encroach into required drive-aisles or parking spaces. No refuse, garbage or recycling shall be stored outdoors except within the approved trash and recycling enclosures.
- c. The site and its improvements shall be maintained in a neat and presentable condition, to the satisfaction of the Community Development Director. This shall include, but not be limited to, repainting surfaces damaged by graffiti and site clean-up. Graffiti removal/repainting and site clean-up shall occur on a continuing, as needed basis, as required by the Community Development Director. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- d. All exterior utility pipes and meters shall be painted to match and/or complement the colors of the adjoining building surface, as approved by the Community Development Director.

- e. All lighting shall be directed on-site so as not to create glare off-site.
- f. Prior to the issuance of a building permit, the color elevations of all dissimilar sides of the buildings as submitted as part of this application, shall be submitted for the review and approval of the Planning Commission and City Council. The building elevations shall reflect all architectural features and projections and shall specify exterior materials. A site plan showing the building locations with respect to property lines shall also show the projections.
- g. Prior to the issuance of a building permit, a screening design for roof equipment shall be submitted to and approved by the Community Development Director. Roof equipment shall not be visible from public streets. All equipment shall be fully screened within the context of each building's architecture, to the satisfaction of the Community Development Director. Said screening design shall be maintained to the satisfaction of the Community Development Director. The building owner shall paint any visible portion(s) of the roof equipment and the inside of its screening wall within the context of the building's color scheme and maintain the painted areas to the Community Development Director's satisfaction. Screening panels shall not exceed six feet in height unless the screens are part of the integral design elements of the building, as determined by the Community Development Director.
- h. Prior to issuance of a sign permit, all signs, other than those referring to construction, sale or future use of this site, shall be submitted to the Community Development Director for review and approval. Signs shall not be located within the public right-of-way or dedicated landscape easements.
- i. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters.
- j. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 7:00 p.m. and 8:00 a.m.
- k. Prior to the issuance of a building permit, the developer shall pay the Community Development Maintenance Fee which is 0.5% of the construction valuation.
- l. Measures to respond to and track complaints regarding construction noise shall include: (1) a procedure and phone numbers for notifying the City of Newark Building Inspection Division and Newark Police Department (during regular construction hours and off-hours); and (2) a sign posted on-site pertaining to the permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours).
- m. During project construction, if historic, archeological or Native American materials or artifacts are identified, work within a 50-foot radius of such find shall cease and the City shall retain the services of a qualified archeologist and/or paleontologist to assess the

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

#### Engineering Division

- n. Prior to the issuance of a building permit, the developer shall guarantee all required off-site improvements for the project. Improvements include but are not necessarily limited to completion of all sidewalk installations on the Cherry Street and Central Avenue frontages, relocated curb and gutter as necessary to provide a half-street width (street centerline to face of curb) of 39 feet on Central Avenue including construction of a full structural section with asphalt concrete street paving (TI=9.0) as necessary for the curb and gutter relocation, pavement striping, new and modified driveway aprons, two (2) new street lights on the Central Avenue frontage, any and all necessary utility relocations and tie-ins, landscaping, irrigation, and frontage screen walls.
- o. This site is subject to the State of California National Pollutant Discharge Elimination System (NPDES) Program General Permit for Storm Water Discharges Associated with Construction Activity. Prior to issuance of a grading permit or a building permit, the developer needs to provide evidence that the proposed site development work is covered by said General Permit for Construction Activity. This will require confirmation that a Notice of Intent (NOI) and the applicable fee were received by the State Water Resources Control Board and the submittal of the required Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer. In addition the grading plans need to state: "All grading work shall be done in accordance with the Storm Water Pollution Prevention Plan prepared by the developer pursuant to the Notice of Intent on file with the State Water Resources Control Board."
- p. Prior to the issuance of a grading or any building permits for this project, the developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for the review and approval of the City Engineer. The plan shall include sufficient details to show how storm water quality will be protected during both: (1) the construction phase of the project and (2) the post-construction, operational phase of the project. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD) in the State of California. The construction phase plan shall include Best Management Practices from the California Storm Water Quality Best Management Practices Handbook for Construction Activities. The specific storm water pollution prevention measures to be maintained by the contractor shall be printed on the plans. The operational phase plan shall include Best Management Practices appropriate to the uses conducted on the site to effectively prohibit the entry of pollutants into stormwater runoff from the project site including, but not limited to, low impact development stormwater treatment measures, trash and litter control, pavement sweeping, periodic storm water inlet cleaning, landscape controls for fertilizer and pesticide applications, labeling of storm water inlets with a permanent

thermoplastic stencil with the wording "No Dumping - Drains to Bay," and other applicable practices.

- q. The project must be designed to include appropriate source control, site design, and stormwater treatment measures to prevent stormwater runoff pollutant discharges and increases in runoff flows from the site in accordance with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2009-0074, revised November 28, 2011, issued to the City of Newark by the Regional Water Quality Control Board, San Francisco Bay Region. Examples of source control and site design requirements include, but are not limited to: properly designed trash storage areas (this includes a sanitary sewer connection), sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, and treatment of all runoff with Low Impact Development (LID) treatment measures. A properly engineered and maintained biotreatment system will only be allowed if it is infeasible to implement other LID measures such as harvesting and re-use, infiltration, or evapotranspiration. The stormwater treatment design shall be completed by a licensed civil engineer with sufficient experience in stormwater quality analysis and design. The design is subject to review by the City Engineer and the Regional Water Quality Control Board. The developer shall modify the site design to satisfy all elements of Provision C.3 of the MRP. The use of treatment controls for runoff requires the submittal of a Stormwater Treatment Measures Maintenance Agreement prior to the issuance of any Certificates of Occupancy.
- r. The developer shall install full trash capture devices in all existing and proposed storm drain inlets on the project site. These trash capture devices shall be selected from a list of devices approved by the Regional Water Quality Control Board as meeting full trash capture requirements under the MRP. These devices shall be regularly cleaned and maintained by the property owner as part of the required Stormwater Treatment Measures Maintenance Agreement.
- s. All stormwater treatment measures are subject to review and approval by the Alameda County Mosquito Abatement District. The developer shall modify the grading and drainage and stormwater treatment design as necessary to satisfy any imposed requirements from the District.
- t. The developer shall submit a grading and drainage plan for review and approval by the City Engineer and the Alameda County Flood Control and Water Conservation District. This plan must be based upon a City benchmark and needs to include pad and finish floor elevations of each proposed structure, proposed on-site property grades, proposed elevations at property line, and sufficient elevations on all adjacent properties to show existing drainage patterns. All on-site pavement shall drain at a minimum of one percent. The developer shall ensure that all upstream drainage is not blocked and that no ponding is created by this development. Any construction necessary to ensure this shall be the developer's responsibility.

Hydrology and hydraulic calculations shall be submitted for review and approval by the City Engineer prior to approval of the final map. The calculations shall show that the

City freeboard requirements will be satisfied (0.75 feet to grate or 1.25 feet to the top of curb under a 10-year storm duration).

- u. Where a grade differential of more than a 1-foot is created along the boundary parcel lines between the proposed development and adjacent property, the developer shall install a masonry retaining wall unless a slope easement is approved by the City Engineer. Said retaining wall shall be subject to review and approval of the City Engineer. A grading permit is required by the Building Inspection Division prior to starting site grading work.
- v. Prior to issuance of a building permit, the developer shall submit a pavement maintenance program for the drive aisles and parking areas on the project site. The maintenance program shall be signed by the property owner and the property owner shall follow the maintenance program at the City Engineer's direction.
- w. The site operator shall ensure that all large trucks entering the site via a left-turn westbound Central Avenue do so by utilizing the westernmost driveway access at all times due to the limited two-way left-turn lane storage capacity at the easternmost driveway.
- x. Prior to the issuance of a building permit, the developer shall make a contribution to the City of Newark for the cost of a future Cherry Street traffic corridor study to evaluate potential improvements between Central Avenue and Mowry Avenue that may result in improved overall traffic conditions. This contribution shall be in the amount of \$10,000.
- y. Prior to the issuance of a building permit, the property owner shall enter into an agreement to guarantee the future undergrounding of all existing overhead utilities along the project frontage. This agreement shall be in a form acceptable to the City Attorney and the City Engineer.
- z. Any new utilities including, but not limited to, electric, telephone and cable television services shall be provided underground.
- aa. Any proposed utility connections and/or underground work within structurally sound street pavement must be bored or jacked. Open street cuts will not be permitted across Central Avenue and Cherry Street.
- bb. The developer shall repair and/or replace any public improvements damaged as a result of construction activity to the satisfaction of the City Engineer.
- cc. The developer shall ensure that a water vehicle for dust control operations is kept readily available at all times during construction at the City Engineer's direction.

#### Landscape-Parks Division

- dd. The developer shall install landscape improvements within the Central Avenue and Cherry Street rights-of-way and adjoining landscape easement areas as well as on-site

- landscaping improvements in accordance with the approved Conceptual Landscape Plan. All off-site improvements shall be guaranteed prior to the issuance of a building permit.
- ee. All landscape improvements shall be subject to the existing Landscape Maintenance Agreement recorded as Alameda County Document No. 2007101486. The property owner shall be responsible for maintaining all on-site and off-site landscape improvements in accordance with the terms of this agreement.
  - ff. The developer shall retain a licensed landscape architect to prepare working drawings for both off-site and on-site landscape plans in accordance with City of Newark requirements, the approved Conceptual Landscape Plan, and the State of California Model Water Efficient Landscape Ordinance. The landscape plans shall be included with the full tract improvement plan set. The associated Landscape Documentation Package must be approved by the City Engineer prior to the issuance of a building permit.
  - gg. The developer shall implement Bay Friendly Landscaping Practices in accordance with Newark Municipal Code, Chapter 15.44.080. Prior to the issuance of a building permit, the developer shall provide sufficient information to detail the environmentally-conscious landscape practices to be used on the project.
  - hh. The developer's landscaping shall include minimum 30-inch high mounding or combination of mounding and low masonry screen walls to screen parking areas from Central Avenue and Cherry Street. The height of said mounding or screen walls shall be measured from the higher of adjacent on-site or off-site curb elevations. A minimum of 12 inches of any screen wall shall be above the abutting finish grade. The screening shall be located outside of the City right-of-way and screen wall design, materials, and color finish shall be approved by the Community Development Director.
  - ii. The plant species identified for any proposed biotreatment measures are subject to final approval of the City Engineer.
  - jj. Prior to installation by the developer, plant species, location, container size, quality, and quantity of all landscaping plants and materials shall be reviewed and approved by the City Engineer. Street trees shall be planted along the project frontage at 40 feet on-center. All plant replacements shall be to an equal or better standard than originally approved subject to approval by the City Engineer.
  - kk. Prior to the release of utilities or issuance of any Certificate of Occupancy, all landscaping and irrigation systems shall be completed or guaranteed by a cash deposit deposited with the City in an amount to cover the remainder of the work.
  - ll. Prior to issuance of Certificate of Occupancy or release of utilities, the developer shall guarantee all trees for a period of 6 months and all other plantings and landscape for 60 days after completion thereof. The developer shall insure that the landscape shall be installed properly and maintained to follow standard horticultural practices. All plant replacements shall be to an equal or better standard than originally approved subject to approval of the City Engineer.

### Alameda County Fire Department

- mm. The end of the Fire Department access road along the north end of the existing building will need to be equipped with a fire apparatus turnaround that meets the fire department requirements and templates.
- nn. Additional fire hydrants will be necessary unless all portions of the buildings are within 400 feet of a hydrant.

### Building Inspection Division

- oo. Construction for this project, including site work and all structures, can occur only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday. The applicant may make a written request to the Building Official for extended working hours and/or days. In granting or denying any request, the Building Official will take into consideration the nature of the construction activity which would occur during the extended hours/days, the time duration of the request, the proximity to residential neighborhoods, and input by affected neighbors. All approvals shall be done so in writing.
- pp. This project is subject to Chapter 15.44 of the Newark Municipal Code, Green Building and Construction and Demolition Debris Recycling. One hundred percent (100%) of all concrete and fifty percent (50%) of all remaining construction and/or demolition debris generated by this project shall be recycled. At the time a demolition permit is issued the applicant will complete the Waste Management Plan and return it to the Building Inspection office prior to the issuance of a Certificate of Occupancy.

### General

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

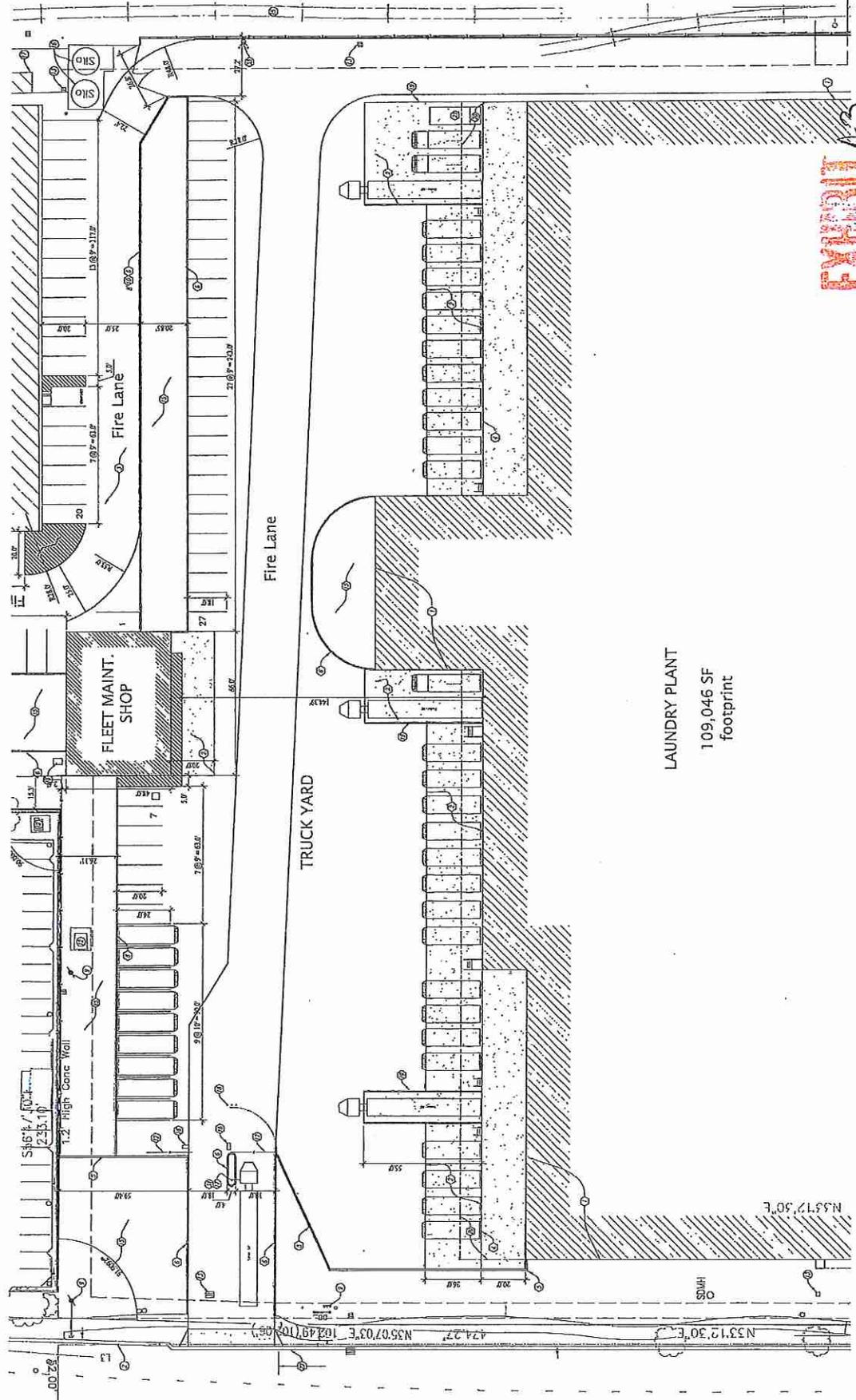
- uu. The developer hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees,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





KEYED NOTES  
See Dwg. A1.0 for all Keyed Notes for Dwg. A1.0 thru A1.3

SEE DWG. A1.1 FOR CONTINUATION



LAUNDRY PLANT  
109,046 SF  
footprint

**EXHIBIT A-3**



Agee Engineering, Inc.  
INDUSTRIAL BUILDING DESIGN  
1724 Avenida 25  
Daly, CA 95118  
Fax (530) 758-2040



MISSION Goldrush, LLC  
6590 Central Ave. Newark, CA 94560

REVISIONS	
1	12/24/14
2	08/24/14
3	02/24/14
4	01/24/14
5	01/24/14

ARCHITECTURAL  
SITE PLAN  
EASTERN SECTION

Scale: 1/4" = 1'-0"

14-02

**A1.2**

**KEYED NOTES**  
See Dwg. A1.0 for all Keyed Notes for Dwg. A1.0 thru A1.3

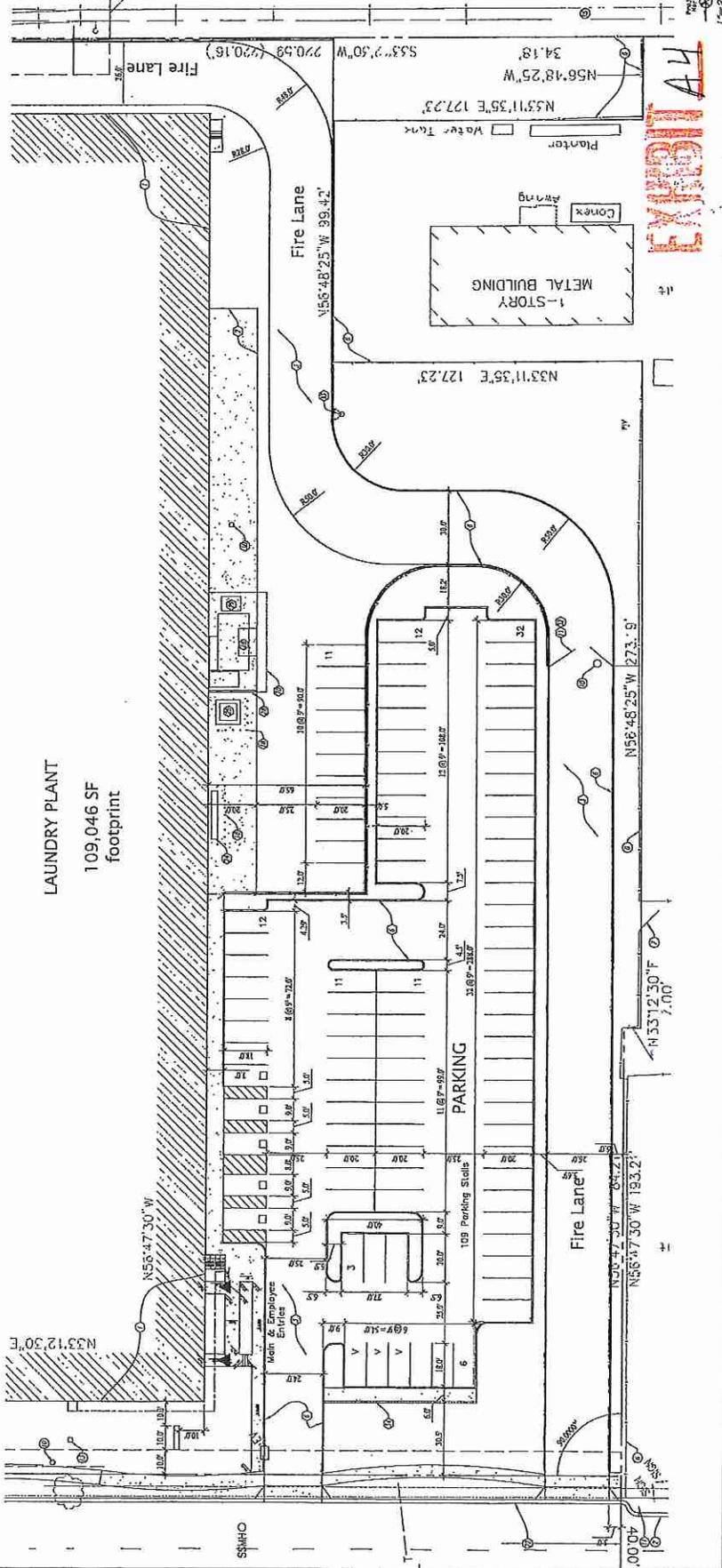


**AgEE Engineering, Inc.**  
INDUSTRIAL BUILDING DESIGN  
1724 Alhambra St.  
Daly City, CA 94516  
(530) 758-2040  
FAX (530) 758-2047



**MISSION Goldrush, LLC**  
8590 Central Ave., Newark, CA 94560

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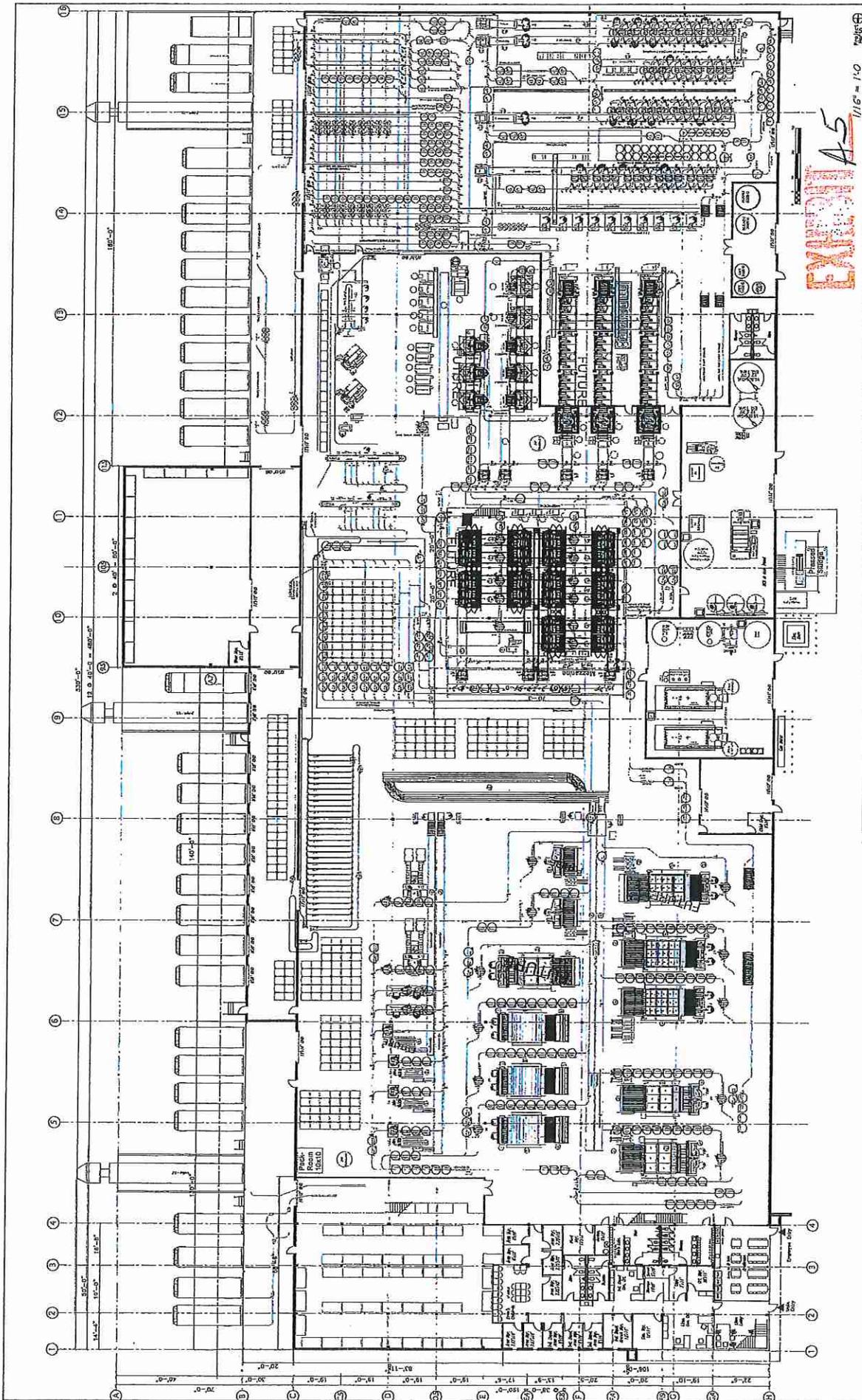


**SEE DWG. A1.2 FOR CONTINUATION**

LAUNDRY PLANT  
109,046 SF  
footprint

**EXHIBIT A1**

**A1.3**



**EXHIBIT A5**  
 1/16" = 1'-0" 1/8" = 1'-0"

FIRST FLOOR PLAN	
DATE	11/14/14
SCALE	1/16" = 1'-0"
PROJECT	LAUNDRY FACILITY
NO.	14-02
REV.	
DATE	
BY	
CHECKED	
APPROVED	

**Agee Engineering, Inc.**  
 1728 Alameda St.  
 Oakland, CA 94612  
 Tel: (510) 753-0310  
 Fax: (510) 753-0317

**INDUSTRIAL BUILDING DESIGN**  
 Divd. CA 95818  
 Fax: (510) 753-0317



**LAUNDRY FACILITY for**  
**MISSION GoldRush, LLC**  
 6590 Central Ave. Newark, CA 94560



14-02 A2.2

DATE

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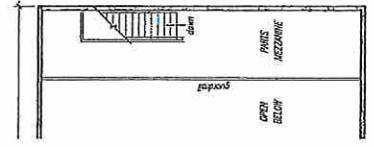
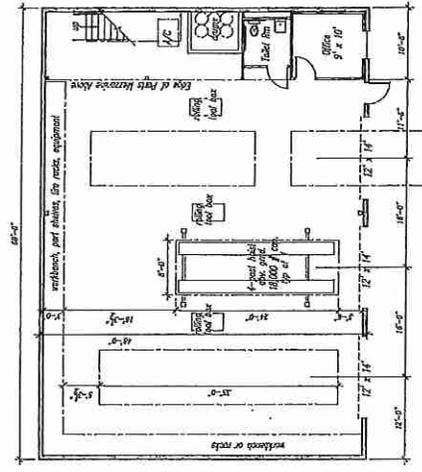
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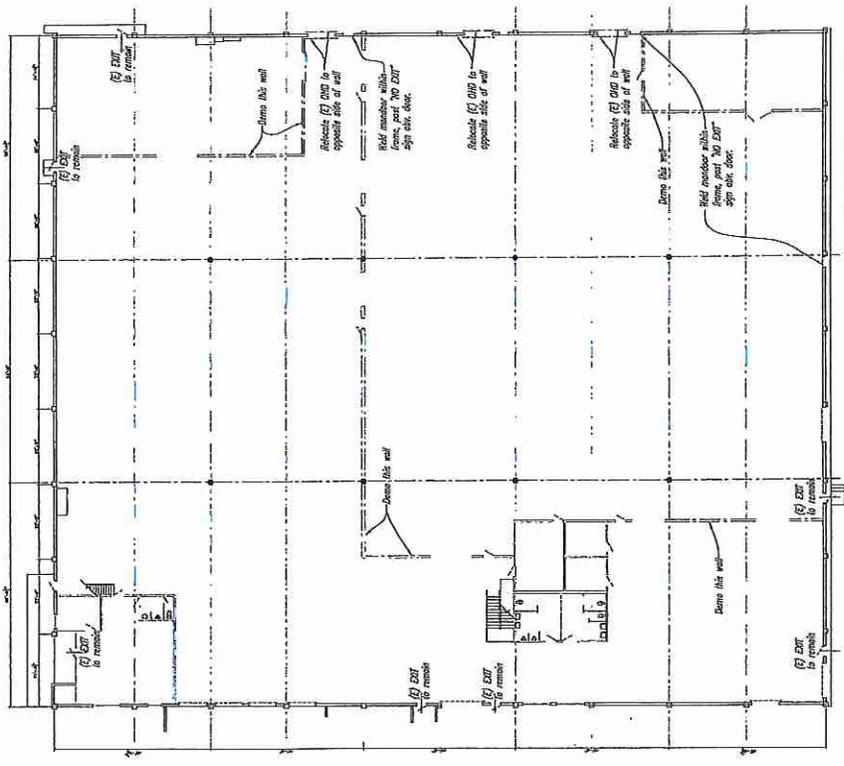
EXHIBIT A-7



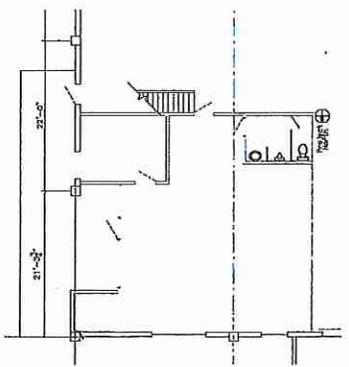
LAUNDRY FACILITY for  
MISSION Goldrush, LLC  
6590 Central Ave., Newark, CA 94560

Agee Engineering, Inc.  
INDUSTRIAL BUILDING DESIGN  
1724 Alhambra St.  
Davis, CA 95618  
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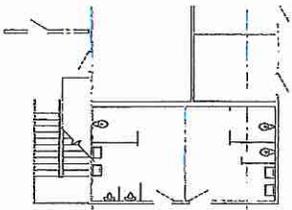




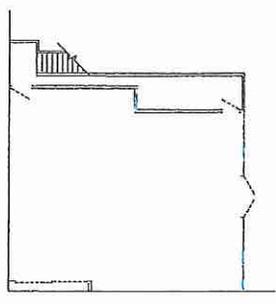
EXISTING WAREHOUSE - OVERALL FLOOR PLAN  
 1/16" = 1'-0"



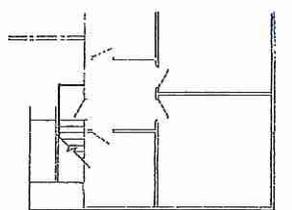
(E) MAIN OFFICE PLAN  
 1/8" = 1'-0"



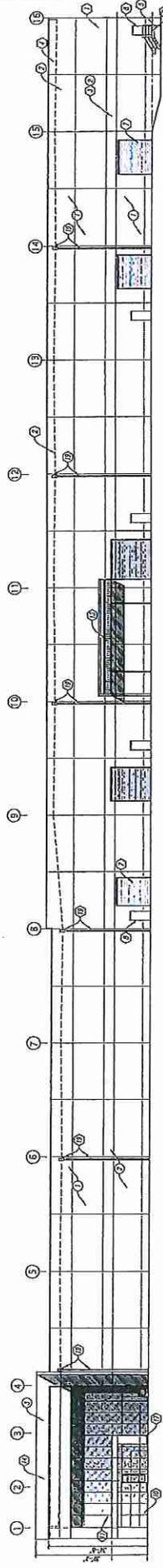
(E) TOILET ROOM PLAN  
 1/8" = 1'-0"



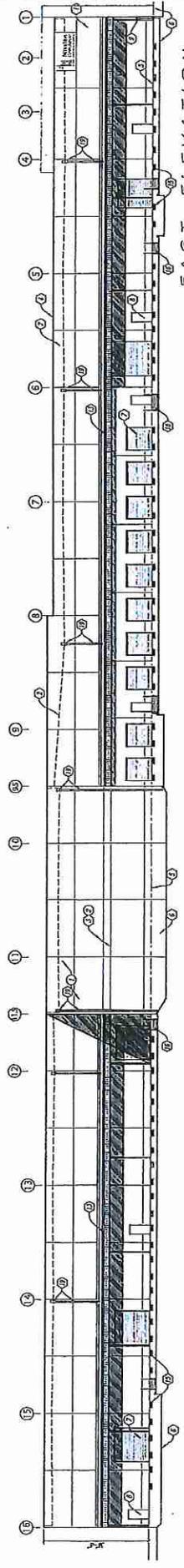
(E) 2nd FLOOR STORAGE PLAN  
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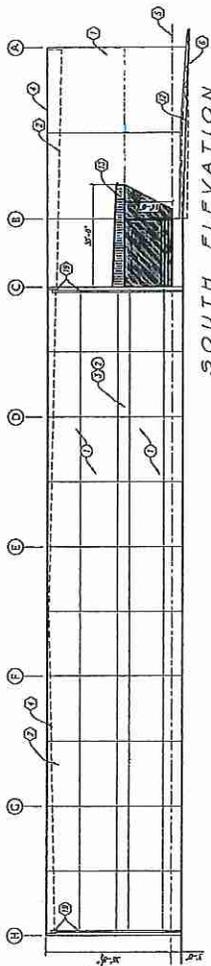
(E) 2nd FLOOR OFFICE PLAN  
 1/8" = 1'-0"



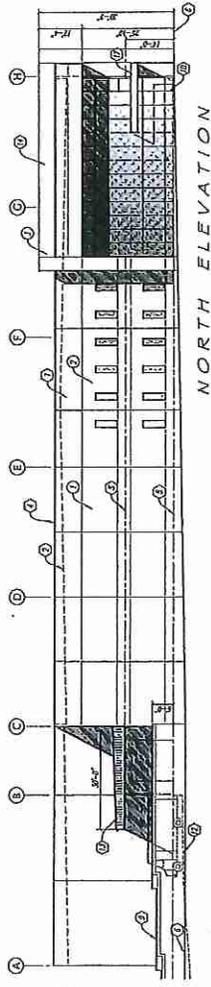
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

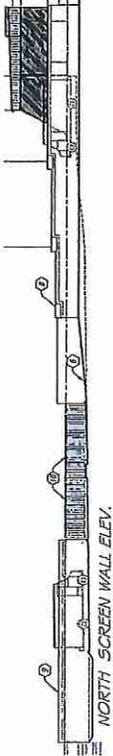
KEYED NOTES

- 1. 1/2" x 1/2" Concrete
- 2. Roof line
- 3. Color &/or texture &/or recess break line
- 4. 1/2" x 1/2" Concrete
- 5. 1/2" x 1/2" Concrete
- 6. Finish grade
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EXTERIOR COLORS

- 1 = Color of Finish
- 2 = Color of Trim
- 3 = Color of Base

LAUREN A9



NORTH SCREEN WALL ELEV.

1/16" = 1'-0"

EXTERIOR ELEVATIONS

Aggee Engineering, Inc.

INDUSTRIAL BUILDING DESIGN

MISSION GOLD RUSH, LLC

6890 Central Ave., Newark, CA 94560

1724 Alcatraz St., Davis, CA 95618

(530) 752-2040

(530) 752-2047

REVISIONS

1	14-02	14-02
2	06-01	06-01
3	06-29-14	06-29-14

DATE: 11/16/14

SCALE: 1/16" = 1'-0"

PROJECT: A9



LAUNDRY FACILITY for  
MISSION GoldRush, LLC

6890 Central Ave., Newark, CA 94560



## **PLANNING COMMISSION ACTIONS**

RESOLUTION NO. 1897

RESOLUTION OF THE CITY OF NEWARK PLANNING COMMISSION MAKING CERTAIN FINDINGS AND RECOMMENDING CITY COUNCIL APPROVAL OF AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR A COMMERCIAL LAUNDRY FACILITY (MISSION LINEN SUPPLY) AT 6590 CENTRAL AVENUE (APN: 92A-2165-13-1)

WHEREAS, the Mission GoldRush LLC project (“Project”), consists of the construction of a commercial laundry facility with associated parking, landscaping and extension of utility services; and

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

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

WHEREAS, through this study, it has been determined that the Project’s potentially significant environmental impacts specifically relate to impacts associated with air quality/greenhouse gas emissions, hazards and hazardous materials, and transportation/circulation; and

WHEREAS, these potentially significant impacts can be mitigated to less than significant as shown in the Attachment to the Initial Study; and

WHEREAS, a 20-day public review period for the Notice of Availability of the IS/MND was established beginning on December 11, 2014 and ending on December 30, 2014. Copies of the notice were transmitted to local agencies concerned with the Project. The notice was posted with the Office of the Alameda County Clerk on December 11, 2014; and

WHEREAS, on January 27, 2015, the Planning Commission of the City of Newark conducted a duly noticed public hearing to consider the Initial Study and Mitigated Negative Declaration of environmental impact for the proposed Project, considered all public testimony, written and oral, presented at the public hearing; and received and considered the written information and recommendation of the staff report for the January 27, 2015 meeting related to the proposed Project.

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

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

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

This Resolution was introduced at the Planning Commission's January 27, 2015 meeting by Commissioner Nillo, seconded by Commissioner Otterstetter, and passed as follows:

AYES: Aguilar, Fitts, Nillo and Otterstetter.

NOES: None.

ABSENT: Bridges.

s/Terrence Grindall  
TERRENCE GRINDALL, Secretary

s/William Fitts  
WILLIAM FITTS, Chairperson

RESOLUTION NO. 1898

RESOLUTION APPROVING ASR-14-45, AN  
ARCHITECTURAL AND SITE PLAN REVIEW FOR A  
COMMERCIAL LAUNDRY FACILITY (MISSION LINEN  
SUPPLY) AT 6590 CENTRAL AVENUE

WHEREAS, Mission GoldRush, LLC., has filed with the Planning Commission of the City of Newark application for an Architectural and Site Plan Review for a commercial laundry facility to locate at 6590 Central Avenue; and

PURSUANT to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on January 16, 2015 and mailed as required, and the Planning Commission held a public hearing on said application at 7:30 p.m. on January 27, 2015 at the City Administration Building, 37101 Newark Boulevard, Newark, California; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve this application as shown on Exhibit A, pages 1 through 10, subject to compliance with the following conditions:

Planning Division

- a. This project is subject to the mitigation measures identified in the Initial Study/Mitigated Negative Declaration and all attachments prepared for this project.
- b. California State Law (AB341) requires that all business with four (4) or more cubic yards of waste per week must make arrangements for adequate recycling. Prior to issuance of a building permit, the location and screening design for centralized garbage, refuse, and recycling collection areas (including compactors) for the project shall be submitted for the review and approval of Republic Services, Inc. and the Community Development Director, in that order. Trash enclosures shall provide signage that states that the enclosure doors shall be closed immediately after use. Enclosures must be located so that the doors, when open, do not encroach into required drive-aisles or parking spaces. No refuse, garbage or recycling shall be stored outdoors except within the approved trash and recycling enclosures.
- c. The site and its improvements shall be maintained in a neat and presentable condition, to the satisfaction of the Community Development Director. This shall include, but not be limited to, repainting surfaces damaged by graffiti and site clean-up. Graffiti removal/repainting and site clean-up shall occur on a continuing, as needed basis, as required by the Community Development Director. Any vehicle or portable building brought on the site during construction shall remain graffiti free.

- d. All exterior utility pipes and meters shall be painted to match and/or complement the colors of the adjoining building surface, as approved by the Community Development Director.
- e. All lighting shall be directed on-site so as not to create glare off-site.
- f. Prior to the issuance of a building permit, the color elevations of all dissimilar sides of the buildings as submitted as part of this application, shall be submitted for the review and approval of the Planning Commission and City Council. The building elevations shall reflect all architectural features and projections and shall specify exterior materials. A site plan showing the building locations with respect to property lines shall also show the projections.
- g. Prior to the issuance of a building permit, a screening design for roof equipment shall be submitted to and approved by the Community Development Director. Roof equipment shall not be visible from public streets. All equipment shall be fully screened within the context of each building's architecture, to the satisfaction of the Community Development Director. Said screening design shall be maintained to the satisfaction of the Community Development Director. The building owner shall paint any visible portion(s) of the roof equipment and the inside of its screening wall within the context of the building's color scheme and maintain the painted areas to the Community Development Director's satisfaction. Screening panels shall not exceed six feet in height unless the screens are part of the integral design elements of the building, as determined by the Community Development Director.
- h. Prior to issuance of a sign permit, all signs, other than those referring to construction, sale or future use of this site, shall be submitted to the Community Development Director for review and approval. Signs shall not be located within the public right-of-way or dedicated landscape easements.
- i. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters.
- j. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 7:00 p.m. and 8:00 a.m.
- k. Prior to the issuance of a building permit, the developer shall pay the Community Development Maintenance Fee which is 0.5% of the construction valuation.
- l. Measures to respond to and track complaints regarding construction noise shall include: (1) a procedure and phone numbers for notifying the City of Newark Building Inspection Division and Newark Police Department (during regular construction hours and off-hours); and (2) a sign posted on-site pertaining to the permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours).

- m. During project construction, if historic, archeological or Native American materials or artifacts are identified, work within a 50-foot radius of such find shall cease and the City shall retain the services of a qualified archeologist and/or paleontologist to assess the significance of the find. If such find is determined to be significant by the archeologist and/or paleontologist, a resource protection plan conforming to CEQA Section 15064.5 shall be prepared by the archeologist and/or paleontologist and approved by the Community Development Director. The plan may include, but would not be limited to, removal of resources or similar actions. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately and the provisions of State law carried out.

#### Engineering Division

- n. Prior to the issuance of a building permit, the developer shall guarantee all required off-site improvements for the project. Improvements include but are not necessarily limited to completion of all sidewalk installations on the Cherry Street and Central Avenue frontages, relocated curb and gutter as necessary to provide a half-street width (street centerline to face of curb) of 39 feet on Central Avenue including construction of a full structural section with asphalt concrete street paving (TI=9.0) as necessary for the curb and gutter relocation, pavement striping, new and modified driveway aprons, two (2) new street lights on the Central Avenue frontage, any and all necessary utility relocations and tie-ins, landscaping, irrigation, and frontage screen walls.
- o. This site is subject to the State of California National Pollutant Discharge Elimination System (NPDES) Program General Permit for Storm Water Discharges Associated with Construction Activity. Prior to issuance of a grading permit or a building permit, the developer needs to provide evidence that the proposed site development work is covered by said General Permit for Construction Activity. This will require confirmation that a Notice of Intent (NOI) and the applicable fee were received by the State Water Resources Control Board and the submittal of the required Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer. In addition the grading plans need to state: "All grading work shall be done in accordance with the Storm Water Pollution Prevention Plan prepared by the developer pursuant to the Notice of Intent on file with the State Water Resources Control Board."
- p. Prior to the issuance of a grading or any building permits for this project, the developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for the review and approval of the City Engineer. The plan shall include sufficient details to show how storm water quality will be protected during both: (1) the construction phase of the project and (2) the post-construction, operational phase of the project. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD) in the State of California. The construction phase plan shall include Best Management Practices from the California Storm Water Quality Best Management Practices Handbook for Construction Activities. The specific storm water pollution prevention measures to be maintained by the contractor shall be printed on the plans. The operational phase plan shall include Best Management Practices appropriate to the uses conducted on the site to effectively prohibit the entry of pollutants into stormwater runoff from the project site including, but

not limited to, low impact development stormwater treatment measures, trash and litter control, pavement sweeping, periodic storm water inlet cleaning, landscape controls for fertilizer and pesticide applications, labeling of storm water inlets with a permanent thermoplastic stencil with the wording "No Dumping - Drains to Bay," and other applicable practices.

- q. The project must be designed to include appropriate source control, site design, and stormwater treatment measures to prevent stormwater runoff pollutant discharges and increases in runoff flows from the site in accordance with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2009-0074, revised November 28, 2011, issued to the City of Newark by the Regional Water Quality Control Board, San Francisco Bay Region. Examples of source control and site design requirements include, but are not limited to: properly designed trash storage areas (this includes a sanitary sewer connection), sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, and treatment of all runoff with Low Impact Development (LID) treatment measures. A properly engineered and maintained biotreatment system will only be allowed if it is infeasible to implement other LID measures such as harvesting and re-use, infiltration, or evapotranspiration. The stormwater treatment design shall be completed by a licensed civil engineer with sufficient experience in stormwater quality analysis and design. The design is subject to review by the City Engineer and the Regional Water Quality Control Board. The developer shall modify the site design to satisfy all elements of Provision C.3 of the MRP. The use of treatment controls for runoff requires the submittal of a Stormwater Treatment Measures Maintenance Agreement prior to the issuance of any Certificates of Occupancy.
- r. The developer shall install full trash capture devices in all existing and proposed storm drain inlets on the project site. These trash capture devices shall be selected from a list of devices approved by the Regional Water Quality Control Board as meeting full trash capture requirements under the MRP. These devices shall be regularly cleaned and maintained by the property owner as part of the required Stormwater Treatment Measures Maintenance Agreement.
- s. All stormwater treatment measures are subject to review and approval by the Alameda County Mosquito Abatement District. The developer shall modify the grading and drainage and stormwater treatment design as necessary to satisfy any imposed requirements from the District.
- t. The developer shall submit a grading and drainage plan for review and approval by the City Engineer and the Alameda County Flood Control and Water Conservation District. This plan must be based upon a City benchmark and needs to include pad and finish floor elevations of each proposed structure, proposed on-site property grades, proposed elevations at property line, and sufficient elevations on all adjacent properties to show existing drainage patterns. All on-site pavement shall drain at a minimum of one percent. The developer shall ensure that all upstream drainage is not blocked and that no ponding is created by this development. Any construction necessary to ensure this shall be the developer's responsibility.

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

- u. Where a grade differential of more than a 1-foot is created along the boundary parcel lines between the proposed development and adjacent property, the developer shall install a masonry retaining wall unless a slope easement is approved by the City Engineer. Said retaining wall shall be subject to review and approval of the City Engineer. A grading permit is required by the Building Inspection Division prior to starting site grading work.
- v. Prior to issuance of a building permit, the developer shall submit a pavement maintenance program for the drive aisles and parking areas on the project site. The maintenance program shall be signed by the property owner and the property owner shall follow the maintenance program at the City Engineer's direction.
- w. The site operator shall ensure that all large trucks entering the site via a left-turn westbound Central Avenue do so by utilizing the westernmost driveway access at all times due to the limited two-way left-turn lane storage capacity at the easternmost driveway.
- x. Prior to the issuance of a building permit, the developer shall make a contribution to the City of Newark for the cost of a future Cherry Street traffic corridor study to evaluate potential improvements between Central Avenue and Mowry Avenue that may result in improved overall traffic conditions. This contribution shall be in the amount of \$10,000.
- y. Prior to the issuance of a building permit, the property owner shall enter into an agreement to guarantee the future undergrounding of all existing overhead utilities along the project frontage. This agreement shall be in a form acceptable to the City Attorney and the City Engineer.
- z. Any new utilities including, but not limited to, electric, telephone and cable television services shall be provided underground.
- aa. Any proposed utility connections and/or underground work within structurally sound street pavement must be bored or jacked. Open street cuts will not be permitted across Central Avenue and Cherry Street.
- bb. The developer shall repair and/or replace any public improvements damaged as a result of construction activity to the satisfaction of the City Engineer.
- cc. The developer shall ensure that a water vehicle for dust control operations is kept readily available at all times during construction at the City Engineer's direction.

## Landscape-Parks Division

- dd. The developer shall install landscape improvements within the Central Avenue and Cherry Street rights-of-way and adjoining landscape easement areas as well as on-site landscaping improvements in accordance with the approved Conceptual Landscape Plan. All off-site improvements shall be guaranteed prior to the issuance of a building permit.
- ee. All landscape improvements shall be subject to the existing Landscape Maintenance Agreement recorded as Alameda County Document No. 2007101486. The property owner shall be responsible for maintaining all on-site and off-site landscape improvements in accordance with the terms of this agreement.
- ff. The developer shall retain a licensed landscape architect to prepare working drawings for both off-site and on-site landscape plans in accordance with City of Newark requirements, the approved Conceptual Landscape Plan, and the State of California Model Water Efficient Landscape Ordinance. The landscape plans shall be included with the full tract improvement plan set. The associated Landscape Documentation Package must be approved by the City Engineer prior to the issuance of a building permit.
- gg. The developer shall implement Bay Friendly Landscaping Practices in accordance with Newark Municipal Code, Chapter 15.44.080. Prior to the issuance of a building permit, the developer shall provide sufficient information to detail the environmentally-conscious landscape practices to be used on the project.
- hh. The developer's landscaping shall include minimum 30-inch high mounding or combination of mounding and low masonry screen walls to screen parking areas from Central Avenue and Cherry Street. The height of said mounding or screen walls shall be measured from the higher of adjacent on-site or off-site curb elevations. A minimum of 12 inches of any screen wall shall be above the abutting finish grade. The screening shall be located outside of the City right-of-way and screen wall design, materials, and color finish shall be approved by the Community Development Director.
- ii. The plant species identified for any proposed biotreatment measures are subject to final approval of the City Engineer.
- jj. Prior to installation by the developer, plant species, location, container size, quality, and quantity of all landscaping plants and materials shall be reviewed and approved by the City Engineer. Street trees shall be planted along the project frontage at 40 feet on-center. All plant replacements shall be to an equal or better standard than originally approved subject to approval by the City Engineer.
- kk. Prior to the release of utilities or issuance of any Certificate of Occupancy, all landscaping and irrigation systems shall be completed or guaranteed by a cash deposit deposited with the City in an amount to cover the remainder of the work.
- ll. Prior to issuance of Certificate of Occupancy or release of utilities, the developer shall guarantee all trees for a period of 6 months and all other plantings and landscape for 60

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

#### Alameda County Fire Department

- mm. The end of the Fire Department access road along the north end of the existing building will need to be equipped with a fire apparatus turnaround that meets the fire department requirements and templates.
- nn. Additional fire hydrants will be necessary unless all portions of the buildings are within 400 feet of a hydrant.

#### Building Inspection Division

- oo. Construction for this project, including site work and all structures, can occur only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday. The applicant may make a written request to the Building Official for extended working hours and/or days. In granting or denying any request, the Building Official will take into consideration the nature of the construction activity which would occur during the extended hours/days, the time duration of the request, the proximity to residential neighborhoods, and input by affected neighbors. All approvals shall be done so in writing.
- pp. This project is subject to Chapter 15.44 of the Newark Municipal Code, Green Building and Construction and Demolition Debris Recycling. One hundred percent (100%) of all concrete and fifty percent (50%) of all remaining construction and/or demolition debris generated by this project shall be recycled. At the time a demolition permit is issued the applicant will complete the Waste Management Plan and return it to the Building Inspection office prior to the issuance of a Certificate of Occupancy.

#### General

- qq. All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission and City Council review and, if so decided, said changes shall be submitted for the Commission's and Council's review and decision. The applicant shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval.
- rr. If any condition of this Architectural and Site Plan Review be declared invalid or unenforceable by a court of competent jurisdiction, this Architectural and Site Plan Review shall terminate and be of no force and effect, at the election of the City Council on motion.

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

This Resolution was introduced at the Planning Commission's January 27, 2015 meeting by Commissioner Nillo, seconded by Commissioner Otterstetter, and passed as follows:

AYES: Aguilar, Fitts, Nillo and Otterstetter.

NOES: None.

ABSENT: Bridges.

s/Terrence Grindall  
TERRENCE GRINDALL, Secretary

s/William Fitts  
WILLIAM FITTS, Chairperson