

City of Newark  
NewPark Place Specific Plan



Draft

February 6, 2018



CITY OF NEWARK  
**NEWPARK PLACE SPECIFIC PLAN**

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ADMINISTRATIVE DRAFT

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# Introduction

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## 1.1 Purpose

The *NewPark Place Specific Plan* (“specific plan”) is a development implementation tool. It translates the city’s vision for the redevelopment/revitalization of the Greater NewPark Mall, identified in the 2013 *City of Newark General Plan* (City of Newark 2013) (“general plan”) and the 2015 Greater NewPark Masterplan (City Design Collective 2015) (“master plan”), into a roadmap for development. That vision is to transform the Greater NewPark Mall into a premier vibrant urban place through thoughtful land use design, which includes modern residential areas, generous retail and dining opportunities, community venues, a world class movie theater, inviting pedestrian-oriented streets and public spaces, and enhanced sidewalks, bicycle lanes, and transit facilities. Creating a premier Bay Area and local destination will re-power the regional retail uses within the mall itself as a vital economic engine for the city. More about the general plan vision and related policies and the master plan vision is provided in Section 1.4, Specific Plan Relationship to Existing Policies and Plans.

The specific plan includes guidance in the form of plans, policies, development standards, and design guidelines. The specific plan serves as an extension of the general plan and is both a policy document and a regulatory document. City staff, decision makers, developers and the community will use the specific plan as a basis



to evaluate the merits of individual projects proposed within the specific plan boundary. To achieve the development vision for the Greater NewPark Mall, the specific plan contains a framework that is flexible in land use types, development standards, and design guidelines. In collaboration with the city, developers can work within this framework to deliver project designs and programs with desired uses, development form, mobility improvements, and public amenities that create a unique “sense of place”.

The dynamic nature of NewPark Place requires flexibility in its development and operation. The development standards and the design guidelines contained herein establish overall development intent for the project, but recognize that design and development standards may change with evolving technology and as new uses arise. The intent of this specific plan is to ensure conformance with the overall design and development concepts contained herein, but to also provide the necessary flexibility of review

as individual parcel owners and tenants move forward with their development plans. All plans and elevations included in this Specific Plan are illustrative in nature and intended to provide general design intent. Deviations in building, road, and parking garage location, layout and design shall be reviewed during the development review process for consistency with the specific plan design intent. In particular, the extension of North Magazine may be eliminated or modified.

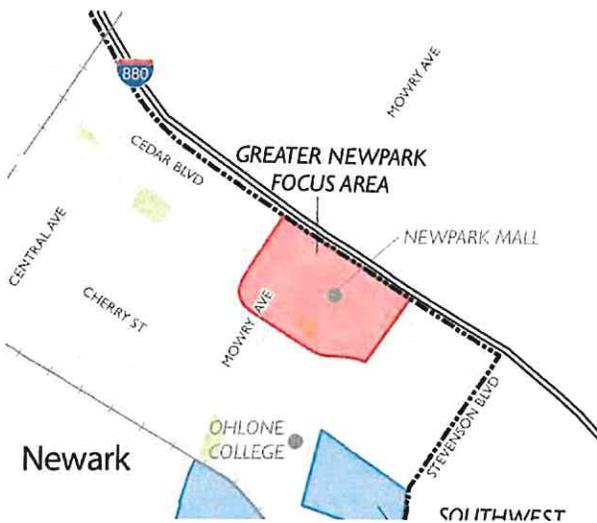
## 1.2 Setting and Context for the Specific Plan

### Project Location

The regional and vicinity location of the Greater NewPark Mall is shown in [Figure 1-1, Location Map](#). As referenced in the general plan, the Greater NewPark Mall is an approximately 125-acre area in the southeastern portion of the city adjacent to I-880 that includes the existing NewPark Mall structure, the parking facilities that surround it, and commercial uses on the

perimeter of the mall. The Greater NewPark Mall is also identified in the general plan as the Greater NewPark Focus Area, a priority location for growth and change over the 20-year general plan planning horizon. Focus Areas described in the general plan have unique issues that require more detailed consideration than is provided for in the general plan. The terms “Greater NewPark Mall” and “Greater NewPark Focus Area” as used in the general plan refer to the same area. This area is roughly bound by Interstate 880 (“I-880”) to the east, Balentine Drive to the south, and Cedar Boulevard to the west and Mowry Avenue to the north.

In 2014, a high density residential development project (the Prima Residential Project) was approved on approximately 9.5 acres within a portion of the Greater NewPark Focus Area located on the north side of Mowry Avenue between Cedar Boulevard and Mowry Avenue. Given that this area is already developed, it is not considered further in this specific plan, as it has no direct relationship to planning for revitalization/redevelopment within the portion of the Greater NewPark Focus Area located to the south of Mowry Avenue. This specific plan provides detailed development direction solely for the remainder of the Greater NewPark Focus Area that is located south of Mowry Avenue. It is assumed that all remaining development capacity within the Greater NewPark Focus Area is assigned to the portion located south of Mowry Avenue. Thus, for planning purposes, the specific plan boundary is considered to be coterminous with the boundary of the Greater NewPark Focus Area within which new development potential remains. The specific plan boundary is identified in [Figure 1-2, Specific Plan Boundary](#).



“The Greater NewPark Focus Area Newark California General Plan (2013)”

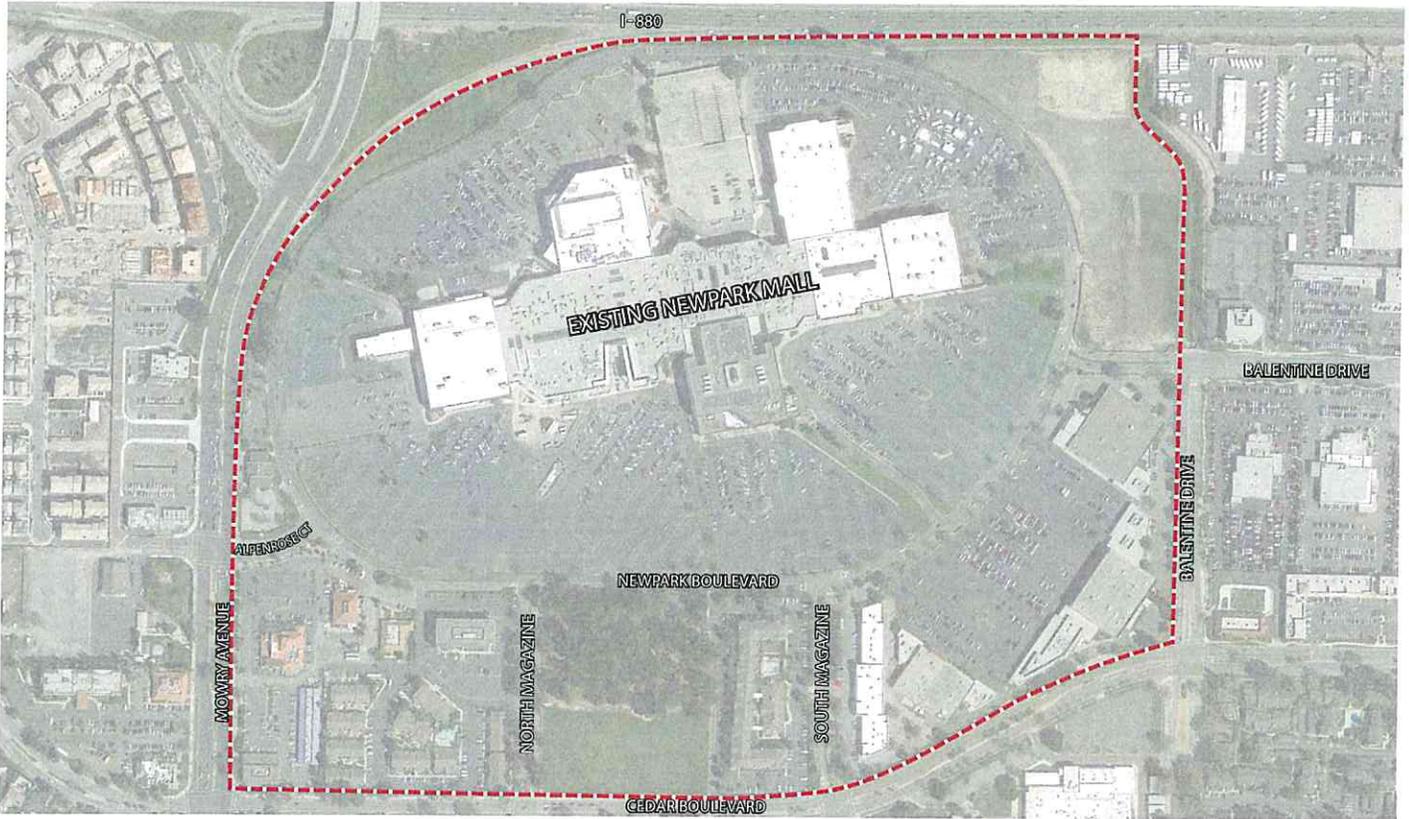


Source: ESRI 2017



Figure 1-1  
**Location Map**  
 NewPark Place Specific Plan





Source: ELS 2017

Note: For planning purposes, the specific plan boundary is considered coterminous with the Greater NewPark Mall and the Greater NewPark Focus Area boundaries identified in the general plan.



Figure 1-2  
Specific Plan Boundary

NewPark Place Specific Plan

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## Location/Boundary Terms Used in this Specific Plan

In the remainder of this document, the terms Greater NewPark Mall, Greater NewPark Focus Area, and specific plan area are used interchangeably depending on the context of the issue being discussed. As noted above, for purposes of the planning process used to prepare this specific plan, the boundaries of all three areas are considered to be the same, given the assumed exclusion of the approved and constructed Prima Residential project site located to the north of Mowry Avenue from these boundaries.

This specific plan also includes the term “NewPark Place”. This term is used in the context of the development outcomes that the city desires within the specific plan boundary as provided in the general plan and master plan visions for the area. The NewPark Place boundary is the same as the specific plan boundary.

The term “NewPark Mall” or “mall” is also used. In references to existing conditions, this term refers solely to the existing mall structure and the surface/and structured parking facilities that support its use. In discussions of how NewPark Place will be transformed through redevelopment and revitalization, the term more commonly refers to the mall structure and the retail/entertainment uses it currently contains and may contain over time.

## NewPark Mall Background

The NewPark Mall is a suburban-style, enclosed regional shopping mall. NewPark Mall opened in 1980 to great acclaim. The mall boasted over 1.1 million square feet of floor space

anchored by major retailers (Macy’s, JC Penney, and Sears). Generous parking areas surrounded the entire mall. Several commercial businesses, including retail stores, restaurants and hotels were and continue to be located along the periphery of the mall area. Shirley Sisk Grove, a small two-acre landscaped public park, is also located in this area.



Since it’s opening, NewPark Mall has been the largest enclosed retail center in southwest Alameda County and one of the largest regional malls in the Bay Area. Over the past decade, regional competition has contributed to a severe decline in mall revenues and vibrancy: Circuit City, Staples, Babies R Us, Toys R Us, TJ Maxx, Men’s Wearhouse, Cinedome Theaters, and the multi-story Target store all departed the mall for open air commercial “Power Centers”. Revenues which topped \$200 million in 2006 fell by 35 percent to \$130 million by 2012. The northern end of the in-line stores near Sears continued to



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suffer habitual vacancies. Changing retail trends and competition from newer centers like Pacific Commons and Union Landing have continued to diminish the mall’s pre-eminence in the region.

The city’s residents maintain many fond memories of the mall’s heyday when the mall was the go to place to meet with friends and family and enjoy shopping and entertainment. The city’s general plan and the master plan identify the mall area as a primary opportunity location within the city and envision the area as again becoming a vibrant, active, and thriving destination.

### Existing Conditions

The existing mall and surrounding uses and features are illustrated in [Figure 1-3 Existing Conditions](#). Recently, portions of the mall have been going through extensive renovations. These include a new 12-screen AMC Theater complex (complete with an IMAX screen and a Prime Theater) and several new restaurants. Approximately 140 stores occupy the mall.

The large surface parking areas on all sides of the mall are significantly underutilized and create a sea of paved space. A portion of the surface parking area located between JC Penney and the Burlington Coat Factory is successfully utilized as a farmers market every Sunday.



Many of the older structures built in the 1970s that are located between NewPark Boulevard and Cedar Boulevard still remain. Business within these structures have come and gone over time. Most of the buildings have housed retail business, but a number have been, and currently are restaurants or other food establishments. Two hotel developments, Homewood Suites and Chase Suites, continue to operate on sites located along Mowry Boulevard. One office building remains along the west side of NewPark Boulevard. Several businesses are in the process of closing or have already vacated. The summer concert series at Shirley Sisk Grove continues to be well attended.

The primary existing circulation network that provides access to and within the specific plan area consists of several streets. NewPark Boulevard is the main through access road. It forms a “ring road” around the NewPark Mall. Near its northern end, NewPark Boulevard connects with Alpenrose Court, which provides a direct connection to Mowry Avenue, the main regional arterial access to the area. Mowry Avenue has an interchange with I-880. Near its southern end, NewPark Boulevard connects with Balentine Drive. About one-half mile to the south of the specific plan boundary, Balentine Drive connects to Stevenson Boulevard, which also has an interchange with I-880. North Magazine and South Magazine provide connections between NewPark Boulevard and Cedar Boulevard, a primary arterial.

With the exception of Shirley Sisk Grove, land within the specific plan boundary is entirely developed with urban uses. There are no intact natural features.



 Specific Plan Boundary

Source: ELS 2017



Figure 1-3  
Existing Conditions  
NewPark Place Specific Plan



## Changing Retail Trends – the Driver for Repositioning NewPark Mall

In recent years, online shopping and nearby competition from other retail centers has impacted the financial health of the mall and its ability to draw both local and regional



populations. To increase vibrancy and retail activity, the NewPark Mall must be repositioned as a retail and entertainment destination and realign itself with significant changes occurring in the industry. Many downtown commercial districts were decimated by the convenience of the modern shopping center 40 years ago. This required downtowns across the country to change the nature of their attraction to social, entertainment, and cultural experiences, combined with the opportunity to live and work within a walkable distance of these experiences. Today, the convenience of online shopping has created a similar challenge for the traditional mall, which can no longer thrive on convenience and must look to other means to attract customers and the best tenants. Leisure is quickly overtaking necessity as a driver for trips to the mall. The mall must become more than a mall; it must become a destination centered on social, entertainment, and cultural experiences to attract people.



## 1.3 Transforming Greater NewPark Mall to a Vibrant “NewPark Place”

The decline of the NewPark Mall has prompted the city to explore new ideas for sustaining its role as an essential part of Newark’s economy. In 2012, the city initiated a visioning process for the Greater NewPark Mall area, which includes the mall itself, and has continued to work with property owners and the public to explore alternatives for transforming it into a more vibrant regional retail center. In 2013, the city’s economic development team in coordination with private sector property owners, business owners, and real estate professionals deployed a proactive economic development agenda to revitalize portions of the struggling mall. In 2015, the city completed the Greater NewPark Master Plan, which put in place the preliminary community-supported vision reimagining the area to guide new investment and serve as the framework for guiding redevelopment/revitalization efforts.



City of Newark

This specific plan is the direct, detailed guidance needed for the city and property owners to transform the Greater NewPark Mall into a vibrant NewPark Place in a manner that not only responds to current retail trends, but also provides the flexibility to respond to development trends as they change over time.

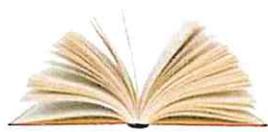
### 1.4 Specific Plan Relationship to Existing Plans and Policies

The specific plan implements the general plan vision and policy direction for revitalizing the Greater NewPark Mall. Upon adoption of the specific plan, the general plan would be amended to identify that land use and development within the specific plan boundary is guided by the NewPark Place Specific Plan. The specific plan effectively provides a link between the policies of the general plan and future individual project development proposals that must be consistent with the land use types, policy direction, development regulations, and design guidelines in the specific plan.

To more thoroughly identify the relationship of the specific plan to the general plan and to other city plans that supplement the general plan, each of these plans is summarized below.

#### City of Newark General Plan

The general plan was adopted in 2013. The general plan is a state-mandated document and provides a vision for Newark’s future and a strategy for achieving that vision. The general plan contains Newark’s official policies on land use, transportation, housing, natural resources, parks, environmental hazards, economic development,



public health, and community services. It also addresses Newark’s relationship to the rest of the Bay Area. Newark’s updated housing element was adopted in May 2015. The Housing Element is part of the general plan. The general plan provides the overarching framework for the development vision and development capacity included in the specific plan.

As previously noted, the specific plan boundary encompasses the portion of the Greater NewPark Mall/Greater NewPark Focus Area that is located to the south of Mowry Avenue.

#### General Plan Vision for the Greater NewPark Focus Area

The general plan articulates a vision for the Greater NewPark Focus Area that involves strengthening the NewPark Mall and its environs to enhance its role as a community showcase and a quality environment for shopping, working, and living. The general plan identifies the city’s desire to make the mall a more vibrant regional retail center in the future through adding mixed-use development, additional retail and office uses, and new pedestrian-oriented streets and public spaces. The general plan notes that improving the retail climate around NewPark Mall would provide economic benefits and create an exciting destination. This vision is specifically expressed in general plan policy LU-4.4:

**Policy LU-4.4.** Greater NewPark Area. Modernize the Greater NewPark Area to create a vibrant regional retail location which provides urban amenities and gathering places. A mixture of higher density housing, office, hotel, entertainment, civic, and other uses should be encouraged, to the extent that these uses enhance regional retail as the primary use and assist in the area’s revitalization.

General plan policy LU-4.11, goal LU-9 and its related policy direction provide additional direction for land use and design to help to achieve the vision:

**Policy LU-4.11.** Incorporate streetscape features in the Old Town Newark, NewPark Mall, and future Dumbarton TOD areas that support active street life and a stronger sense of place. This includes wider sidewalks, ground floor retail stores with display windows oriented to pedestrians, outdoor dining areas, special landscaping and lighting standards, street furniture, and other amenities. Streetscape improvements should minimize the impacts of vehicle traffic on adjacent properties and make walking more enjoyable and comfortable.

**Policy LU-9.1.** Greater New Park Area Land Use Mix. Diversify the mix of uses in the NewPark Mall vicinity to sustain and expand its role as the premiere shopping and entertainment destination in Southern Alameda County.

**Policy LU-9.2.** High Density Housing in the Greater NewPark Area. To the extent that it contributes to the regional retail focus of the area, consider introduction of high-density residential uses in the NewPark Mall vicinity.

**Policy LU-9.3.** Greater NewPark Area Design. While maintaining the primary focus on regional retail uses, require that the design of future buildings in the NewPark area reflects a long-term vision of a more urban destination. High quality exterior materials should be used to create a welcoming environment for pedestrians. Signage, exterior lighting, landscaping, and other features should facilitate the transformation of this area from a suburban center to an “urban village.”

The general plan includes several communitywide goals. With its existing and potential new commercial resources, redevelopment of the Greater NewPark Mall as envisioned by the city would have the potential to fulfill many of these goals, such as:

- Maintain a strong sense of shared community among residents and protect the quality of life.
- Concentrate commercial and industrial land uses along the edges of the city to capitalize on freeway access and buffer more sensitive land uses.
- Focus future growth in key areas of opportunity for development and redevelopment while preserving the character of existing residential neighborhoods.
- Provide new, higher density housing options that address the needs of senior citizens and cater to the preferences of younger generations, while maintaining the single-family residential neighborhoods that Newark residents value.
- Foster the creation of new high-quality recreational open spaces and the enhancement of existing recreational facilities and open spaces.
- Develop a more sustainable and healthy community and promote walking and biking through focused transit-oriented development (TOD) and focused high-density housing in proximity to commercial uses.
- Sustain NewPark Mall as a regional commercial attraction, while exploring opportunities for redevelopment of the surrounding area with civic and other uses supportive of the mall.

Community



### General Plan Land Use

The general plan land use designation of Regional Commercial applies to all land within the specific plan boundary except Shirley Sisk Grove, which is designated Parks and Recreation Facility. The Regional Commercial designation supports large shopping facilities in the city. The emphasis is on a broad array of goods and services, including department stores, retail shops, restaurants, entertainment facilities, and similar uses which draw patrons

from throughout Newark and the surrounding region. Uses such as hotels and corporate office buildings are acceptable in areas with this designation. Housing at densities greater than 30 units per acre may be included in Regional Commercial areas if such housing is a component of a large-scale planned development which is primarily oriented around regional retail commercial uses.

The Parks and Recreational Facilities designation identifies open space lands whose primary purpose is active recreation. It applies to parks owned and operated by the City of Newark and other land that supports recreational activities.

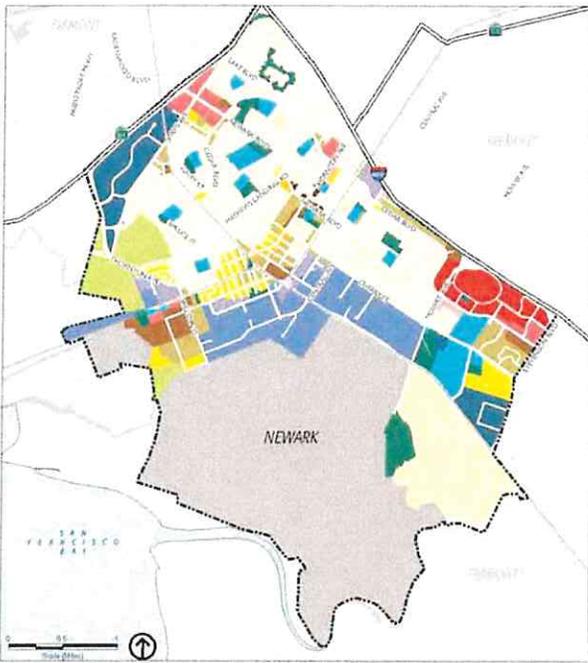
### General Plan Development Capacity for the Greater NewPark Focus Area

On page LU-7, the general plan states:

New land uses could be considered in the NewPark area to complement the area’s retail focus. Taller buildings may be appropriate in this area to create visual landmarks and accommodate a more intense level of development than would be appropriate in Old Town, Four Corners, and other commercial districts.

In this regard, the *General Plan Tune Up Draft Program EIR for the City of Newark* (Planning Center/DC&E 2013)(“general plan EIR”) identifies how the new land uses envisioned in the general plan are translated into specific new development capacity:

The Plan proposes modifying the Regional Commercial land use designation applicable to much of the Greater NewPark Focus Area so as to allow high density residential, office, and hotel uses to the extent that they support the area’s regional retail focus.



Source: City of Newark, 2012. The Planning Center (DC&E, 2013; Tiger/Arbeits 2010; EIR, 2014; FEC, 2013)

<b>Open Space Designations</b>	<b>Residential Designations</b>	<b>Commercial Designations</b>	<b>Regional Commercial</b>
Park and Recreational Facilities	Low Density Residential	Regional Commercial	Office Commercial
Conservation Open Space	Medium Density Residential	Commercial Mixed Use	City Center
<b>Industrial Designations</b>	High Density Residential	<b>Private Production Designations</b>	
Light Industrial	Public/Institutional	Office, Self-Storage, Retail and Production	
Traditional Industrial	Public/Institutional		
General Industrial			

The City estimates that the proposed Plan would allow for approximately 1,800 new housing units, 700 new hotel rooms, 200,000 square feet of net new retail space, and 500,000 square feet of net new office space in this focus area.

### Specific Plan Consistency with the General Plan

At a broad level, the specific plan must reflect the general plan vision for the Greater NewPark Focus Area, be consistent with the land use designations for the Focus Area, and avoid proposing new development that exceeds new development capacity and development intensities inferred by the general plan as articulated in the general plan EIR.

The specific plan integrates key general plan goals as listed above into a framework of flexible development blocks, public spaces, and streetscapes designed to reinvigorate retail activity and create a destination with a strong sense of place and community identity. The specific plan proposes land uses that are consistent with those allowed per the Regional Retail land use designation. Further, as described in Section 2.4, Land Use Plan, the new development capacity proposed in the specific plan does not exceed the acceptable capacities identified in the general plan EIR.

New development within NewPark Place must also be consistent with policies included in the general plan. The specific plan includes land use, mobility, and infrastructure/facilities, and resource conservation policies that apply to new development solely within the specific plan boundary. These policies are supplemental to those found in the general plan. For the most part, these polices provide guidance for implementing the development direction included in the specific plan.

### City of Newark Greater NewPark Masterplan

Action item ED-2.E in the general plan calls for completion of a master plan for the Greater NewPark Mall area to explore future revitalization and transformation into a dynamic urban center. The master plan adopted in 2015 provides a vision and an overall development concept for the Greater NewPark Mall that includes urban design, landscaping,



*City of Newark*  
**Greater NewPark Masterplan**

*Approved by City Council (9-10-15)*

infrastructure, service provision, circulation, land use, and built form. The master plan serves as a more detailed vision framework than is provided in the general plan. The master plan envisions Greater NewPark Mall as a vibrant, mixed-use premier destination. Land use, circulation, and public space concepts identified in the master plan include:

- The NewPark Mall would offer unparalleled shopping, entertainment, restaurant, and lodging choices.
- A central outdoor plaza located on the west side of NewPark Mall, NewPark Commons, would serve as the hub of civic and community activity while expanding opportunities for commerce.

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- The internal ‘ring road’ would be reconfigured and redesigned as NewPark Boulevard, a visually dramatic multi-use road that would accommodate auto and pedestrian circulation while serving as an enticing location for new development.
- Adjacent and well-connected office, residential, and live-work uses would support the overall success of revenue-generating commercial uses.
- Shirley Sisk Grove would be improved to create a permanent outdoor community gathering and performance space.
- Over time, Greater NewPark’s success would lead to significant demand for increased commercial, entertainment, and complementary residential and office uses, furthering Greater NewPark’s evolution as the area’s most active, urban, and walkable district.

The master plan was not intended to address detailed land uses, development capacities, development standards, and/or design standards. It includes general implementation steps, but specifies that detailed planning is required to catalyze investment in individual projects. The master plan was not adopted as a policy or regulatory document. This specific plan includes the detailed planning and standards needed to translate the master plan vision into a specific roadmap for catalyzing investment.

## City of Newark Pedestrian and Bicycle Master Plan

The City of Newark Pedestrian and Bicycle Master Plan was adopted by the city in February 2017.

It is a long-range planning document that provides a basis

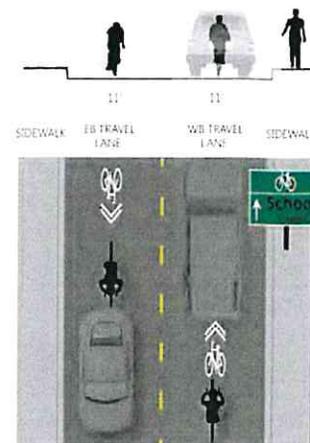
for future pedestrian and bicycle improvement projects and programs. It supplements the general plan and establishes a program for building a connected system of on-street and off-street bikeways and support facilities. It sets the framework for improving pedestrian and bicycle access to schools, employment areas, shopping areas, and parks.

As described in Section 2.0, Land Use, and Section 3.0, Mobility, the specific plan includes plans and standards to substantially improve pedestrian and bicycle access within NewPark Place. The specific plan enhances non-motorized transportation conditions consistent with goals of the Pedestrian and Bicycle Master Plan.

## Citywide Parks Master Plan

The city recently drafted the *City of Newark Citywide Parks Master Plan* (Royston, Hanamoto, Alley and Abey 2017)(park plan). The park plan identifies recreational needs, explores opportunities for enhanced or new facilities, and creates a framework for providing parks throughout the city.

The park master plan is relevant to the specific plan because of the direction it provides for improvements to Shirley Sisk Grove. Shirley



Sisk Grove is identified as a special use park. The park plan envisions Shirley Sisk Grove as a permanent, outdoor performance space for the Newark community. The suggested improvements include a permanent outdoor stage and stage shelter, a permanent restroom, storage for event materials, and planting and irrigation for outdoor seating. To further improve Shirley Sisk Grove, the park plan also proposes a play area and an on-site parking lot to improve site accessibility. These improvements would significantly enhance the park as an important open space amenity within NewPark Place that will draw more people to it. The specific plan leverages the existing and enhanced value of the Shirley Sisk Grove as a destination. The specific plan includes enhanced vehicular and pedestrian and bicycle connections between the mall and other portions of NewPark Place.

### Newark Municipal Code

The Newark Municipal Code (“municipal code”) contains the primary regulatory guidance for implementing the general plan.

The zoning districts identified in the municipal code that apply to land within the specific plan boundary are consistent with the general plan land uses. With the exception of the Shirley Sisk Grove, the entire specific plan area within the Regional Commercial zoning district. Shirley Sisk Grove is zoned Open Space. The Regional Commercial district regulations apply to commercial areas which serve a regional market. These prime commercial areas are intended for uses which support the economic diversity and future financial well-being of the city by generating substantial amounts of revenue.



The Open Space zoning district regulations are intended to reserve urban open space lands as a valuable resource for active recreational use by the community.

As described in this specific plan, if there are inconsistencies or conflicts between the development regulations contained in the specific plan and those contained in the municipal code or other applicable, adopted or future rules, regulations, or official policies of the city, the regulations contained in the specific plan prevail. The specific plan would be adopted by ordinance as a rezoning action to reflect that the development regulations it contains apply within the specific plan boundary.

## 1.5 Specific Plan Authority and Implementation

The specific plan is authorized by California Government Code sections 65450 through 65457. This law authorizes adoption of a specific plan for the systematic implementation of an area covered by a local general plan. This specific plan implements the vision and policy contained within the general plan that is applicable to the

Greater NewPark Mall and the Greater NewPark Focus Area. As such, the specific plan serves as an extension of the general plan and is used as both a policy and regulatory document.

Specific plans must be consistent with the general plan. The following excerpt identifies the content requirements for specific plans defined in Government Code Section 65451.

### Section 65451. Content of specific plans

- (a) A specific plan shall include a text and a diagram or diagrams that specify all of the following in detail:
  - (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
  - (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the Plan.
  - (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
  - (4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs 1), 2), and 3) above.
- (b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.

California Government Code sections 65453 and 65454 provide further direction for specific plan as follows:

### Section 65453. Adoption/amendment procedure

- (a) A specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.
- (b) A specific plan may be repealed in the same manner as it is required to be amended.

### Section 65454. Consistency with the General Plan

No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan.

This specific plan has been prepared pursuant to state law and complies with all requirements.

## 1.6 Specific Plan Preparation Process

The specific plan preparation process began with visioning sessions to reaffirm the City of Newark's goals and vision as expressed in the general plan and the master plan. Stakeholders, business owners, and owners of property within the specific plan boundary participated in three different working sessions held over the span of several months to convey their ideas and

to help formulate land use and development regulation approaches. Through this process a land use concept was developed and presented at a Special Joint City Council/Planning Commission workshop in 2017. The public was invited to participate in the workshop. Several public participants provided comments that were considered in the specific plan formulation process.

Using inputs from the working sessions and the joint City Council/Planning Commission workshop, city staff and city consultants prepared the draft specific plan. As final steps in the specific plan process, the Planning Commission will consider the specific plan and make recommendations to the City Council. The City Council will then consider the recommendations and make a decision whether or not to adopt the specific plan.

## 1.7 Organization of the Specific Plan

The specific plan is organized with the following chapters and content.

### Section 1 - Introduction

This section describes the purpose or intent of the specific plan, provides setting and context for the specific plan, identifies the specific plan relationship to existing plans and policies, identifies the California Government Code sections with which the specific plan must be consistent, and describes how the specific plan is organized.

### Section 2 - Land Use, Development Standards, and Design Standards

This section presents the specific plan vision and strategies for implementing the vision; the proposed land use plan, land use designations, and proposed amenity features; a development capacity summary; development regulations, design guidelines, and land use policies.

### Section 3 - Mobility

This section identifies the mobility vision, describes how vehicular and non-vehicular mobility features are integrated with land use, includes street sections that identify expectations for how streets will be designed and constructed to integrate vehicular and non-vehicular modes of movement; shows mobility connectivity plans; and describes policies which provide specific direction for implementing the mobility vision and improvements needed to achieve the vision.

### Section 4 - Infrastructure, Facilities, and Energy

This section describes existing infrastructure and public facilities conditions; changes in demand for utilities and services that would be generated by new development, infrastructure and facilities master planning needs to guide specific investments, public services conditions and needs, and energy and greenhouse gas issues. Policies are included to provide direction for implementing infrastructure and facilities planning, funding, and construction, and for reducing energy demand and greenhouse gas emissions.



# Land Use, Development Standards, and Design Standards

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## 2.1 Vision

The overarching vision is to reinvigorate the Greater NewPark Mall consistent with the broad vision identified in the general plan. This vision is generally articulated in general plan policy LU-4-4:

Policy LU-4.4 Greater NewPark Area. Modernize the Greater NewPark Area to create a vibrant regional retail location which provides urban amenities and gathering places. A mixture of higher density housing, office, hotel, entertainment, civic, and other uses should be encouraged, to the extent that these uses enhance regional retail as the primary use and assist in the area's revitalization.

The city's goal is to transform the Greater NewPark Mall into a vibrant place featuring premier regional shopping, entertainment, high-density residential, and office development destination. This vision was subsequently further articulated in the Greater NewPark Master Plan through a community based process.

The specific plan translates this vision into specific redevelopment implementation guidance. To realize this vision and to create the sense of place needed to achieve it, the specific plan incorporates the land use and design principles shown in the call-out box.

### Land Use and Design Principles

- Promote mixed retail, office, and residential development across NewPark Place to bring renewed, dynamic activity to the NewPark Mall and balance of NewPark Place and to enable flexible response to short- and longer-term real estate development market trends and opportunities.
- Focus new high density residential development adjacent to the NewPark Mall along a new retail-focused street to "activate" activity at the mall and create a dynamic pedestrian, retail, and entertainment experience.
- Create blocks of land with sufficient capacity to allow development flexibility.
- Establish development standards and design guidelines that allow development creativity within a framework created to achieve the specific plan vision and respond to evolving real estate market conditions.
- Create and integrate public amenities and spaces.
- Promote activity "on the street" through with a network of streets designed to encourage public activity, multiple modes of movement, and well-crafted streetscapes.

All of these land use and design principles are derived from direction included in the general plan and master plan, and reflect an understanding of shifts in the retail industry that require re-imagining the historic retail-focused use of NewPark Mall.

Figure 2-1, Conceptual Mixed Use Residential/ NewPark Mall Rendering, shows a possible future development scenario based on guidance included in this specific plan. The rendering shows residential mixed use buildings in the foreground with a revitalized NewPark Mall behind the mixed use structures. The road to the right is a redesigned NewPark Boulevard. The street to the left is a new roadway, NewPark Avenue, along which new retail and entertainment uses are included on the first floor of the mixed use buildings.

## 2.2 Key Specific Plan Strategies to Achieve a Re-Imagined NewPark Development Future

### Reposition the Retail



To increase retail activity in the NewPark Mall, development within NewPark Place must be repositioned to respond to significant changes occurring in the industry. Drawing great tenants to a mall is a function of experiential offerings, easy parking, co-tenancy, population demographic, and nearby competition. The specific plan strategically locates public space attractions to drive circulation within and around the NewPark Mall and greater specific plan area, adds a complimentary exterior main street retail experience, and re-enforces and expands activity at the mall itself and in the broader specific plan area by introducing an

on-site community with residential and mixed-use development adjacent to the mall. The combination of these factors will distinguish NewPark from other retail centers, helping make it a first choice for the regional community.

Much like downtowns 40 years ago, malls and retail centers are repositioning themselves to adapt to changing consumer tastes and habits. Introducing resident populations and employees can attract a new commercial tenant mix and expand the relevance of the mall. The city is well positioned to facilitate catalyst residential and mixed-use development adjacent to the mall. The inertia of this development could catalyze additional development opportunities within the balance of NewPark Place.

### Mixed-Use Strategy

“One-stop shopping” was once looked at as the ultimate commercial environment. Today, the term has evolved into “one-stop living.” Both younger and older generations are looking to simplify their lifestyles by living in amenity-rich environments that can respond to all of their needs within a comfortable walk. While this lifestyle isn’t for everyone, it has been a major contributor to the urban renaissance in many Bay Area cities. Introducing mixed-use development to NewPark Place satisfies this growing demand for urban housing, and will reinforce the core retail customer base.





Source: ELS 2017



## Conceptual Mixed Use Residential / NewPark Mall Rendering

Figure 2-1

NewPark Place Specific Plan

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Residential and mixed-use development will also bring people to NewPark Place for a greater number of reasons, whether to live, visit, work, play, or shop. The presence of activity then becomes an attraction in itself. A vibrant urban neighborhood can be a key asset for cities looking to attract new industries, businesses, and residents.

Residential and mixed-use development also provides the development community a measure of flexibility to respond to short- and long-term changes in the real estate market. The current market for office development may not be strong. However, including office development as a component of the mix of uses within NewPark Place will position NewPark Place as an attractive destination for office uses as office development market conditions improve over time.

## Public Space as an Anchor

Place-making plays a critical role in attracting both new customers and great tenants to the NewPark Mall, to proposed street-level retail and entertainment uses along NewPark Avenue, and to the balance of NewPark Place. The proposed location of public plazas at either end of the existing mall will encourage movement through its interior. With mutually reinforcing programming, the plazas and shops around them are designed to promote foot traffic within the mall that serves a role similar to that once served by the traditional department store. [Figure 2-2, Conceptual Public Plaza Rendering](#), illustrates a possible outcome of including public plazas as gathering places that draw people for relaxation and other passive or active activities.

Inclusion of an event space adjacent to the mall constitutes an additional public space that will be available for events that draw people to the mall and generates activity along NewPark Avenue. [Figure 2-3, Conceptual Event Space Rendering](#), shows how this concept is incorporated into the specific plan land use design.

These public spaces are an opportunity to broaden the spectrum of offerings at NewPark Place to cultural and recreational events. Yoga in the park, outdoor films, concerts, farmer's markets, or simply just being in the presence of other people can give people a reason to make routine, frequent trips to the mall and to the broader specific plan area.

The public plazas and event space are as public spaces due to their function. However, these facilities will be privately owned and maintained.

## Access and Streets

Access is an equally important factor to the success of NewPark Place. With enhanced, pedestrian, bike, and car friendly streetscapes throughout NewPark Place, experiential and physical barriers are removed, making it easier and more enjoyable to spend time there. Increased dwell



time encourages more retail and dining activity, supporting and enhancing the commercial offerings at the mall and within mixed-use developments adjacent to it. The specific plan includes redesigns of existing roadways (North Magazine, South Magazine, NewPark Boulevard, Alpenrose Court, and Ballentine Drive) and new roadways whose design and placement achieves the experiential goals for mobility and knits together existing and proposed land uses. Please refer to Section 3.0, Mobility, for more information about circulation design.

Three new structured parking garages make possible the proposed added residential density. These parking garages are distributed evenly to provide easy parking for retail and entertainment within the existing mall, retail and entertainment uses along NewPark Avenue, and office uses that may locate within NewPark Place. The structures replace a significant portion of the existing surface parking fields that now surround the mall.

## Catalytic Forces

Focusing the immediately available residential development density adjacent to the existing mall and inside NewPark Boulevard as designed into the specific plan land use plan will create the greatest catalytic force for reinvigorating NewPark Place. The new urban core, with the



mall at its heart, will not only maintain the viability of the NewPark Mall as a regional commercial center, but will differentiate and strengthen its position in the regional market. This is a fundamental goal of the city as expressed in the general plan and master plan, and implemented through this specific plan. A coherent network of streets and public spaces are key elements to ensure this benefit extends to the broader specific plan area.

## 2.3 Precedents for the NewPark Place Vision

The specific plan vision for a mixed-use commercial/residential area anchored around an interior shopping center is not without precedent. A few historic examples include the Houston Galleria in Houston, Texas; Ala Moana Shopping



Photo: Business Wire

The Houston Galleria has two hotels, three office buildings and over 375 stores. The center began incorporating other uses as early as the 1970's and continues to build today.

Center in Honolulu, Hawaii; Fashion Centre at Pentagon City in Arlington, Virginia, and Natick Mall in Natick, Massachusetts. Each one of these examples has structured parking to allow the variety of uses to have improved proximity and connectivity to each other and the mall itself. The people that inhabit the non-mall uses (both commercial and residential) are considered



Source: ELS 2017

Figure 2-2  
Conceptual Public Plaza Rendering  
NewPark Place Specific Plan

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Source: ELS 2017

Figure 2-3  
Conceptual Event Space Rendering  
NewPark Place Specific Plan





resident users and bring with them added demand for entertainment and services from the interior mall and often during the period of the week most people are not at the mall.

A commonality among these historic examples and NewPark Mall is that they all exist in areas where land is scarce and the pressure to develop is high. They are also all looking at ways to keep customers coming to the mall in an era where the need for convenient retail has been significantly impacted by the online market place. The ability of a shopping center to attract tenants is a function of who is coming to the mall, and when and how often. Diversifying the attractions to expand the customer base, increase the frequency of trips, and provide amenities that extend the length of stay can help improve the financial performance of the center and its draw as a vibrant and lively place. Added resident populations such as substantial apartment housing, hotels, and office create demand for more entertainment and restaurants, which contributes to increased foot traffic to the more traditional mall tenants.



Photo: Vita Tysons

Tyson's Corner Center recently built a mixed-use wing with a hotel, office and housing tower directly connected to the interior mall by a large plaza.

Unique to the specific plan strategy is the incorporation of additional lessons learned from mixed-use urban downtowns and outdoor shopping centers. The factors that drive a successful retail street are multi-faceted. The pedestrian experience, shops and restaurants, and the connections the street makes to the larger community all influence the quality of exposure to the retail tenants and the level of activity present on the street. The newly proposed retail street NewPark Avenue will allow through traffic in close to the mall, albeit at slower speeds. The street also intersects with the two new plazas at either end of the mall, reinforcing the circulation drivers that keep the interior mall successful. NewPark Avenue will cater to those tenants who want to be near the retail gravity of a mall, but prefer an open-air urban environment. Examples of interior malls located adjacent to an exterior shopping street can be found in San Jose with Santana Row and Valley Fair Mall; Fillmore Street and Cherry Creek Shopping Center in Denver, Colorado; and in Glendale with Glendale Galleria and the Americana. Providing both the exterior and interior retail environment

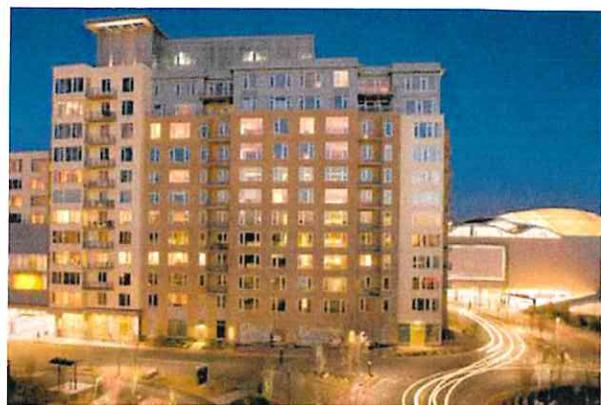


Photo: Bruce T. Miller

Residents at the Nouvelle condo complex at the Natick Mall enjoy their own special entrance to the shopping center. A stroll through the mall as well as access to shops, restaurants and entertainment is considered a major selling point for the units.

allows a greater choice of experiences for tenants and customers, thereby further differentiating the NewPark Mall and remainder of NewPark Place from local and regional competitors.

## 2.4 Land Use Plan

As a tool for implementing the general plan, at its most fundamental level the specific plan must be consistent with the general plan land use designations for the Greater NewPark Focus Area. At a more granular level, land use proposed in the specific plan must reflect the specific plan vision as expressed through land use types and relationships.

The existing general plan land use designation for the majority of the land within the NewPark Focus Area is Regional Commercial, the only exception being a Parks and Recreational Facilities designation for Shirley Sisk Grove. The general plan describes the Regional Commercial designation as supporting the largest and most complete shopping facilities in the city. The emphasis is on a broad array of goods and services, including department stores, retail shops, restaurants, entertainment facilities, and similar uses which draw patrons from throughout Newark and the surrounding region. Uses such as hotels and corporate office buildings are acceptable in areas with this designation. Housing at densities greater than 30 units per acre may be included if such housing is a component of a large-scale planned development which is primarily oriented around regional retail commercial uses.

The following description of the proposed land use plan demonstrates that it is consistent with the Regional Commercial designation. It also

demonstrates how the land use plan responds to general plan policies described in Section 1.4 and master plan visioning that promote a vibrant regional destination that sustains the regional retail focus of the area, call for a diversity of uses to expand the role of the area as a premier shopping and entertainment destination, and support high density housing.

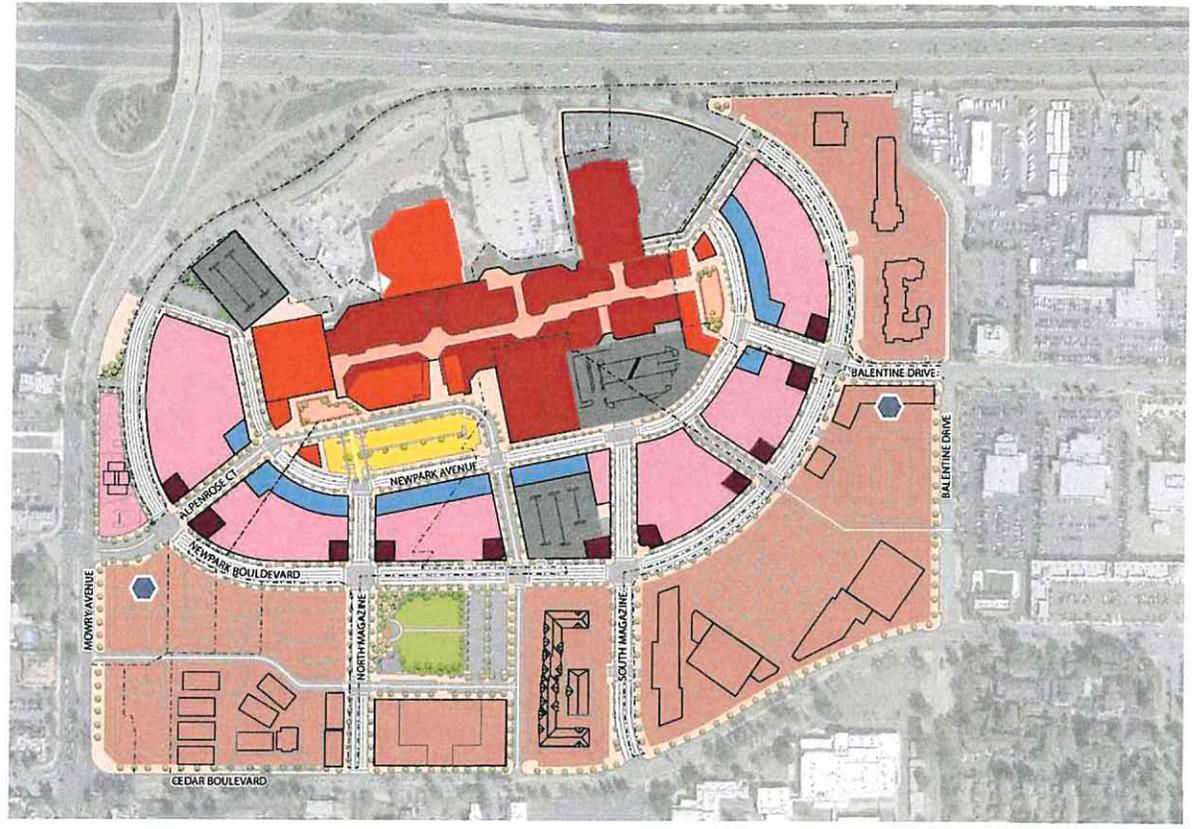
### Land Use Design and Designations

The NewPark Place land use map is presented in Figure 2-4, Land Use Plan. For ease of reference, land use designations and land relationships are described relative to three general areas within NewPark Place. These include the NewPark Mall and land immediately adjacent to it, the area between NewPark Avenue and NewPark Boulevard, and the area between NewPark Boulevard and Cedar Boulevard.

Generally, the land use plan shows that the NewPark Mall will retain retail use designations to reflect that it will continue to function as the primary regional retail engine for NewPark Place. The land use plan shows that the mall buildings carry either an Outward Facing or Existing Retail description to reflect their orientation relative to the mall interior. Two of the three new parking garages are located immediately adjacent to the mall. The parking garages are designed and located to provide parking capacity primarily for retail and entertainment within the existing mall, retail and entertainment uses along NewPark Avenue, and office uses that may locate within NewPark Place. An Event Space designation is also shown immediately adjacent to the mall. It provides for a multi-use space for special events designed to attract activity to the mall and to NewPark Avenue.

**KEY**

-  STREET RETAIL
-  OUTWARD FACING MALL SHOPS
-  EXISTING RETAIL
-  NON RETAIL ACTIVE FRONTAGE
-  MIXED USE I  
RETAIL  
OFFICE  
RESIDENTIAL
-  MIXED USE II  
RETAIL  
OFFICE  
HOTEL
-  RECOMMENDED FUTURE HOTEL LOCATIONS
-  DISTRICT GARAGE
-  EVENT SPACE
-  RETAIL PLAZA
-  CITY PARK



Source: ELS 2017

Figure 2-4  
Land Use Plan

NewPark Place Specific Plan



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As a primary tool to activate the mall and broader NewPark Place and to create a retail street that serves as the primary focus of activity, a new roadway, NewPark Avenue, is proposed adjacent to the mall. Figure 2-5, [Conceptual NewPark Avenue Rendering](#), illustrates one possible perspective on how NewPark Avenue could be developed based on development standards and design standards included in this specific plan.

Residential and mixed uses consisting of retail stores, offices, and mid-rise apartments are proposed in the area between NewPark Avenue and NewPark Boulevard. This mix of uses carries the Mixed Use I designation. Development in this area is expected to be a primary driver for creating the sense of place that reinvigorates the mall and the greater NewPark Place area. The third of three garages designed to provide parking capacity for retail uses in the mall is also located in this area.

The area between NewPark Boulevard and Cedar Boulevard is designated Mixed Use II. The Mixed Use II designation permits hotels, retail, and offices. Residential uses are not permitted. Two recommended future hotel locations are denoted in this area; one along Balentine Drive as it enters the specific plan area and a second along Alpenrose Court near its intersection with Mowry Avenue. The Mixed Use II area is home to four existing hotels. Nevertheless, as described later in this section, capacity for new hotel rooms on land within this designation remains.

Each of the land use/use designations shown in Figure 2-4 is discussed in more detail below.

## NewPark Mall Retail

The Outward Facing and Existing Retail designations apply to the existing NewPark Mall. They reflect the intended revitalization of the mall itself as the retail core of NewPark Place. The mall would be re-imagined with a combination of anchor stores and specialty and retail stores that will be largely inward-facing, but could also be outward facing. Revitalization of the mall would continue to be governed by standards contained in the municipal code, as the specific plan does not include new or modified standards specifically for revitalization of the existing mall structures.



Parking for retail uses within the mall will be primarily accommodated in garages. Three garages are shown on the land use plan for this purpose. Two of the three are placed directly adjacent to the mall; one to the north of the existing Sears building to serve retail demand for the northern portion of the mall, and one directly adjacent to Macys. It is intended primarily to meet parking needs for the retailers within the southern portion of the mall. These two structures replace existing surface parking capacity that will be lost with development proposed within areas designated Mixed Use I. The existing surface and structured parking located between the mall and I-880 remains unchanged.

### Mixed Use I (Retail, Office, Residential)

This designation applies to land located between NewPark Avenue and NewPark Boulevard, and to the small parcel to the north of NewPark Boulevard at Alpenrose Court that is now occupied by Citibank. The primary function of this designation is to activate the existing mall and promote its revitalization by creating a residential community and an urban retail street that serves as an attractive, vibrant destination. Residential uses may be within residential only multiple story buildings and/or in buildings with a mix of uses. Mixed-use buildings shared with retail, entertainment, service, restaurant, and/or office uses are also envisioned. The land use plan shows recommended locations for Street Retail or “active frontage” uses where the first floor will accommodate non-residential uses. First floor residential is allowed in non-active frontage locations. These are primarily retail and entertainment uses designed to generate activity along NewPark Avenue and at intersection corners along NewPark Boulevard. Buildings will face streets and include interior courtyard areas.

Parking demand for development within areas designed Mixed Use I must be accommodated within new parking structures. The residential uses within each “block” must be self-parked within the boundary of the individual block. Residential parking demand for Mixed Use I development must be satisfied independently from the three new parking structures shown on the land use plan, as these are primarily reserved to serve retail and office uses. The third of the three parking garages is also located in this area. Development and design standards that apply to new development within this designation are provided in Sections 2.5 and 2.6 below.



Key standards that apply to this and all development within NewPark Place include maximum building height of 200 feet, with building height adjacent to streets to be a minimum of 30 feet, but preferably a minimum of 60 feet. Residential development density may be up to 160, but not less than 60 dwelling units per acre. The standards for this land use designation are complimented by standards for the design and function of NewPark Avenue as described in Section 3.0, Mobility. Taken together, the standards support the vision of Mixed Use I development as a major catalyst for creating a vibrant and strong sense of place within NewPark Place, which in turn serves to activate the retail vitality of the mall and broader specific plan area.

### Mixed Use II (Retail, Office, Hotel)

This designation applies to land located between NewPark Boulevard and Cedar Boulevard. The Mixed Use II designation allows a mix of freestanding retail and service stores, restaurants, office uses, and hotels. Revitalization of development within this area is of significant importance to the city. Yet its role in activating the retail function and success of the mall is less pronounced than the role of development within the Mixed Use I area. Therefore, it is expected to develop over a longer time frame than Mixed Use I uses.



Source: ELS 2017

Figure 2-5  
Conceptual NewPark Avenue Rendering

NewPark Place Specific Plan

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The city is especially focused on making this area a primary destination for future office development opportunities. The city desires to maintain land capacity for office uses, especially Class A office buildings. Class A buildings, as opposed to Class B and Class C office buildings, represent the newest and highest quality buildings in their market. They possess high-quality building infrastructure, are well located, have good access, and are professionally managed. Class A office buildings are prestigious and have premier locations. As a result, they attract the highest quality tenants and also command the highest rents. The city envisions the area bound by North Magazine, NewPark Boulevard, Mowry Avenue, and Cedar Boulevard to be a potential destination for office uses as the market for office uses evolves over time. Most new office development capacity within NewPark Place is envisioned for areas designated Mixed Use II. Mixed Use II development is envisioned to play several important retail land use functions over time.



A city priority is to maintain development capacity for big box retailers. NewPark Plaza could serve as a prime location for such retail development, and for larger format retail uses. If in the future existing anchors within the mall (e.g. Macys, Sears, Penny's, and Burlington) consider downsizing their current retail



footprint, a shift to the NewPark Plaza site could be a viable alternative for maintaining a presence within NewPark Place. NewPark Plaza is also envisioned as a possible destination for new larger format retailers (and/or retailers interested in sharing larger retail building space) that may be drawn to NewPark Place as it evolves into a premier destination. Other sites within areas designated Mixed Use II could also serve these functions, depending on market conditions and the locational preferences of retail developers.

Most new hotel development capacity is envisioned for areas designated Mixed Use II. New hotel development could occur anywhere within the area. However, there are two preferred hotel opportunity sites. One is along the west side of Balentine Drive at the entrance to NewPark Place and the other is along Alpenrose Court at the Mowry Avenue entrance to NewPark Place. These sites are preferred because of their locations near NewPark Mall and NewPark Avenue and the resulting potential for the hotels to add energy and synergy for activating the mall and the NewPark Avenue retail/residential street. There are two existing hotels (Homewood Suites and Chase Suites – approximately 340 rooms combined) and two hotels (Staybridge Suites and Spring Suites – approximately 224 rooms combined) that,

as of the date of this specific plan, are under construction within the Mixed Use II area. Capacity remains for development of new hotels.

The city also envisions the area bound by North Magazine, NewPark Boulevard, Mowry Avenue, and Cedar Boulevard to be a potential destination for a major grocery store end user such as Whole Foods or Trader Joes. The northwestern corner of the Mowry Avenue/ Cedar Boulevard intersection could be an attractive location for this end use.



The Mixed Use II designation does not include residential development. All residential development capacity available within NewPark Place is allocated solely to areas designated Mixed Use I. Over time, residential use within the Mixed Use II designation may be considered. This possibility is contingent on a number of factors, including the overarching goal that revitalization of NewPark Place, particularly the mall, and development within the Mixed Use I designation has substantially progressed and is achieving its intended goals, and that additional residential development would clearly advance the prosperity of NewPark Place and the mall. Additional residential development within this area would exceed the number of dwelling units currently allocated to the Greater NewPark Focus Area as described in the general plan EIR. Therefore, such a change would require general plan and specific plan amendments, as well as additional environmental review.

Development within the Mixed Use II area is and would continue to be supported by surface parking. Shared parking and parking structures could be considered as needed to support desired development. Primary development standards for this area are the same as those for non-residential Mixed Use I development.

### Community Park, Open Air Entertainment, and Open Space

The land use plan shows a number of features whose collective function is to enhance NewPark Place's desirability as a retail and entertainment destination. These features include:

- **City Park.** Shirley Sisk Grove is an existing two-acre city-owned park located on NewPark Boulevard between North Magazine and South Magazine. Since 1987 free concerts have been held at the park on Friday nights during the summer as part of the Music at the Grove Summer Concert series. The concerts provide an opportunity for the community to come together and enjoy picnicking and music in an outdoor space. The city has recently adopted a master plan for the park whose implementation will transform the park into a valued destination for local residents and visitors to NewPark Place. More about the parks master plan is provided in Section 4.0, Infrastructure, Facilities, and Energy.
- **Retail Plazas.** A public retail plaza is located at each end of NewPark Mall. The plazas are intended to attract mall users and promote foot traffic to and through the mall. They would include facilities and spaces for both passive and active activities. The plazas will be privately owned and maintained.
- **Event Space.** A multi-function event space is located adjacent to the mall. It is envisioned as a focus for community events, exhibits,

outdoor markets, fairs, and similar gatherings and events. The space would be developed as surface parking facility, but designed to convert to an event space on a scheduled basis. The event space is a key amenity designed to attract visitors to NewPark Place and to encourage longer stays. It will be privately owned and maintained.



### Parking Garages

As described previously, three new structured parking garages are shown on the land use plan. The garages are primarily intended to serve demand for retail and entertainment uses within the existing mall, NewPark Boulevard active street retail and entertainment uses, and office uses that may be located within NewPark Place. They provide parking capacity needed to replace the large existing surface parking fields that currently border the west, south, and east sides of the mall which would be converted to developed uses per the Mixed Use I land use designation. The parking capacity within the garages will be based in large part on the parking ratio standards for retail and office



uses as described in Section 2.5, Development Standards/Zoning Framework. The new garages would complement the existing structured parking garage and existing surface parking that will remain in the area located east of the mall.

### Assumed Changes in Existing Mall Building Footprint

The land use plan shows an assumption that the terminal building at the south end of the mall, which currently houses the Burlington Coat Factory, would be removed. It would be replaced with a smaller footprint of retail development along with a public plaza and new streets.

### Conceptual Urban Plan

Based on the specific plan vision for NewPark Place, the land use descriptions provided above, and development standards discussed later in this section, one possible urban development outcome for NewPark Place is illustrated in Figure 2-6, Conceptual Urban Plan. Several features of the urban design plan are of note. The NewPark Mall retail footprint remains as identified in Figure 2-4, Land Use Plan. Representative mixed use development within the area designated Mixed Use I shows a “wrap” building construction style where retail and residential uses within each block are self-parked through inclusion of a parking structure within the block footprint. Retail and residential uses are wrapped around the parking structure. The wrap style also permits inclusion of common open space in the interior of the structure. The wrap style is shown for illustration, but it is not required. Existing retail and office structures within the area designated Mixed Use II are largely retained for illustrative purposes. However, existing developed uses within the

NewPark Plaza are shown as modified in part to accommodate a hotel opportunity site at Balentine Drive.

## Allowed and Projected Development Capacity

Future development within NewPark Place must be in general conformance with the uses shown on the land use map. The specific plan includes potential for a significant increase in development capacity relative to existing conditions. The increase mirrors the new development potential allowed within the Greater NewPark Focus Area as interpreted by the city in the general plan EIR. As described in Section 1.4, Relationship to Existing Plans and Policies, up to 200,000 square feet of new retail development, 500,000 square feet of new office development, 700 new hotel rooms, and up to 1,800 new high density dwelling units are allowed to support revitalization efforts.

Based on the development intensities for specific plan land uses described later in this chapter, Table 2-1 Specific Plan Buildout Development Capacity, summarizes existing development, new development capacity permitted, and proposed specific plan development capacity relative to permitted capacity. As shown, the specific plan allows for the maximum development capacity increase for individual use types identified for the Greater NewPark Focus Area, but does not exceed it.

It is important to note that over time, real estate market conditions will invariably change. Given what is known or projected for real estate market conditions, total buildout development capacity within NewPark Place may not exceed the quantities shown for each use type as shown in the “Total Allowed Capacity” column in Table 2-1. However, over time, the city may determine that an increase in development capacity above that allowed by the general plan is appropriate

**Table 2-1 Specific Plan Buildout Development Capacity**

Land Use	Existing Development	Additional Allowed General Plan Capacity	Total Allowed Capacity	Total Specific Plan Capacity	Total vs. Allowed Capacity
Retail	1,446,869 GSF	200,000 GSF	1,646,869 GSF	1,474,526 GSF	-172,343 GSF
Retail/Restaurant	707,520 GSF	---	---	1,038,419 GSF	---
Retail Anchor	544,349 GSF	---	---	309,962 GSF	---
Big Box Retail	195,000 GSF	---	---	126,145 GSF	---
Office	27,146 GSF	500,000 GSF	527,146 GSF	527,146 GSF	same
Hotel	340 rooms	700 rooms	1,040 rooms	1,040 rooms <sup>2</sup>	same
Residential	0	1,519 units <sup>1</sup>	1,519	1,519 units	same

SOURCE: ELS Architecture and Urban Design 2017

NOTE:

<sup>1</sup> A total of 1,800 residential units are allowed within the Greater NewPark Focus Area per the general plan. As described in Section 1.0, Introduction, 281 of these have already been approved and constructed as part of the Prima Residential Project located to the north of Mowry Avenue. That site is not within the specific plan boundary. Therefore, no existing residential units are shown within the specific plan boundary and the balance of 1,519 units is shown as the total general plan allowance within the specific plan boundary.

<sup>2</sup> 224 hotel rooms have been approved within the specific plan boundary since the general plan was adopted. A total of 564 hotel rooms are existing and entitled. Available new hotel room capacity equals 1,040 rooms – 564 rooms = 476.

GSF = gross square feet



Source: ELS 2017



Figure 2-6  
**Conceptual Urban Plan**  
NewPark Place Specific Plan

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or that a decrease development capacity for one use type may be exchanged for an increase in development capacity for a different use type. Such decisions may require general plan and specific plan amendments, as well as additional environmental review.

## Phasing

NewPark Place is anticipated to build out over an approximate 20-year timeframe. A detailed specific phasing plan has not been developed for buildout of NewPark Place. Real estate market and retail trends will likely continue to shift over that duration, such that projecting specific development phasing for NewPark Place would be speculative. However, the city's priorities are to revitalize NewPark Mall as a premier retail and entertainment destination, catalyze redevelopment of the mall itself, and facilitate residential and retail development within the area designated Mixed Use I. Funding and installing circulation and infrastructure improvements needed to support this development are corollary priorities.

Buildout of the area designated Mixed Use II is anticipated to occur over the mid- to longer-term timeframe. Nevertheless, the city will entertain new development proposals for this area that are consistent with the specific plan at any time.

## Population Capacity Increase

Based on an average population of 3.0 persons per household for multiple family units as assumed in the general plan EIR for the Greater NewPark Focus Area, the projected population in the specific plan area would be approximately 4,557 people (3.0 x 1,519 units).

## Land Use Alternatives

Over the course of developing the preferred land use plan shown in Figure 2-4, in collaboration with participating property owners and other stakeholders, the city examined options for land use arrangements within NewPark Place. The alternatives largely consisted of modifications to circulation patterns and to the distribution of land uses relative to those shown in Figure 2-4. The city also considered two other alternatives. The first substantially increased office development capacity to 4,000,000 to 5,000,000 square feet, with a continued focus on Class A office. The second included a major arena with seating capacity of approximately 20,000.

## 2.5 Development Standards/ Zoning Framework

The specific plan includes two levels of urban design regulations. The first is the development standards described here. The development standards are quantified requirements that focus on the form and location of buildings, setbacks, density, and parking requirements. The second level is the design guidelines that are presented in Section 2.6 below. These identify qualitative design expectations and advise on achieving desired aesthetic and functional outcomes. The development standards and design guidelines are applicable throughout the specific plan area, except as otherwise noted. Where the specific plan regulations conflict with provisions of the municipal code, the specific plan regulations have force over the municipal code. Where the specific plan regulations are silent, municipal code regulations apply.

The height, setback, and density development standards are form based. These represent land development regulation that promotes predictable built environment results. These regulations address the relationship between building heights and facades, the public realm, and the form and mass of buildings.

additions, and exterior renovations within NewPark Place. Existing development is not required to conform to these standards unless a remodel falls within the parameters above. Portions of a building not in conformance only need to be brought into conformance if those portions of the building are subject to the remodeling. Some provisions are applicable only in specific locations as noted.

The height and setback standards presented below apply to all new buildings, building

### Height

Building height <sup>1</sup>	maximum 200 feet
Building height adjacent to streets	minimum 30 feet preferred 60 feet
Fences	maximum 6 feet
Ground floor commercial space	minimum 18 feet
Ground floor residential units on NewPark Boulevard	2 feet above street level and then minimum 12 feet; residential lobbies shall be minimum 18 feet.

<sup>1</sup> Building height is measured to the top of the roof. Parapets and enclosed mechanical equipment of up to and including 4 feet above the roof are permitted. Other architectural features exceeding the height limits may be approved by the Planning Commission, but may not extend more than an additional 18 feet.

### Setbacks

Setback from street or property line first 30 vertical feet of building	No minimum; maximum 10 feet.
Setback from street or property line above 30 vertical feet	No requirements

### Development Density

Commercial	No limitation
Residential	Maximum of 160 units per acre. Minimum of 60 units per acre. (calculated within the development site)

### High Density Residential Open Space

Residential	Up to 35 percent of usable open space may be indoor recreational space, such as a fitness center or indoor pool. Up to 35 percent of usable open space may be located on the roof of a parking garage or building, regardless of elevation above the ground level, provided such space is screened from view of the street. Balconies and patios shall not face adjacent public streets.
-------------	--

### Parking Requirements<sup>1</sup>

Retail and Restaurants	minimum 3.5 spaces per 1,000 gross square feet of retail sales space
Offices	minimum 2.5 spaces per 1,000 gross square feet
Hotels	minimum 0.75 spaces per room and .75 spaces per employee on high shift
Residential	minimum 1 space per studio unit; 1.5 spaces per 1 bedroom unit; 2.0 spaces per unit with 2 or more bedrooms

Note: <sup>1</sup> Adjustments to all parking requirements can be made based on shared parking arrangements and extraordinary traffic demand management measures to be documented in a parking analysis.

Figure 2-7, *Density Plan*, visually represents where the development density and other standards shown above are applied within the specific plan boundary. As can be seen in the figure, residential development density is applied on a per acre basis only within the area designated Mixed Use I. As such, the residential development capacity is distributed across the blocks of land defined by the associated street network. Within this same area, non-residential density is per the height, setback, and development standards contained herein. For areas designated Mixed Use II, only the non-residential development standards apply as no residential use is allowed. With exceptions, the development density and other standards do not apply to existing developed mall buildings. However, redevelopment of the existing Sears building at the western end of the mall, the small retail building proposed adjacent to the proposed event space location, and buildings proposed as part of the redevelopment of the southern end of the mall would be subject to the development density and other regulations.

## 2.6 Design Guidelines

NewPark Place is envisioned to be a vibrant, experience-rich regional destination. Diversity in attractions, events, land-uses, and housing will create a compact, connected and convenient livable place where what was once “one stop shopping” can become “one-stop living”. An exciting network of connected public spaces and streets lay the foundation for the next equally critical step, the architecture itself. Vibrancy is less about the style of the architecture, and more about the way in which entries, building program, quality of materials, and human scaled design contribute to life on the street. Life on the street is the key ingredient to a vibrant commercial core.

The aim of the design guidelines is to encourage architecture that activates the key streets and public spaces to bring both the regional and local community together.

The design guidelines present design expectations and direction for achieving desired aesthetic outcomes. The design guidelines apply to new buildings, additions, and exterior renovations within NewPark Place. Existing development is not required to conform to the guidelines unless a remodel falls within the parameters described herein. Portions of a building not in conformance only need to be brought into conformance if those portions of the building are subject to the remodeling. Some provisions are applicable only in specific locations as noted.



Design guidance is provided for critical aspects of new development/revitalization within NewPark Place. The guidelines address the following topics:

- Generally Applicable Site Design (parking, pedestrian and bicycle, street and site amenities, and walls);
- Generally Applicable Building Design Guidelines (mixed use, building mass and base, building facades, building facade materials, and roofs); and

- Building Mass and Building Base Guidelines for Development Fronting on Streets including:
  - NewPark Avenue
  - NewPark Boulevard
  - Magazine Street(s)
  - Secondary Streets
  - Mowry Avenue
  - Cedar Boulevard
  - Ballentine Drive

The design guidelines are included in Appendix A.

## 2.7 Land Use Policies

All new development within the specific plan boundary must be consistent with policies contained in the general plan. As part of its development review process for individual projects proposed within the specific plan boundary, the city will ensure this consistency. The following policies supplement general plan policies and apply to future development projects proposed within NewPark Place. The policies are the framework for ensuring that NewPark Place is redeveloped and revitalized consistent with the general plan and specific plan vision for the area and with the direction included in this land use section of the specific plan. For ease of reference, all specific plan policies are included in Appendix B of this specific plan.

### Development Capacity

- LU-1** New development within NewPark Place shall not exceed the new

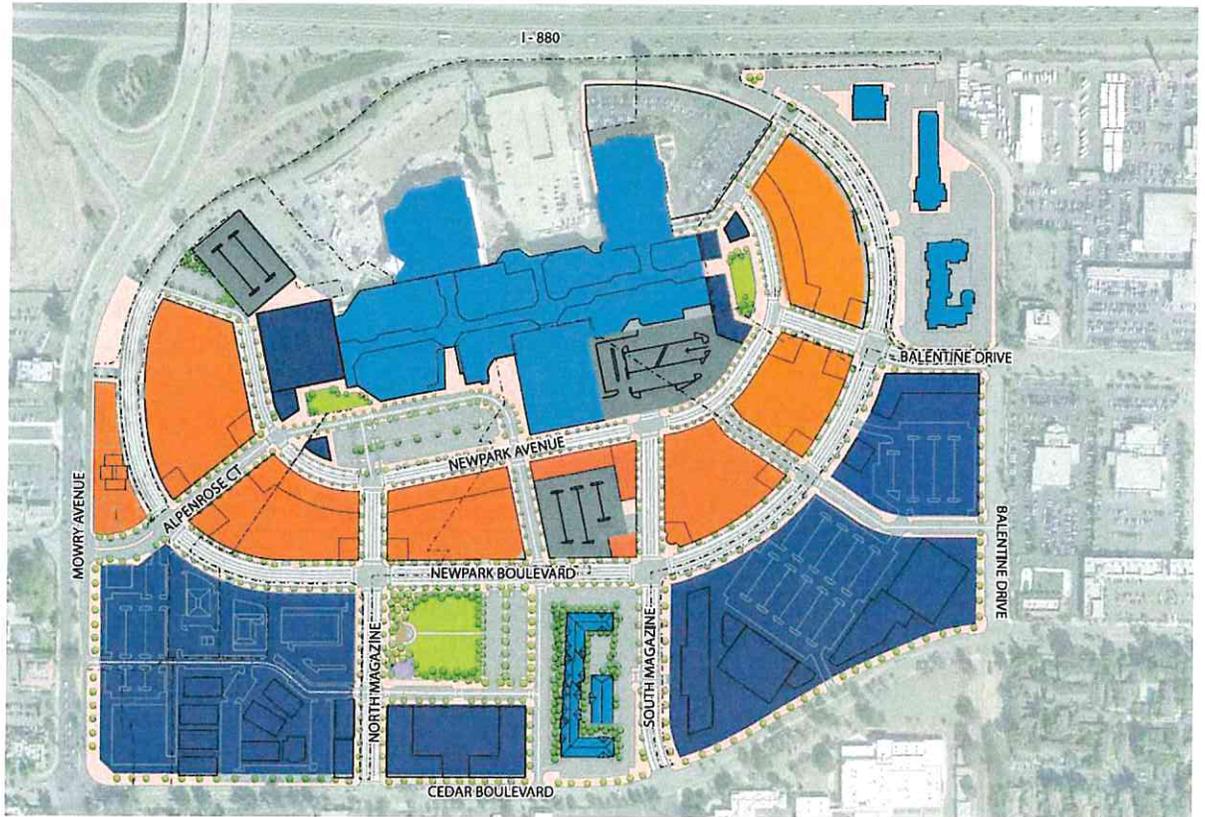
development capacity identified in the City of Newark Draft General Plan EIR for the Greater NewPark Focus Area. New development capacity thresholds are as follows:

- 200,000 square feet of retail/commercial buildings;
- 500,000 square feet of office buildings;
- 1,519 high density residential units (reduced from 1,800 for the entire NewPark Focus Area to reflect that 281 units have already been constructed as part of the Prima Residential Project); and
- 700 hotel rooms (224 of these rooms have already been entitled within NewPark Place since the general plan was adopted in 2013).

To allow flexibility to respond to changing market conditions over time, the Community Development Director may consider future specific plan amendment proposals that reduce a development capacity threshold for a specific land use type described above in exchange for increasing the development capacity threshold for another use. Such proposals must be accompanied analyses acceptable to the Community Development Director to enable the Community Development Director to determine whether the exchange meets the vision for NewPark Place and whether it would result in significant impacts under specific plan buildout conditions that are

**KEY**

-  EXISTING/PREVIOUSLY ENTITLED
  
-  120 UNITS/AC (INSIDE PROPERTY LINE) /NON-RESIDENTIAL DENSITY BASED ON FORM-BASED CODE REQUIREMENTS.
  
-  DISTRICT GARAGE - DENSITY BASED ON FORM-BASED CODE REQUIREMENTS.
  
-  NON-RESIDENTIAL DENSITY BASED ON FORM BASED CODE; RESIDENTIAL DENSITY BY PLANNING DEPARTMENT REVIEW



Source: ELS 2017

Figure 2-7  
Density Plan

NewPark Place Specific Plan



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not already identified in the general plan EIR and CEQA documentation prepared for the specific plan. Where impacts may be greater, additional environmental review may be required.

- LU-2** Any individual proposed development that has potential to exceed the cumulative development capacity thresholds for individual use types identified in Policy LU-1 will be considered by the City Council. Such projects may require a general plan amendment, specific plan amendment, and additional environmental review.

#### Mixed Use I Development Policies

- LU-3** The city will prioritize proposed NewPark Mall revitalization projects and projects proposed within areas designated Mixed Use I in order to catalyze investment and improve economic performance of the NewPark Mall.
- LU-4** Mixed use development within a single building proposed within areas designated Mixed Use I shall be prioritized over a development with individual uses placed in separate buildings.
- LU-5** Residential products developed consistent with the Mixed Use I land use designation shall be limited to units for rent or lease. Owner-occupied residential development is not permitted.
- LU-6** Projects containing residential uses shall provide for the recreation and open space needs of residents within each individual block through a combination of interior common areas, indoor recreation facilities, exterior improved open space amenities, balconies or other options as may be considered acceptable by the City of Newark.
- LU-7** Residential development capacity within areas designated Mixed Use I shall be allocated across “blocks” on a per acre basis. Transfer of residential development capacity between blocks is not permitted without prior consent of the Community Development Director. Transfer of residential development capacity to areas within NewPark Place not designated Mixed Use I is not permitted.
- LU-8** Where property ownership bisects a block designated Mixed Use I, the respective property owners may work collaboratively to develop the block or may develop their respective properties independent of each other. In either case, development of each block shall conform to the development and design standards included in this specific plan.
- LU-9** Ground floor Street Retail uses within mixed use buildings within areas designated Mixed Use I shall be completed prior to the issuance of a certificate of occupancy for the first

residential use proposed within the buildings. The owner must diligently pursue leasing and must consider below-market rent if the ground floor retail space is not 80 percent occupied within two years of the date the retail space is completed.

**LU-10** Developers of projects containing ground floor Street Retail shall prepare a tenancing plan to define tenancing priorities and tenancing phasing and which demonstrates that a mix of complementary, vibrant, high-quality retail, restaurant, and entertainment uses can and will be provided. In preparing their respective tenancing plans, developers shall consider existing and/or approved Street Retail end uses within other specific plan area development sites as a factor for diversifying their respective Street Retail offerings. The plans can consider interim uses with limited lease terms. Each tenancing plan is subject to review and approval of the Community Development Director prior to the approval of the respective proposed project. Developers shall update their tenancing plans as needed for review and approval by the Community Development Director.

**LU-11** Residential uses within areas designated Mixed Use I shall be self-parked on an individual block basis.

**LU-12** Parking capacity within the structured parking garages shown on the land use map is reserved primarily for demand from retail and entertainment uses within the NewPark Mall and along NewPark Avenue, and may be used for office uses. Parking garage spaces may not be utilized to meet residential parking requirements. Residential uses shall be self-parked.

**LU-13** Shared tenancies of larger format anchor retail buildings within NewPark Mall and within areas designated Mixed Use II are permitted subject to approval of the City of Newark.

**LU-14** Grocery markets and food halls are encouraged within street-fronting retail, in line in the mall, or on pedestrian plazas.

#### Mixed Use II Development Policies

**LU-15** Development of large scale, Class A office uses within areas designated Mixed Use II is a primary goal. The city will prioritize projects which propose construction of Class A office buildings.

**LU-16** Development of big box retail within areas designated Mixed Use II is a goal. NewPark Plaza is a preferred destination for new, big box/larger format retail end users and for larger format retail end users that may wish

to relocate from the NewPark Mall to an alternative location within NewPark Place.

- LU-17** While hotel development is permitted within any location designated Mixed Use II, locations that benefit activity and synergies with the proposed NewPark Avenue retail street and with the NewPark Mall are preferred. Priority hotel opportunity sites are shown along Alpenrose Court at the Mowry Avenue entrance to specific plan area and along Balentine Drive at its entrance to the southern portion of the specific plan area. These opportunity sites are illustrated on Figure 2-4, Land Use Plan,
- LU-8** The city will promote development of a quality grocery store in the area near the intersection of Mowry Avenue and Cedar Boulevard or at the corner of Cedar Boulevard and Balentine Drive.
- LU-19** The city will promote consolidation of individual parcels within the specific plan area, particularly in the area bound by North Magazine, NewPark Boulevard, Mowry Avenue, and Cedar Boulevard, to facilitate unified development on larger land parcels.

- LU-20** Residential development is not permitted within areas designated Mixed Use II. However, in the mid- to longer-term future, at its discretion, the city may consider general plan and/or specific plan amendments to enable residential development in these areas. Such proposals must be accompanied by analyses acceptable to the city to enable the city to determine whether additional residential development meets the city's vision for NewPark Place. Additional CEQA documentation would be required.

Information and polices regarding the Retail Plaza and Event Space designations/uses shown in Figure 2-4, Land Use Plan, are found in Section 4.0, Infrastructure, Facilities, and Energy.

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# Mobility

## 3.1 Introduction

Integrated circulation design is fundamental to achieving the city’s goals for NewPark Place. Towards this end, the circulation design described in this section focuses on connectivity and accessibility for multiple modes of transportation consistent with the concept for “complete streets”. New and existing streets are designed to include amenities that best support adjacent land and that give the streets their own character. Several street classifications have been developed as a hierarchy that intuitively connects users to desired experiences and destinations. Streets constructed to the standards for each classification work together and are interconnected. The roadway types support a spectrum of uses and users, thereby increasing land development opportunities and drawing people to NewPark Place by supporting its unique sense of place.

By the nature of their connections and functions, the different streets offer different experiences and require different transportation design treatments. Several street classifications are articulated to provide the mobility and programming that best serves the mix of land uses designated for the adjoining parcels. All of the streets are designed as complete streets, with ample pedestrian and bicycle space. Each roadway type has been designed to accommodate and/or prioritize certain modes of travel. This is consistent with general plan policy



T-1.1 which calls for improving mobility for all through creating and maintaining complete streets in new development.

Improved transit to and increased penetration of transit into NewPark Place is an important component of its accessibility. The mobility approach in this specific plan calls for such expansion, which in turn will have both travel demand management benefits and environmental co-benefits. Coordination with AC Transit will be critical to implement transit priorities.



Parking for commercial uses within NewPark Mall and retail uses within areas designated Mixed Use I will be provided within parking garages, with surface parking remaining an option in areas designated Mixed Use II. Residential parking will be provided within each residential complex. Parking needs and proposed improvements are discussed in Section 2.4, Land Use Plan, with additional information provided in this section.

### 3.2 Vehicular Circulation, Street Network, and Parking

Five roadway classifications have been created for the NewPark Place circulation network: 1) NewPark Avenue - the primary retail street; 2) NewPark Avenue Extensions; 3) NewPark Boulevard; 4) North/South Magazine/Balentine Drive; and 5) Secondary Roads. Each of these is discussed in more detail below. Figure 3-1, Vehicular Traffic Diagram, shows the roadway network and the respective roadway classifications, as well as other aspects of the mobility plan that are discussed below.

The roadway classifications were created based on several variables. Roadway capacity standards (e.g. two- or four-lane facilities) are based on preliminary analysis of traffic generation from proposed land uses and on the presumed distribution of vehicle trips. Trip generation calculations were generally based on land uses with higher trip generation rates where choices between two or more rates were possible. Descriptions of several of the roadway classifications provided below identify that some variability in roadway capacity standards may be possible based on additional detailed traffic capacity analysis. Non-capacity roadway

standards (e.g. pedestrian and bicycle standards) should be maintained to ensure the overall integrity of the mobility plan by retaining complete street design throughout NewPark Place and providing for amenities such as outdoor dining.

### Roadway Classifications

#### NewPark Avenue

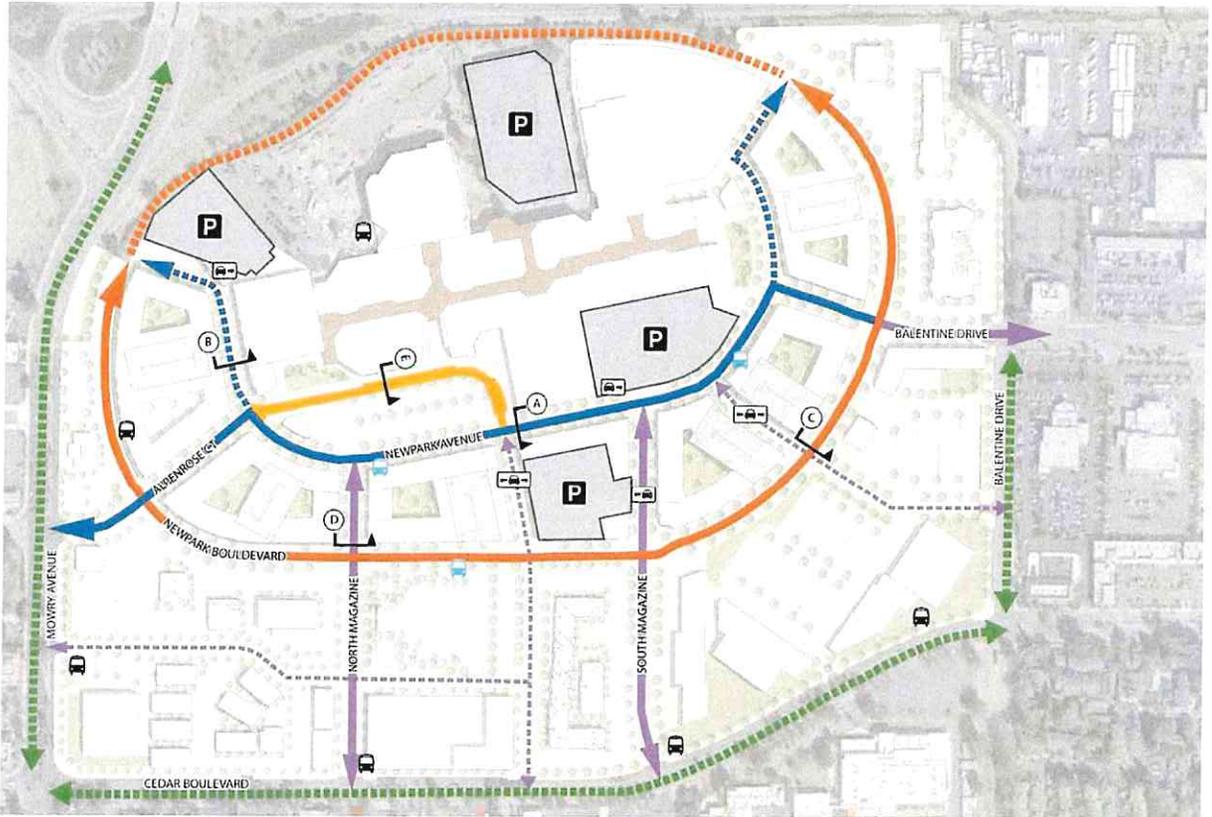
Predominantly retail oriented, NewPark Avenue is a new proposed street designed to create a vibrant retail, restaurant, and entertainment environment close to, and complimentary to the mall, while providing a seamless connection for through traffic at a slow speed. NewPark Avenue is the social heart of NewPark Place. With



connectivity to Mowry Avenue via Alpenrose Court, and to Balentine Drive, NewPark Avenue routes through-traffic directly to NewPark Mall, the vibrant mix of active retail/entertainment uses within the area designated Mixed Use I that will front on NewPark Avenue, and the Event Space area. This will increase activity on NewPark Avenue and bring customers closer to shops, restaurants, parks, and retail plazas. This connection to the immediate and regional urban circulation network, in conjunction with

KEY

- NEWPARK AVENUE & ALPENROSE COURT 
- NEWPARK AVENUE EXTENSIONS 
- NEWPARK BOULEVARD 
- FUTURE NEWPARK BOULEVARD 
- EXTERNAL BOULEVARD 
- N/S MAGAZINE, BALENTINE BEFORE NEWPARK BLVD 
- SECONDARY ROAD 
- VEHICULAR / RIDESHARING DROP ZONE 
- ROAD SECTIONS 
- DISTRICT GARAGE 
- PARKING ACCESS 
- BUS STOP 
- PROPOSED ADDITIONAL BUS STOP 



\* Special design consideration for Alpenrose Court between Mowry Avenue and NewPark Boulevard.

Source: ELS 2017



Figure 3-1  
**Vehicular Traffic Diagram**  
 NewPark Place Specific Plan

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the retail and entertainment offerings, positions NewPark Place as a natural gathering place for the larger community.

To support its attractiveness as a locus of activity, vehicular speeds on the roadway are reduced; rich transit, bicycle, and pedestrian treatments are featured; and a diverse offering of other amenities, including event space and retail plazas are provided. The street design will encourage more traffic and activity in front of the new outdoor shops and restaurants and help activate the existing mall stores and the anchoring plazas at either end of the mall.

With only two traffic travel lanes, the street is intimate. Parking, wide sidewalks, bicycle lanes, bulb-outs at intersections and between parallel parking stalls, and cafe seating opportunities will keep visitors engaged and increase durations of stay within NewPark Place. [Figure 3-2, NewPark Avenue Street Section](#), shows the design standards for this roadway classification. The NewPark Mall edge of the street is on the left side of the illustration. Figure 3.2 is a representative section of the avenue shown as cross-section “A” on the Vehicular Traffic Diagram in Figure 3-1.



The bulb-outs allow street trees to reduce the apparent width of the street and facilitate better cross-shopping across the avenue. Extra-wide sidewalks on the outer side of the street



accommodate outdoor dining, pop-up retail, and merchant displays. Bicycle lanes on both sides of the street will encourage circulation through NewPark Place by bicycle. NewPark Avenue must both make connections and deliver a first class user experience in order to compete in today’s “experience-focused” retail landscape.

The NewPark Avenue classification standards also apply to Alpenrose Court and to the segment of Balentine Drive between NewPark Avenue and NewPark Boulevard as shown on Figure 3-1. Extending the classification to these roads will contribute to life on the street and activity in a way that synergistically supports the core function of NewPark Avenue.

#### **Special Consideration - Alpenrose Court Between Mowry Avenue and NewPark Boulevard**

As shown in Figure 3-1, Alpenrose Court would be extended to NewPark Avenue, thereby providing the most direct route to the NewPark Mall and the most active retail street portion of NewPark Avenue. While the NewPark Avenue classification and standards apply to the entire length of Alpenrose Court, special design consideration may be needed for the segment of Alpenrose Court between Mowry Avenue and NewPark Boulevard. Consideration should

Mowry

be given to eliminating the parallel parking shown in Figure 3-2 for the NewPark Avenue classification and to increasing capacity to four lanes to ensure that vehicles queued at the Alpenrose Court/NewPark Avenue intersection do not interfere with Mowry Avenue operations. The appropriate roadway capacity (two lanes or four lanes) should be determined through a roadway capacity analysis to be completed by the developer of the first proposed mixed use residential project. The purpose is to optimize traffic and pedestrian/bicycle operations on this segment and to simultaneously identify value engineering options to reduce cost while maintaining appropriate function.

**Alpenrose Court/NewPark Boulevard Roundabout**

As part of the specific plan planning process, the potential to place a roundabout at the Alpenrose Court/NewPark Boulevard intersection was considered. Further detailed analysis of this option is needed based on current and anticipated trip volumes; operational traffic needs at this location; land demand requirements; and vehicular, pedestrian, and bicycle safety benefits that may accrue. A roundabout would likely affect the NewPark Avenue classification capacity standard that applies to the segment of Alpenrose Court between Mowry Avenue and NewPark Boulevard as described above. Changes to the proposed capacity standard may be warranted if a roundabout is a preferred option to a traditional four-way intersection.

**NewPark Avenue Extensions**

The segments of NewPark Avenue located between Alpenrose Court and NewPark Boulevard, and between Balentine Drive and NewPark Boulevard, are classified as NewPark



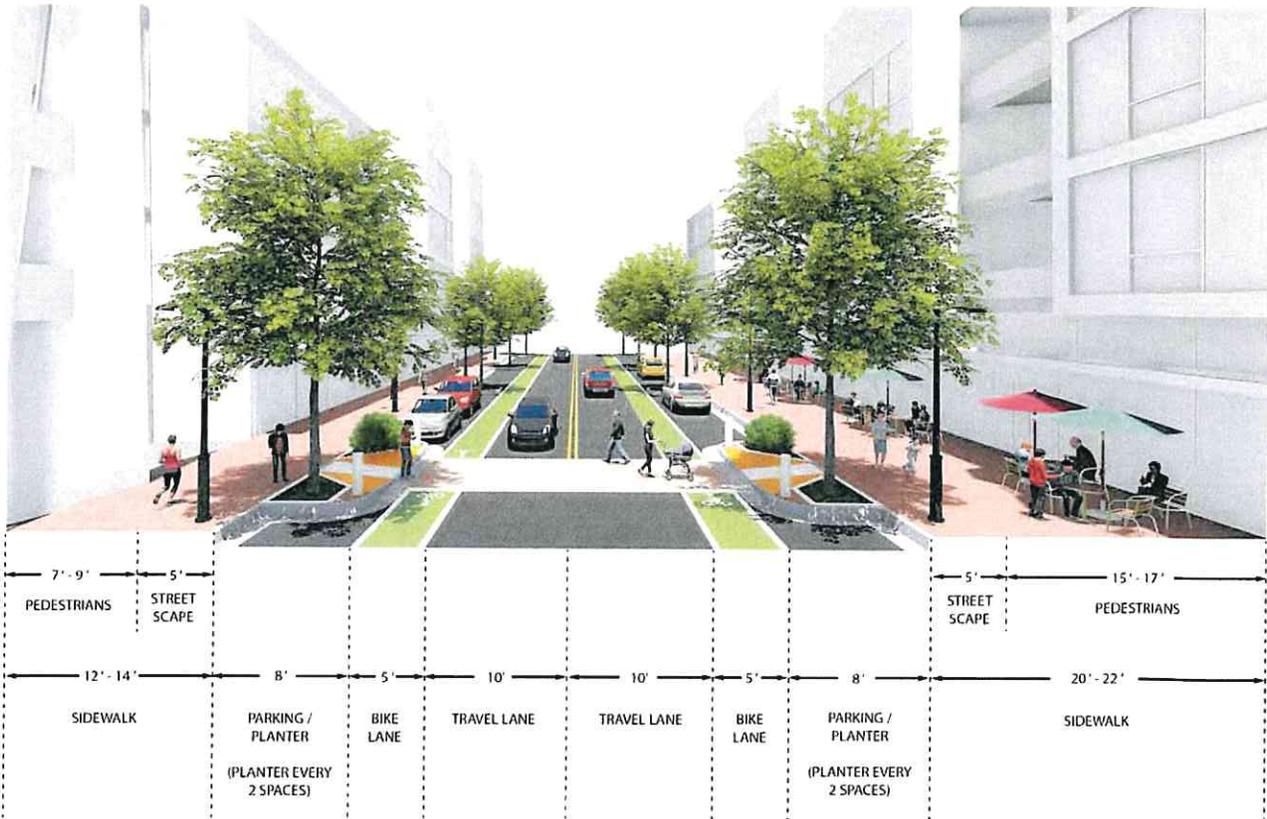
Avenue Extension. These segments are shown as separate roadway classifications on Figure 3-1 as blue dashed lines. The design standards for this roadway classification are shown in Figure 3-3, *NewPark Avenue Extension Street Section*. Figure 3.3 represents the view of the extensions shown as cross-section “B” on the Vehicular Traffic Diagram in Figure 3-1.

The NewPark Avenue Extension classification differs from the primary NewPark Avenue classification in that sidewalks are narrower, but still sufficiently wide to encourage pedestrian and other activity on the street.

**NewPark Boulevard**

NewPark Boulevard is an existing four-lane street which forms a ring around the existing NewPark Mall. It currently provides the primary access through the specific plan area via connections to Alpenrose Court and Balentine Drive. There are currently no pedestrian or bicycle facilities provided along any segment of the roadway.

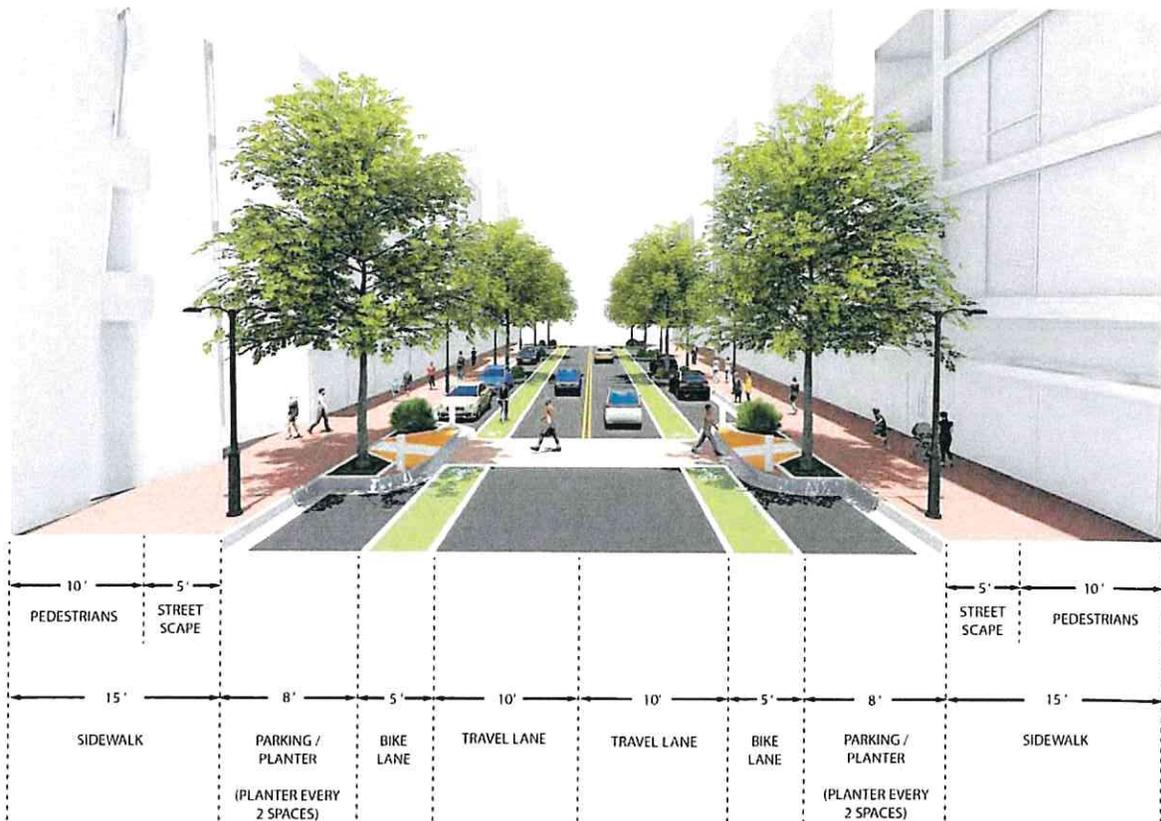
NewPark Boulevard is proposed as the mixed-use address of NewPark Place. It is designed to transform what is now a lifeless road into a multi-modal grand boulevard with sidewalks, bike lanes on both sides of the street, parallel



Source: ELS 2017

Figure 3-2  
**NewPark Avenue Street Section**  
 NewPark Place Specific Plan

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Source: ELS 2017

Figure 3-3  
 NewPark Avenue Extension  
 NewPark Place Specific Plan

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parking, and generous landscaping. These treatments elevate the presentation and address of the parcels along the boulevard and create the appropriate public realm treatments to host housing, office, hospitality, and retail uses. The streetscape design will provide spatial consistency to a diverse pattern of development and will create a sense of plan for the commercial and residential uses that line it. The comfort level of the streetscape will also assist in breaking down the mental distance between properties, thereby creating more coherent and synergistic experience. NewPark Boulevard will continue to provide the most direct north-south route between Mowry Avenue and Balentine Drive through NewPark Place.

Figure 3-4, *NewPark Boulevard Street Section*, shows the proposed design standards for this roadway classification. The west side of the street, representing roadway frontage along the area designated Mixed Use II, is on the left side of the illustration. The right side of the illustration represents frontage along the area designated Mixed Use I. Figure 3.4 represents the view of the boulevard shown as cross-section “C” on the Vehicular Traffic Diagram in Figure 3-1.

#### Future Boulevard and External Boulevards

The existing segment of NewPark Boulevard along the eastern boundary of NewPark Place would also benefit from enhanced streetscape treatment. This segment is shown on Figure 3-1 as “Future Boulevard”. Design and function for this segment should be examined when and if parcels fronting on it redevelop.

Figure 3-1 also shows Mowry Avenue, Cedar Boulevard and Balentine Drive at the perimeter of the specific plan area as “External Boulevards”. Design guidelines for development

within the specific plan area that fronts on these roadways are provided in Section 2.6, Design Guidelines, under the “Guidelines for Development Fronting on Mowry Avenue, Cedar Boulevard, and Balentine Drive” subheading. No changes to the sections of these streets are proposed, but 15-foot sidewalk widths are identified.

#### North/South Magazine and Balentine Drive Segment - Connector Roads

Acknowledging that pedestrian-oriented retail will be concentrated in specific locations, these streets are designed to be mixed-use and pedestrian friendly without the expectation that they are main-street retail environments. The proposed street section balances the overall street width with the need for substantial vehicle movement to the properties on NewPark Boulevard and NewPark Avenue.

#### North Magazine and South Magazine

North Magazine and South Magazine are existing roadways that extend from Cedar Boulevard to NewPark Boulevard. They are currently both four lane roads with no pedestrian or bicycle facilities. North Magazine connects the central NewPark area to Shirley Sisk Grove, existing offices, the Chase Suite Hotel, and Mowry Plaza. South Magazine provides a direct connection to Homewood Suites and Newark High School. Both North Magazine and South Magazine would be extended east from their respective termini at NewPark Boulevard through to NewPark Avenue.

Figure 3-5, *North/South Magazine and Balentine Drive Street Section*, shows the proposed design standards for the connector

roadway classification. Figure 3-5 represents the cross-section shown as cross-section “D” on the Vehicular Traffic Diagram in Figure 3-1. Both would be modified to have two travel lanes and a center left-hand turn lane. Bicycle lanes would be provided on both sides of the street, as would 10-foot sidewalks. Parallel parking is permitted on both sides of these roads.

The North Magazine corridor will be an asset to the proposed NewPark Place residential community by connecting it with a public park, and with a grocery store and other services located on west side of Cedar Avenue. South Magazine will be an asset as a second connection to Cedar Boulevard and a direct connection to two of the three proposed parking garages.

#### **Balentine Drive from Specific Plan Boundary to NewPark Boulevard**

Balentine Drive provides access to both Cedar Avenue and to Stevenson Boulevard. Stevenson Boulevard is located approximately one-half mile to the south and has an interchange with I-880. The existing segment of Balentine Drive within the specific plan boundary terminates at NewPark Boulevard. Balentine Drive would be extended through to NewPark Avenue. In combination with this connection and the northern connection of NewPark Avenue to Alpenrose Court, NewPark Avenue would become the secondary north-south route through NewPark Place with a specific purpose and functionality for linking the main retail, restaurant, and entertainment address within NewPark Place to the remainder of the specific plan area.

The segment of Balentine Drive between the specific plan boundary and NewPark

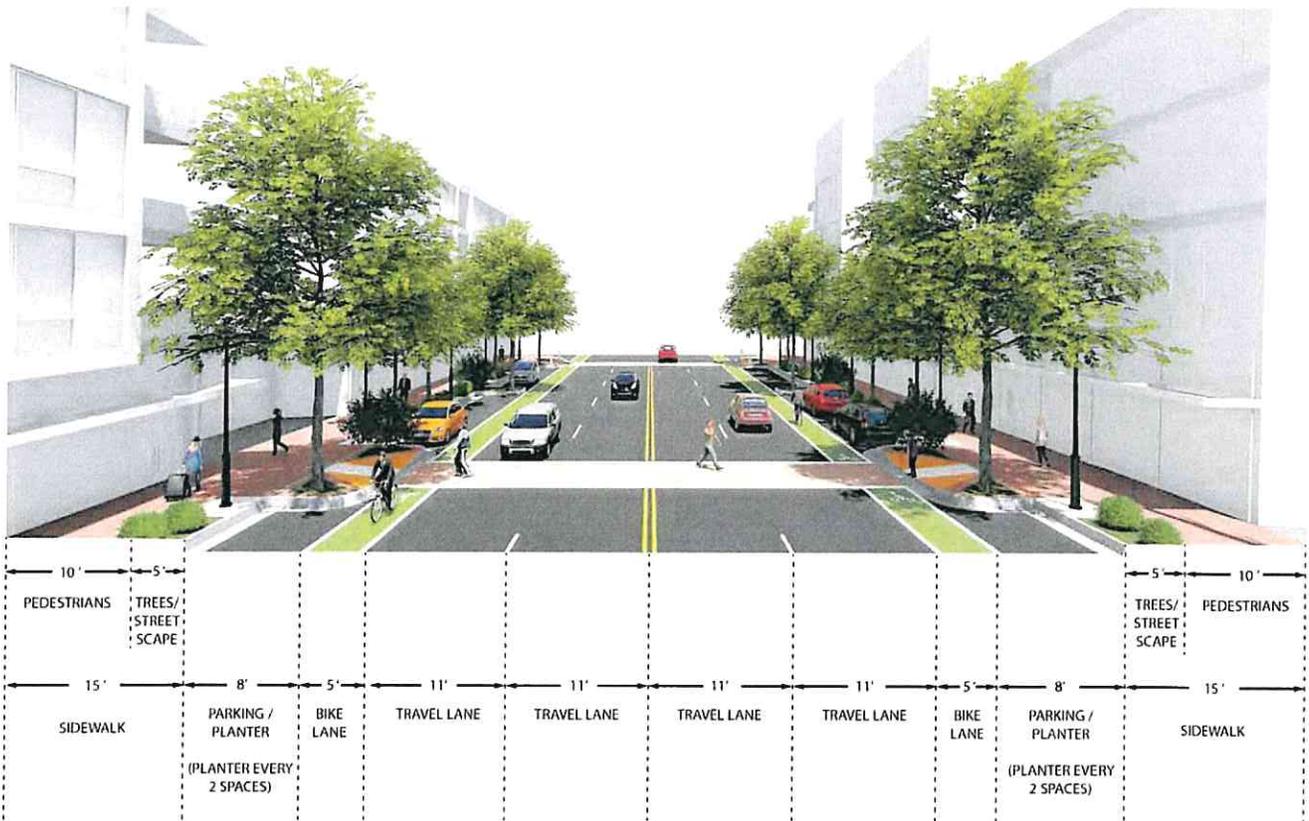
Boulevard would be improved to the collector road standards shown in Figure 3-5. The new segment of Balentine Road between NewPark Boulevard and NewPark Avenue would be improved to the NewPark Avenue standards as discussed above. Figure 3-1 shows the classifications that apply to the two respective segments of Balentine Drive.

#### **Secondary Roads**

The secondary road classification recognizes the need for an added layer of vehicle and pedestrian distribution. These roads are included to help keep the number of vehicle lanes reasonable on the primary streets and to help encourage pedestrian activity by creating more flexible and direct paths. The secondary roads help motorists connect to parking and help pedestrians connect to public transit resources in a more direct manner from the areas they serve than do the major roads described above. Secondary roads have a cross-section that includes two travel lanes and 10-foot sidewalks on both sides of the street. Parallel parking is permitted on both sides of the street. Please refer to Figure 3-6, Secondary Road Street Section, for an illustration of the secondary road classification cross-section.

#### **Parking**

As identified in Section 2.4, Land Use Plan, three new District Garages are proposed. These would replace parking capacity currently provided by the existing large surface parking fields located adjacent to the mall that would be replaced with development within the area designated Mixed Use I. The existing parking structure located east of the mall between the AMC Theater and J.C. Penney would remain.



Source: ELS 2017

Figure 3-4  
NewPark Boulevard Street Section

NewPark Place Specific Plan

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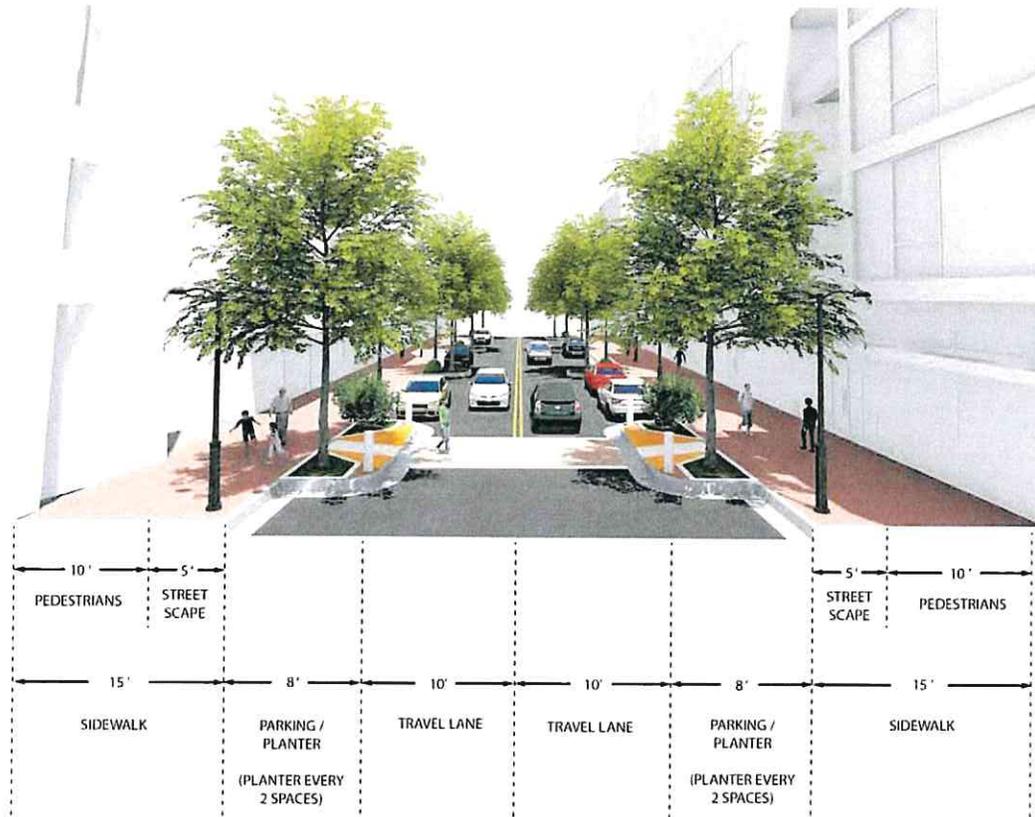


Source: ELS 2017

Figure 3-5  
 North/South Magazine and Balentine Drive Street Section

NewPark Place Specific Plan





Source: ELS 2017

Figure 3-6  
**Secondary Road Street Section**  
 NewPark Place Specific Plan



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All four structures are shown on Figure 3-1, along with icons that indicate the proposed access points to the new garages. Access points to the parking garages are limited as to the number and location identified in Section 2.6, Design Guidelines.

The parking structures are distributed evenly to provide easy parking for retail and entertainment uses within NewPark Mall, retail and entertainment uses along NewPark Avenue, and office uses that may locate within NewPark Place. Parking garages are located conveniently to major entry points to reduce vehicular congestion.

Residential parking will be structured and provided wholly within each residential mixed used development. Parking ratio requirements



for proposed land uses are provided in Section 2.5, Development Standards/Zoning Framework. All parking facilities will comply with requirements of the Americans with Disabilities Act.

### Vehicular/Ridesharing Drop Zone

Figure 3-1 shows that a vehicular/ridesharing drop zone access way is planned directly adjacent to the mall. The purpose of this facility is to facilitate ease of direct vehicular and transit access to the mall and through so doing, to reduce congestion on NewPark Avenue. The facility has two travel lanes and vehicle pull outs to enable pick-ups and drop-offs without interfering with through traffic. No parking is allowed. Please refer to [Figure 3-7, Vehicular/Ridesharing Drop Zone Street Section](#), for an illustration of this access road cross-section. Figure 3-7 represents cross-section "E" shown on the Vehicular Traffic Diagram in Figure 3-1.

The north end of the access way is connected to Alpenrose Court, while the southern end is connected to a secondary road. The facility is integrated with the event space facility such that both can function simultaneously.

## 3.3 Pedestrian and Bicycle Mobility

Ample pedestrian and bicycle mobility improvements are fundamental to achieving the desired sense of place and street activity and to implementing a range of general plan policies for transportation, energy, air quality, and climate change. For example, expanding mobility options within the Greater NewPark Mall is explicitly defined in general plan

policies T-2.2 and T-2.3 regarding pedestrian and bicycle network expansion. The proposed improvements would also add to the range of facilities already identified in the City of Newark Pedestrian & Bicycle Master Plan for locations outside NewPark Place boundary.

The roadway classification street sections for all roads show that pedestrian facilities are proposed throughout NewPark Place, and bicycle lanes are proposed on all but secondary roads to enhance important roadways as complete streets. Figure 3-8, Slow Traffic Diagram, shows the locations of pedestrian and bicycle travel facilities within NewPark Place. Several standards for designing pedestrian and bicycle facilities are provided in Section 2.6, Design Standards. Figure 3-9, Public Amenities Diagram, illustrates how pedestrian and bicycle facilities are connected to and/or represent amenities (e.g. wide sidewalks for dining) that are integral to creating a vibrant destination.

## Pedestrian Facilities

Currently, none of the existing streets within the specific plan area are improved with sidewalks. Therefore, pedestrian access to and through NewPark Place will be dramatically expanded

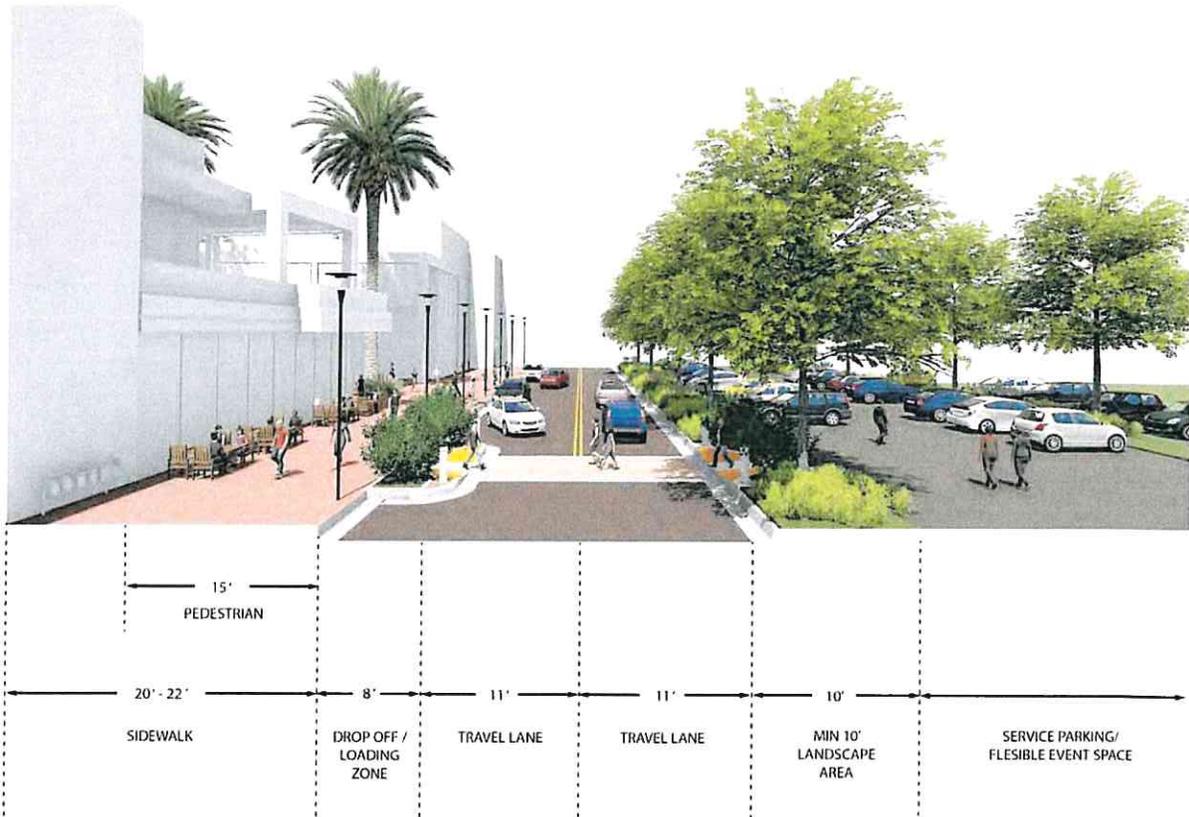


relative to existing conditions. Sidewalks on both sides of all streets, bulb-outs, and special pavement will be provided at most intersections and several mid-block locations to mark pedestrian crossing areas. Special pavement will also be used in the Vehicular/Ridesharing Drop Zone shown in Figure 3-1. Bollards will be used to provide protection at the point where crosswalks meet the sidewalk, and to separate pedestrians and vehicular traffic at the vehicular/ridesharing drop zone. Sidewalks will also be added to the existing right-in/right-out street segment that connects Mowry Avenue to NewPark Boulevard.



The City of Newark Pedestrian & Bicycle Master Plan identifies the need to eliminate sidewalk gaps within the specific plan boundary, including along NewPark Boulevard, Mowry School Road, and North and South Magazine. The lack of sidewalks on South Magazine is also noted in the safe routes to school section in reference to Newark High School. The proposed road cross-sections include sidewalks that address these needs.

All pedestrian facilities will comply with requirements of the Americans with Disabilities Act.



Source: ELS 2017

Figure 3-7  
 Vehicular/Ridesharing Drop Zone Street Section

NewPark Place Specific Plan

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## Bicycle Facilities

Bicycle access into and through NewPark Place will be established to meet complete street standards and to connect the area to adjacent roadways. Bicycle lanes are planned as Class II lanes that would be located adjacent to the outermost vehicle travel lane of each roadway.



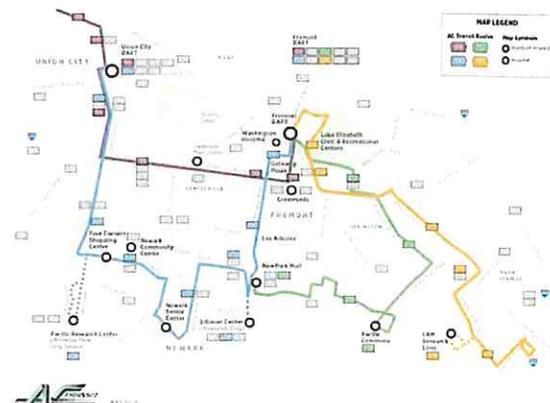
Four locations along NewPark Avenue as illustrated on Figure 3-8 are proposed for automated bike-share stations where bicycles can be rented for use specifically within NewPark Place. These stations should be installed as part of a regionally integrated bike share program if such exists at the time individual developments occur within the specific plan area. Bicycle racks will be provided at various locations near commercial and office uses. Rentable bicycle lockers will also be provided throughout NewPark Place to encourage bicycle use.



## 3.4 Public Transit

Significant opportunity exists to expand transit service to the specific plan area and to achieve multiple transportation, environmental, and social benefits through so doing. The specific plan promotes transit use through its focus on complete streets and on policy that requires a coordinated approach to expanding transit service and facilities.

The specific plan area is currently served by six Alameda-Contra Costa Transit District (AC) Transit lines. These provide direct service to locations in Newark, Fremont, Union City, Hayward, and San Francisco, and connections to the AC Transit Dumbarton Express to Palo Alto and the Fremont and Union City BART stations. However, there currently is no direct





transit service from the specific plan area to the Altamont Commuter Express/Capital Corridor commuter train/Amtrak train station in Fremont. Routes currently run on Mowry Avenue, Cedar Boulevard, Stevenson Boulevard, and into the mall on Alpenrose Court. The only bus stop within the specific plan area is located near the AMC Theatre on the north side of the mall. This stop serves four different lines. Additional stops are located along Mowry Avenue and Cedar Boulevard. Please refer back to Figure 3-1, Vehicular Traffic Diagram, for the location of existing bus stops.

As development proceeds, re-routing lines onto NewPark Avenue and the vehicular ridesharing/drop zone may be optimal. Three new bus stops evenly spaced along NewPark Avenue are proposed as shown on Figure 3-1. Bus stops should be covered to protect against inclement



weather; the main mall stop should include a covered walkway to the mall entrance.

A coordinated approach is needed to reroute existing bus lines, expand service frequency and destination options, and potentially to establish shuttle services to serve NewPark Place. Future individual project developers, in collaboration with the city, will need to coordinate with AC Transit for these purposes to optimize opportunities and potential for expanded transit use.

### 3.5 Mobility Policies

All new development within the specific plan boundary must be consistent with policies contained in the general plan. As part of its development review process for individual projects proposed within the specific plan boundary, the city will ensure this consistency. The following policies supplement general plan policies and apply to future development projects proposed within the specific plan boundary. The policies are the framework for ensuring that NewPark Place is redeveloped and revitalized consistent with the general plan and specific plan vision for the area and with the direction included in this mobility section of the specific plan. For ease of reference, all specific plan policies are included in Appendix A of this specific plan.

- M-1** Roadways within NewPark Place shall be designed as complete streets and constructed to the standards identified in the cross-section for each respective roadway classification unless modification of one or more of the classification standards are approved by the Community Development Director.

- M-2** The applicant for the first project containing residential uses that is planned within areas designated Mixed Use I may propose options to the roadway classification standards. If such options are proposed, the applicant shall prepare a detailed roadway capacity/design analysis which demonstrates that modifications to the classification standards will not degrade the function of the subject roadways. All roadway classifications must retain their functions as complete streets by retaining pedestrian and bicycle improvements identified herein. The Community Development Director may consider modifications to individual roadway classification standards based on the capacity/design analysis. Such modifications are considered minor amendments to the specific plan.
- M-3** Prior to submitting a development application, the applicant for the first project containing residential uses that is proposed within areas designated Mixed Use I shall prepare a circulation design analysis to address the following:
1. Feasibility and utility of constructing a roundabout at the Alpenrose Court/NewPark Boulevard intersection; and
  2. Roadway capacity requirements for the segment of Alpenrose Court between Mowry Avenue and NewPark Boulevard, including consideration of a roundabout at NewPark Boulevard, potential queuing of vehicles at the NewPark Boulevard/Alpenrose intersection back onto Mowry Avenue, and opportunities to value engineer the segment while retaining its complete street features.
- Based on the outcome of the design analysis, the Community Development Director may consider modifications to the roadway classification standards that apply to Alpenrose Court and may make other amendments to the specific plan to incorporate design standards and requirements for a roundabout at Alpenrose Court/NewPark Boulevard. Such changes are considered minor amendments to the specific plan.
- M-4** Consideration may be given to shifting the segment of NewPark Boulevard located between the existing Sears building and the existing Citibank building slightly to the south. The intended purpose is to improve the development potential of the Citibank site by increasing its depth as measured between Mowry Avenue and the realigned segment of NewPark Boulevard. This shift may also benefit circulation conditions by shifting the Alpenrose Court/NewPark Boulevard intersection further to the south to allow greater vehicle queuing between the intersection and Mowry Avenue. This policy should be considered in conjunction with policy M-3 above.
- M-5** Developers of residential and mixed use projects within areas designated Mixed Use I are collectively responsible for

preparing a vehicular, pedestrian, and bicycle mobility improvement master plan. The mobility master plan shall include, but may not be limited to:

1. All roadway, pedestrian, and bicycle improvements per standards for each roadway classification, including modifications to roadway capacity requirements as may be considered by the Community Development Director.
2. Bicycle share stations, bicycle racks, and bicycle storage facilities at locations to be defined by criteria included in the mobility master plan.
3. Mobility improvement plans and probable costing for all improvements.
4. A projected schedule for constructing all improvements based quantitative.

The mobility master plan will be subject to review and approval of the Community Development Director prior to approval of the first individual residential or mixed use project for areas designated Mixed Use I and prior to approval of any individual development project within areas designated Mixed Use II. All improvements shall be constructed prior to approval of an occupancy permit for the first individual project containing residential uses within areas designated Mixed Use I.

**M-6** Developers of residential and mixed use projects within areas designated Mixed Use I are collectively responsible for preparing a transit master plan to address projected on-site transit needs. The transit master plan shall be prepared in coordination with AC Transit and city staff. At a minimum, the transit master plan shall include, but not be limited to:

1. A planned schedule for how and when transit service capacity to the specific plan area will be expanded to meet the needs of existing and new development as it occurs. The schedule shall include development level “triggers” for transit service capacity increases.
2. The types, locations, design criteria, and improvement plans for transit facility improvements such as shelters, bus pull-outs, lighting, and signage.
3. Electrification infrastructure to support bus vehicle fleet electrification as may be requested by AC Transit.
4. Probable costing for transit facility improvements.
5. A schedule for when each transit improvement will be constructed.
6. Criteria/thresholds for requiring new employers to provide transit subsidies to new employees.

The transit master plan will be subject to review and approval of the Community Development Director prior to the city's approval of the first individual residential or mixed use project entitlement application proposed within areas designated Mixed Use I, and prior to approval of any individual development entitlement applications for projects proposed within areas designated Mixed Use II.

**M-7** Developers of residential and mixed-use projects within areas designated Mixed Use I are collectively responsible for preparing a parking garage (structured parking) master plan to meet parking demand for retail and entertainment uses within the NewPark Mall, NewPark Avenue active street retail and entertainment uses, and office uses that may located within NewPark Place. The master plan shall include but may not be limited to the following:

1. Definition of the retail, entertainment, and other non-residential uses for which parking capacity within parking garages is to be provided.
2. The planned locations of each parking garage based on the need to service parking demand across the NewPark Mall and Mixed Use I use locations.
3. Capacity of each parking garage based on the parking development standards included in the specific plan.

4. Locations for priority parking for vanpool and carpool vehicles.
5. Electric vehicle charging stations and priority parking locations for electric and hybrid vehicles.
6. Design, improvement plans, and probable costing for each parking garage.
7. A schedule for constructing each parking garage or portion thereof needed to meet parking demands for existing and new retail/entertainment development. The schedule shall include quantified development capacity or parking demand level "triggers" for requiring new parking garage capacity.

The parking garage master plan will be subject to review and approval of the Community Development Director prior to the city's approval of the first individual residential or mixed use project entitlement application proposed within areas designated Mixed Use I.

**M-8** Developers of residential, mixed-use, and other non-residential projects within NewPark Place shall include electric vehicle charging stations and priority parking locations for electric and hybrid vehicles, bicycle racks at main residential building entries and within parking garages, and bicycle lockers at residential building entries and in parking garages. All new residential, mixed use and other non-residential projects will be subject to review by the Community

Development Director for inclusion of these improvements prior to approval of individual project entitlements.

- M-9** Developers of projects within the areas designated Mixed Use I and Mixed Use II with frontage on Mowry Avenue, Cedar Boulevard, and/or Ballentine Drive shall improve the sidewalk frontages consistent with the specific plan design standards that apply to these roadways. The sidewalk improvements shall be completed prior to issuance of an occupancy permit for individual projects fronting on the roadways.

# Infrastructure, Facilities, and Energy

## 4.1 Introduction

New development within the NewPark Place specific plan boundary will increase demand for infrastructure, facilities, and services. It will also increase demand for energy, primarily in the form of electricity and vehicle fuels. Water, wastewater, and storm drainage systems will need to be expanded, and public service providers, including fire, police, and schools will be requested to serve the new development. Energy conservation must also be addressed for the benefit of reducing air emissions and greenhouse gas emissions (GHG).

This chapter describes existing infrastructure, facilities, and services systems conditions, and identifies policies that provide direction for how capacity of these services will be expanded to serve the needs of NewPark Place residents, employees, and visitors. City policies and plans targeted to reduce energy demand and GHG emissions are described, with policy direction provided for new development and revitalization projects to incorporate energy demand and GHG emissions reduction measures.

## 4.2 Water

### Water Demand and Water Supply Infrastructure

The Alameda County Water District (ACWD) is the municipal water provider for southern Alameda County, including the City of Newark.

AWCD serves over 330,000 residents in a 104.8 square mile area that includes Fremont, Newark, and Union City. According to its 2016 Urban Water Management Plan, residential water use comprises 67 percent of demand, while the remaining 33 percent is made up of commercial, industrial, dedicated landscape, and institutional demand (Alameda County Water District 2016b).

New development within NewPark Place must be served with water. The ACWD has anticipated the demand and has capacity to provide the projected demand of 454.8 acre-feet per year shown in Table 4-1, Projected NewPark Place Water Demand.



The projected increase in water demand was anticipated in the general plan EIR and included in the general plan buildout water demand projections for the city. The general plan EIR concluded, based on analysis conducted by the ACWD, that the ACWD will have sufficient water supply to meet demand at general plan buildout, including new development within the Greater NewPark Focus Area. Further, no alterations to or expansion of the ACWD’s existing water supply facilities would be required (Planning Center/DC&E 2013); new development within the specific plan boundary will not be directly responsible for funding or constructing new water supply facilities.

### Water Distribution Infrastructure

Several existing water mains provide supply to existing uses within the specific plan boundary. An 18-inch main on Mowry Avenue, and 12-inch mains on Cedar Boulevard, Balentine Drive (east-west segment), and Balentine Drive

(north-south segment) comprise the backbone infrastructure within the public streets that border the specific plan area. Backbone water supply mains within the specific plan boundary connect to one of these four mains. An 8-inch main in Alpenrose Court connects to the Mowry Avenue and a 12-inch main in North Magazine connects to Cedar Boulevard. A 12-inch main loops around the perimeter of the NewPark Mall; it is fed by the aforementioned 12-inch mains. Other existing uses are served primary by 8-inch, looped mains.



**Table 4-1 Projected NewPark Place Water Demand**

Development Type	Potential Additional Development <sup>1</sup>	Water Demand Factor <sup>2</sup>	Daily Water Demand <sup>5</sup>	Projected Water Demand (AFY) <sup>6</sup>
Retail	200,000 square feet	0.282 <sup>3</sup>	56,400	63.2
Office	500,000 square feet	0.1035 <sup>3</sup>	51,750	58.0
Hotel	700 rooms	100 <sup>4</sup>	70,000	78.4
Residential	1,519 units	150 <sup>4</sup>	227,850	255.2
<b>Total</b>				<b>454.8</b>

SOURCE: EMC Planning Group 2017, Alameda County Water District 2016a

NOTE: <sup>1</sup>Reflects the “Additional Allowed General Plan Capacity” data in Table 2-1.

<sup>2</sup>Water demand factors from ACWD 2016a, page 6.

<sup>3</sup>Units are gallons per day per square foot.

<sup>4</sup>Units are in gallons per day per unit.

<sup>5</sup>Units are in gallons per day.

<sup>6</sup>One acre-foot is 325,840 gallons.

## New Water Infrastructure Planning

Detailed analysis of modifications to existing backbone water supply infrastructure and new water supply infrastructure needs must be conducted. A water supply master plan will need to be prepared in collaboration with the ACWD and the city to identify required improvements.

The master plan will, in part, be informed by system wide improvements identified in the ACWD's



25-Year Capital Improvement Program, FY 2011/12 – FY 2035/36 (Alameda County Water District 2011). The capital improvement program identifies improvement needs and funding sources for the improvements. Improvements include, but are not limited to well rehabilitation, production facility equipment, main replacements, and distribution facilities.

General plan policy CSF-5.8 states that the cost of infrastructure improvements required for new development is the financial responsibility of that development and is allocated based on each project's expected impacts. In this light, all ACWD customers are required to pay fees that cover installation and capacity improvements, public water system extension engineering, special service area connections, ACWD facility relocations, new public water main extensions, and installation of fire hydrants.

Section 5.0, Administration, Implementation, and Financing, includes information on funding mechanisms other than ACWD fees that may be considered to support construction and maintenance of water distribution and other related facility needs.

## 4.3 Wastewater

### Wastewater Generation and Treatment Infrastructure

The Union Sanitary District (USD) provides wastewater collection, treatment, and disposal services to residents and businesses in Newark, Fremont, and Union City. The USD is a member of East Bay Dischargers Authority, a Joint Powers Agency, which also includes the cities of Hayward and San Leandro, and the Oro Loma and Castro Valley Sanitary Districts.



New development within the specific plan boundary will be a new source of domestic wastewater. As such, it will result in new demand for wastewater treatment capacity. Table 4-2, Projected NewPark Place Wastewater Generation, shows that new development would generate approximately 0.474 million gallons of wastewater per day (mgd).

The USD treats wastewater at its Alvarado Wastewater Treatment Plant. The plant has a permitted capacity of 33 million gallons per day. The plant currently operates at about 75 percent

**Table 4-2 Projected NewPark Place Wastewater Generation**

Development Type	Potential Additional Development <sup>1</sup>	Wastewater Demand Factor <sup>2</sup>	Projected Wastewater Demand (mgd)
Retail	200,000 square feet	50 gpd/1,000 square feet	0.01
Office	500,000 square feet	100 gpd/1,000 square feet	0.05
Hotel	700 rooms	120 gpd/room	0.084
Residential	1,519 units	218 gpd/unit	0.33
<b>Total</b>			<b>0.474</b>

SOURCE: EMC Planning Group 2017, Union Sanitary District 2017

NOTE: <sup>1</sup>Reflects the "Additional Allowed General Plan Capacity" data in Table 2-1.

<sup>2</sup>Wastewater generation rates are from the Union Sanitary District and are expressed in gallons per day (gpd).

of capacity. The general plan EIR concluded that buildout of the city per the general plan, including new development within the Greater NewPark Focus Area, would not result in the need for USD to construct new wastewater treatment facilities. New development within the specific plan boundary would result in a nominal cumulative increase in demand for remaining capacity within the facility. There will be sufficient future capacity to treat wastewater from Newark customers (City of Newark 2013). Therefore, new development within NewPark Place will not be directly responsible for funding new wastewater treatment facilities. However, the USD does collect connection fees to support its operations and infrastructure development and maintenance.

### Wastewater Conveyance Infrastructure

The city and the specific plan area are located within the Newark Basin. The Newark Basin includes most of the city and the central portion

of the City of Fremont. Wastewater generated within the city is collected and conveyed by gravity sewer mains to the Newark Pump Station and then to the Alvarado Wastewater Treatment Plant. The USD expects that the pump station can accommodate increases in flow rates in the foreseeable future. If and when wastewater flows exceed the pump station capacity, USD plans to make new improvements to accommodate the flow (City of Newark 2013).

There are three existing backbone sewer conveyance mains located in public streets on three sides of the specific plan area. A 12-inch main is located in Cedar Avenue, a 10-inch main in Balentine Drive (east-west segment), and an 8-inch main in Balentine Drive (north-south segment). Two private 8-inch mains extend into the specific plan area; one is located within North Magazine, and the other is an extension of the Balentine Drive (north-south segment) main. Smaller diameter mains connect to individual parcels to provide conveyance capacity to existing development.

## Wastewater Conveyance Infrastructure Planning

The *Union Sanitary District Sewer System Management Plan* (Union Sanitary District 2007) identifies system wide improvement, maintenance, and funding requirements. However, it did not consider how system wide improvements needs would be affected by the new development capacity allowed within the Greater NewPark Mall area. Consequently, detailed analysis of the wastewater conveyance requirements for that development is needed in the form of a sewer capacity study. USD will prepare the study with funding from new development within NewPark Place (email message, Rod Shurman, Union Sanitary District, September 27, 2017). The study will address the age of the sewer mains, available and projected main capacities, and slopes between manholes. The study would also determine the necessity of upsizing the mains on Cedar Boulevard or in other locations to adequately serve new development.

All individual project developers will be required to comply with the USD's Capacity Charge Ordinance, which includes a schedule of proportional share connection fees for different land use types. The purpose of the capacity charge is to provide revenue to recover costs for existing facilities and facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged. The fee represents the cost for new and existing users to buy a share of USD's capacity for the collection, treatment, and disposal of their wastewater.

Section 5.0, Administration, Implementation, and Financing, includes information on

funding mechanisms other than USD and city impact fees that may be considered to support construction and maintenance of wastewater conveyance infrastructure.

## 4.4 Storm Water Drainage and Water Quality Management

The Alameda County Flood Control and Water Conservation District (ACFC) manages the storm water collection system in the city with assistance from the City of Newark Public Works Department. The ACFC operates and manages a variety of storm water and flood control infrastructure including storm water conveyance mains, canals, pumping stations, holding ponds, multiple creeks, and the Newark and Mowry Sloughs, all of which are part of the broader flood control and storm water control system.



Land within the specific plan boundary is largely developed and covered with impervious surfaces such as concrete, asphalt, and building roofs. During storm events, there is little capacity for rainfall to percolate into exposed soil surfaces. A significant volume of storm water runoff is created during such events which must be managed to minimize its potential to cause local flooding. New development within NewPark Place will change the existing storm water

regime within the specific plan area. However, given storm water management regulations that have been promulgated since the original NewPark Mall and nearly all of the other existing development within the specific plan area was constructed, it is likely that with new development, the rate of runoff from the specific plan area would decrease.



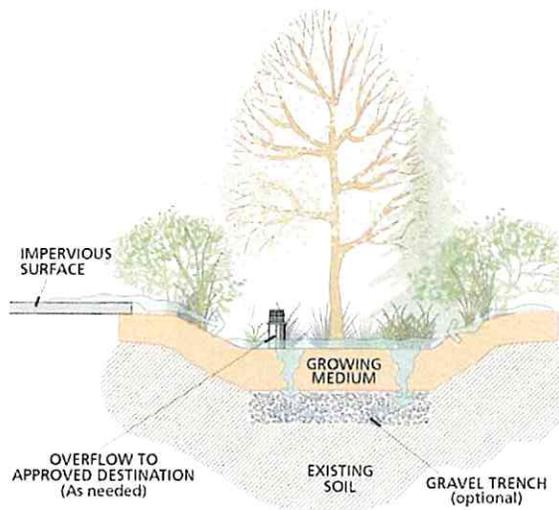
## Storm Water Collection and Disposal Infrastructure

Existing backbone storm water conveyance infrastructure exists within road and other rights-of-way that border the specific plan area. Storm water conveyance pipes are located within Mowry Avenue (12 inches to 42 inches), Cedar Boulevard (12 inches to 33 inches), and Balentine Drive (north-south segment). In addition, ACFC operates the C and D flood control facility, an open channel canal that traverses the southern boundary of the specific plan area.

No information was available to the city or to ACFC regarding storm water conveyance infrastructure within the boundary of the specific plan area at the time this specific plan was prepared. Such infrastructure is privately owned and both agencies lacked access to complete information about such improvements.

## Storm Water Conveyance Infrastructure Planning

Requirements for new storm water infrastructure needed to serve NewPark Place will be significantly influenced by current Regional Water Quality Control Board requirements for controlling storm water to manage its quality and effects. New construction within Alameda County, including the City of Newark, is subject to regulations of the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit issued by the Regional Water Quality Control Board. All municipalities subject to these regulations must require both private and public projects to implement post-construction stormwater controls as part of their obligations under Provision C.3 of the permit. Provision C.3 requires that all new and redevelopment projects that result in the addition or replacement of impervious surfaces totaling 10,000 square feet or more to: 1) include storm water treatment measures; 2) ensure that the treatment measures be designed to treat an optimal volume or flow of storm water runoff from the project site; and





3) ensure that storm water treatment measures are properly installed, operated and maintained. Among other requirements, the C.3 standards

specify that the rate of storm water runoff from a new development site may not exceed the rate of runoff that would have occurred under pre-existing conditions. Unlike existing development within the specific plan boundary, new development must be designed to control storm water to meet the C.3 standards.

For storm events where rainfall volume and duration exceed design storm assumptions on which C.3 standards are based, storm water overflows from development within the specific plan boundary will likely discharge into the ACFC's C and D flood control facility. Improvements to the existing storm water collection and conveyance system which may be required to serve new development would likely include reconfiguration of existing storm water conveyance pipes (email message, Jayson Imai, City of Newark, September 11, 2017). While the ACFC is responsible for storm water infrastructure, individual cities, including Newark, review new development projects for their storm water effects and coordinate with the

ACFC to ensure that storm water is managed consistent with ACFC goals. General plan policy CSF-5.4 requires that the city coordinate with the ACFC for this purpose.

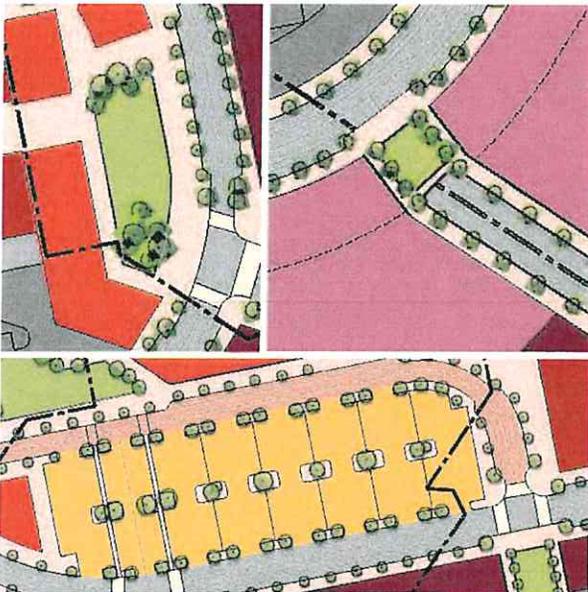
Developers of new projects within the specific plan boundary will be required to work with the city and ACFC to identify storm water improvements needed to ensure flood hazards are minimized and water quality objectives are met. This is consistent with general plan action CSF-5.D, which requires preparation of stormwater pollution prevention plans and stormwater management master plans for large scale developments. Such plans are to include runoff control and treatment measures, drainage improvements, and funding and maintenance responsibilities for the storm drainage system. Such plans must also demonstrate how new development will be comply with C.3 requirements.

To fund improvements to ACFC facilities, all project developers will be assessed an ACFC annual storm water/flood control management fee. Benefit assessment fees are used finance flood control services, new projects and programs, and flood control facility maintenance.

Section 5.0, Administration, Implementation, and Financing, includes information on funding mechanisms other than ACFC benefit assessment fees that may be considered to support construction and maintenance of storm water infrastructure.

## 4.5 Plazas, Event Space, and City Park

The NewPark Place land use plan shown in Figure 2-4 includes retail plazas, an event space, and the existing Shirley Sisk Grove park. These features are included as part of the place-making focus of the land use plan. Each has functions that are described in Sections 2.2 and 2.4. Please refer back to those sections for more information. The plazas and event spaces



provide benefit by providing public spaces for residents, employees, and visitors. Each amenity plays an important role in activating the NewPark Mall and the broader NewPark Place. Each must be programmed and improved



for its value to be realized as an integral specific plan placemaking strategy. These features will be privately owned and maintained.

Construction timing and the precise locations of the retail plazas may be contingent on other mall revitalization actions. The retail plaza at the north end of the mall is situated with the assumption that a change in the existing Sears building footprint will result from future mall revitalization activities in this area or that revitalization activities will create space for the plaza in a slightly different location that maintains the desired plaza function. Similarly, the retail plaza location at the south end of the mall is within the current footprint of the Burlington Coat Factory building; revitalization which makes space available at the south end of the mall for the retail plaza may be prerequisite to constructing this plaza.



The event space is considered to be of mutual benefit for all developers of residential and mixed use projects located in areas designated Mixed Use I. Therefore, its programming and funding is considered to be the shared responsibility of these developers.

The land use plan and land use design take advantage of a significant existing city public park space - Shirley Sisk Grove, by integrating it into the mobility network. This will dramatically improve accessibility to Shirley Sisk Grove. Improvements to Shirley Sisk Grove are planned. The improvements include

a permanent outdoor stage and stage shelter, restroom, storage for event materials, planting and irrigation for outdoor seating, a play area, and an on-site parking lot to improve site accessibility. Activities and events at Shirley Sisk Grove will help energize and catalyze NewPark Place as an exciting destination.



The city collects park impact fees from development to off-set costs of developing city-owned parks. Developers of projects within the specific plan area will be required to pay the impact fees at the time a building permit is issued, though a credit against these fees may be applied for developer funding and construction of the planned improvements to Shirley Sisk Grove as noted above.

## 4.6 Solid Waste and Recycling

The City of Newark oversees a franchise agreement with Allied Waste for solid waste and recycling services. Newark residents are given color-coded bins for garbage, yard waste, and recyclables and the waste within these bins is sent to the Fremont Recycling and Transfer station. At this station, recyclables are arranged by different categories and then combined for efficient transport to processing facilities.

The Fremont Recycling and Transfer station opened in 2006 and is currently permitted to receive 2,400 tons of waste per day. Although the facility is currently permitted to receive 2,400 tons of waste per day, the Operations Manager at the Transfer Station stated that the facility was designed with the capacity to hold 4,000 tons per day (telephone interview, Adan Alonzo, Fremont Recycle and Transfer, August 31, 2017).



Non-recyclable waste is conveyed to the Altamont Landfill for disposal. According to the general plan EIR, the landfill receives about 7,000 tons of waste per day, two percent of which is from the city. The landfill has a permitted capacity of 11,150 tons per day. Based on remaining capacity and projected volumes, the landfill



operators estimate its closure date to be 2040 (Planning Center/DC&E 2013). As of 2012, the city was diverting approximately 69 percent of its waste from landfills through recycling and composting.

The volume of solid waste generated from new development will decline over time due to state regulations that ramp up required diversion rates over time and due to the Alameda

County waste diversion target of 75 percent. Construction and demolition material recycling is already required and green waste and commercial recycling programs are being expanded (City of Newark 2013).

## 4.7 Utilities

Pacific Gas and Electric Company (PG&E) provides natural gas and electricity services to the city. PG&E provides natural gas through a network of underground pipelines and distribution mains and generates electricity from natural gas and multiple renewable sources.

PG&E is anticipated to have capacity to meet the demands of new development within NewPark Place. Telecommunication and cable services providers who serve the city would extend services to new development. These services are subject to city fees and utility user taxes, which will offset the increase in demand.



## 4.8 Public Services

### Police and Fire

The Newark Police Department is located at 37101 Newark Boulevard. The department consists of a Chief, two Commanders, two Lieutenants, nine Sergeants, 45 Police Officers, and 22 non-sworn (civilian) full-time positions. The department has a 0.88 ratio of sworn officers to one thousand residents (telephone interview, Joella Kapu, City of Newark Police Department, September 1, 2017).

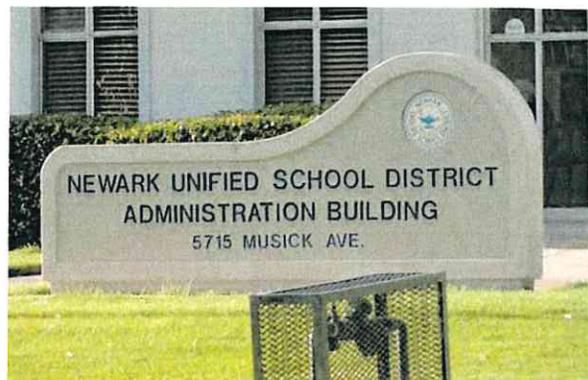


The Alameda County Fire Department provides fire protection services within an approximately 508 square mile area of Alameda County, including Dublin, Newark, San Leandro, Union City, and unincorporated areas. There are three fire stations serving Newark, all of which are less than four miles away from the specific plan area. Each station generally is staffed by three firefighters.

With new development within NewPark Place, demand for police and fire protection services will increase. New development must pay city public safety impact fees which offset the cost of expanding facilities and acquiring equipment to increase service capacity. Police and fire department personnel participate in the developmental review process for proposed new projects to facilitate inclusion of site design and safety measures that enable improved service delivery.

### Schools

The Newark Unified School District (NUSD) provides educational services to Newark students. The NUSD operates eight elementary schools (kindergarten through grade 5), a junior high school, a continuation school, an alternative school, and a comprehensive high school. Enrollment declined by 638 students



from 2012-13 to 2016-17. The decline is projected to continue over the next two to three years until new approved residential housing is completed (email communication with Sarah Wilson, Newark Unified School District, September 18, 2017). A new school is planned on Cherry Street between Mowry Boulevard and Stevenson Boulevard.

New residential development within NewPark Place is projected to generate approximately 232 additional students as shown in [Table 4-3, Student Generation](#).

Existing NUSD facilities have capacity to accommodate the new students. Individual project developers will be required to pay school impact fees as required by NUSD and the city to help off-set costs of providing educational facilities and services.

## Libraries

### Existing Conditions

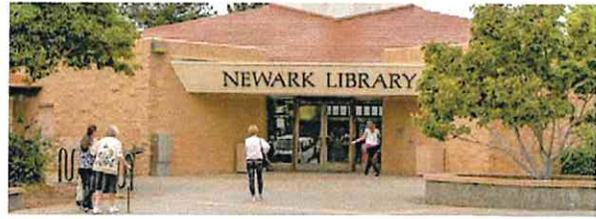
The current Newark Library is located at 6300 Civic Terrace Avenue within the Newark Civic Center. It is one branch of the Alameda County Library system. The facility offers services for the elderly and portions of the facility are offered for specific services to children, preschoolers, and teens. The existing library is due to be replaced with a larger facility that will be funded with impact fees and sales taxes.

**Table 4-3 Student Generation**

Land Use Designation	Number of Dwelling Units	K-6 Students	7-8 Students	9-12 Students	Total Student Generation
Multi-family Residential	1,519	126	50	56	232

SOURCE: Sarah Wilson, Newark Unified School District, email message, September 18, 2017

NOTE: The student generation rates per dwelling unit are as follows: K-6=0.083, 7-8=0.033, and 9-12=0.037

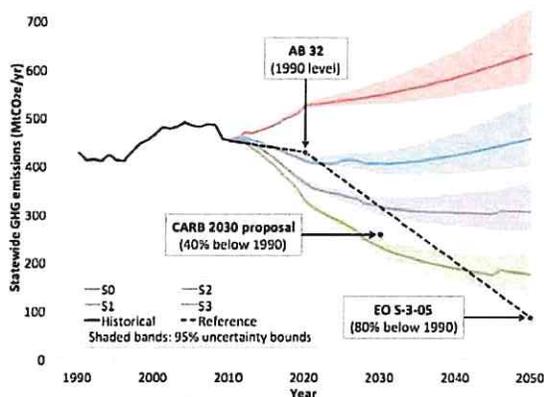


Demands for library services will increase with the residential development included in the specific plan. The increase in demand will be satisfied through the new, planned library facility. The proposed project will not result in the need to alter or expand the planned and funded new library. Individual project developers will be required to pay city capital facilities impact fees to offset effects of the increase in demand for library services from new development.

## 4.9 Energy Conservation and GHG Emissions Reduction

Though the state’s energy conservation and energy efficiency initiatives began years earlier, with the 2006 passage of Assembly Bill 32, the Global Warming Solutions Act, reducing growth in fossil-fuel based energy demand, including in the form of transportation fuels and electricity from existing and proposed land use development projects in California, has become a prominent land use and development planning objective. AB 32 established a statewide GHG emissions reduction goal of 20 percent below 1990 levels by 2020. With the passage of SB 32 in 2016, this goal has been increased to 40 percent below 1990 levels by 2030.

Infrastructure, Facilities, and Energy



Fossil fuel combustion in vehicles and in power plants is a dominant source of GHG emissions statewide. The land use sector is playing an important role in helping to achieve the state’s GHG reduction goals by incorporating transportation fuel and electricity consumption reduction strategies and measures into long-range community planning documents and into individual development projects.

### Energy and GHG Reduction Plans and Strategies

Through a multitude of GHG reduction strategies in the *City of Newark Climate Action Plan January 2010 Initial Framework* and numerous policies contained in the general plan, the city is proactively taking action at the local level to reduce energy consumption from existing and new land use development projects (e.g. residential, commercial, and industrial development). Transportation strategies commonly address ways to reduce vehicle miles traveled through land use planning and expanded use of alternative modes of transportation including transit, bicycles, and pedestrian mobility. Other transportation



strategies include expanded use of alternative fuel vehicles such as electric vehicles and the infrastructure that supports them.



Strategies to reduce demand for electricity commonly address energy efficiency, energy conservation, and expanded development of renewable forms of energy production. Strategies to reduce demand for natural gas use within individual projects help to reduce GHG emissions generated by burning this fossil fuel.



Water conservation strategies reduce energy demand for water and wastewater pumping and treatment. Strategies to reduce solid waste generation reduce the volume of solid waste delivered to landfills where methane, a

potent GHG, can be produced and released into the atmosphere as a byproduct of waste decomposition are also important.

The state has passed legislation and adopted a broad range of regulations to advance its energy conservation and GHG reduction objectives. Many of the city’s climate action plan and general plan strategies and policies address state legislative and regulatory directives that can be implemented at the local level. Title 24 of the California Code of Regulations, which sets energy standards for buildings, is one example of a state regulation which both the climate action plan and general plan support through measures for improved building energy efficiency.



The climate action plan sets a citywide target of reducing communitywide GHG emissions by 15 percent by 2020 as the city's fair contribution to achieving the AB 32 GHG reduction goal for 2020. With the passage of SB 32, expectations of local agencies to manage growth to achieve deeper fair-share energy conservation and GHG emissions reductions from land development projects to help achieve the 2030 reduction goal have increased. Significant indirect GHG reductions from land development projects will accrue to state legislative and regulations which reduce GHG emissions from sources over which local agencies have no direct control. Examples include reducing the carbon content of transportation fuels, increased diffusion of alternative energy vehicles into the statewide vehicle fleet, and targets for utility-generated electrical energy produced from renewable sources. As an example of the latter, last year PG&E announced that approximately 30 percent of the power it delivers comes from renewable sources (PG&E 2016).

The city's climate action plan and general plan policies and actions constitute a robust suite of energy demand and GHG reduction measures, a number of which would be applicable to new development and revitalization projects within NewPark Place. Requiring new land use development and revitalization projects to incorporate feasible reduction measures will enable the city to contribute its fair-share

towards achieving the statewide 2020 and 2030 GHG emissions reduction targets.

## Specific Plan Features which Reduce Energy Demand and GHG Emissions

The general plan land use strategy for the Greater NewPark Mall, the specific plan land use and mobility design, and specific plan policies will function to reduce energy demand and GHG emissions from new development.

The general plan land use direction for the Greater NewPark Focus area is, in part, to promote a mix of high density residential development and high density retail and office uses in close proximity to each other and to retail and commercial services adjacent to the specific plan area. This direction implements a fundamental use/transportation strategy for reducing energy demand and GHG emissions – to reduce vehicle miles traveled by allowing residents to access many of their daily needs without using vehicles.

The specific plan mobility plan and policies place significant emphasis on non-vehicular modes of access both within and through NewPark Place. Pedestrian and bicycle facilities are required on all major roadways and connect to similar facilities at the periphery of the specific plan boundary. Bicycle share stations are required to provide visitors an option for non-vehicular access throughout NewPark Place as part of a larger regional bike share program if such exists at the time individual development is proposed within the specific plan area. Bicycle lockers and bicycle parking is to be provided throughout the specific plan area. Expansion of transit access within NewPark Place and



construction of bus stops/shelters is required, as are employer-sponsored transit alternatives, including subsidies for employees. Mobility plan policies also require that new parking garages include locations for priority parking for vanpool and carpool vehicles. Electric vehicle charging stations and priority parking locations for electric and hybrid vehicles must also be provided in the garages. Residential and mixed use projects must also include electric vehicle charging stations and priority parking locations for electric and hybrid vehicles, as well as bicycle racks and bicycle lockers.



These land use and mobility plan features will enable residents, employees, and visitors to NewPark Place to reduce automobile dependence, reduce vehicle miles traveled, and promote use of electric vehicles, thereby reducing transportation fuel consumption and GHG emissions.

## 4.10 Infrastructure, Facilities, and Energy Policies

All new development and revitalization projects within the specific plan boundary must be consistent with general plan policies. As part of its development review process for individual projects proposed within the specific plan boundary, the city will ensure this consistency. The following policies supplement general plan policies and apply to development projects proposed within the specific plan boundary. The policies are the framework for ensuring that NewPark Place is redeveloped and revitalized consistent with the general plan and specific plan vision for the area and with the direction included in this section of the specific plan. For ease of reference, all specific plan policies are included in Appendix A.

**IF-1** Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for funding the full cost of all infrastructure and facility improvements identified in this specific plan, except where otherwise noted in Table 5-1, Capital Improvements Funding Responsibilities and Timing. The improvements to be funded include, but may not be limited to:

- Roadways (including the vehicular/rideshare drop-off access road) and roadway frontage improvements as illustrated for each respective roadway classification;

- Alternative transportation improvements (transit, bicycle, and pedestrian);
- Parking garages and related improvements;
- Retail plazas;
- Event space;
- Shirley Sisk Grove improvements; and
- Water supply, wastewater, and storm water systems improvements.

Transportation impact fees and park impact fees may be credited against the costs of roadway improvements and improvements to Shirley Sisk Grove.

**IF-2** Developers of residential and mixed use projects proposed within areas designated Mixed Use I are collectively responsible for coordinating with the Alameda County Water District and the city staff to prepare or have prepared a water distribution infrastructure master plan. The master plan shall identify water distribution improvements required within the specific plan boundary and outside of the specific plan boundary (if any) to provide domestic water supply and meet fire flow supply standards for new development within the specific plan boundary. Subject to discretion of the Alameda County Water District, the master plan shall include, but not be limited to:

1. The types, locations, design criteria, improvement plans, and probable costing for domestic water supply and fire flow infrastructure.
2. A schedule for how and when improvements will be constructed to meet the needs of new development as it occurs, including quantified development level “triggers” for when improvements will be constructed.
3. Financing mechanisms that will be used by developers of projects containing residential uses to fund water system improvements.

The master plan will be subject to review and approval of the Alameda County Water District and the City of Newark Public Works Director prior to the city’s approval of the first individual residential or mixed use project entitlement application proposed within areas designated Mixed Use I, and prior to approval of any individual development entitlement applications for projects proposed within areas designated Mixed Use II.

**IF-3** Developers of residential and mixed use projects proposed within areas designated Mixed Use I are collectively responsible for coordinating with the Union Sanitary District and the City of Newark to prepare or have prepared a sewer capacity study. The sewer capacity

study shall identify sewer conveyance infrastructure improvements required within the specific plan boundary and outside of the specific plan boundary (if any) to serve new development. Subject to discretion of the Union Sanitary District, the sewer capacity study shall include, but not be limited to:

1. The types, locations, design criteria, improvement plans, and probable costing for sewer conveyance infrastructure.
2. A schedule for how and when improvements will be constructed to meet the needs of new development as it occurs, including quantified development level “triggers” for when improvements will be constructed.
3. Financing mechanisms that will be used by developers of projects containing residential uses to fund sewer conveyance system improvements.

The sewer capacity study will be subject to review and approval of the Union Sanitary District and review by the City of Newark Public Works Director prior to the city’s approval of the first individual residential or mixed use project entitlement application proposed within areas designated Mixed Use I, and prior to approval of any individual development entitlement applications for projects proposed within areas designated Mixed Use II.

**IF-4** Developers of residential and mixed use projects within areas designated Mixed Use I are collectively responsible for coordinating with the Alameda County Flood Control and Water Conservation District and the City of Newark to prepare a storm water management master plan. The master plan shall identify storm infrastructure improvements required within the specific plan boundary and outside of the specific plan boundary (if any) to serve new development. Subject to discretion of the Alameda County Flood Control and Water Conservation District, the storm water management master plan shall include, but not be limited to:

1. The types, locations, design criteria, improvement plans, and probable costing for storm water infrastructure.
2. A schedule for how and when improvements will be constructed to meet the needs of new development as it occurs, including quantified development level “triggers” for when improvements will be constructed.
3. Financing mechanisms that will be used by developers of projects containing residential uses to fund storm water management improvements.

The master plan must be approved by the Alameda County Flood Control and Water Conservation District

and is subject to review of the City of Newark Public Works Director prior to the city's approval of the first individual residential and mixed use project entitlement application proposed within areas designated Mixed Use I, and prior to approval of any individual development entitlement applications for projects proposed within areas designated Mixed Use II.

- IF-5** Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for preparing retail plaza improvement plans for each plaza shown on specific plan Figure 2-4, Land Use Plan. Each plaza plan shall include programming, improvement plans, and probable costing, and shall identify the funding mechanism(s) to be utilized. Developers of projects containing residential uses shall contribute funding for constructing the retail plazas in an amount to be identified in consultation with the Community Development Director. Each plan shall be subject to review and approval of the Community Development Director. The plazas shall be constructed prior to issuance of a building permit for each new residential and mixed use project located adjacent to each retail plaza.
- IF-6** Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for planning, funding, and constructing improvements to Shirley Sisk Grove. Improvements

shall be consistent with improvement recommendations included in the May 2017 draft of the City of Newark Citywide Parks Master Plan unless otherwise approved by the Community Development Director. Required improvements specified therein include: an outdoor amphitheater (including and outdoor stage and stage shelter), storage, a school-age play area, restrooms, pedestrian pathways, planting and irrigation, and a parking lot. Pedestrian improvements on adjacent street frontages and pedestrian crossings on North Magazine and the secondary road that link Shirley Sisk Grove to the event space are necessary, and will be constructed as part of the respective roadway improvements. Developers of residential and mixed use projects within areas designated Mixed Use I shall prepare a detailed Shirley Sisk Grove improvement plan. The plan shall include programming, improvement plans, and probable costing, and shall identify the funding mechanism(s) to be utilized by developers of projects containing residential uses. The plan shall be subject to review and approval of the Community Development Director prior to approval of a building permit for the first project containing residential uses proposed within the area designated Mixed Use I. The improvements shall be completed prior to issuance of a certificate of occupancy for the 400th residential unit proposed within the entire area designated Mixed Use I.

**IF-7** Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for preparing an event space improvement plan for the event space shown in Figure 2-4, Land Use Plan. The event space improvement plan shall include programming, improvement plans, and probable costing, and shall identify the funding mechanism(s) to be utilized by developers of projects containing residential uses to fund the improvements. The plan shall be subject to review and approval of the Community Development Director prior to approval of a building permit for the first project containing residential uses located within the areas designated Mixed Use I.

The event space improvements shall be constructed and operational prior to issuance of an occupancy permit for the first project containing residential uses that is located adjacent to the event space.

**IF-8** All project developers shall direct the city's Art in Public Spaces impact fees towards providing public art within their respective project boundaries and/or may direct such fees to public art improvements that provide benefit within the broader specific plan area. Each project developer shall prepare a public art improvement plan for review and approval by the Community Development Director. The plan shall include measures for continual maintenance of the improvements.

The plan shall be subject to review and approval prior to issuance of a building permit for each proposed project. Improvements shall be completed prior to issuance of occupancy permits for individual projects.

**IF-9** Developers of projects proposed within areas designated Mixed Use I that contain residential uses shall be responsible for preparing a maintenance plan for all improvements to be designed, funded, and constructed by these developers. Improvements to be addressed include, but may not be limited to: roadways, plazas, event space, courtyards, sidewalks and access ways, bicycle paths and bicycle supporting infrastructure, landscaping, street furniture and lighting, public art, trash enclosures, and parking garages and associated improvements. Maintenance of improvements to Shirley Sisk Grove may be excluded.

The maintenance plan shall identify maintenance performance standards for each improvement (maintenance requirements, maintenance frequency, maintenance responsibility, etc.) and identify a maintenance funding mechanism. Developers of project that contain residential uses within areas designated Mixed Use I shall be responsible for funding and implementing the maintenance plan. Funding responsibility may be extended to development/redevelopment within areas designated Mixed Use II in the future at the discretion of the

Community Development Director. The maintenance plan is subject to review and approval of the Community Development Director prior to approval of the first project containing residential uses that is proposed within areas designated Mixed Use I.

**IF-10** To achieve specific energy demand and GHG emissions reductions all project developers shall meet the following performance standards as part of new development and revitalization project proposals:

1. At a minimum, all buildings shall exceed 2016 Title 24 building envelope energy efficiency requirements by a minimum of 10 percent.
2. All new projects shall obtain a minimum of 30 percent of their project specific energy demand from renewable energy sources. Such sources could include solar energy produced within the boundary of the individual project site, district solar installed within the specific plan boundary for which costs and energy production are shared among end users, community choice aggregation programs that provide renewable energy (if available), or other means acceptable to the Community Development Director.
3. Install “cool roofs” on all habitable structures not otherwise utilized for solar energy production.
4. Install higher-efficiency private street lighting and area lighting in new construction, and retrofit existing street lighting with higher-efficiency lighting.
5. Install low-flow water fixtures in all new development.
6. Install water-efficient landscape irrigation systems and water-efficient landscapes.
7. Install solar water heaters to supply residential hot water needs where cost effective.
8. Install programmable thermostat timers.
9. Install energy efficient appliances. Prior to approval of individual development projects and substantial revitalization projects, the Community Development Director shall review individual project applications to ensure the energy and GHG reduction measures listed above are included.



# Administration, Implementation, and Financing

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## 5.1 Introduction

This specific plan has been prepared in accordance with California Government Code Section 65451, which sets forth the basic content of specific plans. The NewPark Place Specific Plan serves as the general plan policy and land use implementation document for NewPark Place. The development regulations in this specific plan prevail over, and are supplemented by regulations contained within the municipal code. The following sections establish the methods needed to administer and implement the specific plan and describe funding and financing responsibilities and options for constructing required infrastructure and facilities.

## 5.2 Specific Plan Administration

The City of Newark Community Development Department and the City of Newark Public Works Department will have primary responsibility for implementing the specific plan. Once the specific plan is adopted, the Community Development Director will review applications for individual projects proposed within the specific plan boundary in collaboration with the Public Works Director regarding infrastructure and facilities improvements.

The general plan, municipal code, and this specific plan guide and regulate future development within the specific plan boundary. As such, future individual development projects will be reviewed by the Community Development Director and Public Works Director to ensure that they are in substantial conformance with general plan and specific plan policies, development regulations in the specific plan and municipal code, and with design guidelines included in the specific plan. Similarly, the Community Development Director, in collaboration with other relevant city staff, will review the mechanisms by which project developers, either individually or collaboratively, propose to fund and maintain improvements included in individual development applications.

### Actions Required to Adopt the Specific Plan

Prior to considering proposals for individual projects within the specific plan boundary, several actions are required by the city to legally establish the specific plan as the legislative and regulatory guidance for that development. The city will take the actions described below to ensure that the land use, policies, development regulations, and design guidelines included in the specific plan serve as the governing planning document.

## CEQA Compliance

In accordance with CEQA Guidelines section 15183, Projects Consistent with a Community Plan or Zoning, the city prepared an initial study to analyze the environmental effects of implementing the specific plan. CEQA Guidelines section 15183(a) declares that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

The purpose of the initial study was to determine whether future development guided by the specific plan would have significant impacts that are: 1) peculiar to the specific plan area; 2) were not already evaluated in the general plan EIR; or 3) are significant relative to effects identified in the general plan EIR due to availability of substantial new information that was not available at the time the general plan EIR was certified or are more severe than impacts identified in the general plan EIR. The initial study concluded that no such significant impacts are anticipated. A significant basis for this determination is the fact that the new development capacity identified in the specific plan does not exceed the development capacity for the Greater NewPark Focus Area as identified in the general plan EIR. Therefore, at a broad program level, impacts of implementing development proposed in the specific plan have already been evaluated in the general plan EIR.

Prior to considering whether or not to amend the general plan and the municipal code (as described below), the City of Newark City Council will consider the initial study and make a determination that the CEQA requirements for these actions have been adequately met. Information in the general plan EIR, particularly general plan policies which address development within the Greater NewPark Focus Area, will be used by the city as part of its review and consideration of subsequent project-specific development proposals within the specific plan boundary. Project developers and end users must comply with general plan policies. As identified in the general plan EIR, such policies serve to mitigate environmental impacts of such development. Through its development review process, the city will ensure that future individual projects comply with general plan policies and with regulations identified in the municipal code that also serve to mitigate environmental impacts of new development.

## General Plan Amendment to Incorporate the Specific Plan

As its first specific plan related approval, the city will act to amend the general plan to incorporate the specific plan. Two sets of amendments would be made. The first would be to amend the general plan land use map to show that land within the specific plan boundary is governed by the NewPark Place Specific Plan. As may be needed, other specific conforming general plan amendments would be made to ensure consistency between the general plan and the specific plan.

### Municipal Code and Zoning Map Amendments to Include Specific Plan Development Regulations

Concurrent with the adoption of the general plan amendments discussed above, the City Council will consider approving an amendment to the City of Newark Municipal Code to rezone land within NewPark Place to mixed use to enable development proposed in this specific plan. The city may also consider utilizing its Planned Unit Development regulations contained in Chapter 17.40 of the zoning code for this purpose. In either case, the development regulations contained in the specific plan will apply solely to development within NewPark Place. The city's zoning map would also be amended to illustrate that NewPark Place development regulations apply within the specific plan boundary. Together, the municipal code regulations and the NewPark Place regulations constitute the full set of regulations for guiding development. To the extent any standard or other provision in the municipal code conflicts with development regulations contained in the specific plan, the specific plan regulations prevail.

### 5.3 Phasing

As described in Section 2.4, Land Use Plan, NewPark Place is anticipated to build out over an approximate 20-year timeframe. A detailed specific phasing plan has not been developed. Real estate market and retail trends will likely continue to shift over that duration, such that projecting specific development phasing for NewPark Place would be speculative. However, the city's priorities are to revitalize NewPark Mall as a premier retail and entertainment

destination, catalyze redevelopment of the mall itself, and facilitate residential and retail development within the area designated Mixed Use I. Funding and installing circulation and infrastructure improvements needed to support this development are corollary priorities.

Buildout of the area designated Mixed Use II is anticipated to occur over the mid- to longer-term timeframe. Nevertheless, the city will entertain new development proposals for this area at any time that are consistent with the specific plan.

Infrastructure is to be constructed in step with development to assure that infrastructure is adequate to serve the project as it is built out and to provide for appropriate transitions. The need for infrastructure construction, including but not limited to utilities, roads, transit, facilities, and sidewalks will be evaluated at the time of individual development applications. Requirements for construction of infrastructure shall be evaluated based on demand from the each individual proposed development.

## 5.4 Individual Project Development Entitlements and Environmental Review

### Future Individual Development Project Entitlements

New development and redevelopment projects proposed within the specific plan boundary are subject to city review and approval. The approval process for future individual development projects will follow procedures contained in the municipal code. Individual

project reviews and discretionary approvals that may be required may include, but may not be limited to: minor or major subdivisions, tentative and final maps, site plan and architectural review, conditional use permits, planned unit developments, and/or building permits. As part of the preliminary plan review process, individual project applications will be reviewed to determine whether the development proposed is consistent with the general plan, specific plan, and other associated regulatory documents including the municipal code. Once this review is complete, the Community Development Director will determine what, if any, further planning and permit process steps are needed. In some cases, a building permit may be all that is required.

### **Conformance of Future Projects with the Specific Plan**

Future individual development projects proposed within NewPark Place must be found to be in substantial conformance with the land use, policies, development regulations, and design standards contained in the specific plan. The overriding objective of ensuring substantial conformance is to ensure that individual projects are consistent with the specific plan development vision. Therefore, all individual projects must be in substantial conformance for the city to consider approval of associated development entitlements. An individual project may be found to be in substantial conformance with this specific plan even when it does not conform precisely, provided the city determines that the project meets the overall specific plan vision.

### **Subsequent Specific Plan/General Plan Amendments**

All actions or decisions or plan modifications which are necessary solely to implement the specific plan are considered minor in nature. The Community Development Director will have authority to approve all such minor actions or decisions or modifications to the specific plan.

It is possible that as part of their individual project development applications, future project developers could request major modifications to the specific plan that go above and beyond implementing the specific plan. The city may also find that over time, specific plan modifications are warranted to reflect changing conditions or alternatives to achieve the vision for NewPark Place. Depending on the nature of the modifications, it may also be necessary to modify the general plan. For example, specific plan policy LU-2 states that if an individual future project developer proposes development that has potential to exceed the new development capacity thresholds included in the specific plan, general plan and specific plan amendments would be required, as both documents identify caps on total development capacity. Specific plan and general plan amendments are discretionary actions that are subject to approval by the city.

Proposed major specific plan amendments would likely require additional CEQA documentation if the physical changes enabled by the amendments have potential to create environmental impacts that were not previously identified in the general plan EIR and the specific

plan initial study. The type of environmental documentation required would be determined by the Community Development Director on the basis of the amendment(s) being requested.

## 5.5 Infrastructure and Facilities Improvements, Costs, and Maintenance

Significant costs will be incurred to implement the specific plan. Funding for capital improvements, including major private infrastructure and facilities will be needed. This section includes a summary of major capital improvement needs and responsibilities for constructing and maintaining infrastructure and facilities.

### Capital Improvements

Table 5-1, Capital Improvements, Improvement Funding Responsibility, and Improvement Timing, summarizes the major types of capital improvements required to catalyze development within NewPark Place. As shown in the “Funding Responsibility” column of the table, developers of projects proposed within the areas designated Mixed Use I that contain residential uses are responsible for funding the full cost of all infrastructure and facility improvements that are intended for public use and enjoyment except as otherwise noted in the table. This list generally does not include required in-tract improvements (e.g. within the boundary of private properties being developed), which are the sole responsibility of individual project developers. All improvements, other than those for Shirley Sisk Grove, will be privately owned and maintained.

Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for the design, funding, construction and maintenance of all infrastructure and improvements identified in this specific plan, as described in policies contained in Section 4.0, Infrastructure, Facilities and Energy. Developers of non-residential mixed uses projects proposed within areas designated Mixed Use I shall participate with residential project developers in planning for water, wastewater, and storm drainage improvements needed for the specific plan area. All developers will be responsible for the design, finance, construction, and maintenance of infrastructure and facilities within the boundaries of their individual projects.

Infrastructure master plans and facility design plans will be subject to review and approval of the city prior to its consideration of the first individual project containing residential uses within areas designated Mixed Use I and prior to consideration of individual development applications for projects proposed within areas designated Mixed Use II.

Developers of projects proposed within areas designated Mixed Use I that contain residential uses are responsible for preparing plans for and funding retail plaza improvements and event space improvements.

At the current level of information available regarding infrastructure improvement requirements, it is unknown whether infrastructure improvements needed to serve NewPark Place may also have benefits that extend outside of

**Table 5-1 Capital Improvements, Improvement Funding Responsibility, and Improvement Timing**

Improvement Type	Improvement	Funding Responsibility	Timing
Mobility	NewPark Avenue constructed to specific plan design guideline and road classification standards, including street furniture, landscaping, and lighting	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Vehicular/Ridesharing Drop Zone access road constructed to specific plan road classification standards, including street furniture and lighting	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Secondary Roads between NewPark Avenue and NewPark Boulevard constructed to specific plan design guideline and road classification standards, including street furniture and lighting	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Alpenrose Court constructed to specific plan design guideline and road classification standards, including street furniture, landscaping, and lighting	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Ballentine Drive constructed to specific plan design guideline and road classification standards, including street furniture, landscaping, and lighting	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	NewPark Boulevard constructed to specific plan design guideline and road classification standards, including street furniture, landscaping, and lighting	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Existing North and South Magazine and their new extensions that connect to NewPark Avenue constructed to specific plan design guideline and road classification standards, including street furniture, landscaping, and lighting	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Structured parking garages including associated electric vehicle support infrastructure and bicycle support infrastructure	Developers of projects containing residential uses	As required to compensate for existing parking capacity lost as development occurs within areas designated Mixed Use I, or as phased consistent with the structured parking master plan to be prepared by developers of residential and mixed use projects within these areas
	Sidewalk connection between NewPark Boulevard and Mowry Avenue constructed	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Secondary roads within areas designated Mixed Use II constructed to specific plan design guideline and road classification standards	Developers of projects within areas designated Mixed Use II	Prior to issuance of occupancy permit for projects within areas designated Mixed Use II with frontage along secondary road plan line locations
	Sidewalk frontages along Ballentine Drive, Cedar Avenue, and Mowry Avenue constructed to specific plan design standards	Developers of projects within areas designated Mixed Use I and Mixed Use II improve along their respective frontages	Prior to issuance of occupancy permit for individual projects fronting on the associated roadways

Improvement Type	Improvement	Funding Responsibility	Timing
Mobility	New transit facilities with type, design and locations defined in coordination with AC Transit and the city	Developers of projects containing residential uses	Prior to issuance of occupancy permit for first project containing residential uses or as phased with residential development consistent with transit master plan to be prepared in coordination with AC Transit and the city
	Shared Bicycle Facilities	Developers of projects containing residential uses	Prior to occupancy of the 800 <sup>th</sup> residential unit
Utility Infrastructure	Electric vehicle charging stations, priority parking locations for electric and hybrid vehicles, bicycle racks, and bicycle lockers	Developers of projects within areas designated Mixed Use I and Mixed Use II	Prior to occupancy of each development project located in areas designated Mixed Use I and Mixed Use II
	Water supply backbone infrastructure constructed to standards defined in consultation with Alameda County Water District	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Wastewater conveyance backbone infrastructure constructed to standards of the Union Sanitary District defined by through the a sewer capacity study	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
	Storm water conveyance backbone infrastructure constructed to standards defined by the Alameda County Flood Control And Water Conservation District	Developers of projects containing residential uses	Prior to issuance of occupancy permit for adjacent project containing residential uses
Retail Plazas	Retail plaza at the northern end of the NewPark Mall	Developers of projects containing residential uses and developers of mixed use projects within the areas designated Mixed Use I that are located adjacent to the northern retail plaza	Prior to occupancy of projects containing residential uses or mixed use projects located adjacent to the northern retail plaza
	Retail plaza at southern end of the NewPark Mall	Developers of projects containing residential uses and developers of mixed use projects within the areas designated Mixed Use I that are located adjacent to the southern retail plaza	Prior to occupancy of projects containing residential uses or mixed use projects located adjacent to the southern retail plaza
Event Space	Surface parking improvements for when the space is not used for events, and infrastructure improvements needed to accommodate special events (e.g. water, power, restrooms, etc.) and special events programming	Developers of projects containing residential uses and developers of mixed use projects within the areas designated Mixed Use I that are located adjacent to the event space	Prior to occupancy of projects containing residential uses or mixed use projects located adjacent to the event space
Shirley Sisk Grove	Shirley Sisk Grove improvements	Developers of projects containing residential uses	Prior to occupancy of the 400 <sup>th</sup> residential unit
Public Art	Within each individual development project within areas designated Mixed Use I and Mixed Use II or as otherwise approved by the Community Development Director	Developers of individual projects within areas designated Mixed Use I and Mixed Use II	Prior to occupancy of each respective project

Note: "Adjacent" as referenced in this table means within a logical phase of development as defined by the Community Development Director.

NewPark Place. This possibility will be identified as part of the infrastructure master planning process. If this is the case, developers of projects containing residential uses may be entitled to cost reimbursements and/or or reductions in impact fees at a level commensurate with the benefit provided outside the specific plan boundary.

## 5.6 Infrastructure and Facilities Funding and Financing

This section identifies potential funding and financing tools that may be used individually, collectively, or in combination to fund implementation and maintenance of infrastructure, facilities, and public services needed to serve NewPark Place.

### Infrastructure Financing Framework

As noted in Section 5.5, infrastructure and facilities costs will be funded by developers of projects containing residential uses. Costs will be allocated to these developers on a fair share basis for improvements of common benefit.

It is assumed that infrastructure improvements will be constructed in phases keyed to the demands of new development to assure adequate capacity as development occurs. It is anticipated that backbone infrastructure will need to be constructed as major phases of land development commence, while in-tract infrastructure can occur to support vertical development as it is undertaken. However, it remains the responsibility of developers of projects containing residential uses to provide

funding to construct backbone infrastructure that also supports revitalization of the NewPark Mall. It also remains the responsibility of developers of projects containing residential uses to construct backbone infrastructure which benefits revitalization within areas designated Mixed Use II, with cost reimbursement or impact fee reductions provided in exchange for the benefit provided to this area.

### Infrastructure Funding Principles

The following principles will guide future decisions regarding formation of financing entities, adoption of financing mechanisms, and project approvals:

- A financial analysis shall be prepared that identifies the infrastructure required for NewPark Place, allocation of these costs, and proposed methods for funding;
- Developers of all projects containing residential uses within NewPark Place will pay the costs of mitigating impacts of their development on existing facilities and infrastructure located within the specific plan area and in other parts of the city;
- The city should consider facilitating specific plan infrastructure financing through establishment of necessary financing entities and arrangements;
- If a property owner is required to dedicate property or make improvements (e.g., oversizing infrastructure) with a higher value than the benefits that property owner receives, the excess value shall be reimbursed from other benefiting properties;

- The preferred financing mechanism(s) should create incentives for properties in NewPark Place to develop the designated uses at the designated densities; and
- Mechanisms should be identified or established to assure ongoing maintenance of facilities and extension of public services.

### Funding Mechanisms and Resources

A number of financing mechanisms are available to fund private and/or public infrastructure and facilities. Since all improvements within NewPark Place will be privately designed, funded, constructed, and maintained, a number of financing mechanisms commonly used to finance infrastructure and improvements may not be applicable. Nevertheless, a full range of private and public improvement financing mechanisms are reviewed here to illustrate options that could be considered in financing deliberations involving city staff, property owners, developers, and others as needed.

This section describes the key features of the funding mechanisms that fall into two distinct categories:

1. Development-based financing
2. Property/Tenant-based financing

Representative financing mechanisms that could be considered are discussed in the following section and summarized in Table 5-2, Summary of Finance Tools.

#### Development-based Financing

##### Development Opportunity Reserve

A city can use a development opportunity reserve program to offer a limited amount of additional development density to incentivize property owners and future tenants to invest in new projects. In exchange for providing private investment, property owners receive a portion of limited additional development density as established by the city.

**Table 5-2 Summary of Finance Tools**

Financing Tool/ Resource	Examples	Requirements	Applicable Specific Plan Strategy
<b>Development Based</b> Financing from developers in exchange for entitlements/ project approvals.	<ul style="list-style-type: none"> <li>▪ Development Opportunity Reserve</li> <li>▪ Impact Fees</li> <li>▪ Conditions of approval</li> <li>▪ Development Agreements</li> </ul>	Requires a strong market that promises developer returns and surplus value that can be shared.	Best for infrastructure and buildings (e.g. office over retail, parkway development), and common area infrastructure (e.g. concentrated parking)
<b>Property /Tenant-based</b> Financing from assessments on property owners and / or tenants levied based on the value of benefits received.	<ul style="list-style-type: none"> <li>▪ Special Assessment Districts</li> <li>▪ Community Facilities Districts</li> <li>▪ Landscape and Lighting Maintenance Districts</li> <li>▪ (Property) Business Improvement District</li> </ul>	Can Require voter approval and sufficient scale/ participation to achieve yield and implementation efficiency	Best for capital improvements, operations, and maintenance of common area improvements (e.g. landscape enhancements)

Source: EPS 2017

### City Impact Fees

As of August 2016, the city had the following impact fees in place:

1. Parks
2. Capital Facilities
  - a. Public Safety
  - b. Community Service/Facilities
  - c. Transportation
3. Housing (Affordable Housing)
4. Art in Public Places and Private Development
5. Community Development Maintenance

Developers of all future projects within NewPark Place will be required to pay these impact fees at the time building permits are issued. As can be seen, the fees support a range of facilities and services provided by the city to meet demands of existing and new development. Fees collected by the city may also be utilized to off-set design, financing, and construction costs of improvements within NewPark Place.

### Area Development Impact Fees

Area development impact fees may be enacted by a legislative body (i.e., city or county) through adoption of an ordinance. Such fees do not require a public vote to be enacted, but they do require public hearings. Area development impact fees must be directly related to the benefits received. They do not create a lien against property, but must be paid in full as a condition of approval. The principal use of these

fees is for encumbering properties that would not otherwise enter into an assessment district or Mello-Roos Community Facilities District. Fees are established so that these properties pay their fair share at the time they are ready to be developed. Area development impact fees might be used, for example, in situations in which the number of owners of small developable parcels was so large that property owners would have difficulty organizing an assessment district or a community facilities district.

Proceeds may be used to reimburse property owners who pay up-front costs for facilities benefiting other properties. Benefiting properties may be given the option to finance the fees by entering into an assessment district or Mello-Roos Community Facilities District.

### Dedications and Exactions

Under the Subdivision Map Act, developers may be required to dedicate land or make cash payments for public facilities required or affected by their project (e.g., road right-of-way fronting individual properties). Dedications are typically made for road and utility rights-of-way, park sites, and land for other public facilities. Cash contributions are made for other public facilities that are directly required by their projects (e.g., payments for a traffic signal).

### Development Agreements

A development agreement is a contract between a public agency and a developer that provides developers with assurances that the land use entitlements for a project will not be changed in the future, and that specifies public sector commitments to financing, phasing and other

elements of project implementation. In return for these public considerations and assurances, the developer may be asked to make financial commitments beyond those that could be justified through typical subdivision ordinance dedications and exactions and/or impact fees, which are both limited by the “rational nexus” criteria.

### Property/Tenant-based Financing

#### Special Assessment Districts

California law provides procedures to levy assessments against benefiting properties and issue tax-exempt bonds to finance public facilities and infrastructure improvements. Assessment districts, also known as improvement districts, are initiated by the legislative body (e.g., city council), subject to majority protest of property owners. Assessments are distributed in proportion to the benefits received by each property as determined by engineering analysis, and form a lien against property. Special assessments are fixed dollar amounts and may be prepaid, although they are typically paid back with interest over time by the assessed property owner.

Only improvements with property-specific benefits (e.g., roads, sewer water, and storm water improvements) may be financed with assessments.

#### Mello-Roos Community Facilities Districts

California’s Mello-Roos Community Facilities Act of 1982 allows for the creation of a special district authorized to levy a special tax and issue tax exempt bonds to finance public facilities and services. A community facilities district may be

initiated by the legislative body or by property owner petition, and must be approved by a two-thirds majority of either property owners or registered voters (if there are more than 12 registered voters living in the area).

Special taxes are collected annually with property taxes, and may be prepaid if prepayment provisions are specified in the tax formula. The special tax amount is based upon a special tax lien against the property. There is no requirement that the tax be apportioned on the basis of direct benefit. Because there is no requirement to show direct benefit, Mello-Roos levies may be used to fund improvements of general benefit, such as schools, fire and police facilities, libraries and parks, as well as improvements that benefit specific properties. The Facilities Act also allows for the allocation of cost burdens in order to alleviate burdens on specific classes of development. The Act further provides for the allocation of operations and maintenance costs.

#### Landscape and Lighting Maintenance Districts

Landscaping and lighting maintenance districts may be used for installation, maintenance, and servicing of landscaping and lighting using annual assessments on benefiting properties. Landscaping and lighting maintenance districts may also provide for construction and maintenance of appurtenant features, including curbs, gutters, walls, sidewalks or paving, and irrigation or drainage facilities. They may also be used to fund and maintain parks above normal park standards maintained from general fund revenues.

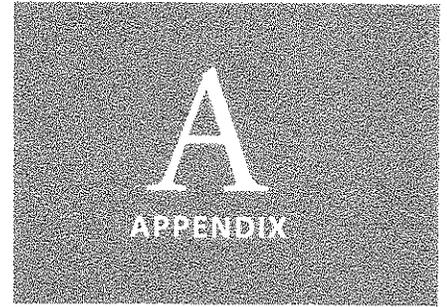
### **Property Business Improvement District**

Businesses located within a defined business improvement district are required to pay an additional tax in order to fund projects, improvements, or programming within the district's boundaries. Common improvements funded by business improvement districts are capital improvements, streetscape enhancements, ongoing maintenance, etc.

### **Financing Implementation Steps**

Several steps are generally undertaken to identify required infrastructure and facility financing mechanisms: 1) establish infrastructure demand, deficits, and requirements; 2) identify preliminary costs and funding and financing obligations; 3) finalize cost and phasing assumptions; and 4) establish preferred funding and financing mechanisms. The city will work in collaboration with developers and property owners to work through these steps and to memorialize the approach, the funding mechanisms, and the funding and financing commitments that will be made to construct private infrastructure.

# NewPark Place Design Guidelines





# NewPark Place Design Guidelines

## Generally Applicable Site Design Guidelines

### Parking (P/SD)

**P/SD 1:** Surface parking lots should include shade trees in a pattern and quantity that can be reasonably expected to shade 50 percent of the lot surface ten years after planting. Surface parking lots should be landscaped to avoid large uninterrupted expanses of asphalt. Large areas of parking should be organized into blocks that create a walkable network of internal streets and sidewalks and can anticipate future infill density. Medians and landscape areas with visual landmarks such as flowering trees, or rows of palm trees should be used to clarify primary circulation and enhance way-finding..



**P/SD 2:** All parking, structured or surface should be located behind building facades and programmed spaces. If it is not possible to screen parking with active uses, parking with streetscapes that maintain pedestrian continuity in combination with vertical landscaping will be considered on a case-by-case basis.

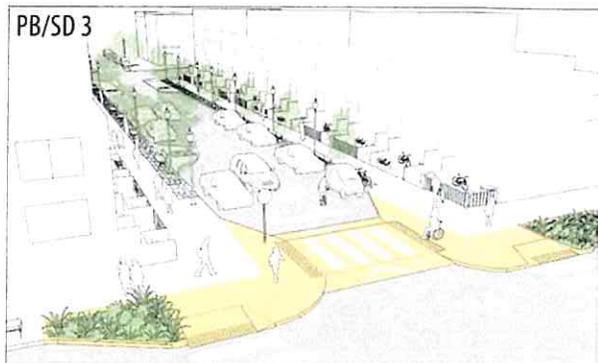


### Pedestrian and Bicycle (PB/SD)

**PB/SD 1:** Walkable surfaces should be paved with a level of detail that scales to the pedestrian, and on roadway crossings, provides traffic calming for vehicles. This standard is required for all plazas, crosswalks, vehicle entries, the main mall drop off zone, and sidewalks in active frontage areas.

**PB/SD 2:** Zones designed for pedestrian activity, including crosswalks, should have special paving that is different from the road paving in color, detail, material, or other visible difference.

**PB/SD 3:** Crosswalks should have curb bulb outs for traffic calming and motion sensing bollards for pedestrian safety.



### Street and Site Amenities (SS/SD)

**SS/SD 1:** Provide space that tenants may use for outdoor dining.

**SS/SD 2:** Coordinate site furnishings and other amenities to provide a sense of place and a pedestrian-friendly environment.

**SS/SD 3:** Site amenities, including benches, trash receptacles, bike parking and storage, drinking fountains, lighting, etc., should be provided on each block. Low brightness street lighting fixtures with appropriate beam cut-off shall be selected to minimize uncontrolled nighttime light and glare.

**SS/SD 4:** Design and selection of site furnishings should reinforce a visual connection that creates a family of street furnishings within NewPark Place.



**SS/SD 5:** Site furnishings should be made of high quality, durable materials, including painted steel, cast iron, aluminum, and ultra-high-performance concrete. Metal surfaces should be coated with highly durable finishes.

**SS/SD 6:** Public open spaces should be designed to create centers of activity, visual interest, places of recreation, and reinforce activity in the neighborhood.

**SS/SD 7:** Public plazas should have a mix of hard and softscape features to provide recreation opportunities for residents, visitors, and office users. Plaza areas within 20 feet of commercial storefronts should be paved to support outdoor dining for restaurants or other amenities that support commercial activity and create a vibrant public realm. Paving design should be pedestrian scaled, durable, elegant, easy to clean and repair. Decorative flourishes should be prioritized for vertical features where they are more visible, and easier to change over time.



### Walls (W/SD)

**W/SD 1:** Use of walls should be limited, and ideally incorporate a second use such as seating.

**W/SD 2:** Wall designs should extend the architectural expression of the building.

**W/SD 3:** Walls used to screen visibility of trash, utility and loading areas must be designed

integral to the architecture of the building, of a pedestrian scale, and in combination with a landscaped area with layered vertical planting.

## Generally Applicable Building Design Guidelines

### Mixed Use (MU/BD)

**MU/BD 1:** Mixed use developments are strongly encouraged within NewPark Place. The mixture of residential, retail, commercial, and office uses contributes to a vibrant place that is active all week long.

### Building Mass and Base (BM/BD)

**BM/BD 1:** The following key tenets shall guide building design:

- Buildings shall be characterized by predominantly strong, simple, forms.
- The street presence of buildings should be pedestrian scaled.

### Building Facades (BF/BD)

**BF/BD 1:** Blank walls should not be used. Architectural detailing and building design to provide interest in a façade is required. All public sides of the building should have architectural features.



**BF/BD 2:** Organization of windows is a key to creating distinct building expressions and variation - windows and mullions should form composed patterns of fenestration to compliment a building's solid massing and provide scale and rhythm. Simulated divided-lite windows are



discouraged and permissible only with special consideration.

**BF/BD 3:** Operable windows are encouraged; residential balconies are encouraged where appropriate.



**BF/BD 4:** Controlled architectural massing and contemporary building forms and façade treatments are encouraged.



**BF/BD 5:** Tower elements are encouraged to accentuate important uses or locations.



beverage establishments are encouraged at these locations.



**BF/BD 6:** Buildings shall be organized toward the fronting street, forming a strong building line parallel to the street.



**BF/BD 9:** Outdoor public seating areas supporting small tenant food and beverage establishments are encouraged at these locations.

**BF/BD 10:** The apparent bulk of the façade should be broken down using architectural detail and features to create a pedestrian scale and rhythm at street level.

### Building Facade Materials (BFM/BD)

**BFM/SD 1:** Building materials should not be treated as a surface application, but should be integral to the building’s architectural design.

Examples of acceptable exterior building materials include:

- Precast concrete shall be of an architectural quality, utilizing subtle colors and fine-grained aggregates to create a “cast stone” appearance. Precast concrete caps on low walls, benches, or stair treads shall not be less than 1-1/2 inches thick.

**BF/BD 7:** Discontinuities in the building mass shall not exceed 30 feet or 30 percent of the building’s street frontage, whichever is smaller. Any request to exceed allowed discontinuities shall be permitted only with the specific approval of the Community Development Director, and shall be justified by other superior architectural design or site design considerations.

**BF/BD 8:** Spaces between adjacent buildings shall be developed as landscaped gardens, courtyards, or pedestrian ways. Outdoor public seating areas supporting small tenant food and



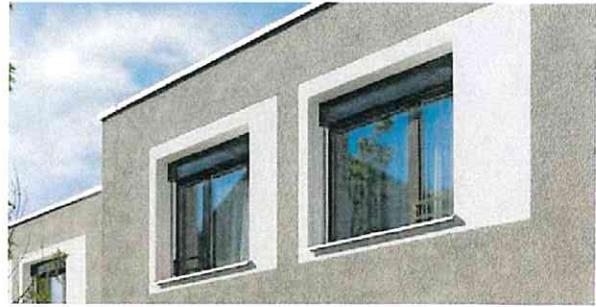
- Metal panel systems using non-reflective materials.
- Glass fiber reinforced concrete (GFRC) shall be of an architectural quality, utilizing subtle colors and fine-grained aggregates to create a “cast stone” appearance.



- Modular brick masonry (in limited application): Modular brick shall be unglazed and utilize traditional textures and colors. The use of limestone at sills, window surrounds, string courses, and cornices is encouraged to accent the monolithic quality of large brick surfaces.
- Stone is encouraged to be used particularly at the pedestrian level, incorporating decorative details such as shaped moldings. Stone veneer shall have a minimum area of 144 square inches per piece.



- Decorative terra cotta.
- Stucco and cement plaster, when used, are encouraged to have sufficient texture to create interest and be a contrast to rough stone textures.



- Matte finish, microzinc standing seam metal roofing.
- Slate roofing tile.



- Vision glazing such as clear glass, certain types of tinted glass, fritted glass, or decorative glass. Clear glass is required on retail windows and doors.
- Quality mullion systems such as front-loaded painted aluminum or steel systems.

Examples of exterior building materials that may be used upon specific approval of the Community Development Director include:

- Barrel roofing tile.
- Concrete roofing tile.
- Non-reflective metal siding.
- Faux brick, or exterior insulation and finish system (EIFS).

Prohibited exterior building materials include:

- Plain or split-faced concrete block.
- Wood, except as decorative accent or as a component of applied shade structures.
- Specular surfaces.

- Shiny reflective metal panels.
- Asphalt or wood shakes.
- “S” roofing tile.
- Composition roofing tile.
- Mirrored glazing.

### Roofs (R/BD)

**R/BD 1:** Variation in roofs, including color, should be used to break up large developments and provide a sense of scale (See photo BM/SS 2).

**R/BD 2:** Roof forms, both sloped and otherwise, shall be designed to clearly delineate and terminate individual building tops.

## Guidelines Specific to Development Fronting on NewPark Avenue

### Building Mass (BM/NA)

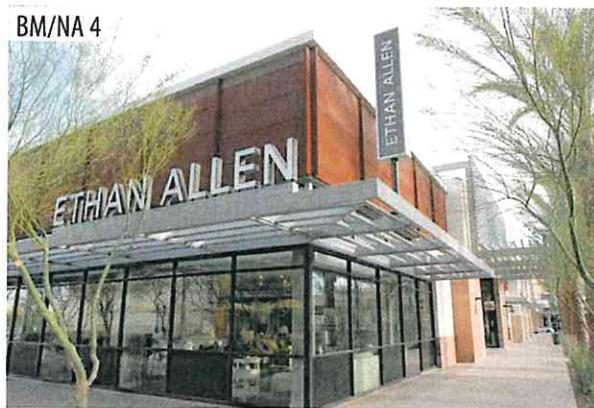
**BM/NA 1:** A continuous frontage of high bay retail, restaurant, or pedestrian-oriented uses shall be built to or near the property line of the street along NewPark Avenue where such street front uses are required (see photo BB/NA 1 and photo BM/NB 1).

**BM/NA 2:** Building massing at intersections should acknowledge the heightened visibility and respond to the corner.

**BM/NA 3:** Corner retail/restaurant uses should be prioritized for tenants with outdoor seating/amenities. Outdoor seating is preferred adjacent to the retail space to avoid congesting the sidewalk circulation with wait-staff and customer traffic from the restaurant, but may also be located across the sidewalk from the retail space.

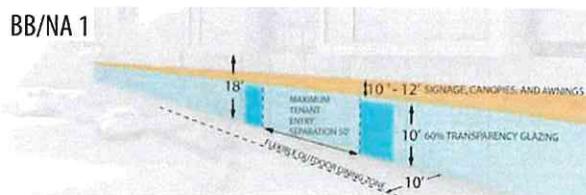


**BM/NA 4:** The building line shall be placed parallel to the street frontage, except in corner conditions that create an architectural element that highlights the intersection.



### Building Base (BB/NA)

**BB/NA 1:** Along NewPark Avenue, a zone within a line 10 feet from the building property line and bound by the extended property lines of the building may be used for outdoor dining uses provided the ground floor storefront use is an occupant of the building.



**BB/NA 2:** Street level building façade design should be scaled for pedestrian use, including glazing, canopies, awnings, tenant entries, and building materials (see photo BB/NB 1).

**BB/NA 3:** Spacing of entry doors on pedestrian facades for tenants and building lobbies creates rhythm and activity.

**BB/NA 4:** Building entrances should be located to encourage pedestrian activity. This is especially important on NewPark Avenue.

**BB/NA 5:** Tenant pedestrian entries should be spaced no greater than 50 feet apart measured along the sidewalk.

**BB/NA 6:** Tenant pedestrian entrances should be recessed to emphasize the rhythm of the facade.

**BB/NA 7:** Any landlord specified tenant storefront design criteria should allow for unique, tenant specific architectural treatments.

**BB/NA 8:** Create a welcoming, pedestrian environment with visually vibrant storefronts and sidewalks.



**BB/NA 9:** Where active street front uses are required on the land use plan, the area of the active use shall have a minimum of 60 percent transparent windows and doorways at ground level to allow visibility into the inside of the building (see photo BB/NB 7).

**BB/NA 10:** Encourage development of sidewalk cafes and indoor/outdoor restaurants with retractable storefronts that create indoor-outdoor space.

**BB/NA 11:** Pedestrian entrances should address two important architectural design considerations:

- provide direct visual and pedestrian access into important active uses such as retail/commercial spaces, as well as office and residential lobbies serving upper levels.
- create opportunities for architectural expression at the ground floor.

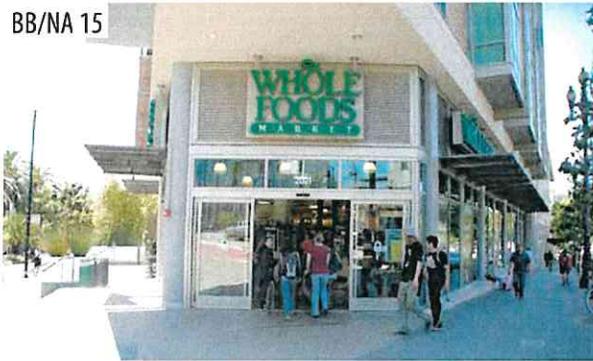
**BB/NA 12:** Pedestrian building entrances for office, parking, or residential uses provide access to a larger use, and should stand out through architecture and signage. Entries shall be expressed as special architectural elements and shall be treated with canopies, architectural features, or other design devices.

**BB/NA 13:** Each building shall provide a primary ceremonial entry for pedestrians and at least one separate service entry. Primary entries shall be provided at the street frontage. Service entries shall not be provided on NewPark Avenue.

**BB/NA 14:** At a minimum project identification signage shall be located at building entries, additional signage may be provided as deemed necessary.

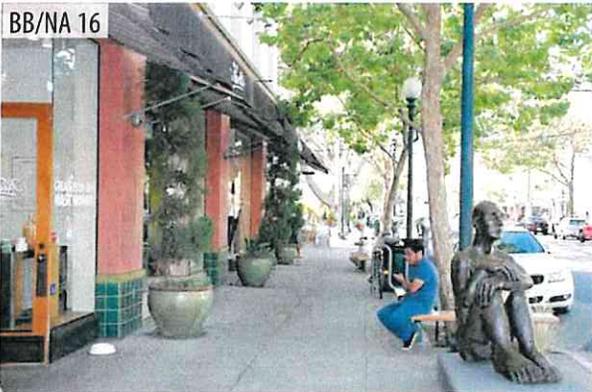
**BB/NA 15:** All retail uses on NewPark Avenue shall have at least one entry that fronts NewPark Avenue. Retail pedestrian entrances shall be located at street intersection corners wherever possible. Corner entrances shall be given special design treatments, utilizing towers, recesses, or chamfers.

BB/NA 15



**BB/NA 16:** Create a sense of intimate enclosure at the sidewalk: awnings, canopies, and shade structures create a framework for the provision of signs, graphics, and lighting of important retail identity elements (see photo BB/SS 11).

BB/NA 16



**BB/NA 17:** Locate awnings and canopies at a pedestrian-scaled height, in a zone 12 to 14 feet above the adjacent street level (see photo BB/NB 15).

**BB/NA 18:** Vehicle entries, including parking garage/lot entrances and loading entrances/docks are not allowed on NewPark Avenue.

## Guidelines for Development Fronting on NewPark Boulevard

### Building Mass (BM/NB)

**BM/NB 1:** A continuous frontage of pedestrian-oriented uses should be built to or near the property line of the street along NewPark Boulevard. Those uses include residential and office lobby entries, retail tenant entries, and ground floor residential units with stoops.

BM/NB 1



**BM/NB 2:** Building massing at intersections should acknowledge the heightened visibility and respond to the corner.

**BM/NB 3:** Corner retail/restaurant uses should be prioritized for tenants with outdoor seating/amenities. Outdoor seating is preferred adjacent to the retail space to avoid congesting the sidewalk circulation with wait-staff and customer traffic from the restaurant, but may also be located across the sidewalk from the retail space.

**BM/NB 4:** The building line shall be placed parallel to the street frontage, except in corner conditions that create an architectural element that highlights the intersection.

## Building Base (BB/NB)

**BB/NB 1:** Street level building façade design should be scaled for pedestrian use, including untinted glazing, canopies, awnings, tenant entries, elevated residential unit entries, and building materials.



**BB/NB 2:** Building entrances should be located to encourage pedestrian activity. On NewPark Boulevard this includes primarily multi-unit residential and office entries, as well as single residential unit stoops on the ground floor.

**BB/NB 3:** Residential or commercial entries shall be no less than 65 feet apart to maintain an active streetscape. NewPark Avenue should not feel like the backside of buildings, but rather an active mixed-use boulevard. (see diagram BB/NA 2).

**BB/NB 4:** Tenant pedestrian/entries should be recessed to emphasize the rhythm of the facade.

**BB/NB 5:** Any landlord specified tenant storefront design criteria should allow for unique, tenant specific architectural treatments.

**BB/NB 6:** Create a welcoming, pedestrian environment with visually vibrant facades and sidewalks. In office and residential frontages, use seating, small areas of respite, and residential stoops to create rhythm.

**BB/NB 7:** Where active street front uses are required on the Land Use Plan, the area of the active use shall have a minimum of 60 percent transparent windows and doorways at ground

level to allow visibility into the inside of the building at entries.

**BB/NB 8:** Encourage development of sidewalk cafes at building corners and indoor/outdoor restaurants with retractable storefronts that create indoor-outdoor space.

**BB/NB 9:** Pedestrian entrances should address two important architectural design considerations:

- provide direct visual and pedestrian access into important active uses such as retail/commercial spaces, as well as office and residential lobbies serving upper levels. .
- create opportunities for architectural expression at the ground floor.

**BB/NB 10:** Building entrances for office, parking, or residential uses that provide access to a larger use, should stand out through architecture and signage. Entrances shall be expressed as special architectural elements and shall be treated with canopies, architectural features, or other design devices.

**BB/NB 11:** Each building shall provide a primary ceremonial entry for pedestrians and at least one separate service entry. Primary entries shall be provided at the New Park Boulevard street frontage. Service entries shall be provided on secondary streets where possible.

**BB/NB 12:** At a minimum project identification signage shall be located at building entries, additional signage may be provided as deemed necessary. .

**BB/NB 13:** Corner entrances shall be given special design treatments, utilizing towers, recesses, or chamfers (see photo BB/NA 15).

**BB/NB 14:** Create a sense of intimate enclosure at the sidewalk: awnings, canopies, and shade structures create a framework for the provision of signs, graphics, and lighting of important building identity elements (see photo BB/SS 11).

**BB/NB 15:** Locate awnings and canopies at a pedestrian-scaled height, in a zone 12 to 14 feet above the adjacent street level.



**BB/NB 16:** Entrances such as a crescent drive or a port-cochere that create a strong identity and sense of place are encouraged. Such entrances, as well as parking garage/lot entrances and loading entrances/docks are allowed on NewPark Boulevard, but only if granted by the Community Development Director. Only one curb cut is allowed per block on NewPark Boulevard. The maximum curb cut width is 20 feet.

**BB/NB 17:** Where allowed, access to vehicular parking must be clearly signed, and set apart architecturally.

## Guidelines for Development Fronting on Magazine Street(s)

### Building Mass (BM/MS)

**BM/MS 1:** A continuous frontage of pedestrian-oriented uses should be built to or near the property line of the street along North Magazine and South Magazine. Those include hotel, residential and office lobby entries, retail tenant entries, and ground floor residential units with stoops (see photo BM/NB 1).

**BM/MS 2:** Building massing at intersections should acknowledge the heightened visibility and respond to the corner (See photo BM/SS 2).

**BM/MS 3:** Corner retail/restaurant tenant spaces should be prioritized for outdoor use (see photo BM/NA 3).

**BM/MS 4:** The building line shall be placed parallel to the street frontage, except in corner conditions that create an architectural element that highlights the intersection (see photo BM/NA 4).

### Building Base (BB/MS)

**BB/MS 1:** Street level building façade design should be scaled for pedestrian use, including untinted glazing, canopies, awnings, tenant entries, elevated residential unit entries, and building materials (see photo BB/NB 1).

**BB/MS 2:** Building pedestrian entrances should be located to encourage pedestrian activity. On North Magazine and South Magazine, this includes primarily hotels, multi-unit residential and office entries, as well as single residential unit stoops on the ground floor.

**BB/MS 3:** Pedestrian entrances should be spaced no greater than 65 feet apart, as measured along the sidewalk.

**BB/MS 4:** Pedestrian/tenant entries should be recessed to emphasize the rhythm of the facade.

**BB/MS 5:** Tenant storefront design criteria should allow for unique architectural treatments.

**BB/MS 6:** Create a welcoming, pedestrian environment with visually vibrant facades and sidewalks. In office and residential frontages, use seating, small areas of respite, and residential stoops to create rhythm.

**BB/MS 7:** Where active street front uses are required on the land use plan, the area of the active use shall have a minimum of 60 percent transparent windows and doorways at ground level to allow visibility into the inside of the building (see photo BI/SD 7).

**BB/MS 8:** Encourage development of sidewalk cafes at building corners and indoor/outdoor restaurants with retractable storefronts that create indoor-outdoor space.

**BB/MS 9:** Pedestrian entrances should address two important architectural design considerations:

- identify pedestrian access into important active uses such as hotels, retail spaces, office lobbies, and residential lobbies.
- expression at the ground floor.

**BB/MS 10:** Building entrances for hotels, office, parking, or residential uses that provide access to a larger use should stand out through

architecture and signage. Entrances shall be expressed as special architectural elements and shall be treated with canopies, architectural features or other design devices.

**BB/MS 11:** Each building shall provide a primary ceremonial entry for pedestrians and at least one separate service entry. Primary entries shall be provided at the street frontage, or as a crescent drive or porte-cochere, with approval of the Community Development Director.

**BB/MS 12:** At a minimum, project identification signage shall be located at building entries, additional signage may be provided as deemed necessary with the approval of the Community Development Director.

**BB/MS 13:** Corner entries shall be given special design treatments, utilizing towers, recesses, or chamfers (see photo BB/NA 15).

**BB/MS 14:** Create a sense of intimate enclosure at the sidewalk: awnings, canopies, and shade structures scale the street for a pedestrian environment.

**BB/MS 15:** Parking garage/lot entrances are allowed on North Magazine and South Magazine. Only (1) curb cut is allowed per block on North Magazine and South Magazine. The maximum curb cut width is 20 feet.

**BB/MS 16:** Loading dock entrances on North Magazine and South Magazine are only permitted with Community Development Director approval.

**BB/MS 17:** Where allowed, parking access must be clearly signed, and set apart architecturally.

## Guidelines for Development Fronting on Secondary Streets

### Building Mass (BM/SS)

**BM/SS 1:** Streets not otherwise categorized are considered secondary streets.

**BM/SS 2:** Building massing at intersections with NewPark Boulevard or North Magazine should acknowledge the heightened visibility and respond to the corner.

BM/SS 2



**BM/SS 3:** Corner retail/restaurant tenant spaces at intersections with NewPark Boulevard or North Magazine should be prioritized for outdoor use (see photo BM/NA 3).

**BM/SS 4:** The building line shall be placed parallel to the street frontage.

### Building Base (BB/SS)

**BB/SS 1:** Street level building façade design should be scaled for pedestrian use, including untinted glazing, canopies, awnings, tenant entries, elevated residential unit entries, and building materials (see photo BB/NB 1).

**BB/SS 2:** Building entries should be located to encourage pedestrian activity. This includes

primarily multi-unit residential and office entries, as well as single residential unit stoops on the ground floor.

**BB/SS 3:** Pedestrian tenant entries should be recessed to emphasize the rhythm of the facade.

**BB/SS 4:** Create a welcoming pedestrian environment with visually vibrant facades and sidewalks. In office and residential frontages, use seating, small areas of respite, and residential stoops to create rhythm.

## Guidelines for Development Fronting on Mowry Avenue

### Building Mass (BM/MA)

**BM/MA 1:** Building mass should be set back 15 feet from the existing curb line on Mowry Avenue to allow for a wide sidewalk and landscape to soften the transition from the busy Avenue and adjoining new uses.

**BM/MA 2:** Blank walls should not be used. Architectural detailing and building design to provide interest in façade. All public sides of the building should have architectural features.

**BM/MA 3:** Controlled architectural massing and neutral-contemporary building forms and façade treatments are encouraged.

**BM/MA 4:** Tower elements are encouraged to accentuate important uses or locations.

**BM/MA 5:** Discontinuities in the building mass shall not exceed 50 feet or 30 percent of the building's street frontage, whichever is smaller. Any request to exceed allowed discontinuities shall be permitted only with the specific approval

of the Community Development Director. Spaces between adjacent buildings shall be developed as landscaped gardens, courtyards or pedestrian ways.

**BM/MA 6:** Architectural design on Mowry Avenue North of Alpenrose Court should be pedestrian-scaled and be built to or near the property line of the street.

**BM/MA 7:** Architectural design on Mowry Avenue between Cedar Boulevard and Alpenrose Court is encouraged to be a continuous frontage of pedestrian-oriented uses built to or near the property line of the street. Those include residential and office lobby entries and retail tenant entries.

**BM/MA 8:** Building Height: maximum 200 feet.

**BM/MA 9:** Preferred building height adjacent to Mowry Avenue: 60 feet to top of structure.

**BM/MA 10:** Minimum building height adjacent to Mowry Avenue: 30 feet to top of structure.

**BM/MA 11:** Organization of windows creates distinct building expressions and variation - windows and mullions should form composed patterns of fenestration to compliment a building's solid massing and provide scale and rhythm.

**BM/MA 12:** Operable windows are encouraged; residential balconies are encouraged where appropriate.

**BM/MA 13:** Building massing at intersections should acknowledge the heightened visibility and respond to the corner.

**BM/MA 14:** Building frontage shall be placed parallel to the street frontage, except in corner conditions that create an architectural element that highlights the intersection.

**BM/MA 15:** Variation in roofs can break up large developments and provide a sense of scale.

**BM/MA 16:** Roof forms, both sloped and otherwise shall be designed to clearly delineate and terminate individual building tops.

### Building Base (BB/MA)

**BB/MA 1:** Street level building façade design should be scaled for pedestrians by providing architectural elements and breaking down the massing on the ground floor. Materials on the ground floor are encouraged to have a scale and differentiated from the larger bulk of the building.

**BB/MA 2:** Building entries should be located to encourage pedestrian activity. On Mowry Avenue, this includes primary multi-unit residential and office entries.

**BB/MA 3:** On Mowry Avenue between Cedar Boulevard and Alpenrose Court, pedestrian entries should be spaced no greater than 100 feet apart measured along the sidewalk.

**BB/MA 4:** Pedestrian/tenant entries should be recessed to emphasize the rhythm of the facade.

**BB/MA 5:** Tenant storefront design criteria should allow for unique architectural treatments.

**BB/MA 6:** Create a welcoming, pedestrian environment with visually vibrant facades and sidewalks.

**BB/MA 7:** Entrances should address two important architectural design considerations: identifying pedestrian access into important active uses such as retail spaces, office lobbies and residential lobbies; and creating opportunities for architectural expression at the ground floor.

**BB/MA 8:** Building entrances for office, parking or residential uses provide access to a larger use, and should stand out through architecture and signage. Entries shall be expressed as special architectural elements and shall be treated with canopies, architectural features or other design devices.

**BB/MA 9:** Each building shall provide a primary ceremonial entry and at least one separate service entry. Service entries shall be provided on secondary streets where possible.

**BB/MA 10:** Building identification signage shall be located at the entry element.

**BB/MA 11:** Corner entries shall be given special design treatments, utilizing towers, recesses or chamfers.

**BB/MA 12:** Create a sense of intimate enclosure at the sidewalk: awnings, canopies and shade structures create a framework for the provision of signs, graphics, and lighting of important retail identity elements.

**BB/MA 13:** Locate awnings and canopies at a pedestrian-scaled height, in a zone 12 feet to 14 feet above the adjacent street level.

**BB/MA 14:** Parking garage/lot entrances and Loading entrances/docks allowed on Mowry Avenue per Community Development Director approval. Curb cuts are not allowed on Mowry Avenue.

## Guidelines for Development Fronting on Cedar Boulevard

### Building Mass (BM/CB)

**BM/CB 1:** Building mass should be set back 15 feet from the existing curb line on Cedar Boulevard to allow for a wide sidewalk and landscape to soften the transition from the busy boulevard and adjoining new uses.

**BM/CB 2:** Blank walls should not be used. Architectural detailing and building design to provide interest in façade. All public sides of the building should have architectural features.

**BM/CB 3:** Controlled architectural massing and neutral-contemporary building forms and façade treatments are encouraged.

**BM/CB 4:** Tower elements are encouraged to accentuate important uses or locations.

**BM/CB 5:** Discontinuities in the building mass shall not exceed 50 feet or 30 percent of the building's street frontage, whichever is smaller. Any request to exceed allowed discontinuities shall be permitted only with the specific approval of the Community Development Director. Spaces between adjacent buildings shall be developed as landscaped gardens, courtyards or pedestrian ways. Outdoor public seating supporting residential or office uses are encouraged in these areas.

**BM/CB 6:** A continuous frontage of pedestrian-oriented uses should be built to or near the property line of the street along Cedar Boulevard. Those include residential and office lobby entries and commercial tenant entries.

**BM/CB 7:** Building Height: Maximum 200 feet.

**BM/CB 8:** Preferred building height adjacent to Cedar Boulevard: 60 feet to top of structure.

**BM/CB 9:** Minimum building height adjacent to Cedar Boulevard: 30 feet to top of structure

**BM/CB 10:** Organization of windows creates distinct building expressions and variation - windows and mullions should form composed patterns of fenestration to compliment a building's solid massing and provide scale and rhythm.

**BM/CB 11:** Operable windows are encouraged; residential balconies are encouraged where appropriate.

**BM/CB 12:** Building massing at intersections should acknowledge the heightened visibility and respond to the corner.

**BM/CB 13:** Building frontage shall be placed parallel to the street frontage, except in corner conditions that create an architectural element that highlights the intersection.

**BM/CB 14:** Variation in roofs can break up large developments and provide a sense of scale.

**BM/CB 15:** Roof forms, both sloped and otherwise shall be designed to clearly delineate and terminate individual building tops.

### Building Base (BB/CB)

**BB/CB 1:** Street level building façade design should be scaled for pedestrian use, including glazing, canopies, awnings, tenant entries, elevated residential unit entries and building materials.

**BB/CB 2:** Building entries should be located to encourage pedestrian activity. On Cedar

Boulevard, this includes primary multi-unit residential and office entries.

**BB/CB 3:** Pedestrian entries should be spaced no greater than 100 feet apart measured along the sidewalk.

**BB/CB 4:** Pedestrian/tenant entries should be recessed to emphasize the rhythm of the facade.

**BB/CB 5:** Tenant storefront design criteria should allow for unique architectural treatments.

**BB/CB 6:** Create a welcoming, pedestrian environment with visually vibrant facades and sidewalks.

**BB/CB 7:** Where active street front uses are required, the area of the active use shall have a minimum of 60 percent transparent windows and doorways at ground level to allow visibility into the inside of the building. Active frontages include retail and lobbies for primary uses including residential and office. Residential stoops do not need to conform to the 60 percent ground floor transparency requirement.

**BB/CB 8:** Entrances should address two important architectural design considerations: identifying pedestrian access into important active uses such as retail spaces, office lobbies and residential lobbies; and creating opportunities for architectural expression at the ground floor.

**BB/CB 9:** Building entrances for office, parking or residential uses provide access to a larger use, and should stand out through architecture and signage. Entries shall be expressed as special architectural elements and shall be treated with canopies, architectural features or other design devices.

**BB/CB 10:** Each building shall provide a primary ceremonial entry and at least one separate service entry. Service entries shall be provided on secondary streets where possible.

**BB/CB 11:** Building identification signage shall be located at the entry element.

**BB/CB 12:** Corner entries shall be given special design treatments, utilizing towers, recesses or chamfers.

**BB/CB 13:** Create a sense of intimate enclosure at the sidewalk: awnings, canopies and shade structures create a framework for the provision of signs, graphics, and lighting of important retail identity elements.

**BB/CB 14:** Locate awnings and canopies at a pedestrian-scaled height, in a zone 12 feet to 14 feet above the adjacent street level.

**BB/CB 15:** Parking garage/lot entrances and Loading entrances/docks allowed on Cedar Boulevard per Community Development Director approval. Only (1) curb cut is allowed per block on Cedar Boulevard. The maximum curb cut width is 20 feet.

**BB/CB 16:** Where allowed, parking access must be clearly signed and set apart architecturally.

## Guidelines for Development Fronting on Ballentine Drive

### Building Mass (BM/BD)

**BM/BD 1:** Building mass should be set back 15 feet from the existing curb line on Ballentine Drive to allow for a wide sidewalk and landscape to soften the transition from the busy boulevard and adjoining new uses.

**BM/BD 2:** Blank walls should not be used. Architectural detailing and building design to provide interest in façade. All public sides of the building should have architectural features.

**BM/BD 3:** Controlled architectural massing and neutral-contemporary building forms and façade treatments are encouraged.

**BM/BD 4:** Tower elements are encouraged to accentuate important uses or locations.

**BM/BD 5:** Discontinuities in the building mass shall not exceed 50 feet or 30 percent of the building's street frontage, whichever is smaller. Any request to exceed allowed discontinuities shall be permitted only with the specific approval of the Community Development Director. Spaces between adjacent buildings shall be developed as landscaped gardens, courtyards or pedestrian ways. Outdoor public seating supporting residential or office uses are encouraged in these areas.

**BM/BD 6:** A continuous frontage of pedestrian-oriented uses should be built to or near the property line of the street along Ballentine Drive. Those include residential and office lobby entries and commercial tenant entries.

**BM/BD 7:** Building Height: Maximum 200 feet.

**BM/BD 8:** Preferred building height adjacent to Ballentine Drive: 60 feet to top of structure.

**BM/BD 9:** Minimum building height adjacent to Ballentine Drive: 30 feet to top of structure

**BM/BD 10:** Organization of windows creates distinct building expressions and variation - windows and mullions should form composed

patterns of fenestration to compliment a building's solid massing and provide scale and rhythm.

**BM/BD 11:** Operable windows are encouraged; residential balconies are encouraged where appropriate.

**BM/BD 12:** Building massing at intersections should acknowledge the heightened visibility and respond to the corner.

**BM/BD 13:** Building frontage shall be placed parallel to the street frontage, except in corner conditions that create an architectural element that highlights the intersection.

**BM/BD 14:** Variation in roofs can break up large developments and provide a sense of scale.

**BM/BD 15:** Roof forms, both sloped and otherwise shall be designed to clearly delineate and terminate individual building tops.

### Building Base (BB/BD)

**BB/BD 1:** Street level building façade design should be scaled for pedestrian use, including glazing, canopies, awnings, tenant entries, elevated residential unit entries and building materials.

**BB/BD 2:** Building entries should be located to encourage pedestrian activity. On Cedar Boulevard, this includes primary multi-unit residential and office entries.

**BB/BD 3:** Pedestrian entries should be spaced no greater than 100 feet apart measured along the sidewalk.

**BB/BD 4:** Pedestrian/tenant entries should be recessed to emphasize the rhythm of the facade.

**BB/BD 5:** Tenant storefront design criteria should allow for unique architectural treatments.

**BB/BD 6:** Create a welcoming, pedestrian environment with visually vibrant facades and sidewalks.

**BB/BD 7:** Where active street front uses are required, the area of the active use shall have a minimum of 60 percent transparent windows and doorways at ground level to allow visibility into the inside of the building. Active frontages include retail and lobbies for primary uses including residential and office. Residential stoops do not need to conform to the 60% ground floor transparency requirement.

**BB/BD 8:** Entrances should address two important architectural design considerations: identifying pedestrian access into important active uses such as retail spaces, office lobbies and residential lobbies; and creating opportunities for architectural expression at the ground floor.

**BB/BD 9:** Building entrances for office, parking or residential uses provide access to a larger use, and should stand out through architecture and signage. Entries shall be expressed as special architectural elements and shall be treated with canopies, architectural features or other design devices.

**BB/BD 10:** Each building shall provide a primary ceremonial entry and at least one separate service entry. Service entries shall be provided on secondary streets where possible.

**BB/BD 11:** Building identification signage shall be located at the entry element.

**BB/BD 12:** Corner entries shall be given special design treatments, utilizing towers, recesses or chamfers.

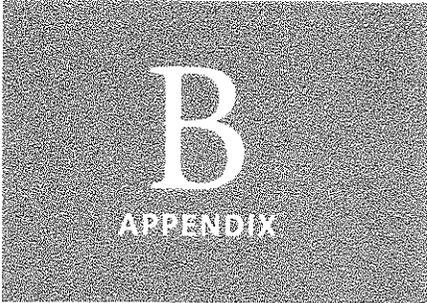
**BB/BD 13:** Create a sense of intimate enclosure at the sidewalk: awnings, canopies and shade structures create a framework for the provision of signs, graphics, and lighting of important retail identity elements.

**BB/BD 14:** Locate awnings and canopies at a pedestrian-scaled height, in a zone 12 feet to 14 feet above the adjacent street level.

**BB/BD 15:** Parking garage/lot entrances and Loading entrances/docks allowed on Cedar Boulevard per Community Development Director approval. Only (1) curb cut is allowed per block on Cedar Boulevard. The maximum curb cut width is 20 feet.

**BB/BD 16:** Where allowed, parking access must be clearly signed and set apart architecturally.

NewPark Place Specific Plan List of Policies





# NewPark Place Specific Plan

## List of Policies

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### Land Use Policies

#### Development Capacity

**LU-1** New development within NewPark Place shall not exceed the new development capacity identified in the City of Newark Draft General Plan EIR for the Greater NewPark Focus Area. New development capacity thresholds are as follows:

- 200,000 square feet of retail/commercial buildings;
- 500,000 square feet of office buildings;
- 1,519 high density residential units (reduced from 1,800 for the entire NewPark Focus Area to reflect that 281 units have already been constructed as part of the Prima Residential Project); and
- 700 hotel rooms (224 of these rooms have already been entitled within NewPark Place since the general plan was adopted in 2013).

To allow flexibility to respond to changing market conditions over time, the Community Development Director may consider future specific plan amendment proposals that reduce a development capacity threshold for a specific land use type described above in exchange for increasing the development

capacity threshold for another use. Such proposals must be accompanied analyses acceptable to the Community Development Director to enable the Community Development Director to determine whether the exchange meets the vision for NewPark Place and whether it would result in significant impacts under specific plan buildout conditions that are not already identified in the general plan EIR and CEQA documentation prepared for the specific plan. Where impacts may be greater, additional environmental review may be required.

**LU-2** Any individual proposed development that has potential to exceed the cumulative development capacity thresholds for individual use types identified in Policy LU-1 will be considered by the City Council. Such projects may require a general plan amendment, specific plan amendment, and additional environmental review.

#### Mixed Use I Development Policies

**LU-3** The city will prioritize proposed NewPark Mall revitalization projects and projects proposed within areas designated Mixed Use I in order to catalyze investment and improve economic performance of the NewPark Mall.

- LU-4** Mixed use development within a single building proposed within areas designated Mixed Use I shall be prioritized over a development with individual uses placed in separate buildings.
- LU-5** Residential products developed consistent with the Mixed Use I land use designation shall be limited to units for rent or lease. Owner-occupied residential development is not permitted.
- LU-6** Projects containing residential uses shall provide for the recreation and open space needs of residents within each individual block through a combination of interior common areas, indoor recreation facilities, exterior improved open space amenities, balconies or other options as may be considered acceptable by the City of Newark.
- LU-7** Residential development capacity within areas designated Mixed Use I shall be allocated across “blocks” on a per acre basis. Transfer of residential development capacity between blocks is not permitted without prior consent of the Community Development Director. Transfer of residential development capacity to areas within NewPark Place not designated Mixed Use I is not permitted.
- LU-8** Where property ownership bisects a block designated Mixed Use I, the respective property owners may work collaboratively to develop the block or may develop their respective properties independent of each other. In either case, development of each block shall conform to the development and design standards included in this specific plan.
- LU-9** Ground floor Street Retail uses within mixed use buildings within areas designated Mixed Use I shall be completed prior to the issuance of a certificate of occupancy for the first residential use proposed within the buildings. The owner must diligently pursue leasing and must consider below-market rent if the ground floor retail space is not 80 percent occupied within two years of the date the retail space is completed.
- LU-10** Developers of projects containing ground floor Street Retail shall prepare a tenancing plan to define tenancing priorities and tenancing phasing and which demonstrates that a mix of complementary, vibrant, high-quality retail, restaurant, and entertainment uses can and will be provided. In preparing their respective tenancing plans, developers shall consider existing and/or approved Street Retail end uses within other specific plan area development sites as a factor for diversifying their respective Street Retail offerings. The plans can consider interim uses with limited lease terms. Each tenancing plan is subject to review and approval of the Community Development Director prior to the approval of the respective proposed project. Developers shall update their tenancing plans as needed for review and approval by the Community Development Director.

**LU-11** Residential uses within areas designated Mixed Use I shall be self-parked on an individual block basis.

**LU-12** Parking capacity within the structured parking garages shown on the land use map is reserved primarily for demand from retail and entertainment uses within the NewPark Mall and along NewPark Avenue, and may be used for office uses. Parking garage spaces may not be utilized to meet residential parking requirements. Residential uses shall be self-parked.

**LU-13** Shared tenancies of larger format anchor retail buildings within NewPark Mall and within areas designated Mixed Use II are permitted subject to approval of the City of Newark.

**LU-14** Grocery markets and food halls are encouraged within street-fronting retail, in line in the mall, or on pedestrian plazas.

#### Mixed Use II Development Policies

**LU-15** Development of large scale, Class A office uses within areas designated Mixed Use II is a primary goal. The city will prioritize projects which propose construction of Class A office buildings.

**LU-16** Development of big box retail within areas designated Mixed Use II is a goal. NewPark Plaza is a preferred destination for new, big box/larger format retail end users and for larger format retail end users that may wish to relocate from the NewPark Mall to an alternative location within NewPark Place.

**LU-17** While hotel development is permitted within any location designated Mixed Use II, locations that benefit activity and synergies with the proposed NewPark Avenue retail street and with the NewPark Mall are preferred. Priority hotel opportunity sites are shown along Alpenrose Court at the Mowry Avenue entrance to specific plan area and along Balentine Drive at its entrance to the southern portion of the specific plan area. These opportunity sites are illustrated on Figure 2-4, Land Use Plan,

**LU-8** The city will promote development of a quality grocery store in the area near the intersection of Mowry Avenue and Cedar Boulevard or at the corner of Cedar Boulevard and Balentine Drive.

**LU-19** The city will promote consolidation of individual parcels within the specific plan area, particularly in the area bound by North Magazine, NewPark Boulevard, Mowry Avenue, and Cedar Boulevard, to facilitate unified development on larger land parcels.

**LU-20** Residential development is not permitted within areas designated Mixed Use II. However, in the mid- to longer-term future, at its discretion, the city may consider general plan and/or specific plan amendments to enable residential development in these areas. Such proposals must be accompanied by analyses acceptable to the city to enable the city to determine whether additional residential development meets the city's vision for NewPark Place. Additional

CEQA documentation would be required.

## Mobility Policies

**M-1** Roadways within NewPark Place shall be designed as complete streets and constructed to the standards identified in the cross-section for each respective roadway classification unless modification of one or more of the classification standards are approved by the Community Development Director.

**M-2** The applicant for the first project containing residential uses that is planned within areas designated Mixed Use I may propose options to the roadway classification standards. If such options are proposed, the applicant shall prepare a detailed roadway capacity/design analysis which demonstrates that modifications to the classification standards will not degrade the function of the subject roadways. All roadway classifications must retain their functions as complete streets by retaining pedestrian and bicycle improvements identified herein. The Community Development Director may consider modifications to individual roadway classification standards based on the capacity/design analysis. Such modifications are considered minor amendments to the specific plan.

**M-3** Prior to submitting a development application, the applicant for the first project containing residential uses that is proposed within areas designated Mixed

Use I shall prepare a circulation design analysis to address the following:

1. Feasibility and utility of constructing a roundabout at the Alpenrose Court/NewPark Boulevard intersection; and
2. Roadway capacity requirements for the segment of Alpenrose Court between Mowry Avenue and NewPark Boulevard, including consideration of a roundabout at NewPark Boulevard, potential queuing of vehicles at the NewPark Boulevard/Alpenrose intersection back onto Mowry Avenue, and opportunities to value engineer the segment while retaining its complete street features.

Based on the outcome of the design analysis, the Community Development Director may consider modifications to the roadway classification standards that apply to Alpenrose Court and may make other amendments to the specific plan to incorporate design standards and requirements for a roundabout at Alpenrose Court/NewPark Boulevard. Such changes are considered minor amendments to the specific plan.

**M-4** Consideration may be given to shifting the segment of NewPark Boulevard located between the existing Sears building and the existing Citibank building slightly to the south. The intended purpose is to improve the development potential of the Citibank site by increasing its depth

as measured between Mowry Avenue and the realigned segment of NewPark Boulevard. This shift may also benefit circulation conditions by shifting the Apenrose Court/NewPark Boulevard intersection further to the south to allow greater vehicle queuing between the intersection and Mowry Avenue. This policy should be considered in conjunction with policy M-3 above.

**M-5** Developers of residential and mixed use projects within areas designated Mixed Use I are collectively responsible for preparing a vehicular, pedestrian, and bicycle mobility improvement master plan. The mobility master plan shall include, but may not be limited to:

1. All roadway, pedestrian, and bicycle improvements per standards for each roadway classification, including modifications to roadway capacity requirements as may be considered by the Community Development Director.
2. Bicycle share stations, bicycle racks, and bicycle storage facilities at locations to be defined by criteria included in the mobility master plan.
3. Mobility improvement plans and probable costing for all improvements.
4. A projected schedule for constructing all improvements based quantitative.

The mobility master plan will be subject to review and approval of the Community Development Director prior to approval of the first individual residential or mixed use project for areas designated Mixed Use I and prior to approval of any individual development project within areas designated Mixed Use II. All improvements shall be constructed prior to approval of an occupancy permit for the first individual project containing residential uses within areas designated Mixed Use I.

**M-6** Developers of residential and mixed use projects within areas designated Mixed Use I are collectively responsible for preparing a transit master plan to address projected on-site transit needs. The transit master plan shall be prepared in coordination with AC Transit and city staff. At a minimum, the transit master plan shall include, but not be limited to:

1. A planned schedule for how and when transit service capacity to the specific plan area will be expanded to meet the needs of existing and new development as it occurs. The schedule shall include development level “triggers” for transit service capacity increases.
2. The types, locations, design criteria, and improvement plans for transit facility improvements such as shelters, bus pull-outs, lighting, and signage.
3. Electrification infrastructure to support bus vehicle fleet

electrification as may be requested by AC Transit.

4. Probable costing for transit facility improvements.
5. A schedule for when each transit improvement will be constructed.
6. Criteria/thresholds for requiring new employers to provide transit subsidies to new employees.

The transit master plan will be subject to review and approval of the Community Development Director prior to the city's approval of the first individual residential or mixed use project entitlement application proposed within areas designated Mixed Use I, and prior to approval of any individual development entitlement applications for projects proposed within areas designated Mixed Use II.

**M-7** Developers of residential and mixed-use projects within areas designated Mixed Use I are collectively responsible for preparing a parking garage (structured parking) master plan to meet parking demand for retail and entertainment uses within the NewPark Mall, NewPark Avenue active street retail and entertainment uses, and office uses that may be located within NewPark Place. The master plan shall include but may not be limited to the following:

1. Definition of the retail, entertainment, and other non-residential uses for which parking

capacity within parking garages is to be provided.

2. The planned locations of each parking garage based on the need to service parking demand across the NewPark Mall and Mixed Use I use locations.
3. Capacity of each parking garage based on the parking development standards included in the specific plan.
4. Locations for priority parking for vanpool and carpool vehicles.
5. Electric vehicle charging stations and priority parking locations for electric and hybrid vehicles.
6. Design, improvement plans, and probable costing for each parking garage.
7. A schedule for constructing each parking garage or portion thereof needed to meet parking demands for existing and new retail/entertainment development. The schedule shall include quantified development capacity or parking demand level "triggers" for requiring new parking garage capacity.

The parking garage master plan will be subject to review and approval of the Community Development Director prior to the city's approval of the first individual residential or mixed use

project entitlement application proposed within areas designated Mixed Use I.

**M-8** Developers of residential, mixed-use, and other non-residential projects within NewPark Place shall include electric vehicle charging stations and priority parking locations for electric and hybrid vehicles, bicycle racks at main residential building entries and within parking garages, and bicycle lockers at residential building entries and in parking garages. All new residential, mixed use and other non-residential projects will be subject to review by the Community Development Director for inclusion of these improvements prior to approval of individual project entitlements.

**M-9** Developers of projects within the areas designated Mixed Use I and Mixed Use II with frontage on Mowry Avenue, Cedar Boulevard, and/or Ballentine Drive shall improve the sidewalk frontages consistent with the specific plan design standards that apply to these roadways. The sidewalk improvements shall be completed prior to issuance of an occupancy permit for individual projects fronting on the roadways.

### Infrastructure, Facilities and Energy

**IF-1** Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for funding the full cost of all infrastructure and facility improvements identified in this specific plan, except where otherwise noted

in Table 5-1, Capital Improvements Funding Responsibilities and Timing. The improvements to be funded include, but may not be limited to:

- Roadways (including the vehicular/rideshare drop-off access road) and roadway frontage improvements as illustrated for each respective roadway classification;
- Alternative transportation improvements (transit, bicycle, and pedestrian);
- Parking garages and related improvements;
- Retail plazas;
- Event space;
- Shirley Sisk Grove improvements; and
- Water supply, wastewater, and storm water systems improvements.

Transportation impact fees and park impact fees may be credited against the costs of roadway improvements and improvements to Shirley Sisk Grove.

**IF-2** Developers of residential and mixed use projects proposed within areas designated Mixed Use I are collectively responsible for coordinating with the Alameda County Water District and the city staff to prepare or have prepared a water distribution infrastructure master plan. The master plan shall identify water distribution improvements

required within the specific plan boundary and outside of the specific plan boundary (if any) to provide domestic water supply and meet fire flow supply standards for new development within the specific plan boundary. Subject to discretion of the Alameda County Water District, the master plan shall include, but not be limited to:

1. The types, locations, design criteria, improvement plans, and probable costing for domestic water supply and fire flow infrastructure.
2. A schedule for how and when improvements will be constructed to meet the needs of new development as it occurs, including quantified development level "triggers" for when improvements will be constructed.
3. Financing mechanisms that will be used by developers of projects containing residential uses to fund water system improvements.

The master plan will be subject to review and approval of the Alameda County Water District and the City of Newark Public Works Director prior to the city's approval of the first individual residential or mixed use project entitlement application proposed within areas designated Mixed Use I, and prior to approval of any individual development entitlement applications for projects proposed within areas designated Mixed Use II.

**IF-3** Developers of residential and mixed use projects proposed within areas designated Mixed Use I are collectively responsible for coordinating with the Union Sanitary District and the City of Newark to prepare or have prepared a sewer capacity study. The sewer capacity study shall identify sewer conveyance infrastructure improvements required within the specific plan boundary and outside of the specific plan boundary (if any) to serve new development. Subject to discretion of the Union Sanitary District, the sewer capacity study shall include, but not be limited to:

1. The types, locations, design criteria, improvement plans, and probable costing for sewer conveyance infrastructure.
2. A schedule for how and when improvements will be constructed to meet the needs of new development as it occurs, including quantified development level "triggers" for when improvements will be constructed.
3. Financing mechanisms that will be used by developers of projects containing residential uses to fund sewer conveyance system improvements.

The sewer capacity study will be subject to review and approval of the Union Sanitary District and review by the City of Newark Public Works Director prior to the city's approval of the first individual residential or mixed use

project entitlement application proposed within areas designated Mixed Use I, and prior to approval of any individual development entitlement applications for projects proposed within areas designated Mixed Use II.

**IF-4** Developers of residential and mixed use projects within areas designated Mixed Use I are collectively responsible for coordinating with the Alameda County Flood Control and Water Conservation District and the City of Newark to prepare a storm water management master plan. The master plan shall identify storm infrastructure improvements required within the specific plan boundary and outside of the specific plan boundary (if any) to serve new development. Subject to discretion of the Alameda County Flood Control and Water Conservation District, the storm water management master plan shall include, but not be limited to:

1. The types, locations, design criteria, improvement plans, and probable costing for storm water infrastructure.
2. A schedule for how and when improvements will be constructed to meet the needs of new development as it occurs, including quantified development level "triggers" for when improvements will be constructed.
3. Financing mechanisms that will be used by developers of projects

containing residential uses to fund storm water management improvements.

The master plan must be approved by the Alameda County Flood Control and Water Conservation District and is subject to review of the City of Newark Public Works Director prior to the city's approval of the first individual residential and mixed use project entitlement application proposed within areas designated Mixed Use I, and prior to approval of any individual development entitlement applications for projects proposed within areas designated Mixed Use II.

**IF-5** Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for preparing retail plaza improvement plans for each plaza shown on specific plan Figure 2-4, Land Use Plan. Each plaza plan shall include programming, improvement plans, and probable costing, and shall identify the funding mechanism(s) to be utilized. Developers of projects containing residential uses shall contribute funding for constructing the retail plazas in an amount to be identified in consultation with the Community Development Director. Each plan shall be subject to review and approval of the Community Development Director. The plazas shall be constructed prior to issuance of a building permit for each new residential and mixed use project located adjacent to each retail plaza.

**IF-6** Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for planning, funding, and constructing improvements to Shirley Sisk Grove. Improvements shall be consistent with improvement recommendations included in the May 2017 draft of the City of Newark Citywide Parks Master Plan unless otherwise approved by the Community Development Director. Required improvements specified therein include: an outdoor amphitheater (including and outdoor stage and stage shelter), storage, a school-age play area, restrooms, pedestrian pathways, planting and irrigation, and a parking lot. Pedestrian improvements on adjacent street frontages and pedestrian crossings on North Magazine and the secondary road that link Shirley Sisk Grove to the event space are necessary, and will be constructed as part of the respective roadway improvements. Developers of residential and mixed use projects within areas designated Mixed Use I shall prepare a detailed Shirley Sisk Grove improvement plan. The plan shall include programming, improvement plans, and probable costing, and shall identify the funding mechanism(s) to be utilized by developers of projects containing residential uses. The plan shall be subject to review and approval of the Community Development Director prior to approval of a building permit for the first project containing residential uses proposed within the area designated

Mixed Use I. The improvements shall be completed prior to issuance of a certificate of occupancy for the 400th residential unit proposed within the entire area designated Mixed Use I.

**IF-7** Developers of projects proposed within the areas designated Mixed Use I that contain residential uses shall be responsible for preparing an event space improvement plan for the event space shown in Figure 2-4, Land Use Plan. The event space improvement plan shall include programming, improvement plans, and probable costing, and shall identify the funding mechanism(s) to be utilized by developers of projects containing residential uses to fund the improvements. The plan shall be subject to review and approval of the Community Development Director prior to approval of a building permit for the first project containing residential uses located within the areas designated Mixed Use I.

The event space improvements shall be constructed and operational prior to issuance of an occupancy permit for the first project containing residential uses that is located adjacent to the event space.

**IF-8** All project developers shall direct the city's Art in Public Spaces impact fees towards providing public art within their respective project boundaries and/or may direct such fees to public art improvements that provide benefit within the broader specific plan area.

Each project developer shall prepare a public art improvement plan for review and approval by the Community Development Director. The plan shall include measures for continual maintenance of the improvements. The plan shall be subject to review and approval prior to issuance of a building permit for each proposed project. Improvements shall be completed prior to issuance of occupancy permits for individual projects.

- IF-9** Developers of projects proposed within areas designated Mixed Use I that contain residential uses shall be responsible for preparing a maintenance plan for all improvements to be designed, funded, and constructed by these developers. Improvements to be addressed include, but may not be limited to: roadways, plazas, event space, courtyards, sidewalks and access ways, bicycle paths and bicycle supporting infrastructure, landscaping, street furniture and lighting, public art, trash enclosures, and parking garages and associated improvements. Maintenance of improvements to Shirley Sisk Grove may be excluded.

The maintenance plan shall identify maintenance performance standards for each improvement (maintenance requirements, maintenance frequency, maintenance responsibility, etc.) and identify a maintenance funding mechanism. Developers of project than contain residential uses within

areas designated Mixed Use I shall be responsible for funding and implementing the maintenance plan. Funding responsibility may be extended to development/redevelopment within areas designated Mixed Use II in the future at the discretion of the Community Development Director. The maintenance plan is subject to review and approval of the Community Development Director prior to approval of the first project containing residential uses that is proposed within areas designated Mixed Use I.

- IF-10** To achieve specific energy demand and GHG emissions reductions all project developers shall meet the following performance standards as part of new development and revitalization project proposals:
1. At a minimum, all buildings shall exceed 2016 Title 24 building envelope energy efficiency requirements by a minimum of 10 percent.
  2. All new projects shall obtain a minimum of 30 percent of their project specific energy demand from renewable energy sources. Such sources could include solar energy produced within the boundary of the individual project site, district solar installed within the specific plan boundary for which costs and energy production are shared among end users, community choice

