

October 14, 2016

Rishi Khanna
 SRAJ Development Inc.
 104 Constitution Drive, Suite 4
 Menlo Park, CA 94025

Via email: rishi@rugstan.com

Subject: Results of Biological Assessment at the Filbert Street Villas Project in Newark, California

Dear Mr. Khanna:

This letter reports the results of a biological survey of a vacant lot on Filbert Street (project site), in Newark, Alameda County, California. The project site is the site of a proposed development to provide housing for the community. The City of Newark (City) requires a *Biological Assessment* (BA) report to safeguard against the destruction of habitat suitable for listed endangered, rare, or threatened species.¹ This BA addresses the effects the development would have on biological resources including special-status plant and animal species, wetlands, or other sensitive habitats.

The project site is within the Newark General Plan Land Use Category of medium density residential.² The project site is located in the southeast corner of the Newark 7.5 minute quadrangle and is located approximately 1 mile from salt marsh habitat on the edge of the San Francisco Bay (Figure 1). The character of the neighborhood is residential-industrial. The project site has street frontage on Filbert Street to the east. The site is secured with a 6-foot chain link fence on the street frontage. The south and west sides are bordered by fences separating the project site from residential units. The north is bound by an 8-foot concrete block wall with a railroad right-of-way beyond (Figure 2).

METHODS

With a focus on the Filbert Street lot and the greater Newark surroundings, LSA reviewed the following sources (literature review): Google Earth aerial imagery; CNDDDB for records of special-status vascular-plant and vertebrate-animal species; and a nine-quad search of the CNPS Inventory for rare plants.^{3,4,5} The CNPS nine-quad reference is centered on the Newark 7.5 minute quadrangle.

LSA senior botanist, Tim Milliken surveyed the project site on October 4, 2016. The project site was accessed from Filbert Street. Data gathered during the site visit included identification of plant communities on the site, observations of wildlife or signs of wildlife use of the site (including special-status wildlife), identification of trees on the site, identification of potential wetlands, and identification of sensitive vegetation or sensitive habitats. Field data sheets were used to document existing conditions of the project site.

¹ In email for Courtney Fogal on September 20, 2016.

² General Plan Tune Up Final EIR for the City of Newark, The Planning Center | DC&E, 2013.

³ Google Earth Pro 2016.

⁴ California Department of Fish and Wildlife (CDFW), California Natural Diversity Data Base (CNDDDB), September 7, 2016.

⁵ California Native Plant Society (CNPS) – Inventory of Rare Plants, October 7, 2016.

RESULTS

Biological Setting

A continuous view of the project site on Google Earth in aerial images from 1993 to the present shows a grassy field, with no structures, and no signature patterns that would suggest wetlands on the site. The field survey confirmed that annual grassland is the dominant ground cover and no wetlands were present. Trees associated with the project site provide shade, cover, and potential nesting sites for birds. There is evidence of imported soil in the south of the project site and a small pile of wood debris in the north of the project site. There are gopher holes onsite, but no ground squirrels, ground squirrel burrows, or evidence of burrowing owls observed on or adjacent to the site. There are no jurisdictional wetlands or sensitive habitats on the project site.

Vegetation Types

The vegetation types on the project site consist of non-native grassland and trees.

Non-native Grassland is the dominant land vegetation type on the project site. This vegetation type typically includes plant species that are indicative of disturbed sites. Herbaceous non-native species observed on the project site's non-native grassland include wild oats (*Avena fatua*), field bind-weed (*Convolvulus arvensis*), Bermuda grass (*Cynodon dactylon*), yellow star-thistle (*Centaurea solstitialis*), stinkwort (*Dittrichia graveolens*), horseweed (*Erigeron canadensis*), bristly ox-tongue (*Helminthotheca echioides*), short-pod mustard (*Hirschfeldia incana*), hare barley (*Hordeum murinum* subsp. *leporinum*), prickly lettuce (*Lactuca serriola*), California burclover (*Medicago polymorpha*), buckhorn plantain (*Plantago coronopus*), and smilo grass (*Stipa miliacea*). Shrubby non-native plants present include fennel (*Foeniculum vulgare*), Harding grass (*Phalaris aquatica*), and Russian thistle (*Salsola tragus*). Only two native plants were observed on the project site, coyote brush (*Baccharis pilularis*) and California poppy (*Eschscholzia californica*).

Trees. Two trees are located on the project site, a blackwood acacia (*Acacia melanoxylon*) with three trunks and a plum (*Prunus* sp.) with two trunks. The blackwood acacia is next to the fence on Filbert Street, and the plum occurs at the rear fence that borders residences to the west. An Australian willow (*Geijera parviflora*) and an Italian stone pine (*Pinus pinea*) are off-site, but are included in this discussion because of their proximity to the boundary of the project site. The Australian willow is a City-owned parkway tree planted in a tree pit on Filbert Street, while the canopy of the Italian stone pine hangs over a portion of the western boundary of the project site.

Wildlife

The wildlife species that occur on the project site are those species adapted to live in urban environments in close association with humans. Because the perimeter of the project site is fenced, the project site provides no habitat or movement corridor for large mammals such as coyote (*Canis latrans*) or deer (*Odocoileus hemionus*). However, the project site does provide these features for smaller mammal species and birds. Wildlife, or their sign, observed on the project site include turkey vulture (*Cathartes aura*), American crow (*Corvus brachyrhynchos*), dark-eyed junco (*Junco hyemalis*),

raccoon (*Procyon lotor*) tracks, Botta's pocket gopher (*Thomomys bottae*) mounds, and golden-crowned sparrow (*Zonotrichia atricapilla*).

Special-status Species

In this assessment, special-status species are those species listed as threatened or endangered (or threatened or endangered candidate species) under the California and/or federal endangered species act, fully protected species, California species of special concern, and plants with a California Rare Plant Rank (CRPR) of 1A, 1B, 2A, 2B, or 3.^{1,2}

The literature search produced a list of 31 special-status plants and 17 species of special-status animals (Attachments: Literature Search). Twenty-nine (29) of these special-status plants and 14 special-status animals are associated with habitats not present on the site including alkaline soils, chaparral, cismontane woodland, bat roosting habitat, coastal bluff scrub, vernal pools, tidal, salt, and brackish marsh, large brambles of blackberry, or primarily aquatic habitats. Special-status species associated with habitat on the site (grasslands and debris piles) are unlikely to occur on the project site because of the prior disturbance to the site, including dominance of non-native plant species onsite, relative lack of native plant species onsite, the urban setting, the presence of imported soil, the lack of connection to other natural open spaces, and the enclosed nature of the site. This section also addresses the likelihood of presence or absence of special-status species from the project site given the existing habitat conditions.

Plants. The project site has been altered from its natural state by human use. The grassland onsite is weedy, has imported fill, and from the appearance of cut grass are routinely mowed. Based on records in the CNDDDB and CNPS Inventory, bent-flowered fiddleneck (*Amsinckia lunaris*) and Congdon's tarplant (*Centromadia parryi* subsp. *congdonii*) are the only special-status plant species potentially occurring in grassland habitats in the vicinity of the site. Neither of these species was observed during field survey.

- Bent-flowered fiddleneck is a CRPR 1B species. Its habitats include gravelly slopes, grassland, and openings in woodland. It is often found growing in serpentine soils. This species can be found growing within a wide elevation range from 5 to 800 meters. It usually blooms within the springtime months of March, April, May, and June. Although there are grasslands on the project site, suitable natural grassland habitat is not present and making the site unsuitable for this species.
- Congdon's tarplant is a CRPR 1B species. Its habitats include terraces, swales, floodplains, grassland, and disturbed sites. This species can be found growing at elevations below 300 meters. It usually blooms in summer to early fall (June - October). This species is known to occur in grassland areas with high disturbance. The site visit coincided with the flowering time for this species, and the species was not observed.

¹ CNDDDB, op. cit. September 7, 2016.

² CNPS, op. cit. October 7, 2016.

The presence of bent-flowered fiddleneck is highly unlikely due to the preponderance of weedy vegetation, the urban location, and the prior disturbance on the site. Alternatively, the site conditions are favorable for Congdon's tarplant. The October 4 site survey occurred during the flowering period when Congdon's tarplant would have been identifiable; however, it was not observed and is considered absent from the site. No special-status plants were observed on the project site, nor are they expected to occur there. No surveys for special-status plants are recommended.

Animals. The habitat on the project site is entirely upland and contains no suitable habitat for fish, amphibian, mammal, or bird species associated with salt marsh or estuarine system. The closest salt marsh and estuarine systems are approximately one mile to the west of the project site. Burrowing owl (*Athene cunicularia*), northern harrier (*Circus cyaneus*), and white-tailed kite (*Elanus leucurus*) are the only special-status animal species known from the area that could forage, roost, or nest within habitats such as those onsite.¹

- Burrowing owl is a California species of concern. Burrowing owls prefer to forage and nest in open habitats (e.g., grasslands, agricultural areas). They prefer sites with existing mammal burrows or other features (e.g., culverts, pipes, debris piles) suitable for nesting. Recent observations of burrowing owls have been recorded in the vicinity of the project site (CNDDB occurrence #18, approximately 1.26 miles west of the project site). Although the site is small in size, the debris pile may provide suitable temporary cover for owls; however, there was no owl sign on the site or around the debris pile and no owls or suitable burrows were observed on or adjacent to the site.
- Northern harrier is a California species of concern. Northern harriers nest in wet meadows and marshes, and forage over open grasslands and agricultural fields. The site provides foraging habitat for northern harriers. The nearest occurrence of northern harrier is approximately 1.9 miles northwest of the project site (CNDDB #5). However, given the small size of the site, the amount of surrounding development, and the availability of higher-quality habitat throughout the surrounding region (i.e., the marshlands of San Francisco Bay), it is unlikely that this species would nest on the project site. Suitable wet meadow and marsh nesting habitat is not present on the project site.
- White-tailed kite is a fully protected species. White-tailed kites require dense-topped trees or shrubs for nesting and perching, and forage over open grasslands, meadows, and marshes. The nearest occurrence of white-tailed kite is approximately 0.6 miles northwest of the project site (CNDDB #2). The site provides foraging habitat for white-tailed kite. However, given the small size of the site, the amount of surrounding development, and the availability of higher-quality habitat throughout the surrounding region (i.e., the marshlands of San Francisco Bay), it is unlikely that this species would regularly occur on the project site. Suitable dense-topped nesting habitat is not present in the trees on the project site.

¹ CNDDB, op. cit. September 7, 2016.

POTENTIAL IMPACTS

Special-status Plant Species

The potentially occurring special-status plant species are unlikely to occur on the project site because the site does not provide suitable habitat for most species or the species were determined absent based on a lack of observations of the species during an appropriately timed field survey. Special-status plant species are unlikely to occur on the project site.

Special-status Animal Species

The potentially occurring special-status animal species are unlikely to occur on the project site because of the small size of the site, lack of connection to natural open spaces, and lack of suitable habitat features (e.g., ground squirrel burrow, short grass) on the site. No special-status animal species were observed on the site during the survey.

Migratory Birds

The federal Migratory Bird Treaty Act and Sections 3503 and 3505 of the California Fish and Game Code protect most species of native birds, their nests, and eggs from harm. Birds could be harmed if bird nests and eggs are present in areas proposed for construction during the breeding season. Furthermore, if birds were nesting near the construction area, construction may result in the abandonment of the nest. If eggs or nestlings are present in the abandoned nest, their mortality would result in a violation of the Migratory Bird Treaty Act and the California Fish and Game Code. In the San Francisco Bay Region, the nesting season is generally considered to extend between February 1 and August 31.

Tree Ordinance

City of Newark Municipal Code Chapter 12.28.050 - Removal of trees (tree ordinance). The removal or permission to remove trees planted within the parkways shall be subject to the following:

A property owner may be permitted to remove a parkway tree under any one of several nuisance conditions including:

- Where removal is necessary for construction or other improvements to the property owner's property which have been approved by the city.

A parkway tree may not be removed without the property owner first securing a tree removal permit issued by the City of Newark Public Works Director. The property owner who is permitted to remove a parkway tree shall replace said tree and bear the cost for its replacement. The parkway tree removal shall be subject to all conditions set forth in the tree ordinances.

RECOMMENDATIONS TO MITIGATE PROJECT IMPACTS

The proposed project would not have a significant effect on the biological resources of the Filbert Street project site given the implementation of the measures described below.



PARKWAY TREE REMOVAL

It may be possible to develop the project without removing the parkway tree on Filbert Street. However, if the project requires the removal of a parkway tree, a tree removal permit must be secured from the City of Newark's Public Works Director. The property owner who is permitted to remove a parkway tree shall replace said tree and bear the cost of its replacement. All tree replacements shall be with an officially designated tree purchased through the city.

TREE REMOVAL / NESTING BIRDS

It is likely that nesting birds protected by the Migratory Bird Treaty Act and Fish and Game Code nest in the trees on the property. The trees should therefore be removed in the period outside of the nesting bird season. While the actual timing of nesting varies by species, weather, and location, the generally accepted breeding timeframe is February 1 through August 31. Some bird species nest before February 1, so the ideal time to remove the trees would be between September 1 and December 31. Because brush piles serve as an attractive refuge for wildlife including special-status species, the wood from the trees should be removed from the site or chipped immediately.

If the trees are removed during the nesting bird season, a qualified biologist will be required to conduct nesting bird surveys prior to removal. Trees containing active nests and adjacent trees will not be removed until after the young birds have fledged and are foraging independently.

Preconstruction Surveys for Breeding Birds

Pre-construction surveys should be initiated within 14 days prior to earth-disturbing activities during the breeding season. The breeding season begins February 1 and ends August 31. Breeding bird surveys should be conducted for species that could nest in the grasslands and trees. If a raptor nest is encountered, a buffer approximately 250 feet from the nest should be established, and if a songbird nest is encountered, a buffer of 50 feet from the nest should be established. People, construction equipment, staging, storage, and other construction related activity will be prohibited within the buffer area while the nest is active. If the qualified biologist determines that the nesting birds are acclimated to human activity, the buffer may be reduced. If the buffer is reduced, the birds should be periodically monitored to ensure that human activity is not causing stress or otherwise disrupting their normal behavior. The buffer can be removed from the nest once the young birds have fledged and are foraging independently.


CONCLUSION

The project site does not contain and sensitive habitats including wetlands, so no impacts to such resources are expected. The site is not expected to provide suitable habitat for special-status plant or animal species, and impacts to such species are unlikely. With the implementation of the recommended measures, the proposed project would not result in any significant adverse biological impacts.

Please contact me if you have any questions.

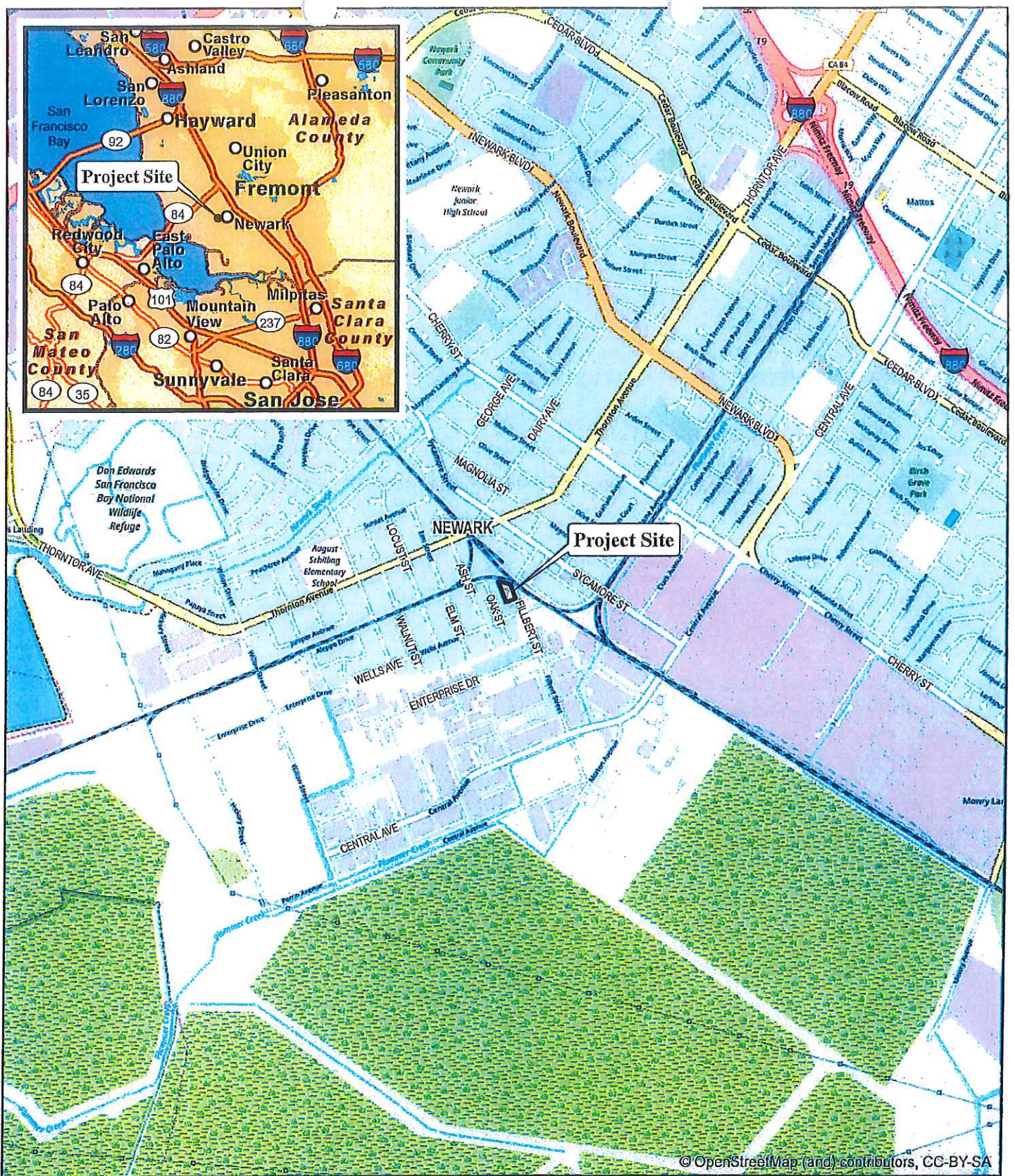
Sincerely,

LSA ASSOCIATES, INC.



Tim Milliken
Senior Botanist

Attachments: Figure 1: Project Location
Figure 2: Project Site
Literature Search Results (CNDDDB Animal List, CNDDDB Plant List, CNPS Plant List)



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FIGURE 1

LSA



0 1000 2000
FEET

SOURCE: © OpenStreetMap (and) contributors, CC-BY-SA.

I:\SRJ1601\GIS\Maps\Figure 1_Regional Location.mxd (10/12/2016)

Fillbert Villas Project
Newark, Alameda County, California

Regional Location



LSA

LEGEND


 Project Site

FIGURE 2



0 50 100
FEET

SOURCE: Esri World Imagery (6/6/2014).

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*Filbert Villas Project
Newark, Alameda County, California*

Site Location



lected Elements by Scientific Na
 California Department of Fish and Wildlife
 California Natural Diversity Database



Query Criteria: Taxonomic Group IS (Fish OR Amphibians OR Reptiles OR Birds OR Mammals)
 AND IS (Newark (3712251))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	None	G2G3	S1S2	SSC
<i>Antrozous pallidus</i> pallid bat	AMACC10010	None	None	G5	S3	SSC
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	None	G4	S3	SSC
<i>Charadrius alexandrinus nivosus</i> western snowy plover	ABNNB03031	Threatened	None	G3T3	S2S3	SSC
<i>Circus cyaneus</i> northern harrier	ABNKC11010	None	None	G5	S3	SSC
<i>Elanus leucurus</i> white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
<i>Geothlypis trichas sinuosa</i> saltmarsh common yellowthroat	ABPBX1201A	None	None	G5T3	S3	SSC
<i>Laterallus jamaicensis coturniculus</i> California black rail	ABNME03041	None	Threatened	G3G4T1	S1	FP
<i>Melospiza melodia pusillula</i> Alameda song sparrow	ABPBXA301S	None	None	G5T2?	S2S3	SSC
<i>Oncorhynchus mykiss irideus</i> steelhead - central California coast DPS	AFCHA0209G	Threatened	None	G5T2T3Q	S2S3	
<i>Rallus longirostris obsoletus</i> California clapper rail	ABNME05016	Endangered	Endangered	G5T1	S1	FP
<i>Rana draytonii</i> California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
<i>Reithrodontomys raviventris</i> salt-marsh harvest mouse	AMAFF02040	Endangered	Endangered	G1G2	S1S2	FP
<i>Riparia riparia</i> bank swallow	ABPAU08010	None	Threatened	G5	S2	
<i>Sorex vagrans halicoetes</i> salt-marsh wandering shrew	AMABA01071	None	None	G5T1	S1	SSC
<i>Spirinchus thaleichthys</i> longfin smelt	AFCHB03010	Candidate	Threatened	G5	S1	SSC
<i>Sternula antillarum browni</i> California least tern	ABNNM08103	Endangered	Endangered	G4T2T3Q	S2	FP

Record Count: 17



Selected Elements by Scientific Name
 California Department of Fish and Wildlife
 California Natural Diversity Database



Query Criteria: Taxonomic Group IS (Ferns OR Gymnosperms OR Monocots OR Dicots) AND Quad IS (Newark (3712251))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Astragalus tener</i> var. <i>tener</i> alkali milk-vetch	PDFAB0F8R1	None	None	G2T2	S2	1B.2
<i>Centromadia parryi</i> ssp. <i>congdonii</i> Congdon's tarplant	PDAST4R0P1	None	None	G3T2	S2	1B.1
<i>Eryngium aristulatum</i> var. <i>hooveri</i> Hoover's button-celery	PDAP10Z043	None	None	G5T1	S1	1B.1
<i>Extriplex joaquinana</i> San Joaquin spearscale	PDCHE041F3	None	None	G2	S2	1B.2
<i>Lasthenia conjugens</i> Contra Costa goldfields	PDAST5L040	Endangered	None	G1	S1	1B.1
<i>Plagiobothrys glaber</i> hairless popcornflower	PDBOR0V0B0	None	None	GH	SH	1A
<i>Senecio aphanactis</i> chaparral ragwort	PDAST8H060	None	None	G3	S2	2B.2
<i>Stuckenia filiformis</i> ssp. <i>alpina</i> slender-leaved pondweed	PMPOT03091	None	None	G5T5	S3	2B.2
<i>Trifolium hydrophilum</i> saline clover	PDFAB400R5	None	None	G2	S2	1B.2

Record Count: 9

Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
<u>Amsinckia lunaris</u>	bent-flowered fiddleneck	Boraginaceae	annual herb	1B.2	S2S3	G2G3
<u>Astragalus tener var. tener</u>	alkali milk-vetch	Fabaceae	annual herb	1B.2	S2	G2T2
<u>Atriplex depressa</u>	brittlescale	Chenopodiaceae	annual herb	1B.2	S2	G2
<u>Atriplex minuscula</u>	lesser saltscale	Chenopodiaceae	annual herb	1B.1	S2	G2
<u>Balsamorhiza macrolepis</u>	big-scale balsamroot	Asteraceae	perennial herb	1B.2	S2	G2
<u>Campanula excqua</u>	chaparral harebell	Campanulaceae	annual herb	1B.2	S2	G2
<u>Centromadla parryi ssp. congdonii</u>	Congdon's tarplant	Asteraceae	annual herb	1B.1	S2	G3T2
<u>Chloropyron maritimum ssp. palustre</u>	Point Reyes bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	1B.2	S2	G4?T2
<u>Dirca occidentalis</u>	western leatherwood	Thymelaeaceae	perennial deciduous shrub	1B.2	S2	G2
<u>Eryngium aristulatum var. hooveri</u>	Hoover's button-celery	Apiaceae	annual / perennial herb	1B.1	S1	G5T1
<u>Eryngium jepsonii</u>	Jepson's coyote thistle	Apiaceae	perennial herb	1B.2	S2	G2
<u>Extriplex joaquinana</u>	San Joaquin spearscale	Chenopodiaceae	annual herb	1B.2	S2	G2
<u>Fritillaria liliacea</u>	fragrant fritillary	Liliaceae	perennial bulbiferous herb	1B.2	S2	G2
<u>Helianthella castanea</u>	Diablo helianthella	Asteraceae	perennial herb	1B.2	S2	G2
<u>Holocarpha macradenia</u>	Santa Cruz tarplant	Asteraceae	annual herb	1B.1	S1	G1
<u>Lasthenia conjugens</u>	Contra Costa goldfields	Asteraceae	annual herb	1B.1	S1	G1
<u>Lessingia hololeuca</u>	woolly-headed lessingia	Asteraceae	annual herb	3	S3?	G3?
<u>Micropus amphibolus</u>	Mt. Diablo cottonweed	Asteraceae	annual herb	3.2	S3S4	G3G4
<u>Monardella antonina ssp. antonina</u>	San Antonio Hills monardella	Lamiaceae	perennial rhizomatous herb	3	S1S3	G4T1T3Q
<u>Monolopia gracilens</u>	woodland woollythreads	Asteraceae	annual herb	1B.2	S3	G3
<u>Navarretia prostrata</u>	prostrate vernal pool navarretia	Polemoniaceae	annual herb	1B.1	S2	G2
<u>Plagiobothrys chorisianus var. chorisianus</u>	Choris' popcornflower	Boraginaceae	annual herb	1B.2	S2	G3T2Q
<u>Plagiobothrys glaber</u>	hairless popcornflower	Boraginaceae	annual herb	1A	SH	GH
<u>Polemonium carneum</u>	Oregon polemonium	Polemoniaceae	perennial herb	2B.2	S2	G3G4
<u>Puccinellia simplex</u>	California alkali grass	Poaceae	annual herb	1B.2	S2	G3
<u>Senecio aphanactis</u>	chaparral ragwort	Asteraceae	annual herb	2B.2	S2	G3
<u>Streptanthus albidus ssp. peramoenus</u>	most beautiful jewelflower	Brassicaceae	annual herb	1B.2	S2	G2T2
<u>Stuckenia filiformis ssp. alpina</u>	slender-leaved pondweed	Potamogetonaceae	perennial rhizomatous herb	2B.2	S3	G5T5
<u>Suaeda californica</u>	California seablite	Chenopodiaceae	perennial evergreen shrub	1B.1	S1	G1
<u>Trifolium hydrophilum</u>	saline clover	Fabaceae	annual herb	1B.2	S2	G2
<u>Tropidocarpum capparideum</u>	caper-fruited tropidocarpum	Brassicaceae	annual herb	1B.1	S1	G1

Suggested Citation

CNPS, Rare Plant Program. 2016. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org> [accessed 07 October 2016].

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NEWARK APPROVING VESTING
TENTATIVE TRACT MAP 8387 AND SUBDIVISION AND
ZONING VARIANCES THERETO

WHEREAS, SRAJ Development Inc. has submitted TTM-17-07, Tentative Map 8387, to the Planning Commission of the City of Newark with subdivision and zoning variances covered by P-17-05, a planned unit development, and U-17-08, a conditional use permit, for a 16-unit residential condominium project at 37243 and 37257 Filbert Street (APN(s): 092-0131-001-09, 092-0131-002-04 AND 092-0131-003).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Newark does hereby approve TTM-17-07, Tentative Tract Map 8387 with said subdivision and zoning variances covered by P-17-05 and U-17-08, as shown on Exhibit A, pages 1 through 7 and made part hereof by reference, subject to the following conditions:

- a. All applicable conditions listed in Planning Commission Resolution No. _____, dated August 22, 2017, recommending approval of P-17-05, a planned unit development, and U-17-08, a conditional use permit, for a 16-unit residential condominium project at 37243 and 37257 Filbert Street (APN(s): 092-0131-001-09, 092-0131-002-04 AND 092-0131-003).
- b. The developer shall ensure that all upstream drainage is not blocked and that no ponding is created by this development. Any construction necessary to ensure this shall be the developer's responsibility.
- c. That if any condition of this tentative tract map be declared invalid or unenforceable by a court of competent jurisdiction, this tentative tract map shall terminate and be of no force and effect, at the election of the City Council on motion.

This Resolution was introduced at the Planning Commission's August 22, 2017 meeting by Commissioner _____, seconded by Commissioner _____, and passed as follows:

AYES:

NOES:

ABSENT:

TERRENCE GRINDALL, Secretary

BERNIE NILLO, Chairperson

FILBERT VILLAS

PLANNED UNIT DEVELOPMENT AND VESTING TENTATIVE MAP

A 16 UNIT RESIDENTIAL CONDOMINIUM PROJECT BEING A
6 LOT SUBDIVISION OF LOTS 4, 6, 8, and 10, OF BLOCK 187,
LYING SOUTHWESTERLY OF THE RAILROAD AS SHOWN
ON THE "MAP OF THE TOWN OF NEWARK"

FILED MAY 6, 1878 IN MAP BOOK 17, PAGE 10

ALAMEDA COUNTY RECORDS
CITY OF NEWARK, CALIFORNIA

OWNER
SRAJ DEVELOPMENT INC.
124 CONSTITUTION DRIVE, SUITE 4
BENLO PARK, CA 94525
(925) 292-2693
(916) 295-7947
(916) 940-0386

ARCHITECT
BRC ARCHITECTS INC.
SUITE 61
WALNUT CREEK, CA 94596-4483
(925) 933-9700

SURVEYOR / CIVIL ENGINEER
DEBOLT CIVIL ENGINEERING
811 SAN RAMON VALLEY BLVD.
DANVILLE, CA 94526
(925) 372-5266

LANDSCAPE ARCHITECT
BORRECO / KILIAN & ASSOCIATES, INC.
1241 PINE STREET
MARTINEZ, CA 94529
(925) 372-5266

GEO TECHNICAL ENGINEER
38750 PASO PADRE PARKWAY, STE. B-1
FREMONT, CA 94539
(510) 791-4700

PROJECT MANAGER
JIM DIGGINS

PRINCIPAL
SANKU BHARDWAJ - PROJECT MANAGER
COURTNEY FOGAL - PROJECT MANAGER

FRANCISAL
SANKU BHARDWAJ - PROJECT MANAGER
COURTNEY FOGAL - PROJECT MANAGER

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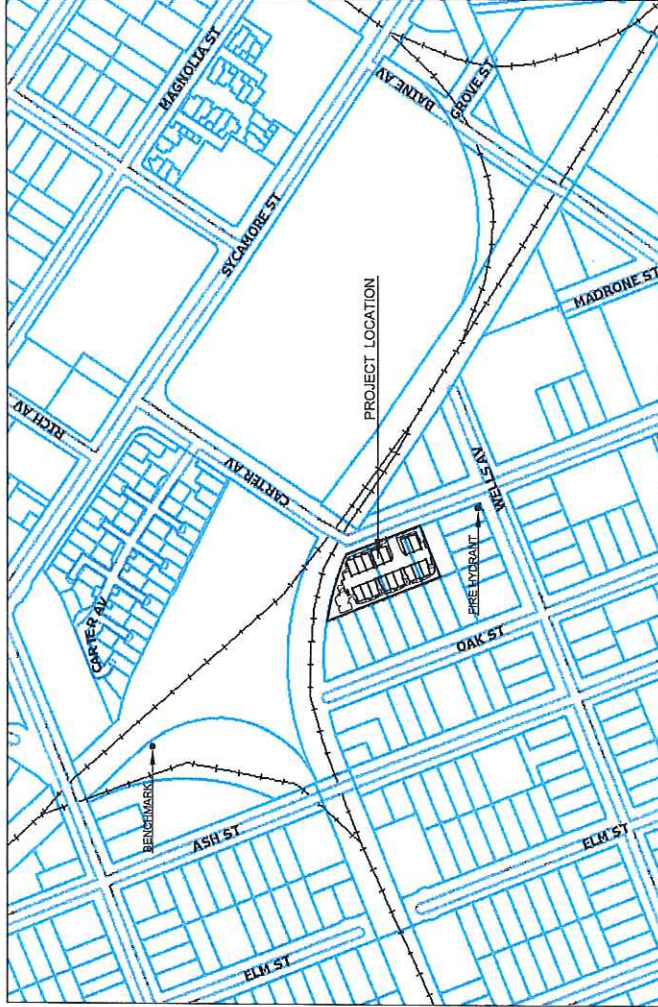
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FRANCISAL
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LOCATION MAP
N.T.S.

SHEET INDEX

- TM1 TITLE SHEET
- TM2 VESTING TENTATIVE MAP
- TM3 PRELIMINARY GRADING AND DRAINAGE PLAN
- TM4 SECTIONS
- TM5 PRELIMINARY UTILITY PLAN
- TM6 PRELIMINARY DEMOLITION PLAN
- TM7 PRELIMINARY STORM WATER CONTROL PLAN

- ### LEGEND
- BIO-RETENTION AREA
 - ASPHALT PAVEMENT
 - CONCRETE
 - 2" GRIND and OVERLAY
 - BOUNDARY LINE
 - PROPOSED BOUNDARY LINE
 - PROPOSED CENTERLINE
 - EASEMENT LINE
 - LOT LINE
 - UNIT LINE
 - EXISTING CURB & GUTTER
 - CURB LINE
 - PROPOSED STORM DRAINAGE
 - EXISTING FENCE
 - EXISTING WALL
 - EXISTING RAILROAD TRACKS
 - EXISTING GAS LINE
 - EXISTING OVERHEAD ELECTRIC LINE
 - EXISTING SANITARY SEWER LINE
 - EXISTING WATER LINE
 - EXISTING UTILITY POLE w/ GUY WIRE
 - EXISTING SPOT ELEVATION
 - EXISTING SURVEY MONUMENT
 - EXISTING SIGN
 - DIRECTION OF FLOW
 - EXISTING TREE
 - EXISTING TREE TO BE REMOVED

VESTING TENTATIVE TRACT MAP 8387

Date: 4/27/27
By: SCHE
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/372-5266
Fax: 925/372-5266

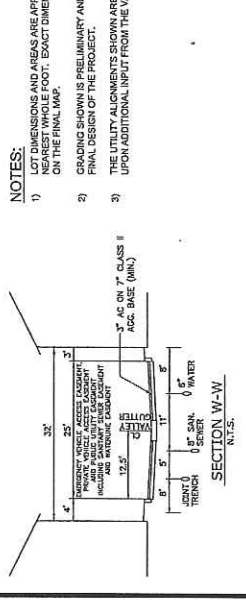
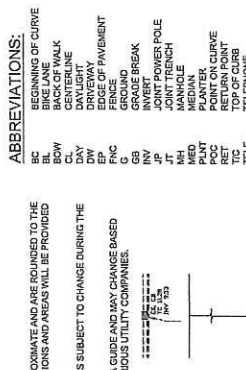
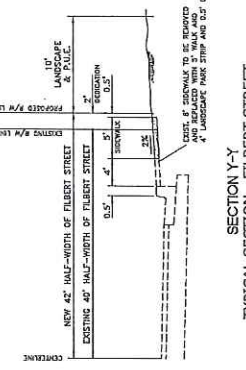
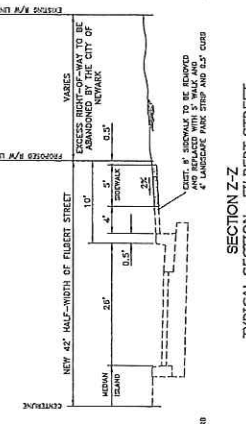
TM-1

EXHIBIT A.01

#	REVISIONS	DATE

FILBERT VILLAS
ALAMEDA COUNTY
CITY OF NEWARK

VESTING TENTATIVE MAP
FOR CONDOMINIUM PURPOSES
TRACT NO. 8387

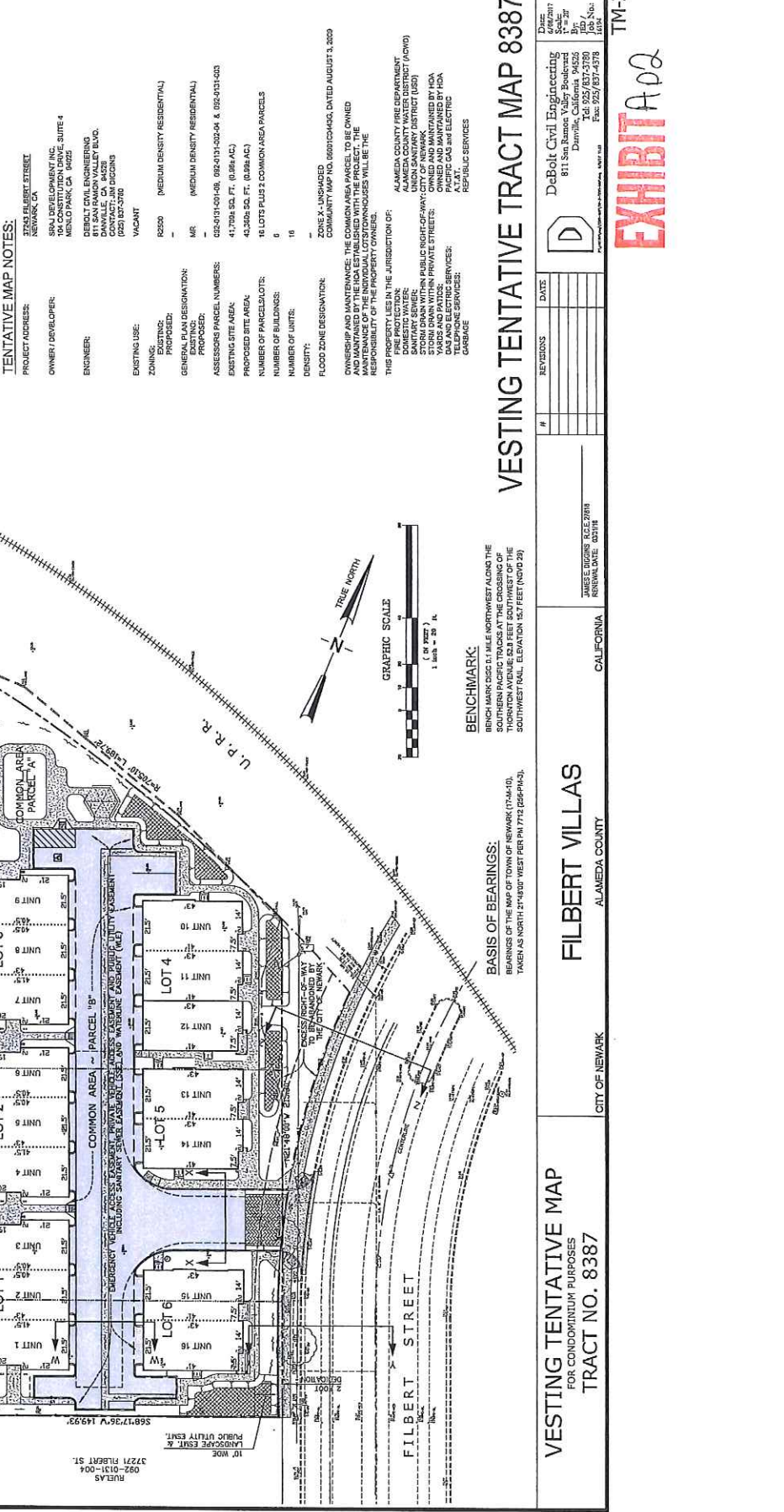


ABBREVIATIONS:
 BC BEGINNING OF CURVE
 BL BIKE LANE
 CLW CENTERLINE
 DAY DAYLIGHT
 DVA DRIVEWAY
 FNC FENCE
 G GROUND
 INV INVERT
 JP JOINT POWER POLE
 JPB JOINT POWER POLE BENCH
 M4 MANNHOLE
 MED MEDIAN
 PLANT PLANT
 POKER POKER
 RET RETURN POINT
 TIC TOP OF CURB
 TELE TELEPHONE

NOTES:
 1) LOT DIMENSIONS AND AREAS ARE APPROXIMATE AND ARE ROUNDED TO THE NEAREST WHOLE FOOT. EXACT DIMENSIONS AND AREAS WILL BE PROVIDED ON THE FINAL MAP.
 2) GRADING SHOWN IS PRELIMINARY AND IS SUBJECT TO CHANGE DURING THE FINAL DESIGN OF THE PROJECT.
 3) THE UTILITY ALIGNMENTS SHOWN ARE A GUIDE AND MAY CHANGE BASED UPON ADDITIONAL INPUT FROM THE VARIOUS UTILITY COMPANIES.

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 TELE TELEPHONE



TENTATIVE MAP NOTES:
 PROJECT ADDRESS: 19A CONSTITUTION DRIVE, SUITE 4, MENLO PARK, CA 94025
 OWNER / DEVELOPER: SBAJ DEVELOPMENT INC., NEWARK, CA
 ENGINEER: DEBOLT CIVIL ENGINEERING, 11000 SHERWOOD BLVD., DANVILLE, CA 94526
 CONTACT: JIM DICICIS, (925) 837-3780

EXISTING USE: VACANT
ZONING: R2550 (MEDIUM DENSITY RESIDENTIAL)
PROPOSED: MR (MEDIUM DENSITY RESIDENTIAL)
GENERAL PLAN DESIGNATION: 02S-0131-003
ASSESSED PARCEL NUMBERS: 41,709, 50, FT. (0.98 AC), 43,309, 50, FT. (0.98 AC), 16 LOTS PLUS 2 COMMON AREA PARCELS
EXISTING SITE AREA: 0
PROPOSED SITE AREA: 0
NUMBER OF PARCELS/LOTS: 0
NUMBER OF BUILDINGS: 16
DENSITY: 0
FLOOD ZONE DESIGNATION: ZONE X - UNDESIGNED
COMMUNITY MAP NO. 060101450, DATED AUGUST 3, 2009

PROPERTY USES IN THE JURISDICTION OF:
 FIRE PROTECTION: ALAMEDA COUNTY FIRE DEPARTMENT (AOWD)
 DOMESTIC WATER: ALAMEDA COUNTY WATER DISTRICT (AOWD)
 STORM DRAIN WITHIN PUBLIC RIGHT-OF-WAY: CITY OF NEWARK (AOWD)
 STORM DRAIN WITHIN PRIVATE STREETS: OWNED AND MAINTAINED BY HOA
 GAS AND ELECTRIC SERVICES: PACIFIC GAS AND ELECTRIC (AOWD)
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VESTING TENTATIVE MAP 8387

VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES TRACT NO. 8387

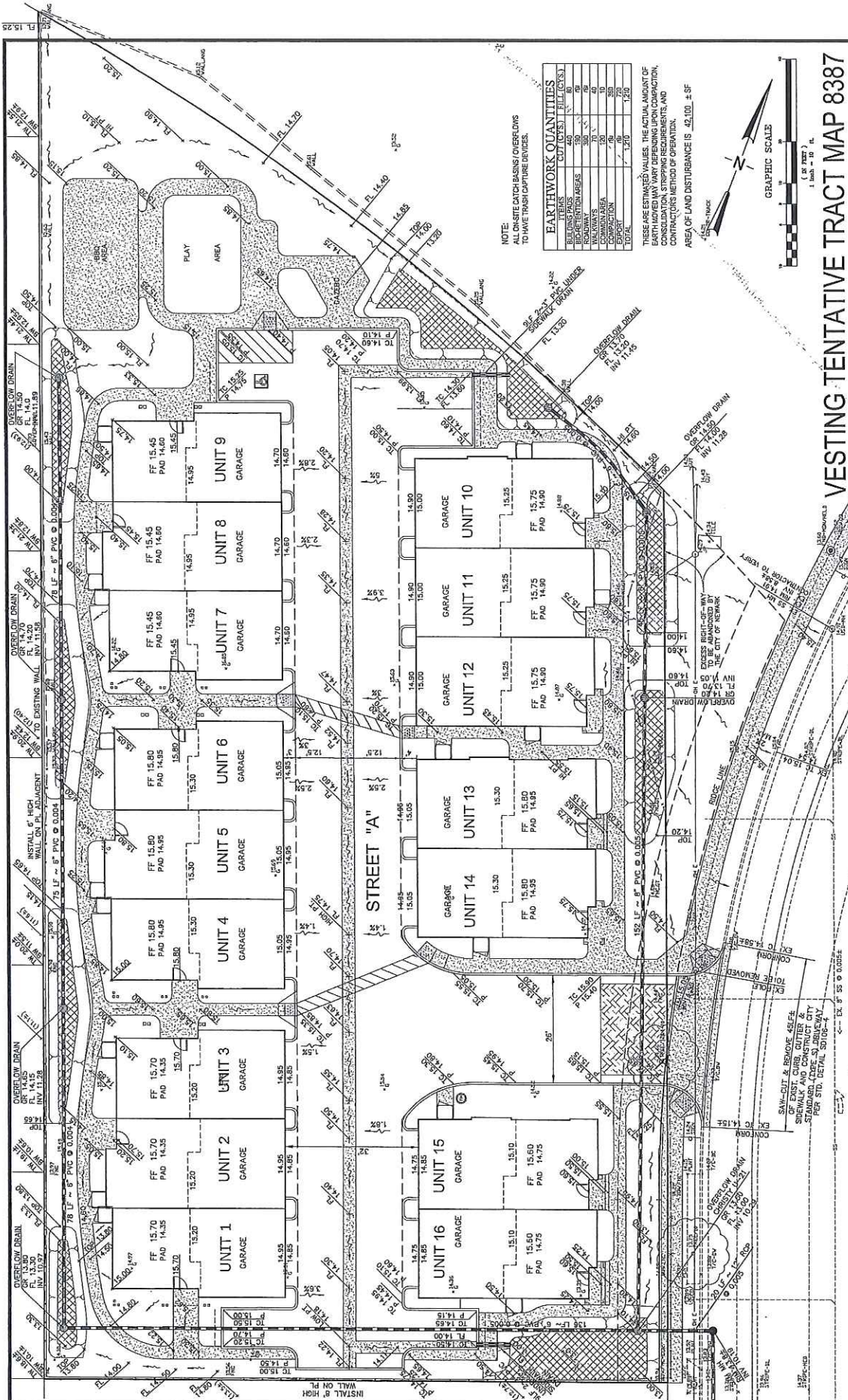
FILBERT VILLAS
 ALAMEDA COUNTY
 CITY OF NEWARK

BENCHMARK:
 BENCH MARK 0550 0.1 MILE NORTHWEST ALONG THE SOUTHERN PACIFIC TRACKS AT THE CROSSING OF THE U.P.R. R. TRACKS AND THE SOUTHWEST RAIL. ELEVATION 53.7 FEET (NGVD 29)

BASIS OF BEARINGS:
 BEARINGS OF THE MAP OF TOWN OF NEWARK (17-44-10), TAKEN AS NORTH 21°40'00" WEST PER PAR 1715 (25-PAC).

DeBolt Civil Engineering
 811 San Ramon Avenue, Suite 200
 Danville, CA 94526
 Tel: 925/837-3780
 Fax: 925/837-4578

EXHIBIT A02



NOTE: ALL DRAINAGE BASINS/OVERFLOWS TO HAVE TRASH CAPTURE DEVICES.

EARTHWORK QUANTITIES	
ITEMS	CY (C.Y.S.)
EXCAVATION	1.20
EMBANKMENT	0.00
ROADWAY	0.00
WALKWAYS	0.00
COMPACTION	0.00
EXPORT	0.00
IMPORT	0.00
TOTAL	1.20

THESE ARE ESTIMATED VALUES. THE ACTUAL AMOUNT OF EARTHWORK MAY VARY DEPENDING UPON COMPACTION, CONSTRUCTION METHODS, STRONG MATERIALS, AND CONTACTS/STRENGTH OF OPERATIONS.

AREA OF LAND DISTURBANCE IS 42,100 ± SF



VESTING TENTATIVE TRACT MAP 8387

PRELIMINARY GRADING and DRAINAGE PLAN
TRACT NO. 8387

FILBERT VILLAS
ALAMEDA COUNTY

CITY OF NEWARK

DATE: _____
REVISIONS: _____

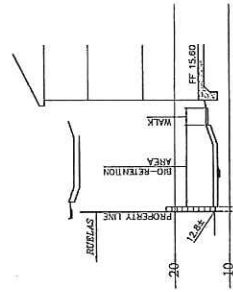
DESIGNED BY: _____
CHECKED BY: _____
APPROVED BY: _____

DATE: _____

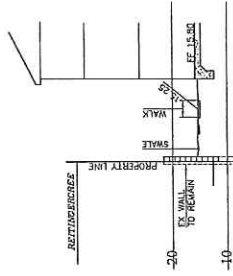
DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Dunsmuir, CA 95926
TEL: 530/837-3378
FAX: 530/837-4378



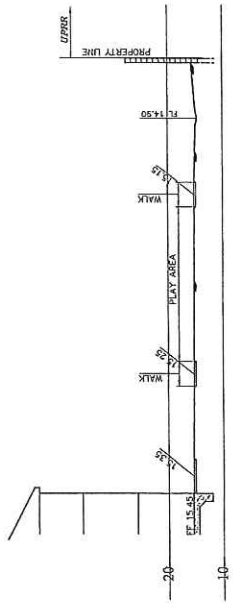
EXHIBIT A.3
TM-3



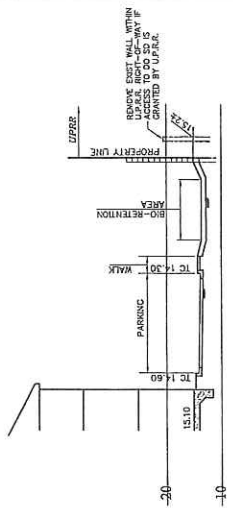
SECTION AA
1"=10'H & 1"=10'V



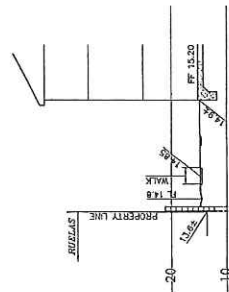
SECTION D-D
1"=10'H & 1"=10'V



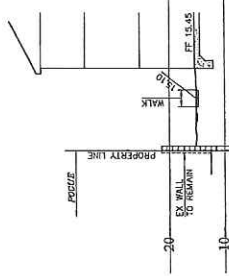
SECTION G-G
1"=10'H & 1"=10'V



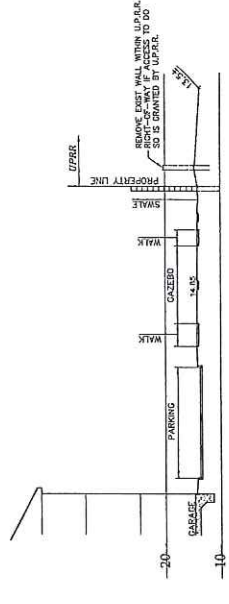
SECTION H-H
1"=10'H & 1"=10'V



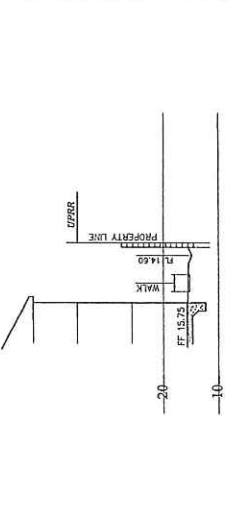
SECTION B-B
1"=10'H & 1"=10'V



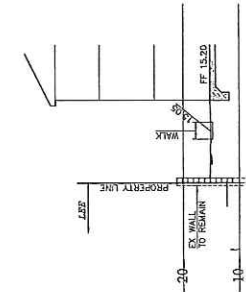
SECTION E-E
1"=10'H & 1"=10'V



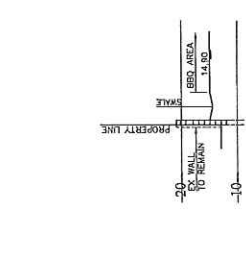
SECTION H-H
1"=10'H & 1"=10'V



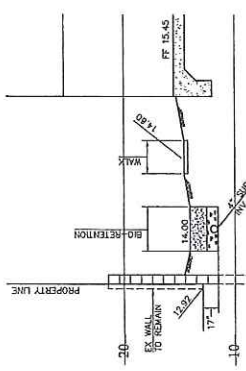
SECTION J-J
1"=10'H & 1"=10'V



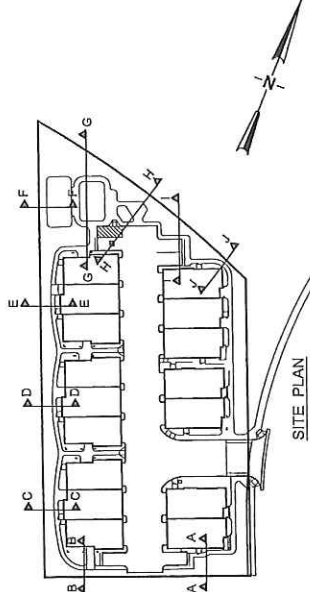
SECTION C-C
1"=10'H & 1"=10'V



SECTION F-F
1"=10'H & 1"=10'V



SECTION @ BIO-RETENTION
(ADJ-DIMMOCK PARCEL)
1"=5'H & 1"=5'V



SITE PLAN
1"=40'

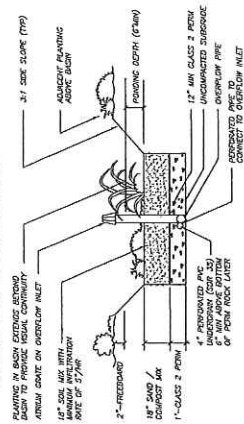
VESTING TENTATIVE TRACT MAP 8387

<p>SECTIONS TRACT NO. 8387</p>		<p>CITY OF NEWARK</p>		<p>FILBERT VILLAS ALAMEDA COUNTY</p>		<p>CALIFORNIA</p>	
<p>DATE</p>		<p>REVISIONS</p>		<p>DATE</p>		<p>DATE</p>	
<p>DESIGNER</p>		<p>ENGINEER</p>		<p>DATE</p>		<p>DATE</p>	
<p>PROJECT NO.</p>		<p>PROJECT NO.</p>		<p>PROJECT NO.</p>		<p>PROJECT NO.</p>	
<p>SCALE</p>		<p>SCALE</p>		<p>SCALE</p>		<p>SCALE</p>	
<p>DATE</p>		<p>DATE</p>		<p>DATE</p>		<p>DATE</p>	
<p>DATE</p>		<p>DATE</p>		<p>DATE</p>		<p>DATE</p>	


DeBolt Civil Engineering
 811 San Ramon
 Colma, CA 94015
 Tel: 925.837.3780
 Fax: 925.837.4378

TM-4
EXHIBIT A04

NOTE: SOIL MAY VARY TO DIFFERENTIATION AT APPROX. 4' OF THE LATEST SOI CROSSBOOK

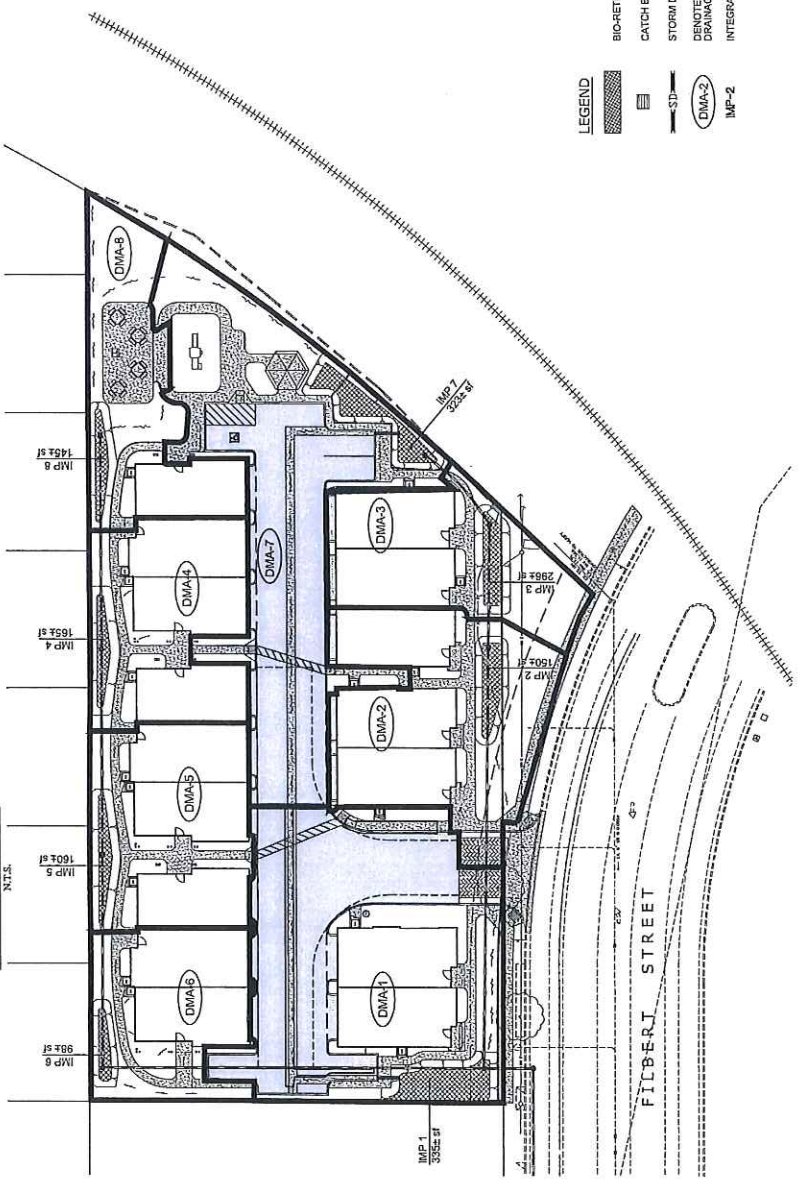


IMP	REQUIRED BIO-RETENTION AREA	ACTUAL BIO-RETENTION AREA
1	335 sq.ft.	335 sq.ft.
2	147 sq.ft.	150 sq.ft.
3	90 sq.ft.	298 sq.ft.
4	123 sq.ft.	153 sq.ft.
5	18 sq.ft.	98 sq.ft.
6	168 sq.ft.	323 sq.ft.
7	260 sq.ft.	80 sq.ft.
8	80 sq.ft.	145 sq.ft.

DMA	ASPHALT / CONCRETE	ROOF	LANDSCAPE
1	6,155 sq.ft.	1,829 sq.ft.	1,410 sq.ft.
2	833 sq.ft.	2,650 sq.ft.	1,715 sq.ft.
3	310 sq.ft.	1,829 sq.ft.	1,160 sq.ft.
4	425 sq.ft.	2,599 sq.ft.	506 sq.ft.
5	488 sq.ft.	2,599 sq.ft.	495 sq.ft.
6	411 sq.ft.	1,741 sq.ft.	740 sq.ft.
7	6,315 sq.ft.	0	1,820 sq.ft.
8	949 sq.ft.	832	1,506 sq.ft.

STORMWATER CONTROL PLAN NOTES

- SOIL USED IN LANDSCAPE BASED TREATMENT MEASURES SHALL MEET THE SOIL SPECIFICATIONS IN THE CITY OF NEWARK'S STORMWATER MANAGEMENT PLAN. ALL CERTIFICATE OF COMPLIANCE AND LAB TESTING RESULTS TO THE CITY OF NEWARK ENGINEERING DIVISION TO VERIFY THAT THE SOIL USED IN LANDSCAPE BASED TREATMENT MEASURES MEETS THE SPECIFICATIONS.
- PRIOR TO BUILDING OCCUPANCY OR ACCEPTANCE OF IMPROVEMENTS, THE PROSPECTIVE HOMEOWNER SHALL SUBMIT A STATEMENT CERTIFYING THAT ALL POST-CONSTRUCTION STORM WATER TREATMENT MEASURES HAVE BEEN INSTALLED PROPERLY.
- THE CITY OF NEWARK MUST INSPECT AND APPROVE ALL STORM WATER TREATMENT MEASURES PRIOR TO GRANTING CERTIFICATE OF OCCUPANCY FOR THE CITY MAINTENANCE.
- THE ENTIRE SITE SHALL BE EQUIPPED WITH FULL TRASH CAPTURE DEVICES APPROVED BY THE REGIONAL WATER QUALITY CONTROL BOARD - SAN FRANCISCO REGIONAL WATER QUALITY CONTROL BOARD. TRASH CAPTURE DEVICES SHALL BE PERMANENTLY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.



LEGEND

- BIO-RETENTION AREA
- CATCH BASIN
- STORM DRAIN LINE
- DENOTES AREA (DMA)
- INTEGRATED MANAGEMENT PRACTICE

VESTING TENTATIVE TRACT MAP 8387

P R E L I M I N A R Y
STORM WATER CONTROL PLAN
TRACT NO. 8387

CITY OF NEWARK
 ALAMEDA COUNTY
 CALIFORNIA

FILBERT VILLAS

DATE: _____
 REVISIONS: _____

PROJECT NO.: _____
 SHEET NO.: _____

DESIGNED BY: _____
 CHECKED BY: _____
 DRAWN BY: _____

DATE: _____
 COMPANY: DeBolt Civil Engineering
 811 San Ramon Valley Boulevard
 Danville, California 94526
 PHONE: (925) 837-4378
 FAX: (925) 837-4378

EXHIBIT A p.7

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