

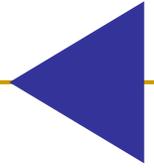


CITY OF NEWARK

Planning Commission

City Administration Building, City Council Chambers

Various Locations, Newark, CA 94560 | (510) 578-4330 | E-mail: planning@newark.org



AGENDA
Regular Meeting
Tuesday, February 9, 2021
7:30 P.M.

**THIS IS A MEETING BY VIRTUAL TELECONFERENCE ONLY.
THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN.
REFER TO THE END OF THE AGENDA TO REVIEW OPTIONS FOR PARTICIPATING IN
THE MEETING REMOTELY OR TO SUBMIT PUBLIC COMMENTS VIA EMAIL.**

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the special Planning Commission meeting of Tuesday, January 12, 2021. (MOTION)**

C. WRITTEN COMMUNICATIONS

D. ORAL COMMUNICATIONS

Members of the public are invited to address the Planning Commission on any item not listed on the agenda. Public Comments are generally limited to 5 minutes per speaker. Please note that State law prohibits the Commission from acting on non-agenda items.

E. PUBLIC HEARINGS

- E.1 Hearing to consider U-21-1, a Minor Use Permit to allow a 4-story 100 bed Residential Care Facility located at 6214 Thornton Avenue (APN: 092-1036-029-02). The property is zoned Residential High Density – from Deputy Community Development Director Interiano. (RESOLUTION)**

F. STAFF REPORTS

G. COMMISSION MATTERS

G.1 Report on City Council actions.

H. ADJOURNMENT

IMPORTANT NOTICE REGARDING PLANNING COMMISSION MEETING

Due to the COVID-19 pandemic, the City of Newark is making several changes related to City Council meetings to protect the public's health and prevent the disease from spreading locally. As a result of the COVID-19 public health emergency, including the Alameda County Health Officer and Governor's directives for everyone to shelter in place, **the City Council Chambers will be closed to the public.** Members of the public should attempt to observe and address the Planning Commission using the below technological processes.

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online.

Chairperson Aguilar, Vice Chairperson Bridges, and Commissioners Becker, Fitts, Otterstetter will be attending this meeting via teleconference. Teleconference locations are not open to the public.

All votes conducted during the teleconferencing session will be conducted by roll call vote.

How to view the meeting remotely:

Live television broadcast - Comcast Channel 26

Livestream online at- <https://www.newark.org/departments/city-manager-s-office/agendas-minutes/live-streaming-meetings>

How to participate in the meeting remotely:

From a PC, Mac, iPad, iPhone or Android device: <https://zoom.us/j/98339451562>

From a telephone dial 1 669 900 9128, Webinar ID 983 3945 1562

Provide live, remote public comments when the Chairperson calls for comments. Use the raise your hand feature in Zoom to be called upon by the Administrative Support Specialist.

Submission of Public Comments:

Public comments received by 4:00 p.m. on the Planning Commission meeting date will be provided to the Planning Commission and considered before Planning Commission action. Comments may be submitted by email to planning@newark.org. Comments may also be submitted via e-mail to planning@newark.org at any time prior to closure of the public comment portion of the item(s) under consideration.

Reading of Public Comments: The Administrative Support Specialist will read aloud email comments received during the meeting that include the subject line "FOR THE RECORD" as well as the item number for comment, provided that the reading shall not exceed five (5) minutes, or such other time as the Council may provide, consistent with the time limit for speakers at a Planning Commission meeting and consistent with all applicable laws.

Commission Meeting Access/Materials:

The agenda packet is available for review at <https://www.newark.org/departments/city-manager-s-office/agendas-minutes>. The packet is typically posted to the City website the Friday before the meeting, but no later than 72 hours before the meeting.

Pursuant to Government Code 54957.5, supplemental materials distributed less than 72 hours before this meeting, to a majority of the Planning Commission, will be made available for public inspection at this meeting and will be posted, if time allows, at <https://www.newark.org/departments/city-manager-s-office/agendas-minutes>. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection. For those persons who require special accommodations, please contact the Administrative Support Specialist at least two days prior to the meeting at planning@newark.org or 510-578-4330.



CITY OF NEWARK

Planning Commission

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37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4330 | E-mail: planning@newark.org

MINUTES

Tuesday, January 12, 2021

A. ROLL CALL

Chairperson Aguilar called the meeting to order, via teleconference, at 7:31pm. Present were Vice Chairperson Bridges, Commissioners Becker, Fitts, Otterstetter (all via teleconference).

B. MINUTES

B.1 Approval of Minutes of the special Planning Commission meeting of Tuesday, December 15, 2020.

MOTION APPROVED

Vice Chairperson Bridges moved, Commissioner Fitts seconded, to approve the Minutes of the special Planning Commission meeting on December 15, 2020. The motion passed 5 AYES.

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

E.1 Hearing to consider permitting four new single-family residences on a 0.38-acre project site. The Planning Commission will consider recommending approval of: (1) P-20-02, establishing a Planned Development Overlay District and a Planned Development Plan; and (2) TTM-20-03, Vesting Tentative Map 8531 to allow a

five-parcel, four-lot residential subdivision for the construction of four single-family residences at 37503 and 37511 Cherry Street (APNs 092-0075-004-02; 092-0075-005-02) – from Associate Planner Mayank Patel.

(RESOLUTIONS – 2)

Associate Planner Patel (AP Patel) introduced the project applicant and project site. After providing the project background and highlighting the land-use context, AP Patel discussed the project proposal in greater detail, including the proposed site plan, floor plans, elevations, and landscape plan. This was followed by an explanation of the required entitlements and AP Patel summarized the findings made in support of the proposed project. AP Patel also noted that the proposed project is categorically exempt from CEQA and that the project did not receive any public comments. AP Patel concluded the presentation with a recommendation that the Commission approve the proposed planned development overlay district and planned development plan in conjunction with the vesting tentative map.

Commissioner Becker asked where the vehicle access is for these units on the site plan and which of the lots are fronting Cherry St. AP Patel stated that all four lots would be accessible through the 25ft wide private easement off Cherry St. AP Patel confirmed that Lot 2, 3, and 4 would not front Cherry St. Only Lot 1 would front Cherry St. Commissioner Becker understands that the proposed two enclosed parking spots in the garage for each lot meets the parking requirement standards but expressed concern about the lack of guest parking. AP Patel confirmed that there is no change to parking on Cherry St and that the one proposed guest parking on the subdivision is more than what is required by the NMC.

Vice Chairperson Bridges commented that it appears there seems to be concessions to the minimum depth, width, and height requirements. AP Patel stated other larger Planned Developments such as Sanctuary, Compass Bay, Bayshores were similarly approved. Community Development Director (CDD) Turner stated that Planned Developments are not encouraged for the reasons Vice Chairperson Bridges indicated in that a great deal of thought was put into establishing the land-use and site development regulations that are in effect today. However, CDD Turner also acknowledged that it is difficult to meet housing needs and there is a shortage of large-scale developable lots. For future PDs, staff will take a hard look at the necessity of granting variances and exceptions in this way and try to create projects that are closer to the underlying zoning requirements.

Commissioner Otterstetter stated she noticed that Cherry St is already inundated with parked cars due to the existing properties. Commissioner Otterstetter asked if an agreement can be worked out with this subdivision and the owner of the parking area in the neighboring property as seen from one of the above aerials in the presentation to allow for overflow parking from this subdivision. Commissioner Becker stated that parking lot is for the City's homeless shelter. Deputy Community Development Director (DCDD) Interiano is unaware of whether that property would be interested in such an agreement, but staff can look into it. DCDD reminded the Commission that the subject property is zoned Residential Medium Density, which allows for multi-family units; however, the property owner has elected to develop the site with single-family units, which would not have the type of parking demand as a multi-family project.

Commissioner Otterstetter asked if the lot has always been vacant or if it's been a site for any type of manufacturing. Commissioner Becker stated he does not believe there's ever been anything on that lot besides illegal dumping.

Commissioner Otterstetter commented that she liked that there is no left-turn from this subdivision onto Cherry St going towards Thornton Ave. She asked if there is enough room in the private easement for a fire truck to drive down and turn around. AP Patel stated the Fire Department has reviewed and approved the plans with the condition that the curb of the private easement across from the three homes be painted for a fire lane and remain clear. AP Patel would confirm whether the Fire Department would serve these homes from the street or if a fire engine would respond an emergency by utilizing the private street. Based on the project plans, the Fire Department might be able to serve the homes while keeping the fire engine on Cherry St.

Commissioner Otterstetter stated that the entrance for Lot 1 faces Cherry St and asked if there is any concern for light bleeding onto Cherry St. AP Patel stated that based on the project materials, any lighting will be low emitting and sheltered so that light is directed towards the ground. Commissioner Otterstetter is concerned that the porch light from Lot 1 would be blinding to traffic turning left on Cherry St from Market Ave.

Commissioner Otterstetter asked where the garbage cans for the homes will be stored and also set out for service. AP Patel stated that is one of the items under the condition of approval for the applicant to work with Republic Services to identify a location.

Commissioner Otterstetter noticed the build hours are from 7 a.m. to 7 p.m. and asked if that can be changed to be 8 a.m. to 7 p.m. AP Patel stated it is currently consistent with our building code but if the Commission wants to propose that change and the applicant is accepting of that condition, staff can make that modification. Commissioner Otterstetter requested to propose that change.

Chairperson Aguilar commented that other subdivisions have guest parking requirements and asked why this particular subdivision does not. DCDD Interiano stated that single family subdivisions do not require guest parking. Staff has encouraged it but does not have any studies that support requiring additional guest parking for single-family subdivisions. There were changes to the City's code regarding parking standards for multi-family properties but not for single-family homes.

Chairperson Aguilar asked if there is anything in the conditions of approval that specifies that the HOA must put signage to designate the additional space between Lots 1 and 2 as a dedicated turn around area instead of guest parking. AP Patel confirmed that there is a requirement that the space be a dedicated turn around area and the site plan notes this requirement. The signage specifics would be handled by the engineering division. DCDD Interiano added that signage can be added as a condition of approval.

Vice Chairperson Bridges commented that most residents use their garages for storage rather than parking and asked if a requirement can be made that the garages for these homes be used only for cars and not for storage. AP Patel stated that with changes to ADU regulations that allow for garage conversions, he suspects that State law would trump the garage parking condition. DCDD Interiano commented that staff would be able to add the parking condition but if someone does apply for a garage conversion, then the condition would be void. CDD Turner agreed with AP Patel and DCDD Interiano.

Chairperson Aguilar asked if the applicant, John Barton, agrees to the conditions for this project. Mr. Barton responded that he agrees.

Chairperson Aguilar asked when construction would begin and the duration. Mr. Barton would hope to start construction in the summertime and estimates it would take 6-9 months.

Commissioner Fitts asked if there are examples of existing projects that are similar to this proposed project that they can view in person since this appears to be a unique project. Mr.

Barton stated there is a similar project down in Hollister and that location is denser and the lots are narrower.

In response to Vice Chairperson's questions regarding deviations from the height, width, and depth requirements, Mr. Barton explained that the parcel is so small and difficult to work with that after adding the private easement, there isn't enough room to meet the requirements. The rear yard lot depth minimum shows one section is 9ft but another sections show 15ft and this was done to get as much rear yard use as possible.

In response to Commissioner Otterstetter's question regarding garbage can storage, Mr. Barton stated the mechanical room can be split to house the garbage cans and doors would be added to allow access to roll the carts outside for service.

In response to Commissioner Otterstetter's concern regarding Lot 1's patio light effects on drivers on Market St, Mr. Barton stated that the project can be conditioned to provide dark-sky compliant light fixtures.

Mr. Barton agrees to the proposed 8 a.m. construction start time.

Commissioner Fitts commented that he is in favor of this project as it would improve the aesthetics of the area and that he likes that the homes are smaller than the larger homes that have been built recently.

Commissioner Otterstetter moved, Vice Chairperson Bridges seconded, to approve with the additional conditions of installing dark-sky compliant light fixtures, an 8 a.m. construction start time, and limiting the primary use of garages to parking of vehicles, not storage. The motion passed 5 AYES.

F. STAFF REPORTS

None.

G. COMMISSION MATTERS

G.1 Report on City Council actions.

CDD Turner stated Council is having their first council meeting this upcoming Thursday where Economic Development Manager Anne Stedler will provide council with an update regarding economic development in Newark with a focus on biotechnology industry. There will be two speakers from two biotechnology companies and their experience in working in Newark.

Commissioner Fitts asked if there are upcoming projects that the Commission should be aware of. DCDD Interiano stated there will most likely be a meeting on February 9 to address the Minor Use Permit for the assisted living facility. During that meeting, staff can provide a timeline of future projects.

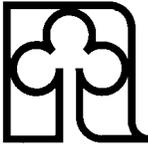
CDD Turner stated staff will be seeking the Commission's availability for a joint meeting with City Council on Thursday, February 25 at 5pm to discuss Bayside Newark TOD area and updates and changes on approved projects with focus on the Integral FMC Willow project and train station.

H. ADJOURNMENT

Chairperson Aguilar adjourned the regular Planning Commission meeting at 8:47 p.m.

Respectfully submitted,

STEVEN TURNER
Secretary



E. 1 Hearing to consider U-21-1, a Minor Use Permit to allow a 4-story 100 bed Residential Care Facility located at 6214 Thornton Avenue (APN: 092-1036-029-02). The property is zoned Residential High Density – from Deputy Community Development Director Interiano. (RESOLUTION)

Background/Discussion – The City has received an application for a Minor Use Permit (MUP) to allow a Residential Care Facility located at 6214 Thornton Avenue (the “Project”). The property is zoned Residential High Density (RH). Per the zoning code, an assisted living facility is defined under the category of a Residential Care Facility, which may be allowed, with the approval of a MUP. In addition, an MUP permit is requested for a building over 35 feet in height and a 20% reduction in parking. Design Review is also required for the construction of the new 4-story building.

The proposed Residential Care Facility will contain 100 memory care beds for senior residential living. The facility will provide residents with a lounge area, centralized dining and kitchen area, single and double suites with bathrooms, common area balconies and outdoor recreation space. A Residential Care Facility is a residential facility that is for seniors who need minor assistance to maintain their quality of life. The facility will be staffed on a 24hr basis and will employ 10-12 staff members. Residential care facilities are licensed by the State, through the Department of Social Services.

The project is proposed to be constructed at 6214 Thornton Avenue; a property zoned Residential High Density with a General Plan designation of Residential High Density. The property currently has a one-story 4,074 square foot commercial building which will be demolished. In regards the surrounding built environment, the property is bound by a commercial building to the north, Civic Center to the east, commercial building to the south and a residential home to the west (across Thornton Ave). These properties have the same Residential High Density zoning and General Plan land use designation.

The proposed project would consist of one 4-story building of 52,255 square feet. The tallest part of the building will be 65 feet. The project is required to provide 34 parking spaces but is eligible for a 20 % parking reduction, per Section 17.23.050.A, which allows the reduction through approval of a MUP permit if the project is within a ¼ mile of a transit stop. There nearest transit stop is approximately 300 feet from the property and 5 transit stops within a ¼ mile (Attachment 3). As a result, the project will provide 28 parking spaces. In terms of traffic, the project results in minimal impact, adding 83 trips per day (Trip Generation report by Hexagon, November 3, 2020)(Attachment 4).

The building will be of modern design elements with high quality materials and clean forms which create an attractive building within the site. The design of the project is cohesive in its detailing and design throughout the site and buildings. The elements complement each other and create a

strong visual landscape within the site. The project will be complementary to this area.

In terms of the site plan (Attachment 1), the building will be situated near the street with a 15 ft. front setback, with the remaining part of the building located in close proximity to the southern property line. This area is currently in transition due to the redevelopment of the Civic Center. In addition, more densely compact projects are anticipated along this side of Thornton Avenue due to the limited width and extended depth of the lots. The driveway and parking area will be placed along the length of the northern property line, allowing Fire Department access along the entire length of the building. The project provides a code-compliant landscape plan and provides a landscape buffer along the rear and sides of the property with a curvilinear landscape design in the front for visual interest. Among other landscape features, the project will provide 35 trees including three Brisbane Box trees along Thornton Ave. There will also be exterior amenities located on the southern side of the building which will consist of an outdoor lobby and dining patio area.

Community Meeting

Minor Use Permits may be approved by the Community Development Director, but may be referred to the Planning Commission if the Director believes a project may generate substantial public controversy or involve significant land use policy decisions. Although staff is not aware of any public controversy with the proposed project, the MUP is referred to the Planning Commission due to the proposed height of the building in addition to the other project aspects that require a MUP. City staff recommended that the project applicant hold a community meeting, which occurred on July 22, 2020. The applicant provided an overview of the project through a virtual meeting, which had 6 attendees. After the presentation by the applicant, there were a few questions regarding the operations and start of construction. There were no comments in opposition during the meeting and staff has not received any objections as of this date.

Staff Recommendation

In instances where a Minor Use Permit is referred to the Planning Commission, the application shall be processed as a Conditional Use Permit. The proposed project requires an MUP for three zoning standards: 1) the use, 2) the height, and 3) the parking. Based on the project details and analysis provided above staff believes the proposed project complies with the Use Permit findings and conforms with the Design Review Criteria.

Required Use Findings (NMC 17.35.060):

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Ordinance and all other titles of the Municipal Code;
Response: The proposed use is allowed through the issuance of a MUP in order to be consistent with the existing zoning. The application for an residential care facility has been evaluated and found to be consistent with the type of uses found in the Residential High Density zoning district and be compatible with the surrounding commercial and residential uses in the nearby area. This finding can be made in the affirmative.

- B. The proposed use is consistent with the General Plan and any applicable specific plan;
Response: The proposed use is consistent with the GP Policy 3.5 Health Care Sector. Provide additional space for health care services and medical offices to meet the needs of Newark residents. The project is also in line with GP Policy 4.2 New Medical Facilities. Support the development of new medical facilities in Newark, including senior care

facilities, health care and dental facilities, and emergency medical and outpatient care facilities. This finding can be made in the affirmative.

- C. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;
Response: The proposed residential care facility would not have an adverse effect to public health, safety, or general welfare of the community or surrounding properties. The property is mainly surrounded by commercial and office uses with the exception of residential uses across Thornton Avenue, a four-lane arterial road. Therefore, this finding can be made in the affirmative.
- D. Tax revenue generated by the development will exceed the City's cost of the service demand as a result of the development or a compelling community benefit will be provided;
Response: The proposed use will replace an existing single story commercial building with a 4-story 100 bed Residential Care Facility, which will likely be assessed with a higher property tax base the property. The project is considered a Residential Care Facility use and is not anticipated to generate any other form of taxes. This finding can be made in the affirmative.
- E. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this Ordinance;
Response: The project adheres to development standards within the RH district. Although there are no design guidelines within the RH district for a residential care facility, the building's contemporary design is compatible with the adjacent new Civic Center buildings. The use could support a parking reduction due to the close proximity to a transit stop. Lastly, the zoning district allows buildings up to 100 feet. The proposed building is 66 feet tall and does not appear to have a negative effect on the adjacent properties nor the surrounding area. This finding can be made in the affirmative.
- F. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity;
Response: The area surrounding the project site is in transition due to the new Civic Center buildings and more dense residential development across the street from the project. The contemporary design of the 4-story residential care facility building is compatible the area. The facility will provide assisted residential housing for seniors with disabilities and the operating characteristics of such a use is not expected to have a negative effect on the surrounding area. This finding can be made in the affirmative.
- G. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.
Response: The proposed facility is physically suitable for the type, density, and intensity of use being proposed, in that it complies with all zoning standards with the exception of the parking reduction allowed due to the close proximity of a transit stop. This finding can be made in the affirmative.

Design Review Criteria (NMC 17.34.060):

- A. The overall design of the project including its scale, massing, site plan, exterior design, and landscaping will enhance the appearance and features of the project site and surrounding natural and built environment.

Response: The proposed building will be complementary to the area. The modern design elements with high quality materials and clean forms create an attractive building within the site. The landscape draws people to the site and compliments the architecture.

- B. The project design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community

Response: The design of the building includes the expression of the residential units within the form. This translates directly to the massing and will be recognized as a residential facility to its occupants, visitors, and the community.

- C. Project details, materials, signage and landscaping, are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.

Response: The design of the project is cohesive in its detailing and design throughout the site and buildings. The elements complement each other and create a strong visual landscape within the site.

- D. The design of streetscapes, including street trees, lighting, and pedestrian furniture, is consistent with the intended character of the area.

Response: The streetscape complements the building and responds to the intended character of the area.

- E. Parking areas are designed and developed to buffer surrounding land uses; compliment pedestrian-oriented development; enhance the environmental quality of the site, including minimizing stormwater run-off and the heat-island effect; and achieve a safe, efficient, and harmonious development.

Response: The project includes 28 parking spaces. The operations and use will generate minimal traffic and the small parking areas are well landscaped.

- F. Lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, and avoid creating glare.

Response: The lighting for the project is of appropriate scale to the architecture and complements the design. The lighting levels provided meet all requirements.

- G. Landscaping is designed to be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape.

Response: The landscaping within the site complements the architecture and enhances the experience on the site. The plant palette responds to the local areas includes low water usage species.

CEQA- This project is exempt from CEQA per 15332, Infill Development, whereas as the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value, as habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services.

Action – It is recommended that the Planning Commission approve the Minor Use Permit (U-21-1) as requested by the project applicant, based upon the findings in the draft resolution in Attachment 2, subject to conditions of approval.

Attachment

1. Site Plan (Dated October 30, 2020)
2. Draft Resolution & Conditions of Approval
3. Transit Stop Map
4. Hexagon Trip Generation Analysis (November 3, 2020)



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PROJECT DATA

ZONING:	HIGH-DENSITY RESIDENTIAL
SITE AREA:	40,716 S.F. / .935 ACRES
NUMBER OF STORIES:	4
BUILDING HEIGHT:	65'-6" (TOP OF PARAPET)
BUILDING AREA:	
FIRST LEVEL FLOOR AREA:	12,990 S.F.
SECOND LEVEL FLOOR AREA:	13,050 S.F.
THIRD LEVEL FLOOR AREA:	13,160 S.F.
FOURTH LEVEL FLOOR AREA:	13,055 S.F.
TOTAL BUILDING AREA:	52,255 S.F.
FLOOR AREA RATIO (FAR)	1.28
LOT COVERAGE	13,925 S.F. / 40,716 S.F. = 34.2%
LANDSCAPE OPEN AREA (17.16.210)	10,272 S.F. / 40,716 S.F. = 25.2%
PATIENT BEDS	
FIRST LEVEL:	14 BEDS
SECOND LEVEL:	32 BEDS
THIRD LEVEL:	32 BEDS
THIRD LEVEL:	22 BEDS
TOTAL PATIENT BEDS:	100 BEDS

PARKING ANALYSIS

TOTAL PARKING REQUIRED PER CITY OF NEWARK CITY CODE 17.23

PARKING REQUIRED (17.23.040.A)
1 SPACE / 3 BEDS 100 BEDS = 34 SPACES

PARKING REDUCTION (17.23.050.A)
20% REDUCTION WITHIN 1/4 MILE OF TRANSIT STOP 34 SPACES * 2 = 28 SPACES

PARKING PROVIDED

STANDARD PARKING PROVIDED	13 SPACES
COMPACT PARKING PROVIDED	8 SPACES
PARALLEL PARKING PROVIDED	5 SPACES
STANDARD ACCESSIBLE PARKING PROVIDED	1 SPACE
VAN ACCESSIBLE PARKING PROVIDED	1 SPACE
TOTAL PARKING PROVIDED	28 SPACES

*FOUR STREET PARKING SPACES ARE IMMEDIATELY ADJACENT TO PROPERTY

CLEAN AIR/VAN/POOL-LEVEL DESIGNATED SPACES PROVIDED (CBC 5.106.5.2)
8% OF 28 SPACES = 2.24 SPACES 3 SPACES

AUTOMOBILE PARKING STALL DIMENSIONS

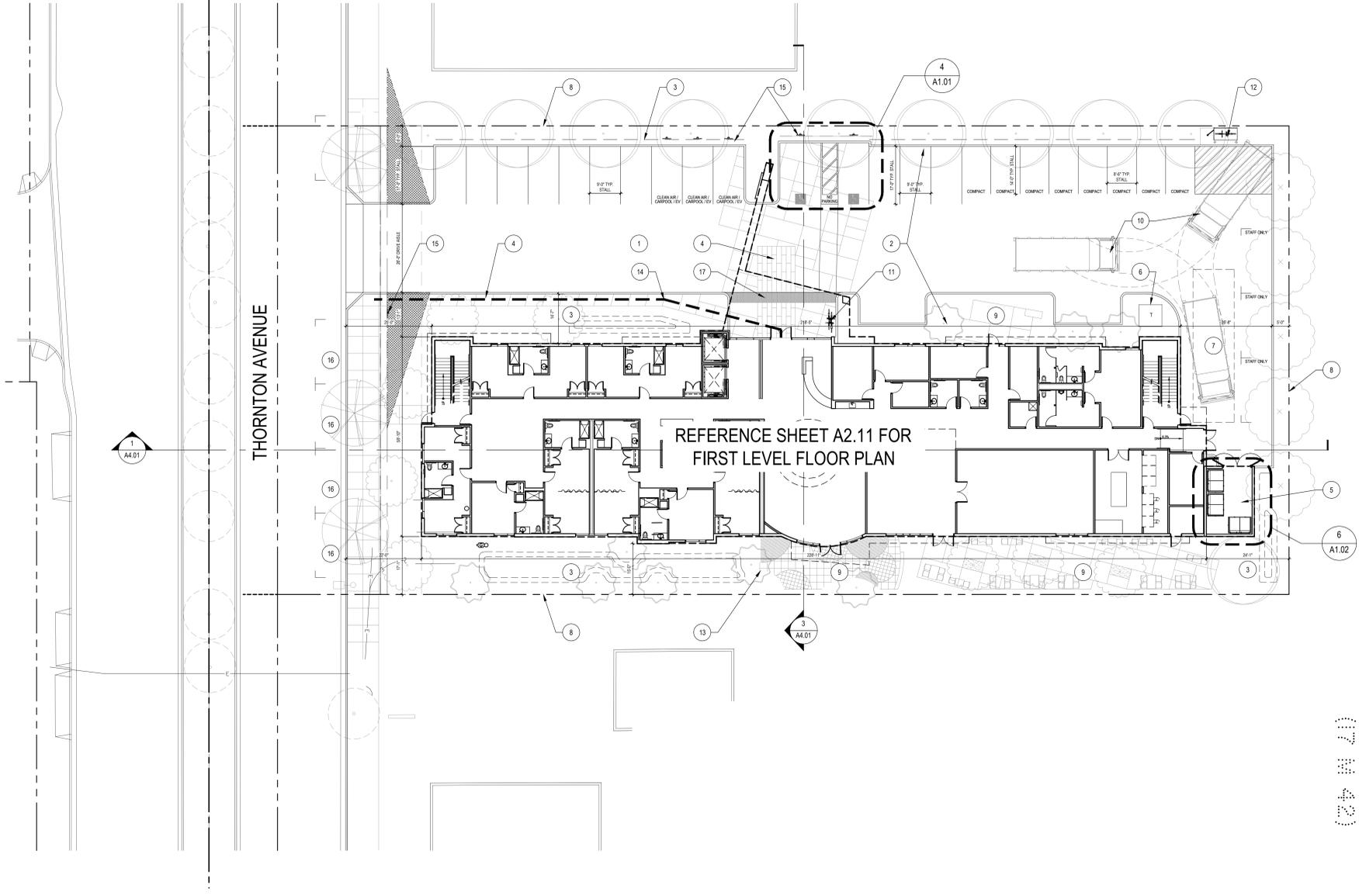
STALL TYPE	WIDTH	DEPTH	COMPLIANT
STANDARD	9'-0"	19'-0"	YES
COMPACT	8'-0"	16'-0"	YES
PARALLEL	9'-0"	19'-0"	YES

REQUIRED NUMBER OF ACCESSIBLE PARKING STALLS (CBC TABLE 11B-208.2)

TOTAL PARKING SPACES	MINIMUM REQUIRED	COMPLIANT
26-50	2	YES

KEY NOTES

1. PARKED PARKING AND DRIVES
2. 6" HIGH CONCRETE CURBS
3. LANDSCAPE AREA, REFER TO LANDSCAPE DRAWINGS
4. WALKWAY AND HARDSCAPE, REFER TO LANDSCAPE AND CIVIL DRAWINGS
5. TRASH ENCLOSURE
6. CONCRETE TRANSFORMER PAD
7. TRUCK LOADING ZONE; MINIMUM 12'-0" WIDE X 45'-0" LONG
8. PROPERTY LINE
9. ENCLOSED PATIO
10. REFUSE / RECYCLING TRUCK PATH OF TRAVEL
11. SHORT-TERM BICYCLE RACK - 2 BICYCLES
12. LONG-TERM BICYCLE LOCKER - 1 BICYCLE
13. FENCE SEE LANDSCAPE PLANS
14. PATH OF ACCESSIBLE TRAVEL
15. SITE SIGN - SEE 12/A- AND 20/A- FOR MORE INFORMATION
16. PUBLIC STREET PARKING
17. CURB RAMP - SEE 8/A- FOR MORE INFORMATION



SITE PLAN

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



ACCESSIBLE PARKING IDENTIFICATION SIGNAGE

1. REFLECTORIZED SIGN SHALL BE CONSTRUCTED OF PORCELAIN STEEL WITH BEADED TEXT OR EQUAL.
2. LETTERS AND SYMBOLS TO BE WHITE ON A DARK BLUE BACKGROUND.
3. SIGN TO BE CENTERED AT THE INTERIOR END OF PARKING SPACE.
4. CORNERS OF SIGN TO BE RADIIUSED 1/2" MINIMUM.

BOTTOM OF SIGNAGE: WHEN SIGN IS LOCATED IN A PATH OF TRAVEL, BOTTOM OF SIGN SHALL BE A MINIMUM OF 6'-8" ABOVE THE WALKING SURFACE.

WHEN LOCATED IN A LANDSCAPE AREA OR ON A WALL AT THE END OF THE SPACE, THE BOTTOM OF SIGN SHALL BE AT 5'-0" ABOVE ADJACENT GRADE.



UNAUTHORIZED VEHICLE WARNING SIGNAGE

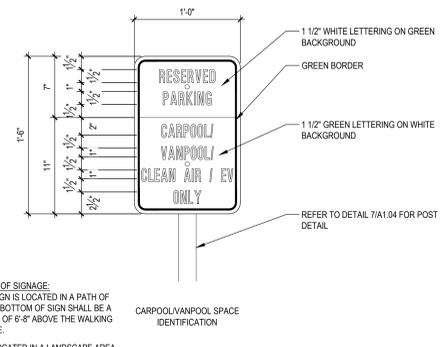
UNAUTHORIZED VEHICLES PARKED IN DESIGNATED ACCESSIBLE SPACES NOT DISPLAYING DISTINGUISHING PLACARDS OR SPECIAL LICENSE PLATES ISSUED FOR PERSONS WITH DISABILITIES WILL BE TOWED AWAY AT OWNERS EXPENSE.

TOWED VEHICLES MAY BE RECLAIMED AT INSERT ADDRESS OR BY TELEPHONING INSERT TELEPHONE NUMBER.

WHEN LOCATED IN A LANDSCAPE AREA OR ON A WALL AT THE END OF THE SPACE, THE BOTTOM OF SIGN SHALL BE AT 5'-0" ABOVE ADJACENT GRADE.

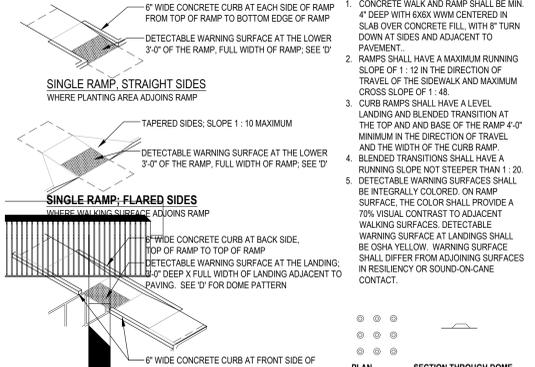
UNAUTHORIZED VEHICLE WARNING SIGNAGE

- 1A. MUST BE POSTED CONSPICUOUSLY AT EACH ENTRANCE TO OFF-STREET PARKING FACILITIES, OR
- 1B. POSTED IMMEDIATELY ADJACENT TO AND VISIBLE FROM EACH ACCESSIBLE STALL OR SPACE.
2. THE PHONE NUMBER OR ADDRESS WHERE TOWED VEHICLES CAN BE RECLAIMED IS POSTED IN THE APPROPRIATE LOCATION ON THE SIGN AND IS A PERMANENT PART OF THE SIGN.
3. THE SIZE OF THE LETTERING IS A MINIMUM OF 1" IN HEIGHT.



CARPOOL / VANPOOL CLEAN AIR / EV SIGNAGE

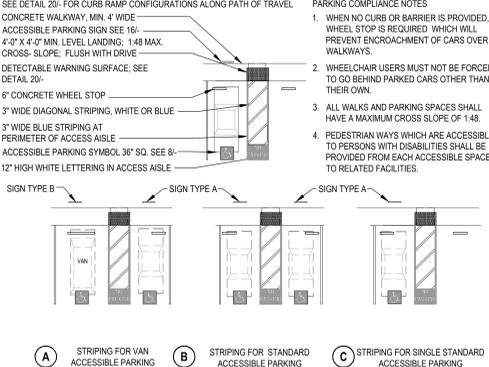
SCALE: 1 1/2" = 1'-0"



CURB RAMP CONFIGURATION

1. CONCRETE WALK AND RAMP SHALL BE MIN. 4" DEEP WITH SIX (6) WMM CENTERED IN SLAB OVER CONCRETE FILL, WITH 8" TURN DOWN AT SIDES AND ADJACENT TO PAVEMENT.
2. RAMP SHALL HAVE A MAXIMUM RUNNING SLOPE OF 1:12 IN THE DIRECTION OF TRAVEL OF THE SIDEWALK AND MAXIMUM CROSS-SLOPE OF 1:48.
3. CURB RAMP SHALL HAVE A LEVEL LANDING AND BLENDED TRANSITION AT THE TOP AND AND BASE OF THE RAMP 4'-0" MINIMUM IN THE DIRECTION OF TRAVEL AND THE WIDTH OF THE CURB RAMP.
4. BLENDED TRANSITIONS SHALL HAVE A RUNNING SLOPE NOT STEEPER THAN 1:20.
5. DETECTABLE WARNING SURFACES SHALL BE INTEGRALLY COLORED. ON RAMP SURFACE, THE COLOR SHALL PROVIDE A 70% VISUAL CONTRAST TO ADJACENT WALKING SURFACES. DETECTABLE WARNING SURFACES AT LANDINGS SHALL BE OSHA YELLOW. WARNING SURFACE SHALL DIFFER FROM ADJOINING SURFACES IN RESILIENCY OR SOUND-ON-GAME CONTACT.

SECTION THROUGH DOME
DETECTABLE WARNING SURFACE
TRUNCATED DOME PATTERN SHALL BE SQUARE IN THE DIRECTION OF TRAVEL.



ACCESSIBLE PARKING SPACES

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

VAN PARKING SPACES SHALL BE PERMITTED TO BE 108 INCHES (9'-0") WIDE MINIMUM WHERE THE ACCESS AISLE IS 9'-0" (8'-0") WIDE MINIMUM ACCESS AISLE FOR VAN ACCESSIBLE PARKING SHALL BE ON PASSENGER SIDE.

20 ACCESSIBLE PARKING SIGNAGE & UNAUTHORIZED VEHICLE SIGNAGE

SCALE: 1 1/2" = 1'-0"

12 CARPOOL / VANPOOL CLEAN AIR / EV SIGNAGE

SCALE: 1 1/2" = 1'-0"

8 CURB RAMP CONFIGURATION

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

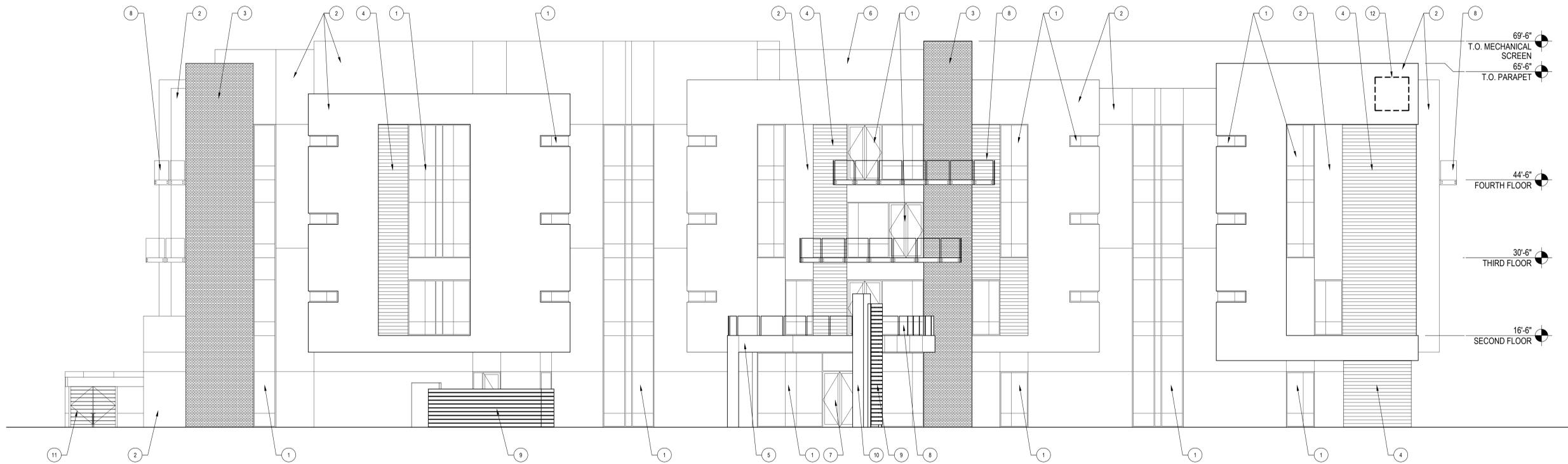
4 ACCESSIBLE PARKING SPACES

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

A Minor Use Permit Application for
6214 THORNTON
6214 Thornton Avenue
Newark, California 94560

DATE	DESCRIPTION
09.29.2017	PRELIMINARY PLAN SUBMITTAL
09.14.2018	PLANNING SUBMITTAL
09.30.2019	PLANNING RESUBMITTAL
07.28.2020	PLANNING RESUBMITTAL
10.29.2020	PLANNING RESUBMITTAL

A1.01
PROJECT NO. 154125



NORTH ELEVATION

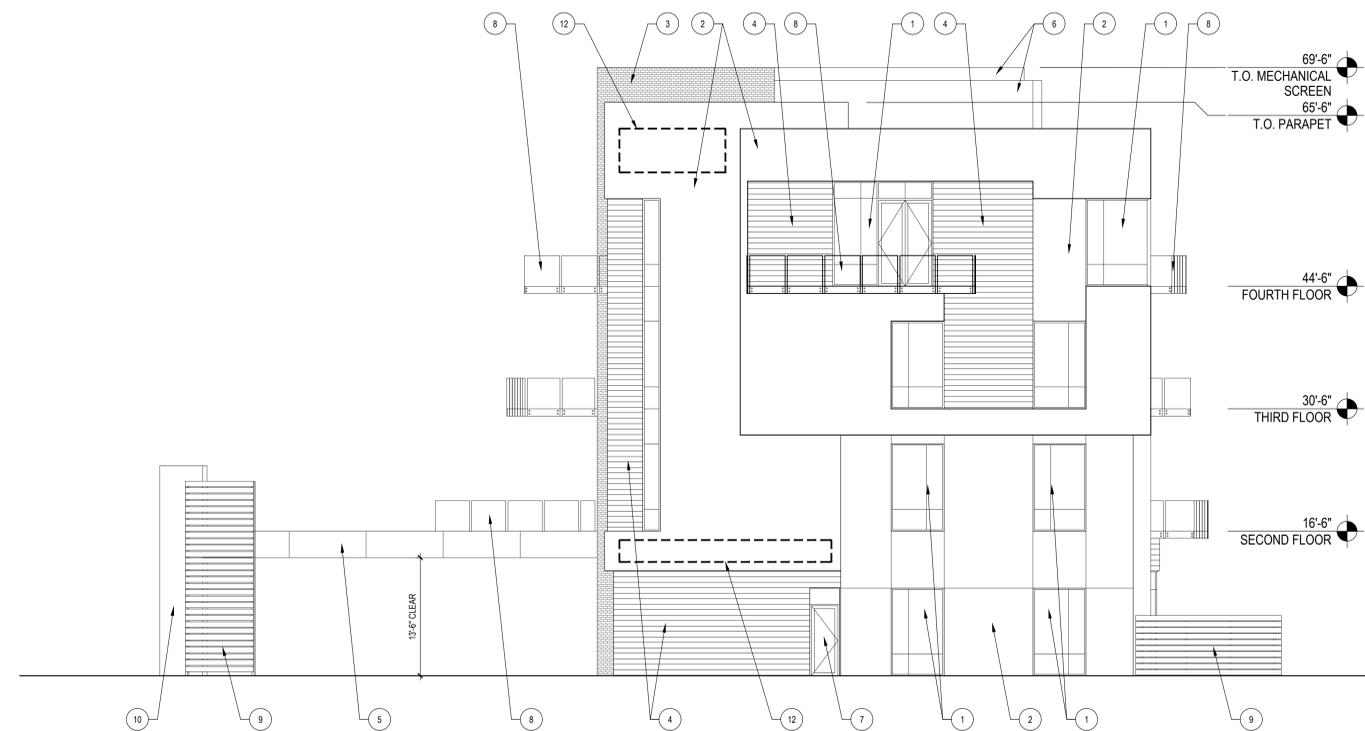
SCALE: 1/8" = 1' 0"

2

KEY NOTES

NOT ALL KEYNOTES MAY APPLY

- 1 1" INSULATED LOW E GLAZING SYSTEM WITH LOW TINT GLASS IN ALUMINUM FRAMES
- 2 STUCCO FINISH AND EXTERIOR SHEATHING OVER METAL FRAMING
- 3 BRICK VENEER AND EXTERIOR SHEATHING OVER METAL FRAMING
- 4 HYBRID WOOD SIDING AND EXTERIOR SHEATHING OVER METAL FRAMING
- 5 ALUMINUM COMPOSITE PANEL OVER METAL FRAMING
- 6 STUCCO FINISH MECHANICAL SCREEN
- 7 ENTRY DOOR
- 8 TEMPERED GLASS GUARDRAIL
- 9 HYBRID WOOD SLATS OVER METAL FRAME
- 10 CONCRETE COLUMN
- 11 HYBRID WOOD SLAT GATE
- 12 FUTURE SIGNAGE LOCATIONS



WEST ELEVATION

SCALE: 1/8" = 1' 0"

8



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EXTERIOR ELEVATIONS

A3.01

PROJECT NO. 154125



NORTH ELEVATION

SCALE: 1/8" = 1' 0"

2



WEST ELEVATION

SCALE: 1/8" = 1' 0"

8

FINISH LEGEND

- G1 1" INSULATED LOW E GLAZING SYSTEM WITH LOW TINT GLASS IN ALUMINUM FRAMES
MANUFACTURER: VIRAICON
COLOR: LOW TINT
- M1 ALUMINUM COMPOSITE METAL PANEL
MANUFACTURER: REYNOBOND
SERIES: COLORWELD 500
FINISH: ANODIC CLEAR
- B1 BRICK VENEER
MANUFACTURER: BELDEN BRICK
SERIES: BEACON VELOUR
- P1 PAINT
MANUFACTURER: DUNN EDWARDS
COLOR: DEW388 MILK GLASS
- P2 PAINT
MANUFACTURER: DUNN EDWARDS
COLOR: DE6366 SILVER SPOON
- P3 PAINT
MANUFACTURER: DUNN EDWARDS
COLOR: DE6384 IRON FIXTURE
- W1 HYBRID WOOD
MANUFACTURER: GEOLAM OR SIMILAR
COLOR: TEAK OR SIMILAR

NOTE: GLAZING SPECIFIED INDICATES GENERAL TONE AND COLOR. FINAL PERCEIVED COLOR AND CLARITY WILL VARY DEPENDING ON 1" INSULATED GLAZING SPECIFICATION TO BE DETERMINED AT TIME OF CONSTRUCTION DOCUMENTATION.



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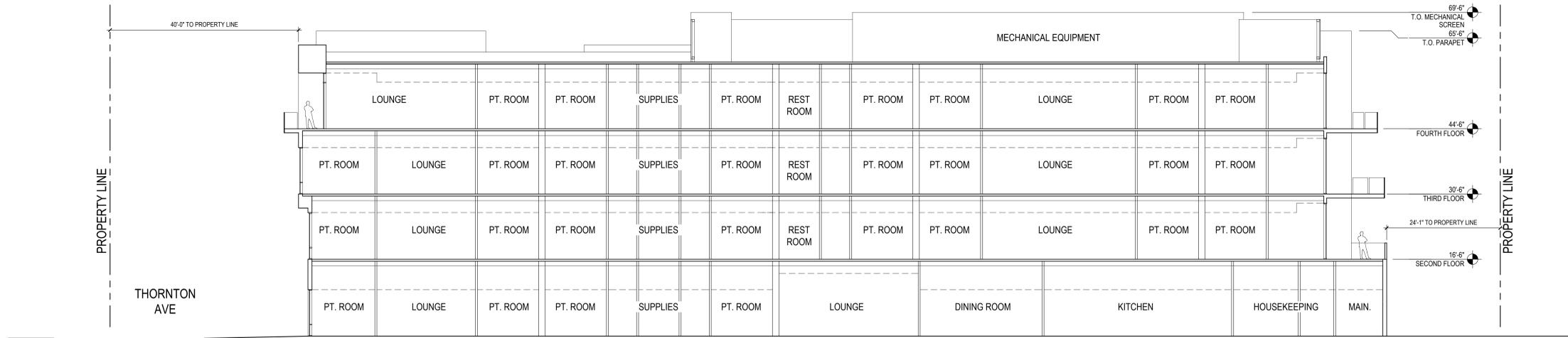
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RENDERED EXTERIOR
ELEVATIONS

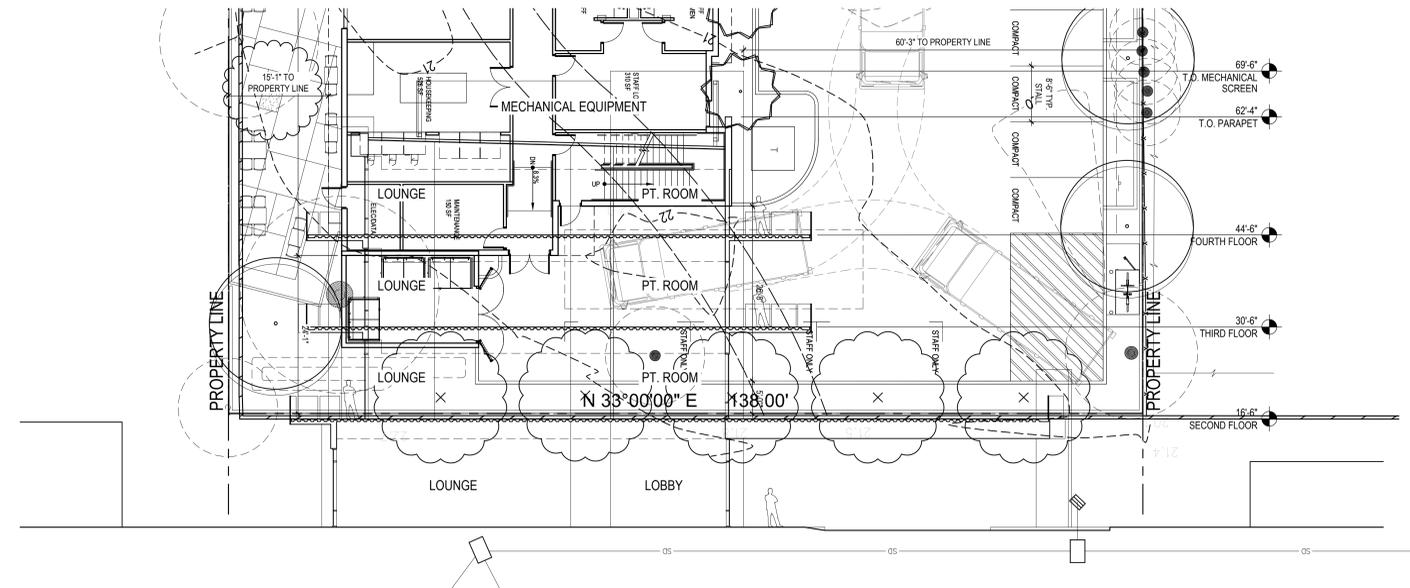
A3.11

PROJECT NO. 154125



LONGITUDINAL BUILDING SECTION 1

SCALE: 1/8" = 1' 0"



TRANVERSE BUILDING SECTION 3

SCALE: 1/8" = 1' 0"



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BUILDING SECTIONS

A4.01

PROJECT NO. 154125



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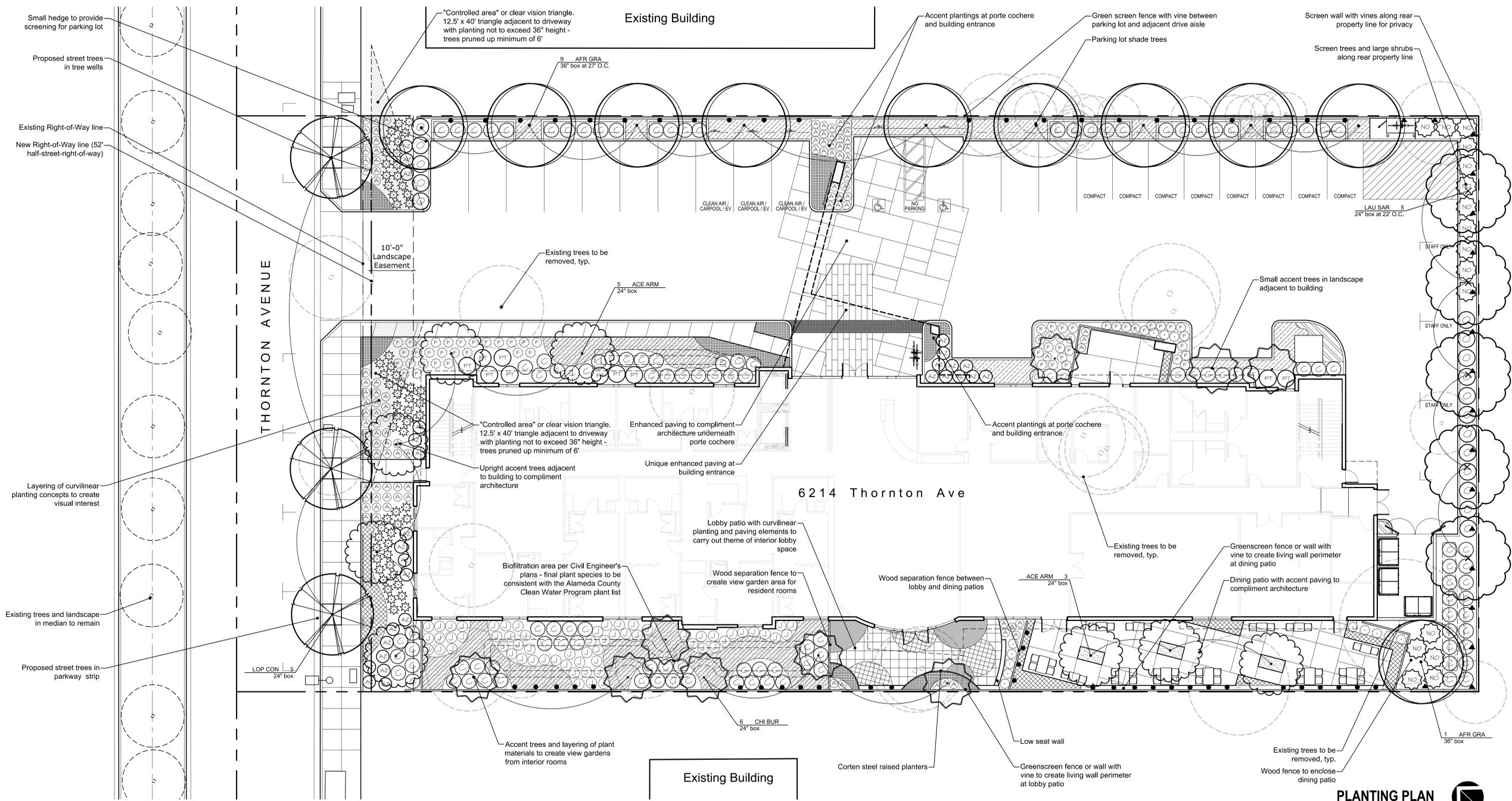
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(209)532-2856

A Conditional Use Permit Application for
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PLANTING PLAN

SCALE: 1" = 10'-0"

City of Newark Landscape Notes

- This plan represents the design style and theme of the landscape design and planting. These plans are preliminary and may change through the design process. The final planting plan may not contain all of the plants in the sizes as shown. Additionally some new plant species may be used in the final design. This plan does however indicate the quantity of trees and the overall level of landscape development and quality that will be carried through with the final design.
- The Landscape and Irrigation design shall comply with Chapter 17.21 of the updated City of Newark Zoning Ordinance.
- The final landscape design shall meet City of Newark codes and requirements, Newark Zoning Ordinance 17.21.050 for General Landscape Requirements, as well as Project Specific Conditions of Approval. Final design is subject to approval through the building permit review process.
- Landscape and parking lot areas have been designed to be in accordance with City of Newark ordinance 17.23.090. Final documentation showing accordance shall be provided as part of the building permit submittal set.
- The maximum number of one-gallon shrubs shall not exceed 60 percent of the total number of shrubs and groundcover plants required. The remaining shrubs shall not be less than five-gallon in size.
- Trees which may have a high to moderate potential for root damage shall be placed in locations to allow ample room for root growth and/or provide root protection methods.
- The landscape design has been prepared in accordance with the provision of the City of Newark's Municipal Code 15.44.080 requiring implementation of Bay-Friendly Landscape practices (BFL).
- Final plant selections shall comply with Table B-1, Plant List for Stormwater Measures, found in Appendix B of the C3 Technical Guidance Manual for the Alameda Countywide Clean Water Program.
- All landscape soils shall be amended with compost at rates indicated by a soil analysis.
- Landscape construction and demolition waste shall be reduced and recycled by diverting a minimum of 50% of waste by volume or weight.
- No plant species will require repeated shearing to maintain size. Plants are selected and spaced to grow to natural size and shape without shearing at any point in the lifespan of the plant, excluding structural and regular maintenance pruning.
- No proposed plants are on the invasive species list and no turf is proposed on the project.
- Plant material has been grouped together in hydrozones of similar water use requirements. Irrigation shall be designed to complement the hydrozones.

LANDSCAPE AREAS

Total Landscape Area/Open Space	11,030 sf
Turf	0 sf 0%
Shrubs and Groundcover	5,608 sf 50.8%
Biofiltration	1,972 sf 17.9%
Decomposed Granite	54 sf 0.5%
Pedestrian Open Space	3,396 sf 30.8%
Total Site	40,712 sf 0.935 Acres
Percent of Site in Landscape/Open Space	27.1%

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	CONT	Type	QTY	Water Use
ACE ARM	Acer rubrum 'Armstrong'	Armstrong Red Maple	24" box	Deciduous	8	Medium
AFR GRA	Atrocarpus gracilior	African Fern Pine	36" box	Evergreen	10	Medium
CHI BUR	Chilopsis linearis 'Burgundy'	Desert Willow	24" box	Deciduous	9	Low
LAU SAR	Laurus nobilis 'Saratoga'	Sweet Bay	24" box	Evergreen	5	Low
LOP CON	Lophostemon confertus	Brisbane Box	24" box	Evergreen	3	Medium
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT	SPACING	QTY	Water Use
DES TUF	Deschampsia cespitosa	Tufted Hair Grass	1 gal	24" o.c.	215	Low
GRE COA	Grevillea lanigera 'Coastal Gem'	Coastal Gem Grevillea	1 gal	36" o.c.	73	Low
JUN BLU	Juniperus conferta 'Blue Pacific'	Blue Pacific Juniper	1 gal	42" o.c.	5	Low
LIR MUS	Liriope muscari	Lily Turf	1 gal	24" o.c.	84	Medium
SEN MAN	Senecio mandraliscae	Blue Finger	1 gal	24" o.c.	85	Low

CONTAINER CALLOUTS

- Contractor to provide for the transfer of undamaged containers to the site. Contractor to provide for the purchase and installation of all soil, fertilizer, plant material, and any other material needed for the proper installation of landscape containers. Provide the following plants per container.
- Container 'A'**
Qty. 1 Turnesed Site Works Downtown Collection model DS4200, T-0 texture, color MMP Bronze. Color and texture to be approved by owner prior to ordering. Each container to be planted with:
1 15-gal. Agave flexuosa 'Jervis Bay Afterdark'
3 1 gal. Grevillea fanfare
3 1 gal. Heuchera X 'Lime Rickey'
- Container 'C'**
Qty. 1 Turnesed Site Works Downtown Collection model DS3000, T-0 texture, color MMP Bronze. Color and texture to be approved by owner prior to ordering. Each container to be planted with:
1 5-gal. Dianella tasmanica 'Variegata'
5 4" pots Dichondra argentea 'Silver Falls'
- Container 'D'**
Qty. 1 Turnesed Site Works Downtown Collection model DS2400, T-0 texture, color MMP Bronze. Color and texture to be approved by owner prior to ordering. Each container to be planted with:
3 1-gal. Heuchera Green Spice
4 4" pots Lysimachia nummularia auria

PLANT SCHEDULE

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QTY	Water Use
AGA BLU	Agave x 'Blue Glow'	Bush Baby Kangaroo Paw	1 gal	59	Low
ANI BUS	Anigozanthos x 'Bush Baby'	Yellow Gem Kangaroo Paw	1 gal	102	Low
ANI YEL	Anigozanthos x 'Yellow Gem'	Feather Reed Grass	5 gal	28	Low
CAL KAR	Calamagrostis x acutiflora 'Karl Foerster'	Cape Rush	5 gal	119	Medium
CHO TEC	Chondropetalum tectorum	Idaho Fescue	1 gal	56	Very Low
FES IDA	Festuca idahoensis	Grevillea	5 gal	16	Low
GRE NOE	Grevillea x 'Noelle'	California Gray Rush	1 gal	62	Low
JUN PAT	Juncus patens	Little Ollie Olive	5 gal	17	Very Low
OLE LIT	Olea europaea 'Little Ollie'	Variegated Mock Orange	5 gal	11	Low
PIT VAR	Pittosporum tobira 'Variegata'	Creeping Fig	15 gal	13	Medium
VINE/SPALIER	BOTANICAL NAME	COMMON NAME	SIZE	QTY	Water Use
FIC PUM	Ficus pumila	Creeping Fig	15 gal	13	Medium
HAR VIO	Hardenbergia violacea	Lilac Vine	15 gal	52	Medium

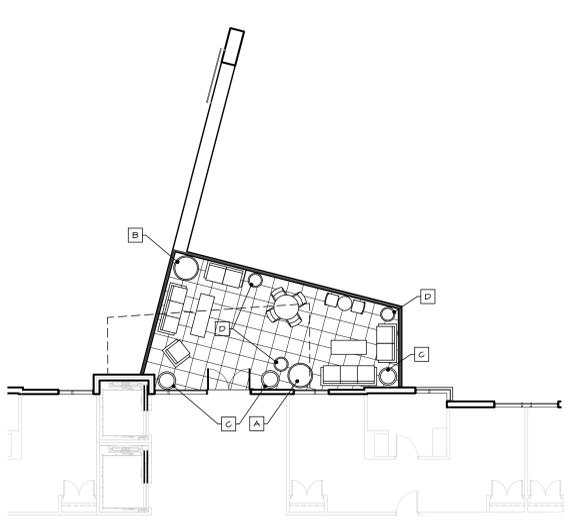
Existing Tree to be removed
Existing Tree in median to remain

Non-Living Groundcover

A minimum 3-inch layer of mulch shall be applied on all exposed, non-landscaped areas. Mulch shall be 2" minus in length and not greater than 3/8" in thickness, and shall be dark brown in color. Contractor shall provide sample for approval prior to installation. Shredded redwood or cedar bark ("Gonilla-Hair") is not acceptable.

Tree Root Barriers

All trees within five (5) feet of hardscape are to have DeepRoot Model #UB 18-2 root barriers installed along the inside edge of the adjacent sidewalk or curb. Length of linear root barrier shall be 16 linear feet (8 panels) and shall be centered on tree.
Root Solutions RS-18 may be used as an alternate. Use the same quantities per tree sizes as listed above. 1(800)554-0914



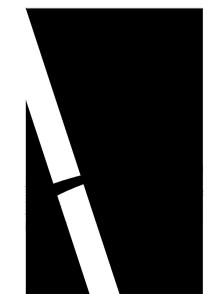
SECOND STORY - PORTE COCHERE ROOF DECK

SCALE: 1" = 10'-0"

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Preliminary Planting Plan
L0.2
PROJECT NO: KLA-17-1990



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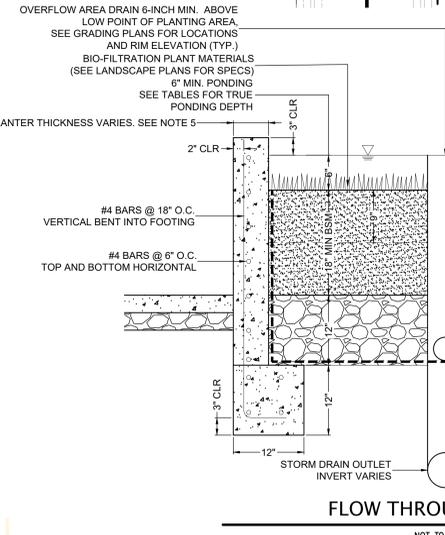
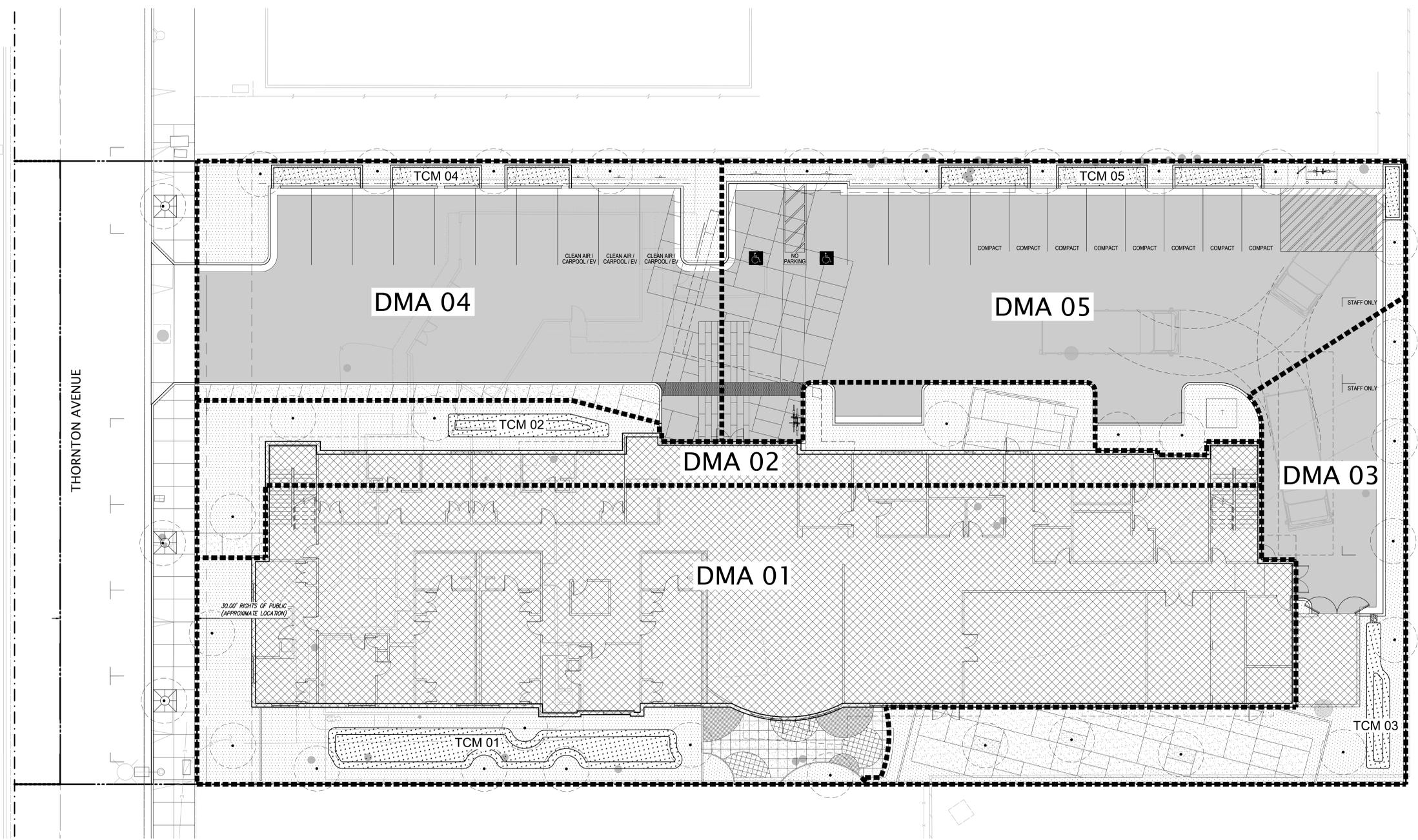
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www.kierwright.com

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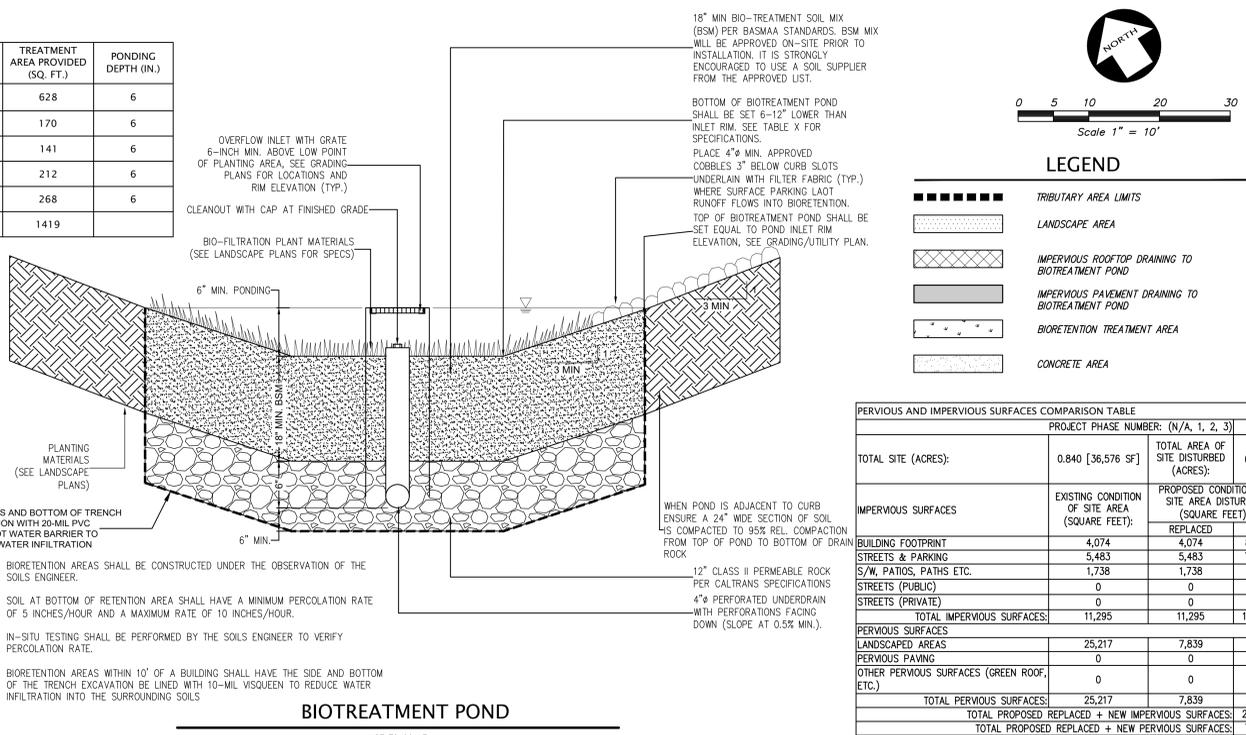


FLOW THROUGH PLANTER
NOT TO SCALE

BIOTREATMENT SUMMARY TABLE

AREA	TCM	TREATMENT TYPE	TOTAL AREA (SQ. FT.)	PERVIOUS AREA (SQ. FT.)	IMPERVIOUS AREA (SQ. FT.)	TREATMENT AREA REQ. (SQ. FT.)*	TREATMENT AREA PROVIDED (SQ. FT.)	PONDING DEPTH (IN.)
*DMA 01	01	BIOTREATMENT POND	14,041	2,273	11,768	471	628	6
*DMA 02	02	BIOTREATMENT POND	4,163	2,034	2,129	85	170	6
*DMA 03	03	BIOTREATMENT POND	4,274	1,188	3,086	123	141	6
**DMA 04	04	FLOW THROUGH PLANTER	6,258	1,067	5,191	208	212	6
**DMA 05	05	FLOW THROUGH PLANTER	7,840	1,248	6,592	264	268	6
TOTAL			36,576	7,810	28,766	1151	1419	

* BIOTREATMENT AREA SIZING IS BASED ON 4% OF IMPERVIOUS AREA
** FLOW THROUGH PLANTER AREA SIZING IS BASED ON 4% OF IMPERVIOUS AREA



BIOTREATMENT POND
NOT TO SCALE

- NOTES**
1. PLACEMENT OF BIOTREATMENT SOIL MIX SHALL BE CONSTRUCTED UNDER THE OBSERVATION OF THE SOILS ENGINEER.
 2. BIOTREATMENT SOIL MIX SHALL HAVE A MINIMUM PERCOLATION RATE OF 5 INCHES/HOUR AND A MAXIMUM RATE OF 10 INCHES/HOUR.
 3. ON-SITE TESTING SHALL BE PERFORMED BY THE SOILS ENGINEER TO VERIFY PERCOLATION RATE.
 4. REFER TO GRADING PLANS FOR CLEANOUT LOCATION.
 5. PLANTER WALL THICKNESS IS 6" FOR UP TO 6'-0" SPAN OR 8" FOR UP TO 8'-0" SPAN. SPAN IS THE OUTSIDE OF WALL TO THE CENTERLINE OF INTERIOR WALL OR OUTSIDE OF OPPOSITE WALL.
 6. PLACE 6" SLEEVE IN THE LOCATION WHERE THE UNDERDRAIN CROSSES THROUGH THE INTERIOR WALL PRIOR TO CONSTRUCTION OF THE INTERIOR WALL.

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

	PROJECT PHASE NUMBER: (N/A, 1, 2, 3)		N/A
	EXISTING CONDITION OF SITE AREA (SQUARE FEET):	PROPOSED CONDITION OF SITE AREA (SQUARE FEET):	
TOTAL SITE (ACRES):	0.840 [36,576 SF]	TOTAL AREA OF SITE DISTURBED (ACRES):	0.840
IMPERVIOUS SURFACES		REPLACED	NEW
BUILDING FOOTPRINT	4,074	4,074	8,918
STREETS & PARKING	5,483	5,483	7,572
S/W, PATIOS, PATHS ETC.	1,738	1,738	952
STREETS (PUBLIC)	0	0	0
STREETS (PRIVATE)	0	0	0
TOTAL IMPERVIOUS SURFACES:	11,295	11,295	17,442
PERVIOUS SURFACES			
LANDSCAPED AREAS	25,217	7,839	0
PERVIOUS PAVING	0	0	0
OTHER PERVIOUS SURFACES (GREEN ROOF, ETC.)	0	0	0
TOTAL PERVIOUS SURFACES:	25,217	7,839	0
TOTAL PROPOSED REPLACED + NEW IMPERVIOUS SURFACES:	28,737		
TOTAL PROPOSED REPLACED + NEW PERVIOUS SURFACES:	7,839		

DATE	DESCRIPTION
09.29.2017	PRELIMINARY PLAN SUBMITTAL
09.14.2018	PLANNING SUBMITTAL
09.30.2019	PLANNING RESUBMITTAL
07.28.2020	PLANNING RESUBMITTAL
10.29.2020	PLANNING RESUBMITTAL



STORMWATER MANAGEMENT PLAN C4.0

PROJECT NO: 154125

RESOLUTION NO. _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWARK APPROVING A MINOR USE PERMIT AND A DESIGN REVIEW FOR A 100 BED RESIDENTIAL CARE FACILITY LOCATED 6214 THORNTON AVENUE (APNS 092-1036-029-02)

WHEREAS, Evan Sockalosky, on behalf of Ashit Jain and Monisah Jain, (the “Applicant”) has filed with the City of Newark an application for a Minor Use Permit and Design Review with the City of Newark to allow a 100 bed Assisted Living Facility (Residential Care Facility) at 6214 Thornton Avenue (APNs 092-1036-029-02) (the “Project”); and

WHEREAS, 6214 Thornton Avenue (the “Property”) is comprised of a 40,716 square foot lot consisting of commercial office building and

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guidelines, Article 19, Sections 15332 In-Fill Development, the Project to construct a 100-bed residential care facility is categorically exempt from CEQA. Under Section 15332, a project is categorically exempt from CEQA if it is: a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value, as habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services.; and

WHEREAS, the Property has a General Plan designation of High Density Residential and is currently zoned RH: Residential High Density; and

WHEREAS, the Applicant requires a Minor Use Permit for the Project pursuant to Newark Municipal Code (NMC) §17.31.060 because the proposed pProject is a residential care facility and proposes to constructing a building in excess of 35 feet in height in the RH Ddistrict; and

WHEREAS, the Applicant requires Design Review for the Project pursuant to NMC §17.34.020 because the Project requires a permit for new construction, reconstruction, rehabilitation, alteration, or other improvements to the exterior of a structure, site, or a parking area; and

WHEREAS, the Applicant is concurrently requesting approval of a Design Review; and

WHEREAS, pursuant to [NMC §17.31.060](#), a public hearing notice was published in The

Tri City Voice on January 26, 2021 and mailed as required, and the Planning Commission held a meeting on said application at 7:30 p.m. on February 9, 2021 utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic; and

WHEREAS, pursuant to Newark Municipal Code Chapter 17.35 (Use Permits) and Section 17.35.060 (Required Findings), the Planning Commission hereby makes the following findings:

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable zoning district and complies with all other applicable provisions of this Ordinance and all other titles of the Municipal Code;

The proposed use is allowed through the issuance of a MUP in order to be consistent with the existing zoning. The application for an residential care facility has been evaluated and found to be consistent with the type of uses found in the Residential High Density zoning district and be compatible with the surrounding commercial and residential uses in the nearby area. This finding can be made in the affirmative.

- B. The proposed use is consistent with the General Plan and any applicable specific plan;

The proposed use is consistent with the General Plan Policy 3.5 Health Care Sector. Provide additional space for health care services and medical offices to meet the needs of Newark residents. The proposed use is also consistent with General Plan Policy 4.2 New Medical Facilities. Support the development of new medical facilities in Newark, including senior care facilities, health care and dental facilities, and emergency medical and outpatient care facilities. This finding can be made in the affirmative.

- C. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;

The proposed residential care facility would not have an adverse effect to public health, safety, or general welfare of the community or surrounding properties. The property is mainly surrounded by commercial and office uses with the exception of residential uses across Thornton Avenue, a four-lane arterial road. Therefore, this finding can be made in the affirmative.

- D. Tax revenue generated by the development will exceed the City's cost of the service demand as a result of the development or a compelling community benefit will be provided.

The proposed use will replace an existing single story commercial building with a 4-story 100 bed Residential Care Facility, which is anticipated to be assessed with a higher property tax base for the property. Although, the residential care facility is not expected to generate additional tax revenue, the facility will be considered a community benefit to the community. This finding can be made in the affirmative.

- E. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this Ordinance;

The project adheres to development standards within the RH district. Although there are no design guidelines within the RH district for a residential care facility, the building's contemporary design is compatible with the adjacent new Civic Center buildings. The use could support a parking reduction due to the close proximity to a transit stop. Lastly, the zoning district allows buildings up to 100 feet. The proposed building is 66 feet tall and does not appear to have a negative effect on the adjacent properties nor the surrounding area. This finding can be made in the affirmative.

- F. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and

The area surrounding the project site is in transition due to the new Civic Center buildings and more dense residential development across the street from the project. The contemporary design of the 4-story residential care facility building is compatible the area. The facility will provide assisted residential housing for seniors with disabilities and the operating characteristics of such a use is not expected to have a negative effect on the surrounding area. This finding can be made in the affirmative.

- G. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed facility is physically suitable for the type, density, and intensity of use being proposed, in that it complies with all zoning standards with the exception of the parking reduction allowed due to the close proximity of a transit stop. This finding can be made in the affirmative.

and;

WHEREAS, pursuant to Newark Municipal Code Chapter 17.34 (Design Review) and Section 17.34.060 (Design Review Criteria), the Planning Commission has evaluated the Project and determined that it meets the following design criteria:

- A. The overall design of the project including its scale, massing, site plan, exterior design, and landscaping will enhance the appearance and features of the project site and surrounding natural and built environment.

The proposed building will be complementary to the area. The modern design elements with high quality materials and clean forms create an attractive building within the site. The landscape draws people to the site and compliments the architecture.

- B. The project design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community

The design of the building includes the expression of the residential units within the form. This translates directly to the massing and will be recognized as a residential facility to its occupants, visitors, and the community.

- C. Project details, materials, signage and landscaping, are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.

The design of the project is cohesive in its detailing and design throughout the site and buildings. The elements complement each other and create a strong visual landscape within the site.

- D. The design of streetscapes, including street trees, lighting, and pedestrian furniture, is consistent with the intended character of the area.

The streetscape complements the building and responds to the intended character of the area.

- E. Parking areas are designed and developed to buffer surrounding land uses; compliment pedestrian-oriented development; enhance the environmental quality of the site, including minimizing stormwater run-off and the heat-island effect; and achieve a safe, efficient, and harmonious development.

The project includes only 28 parking spaces. The operations and use will generate minimal traffic and the small parking areas are well landscaped.

- F. Lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, and avoid creating glare.

The lighting for the project is of appropriate scale to the architecture and complements the design. The lighting levels provided meet all requirements.

- G. Landscaping is designed to be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape.

The landscaping within the site complements the architecture and enhances the experience on the site. The plant palette responds to the local areas includes low water usage species.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Newark as follows:

1. That the forgoing recitals are true and correct and made part of this Resolution.
2. That the Planning Commission does hereby approve this application as shown in Exhibit A, subject to the conditions listed in Exhibit B:

This Resolution was introduced at the City of Newark Planning Commission's February 9, 2021 regular meeting by Commissioner _____, seconded by Commissioner _____, and passed as follows:

AYES:

NOES:

ABSENT:

STEVEN TURNER, Secretary

JEFF AGUILAR, Chairperson

Attachment A-Conditions of Approval for U-21-1

Resolution _____

Planning Division

1. All lighting shall be directed on-site so as not to create glare off-site, as required by the Community Development Director.
2. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
3. Measures to respond to and track complaints pertaining to construction noise shall include: (1) a procedure and phone numbers for notifying the City of Newark Building Inspection Division and Newark Police Department (during regular construction hours and off-hours); and (2) a sign posted on-site pertaining to the permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours).
4. The site and its improvements shall be maintained in a neat and presentable condition, to the satisfaction of the Community Development Director. This shall include, but not be limited to, repainting surfaces damaged by graffiti and site clean-up. Graffiti removal/repainting and site cleanup shall occur on a continuing, as needed basis. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
5. All exterior utility pipes and meters shall be painted to match and/or complement the color of the adjoining building surface, as approved by the Community Development Director.
6. Color elevations shall be submitted by the applicant as part of this application to be reviewed and approved by the Planning Commission. The building elevations shall reflect all architectural projections such as roof eaves, bay windows, greenhouse windows, chimneys and porches. A site plan showing the building locations with respect to property lines shall also show the projections. Said elevations shall specify exterior materials. Any minor changes shall be submitted for the review and approval of the Community Development Director to assure consistency with the approved project.
7. Prior to the issuance of a building permit, any change to the floor plans as submitted by the applicant as part of this application shall be reviewed and approved by the Planning Commission. Any minor changes shall be submitted for the review and approval of the Community Development Director to assure consistency with the approved project.
8. Prior to the issuance of a building permit, the roof material as submitted by the applicant as part of this application shall be reviewed and approved by the Community Development

Director. All roof material shall consist of fire retardant shake roof, concrete tile, or a roof of similar noncombustible material.

9. Prior to the issuance of a building permit, the project shall be submitted for the review and approval of Republic Services and the Community Development Director, in that order. The appropriate garbage, refuse and recycling service shall be approved prior to the issuance of a Certificate of Occupancy, as required by the Community Development Director. No refuse, garbage or recycling shall be stored outdoors except within the approved trash and recycling containers.
10. Prior to issuance of a grading permit, the applicant shall hire a qualified biologist to: (1) determine if occupied Burrowing Owl habitat(s) exist on the site, and (2) implement a plan to protect the owls and to excavate the site around any active burrows using hand tools to assure that the owls are not buried during grading in the event Burrowing Owl habitat(s) is found on the site. The occupied Burrowing Owl habitat(s), if found, shall not be disturbed during the nesting season. The Burrowing Owl study shall be conducted not more than 30 days prior to the time site grading activities will commence.
11. During project construction, if historic, archeological or Native American materials or artifacts are identified, work within a 50-foot radius of such find shall cease and the City shall retain the services of a qualified archeologist and/or paleontologist to assess the significance of the find. If such find is determined to be significant by the archeologist and/or paleontologist, a resource protection plan conforming to CEQA Section 15064.5 shall be prepared by the archeologist and/or paleontologist and approved by the Community Development Director. The plan may include, but would not be limited to, removal of resources or similar actions. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately and the provisions of State law carried out.
12. Prior to final inspection and utility release for each unit, the applicant shall pre-wire each unit for satellite and cable television connections, as required by the Community Development Director. The exterior connections for the pre-wire shall be made to the roof and not on the side elevation walls of the units.
13. Prior to the issuance of a sign permit, all signs, other than those referring to construction, sale, or future use of this site, shall be submitted for the review and approval of the Community Development Director.
14. Prior to the issuance of a building permit, any proposed fence details shall be submitted for the review and approval of the Community Development Director. This shall also include the proposed fence along the perimeter of southern easement on railroad property.
15. Prior to the issuance of a Certificate of Occupancy, the parking areas, aisles and access drives shall be installed and striped as shown on the approved site plan. Guest parking spaces shall be clearly marked as reserved for guests, as approved by the Community Development Director.

16. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 7:00 p.m. and 7:00 a.m.
17. The developer shall pay all impacts fees in effect at the time of issuance of a Building Permit. All fees, with the exception of the Community Development Maintenance Fee, are based on the site's net square footage.
18. Construction equipment, including compressors, generators and mobile equipment shall be fitted with heavy-duty mufflers designed to reduce noise impacts.
19. All construction noise activity shall abide by NMC 17.27.100. Construction and Landscaping Activities. Unless otherwise provided pursuant to a duly-issued permit or a condition of approval of a land use entitlement, the construction, alteration, or repair of structures and any landscaping activities, occurring between the hours of 10:00 a.m. and 6:00 p.m. on Sundays and holidays, and 8:00 a.m. and 7:00 p.m. on other days.
20. Air Quality- Prior to the removal of existing building on the site, a demolition permit shall be obtained from the Building Inspection Division. Project demolition activities shall follow the requirements of the demolition permit. Prior to the commencement of demolition activities, the project sponsor shall be responsible for obtaining any additional demolition-related permits through local, regional, or State agencies, such as the Bay Area Air Quality Management District. Project demolition activities shall follow the requirements of any additional permits required by local, regional or State agencies.
21. The Project sponsor shall require construction contractors to implement the following applicable [BAAQMD Basic Construction Mitigation Measures](#) to reduce emissions of fugitive dust and equipment exhaust.

Engineering Division

22. Prior to the issuance of a building permit, the applicant shall dedicate to the City of Newark an additional 2-foot wide (52 feet from centerline) right-of-way along the Thornton Avenue frontage within the limits of the property to comply with the current City of Newark General Plan.
23. Prior to the issuance of a building permit, the applicant shall dedicate a 10-foot wide public utility easement (PUE) and Landscape Easement (LE) along the Thornton Avenue frontage for the purpose of construction, operation and maintenance of applicable structures and appurtenances for sanitary sewer, water, electrical, gas, and communication facilities.
24. The applicant shall install street improvements for Thornton Avenue along the project frontage as shown on the plans. Improvements include, but are not limited to, removal and replacement of all existing sidewalk, curb and gutter; installation of new tree wells, street trees, utilities, striping, and signing; storm drain improvements; and pavement grind and overlay to the landscape median or beyond where utility tie-ins are necessary to the nearest

lane line. A City of Newark Encroachment Permit shall be required for all work within the public right-of-way and adjacent easement area and shall be issued prior to the building permit issuance.

25. The applicant shall coordinate design of the new storm drain system on Thornton Avenue with Alameda County Water District's (ACWD) planned water main replacement project to ensure that all new storm drain facilities adhere to ACWD setback and other design requirements. The new storm drain system shall not impede the proper installation of ACWD's new water main based on ACWD's most current plans available at the time of project development.
26. Trench restoration of the new storm drain system on Thornton Avenue shall be to the nearest lane line for the top 2 inches of the asphalt concrete ("t" portion of the trench).
27. The applicant shall repair and/or replace any public and private improvements damaged as a result of construction activity to the satisfaction of the City Engineer and adjoining property owners.
28. The project must be designed to minimize the pollution or contamination of stormwater runoff from the site. Examples of control measures include, but are not limited to: no uncovered trash enclosures or storage of products and materials; minimization of impervious surfaces; separation of all car wash activities from the storm drain system; routing of pavement and roof runoff through vegetated swales or landscaped areas in-lieu of direct connections to the storm drain system; treatment controls for runoff from paved areas used for vehicle parking, repair and/or storage such as storm drain inlet filters, interceptors, separators or other acceptable treatment devices; installation of vegetated or turfed areas around storm water inlets, and other Best Management Practices to address the requirements of the NPDES permit issued to the City of Newark by the Regional Water Quality Control Board. The use of structural treatment controls for runoff quality requires the submittal of a maintenance agreement prior to the issuance of a Certificate of Occupancy.
29. Prior to the issuance of a building permit for this project, the applicant shall submit a Storm Water Quality Plan for the review and approval of the City Engineer. The plan shall include sufficient details to show how storm water quality will be protected during both: (1) the construction phase of the project and (2) the post-construction, operational phase of the project. The construction phase plan shall include Best Management Practices from the California Storm. Water Quality Best Management Practices Handbook for Construction Activities. The specific storm water pollution prevention measures to be maintained by the contractor shall be printed on the plans. The operational phase plan shall include Best Management Practices appropriate to the uses conducted on the site to effectively prohibit the entry of pollutants into storm water runoff from this site including, but not limited to, trash and litter control, pavement sweeping, periodic storm water inlet cleaning, landscape controls for fertilizer and pesticide applications, labeling of storm water inlets with the wording "No Dumping - Drains to Bay," and other applicable practices.
30. The project must be designed to include appropriate source control, site design, and

stormwater treatment measures to prevent stormwater runoff pollutant discharges and increases in runoff flows from the site in accordance with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2015-0049, revised November 19, 2015, issued to the City of Newark by the Regional Water Quality Control Board, San Francisco Bay Region. Examples of source control and site design requirements include, but are not limited to: properly designed trash storage areas, trash compactors, minimization of impervious surfaces, and treatment of all runoff with Low Impact Development (LID) treatment measures. The stormwater treatment design shall be completed by a licensed civil engineer with sufficient experience in stormwater quality analysis and design. The design is subject to review by the Regional Water Quality Control Board. The applicant shall modify the site design to satisfy all elements of Provision C.3 of the MRP. The use of treatment controls for runoff requires the submittal of a Stormwater Treatment Measures Maintenance Agreement prior to the issuance of building permits.

31. All stormwater treatment measures are subject to review and approval by the Alameda County Mosquito Abatement District. The applicant shall modify the grading and drainage and stormwater treatment design as necessary to satisfy any imposed requirements from the District.
32. The entire site shall be equipped with full trash capture devices approved by the Regional Water Quality Control Board – San Francisco Bay Region, for 100% trash capture at all on-site and adjoining off-site storm drain inlets. All on-site trash capture devices shall be permanently maintained by the property owner under the required stormwater treatment measures maintenance agreement.
33. The applicant shall ensure that a water vehicle for dust control operations is kept readily available at all times during construction at the City Engineer's direction.
34. The applicant shall submit a grading and drainage plan for review and approval by the City Engineer. This plan must be based upon a City benchmark and needs to include pad and finish floor elevations of the proposed structure, proposed on-site property grades, proposed elevations at property line, and sufficient elevations on all adjacent properties to show existing drainage patterns. All on-site pavement shall drain at a minimum of one percent. The applicant 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 applicant's responsibility.
35. Hydrology and hydraulic calculations shall be submitted for review and approval by the City Engineer prior to approval of the final map. The calculations shall show that the City freeboard requirements will be satisfied (0.75 feet to grate or 1.25 feet to the top of curb under a 10-year storm duration).
36. If shallow foundation with ground improvement is selected to mitigate potentially liquefiable zones for the project, the type of ground improvement shall be subject to review and approval by the City Engineer. If a mat foundation is selected, the project Geotechnical Consultant shall re-analyze the liquefaction potential of soil layers classified as “plastic.”

unless lab testing can be completed that confirms the plasticity of these layers. The recommendations and/or lab testing results shall be peer reviewed by the City's Geotechnical Consultant and shall be paid for by the applicant per the City's Master Fee Schedule.

37. Grading at the project interface shall not result in placing additional surcharge to the existing perimeter walls. Otherwise, the applicant shall design and install a masonry retaining wall within the project property. Said retaining wall shall be subject to review and approval of the City Engineer. A grading permit is required by the Building Inspection Division prior to starting site grading work.
38. Prior to issuance of a building permit, the applicant shall submit a pavement maintenance program for the drive aisles and parking areas on the project site. The maintenance program shall be signed by the property owner and the property owner shall follow the maintenance program at the City Engineer's direction.
39. Any new utilities including, but not limited to, electric, telephone and cable television services shall be provided underground.
40. Any proposed utility connections and/or underground work within structurally sound street pavement must be bored or jacked. Open street cuts will not be permitted across Thornton Avenue. The developer shall provide a 2-inch grind and overlay along the project frontage, limits to be determined by the City Engineer.
41. The proposed landscape and irrigation design shall comply with the recently updated/adopted City of Newark Municipal Code, Zoning Ordinance - Chapter 17.21 – Landscaping.
42. The applicant shall retain a licensed landscape architect to prepare working drawings for on-site landscape plans in accordance with City of Newark requirements, the approved Conceptual Landscape Plan, and the State of California Model Water Efficient Landscape Ordinance. The landscape plans shall be included with construction plan set. The associated Landscape Documentation Package must be approved by the City Engineer prior to the issuance of a building permit.
43. The applicant shall implement Bay Friendly Landscaping Practices in accordance with Newark Municipal Code, Chapter 15.44.080. Prior to the issuance of a building permit, the applicant shall provide sufficient information to detail the environmentally-conscious landscape practices to be used on the project.
44. The plant species within bioretention areas or other landscape-based treatment measures shall be listed in Appendix B of the Alameda Countywide Clean Water Program's *C.3 Stormwater Technical Guidance Handbook* for use in "Bioretention Area – Including Linear Treatment Measure" and are subject to final approval of the City Engineer.
45. All maintenance associated with any landscape-based stormwater treatment measures shall

be the responsibility of the property owner. The applicant shall enter into a Landscape Maintenance Agreement prior to the issuance of a building permit. This agreement shall run with the land. Landscape maintenance of these areas by the City under the terms of the Agreement would occur only in the event that City Council deems the property owner's maintenance to be inadequate. Any project perimeter walls and adjoining landscape areas shall be included in a dedicated landscape easement to guarantee adequate maintenance of the walls. Any work other than routine maintenance, including but not necessarily limited to, tree removal, tree pruning, or changes to the approved planting palette shall be approved in advance by the City Engineer. All tree pruning shall be performed by or under the direction of a certified arborist.

46. Prior to installation by the applicant, plant species, location, container size, quality, and quantity of all landscaping plants and materials shall be reviewed and approved by the City Engineer. All plant replacements shall be to an equal or better standard than originally approved subject to approval by the City Engineer.
47. Prior to the release of utilities or issuance of any Certificate of Occupancy, all landscaping and irrigation systems shall be completed or guaranteed by a cash deposit deposited with the City in an amount to cover the remainder of the work.
 - i. Prior to issuance of Certificate of Occupancy or release of utilities, the applicant shall guarantee all trees for a period of 6 months and all other plantings and landscape for 60 days after completion thereof. The applicant shall insure that the landscape shall be installed properly and maintained to follow standard horticultural practices. All plant replacements shall be to an equal or better standard than originally approved subject to approval of the City Engineer.

Police Division

48. The development shall comply with Chapter 15.06, *Security Code*, of the Newark Municipal Code and Section 510, *Emergency Responder Radio Coverage*, of the California Fire Code.
49. We would highly recommend installation of community safety cameras in common areas where the units would be most susceptible to criminal activity. This would include parking areas, exterior pathways and exterior doors. The community safety cameras could be operated and controlled by individual owners, the Building Management or the Owners' Association.
50. The proposed development should comply with the City of Newark street numbering system and tie in with the existing area street numbering. Additionally, the proposed building should display the street address in a manner clearly visible from the adjacent roadway and parking areas in order to facilitate public safety personnel's ability to quickly identify its location during emergency responses.
51. Individual unit numbering should be in a systematic method, specific to each floor and each unit in a non-repeating manner (i.e. no two units in the development with the same address number). Maps with unit numbering of the entire development should be placed in

easy to find locations (preferably at entrances to the development and the building) in order to aid public safety personnel's ability to identify specific units during emergency responses.

52. Define property lines with landscaping or post-and-pillar fencing, but keep shrubbery and fences low to allow visibility.
53. Assign parking spaces to each unit and locate them next to the unit if possible. Designate special parking spaces for visitors and first responders. Parking areas and walkways should be well lit.

Fire Division

54. The porte cochere shall be minimum 13 feet 6 inches height.
55. A Dead-end sign shall be provided at the 150-ft mark from entrance.
56. Automatic fire sprinkler, fire alarm and kitchen-hood suppression systems will be required. An emergency responder radio system may be required for the building.
57. The proposed on-site fire hydrant location will be reviewed in the Building permit submittal phase. Additional fire hydrants may be required.
58. PIV and FDC shall be on Thornton side.
59. Fire understand shall terminate outside building and shall not penetration through building foundation.

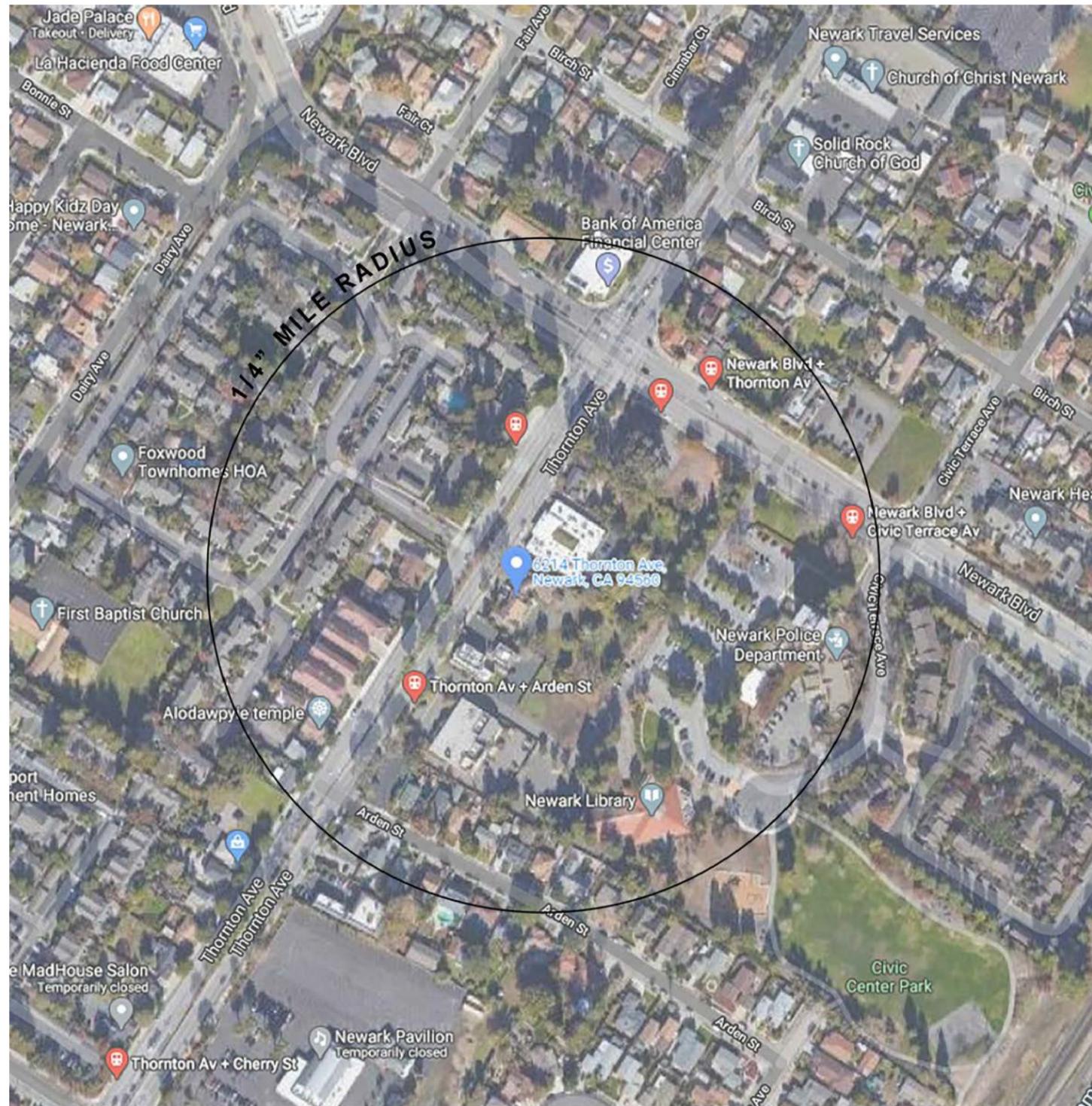
GENERAL

60. All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission review and, if so decided, said changes shall be submitted for the Commission's review and decision. The applicant shall pay the prevailing fee for each additional separate submittal of project exhibits requiring Planning Commission and/or City Council review and approval.
61. If any condition of this use permit be declared invalid or unenforceable by a court of competent jurisdiction, this use permit shall terminate and be of no force and effect, at the election of the City Council on motion.
62. The applicant hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto.

63. In the event that any person should bring an action to attack, set aside, void or annul the City's approval of this project, the applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action, or proceeding against the City and/or its agents, officers and employees with counsel selected by the applicant (which shall be the same counsel used by applicant) and reasonably approved by the City. Applicant's obligation to defend, indemnify and hold harmless the City and/or its agents, officers and employees shall be subject to the City's compliance with Government Code Section 66474.9.
64. The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The applicant is hereby further notified that the 90-day approval period in which the applicant may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.



A Minor Use Permit Application for
6214 THORNTON
6214 Thornton Avenue
Newark, CA 94560



ARCHITECTURAL TECHNOLOGIES
www.arctecinc.com
Arizona

2960 E. Northern Avenue, Building C
Phoenix, AZ 85028 602.953.2355

California

1731 Technology Drive, Suite 750
San Jose, CA 95110 408.496.0676

DATE: 07.23.2020

**TRANSIT
STOP
MAP**

PROJECT NO:154125.00



HEXAGON TRANSPORTATION CONSULTANTS, INC.

Memorandum

Date: November 3, 2020

To: Mr. Evan Sockalosky, ARC TEC Architectural Technologies

From: Gary Black
Katie Riutta

Subject: Trip Generation Study for the Proposed Assisted Living Facility in Newark, California

Hexagon Transportation Consultants, Inc. has completed a trip generation study for the proposed assisted living facility at 6214 Thornton Avenue in Newark, California. The project site is located on the east side of Thornton Avenue, midblock between Arden Street and Newark Boulevard. The proposed project would build an assisted living facility with 100 beds and 22 on-site parking spaces. The project would demolish the existing 4,700 square feet of retail/commercial space. Access to the project site would be provided via a driveway on Thornton Avenue.

Project Trip Generation

Through empirical research, data have been collected that quantify the amount of traffic produced by many types of land uses. The research is compiled in the manual entitled *Trip Generation, 10th Edition*, published by the Institute of Transportation Engineers' (ITE). The magnitude of traffic added to the roadway system by a particular development is estimated by multiplying the applicable trip generation rates by the size of the development. Trip credits were given for the existing retail/commercial use on the site. The ITE trip generation rates for Assisted Living (Land Use 254) and Shopping Center (Land Use 820) were used for this study.

As shown in Table 1, the project is estimated to generate 83 additional daily vehicle trips, with 15 trips occurring during the AM peak hour and 8 trips during the PM peak hour.

Due to the small number of new trips that would be generated by the project, there would be no noticeable change to traffic operations in the area. Therefore, it is likely that no further traffic study is needed.

**Table 1
Project Trip Generation Estimates**

Land Use	Size		Daily		AM Peak Hour					PM Peak Hour										
			Rate	Trips	Rate	In	Out	In	Out	Total	Rate	In	Out	In	Out	Total				
Proposed Use																				
Assisted Living Facility ¹	100	beds	2.60	260	0.19	63%	37%	12	7	19	0.26	38%	62%	10	16	26				
Existing Use																				
Retail/Commercial ²	4.70	ksf	37.75	177	0.94	62%	38%	3	1	4	3.81	48%	52%	9	9	18				
Net Project Trips				83						9	6	15						1	7	8
<u>Note:</u> All rates are from: Institute of Transportation Engineers, <i>Trip Generation, 10th Edition, 2017</i> 1. Assisted Living (Land Use 254) average trip rates expressed in trips per bed are used. 2. Shopping Center (Land Use 820) average trip rates expressed in trips per 1,000 square feet (ksf) are used.																				