



# CITY OF NEWARK

## CITY COUNCIL

City Administration Building, City Council Chambers

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## PUBLIC HEARING NOTICE

Tuesday, October 28, 2021  
7:30 p.m.

Publication Date: October 12, 2021

This virtual City Commission meeting will be conducted utilizing teleconferencing and electronic means. The public may only view the meeting on television and/or online. The City Council Chambers will not be open to the public.

Details on how to participate in the meeting will be set forth in the meeting agenda which is anticipated to be posted by 5 pm on October 22, 2021 at <https://www.newark.org/departments/city-manager-s-office/agendas-minutes>. If you have any questions regarding viewing or participating in the meeting, after reviewing the posted agenda, then contact the Planning Department at [planning@newark.org](mailto:planning@newark.org).

Pursuant to California Government Code [§6061](#), [§65090](#), [§65091](#), [§65094](#), [§65095](#), [§65905](#), and Newark Municipal Code (NMC) [§17.31.060](#), [§17.35.050](#), [§17.38.050](#), and [§17.39.050](#), on October 28, 2021, at or after 7:00 p.m., the City Council will hold a public hearing to consider the entitlements and regulatory approvals listed below as requested by the applicant for the property located at 37660 Timber Street (APN 92A-2125-10-2):

1. An amendment to the General Plan Map and Text from Medium Density Residential to High Density Residential designation to allow for the development of the site with 79 residential units;
2. An amendment to the Zoning Map and Text from Residential Medium Density (RM) to Residential High Density (RH) to establish consistency with the General Plan Amendment;
3. A Design Review approval, which is required for all projects that require a permit for new construction, reconstruction, rehabilitation, alteration, or other improvements to the exterior of a structure, site, or a parking area;
4. A Conditional Use Permit to allow for a building height more than 35 feet. The proposed building would have a maximum height of 56 feet, not including the parapet; and
5. Adopt a Mitigated Negative Declaration (MND) for the proposed project.

The applicant and owner of the property for the proposed project is Timber Street Investors, L.P. The applicant proposes redevelopment of a 0.99-acre site for a senior housing development containing 79 units, incorporating 78 one-bedroom units and one two-bedroom unit (on-site manager's unit). The target population for this development would be low-income seniors. As a 100-percent affordable development under [California Government Code §65915-65918](#), the project is eligible for a density bonus of up to 80-percent. The project site is not identified on any of the lists enumerated under [Government Code §65962.5](#) or other lists of hazardous sites.



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The project site is bordered by a one-story retail center to the west, Interstate 880 to the north, and existing one-story industrial uses to the east and south. The project site is a part of the Cedar Boulevard Industrial to Residential Conversion area identified as Site G in the City of Newark Housing Element Update 2015 as part of the Regional Housing Needs Allocation.

The City of Newark is the Lead Agency pursuant to the California Environmental Quality Act (CEQA) and has performed an environmental review, consisting of an Initial Study/Mitigated Negative Declaration (IS-MND), of the proposed project. The environmental review examines the nature and extent of any potential adverse effects on the environment that could occur if the project is approved and implemented. Based upon substantial evidence in the record, the City of Newark Community Development Department finds that the proposed project could not have a significant effect on the environment with implementation of mitigation measures. The City of Newark City Council will consider the proposed project and the proposed IS-MND, at the public hearing.

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The Planning Commission held a public hearing on this item and voted to approve the project by a vote of 5-0. The Commission recommended approval of this item to be heard by the City Council.

Any interested person or authorized agent, or interested members of the public may appear at the public hearing to be heard and may submit written comments or request to view project details and information, including the complete application and project file (including any environmental impact assessment prepared in connection with the application) by contacting the project planner, Art Interiano, via email at: [art.interiano@newark.org](mailto:art.interiano@newark.org).

If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City of Newark at, or prior to, the public hearing.

**Art Interiano**  
Deputy Community Development Director