

# \*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

**LEAD AGENCY NAME AND ADDRESS**

City of Newark  
Community Development Department  
37101 Newark Boulevard  
Newark, California 94560  
Attn: Connelisa Lopez

**FOR COUNTY CLERK USE ONLY**

**ENDORSED  
FILED  
ALAMEDA COUNTY**

NOV 09 2022

MELISSA WILK, County Clerk  
By Emily Deputy

FILE NO: 22-340

**CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:  
(PLEASE MARK ONLY ONE CLASSIFICATION)**

**1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION**

A - STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

**2. NOTICE OF DETERMINATION (NOD)**

A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,548.00 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

B - ENVIRONMENTAL IMPACT REPORT (EIR)

\$ 3,539.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

**3. OTHER: \_\_\_\_\_**

**\*\*\*A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.\*\*\***

**BY MAIL FILINGS:**

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

**IN PERSON FILINGS:**

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

**ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.**

FEES ARE EFFECTIVE JANUARY 1, 2022

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Alameda
Clerk-Recorder's Office
1106 Madison Street, Oakland, California 95607

From: (Public Agency): City of Newark
Community Development Department
37101 Newark Boulevard, Newark, California 94560
(Address)

ENDORSED
FILED
ALAMEDA COUNTY

Project Title: 39888 Balentine Drive Hotel Project

NOV 09 2022

Project Applicant: Nimish Patel, Patel Real Estate, LLC

MELISSA WILK, County Clerk
By Emilyl Deputy

Project Location - Specific:
39888 Balentine Drive, Newark, California 94560

Project Location - City: Newark Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The project would involve demolition of the existing building at 39888 Balentine Drive and construction of a new 75,704 square-foot, 132-room hotel and a 96-space surface parking lot. The proposed hotel would be 64 feet (five stories) in height, and would contain guest amenities on the first through third floors and 33 guest rooms per each remaining floor.

Name of Public Agency Approving Project: City of Newark

Name of Person or Agency Carrying Out Project: City of Newark

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Class 32, Section 15332
Statutory Exemptions. State code number:

Reasons why project is exempt:

Pursuant to CEQA Guidelines Section 15332, the project is exempt because it is consistent with applicable general plan designations, policies, and zoning designations; the project is within City limits, is less than five acres, and is substantially surrounded by urban uses; the project site does not contain habitat for endangered, rare, or threatened species; approval of the project would not result in significant effects to traffic, noise, air quality, or water quality; and the project site would be adequately served by all required utilities and public services. Further, no exceptions to the exemption apply.

Lead Agency
Contact Person: Carmelisa Lopez, Senior Planner Area Code/Telephone/Extension: 510-578-4215

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 11/09/22 Title: SENIOR PLANNER

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.