

NOTICE OF DETERMINATION

FILED
ALAMEDA COUNTY

TO: ___ Office of Planning and Research
P.O. Box 3044,
Sacramento, CA 95812-3044

X County Clerk-Recorder
County of Alameda
1106 Madison Street
Oakland, CA 94607

FEB 02 2015

STEVE MANNING, County Clerk

By  Deputy

SUBJECT: Filing of Notice of Determination (PRC §21108 or §21152)

PROJECT TITLE: Living Spaces Home Furniture Store and Warehouse (PLN2015-00067)

STATE CLEARINGHOUSE NUMBER (if submitted to Clearinghouse): 2008042116

PROJECT LOCATION: 49088 Fremont Boulevard in the Bayside Industrial Community Plan Area; APN 519-0820-002-22

PROJECT DESCRIPTION:

The project proposes the establishment of a furniture store and warehouse in an existing 311,469 square foot building located on the north side of Dixon Landing Road, west of Interstate 880 and south of the current Fremont Boulevard terminus at 49088 Fremont Boulevard. Living Spaces would partition the building and use 111,600 square-feet as a retail furniture showroom, 199,689 square feet for warehouse space and 4,800 square feet for offices and restrooms.

An Environmental Impact Report (EIR) was previously certified for the Creekside Landing Project (SCH No. 2008042116), which analyzed development of a 524,000-square-foot retail center. The retail center project was not constructed and in 2013 a revised development plan to construct three speculative warehouse buildings totaling 691,000 square feet was reviewed and approved. An EIR Addendum analyzing the change in land use from commercial to warehouse development was prepared and adopted pursuant to CEQA Guidelines Section 15164. The EIR Addendum concluded the change in land use to allow warehouse development remained within the scope of the previously adopted EIR and no further environmental review was required.

The Living Spaces project would allow a furniture store and warehouse to occupy a shell warehouse building that was recently constructed. The project would be consistent with the approved development plan for the warehouse project in that building and site design are consistent with the previously approved project. The EIR Addendum for the Creekside Landing warehouse project prepared in 2013 assumed the subject building would be occupied entirely with warehouse uses (no retail). The Living Spaces project was reviewed for conformance with the previously prepared EIR Addendum to determine if the proposed retail land use could result in potential significant impacts, which would require further environmental review.

Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent or supplemental EIR or subsequent Negative Declaration exist; and (2) the City will rely on the previous environmental document, which adequately addresses this project.

The proposed project to allow a portion of the building to be occupied as a retail furniture store would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in the EIR Addendum.

PROJECT APPLICANT CONTACT: Brian Saltikov, Living Spaces, 14501 Artesia Boulevard, La Mirada, CA 90638. (714) 713-9931.

CITY CONTACT PERSON: David Wage, Associate Planner, Community Development – Planning Division. (510) 494-4447.

This is to advise that the City of Fremont Planning Commission (as the Lead Agency) has approved the above described project on November 13, 2014, and has determined the project would be consistent with the previously approved warehouse project and within the scope of analysis previously completed in the EIR Addendum. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163:

1. No substantial changes are proposed, which would require major revisions to the previous EIR or Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

CLERK'S CERTIFICATE OF POSTING. Pub. Res. 21152: I certify that a copy of this document was posted at the Recorder's Office, Oakland, CA, for the period prescribed by law.


Executed at COUNTY CLERK
Oakland, CA

Date 3/5/15 By  Deputy

2. No substantial changes would occur with respect to the circumstances under which the project is being undertaken, which would require substantial revisions to the previous EIR or Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. No new information of substantial importance (which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete) shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This is to certify that the Environmental Impact Report and Addendum, with comments and responses, and the record of project approval is available to the General Public at:

City of Fremont, Community Development Department, 39950 Liberty Street, Fremont, CA 94537. Tel: (510) 494-4447.

	Planning Manager	January 7, 2015
Signature (Public Agency)	Title	Date

Date received for filing at OPR: _____.

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STEVE MANNING, County Clerk
By  Deputy