

## 4.A Aesthetic Resources

### Introduction

This section describes the existing visual character of the project area, including the project site, and evaluates potential project impacts on aesthetic resources.

Potential project impacts related to scenic vistas and scenic resources and effects of new sources of substantial light and glare are addressed in detail in the Initial Study that was prepared for the project and included as **Appendix A** of this Draft EIR, which found that the project's impacts in those respects would be less than significant. Accordingly, this section addresses only the potential for the proposed project to substantially degrade the existing visual character or visual quality of the site and its surroundings.

The information and analysis in this section is based on a review of the proposed project; applicable local policies and regulations, including those included in the *Fremont General Plan* and the *Niles Design Guidelines and Regulations*; a visual and photographic survey of the project site and vicinity conducted by ESA staff on February 28, 2018; digital renderings of the proposed project; and the *Design Review of the Niles Gateway Mixed-Use Project for Compliance with the Niles Design Guidelines and Regulations* technical memorandum prepared by ESA (ESA, 2018). The technical memorandum is included as **Appendix C**.

### Environmental Setting

#### ***Project Site and Vicinity***

**Figure 4.A-1** shows the locations of photographic views to the project site and from publicly accessible locations. The photographic views are provided on **Figures 4.A-2** through **4.A-6**.

The project site is located at 37899 Niles Boulevard in the northeastern portion of the City of Fremont within the Niles Historic Overlay District, and is generally triangular in shape and flat in topography. The project site contains remnants of the former Henkel/Schuckl Cannery and was used for a variety of industrial land use activities including a foundry, cannery, herbicide manufacturing, metal treatment, and chemical manufacturing between the early 1900s and 2002. All structures associated with the previous industrial uses were demolished in 2009 and remnants of the building foundations are all that remain. Debris piles containing soil, broken paving materials, and discarded items still remain throughout the site. Vegetation on the site generally consists of ornamental trees and shrubs located around the perimeter and weedy vegetation within the center of the site. The site has remained vacant since the industrial buildings were demolished in 2009.

The immediate surrounding area consists of single-family residences to the west and Alameda Creek (and the associated Alameda Creek Trail) to the south. The Union Pacific Railroad (UPRR) tracks sit atop a raised embankment on the east side of Niles Boulevard. The area east of the UPRR tracks consists of single-family residences. The Niles Commercial Core area is located northwest of the project site.



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SOURCE: Valley Oak Partners, LLC, 2017; ESA, 2018

Niles Gateway Mixed-Use Project  
**Figure 4.A-1**  
 Existing View Location Map



Viewpoint 1: View of project site from south. View facing northeast.



Viewpoint 2: View of project site from south. View facing north.

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SOURCE: ESA, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-2**  
Project Area Views





Viewpoint 3: View of project site from south. View facing northeast.



Viewpoint 4: View to project site from Victory Lane. View facing southwest.

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SOURCE: ESA, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-3**  
Project Area Views





Viewpoint 5: View to project site from 2nd Street. View facing southwest.



Viewpoint 6: View to project site from Niles Boulevard. View facing southwest.

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SOURCE: ESA, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-4**  
Project Area Views





Viewpoint 7: View of project site from Niles Boulevard.



Viewpoint 8: View to project site from Niles Canyon Road. View facing southwest.

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SOURCE: ESA, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-5**  
Project Area Views





Viewpoint 9: View of project site from west of the UPRR embankment.



Viewpoint 10: View from project site to the UPRR embankment and the Niles hillside. View facing north.

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SOURCE: ESA, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-6**  
Project Area Views



## Regulatory Framework

### Local Regulations

#### ***Fremont General Plan***

The Community Character and Community Plans Elements of the 2011 Fremont General Plan include the following goals, policies, and implementation measures related to aesthetic resources:

**Community Character Goal 4-1: City Form and Identity.** A stronger, more memorable civic identity, shaped by well-kept neighborhoods, distinctive centers and work places, attractive transportation corridors, high-quality public spaces, and the scenic natural backdrop of Fremont's hills and shoreline.

***Policy 4-1.1: Elements of City Form.*** Recognize the basic elements of city form—community plan areas, neighborhoods, centers, corridors, employment districts, and open spaces—as the features that contribute to and define Fremont's sense of place. Ensure that land use and transportation decisions, including design review, zoning, capital improvements, and development approvals, improve the visual qualities of these features and strengthen their identity as distinct places.

***Policy 4-1.2: Neighborhoods.*** Maintain and enhance Fremont's identity as a city of neighborhoods. Planning and design decisions should define neighborhood edges and gateways, build neighborhood pride and recognition, and strengthen the physical qualities that make each neighborhood distinctive. The intent is to preserve the desirable qualities of each neighborhood while allowing them to evolve, grow, and adapt over time.

***Policy 4-1.7: Strengthen Identity Through Planning.*** Conduct planning for Community Plan Areas of Fremont as a way to strengthen the sense of place and identity of various parts of the city and recognize the different histories and physical features of the communities that make up Fremont. Where appropriate, community plans should include design guidelines that express the desired qualities of centers, corridors, and neighborhoods.

***Implementation 4-1.7. A: Design Review / Community Plans.*** Use the design review process and Community Plans to ensure that development is consistent with the desired character of an area, as expressed through design guidelines and / or a Community Plan.

***Policy 4-1.9: City and Neighborhood Gateways.*** Improve entryways into Fremont, and into its individual neighborhoods and districts, to achieve a sense of transition and arrival.

***Implementation 4-1.9. A: Gateways.*** Private development located within gateway areas should incorporate public improvements that enhance the identity and image of the City.

**Implementation 4-1.9.C: Gateways in New Development.** Require new development projects to provide gateway features if their location and context warrant such inclusion.

**Community Character Goal 4-3: Building Design and Site Planning.** Buildings and site plans that create great places of lasting value.

**Policy 4-3.1: Design Excellence.** Promote architectural and design excellence as an essential and required component of building, open space and infrastructure projects.

**Implementation 4-3.1. A: Architectural Standards and Guidelines.** Utilize urban design guidelines to guide and evaluate remodeling projects, additions, and new construction. Guidelines should address such elements as building height, scale, and massing; building materials, colors, and detailing; and location and neighborhood context.

**Implementation 4-3.1. B: Staff Design Review.** Conduct design review of proposed projects in accordance with the requirements of the Fremont Municipal Code. These requirements are currently located in the Fremont Municipal Code (Site Plan and Architectural Approval). Design review should be conducted for a wide variety of residential, commercial, office, industrial, and public projects.

**Implementation 4-3.1.C: Design Review by Consultant.** Utilize design professionals, as needed, to supplement staff for the purposes of conducting design review in special districts and prominent locations throughout the City.

**Policy 4-3.2: Architecture and Identity.** Use architecture to reinforce the desirable design characteristics of an area, consistent with its heritage and the vision for its future as defined in the General Plan or in an area plan. Use architecture and public space to establish defining qualities when an area does not have a clear identity or urban form.

**Policy 4-3.9: Multi-Family Residential Areas.** Design new multi-family housing in a way that creates attractive, quality living environments for a variety of household types and contributes to the overall visual quality of Fremont. Encourage the renovation of older multi-family buildings to more contemporary standards, so that such development contributes positively to community character.

**Community Character Goal 4-5: City Beautiful.** Protection and enhancement of Fremont's aesthetic and visual character.

**Policy 4-5.1: Buffering and Screening.** Provide visual buffers or screening between adjacent uses which are potentially incompatible, such as industrial and residential uses. Buffers may consist of streets, setbacks, open space, landscaping, building design, reductions in height and bulk, and other site planning methods which minimize the impacts of a particular use on its neighbors. On a smaller scale, activities on individual development sites which could detract from the visual quality or enjoyment of a

property—such as mechanical equipment and trash collection areas—should be appropriately screened and buffered.

As noted in the Land Use Element, buffering and screening is not only important for aesthetic purposes—it also helps protect the public from odors, fumes, noise, vibration, hazardous materials, and other impacts associated with certain land uses. The Fremont Zoning Ordinance includes provisions to ensure adequate buffering and separation between potentially incompatible uses.

**Implementation 4-5.1.A: Guidelines for Buffering.** Use zoning, specific plans, community plans, design guidelines, and other tools to improve transitions between different land uses. Where such plans or guidelines do not exist, use the City’s development review process to develop site-specific solutions.

**Implementation 4-5.1.B: Performance Standards.** Evaluate all projects within the industrial area for conformance with the Performance Standards located in Industrial Districts section of the Zoning Ordinance.

**Implementation 4-5.1.C: Walls and Fences.** Use the “Walls and Fences on Major Roadways” design guidelines to properly construct and maintain back-up fencing. Walls and fences should be maintained and upgraded as opportunities allow, especially along landscaped corridors.

**Policy 4-5.7: Tree Planting and Preservation.** Recognize trees as a valuable aesthetic, ecological, and economic resource. Protect and preserve Fremont’s existing trees and grow the City’s “urban forest” by planting new trees on public property and promoting tree planting and preservation on private property. New street trees should be appropriate for the function of the street, climate and soil conditions in the planting area, available space for the canopy and root network, expected sidewalk activity, and other factors.

**Implementation 4-5.7.A: Tree Preservation Ordinance.** Enforce compliance with the Tree Preservation Ordinance for any development project in the City requiring the removal, preservation or planting of trees.

**Implementation 4-5.7.B: Preservation of Landmark Trees.** Maintain Landmark Tree Program and preserve Landmark Trees on public and privately owned lands. Expand the list of Landmark Trees as new trees become eligible or are nominated. Fremont has 64 landmark trees (some are groups of trees) and nine trees that are designated historic *resources*.

**Implementation 4-5.7.C: Tree Master Plan.** Prepare a Tree Master Plan to promote appropriate tree planting and maintenance practices and to identify appropriate tree species and planting guidelines for key areas and / or street types.

**Policy 4-5.8: Landscape Design.** Use landscape design to improve the visual appearance of streets, enhance buildings, create and define public and private spaces, create shade, screen unsightly uses, and provide environmental benefits such as absorption of stormwater and air pollutants and reduction of noise.

Landscaping provides many benefits, including improved visual appearance and shade. It should be designed to enhance surrounding buildings and the natural environment. Sustainable landscape measures such as the use of drought-tolerant planting and rain barrels should be encouraged and should reinforce green practices in the City.

***Implementation 4-5.8.A: Landscaping Requirements and Standards.*** Apply the Landscape Development Requirements and Policies for all development projects when appropriate. The standards should be periodically updated to reflect best practices.

***Implementation 4-5.8.B: Stormwater Management.*** Utilize landscaping cisterns, pervious surfaces and other methods as the primary method to retain, reuse and treat stormwater on private property. Enforce compliance with Municipal Regional Permit regulations for stormwater quality when appropriate.

***Implementation 4-5.8.C: Bay-Friendly Landscaping.*** Encourage new development and redevelopment to implement and achieve points for the Bay-Friendly Landscaping Guidelines or the acceptable equivalent.

**Community Character Goal 4-6 Historic Preservation and Cultural Resources.** Conservation and enhancement of Fremont’s historic sites, buildings, structures, objects, and landscapes into the 21st Century and beyond.

***Policy 4-6.5 Design Compatibility.*** Preserve the architectural continuity and design integrity of historic districts and other areas of strong architectural character. New development within such areas does not need to replicate prevailing architectural styles exactly but should be complementary in form, height, and bulk.

**Niles Community Plan Goals:**

- Maintain and enhance the unique historic character of the Town Center
- Attract infill development that complements existing uses and is compatible in scale with existing development
- Attract a more balanced mix of Town Center businesses, including additional retail stores
- Remediate remnant industrial parcels and convert to more productive uses

***Policy 11-8.1: Enhancing the Character of Niles Town Center.*** Enhance the character of Niles Town Center by preserving and restoring historic buildings, attracting new infill development that is compatible in scale and design with existing development, continuing streetscape and signage improvements, enhancing gateways, and maintaining a comfortable environment for pedestrians.

***Policy 11-8.2: Opportunity Sites in Niles.*** Direct development in Niles to key opportunity sites, as identified in this Community Plan. Development on these sites should increase retail activity, provide a mix of housing types, eliminate gaps in the development pattern, and complement historic architectural styles.

**Policy 11-8.3: Niles Retail Mix.** Expand the mix of retail uses in Niles, leveraging the District’s historic character to retain existing businesses and encourage new retail uses for residents, visitors, and the local workforce.

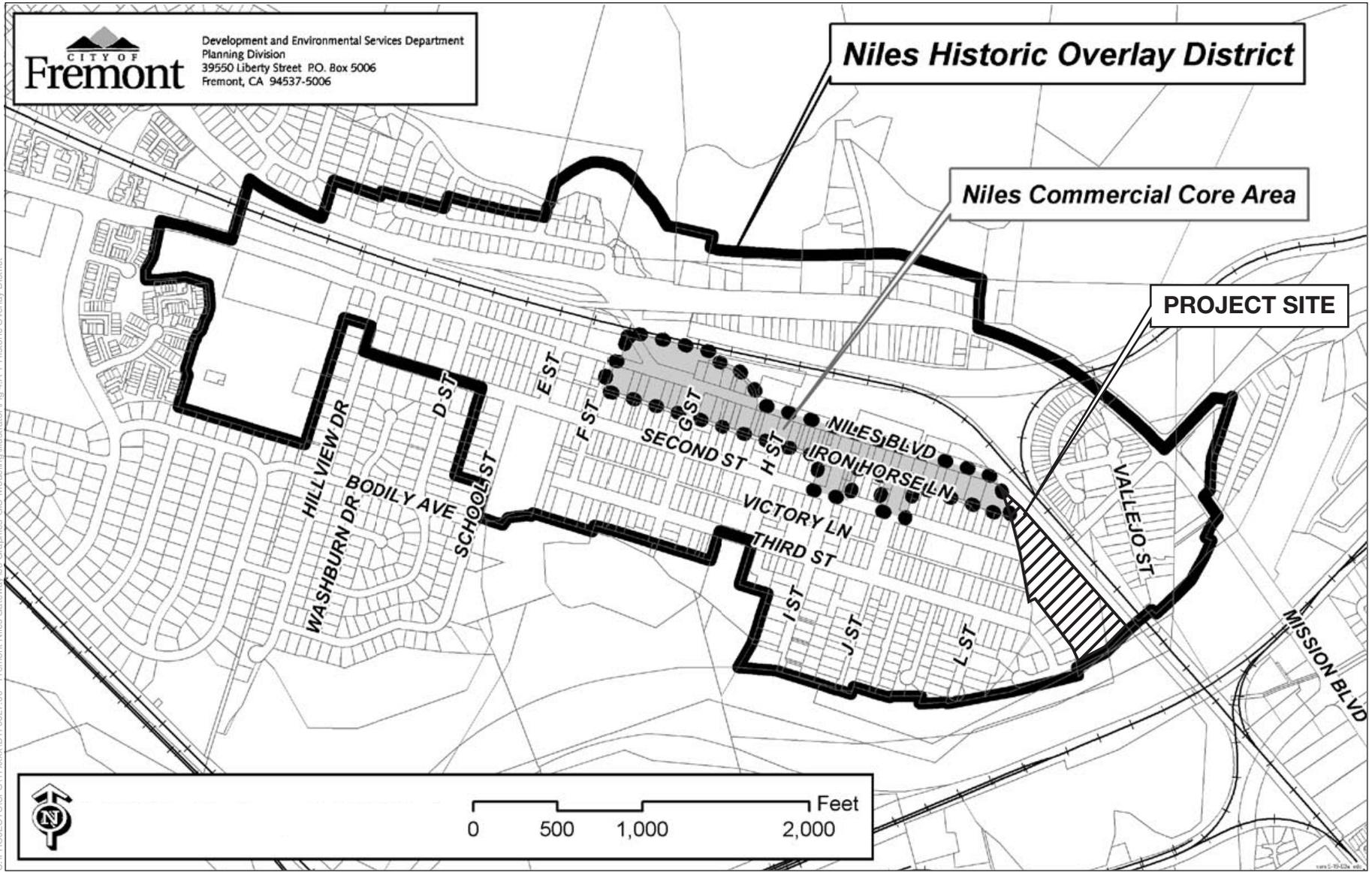
**Policy 11-8.4: Historic Character.** Preserve and enhance the historic character of the Niles business district through design guidelines, historic preservation incentives, improved community awareness and education of local history, historic markers, special events, and other activities. Historic resources, including the Niles Canyon Railway and Niles’ traditional “Main Street” atmosphere, should be seen as assets to attract businesses, customers, and visitors. Complementary uses such as a public marketplace, or other historic museums and exhibits should be encouraged.

**Policy 11-8.12: Conversion of Remnant Industrial Parcels.** Encourage collaborative efforts by the City and private property owners to redevelop remnant industrial parcels in the Niles area. When appropriate the City should take the lead role to facilitate the reuse of these sites. Community input should be solicited throughout this process.

- Implementation 11-8.12.A: Henkel Property (37899 Niles Boulevard). Support reuse of the Henkel property with a mix of commercial, residential and/or live-work uses, depending on market conditions and appropriate environmental remediation measures. Access to Alameda Creek should be provided from future development.

### ***Niles Design Guidelines and Regulations***

The *Niles Design Guidelines and Regulations* (“Guidelines”) were adopted by the City Council of Fremont in 2002. The Guidelines explicitly apply to the “commercial properties within the core area of the Niles Historic Overlay District” (the Niles Commercial Core Area) (City of Fremont 2002). The project site is located outside the Niles Commercial Core Area. However, the northernmost tip of the site abuts the southern boundary of the Niles Commercial Core Area (see **Figure 4A-7**).



SOURCE: City of Fremont, 2002

Niles Gateway Mixed-Use Project

**Figure 4.A-7**  
 Niles Historic Overlay District



The Guidelines are intended to assist in conservation and revitalization of commercial properties located in the Niles Historic Overlay District and provide a consistent framework for reviewing both modifications to existing structures and for infill buildings, consistent in scale and materials with the character of the Niles Historic Overlay District. While the proposed project is located outside the boundaries of the Niles Commercial Core Area and the Guidelines are, therefore, not expressly applicable (as outlined in the “Applicability” section of the Guidelines, page 7), the commercial component of the proposed project (described in Chapter 3, *Project Description* and summarized below) is analyzed in this section of the EIR in a broader contextual sense with regard to site and architectural design, scale/size, materials, textures, and colors for compliance with the Guidelines.

## Impacts and Mitigation Measures

### ***Approach to Analysis and Methodology***

The proposed project would develop a vacant former industrial site with a new mixed-use project that includes residential units, small-scale retail/restaurant space, and a community center. The proposed project would include construction and operation of two types of buildings on the project site consisting of 95 dwelling units and 7,333 square feet of non-residential uses (see **Figure 3-3** in Chapter 3, *Project Description*). An “L”-shaped building totaling approximately 25,171 square feet would be constructed on the northern portion of the site. This building would contain 7,333 square feet of non-residential uses (5,883 square feet of retail/restaurant and 1,450 square feet of community center space) on the ground floor and 13 “Creative Retail Artist Flex Tenancy” (CRAFT) units above. This building is collectively referred to as the CRAFT building. The southern portion of the site south of the 90-degree turn of Niles Boulevard towards Mission Boulevard would be developed with 82 townhomes. In total, 187,773 square feet of building area is proposed to be developed on the site.

The analysis of the proposed project’s impacts on the visual character or quality of the site is evaluated in two parts, and described below.

### **Compliance with the Niles Design Guidelines and Regulations**

In accordance with Section 18.135.050 of the Fremont Municipal Code, the City is required to conduct historical architectural review of new development in the Historic Overlay District. The City must make findings regarding the compatibility of the project with the Historic Overlay District’s historical character and resources in terms of siting, massing, scale, size, material, texture, and color.<sup>1</sup> For the proposed project, historic architectural review is undertaken by the Historic Architectural Review Board (HARB) in an advisory capacity to the City Council, which makes the final determination as to project compatibility with the Historic Overlay District.

While the proposed project is located outside the boundaries of the Niles Commercial Core Area and the Guidelines are, therefore, not expressly applicable, the commercial component of the proposed project (i.e., the CRAFT building) is analyzed in this section of the EIR in a broader contextual sense with regard to site and architectural design, scale/size, materials, textures, and

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<sup>1</sup> Section 18.135.080 (Standards for Review) of the Fremont Municipal Code.

colors for compliance with the Guidelines. The analysis addresses the commercial component of the proposed project for consistency with the Guidelines in the context of the CEQA requirement for analysis of a project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. While the CRAFT building includes 13 residential units above the proposed ground-floor retail and restaurant uses, for the purposes of this analysis, the building is treated as a commercial building subject to compliance with the Guidelines.

It should be emphasized that the Guidelines are variously regulatory and discretionary. Therefore, 100 percent compliance with the Guidelines is not required for a project to be approved. Moreover, as noted above, the project site is not within the Niles Commercial Core Area and, thus, the Guidelines are not formally applicable to the project site. Nevertheless, the Guidelines provide some suggestions for new construction outside the Niles Commercial Core Area but within the Historic Overlay District. Of particular relevance to the proposed project, the Guidelines state that "small-scale industrial character is part of the Niles arrival experience and should not be discouraged as an inspiration for new buildings outside the central core of the Niles Historic District" (City of Fremont, 2002; Guideline 5.d, page 26). This standard of appropriateness has been taken into consideration in reviewing the proposed project against the Guidelines.

### **Overall Impact on Visual Character and Quality**

Because the Guidelines explicitly apply to commercial properties, the analysis below also includes an evaluation of the project as a whole, which includes the aforementioned CRAFT building on the northern portion of the project site as well as the proposed 82 townhomes that would occupy the southern portion of the site. The project as a whole is analyzed in relation to applicable goals, policies, and implementation measures in the Community Character and Community Plans Elements of the 2011 Fremont General Plan related to aesthetic resources, as well as a more general assessment of whether the project would degrade the existing visual character or quality of the site and its surroundings.

### **Significance Criteria**

For the purposes of this chapter of the EIR, an impact related to aesthetic resources is considered significant if implementation of the proposed project would:

- Substantially degrade the existing visual character or visual quality of the site and its surroundings

### **Impact Analysis**

**Impact 4.A-1: The proposed project would change the existing visual character of the project site and vicinity but would not substantially degrade the existing visual character or quality of the site and its surroundings. (*Less than Significant*)**

#### **Analysis of Proposed CRAFT Building**

The following analysis addresses compliance of the proposed CRAFT building with the Guidelines. The analysis evaluates whether the proposed project would substantially degrade the

existing visual character or quality of the site and its surroundings as it relates to the Historic Overlay District's character in terms of siting, massing, scale, size, material, texture, and color. **Figures 4.A-8 through 4.A-12** show the CRAFT building elevations, renderings, proposed materials and colors, and landscaping for reference

The discussion of each topic includes analysis of the proposed project's compliance with applicable individual guidelines or regulations. Whereas all guidelines were reviewed and considered as part of this analysis, it was determined that the proposed project includes elements that fall within the purview of only about half of the Guidelines. Guidelines that are not applicable to the proposed project and/or are not related to the required findings identified in Section 18.135.080 of the Fremont Municipal Code were not further analyzed or discussed further. These include:

- Non-Applicable Guidelines Sections
  - 3 – Parking Facilities (applies to parking lots, none of which are proposed as part of the project); and
  - 9 – Commercial Signs and Lighting (a signage program is not yet proposed; at such time that signage is proposed, the City would review the proposed signs for compliance with the Guidelines and with the Fremont Sign Ordinance).
- Non-Applicable Specific Guidelines
  - 1.3 – Recessed Entrances (applies only to commercial buildings with recessed entrances; the proposed project would have non-recessed entrances adjacent to the sidewalk along Niles Boulevard);
  - 1.5 – Encroachments into Existing Front Yards for Residential Conversions (applies only to existing residential properties converted to commercial use);
  - 1.6 – Alley Setback (applies only to properties along Iron Horse Lane, which is parallel to and west of Niles Boulevard but does not extend to the project site);
  - 2.3 – Commercial Uses on the North Side of Iron Horse Lane (applies only to properties along Iron Horse Lane, which is parallel to and west of Niles Boulevard but does not extend to the project site);
  - 4.1 – Loading Access (applies to separate off-street loading areas; none is proposed as part of the project);
  - 5.2 – Franchise Design Adapted (applies to franchise imaging, which is not applicable at this time as no retail tenants are selected);
  - 6.9 – Roof-Top Enclosures (applies to rooftop elevator equipment, which is not proposed as part of the project);
  - 8.3 – Size, Shape, and Placement of Awnings (applies only to awnings within store frames and bays; the project's awning/trellis would extend the length of the CRAFT building); and
  - 8.4 – Straight-Sloping Awnings (applies only to sloped awnings; the project's awning/trellis would be horizontal).





East Elevation - Nilas Boulevard 4



North Elevation - Restaurant 3



West Elevation - New Street 2



South Elevation - Community Center 1



CRAFT Building with Retail



CRAFT Building with Retail / Restaurant Corner

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SOURCE: Vally Oak Partners, LLC, 2017

Niles Gateway Mixed-Use Project

**Figure 4.A-9**  
CRAFT Building Elevations



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View of CRAFT Building Restaurant Corner looking southwest from Niles Boulevard



View of CRAFT Building Restaurant Corner looking southeast from New Street

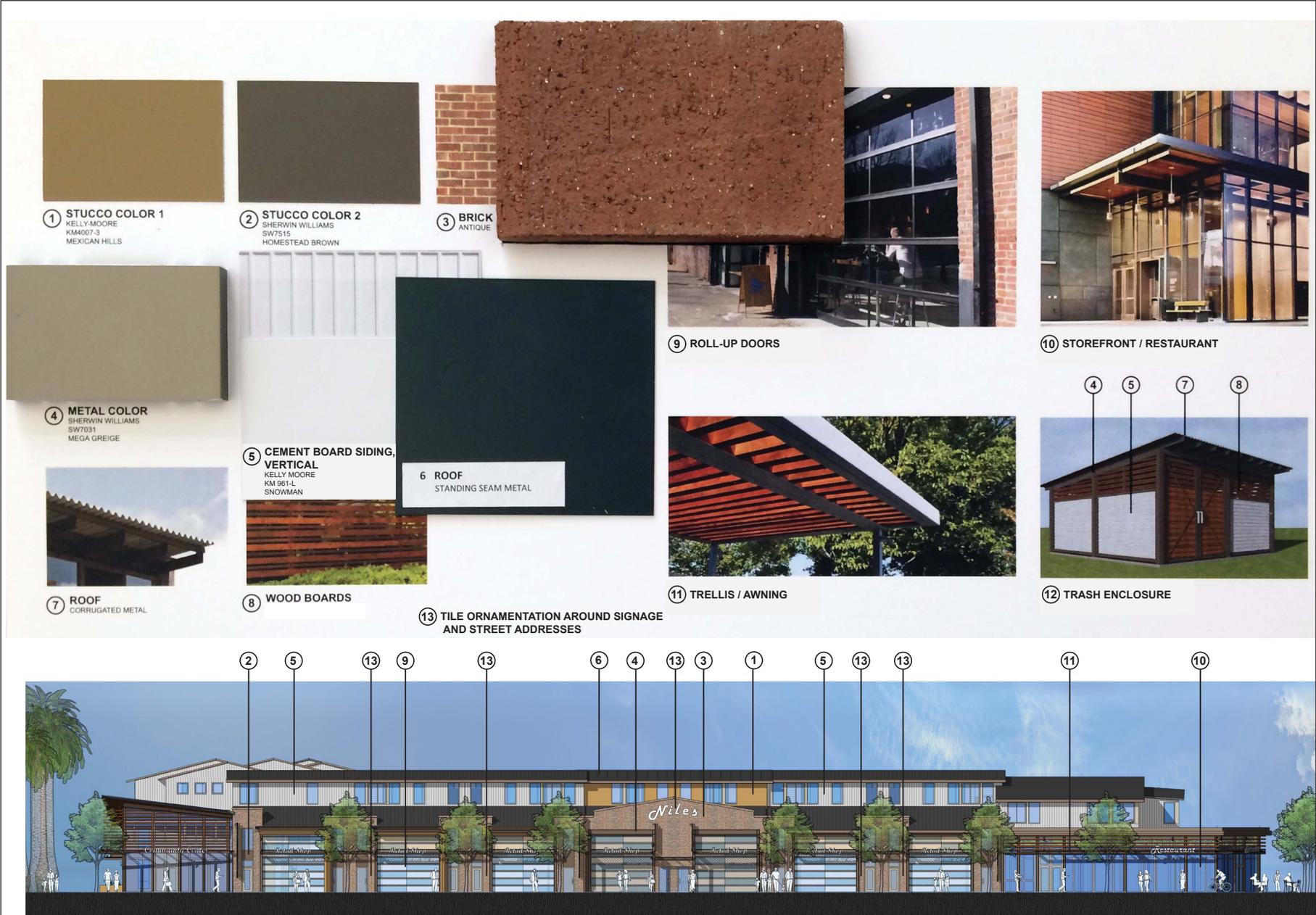
SOURCE: Valley Oak Partners LLC, 2017

Niles Gateway Mixed-Use Project

**Figure 4.A-10**  
CRAFT Building Restaurant Corner



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SOURCE: Valley Oak Partners LLC, 2017

Niles Gateway Mixed-Use Project

Figure 4.A-11  
CRAFT Building Materials and Colors



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### Callout Legend

- 1 PASSIVE PARK ALONG NILES BOULEVARD:**
  - INFORMATION KIOSK AND WAY FINDING SIGNAGE
  - MEANDERING FORMS TO CREATE PLANTING AREAS
  - DROUGHT TOLERANT PLANTING
  - PALM TREES TO MATCH VARIETY PLANTED AT NILES TOWN CENTER
  - LOW WALLS WITH EMBEDDED PEBBLE BANDING
  - SITE FURNISHINGS TO INCLUDE: (3) BIKE RACKS, (1) BIKE REPAIR STATION, BENCHES AND TRASH RECEPTACLES
  - COLORED CONCRETE WITH ENHANCED SCORE PATTERN IN PARK AND AT STREET CROSSING
- 2 CRAFT BUILDING PLAZA:**
  - SCORED COLORED CONCRETE AT PARKING PLAZA
  - EACH FLEX UNIT TO HAVE UNIQUE SCORE PATTERN TO DEFINE ENTRY IN COLORED CONCRETE
  - BIKE LOCKERS PROVIDE STORAGE FOR (6) BIKES
- 3 OUTDOOR RESTAURANT SPACE:**
  - AREA FOR DINING TABLES AND SEATING
  - RADIAL PAVERS WITH CONCRETE BANDS TO DEFINE RESTAURANT OUTDOOR SPACE
  - LARGE ORNAMENTAL POTS
- 4 ENHANCED STREETScape FOR FLEX UNITS:**
  - TREE GRATES WITH COLUMNAR STREET TREES
  - STREET LIGHTING
  - EACH FLEX UNIT TO HAVE UNIQUE SCORE PATTERN TO DEFINE ENTRY IN COLORED CONCRETE
- 5 OUTDOOR SPACE AT COMMUNITY CENTER:**
  - LOW SEATWALLS WITH EMBEDDED PEBBLE BANDING
  - SITE FURNISHINGS TO INCLUDE: TABLES, (6) BIKE RACKS AND TRASH RECEPTACLES
  - FLAG POLE
  - INFORMATION KIOSK
  - RADIAL PAVERS AT COMMUNITY CENTER ENTRY WITH CONCRETE BANDS
  - PALM TREES TO MATCH VARIETY PLANTED AT NILES TOWN CENTER
- 6 WALKWAYS TO TOWNHOME UNITS:**
  - PLANTING TO PROVIDE BUFFER BETWEEN WALKS AND PORCHES
  - BOLLARD LIGHTING ALONG WALKWAYS
  - CREATE OPPORTUNITY FOR LARGE SPECIMEN TREES WHERE APPROPRIATE
- 7 RESIDENT'S PICNIC PARK:**
  - PICNIC TABLES (1) ADA ACCESSIBLE TABLE PROVIDED) AND BARBECUE GRILLS
  - SITE FURNISHINGS TO INCLUDE: BENCHES, TRASH RECEPTACLES AND DOG PICK-UP STATIONS
  - LOW SEATWALLS WITH EMBEDDED PEBBLE BANDING
  - TURF AREA
  - SHADE TREES
- 8 PLANTING AREA ADJACENT THE EXISTING NEIGHBORHOOD:**
  - RETAINING WALLS AND LATTICE TOP WOOD FENCE AS NEEDED ALONG PROPERTY EDGE
  - COORDINATE TREE LOCATIONS WITH NEIGHBORS TO SCREEN OR FRAME VIEWS TO THE PROJECT AND HILLS BEYOND.
- 9 ENHANCED PAVING AT CROSSWALKS:**
  - SCORED COLORED CONCRETE
- 10 STREETScape :**
  - TREE GRATES WITH COLUMNAR STREET TREES
  - STREET LIGHTING

### Proposed Tree Palette

SYMBOL	BOTANICAL NAME	COMMON NAME	NATIVE / ADAPTIVE
<b>TREES</b>			
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	A
	ACER PALMATUM	JAPANESE MAPLE	A
	QERCUS OCCIDENTALIS	WESTERN REDBUD	A
	ERIOBOYTRIA DEFLEXA	BRONZE LOGOAT	A
	LAGERSTROMIA SPP.	CHIFF BRITTLE	A
	RHUS LANCEA	AFRICAN SUMAC	A
	ACER RUBRUM	RED MAPLE	A
	JACARANDA MIMOSIFOLIA	JACARANDA	A
	QUERCUS AGROFOLIA	COAST LIVE OAK	N
	ROBINIA AMBROSIA 'SARATOGA'	DAWNE LOCUST	A
	ARISTIDA	ARISTIDA	A
	LAURUS NOBILIS 'SARATOGA'	BAY LAUREL	A
	SOPHORA JAPONICA 'RECENT'	JAPANESE PASSIONA	A
	CALOCEDRUS DECURRENS	INCENSE CEDAR	N
	PLATANUS ACERIFOLIA	LONDON PLANE TREE	A
	MYOPORUM L. 'COMPACTUM'	MYOPORUM	A
	PODOCARPUS GRACILIOR	FERN PINE	A
<b>PALM TREES</b>			
	PHOENIX CANARIENSIS	CANARY ISLAND DATE PALM	A
<b>ALLEY TREES</b>			
	CALLISTEMON STD.	BOTTLE BRUSH STANDARD	A
	RHAPALOPUS STD.	ROBIN HUNTHORN STANDARD	A
	PODOCARPUS M. MAKI	YEW PINE	A

SOURCE: Vally Oak Partners, LLC, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-12**  
Proposed Landscaping



## 1. Setbacks

The intent of the Guidelines with respect to setbacks is to retain the existing continuity of generally continuous building facades without setbacks from the sidewalk and to extend this zero setback to new construction in the Niles Commercial Core Area. Although located outside the Niles Commercial Core Area, the project's CRAFT building, which would include ground-floor retail and restaurant space and a community center along the Niles Boulevard frontage, would be constructed with a zero setback, immediately adjacent to the sidewalk (see **Figure 4.A-8**). The CRAFT building would be separated from the Commercial Core by an existing residential building immediately north of the project site and, thus, the proposed project would appear as a distinct visual element at the southern gateway to Niles. The CRAFT building would include an industrial aesthetic in recognition of the site's past uses as a cannery and factory, with glazed roll-up doors serving as retail storefronts (**Figure 4.A-9**). Nevertheless, it would present a continuous commercial façade to Niles Boulevard and, thus, would be consistent with the intent of the Guidelines with respect to setbacks. The proposed project, therefore, would not degrade the existing visual character or quality of the site and its surroundings in its provision of setbacks. Discussion of specific setback guidelines and regulations applicable to the proposed project follows.

### 1.1 Front Setback

While not required by the zoning ordinance, the Guidelines encourage a zero-foot setback from the front property line for commercially zoned properties along Niles Boulevard. The project site north of the 90-degree turn of Niles Boulevard is proposed to be designated Town Center Commercial in the General Plan, with the remaining southern portion proposed to be designated Medium-Density Residential. The proposed commercial development along Niles Boulevard within the project area would extend up to the property line and sidewalk (**Figure 4.A-8**). As designed, the proposed project would comply with Guideline 1.1.

### 1.2 Second-Story Encroachments Above Public Sidewalks

The Guidelines discourage second stories of new corner buildings with a frontage on Niles Boulevard from extending more than three feet over the public sidewalk below. The proposed project would include the CRAFT building, whose north end visually and functionally represents a corner building on Niles Boulevard. The upper stories of the CRAFT building would be setback from the ground floor and would not extend over the public sidewalk below (**Figure 4.A-9**). As designed, the proposed project would comply with Guideline 1.2.

### 1.4 Historic “Keyhole” Entries

The Guidelines encourage the use of “keyhole” entries—recessed entries with canted walls—for new commercial storefronts. Because keyhole entries are notable features of many—but not all—of the commercial storefronts located in the Niles Commercial Core Area, the absence of such entries on the CRAFT building (which is located outside the Niles Commercial Core Area) would serve to differentiate the new construction from the nearby historic commercial buildings.

As designed, the proposed project would not comply with Guideline 1.4 due to the absence of keyhole entries. However, as noted above, the proposed project would be distinct and separate

from the historic Niles Commercial Core Area and, thus, the use of flush entries would not create undue contrast with existing historic keyhole entries within the Niles Commercial Core Area. Instead, the project would take design cues from the site's industrial past, with the roll-up doors being the primary feature of the retail storefronts (**Figure 4.A-9**). Given the foregoing conditions, the proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings with respect to this guideline.

## 2. Outdoor Areas

The intent of the Guidelines with respect to outdoor areas is the creation of a central town square, with outdoor dining and safe places to walk, along with retention of panoramic views to the hills across the former rail yard (east of Niles Boulevard). Because the project is outside the Niles Commercial Core Area, it would not affect views across the former rail yard, nor would the project adversely affect the existing Niles Town Plaza adjacent to the historic Niles Depot. The project would be consistent with the Guidelines' intent to allow for outdoor dining and safe pedestrian space. The proposed project, therefore, would not degrade the existing visual character or quality of the site and its surroundings in its treatment of outdoor areas. Discussion of specific outdoor areas guidelines and regulations applicable to the proposed project follows.

### 2.1 Outdoor Dining on Public Sidewalks

A 2,400-square-foot restaurant is proposed to occupy the north end of the CRAFT building, the location within that project site that is nearest the Niles Commercial Core Area. An outdoor dining area adjacent to the restaurant and a public sidewalk that is parallel to Niles Boulevard would feature tables and chairs, large ornamental pots (presumably used for planters), and radial pavers to define the outdoor space (**Figure 4.A-10**). Architectural renderings also show umbrellas. As designed, the proposed project would comply with Guideline 2.1., which encourages outdoor dining on sidewalks and use of aforementioned features.

### 2.2 Defensible Space

Public areas designed as part of the proposed project include a "passive park" fronting Niles Boulevard, a sidewalk to access the retail/restaurant spaces in the CRAFT building, and outdoor space on the north and south ends of the CRAFT building nearest Niles Boulevard (**Figure 4.A-12**). These public areas would feature a limited number of access points, glazing at corner buildings, and avoidance of places for persons to hide. The sidewalk would also feature street lighting. As designed, the proposed project would comply with Guideline 2.2.

## 4. Areas for Service, Loading, and Mechanical Equipment

The intent of the Guidelines with respect to areas for service, loading, and mechanical equipment is to minimize the effects of such uses on nearby residents, businesses, pedestrians, and motorists. The project would be consistent with these guidelines, in that it would allow service traffic to enter the project site via the private roadway and would provide a screened trash enclosure. The proposed project, therefore, would not degrade the existing visual character or quality of the site and its surroundings with respect to service and loading areas and mechanical equipment.

Discussion of specific guidelines and regulations applicable to the proposed project with respect to service, loading, and mechanical equipment follows.

#### **4.2 Screening of Loading Areas and Waste Receptacles**

The proposed project would not include any designated loading areas. However, service vehicles could enter the site from Niles Boulevard and use the on-site private street for loading. A 342-square-foot trash enclosure located west of the CRAFT building would be constructed substantially of opaque wood and metal materials (**Figure 4.A-11**). As designed, the trash enclosure would screen public views of the communal dumpsters within and, thus, the proposed project would comply with Guideline 4.2.

#### **4.3 Location of Mechanical Equipment**

One enclosed mechanical room would be located at the rear of the restaurant space in the CRAFT building. Small-scale equipment would be integrated into landscaping features and large-scale equipment would be visually screened from major pedestrian areas (e.g., condenser units would be situated on flat roofs).<sup>2</sup> As designed, the proposed project would comply with Guideline 4.3.

### **5. Design Styles**

The Guidelines note that the Niles Historic Overlay District contains a wide variety of architectural styles from different eras, including “industrial buildings located at each end of the commercial area,” a reference, in part, to the former Henkel-Schuckl factory buildings on the project site that were extant at the time the Guidelines were adopted in 2002. The Guidelines state: “Identification, retention, and preservation of historic buildings in the Niles Historic District is the first step in maintaining the existing array of design styles.” However, no buildings exist on the site at present. The proposed project, therefore, would not degrade the existing visual character or quality of the site and its surroundings with respect to architectural design. Discussion of specific guidelines and regulations applicable to the proposed project with design styles follows.

#### **5.1 Corner Buildings**

The proposed project would include the CRAFT building, whose north end visually and functionally represents a corner building. The primary façade of the CRAFT building would front Niles Boulevard, and the majority of the first floor would be occupied by commercial space (**Figure 4.A-10**). The upper floors would be exclusively residential.

The design of the CRAFT building responds to and reflects the scale, massing, and form of existing commercial block corner buildings in the Niles Commercial Core Area and would be consistent with the historic character and features of Niles. In general, the scale of existing commercial corner buildings is larger and more prominent than mid-block buildings. In terms of massing, commercial corner buildings range in height from one to three stories with no setbacks from the public rights-of-way, and the wall planes are typically two-dimensional with little

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<sup>2</sup> Personal email communication from Doug Rich at Valley Oak Partners, LLC, to Susan Yogi, Senior Managing Associate at ESA. November 16, 2017.

variation in depth. One obvious exception is the use of angled bay windows on several corner buildings, which feature projecting bays at these prominent locations. In terms of form, commercial corner buildings are generally rectilinear in plan and feature hipped and flat roof forms. As designed, the proposed project would comply with Guideline 5.1.

## **6. Building Form and Height**

The intent of the Guidelines with respect to building form and height is “retention of the existing building form and height relationships, including maintaining the interesting and distinctive profile along the street front.” With respect to new construction, the project would be consistent with these guidelines, in that building heights in the proposed project would be within the range of building heights within the Niles Commercial Core Area. Moreover, the project would have no adverse effect on existing buildings. Therefore, with respect to building form and height, the proposed project would not degrade the existing visual character or quality of the site and its surroundings. Discussion of specific guidelines and regulations applicable to the proposed project with respect to building form and height follows.

### **6.1 Building Heights for Mid-Block Buildings and 6.2 Building Height for Corner Buildings**

Commercial mid-block buildings in the Niles Commercial Core Area range in height from one to two stories with no setbacks from the public rights-of-way. Commercial corner buildings in the Niles Commercial Core Area range in height from one to three stories with no setbacks from the public rights-of-way. The proposed CRAFT building—which visually and functionally represents a combined corner and mid-block commercial building—would range in height from one to three stories and the maximum height would be approximately 32 feet to the roof peak (**Figure 4.A-9**). The northern portion of the building would be occupied by ground-floor commercial space, and the upper residential floors would be set back. The setbacks would create the effect of a less imposing façade and reduce the visual impact of the upper floors. On the primary façade along Niles Boulevard, the double-height commercial space on the first floor would obscure the second floor from the sidewalk, creating the effect of a tall first floor and one upper floor that is set back. The CRAFT building would not include tower elements or rooftop weathervanes or flagpoles. As designed, the proposed project would comply with Guidelines 6.1 and 6.2.

### **6.3 Interesting Roof Forms**

The proposed project would utilize a number of roof forms in various combinations, including gabled, pent, flat, and V-shaped roofs (**Figure 4.A-9**). This variation would provide visual interest at the new buildings’ rooflines. It would also reflect the variety of roof forms and rooflines seen in the Niles Historic Overlay District and would be consistent with the historic character and features of Niles. As designed, the proposed project would comply with Guideline 6.3.

### **6.4 Horizontal Articulation**

As described under Guideline 5.1, the north end of the CRAFT building would visually and functionally represent a corner building. Horizontal articulation of the first-floor restaurant space would wrap around three façades, continuing the commercial character from Niles Boulevard to a

proposed new street on the west and south sides of the project site (**Figure 4.A-10**). Horizontal elements in this location would include wood boards as a surface treatment, trellis/awning features, and the flat roof form. Several of these horizontal elements would be repeated at the south corner of the CRAFT building where the community center is located. As designed, the proposed project would comply with Guideline 6.4.

### **6.5 Continuity of Façade Elements**

The primary façade of the CRAFT building along Niles Boulevard would feature elements that are vertically aligned and oriented, including the brick veneer-clad walls separating each retail bay, brick veneer cladding surrounding the retail and residential pedestrian entrances, and the roll-up doors (measuring approximately 15 feet in height) that would serve as the primary features of the retail storefronts (**Figure 4.A-11**). As designed, the proposed project would comply with Guideline 6.5.

### **6.6 Geometric Building Elements**

The proposed project would introduce a harmonious variety of geometric shapes and forms. The prevailing geometry of the Niles Commercial Core Area is rectangular, and this would be reflected in many aspects of the proposed project. Individual residential and commercial units would be rectilinear in plan; exterior wall planes would be slightly offset from one another, creating playful and dynamic façades and interesting shadows. As discussed under Guideline 6.3, the design features a variety of roof forms. The CRAFT building would feature a stepped and gabled parapet in the center of the primary façade along Niles Boulevard (**Figure 4.A-9**). This variety of geometric shapes and forms would result in visually unique buildings that do not blatantly reference any buildings in the immediate vicinity, and yet would be compatible with the historic character of Niles. As designed, the proposed project would comply with Guideline 6.6.

### **6.7 Blank Walls**

The primary façade of the CRAFT building along Niles Boulevard would not feature expanses of blank walls greater than five feet in length on the first floor (**Figure 4.A-10**). Although the building's other façades would have some blank walls that exceed five feet in length, these parts of the proposed project are exclusively residential in function and would not feature storefronts. As designed, the proposed project would comply with Guideline 6.7.

### **6.8 Visual Interest on Side and Rear Elevations**

All side and rear façades of the proposed project that would be visible from public areas would create visual interest through the incorporation of windows, articulated wall surfaces, landscaping, and other decoration and would be compatible with the historic character of Niles. As designed, the proposed project would comply with Guideline 6.8.

## **7. Façades and Storefronts**

The Guidelines for façades and storefronts focus on preservation of the existing “eclectic variation” of façade and storefront character, particularly varied roof elements and colorful

bulkhead tile work.<sup>3</sup> The proposed project would generally be consistent with these guidelines, in that it would comply with direction concerning storefront design, horizontal and vertical continuity, storefront width and height, and most other aspects of storefront design called for in the Design Guidelines. The proposed project, therefore, would not degrade the existing visual character or quality of the site and its surroundings in its treatment of façades and storefronts. Discussion of specific guidelines and regulations applicable to the proposed project with respect to façades and storefronts follows.

### 7.1 Storefront Design

The proposed project employs two distinct types of storefronts for the CRAFT building. The storefront design for the corner restaurant space would employ pairs of glazed doors with transoms, and the exterior walls would be entirely glazed (**Figure 4.A-11**). The storefront design for the other retail shops would employ single glazed doors with transoms within narrow expanses of brick walls, and the remainder of the first-floor retail space would feature glazed roll-up doors. Both designs are contemporary interpretations of the storefront formats shown on page 30 of the Guidelines, and these schemes would promote visual interest and an eclectic character. As designed, the proposed project would comply with Guideline 7.1.

### 7.2 Horizontal and Vertical Continuity

The proposed project features building façades that have been designed as harmonious units. Horizontal elements would align with one another. Notably, a continuous horizontal metal and wood awning/trellis would extend along the entire Niles Boulevard façade of the CRAFT building. Above the roll-up doors of each retail storefront would be a metal-clad pent roof that would provide an additional continuous horizontal visual element (**Figure 4.A-11**). As described under Guideline 6.5, façade elements would likewise align vertically. As designed, the proposed project would comply with Guideline 7.2.

### 7.3 Storefront Width

Guideline 7.3 encourages a range in store front widths from 15 feet to no more than 25 feet wide. According to dimensioned floor plans of the CRAFT building on sheet A2.1 (revised and dated November 29, 2017), individual storefronts would range between about 25 feet and about 50 feet in width, although the widest storefront would have two pedestrian entrances in addition to two roll-up doors, indicating that it could potentially be subdivided into two shops (**Figure 4.A-8**). Two other storefronts, each about 44 feet wide, would each include two roll-up doors and a single pedestrian entry. However, the storefronts would be visually divided into discrete elements that measure 25 feet or less in width. These visual elements would be separated from one another by pedestrian doorways to the upper-level residential units and by pedestrian doorways to the ground-floor retail spaces. All of these doorways would be flanked by brick veneer-clad walls that would visually divide the ground-floor façade into seven distinct elements, each approximately 25 feet in width. This apparent storefront width would be within the range of 15 to 25 feet described in the Guidelines.

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<sup>3</sup> A storefront bulkhead is the solid portion of the façade between the sidewalk and the bottom edge of the display window.

Relatively narrow storefronts are notable features of many of the twentieth century commercial buildings located in the Niles Commercial Core Area. The CRAFT building (which is located outside the Niles Commercial Core Area) employs wider storefronts composed of some larger-scale elements (e.g., roll-up doors) that would differentiate the new construction from the nearby historic buildings while harkening back to the property's industrial history in both canning and manufacturing, and reflecting the overall proportions of the CRAFT building.

As designed, the proposed project would not be in literal compliance with Guideline 7.3, although it would comply with the intent of this guideline through the repetition of visual elements measuring approximately 25 feet in width. Moreover, the project would also echo the site's industrial past. As such, the proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings with respect to this guideline.

#### **7.4 Storefront Height**

The storefronts would have an overall height of approximately 15 feet to the top of each roll-up door. However, a wide trellis/awning would extend across the entire width of the CRAFT building at a height of 10 feet, drawing in part from the Niles Commercial Core Area's use of transom windows atop the main display window. As such, the height of storefronts would be similar to the range of 12-15 feet described in the Guidelines, with the slightly greater height appropriately drawing from the project site's industrial past. As designed, the proposed project would comply with Guideline 7.4.

#### **7.5 Storefronts Frames Recessed**

The roll-up doors, which would be the dominant element of the storefronts, would be set back several inches from the face of the building. A recess between six and 12 inches is encouraged in the Guidelines so that the storefront is framed to maximum advantage. Therefore, the project would comply with Guideline 7.5.

#### **7.6 Indirect Lighting**

The project would include low-glare indirect lighting at storefront divisions of the facade to accent storefronts and to illuminate the sidewalk as required under Chapter 18.45.030 of the Fremont Municipal Code. Lamps would be required to be mounted at least eight feet above the sidewalk and would be shielded to prevent glare for pedestrians in accordance with Guideline 7.6. Therefore, the design would comply with Guideline 7.6.7.7 Entry Orientation.

#### **7.7 Entry Orientation (to sidewalk)**

The proposed project would incorporate several storefronts for commercial spaces in the CRAFT building. All primary building entrances would face Niles Boulevard, and the corner restaurant would have additional entrances on the side and rear façades. The orientation of the primary entries toward the sidewalk would be consistent with the historic character and features of Niles. As designed, the proposed project would comply with Guideline 7.7.

### **7.8 Recessed and Lighted Entries**

Entries would be lit with interesting doorway light fixtures that provide safe conditions for pedestrians, residents, and retail patrons. Therefore, the proposed project would comply with Guideline 7.8.

### **7.9 Shadow Lines**

A shadow study has not been prepared for the proposed project. New buildings within the project site would not abut any buildings in the Niles Historic Overlay Zone. New buildings would be separated from existing buildings on the west and southwest sides of the project site by a new street, fences, and landscaping and would not cast shadows on nearby buildings. Likewise, existing buildings would not cast shadows on new buildings. As designed, the proposed project would comply with Guideline 7.9.

### **7.10 Proportion of Window Areas to Façades**

The primary façade of the CRAFT building along Niles Boulevard features more window area on the first floor than on the upper floors. The design uses a variety of sizes of glass panes that convey a visual hierarchy that the first floor is more prominent than the upper floors. The storefront windows on the north and south ends of the building wrap around the corners and use similar proportions as those on the primary façade (**Figure 4.A-10**). As designed, the proposed project would comply with Guideline 7.10.

### **7.11 Bulkhead**

The proposed project would not incorporate bulkheads (solid wall sections between the sidewalk and the bottom of a display window) into its commercial storefronts in the CRAFT building fronting Niles Boulevard. The Guidelines explain that a bulkhead height of 12 to 24 inches is encouraged for new storefronts, and a height from zero to 45 inches may be appropriate in certain contexts. Because bulkheads are notable features of many of the twentieth century commercial storefronts located in the Niles Commercial Core Area, the absence of bulkheads on the CRAFT building (which is located outside the Niles Commercial Core Area) would serve to differentiate the project's new construction from the nearby historic buildings, as well as to illustrate the association with the project site's industrial past. While the project would not include bulkheads, this guideline expressly allows for no bulkheads in certain contexts. Given the site's canning and manufacturing history and no history of on-site retail functions as well as the fact that the proposed project is not within the Niles Commercial Core Area and is separated from it by an existing residential building, the project may appropriately be designed without bulkheads and still be found compliant with the design guidelines. Therefore, as designed, the proposed project would comply with Guideline 7.11.

### **7.12 Door and Window Systems**

Guideline 7.12 specifically advises against vinyl windows in the context of commercial storefronts. While residential units on the upper floor of the CRAFT building would have vinyl windows, windows and doors on the commercial component of the CRAFT building (including the roll-up doors that are part of the storefront assemblies) would be of substantial and sturdy materials (**Figure 4.A-11**). The CRAFT building would avoid the appearance of narrow lines and

would avoid the use of aluminum and/or vinyl window framing and mullion systems for storefronts, in compliance with Guideline 7.12. Clear glass would be used in all storefronts and all other windows, which is the preferred type of glazing identified in Guideline 7.12.

Contrary to Guideline 7.12, window heads and sills would not be strongly expressed (there would be no base or bulkhead features; rather, the roll-up doors would extend to the sidewalk). However, Guideline 7.11 explains that the absence of a bulkhead may be appropriate in certain contexts. As noted above, the project site's industrial past is arguably such a context. Moreover, the industrial design theme supports the use of simplified window framing. Therefore, this aspect of the proposed project complies with the Guidelines.

Transom windows, which are encouraged in the design of new buildings, would be visually incorporated above doorways in commercial storefronts in the CRAFT building, as noted above, as the horizontal trellis/awning element would give the storefront windows the appearance of having transom windows above. The primary façade of the CRAFT building along Niles Boulevard would feature seven roll-up doors, and unusual window/door systems such as these are encouraged for new buildings in Guideline 7.12 (**Figure 4.A-11**). As designed, the proposed project would substantially comply with Guideline 7.12.

### **7.13 Security Grilles**

No security grilles would be used. The proposed project would comply with Guideline 7.13.

### **7.14 Electrical Boxes, Conduits and Switch Boxes**

Electrical boxes, conduits, or switch boxes would be visually concealed from public view (e.g., integrated into the landscaping around the townhome buildings). The proposed project would comply with Guideline 7.14.

## **8. Awnings**

The intent of the Guidelines for awnings is to encourage the use of colorful awnings on commercial frontages along Niles Boulevard. Today, however, few buildings on Niles Boulevard include the awnings or horizontal wood canopies that historically were present, perhaps in part because such materials deteriorate over time and need intermittent replacement. Accordingly, the guidelines for awnings are less relevant than many of the other sections of the Guidelines. Nevertheless, the proposed project would be generally consistent with these guidelines, as the CRAFT building would feature a horizontal wood and metal trellis/awning along its entire Niles Boulevard length (**Figure 4.A-11**). The proposed project, therefore, would not degrade the existing visual character or quality of the site and its surroundings in its use of awnings. Discussion of specific guidelines and regulations applicable to the proposed project with respect to the design and color of appropriate awnings follows.

### **8.1 First-floor Awnings and Canopies**

A continuous awning/trellis above the storefronts in the CRAFT building would be constructed of metal and stained wood. Per the Guidelines, the use of metal awnings at the first floor may be appropriate for new buildings in the Niles Historic Overlay District, particularly if there is an

industrial association with a property. The contemporary design of the CRAFT building features a variety of industrially inspired elements that harken back to the property's history as the site of canning and manufacturing operations. For example, the former Schuckl Cannery featured a continuous covered walkway along the north façade of the office facing Niles Boulevard (located on the site of the proposed CRAFT building), which both appeared and functioned as a metal awning. In this instance, the use of metal awnings would be appropriate and would not substantially degrade the existing visual character or quality of the project site and its surroundings. As designed, the proposed project would comply with Guideline 8.1.

## 8.2 Second-Story Awnings

This guideline encourages the use of canvas awnings at the second story of new buildings. However, such awnings are typically used where windows do not have other means of rain and sun protection, as shown in the illustration accompanying this guideline (see Figure 23 on page 33 of the Guidelines). In contrast, the proposed CRAFT building's primary façade along Niles Boulevard would have projecting roof eaves immediately above the second-story residential windows, thereby eliminating the need for awnings (**Figure 4.A-10**). The eaves would serve the same purpose as awnings and would provide visual interest at the second story. Moreover, the site is currently vacant, it is not within the Niles Commercial Core Area, and it is separated from the Niles Commercial Core Area by an existing residential building. Therefore, while the proposed project would not comply with this guideline, the project would not degrade the existing visual character of the site and its surroundings as a result of the absence of second-story awnings.

## 8.5 Retractable Awnings

The Guidelines encourage the installation of retractable awnings for all storefronts along Niles Boulevard in order to allow for maximum light penetration into storefronts, especially for the somewhat dark, north-facing windows. The proposed project's awning/trellis on the Niles Boulevard façade would be rigid and fixed in place. The awning/trellis would contribute to a coherent aesthetic for the Niles Gateway Mixed-Use Project by unifying the CRAFT building's Niles Boulevard frontage. Additionally, although not retractable, the awning/trellis would feature wood slats that allow for light penetration into the storefronts, as called for in the Guidelines (**Figure 4.A-11**).

As designed, the proposed project would not comply with Guideline 8.5. However, because the project site is vacant, is not within the Niles Commercial Core Area, and is separated from the Niles Commercial Core Area by an existing residential building, the use of a fixed awning element would not substantially degrade the existing visual character or quality of the project site and its surroundings.

## 8.6 Colorful Awnings

The Guidelines encourage the use of colorful and striped awnings that vary from storefront to storefront, along with logos and retail signage on the vertical portion of an awning. The proposed project would employ a continuous awning/trellis above storefronts located in the CRAFT building. The awning/trellis would be made of wood and metal and would be neither colorful nor striped, although it would provide for retail signage on the vertical edge.

As designed, the proposed project would not comply with Guideline 8.6. However, because the project site is vacant, is not within the Niles Commercial Core Area, and is separated from the Niles Commercial Core Area by an existing residential building, the lack of colorful awnings would not substantially degrade the existing visual character or quality of the project site and its surroundings.

### **8.7 Inappropriate Awnings**

A review of the proposed project determined that the type of awning featured on the CRAFT building does not fall under the types identified as “inappropriate” on page 35 of the Design Guidelines, including vinyl and illuminated awnings. As designed, the proposed project would comply with Guideline 8.7.

## **10. Materials, Color, and Ornament**

The Guidelines, with respect to materials, color, and ornament, call attention to the historic use of colorful glazed ceramic tile; to provide additional guidance concerning use of traditional materials such as wood, stucco, and brick; and to set forth recommendations for façade composition and color palette. The project would generally be consistent with these guidelines, albeit in a modern, industrially inspired design. The proposed project, therefore, would not degrade the existing visual character or quality of the site and its surroundings with respect to materials, colors, and ornament.

### **10.1 Graffiti-Resistant Materials**

Graffiti-resistant materials would be used along most exposed public edges of the project. The proposed project would comply with Guideline 10.1.

### **10.2 New Construction**

The proposed design for the CRAFT building employs brick veneer surrounding each of the eight pedestrian doorway locations on the primary façade. Brick veneer would also be used on the stepped and gabled parapet in the center of the façade. The application of brick would be continuous in these various façade elements. Per Guideline 10.2, brick veneer would not be used at the corners of the building. The use of brick veneer on the commercial façade of the CRAFT building appears to be maximized, as it would be used for all first-floor exterior walls that would not be otherwise glazed (**Figure 4.A-11**). As a result, there are no additional expanses of exterior walls that would be appropriate to feature brick cladding on this façade. Wood elements (specifically the storefront awnings) would be featured between the corners of the building. As designed, the proposed project would comply with Guideline 10.2.

### **10.3 Composition of Commercial Building Façades**

The proposed design for the CRAFT building reflects the tripartite composition of commercial façades outlined in Guideline 10.3. The three components are the storefront, the portion of the façade above the storefront comprising the pent roof and the central pediment, and the upper culmination of the façade comprising the second-story residential facade.

The storefronts of the proposed CRAFT building would be viewed as distinct elements of the façade and would clearly convey a commercial character. Guideline 10.3 calls for “particular attention” to be paid to the design and materials of the base or bulkhead, side piers or columns, transom area (if any) and sign panel area. As described under Guideline 7.11, the project would not employ bulkheads, although Guideline 7.11 explains that lack of a bulkhead may be appropriate in certain contexts. The remainder of the building base would include distinctive visual features, including brick veneer cladding and roll-up doors. The area of the roll-up doors above the awning/trellis would recall the historic use of transom windows. Finally, the vertical edge of the awning/trellis would provide a location for retail signage (**Figure 4.A-9**). Given these features, the proposed project would comply with Guideline 10.3 in a contemporary, industrially inspired design aesthetic.

Regarding the portion of the façade above the storefronts, the design and use of materials would be straightforward and functional and would not compete for attention with the storefronts below. The upper floors would be setback from the first-floor commercial spaces, and would reduce the visual impact of the upper floors.

Regarding the upper culmination of the façade, the CRAFT building features a variety of roof forms that reflect the dynamic rooflines and roof forms found throughout the Niles Historic District.

As designed, the proposed project complies with Guideline 10.3 and would not substantially degrade the existing visual character or quality of the project site and its surroundings.

#### **10.4 Building Colors**

The proposed project would employ three different color/material schemes for various project components. Each scheme features painted (not tinted) stucco in rich, saturated, neutral colors that are variations of stucco colors found in the Niles Historic District. Likewise, brick veneer and horizontal and vertical siding would be richly colored. The darkest paint colors would be used as accents on small wall areas. The primary façade of the CRAFT building along Niles Boulevard would incorporate two colors of stucco as well as brick veneer, vertical cement board siding, and ornamental tile, exceeding the minimum of three colors (**Figure 4.A-11**). As designed, the proposed project would comply with Guideline 10.4.

#### **10.5 Tile Work and Other Ornament**

The proposed project would feature ornamental tile around signage and street addresses on the primary façade of the CRAFT building (**Figure 4.A-11**). The building is distinctly contemporary in its design and features a variety of industrial-inspired elements that harken back to the property’s history as the site of canning and manufacturing operations. The inclusion of tile ornament clearly references the history of local tile-making, examples of which are exhibited on nearby historic buildings located in the Niles Commercial Core Area. As designed, the proposed project would comply with Guideline 10.5.

## 10.6 Appropriate and Inappropriate Materials and Colors

The CRAFT building would feature exterior walls clad in smooth stucco, brick veneer, and vertical cement board siding with wood, metal, and tile accents (e.g., horizontal wood slats as a window treatment, metal spandrels, wood/metal awnings, and tile around signage and street addresses); roofs clad in standing-seam metal painted a dark color; and windows with clear glass and substantial metal frames for the ground-floor commercial units on the east façade and narrow metal frames for the residential units (**Figure 4.A-11**). With the exception of the vertical cement board siding on the upper story of the CRAFT building, all materials are identified as “appropriate” under Guideline 10.6 of the Guidelines and would be consistent with the historic character and features of Niles. It should be noted that vertical siding is not identified as “inappropriate” in the Design Guidelines. Rather, it is potentially acceptable subject to design review. As designed, the proposed project would comply with Guideline 10.6.

## 10.7 Change of Materials

The proposed project would employ a variety of materials, and the overall design and individual project components would clearly convey a sense of solidity. Different materials would not be combined at outside corners. Where different materials are used in the same wall plane, one would clearly be the primary wall material and the other would be an accent (e.g. at the entrances to the retail shops on the east façade of the CRAFT building where brick and stucco are used together). As designed, the proposed project would comply with Guideline 10.7.

## 11. Landscaping

The intent of the Guidelines landscaping is to recognize the local horticultural history and important trees that serve as visual landmarks. The project would be consistent with these guidelines, in that it would employ appropriate landscaping, would comply with applicable water conservation measures, and would avoid removal of Landmark Trees. The proposed project, therefore, would not degrade the existing visual character or quality of the site and its surroundings in its provision of landscaping. Discussion of specific guidelines and regulations applicable to the proposed project’s landscaping follows.

### 11.1 Trees

The Guidelines recommend the inclusion of plant materials appropriate to Niles history. The proposed project plantings include flowering plants and shrubs (including roses), trees (including fruit and palm trees), small and medium shrubs, grasses and succulents (**Figure 4.A-12**). Roses and fruit and palm trees are particularly notable to the history of Niles as they were grown and can still be found at the historic California Nursery on Niles Boulevard. These plants include those reflective of the heritage of Niles, and as designed, the proposed project would comply with Guideline 11.1.

### 11.2 Water Conservation

The Guidelines reference Resolution No. 7866, which was adopted in May 1990 as the Development Policy for Water Conservation for New Developments. According to a 2012 City of Fremont staff report, “This policy...has been superseded by the City’s Water Efficient Landscape

Ordinance, Bay Friendly Landscape practices and policies within the Conservation Element.” (City of Fremont 2012). As stated on Sheet L-2 of the project drawings (included as **Figure 3-10** in Chapter 3, *Project Description*), “The irrigation design for the site shall comply with the State of California Model Water Efficient Landscape Ordinance (Title 23, Division 2, Chapter 2.7) and the City of Fremont Water Efficient Landscape Standards.” As designed, the proposed project would comply with Guideline 11.2.

### **11.3 Heritage Trees**

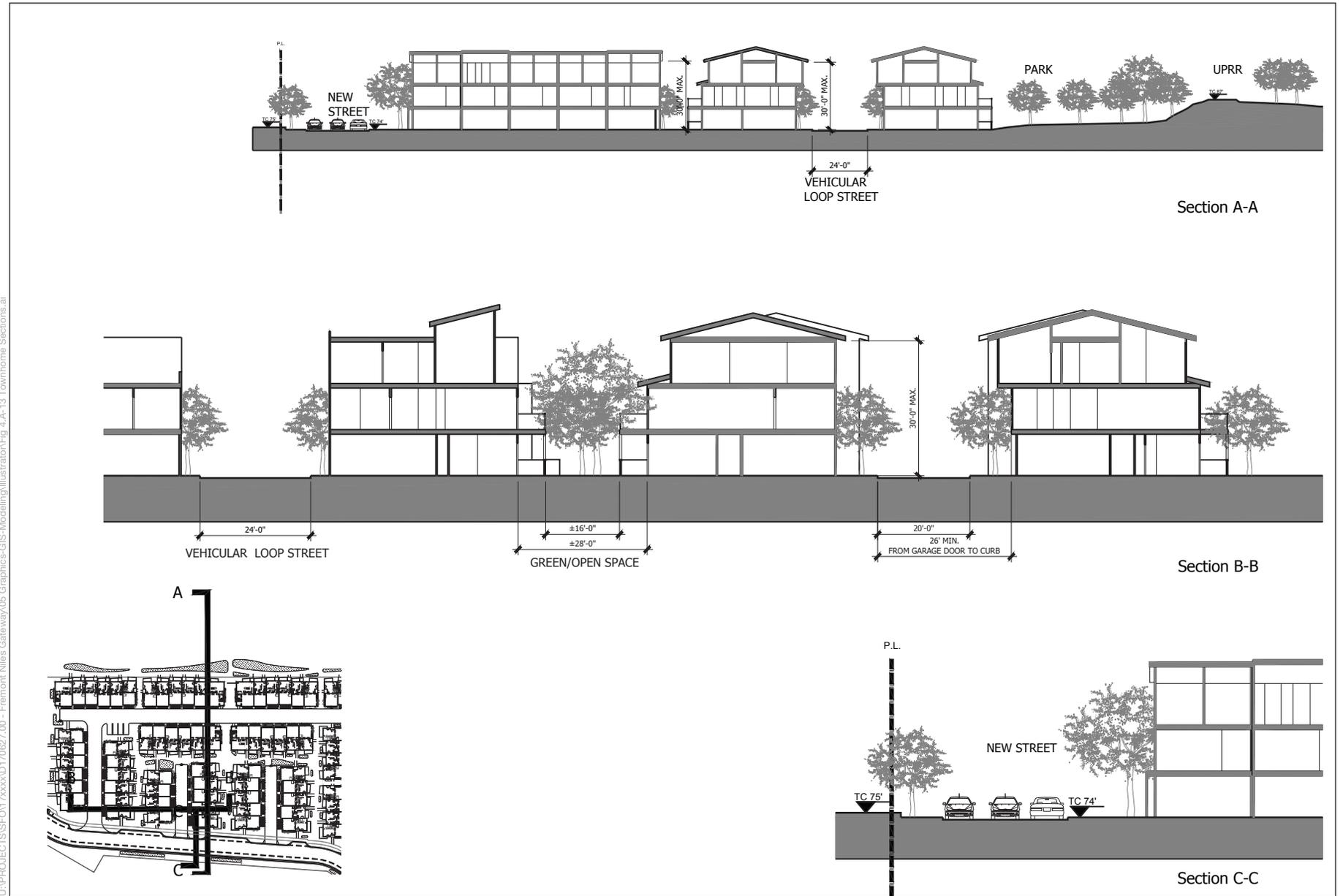
There are approximately 44 trees on the project site including eucalyptus, none of which are listed in the City’s Landmark Tree Inventory. As part of the project, approximately 44 of the non-landmark trees would be removed. As designed, the proposed project would comply with Guideline 11.3.

### ***Overall Impact on Visual Character and Quality***

In addition to the CRAFT Building described above, the proposed project would also include 82 townhomes in the southern portion of the site south of the 90-degree turn of Niles Boulevard towards Mission Boulevard. Typical townhome building sections and elevations of the townhomes are shown on **Figure 4.A-13** and **Figure 4.A-14**, respectively. The façade of the townhomes would generally feature stucco and both horizontal and vertical siding. The roofs would generally consist of asphalt shingles. The townhome buildings (which would be exclusively residential) range in height from two to three stories, and the corner units would be alternately two and three stories tall. The maximum height of the townhome buildings would be approximately 38 feet to the roof peaks.

**Figure 4.A-15** depicts the location of selected viewpoints from which digital renderings of the proposed project at each viewpoint were created. **Figures 4.A-16** through **4.A-20** include the select project viewpoints of the project site that include a view of the existing condition accompanied by a digital rendering of the proposed project as it would be seen from the selected viewpoint. The digital renderings do not comprise photorealistic simulations of the proposed project; the purpose of the digital renderings is to provide the viewer with a general visual sense of the design, colors, and massing of the proposed project and its relation to existing views of the project site.

As noted above, and on page one of the Guidelines, “the design guidelines and regulations apply to the commercial properties within the core area of the Niles Overlay Historic District.” While the proposed project is located outside the boundaries of the Niles Commercial Core Area, the CRAFT building was analyzed for compliance with the Guidelines due to its inclusion of restaurant and retail uses and its close proximity to the Niles Commercial Core Area. As documented above, the proposed CRAFT building would comply or substantially comply with the Guidelines. In instances where the proposed project would not comply with applicable guidelines—Guidelines 1.4 (Historic “Keyhole” Entries), 7.3 (Storefront Width), 8.2 (Second-Story Awnings), 8.5 (Retractable Awnings), and 8.6 (Colorful Awnings)—the variation in materials, scale, and size would be appropriate and would not substantially degrade the existing visual character or quality of the project site and its surroundings.



SOURCE: Valley Oak Partners, LLC, 2017

Niles Gateway Mixed-Use Project

**Figure 4.A-13**  
Townhome Building Sections

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North Elevation

8



West Elevation

7



North Elevation

4



West Elevation

3



South Elevation

6



East Elevation

5



South Elevation

2



East Elevation

1



The Cannery District



The Foundry District



SOURCE: Valley Oak Partners, LLC, 2017

Niles Gateway Mixed-Use Project

Figure 4.A-14  
Townhome Building Elevations





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SOURCE: Valley Oak Partners, LLC, 2017; ESA, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-15**  
 Viewpoint Location Map





Looking northeast from the end of Chase Court (Existing)



Looking northeast from the end of Chase Court (Project)

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SOURCE: Valley Oak Partners, LLC, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-16**  
Digital Rendering Viewpoint 1



Looking southeast across project site from the end of 2nd Street (Existing)



Looking southeast across project site from the end of 2nd Street (Project)

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SOURCE: Valley Oak Partners, LLC, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-17**  
Digital Rendering Viewpoint 2



Looking southwest across site from Niles Boulevard 90-degree turn (Existing)



Looking southwest across site from Niles Boulevard 90-degree turn (Project)

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SOURCE: Valley Oak Partners, LLC, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-18**  
Digital Rendering Viewpoint 3



Looking south into project site from Niles Boulevard (Existing)



Looking south into project site from Niles Boulevard (Project)

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SOURCE: Valley Oak Partners, LLC, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-19**  
Digital Rendering Viewpoint 4



Alameda Creek view A (Existing)



Alameda Creek view A (Project)

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SOURCE: Valley Oak Partners, LLC, 2018

Niles Gateway Mixed-Use Project

**Figure 4.A-20**  
Digital Rendering Viewpoint 5



The proposed townhomes that would occupy the southern portion of the project site are not subject to the Guidelines. However, the project as a whole is required to be consistent with the applicable goals, policies, and implementation measures of the Fremont General Plan as well as the Fremont Municipal Code, which specifies that a proposed project must be compatible with the Historic Overlay District in terms of siting, massing, scale, size, material, texture, and color.<sup>4</sup>

The project would change the visual character and visual quality of the project site and its surroundings by introducing new buildings, landscaping and other site improvements to a site that was previously developed with industrial uses but is now undeveloped. As discussed previously, the site has been altered by prior industrial uses, is highly disturbed, and includes debris piles, discarded items, and weedy vegetation. The existing site conditions are depicted in the series of photos on **Figures 4.A-2** through **4.A-6**. The visual appearance of the fenced former industrial site contrasts highly with its surroundings, which include single-family residences to the east and west, Alameda Creek and the associated Alameda Creek Trail to the south, and the Niles Commercial Core Area to the northwest.

As depicted in the digital renderings on **Figures 4.A-16** through **4.A-20**, the project would wholly transform the project site from a former industrial use to a new mixed-use project that includes residential units, small-scale retail/restaurant space, and a community center. The images in the digital renderings exemplify the visual character of the proposed architecture, building massing and scale, landscaping, public improvements. Although development of the project would result in a change in the visual conditions of the project site, the project as proposed would achieve a high-quality design that would be visually compatible with immediate and broader surrounding land uses. Based on a comparison to the existing visual conditions of the project site, the effect on visual conditions resulting with the project would be beneficial.

Finally, in accordance with the goals, policies, and implementation measures of the Fremont General Plan and the requirements of the Fremont Municipal Code, the project would be subject to design review to ensure that the development is consistent with the desired character of an area and complies with City requirements for building heights, scale, massing, materials, colors, detailing, and sensitivity to neighborhood context.

In summary, the project would alter the visual conditions of the project site. However, this change in itself is not considered significant unless visual character or quality is substantially degraded, which would not occur with the project. The impact is **less than significant**.

Mitigation Measure:

None required.

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<sup>4</sup> Section 18.135.080 (Standards for Review) of the Fremont Municipal Code.

**Cumulative Impact**

**Impact 4.A-2: The proposed project, combined with cumulative development in the Niles Historic Overlay District, would not potentially result in a significant adverse aesthetic impact. (Less than Significant)**

The geographic context for cumulative impacts associated with the degradation of visual quality includes cumulative development in the Niles Historic Overlay District as listed in **Table 4.A-1**.

**TABLE 4.A-1  
LIST OF PROJECTS IN THE NILES HISTORIC OVERLAY DISTRICT**

<b>Project</b>	<b>Location</b>	<b>Project Description</b>
Chevron – Mission	38010 Mission Boulevard	New service station/carwash facility and 4,000 square feet of commercial development
Niles LUX Homes	111 E Street	3 single family detached units
Villas of Mission	36341 Mission Boulevard	13 townhouse units

SOURCE: City of Fremont, 2018

If new development within the Niles Historic Overlay District is lacking in visual quality and is not designed to be compatible with the surrounding environment, adverse effects related to visual character could occur. However, as noted above in Impact 4.A-1, the proposed project would be consistent with applicable design guidelines, General Plan Policies, and the requirements of the Fremont Municipal Code and, therefore, would not substantially degrade the existing visual character or quality of the site and its surroundings. Because new development in the Niles Historic Overlay District would be subject to policies and design standards that require that the new development is aesthetically pleasing and compatible with surrounding uses, the cumulative impact is considered **less than significant**.

Mitigation Measure:

None required.

**References**

City of Fremont, 2002. *Niles Design Guidelines and Regulations, Niles Historic Overlay District*. Adopted June 11, 2002.

City of Fremont, 2011. *City of Fremont General Plan, Community Character Element*. Adopted December 2011.

City of Fremont, 2012. Planning Commission Staff Report, February 23, 2012. Accessed October 18, 2017 at [fremont.gov/DocumentCenter/Home/View/6845](http://fremont.gov/DocumentCenter/Home/View/6845).

Environmental Science Associates (ESA). 2018. *Design Review of the Niles Gateway Mixed-Use Project for Compliance with the Niles Design Guidelines and Regulations*. Prepared for the City of Fremont Planning Division – Community Development. January 31, 2018.

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