

DRAFT MITIGATED NEGATIVE DECLARATION

The following proposed project has been reviewed, pursuant to the provisions of Resolution No. 3231, as amended, of the City Council of the City of Fremont for the purpose of determining the likelihood of a significant adverse environmental impact occurring as a result of project completion.

NAME OF PROJECT: Pape Machinery

PROJECT NO.: PLN2019-00337

DESCRIPTION OF PROJECT: Pape Machinery (the Applicant) proposes to construct a new ±63,500 square foot, two-story commercial building for a construction equipment sales and service facility. The project site consists of two existing vacant legal lots measuring approximately 7.81 acres, contained within one tax parcel. The project would relocate an existing business to Fremont from the City of Newark, approximately 5.5 miles away. The proposed project requires approval of a Discretionary Design Review Permit and also a Zoning Administrator Permit, for the use as well as for high intensity hazardous materials due to the quantity of diesel fuel and lubricating oils on site for servicing the equipment.

The entire site would be cleared of brush and graded for the purposes of construction. The proposed building would have a footprint of approximately 46,500 square feet. The total floor area of the building would be approximately 63,500 square feet. The building would be divided into three parts: 1) an office space for the dealership would measure approximately 18,109 square feet, 2) a parts warehouse for the service bays would measure approximately 17,790 square feet, and 3) the service bays themselves would be approximately 27,550 square feet. The rear approximately 1/3 of the site is proposed to be a sub-surface lined gravel corporation yard for storing the heavy equipment. An asphalt parking lot with integrated stormwater bio-retention treatment would be constructed south of the building. A concrete drive aisle would surround the building. A separate stormwater bio-retention treatment area would be constructed on the northern property line. Several high voltage power lines cross the site along the eastern and southern property lines. An underground natural gas transmission line passes under the site, roughly under the high voltage power lines. Pole mounted utilities within the public right of way in front of the project site would be undergrounded to allow additional vertical clearance for trucks hauling construction equipment to enter and exit the site.

LOCATION OF PROJECT: 43510 Osgood Road, Fremont, CA 94539, City of Fremont, Alameda County, APN: 513-701-7-10

GEOGRAPHIC LOCATION WITHIN CITY: Irvington Community Plan Area

NAME OF AUTHORIZED AGENT OF APPLICANT: Mike Pati, Pape Properties, Inc. , Phone: (541) 681-5332, Email: mpati@pape.com)

MAILING ADDRESS OF APPLICANT/AGENT: 355 Goodpasture Island Road Suite 300, Eugene, OR 97401

TYPE OF ENTITLEMENT(S) SOUGHT: Zoning Administrator Permit and Discretionary Design Review Permit.

EXPLANATION OF REASONS FOR THE FINDING: A finding is proposed that this project would not have a significant effect on the environment. The project is an infill development that would be consistent with General Plan policy. Furthermore, the project includes specific mitigation measures which address potentially significant impacts to noise and air quality (from construction in proximity to sensitive receptors).

Public Hearing: A Public hearing is required and has been schedule for June 29, 2020. All environmental documents are available for review by the public at the Planning Division office located at 39550 Liberty Street, Fremont, CA 94538 and online at: <http://www.fremont.gov/430/Environmental-Review>.

Any comments as to whether the Draft Mitigated Negative Declaration should become final or whether an EIR should be prepared for the project must be submitted within 20 days of the posting of this Draft Mitigated Negative Declaration. **The comment period begins June 8, 2020 and ends at 5 p.m. on June 28, 2020.**

If this Draft Mitigated Negative Declaration becomes final by any approval agency other than the City Council, any person who wishes to protest such final action must do so within ten days of the date it becomes final by the filing of a written protest with the City Clerk and by payment of the required protest fee. If this Draft Mitigated Negative Declaration becomes final by City Council action, any person who disagrees with Council action may seek judicial review.

Posted within the Development Services Center on June 8, 2020.

Notice of Intent to be sent to:

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| <input checked="" type="checkbox"/> | Posting of Notice | <input checked="" type="checkbox"/> | County Clerk |
| <input checked="" type="checkbox"/> | Mailed to owners of contiguous property | <input type="checkbox"/> | Clearinghouse |
| <input type="checkbox"/> | Publish notice | | |

IF THERE ARE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT:

James Willis	Associate Planner	510-494-4449
NAME	TITLE	PHONE NUMBER