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memorandum

date	January 17, 2018
to	David Wage, City of Fremont Planning Division – Community Development
cc	Karl Heisler, Susan Yogi
from	Johanna Kahn and Kathy Anderson
subject	Design Review of the Niles Gateway Mixed-Use Project for Compliance with the Niles Design Guidelines and Regulations

Introduction and Purpose

This memorandum focuses on the design and aesthetics of the proposed Niles Gateway Mixed-Use Project as presented in architectural drawings dated November 2, 2017 (with sheets A2.1, 2.3, and A2.5 revised and dated November 29, 2017), with regard to the guidelines outlined in the *Niles Design Guidelines and Regulations*. Additional project details were provided by the project sponsor, Doug Rich of Valley Oak Partners, via email on November 16, 2017.

The *Niles Design Guidelines and Regulations* were adopted by the City Council of Fremont in 2002. The design guidelines explicitly apply to the "commercial properties within the core area of the Niles Historic Overlay District" (the Niles Commercial Core Area) within the Historic Overlay District.[1] The *Niles Design Guidelines and Regulations* 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 *Niles Design Guidelines and Regulations* are therefore not expressly applicable, the City of Fremont has requested that that project design be analyzed in a broader contextual sense with regard to site and architectural design, scale/size, materials, textures, and colors for compliance with the guidelines. This memorandum analyzes the proposed project for consistency with the *Niles Design Guidelines and Regulations* in the context of the California Environmental Quality Act (CEQA) requirement for analysis of a project's aesthetic impacts. Specifically, the state CEQA Guidelines ask, with respect to aesthetics, whether a project would:

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1 City of Fremont, Development and Environmental Services Department. *Niles Design Guidelines and Regulations: Niles Historic Overlay District, City of Fremont, California.* 7. Adopted by City Council of Fremont on June 11, 2002.

- have a substantial adverse effect on a scenic vista;
- substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- substantially degrade the existing visual character or quality of the site and its surroundings; or
- create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area.

With respect to the *Niles Design Guidelines and Regulations*, the project would not adversely affect a scenic vista, as the project site would be physically separated from the existing commercial core by an adjacent residential building. The project would not damage scenic resources, as none exists on or immediately adjacent to the site. Concerning lighting, the design guidelines and regulations pertain to the placement, size, materiality, typeface, colors, illumination, and fabrication of commercial signs on buildings and in parking lots. Inasmuch as the project's architectural drawings do not include specifications for signage, this question is not ripe for review. However, all project signage would be subject to city regulations. The remaining question, therefore, provides the context for the analysis in this memorandum, which focuses on whether the proposed would "substantially degrade the existing visual character or quality of the site and its surroundings" in its relationship to the Niles Commercial Core Area. Consistent with the *Niles Design Guidelines and Regulations'* focus on the Niles Commercial Core Area along Niles Boulevard, this analysis similarly focuses on the CRAFT Building that would face Niles Boulevard.

In accordance with Section 18.135.050 of the Fremont Municipal Code, the City is required to review new development in an 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.[2] For this project, historic architectural review is undertake by the Historic Architectural Review Board (HARB) and the Planning Commission, in an advisory capacity to the City Council, which makes the final determination as to project compatibility with the Historic Overlay District. 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 Niles Design Guidelines and Regulations provide some suggestions for new construction outside the 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."[3] This standard of appropriateness has been taken into consideration in reviewing the proposed project against the Design Guidelines.

The character of the Niles Historic Overlay District is closely tied to the aesthetics, with an importance placed on maintaining compatibility with the unique characteristics of the area. This memorandum is also intended to support the analysis of 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. An earlier design for the proposed project was reviewed by the

2 Section 18.135.080 (Standards for Review) of the Fremont Municipal Code.

3 *Niles Design Guidelines and Regulations,* 26.

HARB in January 2015 and was recommended by the HARB to be found incompatible with existing development in the Niles Historic Overlay District for the following reasons: "Deny based upon incompatibility relating to excessive density, three story buildings, use of too much metal, insufficient use of brick and tile, and features do not relate to historical architectural [*sic*] including features on buildings designed by [the architecture firm Wurster and Bernardi]."[4] Nevertheless, the Planning Commission, in February 2015, recommended, and the City Council, in March 2015, determined that the project was compatible with the Historic Overlay District.

The design for the proposed project has since been modified, and its compliance with the design guidelines and compatibility with the Niles Historic Overlay District are discussed below.

Historic Context

A detailed history of the community of Niles can be found in the 2002 *Niles Design Guidelines and Regulations*, and a history of the project site itself is included in the 2006 *Historic and Architectural Assessment of the Schuckl Cannery*.[5] Below is a brief synopsis of the site history.

The project site, which is currently vacant, was previously occupied by several industrial operations. In 1907, the north end of the site was occupied by the Ellsworth Packing Company, and the south end of the site was occupied by the Ames Manufacturing Company, which constructed a plant that manufactured machinery and hydraulic pumps for irrigation and other purposes. The presence and reputation of Ames, which shipped its products around the world, helped to establish Niles an important industrial center.[6]

In 1916, the Ames property and its buildings were purchased by the Victory Motor Company, which manufactured and distributed engines. Victory had a major presence in Niles, offering stock to local residents and sponsoring a baseball team. The company eventually closed its Niles operation in 1927, and all of its buildings were destroyed by fire in 1928.[7]

The Ellsworth property was purchased by Schuckl & Company in 1918, and by 1920 Schuckl had constructed a cannery and warehouses on the north end of the project site, replacing all earlier buildings. The cannery became a major operation for processing local fruits and vegetables, employing approximately 500 women by 1928. The prominent Bay Area architecture firm Wurster and Bernardi (later Wurster, Bernardi, and Emmons) designed alterations to the cannery plant as well as a new office building for the Schuckl cannery in 1945, with landscaping by noted modernist landscape architect Thomas Church. In 1952, Schuckl sold the property to American Chemical Paint Company (later, Amchem Products), which continued to develop the property, constructing a water tank, pump house, and warehouse as late as 1977. Amchem sold the property in 1980 to Henkel Corporation, a German manufacturer of industrial adhesives and home care products. Henkel closed the facility in 2002 after determining that the cost of a required seismic upgrade was prohibitive. In 2008, a fire caused

4 City of Fremont. "Minutes for the Historical Architectural Review Board, Regular Meeting of January 15, 2015," 15.

5 Michael R. Corbett. *Historic and Architectural Assessment of the Schuckl Cannery/Amchem Products/Henkel Corporation, 34899 Niles Boulevard.* 2006; City of Fremont. *Niles Design Guidelines and Regulations*. 2002, 13-14.

6 Philip Holmes. "Ames-Victory-Schuckl-Am Chem: Manufacturing in Niles." *Tri-City Voice Newspaper,* 31 January 2012. Accessed 5 October 2017 at http://www.tricityvoice.com.

7 Ibid.

extensive damage to the buildings on the project site, and in 2009 all remnants were demolished. The site has remained vacant since that time.[8]

Project Description

The project site is located at 37899 Niles Boulevard in the northeastern portion of the City of Fremont. The project sponsor (Valley Oak Partners, LLC) is proposing to develop two types of buildings consisting of 95 dwelling units and 7,333 square feet of non-residential uses. The 95 dwelling units would consist of 82 townhomes and 13 "Creative-Retail-Artist-Flex-Tenancy" (CRAFT) units. The 7,333 square feet of non-residential uses would consist of 5,883 square feet of retail/restaurant uses and 1,450 square feet of community center space. In total, 187,773 square feet of buildings are proposed to be developed on the site. Detailed descriptions of the plan and proposed design are included in the project description, which is **Attachment 1** to this memorandum.

Design Guidelines Analysis

The following analysis addresses compliance of the proposed project as presented in architectural drawings dated November 2, 2017 (with select sheets revised and dated November 29, 2017), with the *Niles Design Guidelines and Regulations*. Additional project details were provided by Doug Rich of Valley Oak Partners, the project sponsor, via email on November 16, 2017. 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 fall within the purview of only about 55 percent 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:

- All of 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 Fremont sign ordinances and regulations)
- Guidelines
    - 1.3 – Recessed Entrances (applies only to commercial buildings with recessed entrances; the proposed project would have 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),

[8] Ibid; Architectural Resources Group, *Historic Resources Assessment: Henkel Property, 37899 Niles Boulevard, Fremont, California*. August 4, 2008.

- 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.

1. Setbacks

The intent of the *Niles Design Guidelines and Regulations* 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. The CRAFT Building would be separated from the Commercial Core by the 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. Nevertheless, it would present a continuous commercial façade to Niles Boulevard and thus would generally be consistent with the intent of the *Niles Design Guidelines and Regulations* 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 Niles Design 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, 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. As designed, the proposed project would comply with Guideline 1.1.

1.2 Second-Story Encroachments Above Public Sidewalks

The Niles Design Guidelines discourage the 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 set back from the ground floor and would not extend over the public sidewalk below. As designed, the proposed project would comply with Guideline 1.2.

1.4 Historic "Keyhole" Entries

The Niles Design Guidelines encourage the use of "keyhole" entries—recessed entries with canted walls—for new commercial storefronts in the Niles Historic District. 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. Moreover, the site is currently vacant. 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 *Niles Design Guidelines and Regulations* 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. Architectural renderings also show umbrellas. As designed, the proposed project would comply with Guideline 2.1.

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 outdoors on the north and south ends of the CRAFT Building nearest Niles Boulevard. 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 *Niles Design Guidelines and Regulations* 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 generally 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. As designed, the trash enclosure would screen public views of the communal dumpsters within, thus the proposed project would comply with Guideline 4.2.

4.3 Location of Mechanical Equipment

Architectural drawings for the proposed project do not call out locations of exterior mechanical equipment. One enclosed mechanical room would be located at the rear of the restaurant space in the CRAFT Building. Correspondence from the project sponsor confirms that 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).[9] As designed, the proposed project would comply with Guideline 4.3.

5. Design Styles

The *Niles Design Guidelines and Regulations* 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 *Niles Design Guidelines and Regulations* 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 (north) façade of the CRAFT Building would front Niles Boulevard, and the

[9] Personal email communication from Doug Rich at Valley Oak Partners, LLC, to Susan Yogi, Senior Managing Associate at ESA. November 16, 2017.

majority of the first floor would be occupied by commercial space. 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 is consistent with the historic character and features of Niles. In general, the scale of existing commercial corner buildings is larger and more prominent than infill 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 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 *Niles Design Guidelines and Regulations* 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 generally 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. 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 (north) façade, 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 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. It is noted that the townhome buildings would not face a public right-of-way, and thus any potential relevance of the *Niles Design Guidelines and Regulations* is even further diminished. Neither the CRAFT Building nor the townhome buildings would 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. 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 is 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. 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 (north) façade of the CRAFT Building 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. 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 (north) façade. 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 (north) façade of the CRAFT Building would not feature expanses of blank walls greater than five feet in length on the first floor. Although the building's other façades (and the townhome buildings) 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 are 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 *Niles Design Guidelines and Regulations* 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.[10] While 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 facades 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. 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 Niles Design Guidelines, and these schemes help to 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 are aligned 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. As described under Guideline 6.5, façade elements are likewise aligned vertically. As designed, the proposed project would comply with Guideline 7.2.

7.3 Storefront Width

A storefront assembly includes all doors, windows, and other architectural elements that compose the front of a single commercial space. According to dimensioned floor plans of the CRAFT Building on sheet A2.1 (revised and dated November 29), 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. 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 Niles Design Guidelines.

Relatively narrow storefronts are notable features of many of the 20th-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

[10] A storefront bulkhead is the solid portion of the façade between the sidewalk and the bottom edge of the display window.

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

According to dimensioned sections of the CRAFT Building on sheet A2.3 (revised and dated November 29, 2017), 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 Niles Design 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

According to renderings of the CRAFT Building on sheet A2.4, the roll-up doors, which would be the dominant element of the storefronts, appear to be set back several inches from the face of the building, based on the shadows shown in the renderings. A setback is also apparent in the dimensioned floor plan and section (sheets A2.1 and 2.3, revised and dated November 29) of the CRAFT Building. A recess between six and 12 inches is encouraged in the Niles Design Guidelines so that the storefront is framed to maximum advantage. Therefore, the project appears to comply with Guideline 7.5.

7.6 Indirect Lighting

Architectural drawings for the proposed project do not include a lighting plan or call out locations or types of exterior lights. Additional information is required to assess whether the design would comply with Guideline 7.6.

7.7 Entry Orientation

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 is 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

Architectural drawings for the proposed project do not include a lighting plan or call out locations or types of exterior entry lights. Correspondence from the project sponsor indicates that entries would be lit with interesting doorway light fixtures that provide safe conditions for pedestrians, residents, and retail patrons.[11] According to this additional information, the proposed project would comply with Guideline 7.8.

[11] Personal email communication from Doug Rich at Valley Oak Partners, LLC, to Susan Yogi, Senior Managing Associate at ESA. November 16, 2017.

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 (north) façade of the CRAFT Building 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. 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 Niles Design 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 20th-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

Architectural drawings for the proposed project do not identify the materials of door and window systems. Correspondence from the project sponsor confirms that all windows on the residential units—including those on the upper stories of the CRAFT Building—would be vinyl, the use of which the Niles Design Guidelines specifically advise against, at least in the context of commercial storefronts. (The Guidelines do not specifically address residential elements of buildings, and residential units are rare in the Niles Commercial Core Area.) The sponsor notes that other windows and doors on the CRAFT Building (including the roll-up doors that are part of the storefront assemblies) would be of substantial and sturdy materials, such as the metal framing of the roll-up doors. 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, in compliance with Guideline 7.12. Per the sponsor, wood would not be used, and selected material(s) are not identified.[12] Renderings also appear to show clear glass used in all storefronts and all other windows, which is the preferred type of glazing identified in the guidelines.

[12] Ibid.

Contrary to Guideline 7.12, window heads and sills are not strongly expressed (there are 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.

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 (north) façade of the CRAFT Building would feature seven roll-up doors, and unusual window/door systems such as these are encouraged for new buildings in Guideline 7.12.

As designed, the proposed project would substantially comply with Guideline 7.12.

7.13 Security Grilles

Architectural drawings for the proposed project do not call out locations of removable or sliding security grilles; however, the project sponsor confirms that no security grilles would be used.[13] As designed, the proposed project would comply with Guideline 7.13.

7.14 Electrical Boxes, Conduits and Switch Boxes

Architectural drawings for the proposed project do not call out locations of electrical boxes, conduits, or switch boxes, and the project sponsor confirms that all such features would be visually concealed from public view (e.g. integrated into the landscaping around the townhome buildings).[14] As designed, the proposed project would comply with Guideline 7.14.

8. Awnings

The intent of the *Niles Design Guidelines and Regulations* 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 *Niles Design Guidelines and Regulations*. 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. 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 service, loading, and mechanical equipment 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 Niles Design 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

[13] Ibid.
[14] Ibid.

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). In contrast, the proposed CRAFT Building's primary (north) façade would have projecting roof eaves immediately above the second-story residential windows, thereby eliminating the need for awnings. 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 Niles Design 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.

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 Niles Design 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. As designed, the proposed project would comply with Guideline 8.7.

10. Materials, Color, and Ornament

The *Niles Design Guidelines and Regulations* 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. Discussion of specific guidelines and regulations applicable to the proposed project with respect to service, loading, and mechanical equipment follows.

10.1 Graffiti-Resistant Materials

Architectural drawings for the proposed project do not address the use of graffiti-resistant materials or coatings; however, the project sponsor confirms that graffiti-resistant materials would be used along most exposed public edges of the project.[15] As designed, 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 (north) 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 is used for all first-floor exterior walls that are not otherwise glazed. 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.

Regarding the storefronts, they read as distinct elements of the façade and 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 the brick veneer cladding and roll-up doors. The area of the roll-up doors above the awning/trellis would recall the historic use of

[15] Ibid.

transom windows. Finally, the vertical edge of the awning/trellis would provide a location for retail signage. Given these features, the proposed project would comply with Guideline 10.3 in a contemporary, industrially-inspired idiom.

Regarding the portion of the façade above the storefronts, the design and use of materials are straightforward and functional and do not compete for attention with the storefronts below. The upper floors are set back from the first-floor commercial spaces, and this reduces 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 substantially 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 (north) façade of the CRAFT Building would incorporate two colors of stucco as well as brick veneer, vertical cement board siding, and ornamental tile, exceeding the minimum of three colors. As designed, the proposed project would comply with Guideline 10.4.

10.5 Tile Work and Other Ornament

According to a rendered elevation of the CRAFT Building on sheet A2.5 (revised and dated November 29), the proposed project would feature ornamental tile around signage and street addresses on the primary (north) façade of the CRAFT Building. 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. 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 Niles Design 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 *Niles Design Guidelines and Regulations* landscaping is to recognize the local horticultural history and important trees that serve as visual landmarks. The project would generally 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 Niles Design 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. These plants include those reflective of the heritage of Niles, and as designed, the proposed project would substantially comply with Guideline 11.1.

11.2 Water Conservation

The Niles Design 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." [16] As stated on Sheet L-2 of the project drawings, "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.

Summary, Conclusions, and Recommendations

As noted above, and on page one of the *Niles Design Guidelines and Regulations*, "the design guidelines and regulations apply to the commercial properties within the core area of the Niles Overlay Historic District" (emphasis added). While the proposed project is located outside the boundaries of the Niles Commercial Core

16 City of Fremont, "Planning Commission Staff Report, February 23, 2012," 3. Accessed 18 October 2017 at https://fremont.gov/DocumentCenter/Home/View/6845.

Area, it was analyzed for compliance with the guidelines per City instruction. Per the Fremont Municipal Code, a proposed project shall be compatible with the historic overlay district in terms of siting, massing, scale, size, material, texture, and color.[17]

Based on the applicable guidelines, the proposed project would comply or substantially comply with the *Niles Design Guidelines and Regulations*. 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, for the reasons described above, and the proposed project would be consistent with the intent of the applicable design guidelines.

The proposed project would not result in a significant impact to a historical resource, per CEQA, were such a resource in close proximity to the project site. No mitigation is required.

ESA recommends that the HARB finds the proposed project to be compatible with the historic character and existing historical resources in the Niles Historic Overlay District in terms of siting, massing, scale, size, material, texture, and color.

[17] Section 18.135.080 (Standards for Review) of the Fremont Municipal Code.

ATTACHMENT 1

Draft Project Description
January 2018

1. Project Description

The Niles Gateway Mixed-Use Project (proposed project) would change the General Plan land use designation and rezone a vacant 6.07-acre industrial parcel to enable development of residential units, small-scale retail/restaurant space, and "Creative-Retail-Artist-Flex-Tenancy" (CRAFT) units and a community center. The project would include a General Plan Amendment to change the land use designation from Service Industrial (Special Study Area) to Town Center and Medium Density Residential and a Rezoning of the existing parcel from Light Industrial (IL) with an Historical Overlay District (HOD) to Planned District P-2014-338 (HOD).

A very similar project was proposed in 2014 and approved by the City Council in March 2015. The project approval included a General Plan Amendment to change the land use designation of the 6.07-acre site from Service Industrial (Special Study Area) to Town Center Commercial and Medium Density Residential, Rezoning from Limited Industrial with an Historical Overlay District (IL)(HOD) to Preliminary and Precise Planned District with Historical Overlay District P-2014-338(HOD), Vesting Tentative Tract Map, Private Street, Tree Removal Permit, and Preliminary Grading Plan. A Mitigated Negative Declaration (MND) was prepared and adopted for that project. A group of local opponents to the project called Protect Niles filed a timely lawsuit in the Alameda County Superior Court (*Protect Niles v. City of Fremont,* Case No. RG15-765052) challenging the MND and arguing that an Environmental Impact Report (EIR) should have been prepared. On March 15, 2017, the Alameda County Superior Court granted the petitioner's request for a writ of mandate and directed the City to invalidate its prior approval and prepare an EIR for any further discretionary review of a project at this site. The court found that the administrative record contained substantial evidence to support a fair argument that the project may cause a significant effect on the environment with respect to aesthetics and traffic impacts. The project applicant has appealed the decision to the court of appeal and has also submitted revised plans for review pending consideration of the appeal. The City has undertaken preparation of an EIR for the revised project in case the Court of Appeal upholds the decision of the Superior Court.

1.1 Project Location and Setting

The project site is located at 37899 Niles Boulevard in the northeastern portion of the City of Fremont (**Figure 1**). The parcel is generally triangular in shape and flat in topography. The frontage of the northeastern part of the site is on the west side of Niles Boulevard before it makes a 90 degree turn eastward towards Mission Boulevard. [1] A dead-end 0.73-acre segment of Niles Boulevard continues southward from the 90-degree turn along the remainder of the site's eastern edge (**Figure 2**).

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,

[1] Niles Boulevard is oriented in a northwest-southeast direction, but will be referred to as a north-south street in this document. This convention will be used to describe the locations of other buildings and uses in relation to the project site. Along the project frontage, Niles Boulevard turns 90 degrees from north-south to east-west and continues east under the Union Pacific Railroad tracks towards Mission Boulevard. A dead-end segment of roadway continues south at the 90-degree curve and is also referred to as "Niles Boulevard."

metal treatment, and chemical manufacturing between the early 1900s and 2002. All structures associated with the previous industrial uses were demolished in 2009[2] 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.

Vehicular access to the site is currently from Niles Boulevard. Curb, gutter, and sidewalk are located along the northern portion of the project frontage with Niles Boulevard. The project site south of the 90 degree turn of Niles Boulevard is accessed from the roadway that continues south from Niles Boulevard and dead-ends at the Alameda Creek Trail (Figure 2).

Vegetation on the site generally consists of ornamental trees and shrubs located around the perimeter and weedy vegetation within the center of the site.

[2] The effects of demolishing the buildings were evaluated in an EIR (SCH# 200804249) in 2009.

SOURCE: ESRI Imagery; FirstCarbon Solutions

Fremont Niles Gateway

Figure 1
Location Map

ESA

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SOURCE: Valley Oak Partners, LLC, 2017

Fremont Niles Gateway

Figure 2
Aerial View of Project Site

ESA

The project site is designated Service Industrial (Special Study Area) in the Land Use Element of the General Plan, is zoned Limited Industrial (I-L) (HOD), and is located within the Niles Community Plan Area.

1.2 Surrounding Land Uses

As shown in Figure 2, the immediate surrounding area consists of existing 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.

1.3 Project Characteristics

The project applicant (Valley Oak Partners, LLC) is proposing to develop two types of buildings consisting of 95 dwelling units and 7,333 square feet of non-residential uses (**Figure 3**). The 95 dwelling units would consist of 82 townhomes and 13 "Creative-Retail-Artist-Flex-Tenancy" (CRAFT) units. The 7,333 square feet of non-residential uses would consist of 5,883 square feet of retail/restaurant uses and 1,450 square feet of community center space. In total, 187,773 square feet of buildings are proposed to be developed on the site. **Table 2-1** summarizes the project characteristics.

Non-Residential Uses and Creative-Retail-Artist-Flex-Tenancy (CRAFT) Units

An "L"-shaped building totaling approximately 25,171 square feet would be constructed on the northern portion of the site (**Figure 4**). This building would contain non-residential uses and CRAFT units (CRAFT building). The CRAFT units are intended to function as live-work spaces: retail space with approximately 20-foot ceiling heights would front Niles Boulevard and would provide active ground floor space, and open air "shopkeepers" style living space would be located above. The floor areas of the 13 CRAFT units would range between 775 to 2,057 square feet. The building would also contain 5,883 square feet of retail/restaurant and 1,450 square feet of community center space on the ground level along the Niles Boulevard frontage. The CRAFT building would consist of two and 2.5-story elements with a maximum height of approximately 30 feet. Building sections and elevations of the CRAFT building are shown in **Figures 5** and **6**. As shown in Figure 6, the façade of the CRAFT building would generally feature stucco, brick, and metal. The roofs would consist of metal standing seam or corrugated metal. The retail/restaurant storefronts would generally feature roll-up doors, metal, and glass. A trellis/awning would extend over the sidewalk along the retail/restaurant frontage. An approximately 340-square-foot, 10-foot-high stand-alone trash enclosure structure would be located west of the CRAFT building and adjacent to the internal roadway. The trash enclosure structure would feature metal and wood siding and a corrugated metal roof.

TABLE 2-1
NILES GATEWAY MIXED-USE PROJECT SUMMARY

Use	Concept Plan Type	Quantity	Square Feet
CRAFT Units	A1	1	775
	A2	1	709
	B1	2	2,098
	B1-1	2	2,372
	B2	1	1,318
	B3	2	2,338
	2B	4	8,228
	Subtotal	*13*	*17,838*
Townhomes	1	28	53,536
	2B	22	45,254
	3	15	31,530
	3X	11	22,616
	4	6	9,666
	Subtotal	*82*	*162,602*
Non-Residential	Retail/Restaurant	-	5,883
	Community Center	-	1,450
	Subtotal		*7,333*
	TOTAL	***95 units***	***187,773***
Parking	-	271 spaces	

SOURCE: Valley Oak Partners, LLC, 2017

A "Gateway Palm Court" entry feature would face westbound/northbound Niles Boulevard where it emerges from the railroad underpass and serves to divide the non-residential uses/CRAFT units from the townhome uses.

Townhomes

The proposed project would construct 82 townhomes in the southern portion of the site south of the 90-degree turn of Niles Boulevard towards Mission Boulevard (see **Figure 3**). The floor areas of the two and three-bedroom townhome units would range between 1,912 to 2,102 square feet. Maximum building height would be up to 30 feet. Typical townhome building sections and elevations of the townhomes are shown in **Figures 7 and 8**, respectively. As shown in Figure 8, the façade of the townhomes would generally feature stucco and both horizontal and vertical siding. The roofs would generally consist of asphalt shingles.

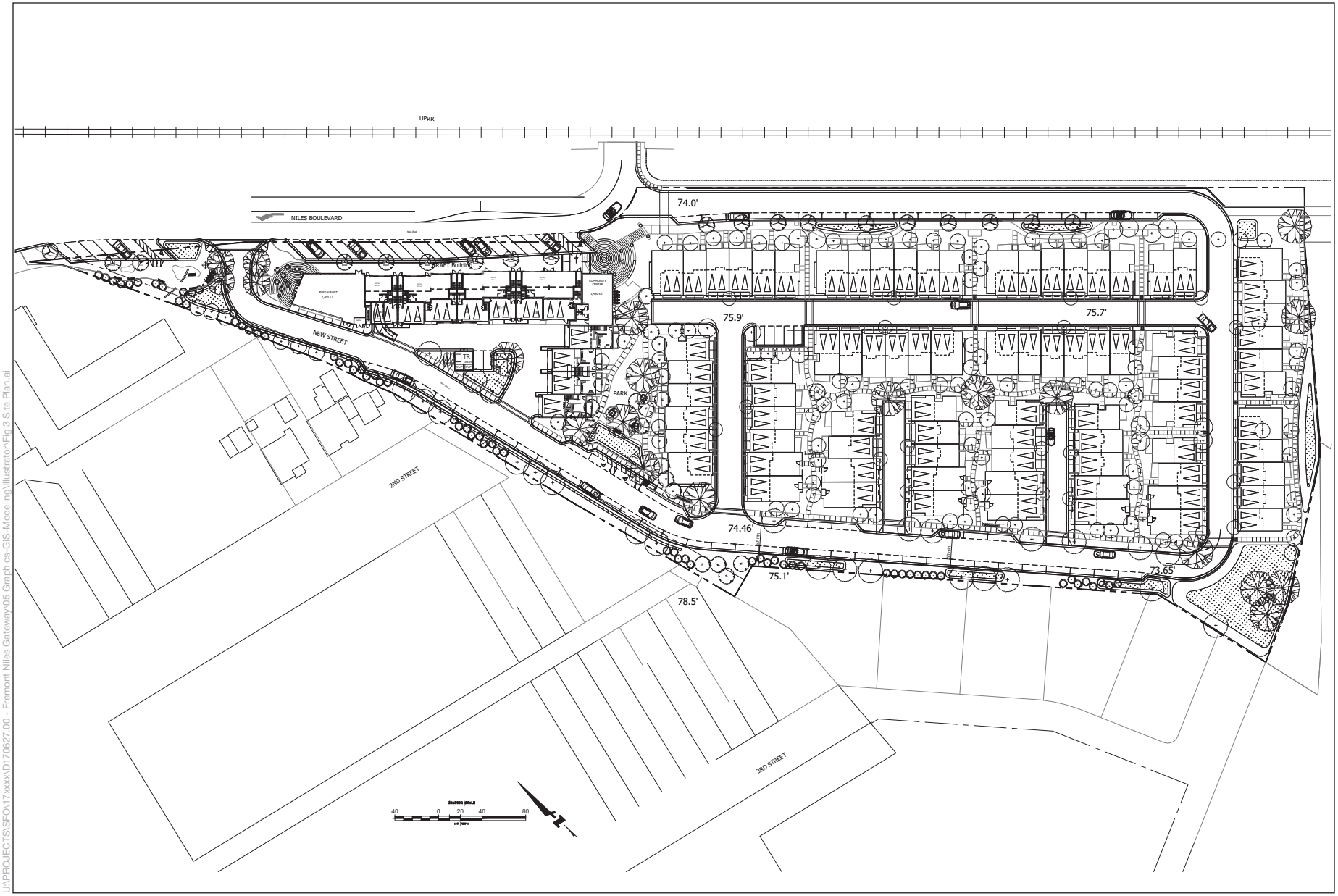
Access and Circulation

The project is currently accessible from Niles Boulevard. As part of the proposed project a new driveway with one inbound and one outbound lane would be constructed at the north end of the site on Niles Boulevard, which would connect to a private street (Street A) (see **Figure 9**). The 0.73-acre segment of Niles Boulevard that continues southward from the 90-degree turn along the site's eastern edge is proposed for a street vacation. This portion of Niles Boulevard would be vacated as public right-of-way and converted to a private street (Street A) completing the

perimeter roadway around the project site. Northbound Niles Boulevard would be re-striped to accommodate a new left turn pocket lane at the new driveway. The left turn lane would provide approximately 160 feet of queuing space for vehicles making a left turn into the new driveway. Private street circulation accommodating two-way travel would encircle the project site (Street A), and also connect to other internal private streets (Streets B through E) to permit direct vehicle access to each planned residential unit. The new internal roadway system would be built consistent with California Fire Code. Street A would range in width between 24 and 39 feet depending on whether there are parking lanes. Streets B and C would be approximately 25 feet wide, and Streets D and E would be approximately 21 feet wide; these streets would not provide on-street parking.

A total of 110 new surface parking spaces would be established, including 27 new diagonal parking spaces on Niles Boulevard along the frontage of the CRAFT building, 76 parallel parking spaces on the west and east side of the project site along Street A, and seven off-street spaces in a parking lot in the townhome area (see **Figure 3**). Two of the CRAFT units would have one parking space in each unit's garage, while the remaining CRAFT units and townhomes would have two parking spaces each, totaling 188 parking spaces. Collectively, 298 new parking spaces would be provided throughout the project site and along Niles Boulevard (including the 110 spaces noted above).

As shown in **Figure 9**, a 12-foot-wide sidewalk would be provided along the frontage of the CRAFT building. Sidewalks would also be provided along Streets A, B, and C and would be approximately five feet wide. Pedestrian pathways (residential paseos) would be provided throughout the site such as from Niles Boulevard through the "Gateway Palm Court" and throughout the townhome area.



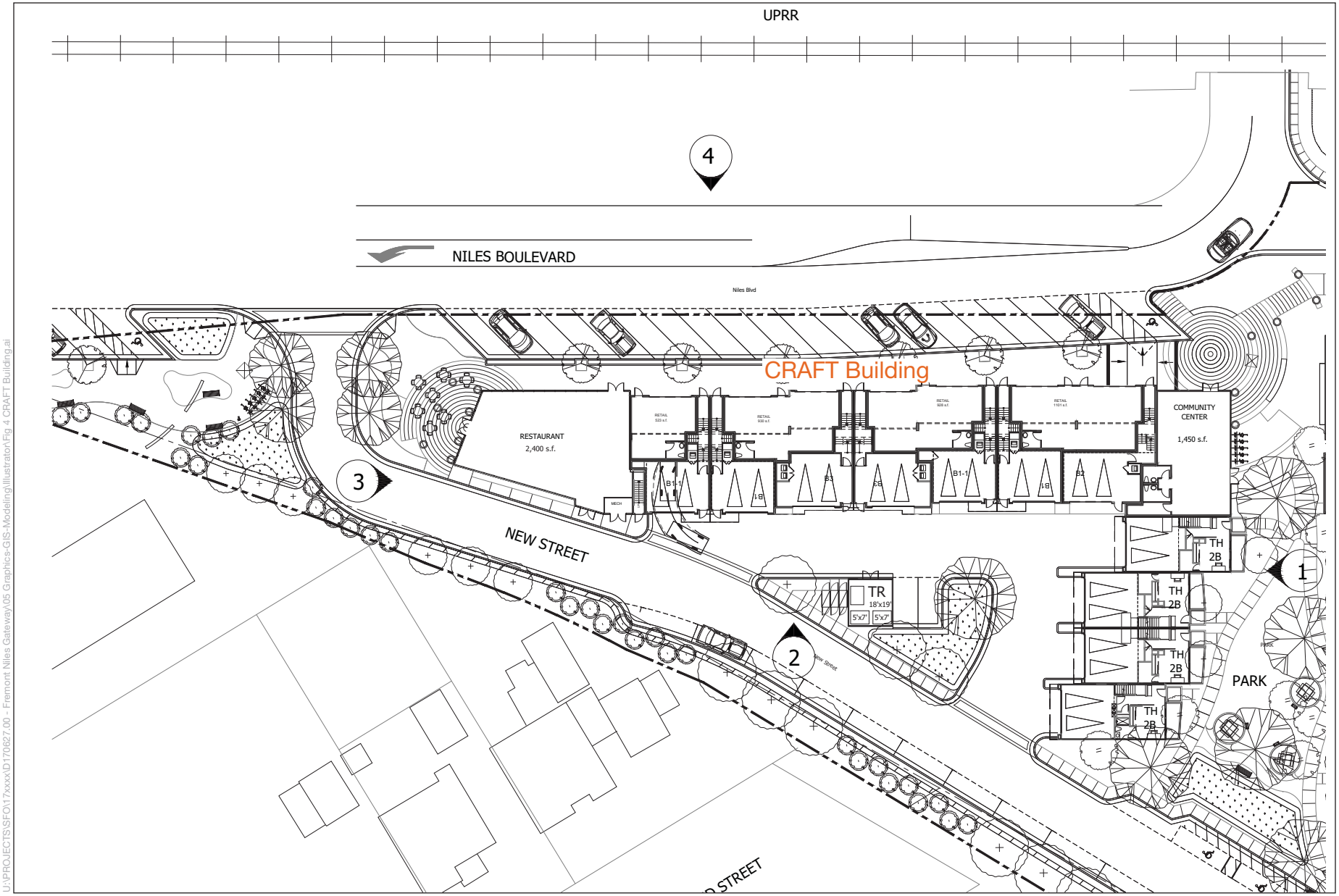
U:\PROJECTS\SFO\17xxxx\D170627.00 - Fremont Niles Gateway\05 Graphics-GIS-Modeling\Illustrator\Fig 3 Site Plan.ai

SOURCE: Vally Oak Partners, LLC, 2017

Fremont Niles Gateway

Figure 3
Site Plan

ESA

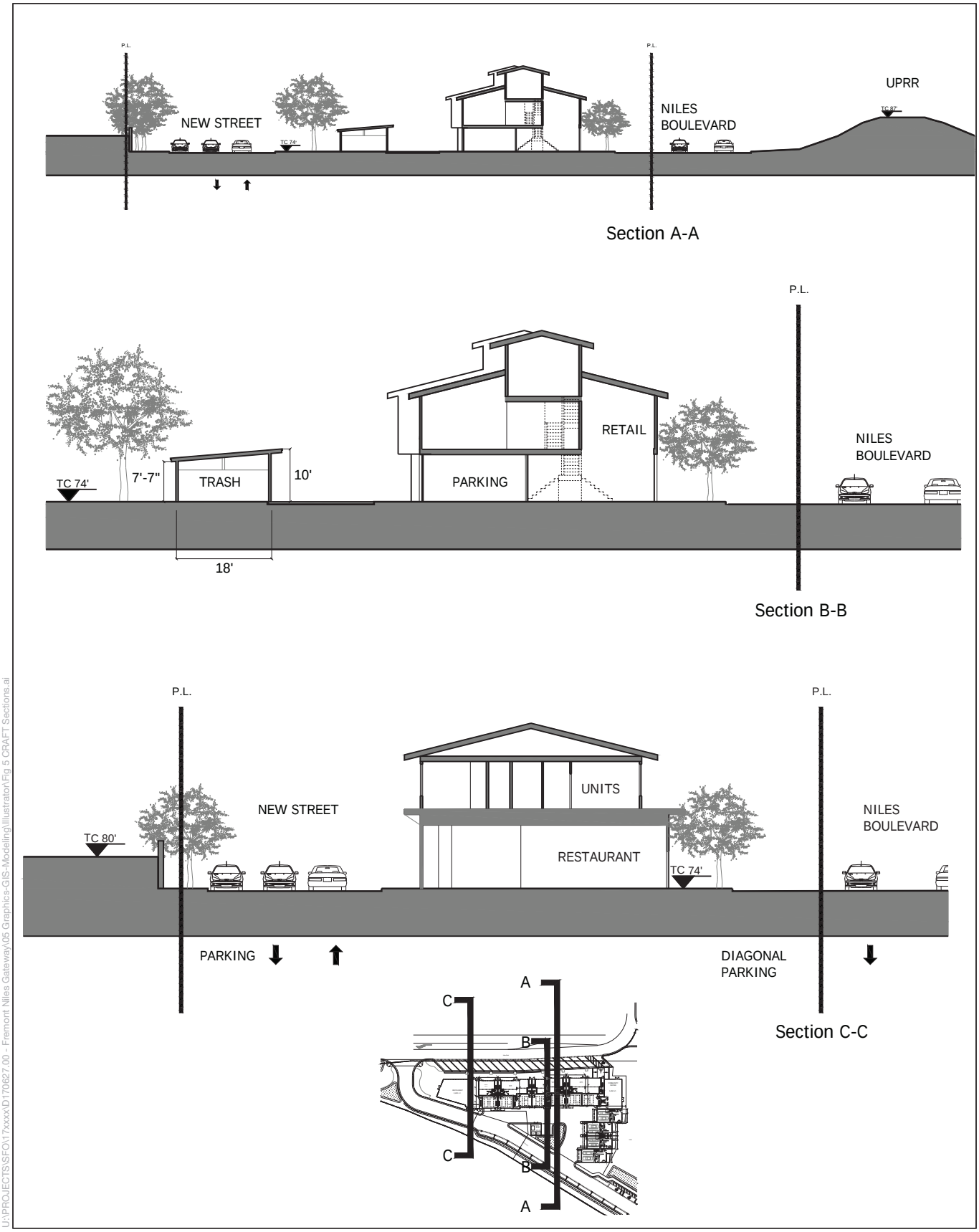


SOURCE: Vally Oak Partners, LLC, 2017

Fremont Niles Gateway

Figure 4
CRAFT Building

ESA



U:\PROJECTS\SFO\17xxxx\D170627.00 - Fremont Niles Gateway\05 Graphics-GIS-Modeling\Illustrator\Fig 5 CRAFT Sections.ai

SOURCE: Valley Oak Partners, LLC, 2017

Fremont Niles Gateway

Figure 5
CRAFT Building Sections

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North Elevation - Niles Boulevard 4

West Elevation - Restaurant 3

South Elevation - New Street 2

East Elevation - Community Center 1

CRAFT Building with Retail

CRAFT Building with Retail / Restaurant Corner

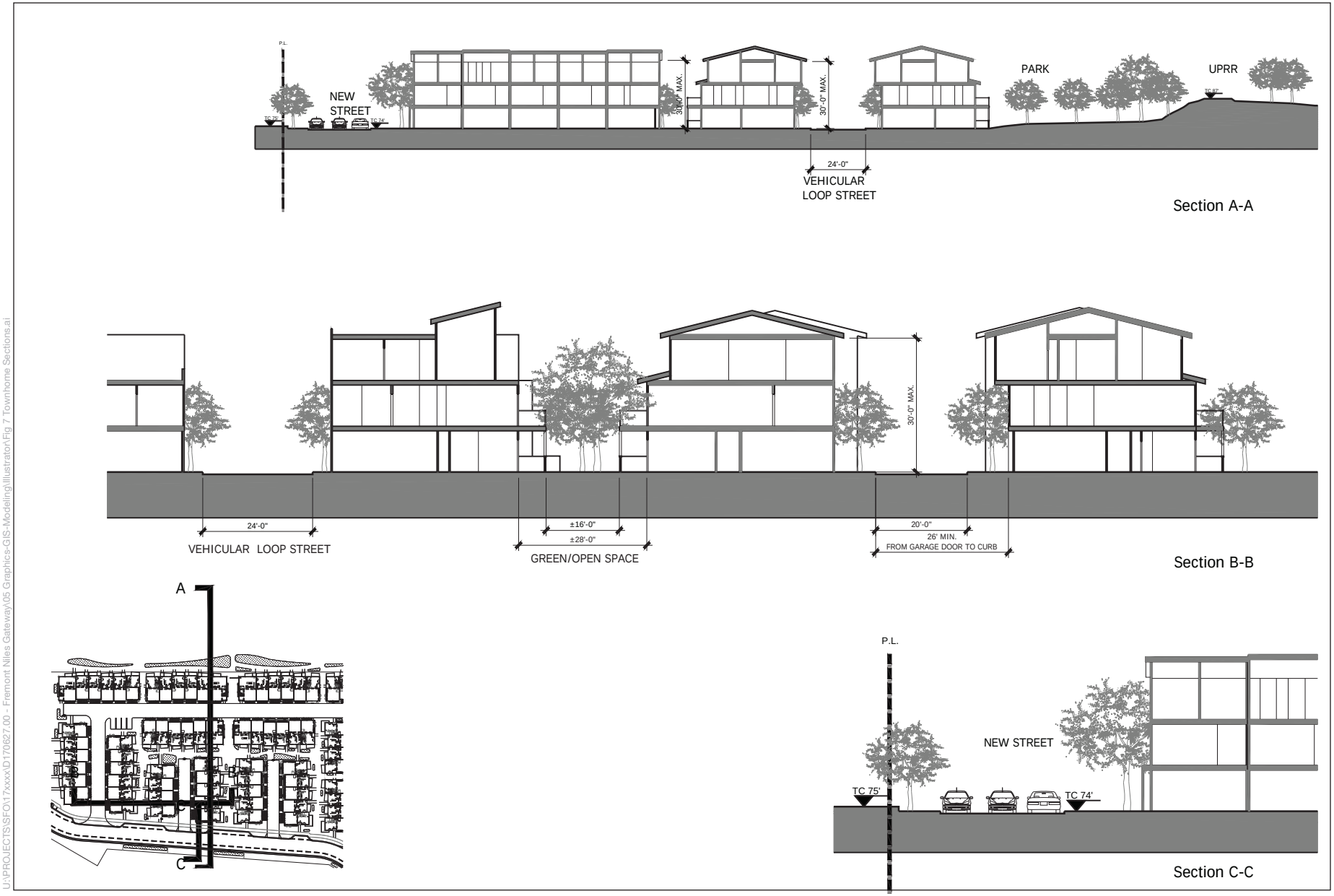
U:\PROJECTS\SFO\17xxxx\D170627.00 - Fremont Niles Gateway\05 Graphics-GIS-Modeling\Illustrator\Fig 6 CRAFT Elevations.ai

SOURCE: Vally Oak Partners, LLC, 2017

Fremont Niles Gateway

Figure 6
CRAFT Building Elevations

ESA



SOURCE: Vally Oak Partners, LLC, 2017

Fremont Niles Gateway

Figure 7
Townhome Building Sections

ESA

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

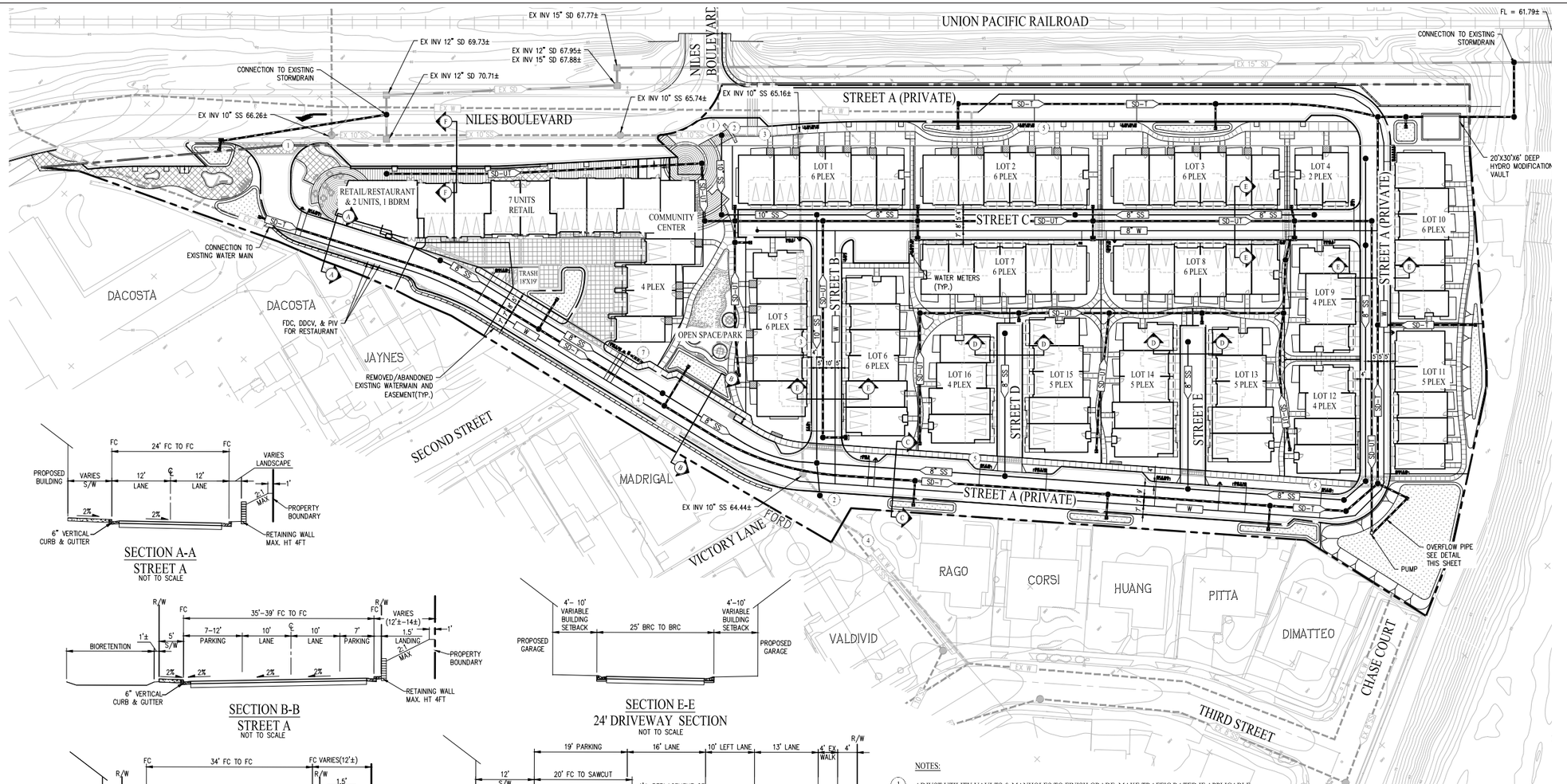
U:\PROJECTS\SFO\17xxxx\D170627.00 - Fremont Niles Gateway\05 Graphics-GIS-Modeling\Illustrator\Fig 8 Townhome Elevations.ai

SOURCE: Vally Oak Partners, LLC, 2017

Fremont Niles Gateway

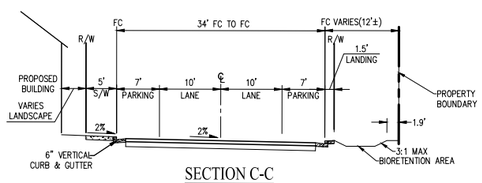
Figure 8
Townhome Building Elevations

ESA

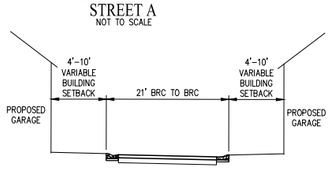


SECTION A-A
STREET A
NOT TO SCALE

SECTION B-B
STREET A
NOT TO SCALE

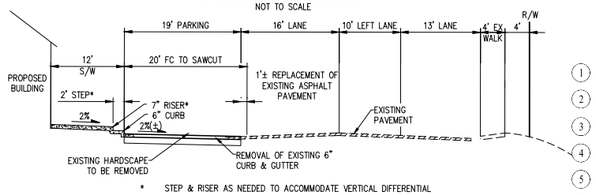


SECTION C-C
STREET A
NOT TO SCALE

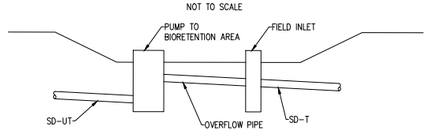


SECTION D-D
20' DRIVEWAY SECTION
NOT TO SCALE

SECTION E-E
24' DRIVEWAY SECTION
NOT TO SCALE



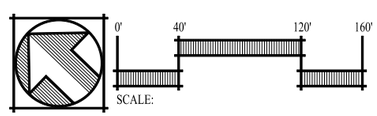
SECTION F-F
NILES BLVD EXTENSION
NOT TO SCALE



SCHEMATIC STORM PUMPING SYSTEM DETAIL
NOT TO SCALE

NOTES:

1. ADJUST UTILITY VAULTS & MANHOLES TO FINISH GRADE. MAKE TRAFFIC RATED IF APPLICABLE
2. NEW SEWER MANHOLE CONNECTION AT RELOCATED/RE-ROUTED EXISTING SEWER MAIN LOCATION
3. REMOVE/ABANDONED EXISTING SANITARY SEWER LINE & RECONSTRUCT TO NEW LOCATION
4. REMOVE/ABANDONED EXISTING WATER MAIN
5. WATER METERS (TYP)
6. UTILITIES & STORMWATER QUALITY MEASURES TO BE LOCATED IN EASEMENTS AS REQUIRED
7. COMMON FIRE SERVICE FOR CRAFT BUILDING
8. INDIVIDUAL COMBINATION DOMESTIC/FIRE WATER SERVICE LINES FOR LOTS 1-16



U:\PROJECTS\SFO\17xxxx\D170827.00 - Fremont Niles Gateway\05 Graphics-GIS-Modeling\Illustrator\Fig 9 Street Sections & Utility.ai

SOURCE: Carlson, Barbee & Gibson, Inc. 2014, revised 2017

Fremont Niles Gateway

Figure 9
Street Cross Sections and Utility Plan

ESA

Utilities and Infrastructure

The project area is currently served by water, sanitary sewer, stormwater, and other infrastructure. The proposed project would include connections to the existing storm drain and sewer in Niles Boulevard, and the existing water main at the north end of the site. Abandoned sanitary sewer and water lines in the project site would be removed and new sanitary sewer lines, water lines, and fire service water mains would be installed to accommodate the project's demand.

The proposed project would install an onsite stormwater drainage system consisting of a network of bioretention areas, inlets, and underground piping (see **Figure 10**). Runoff would be conveyed via a new storm drain extension to the City's existing storm drainage system located east of the project site and adjacent to the UPRR. The proposed project would meet the requirements of the National Pollution Discharge Elimination System (NPDES) permit, Alameda Countywide Clean Water Program, as well as other local, State, and federal requirements for stormwater quantity and quality. Approximately 12 bioretention areas would be located throughout the project site and are proposed to satisfy the stormwater treatment requirements, as described further below.

Landscaping and Other Improvements

There are approximately 44 trees on the project site including eucalyptus, Tree-of-Heaven, Italian stone pine, almond, and black walnut. As part of the project, approximately 40 would be removed. Four of the trees located at the south end of the parcel would remain. Tree removal activities and mitigation for trees removed would be conducted in accordance with the City's Tree Preservation Ordinance and tree removal permit(s) would be obtained for removal of protected trees.

The proposed project would install landscaping throughout the site including new trees, shrubs, and ornamental landscaping along the Niles Boulevard and internal street frontages (**Figure 11**). Landscaping, hardscape treatments, and site furnishings would create passive park space at the north end of the site, outdoor space at the community center, and a resident's picnic park. The pedestrian walkways between the townhomes would include bollard lighting and landscaping to provide a buffer between pedestrians and townhome porches.

Bioretention Areas. The Alameda Countywide Clean Water Program oversees the implementation of the Municipal Regional Stormwater NPDES Permit (MRP) that was issued for urban stormwater discharges from Alameda County, including Fremont. The MRP outlines a number of regulatory goals and requirements for stormwater management for new development and redevelopment sites. The permit provisions require the implementation of Low Impact Development (LID) measures as described in Section C.3 of the MRP. These measures include source control, site design, and treatment requirements to reduce the amount of stormwater runoff and improve the quality of the stormwater runoff.

The MRP identifies appropriate LID stormwater measures such as rainwater harvesting and reuse, infiltration, evapotranspiration, and biotreatment, while emphasizing that biotreatment systems are only to be used where it is practically infeasible to utilize the other cited measures.

The project applicant has determined that biotreatment would be the primary method of accomplishing stormwater treatment within the project site. As shown in Figure 10, bioretention areas would be located throughout the site. A total of 9,175 square feet of bioretention areas would be established. The upper layer of the bioretention areas would typically consist of 18 inches of filter media/planting soil mix underlain by permeable rock and a four-inch perforated pipe subdrain system.

1.4 Construction Activities and Schedule

General Construction Activities

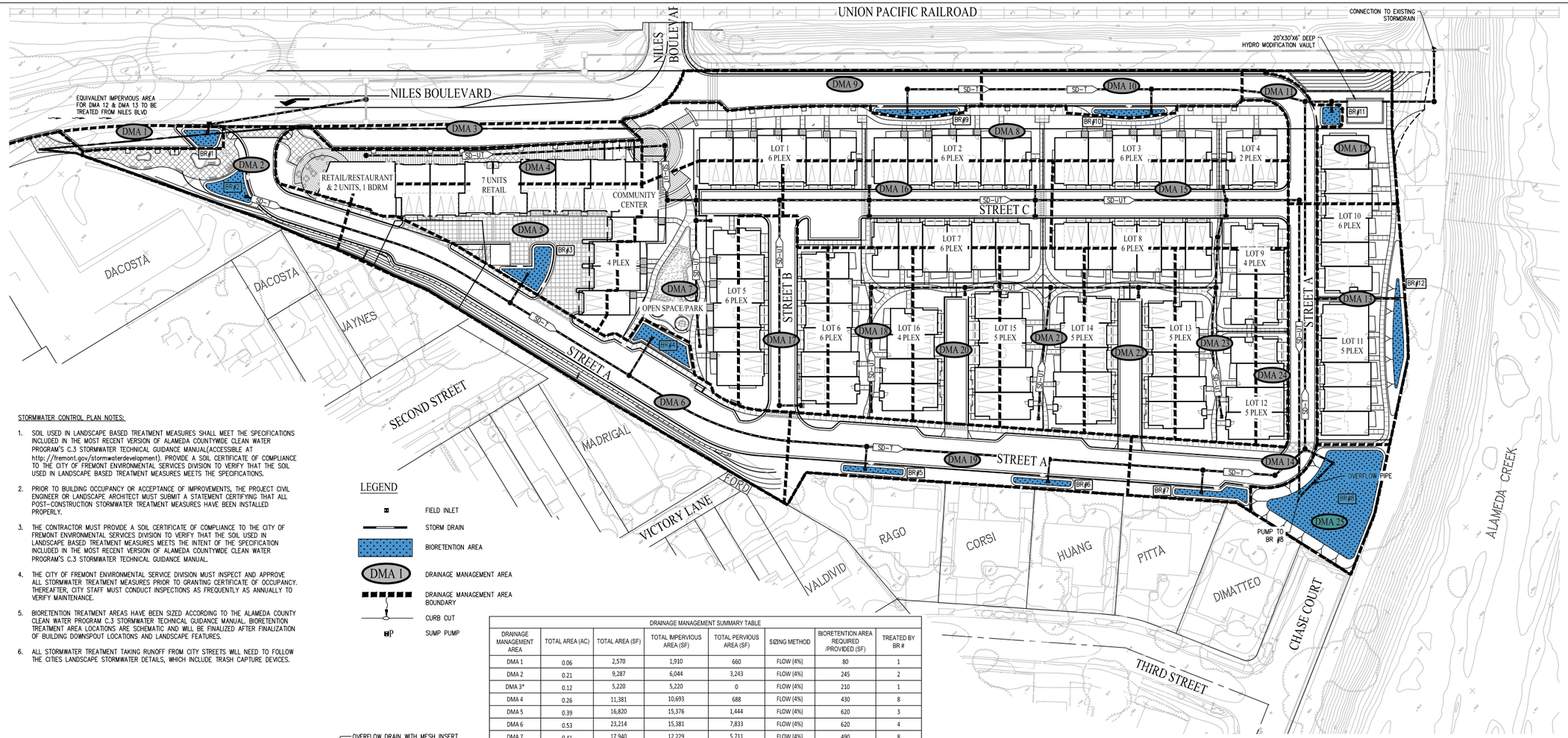
Construction-related activities could include disruptions to the circulation system in and around the project site and surroundings. Heavy vehicles (i.e., haul [tractor-trailer] trucks, machinery) would access the project site and surroundings; equipment and materials would be staged for construction within established work areas that would be fenced off from surrounding uses. The proposed project would require approximately 3,810cubic yards of cut and 3,060 cubic yards of fill. In total, approximately 750 cubic yards of excavated soils would be exported from the site throughout the entire construction period.

In addition to on-haul and off-haul trips, vehicular trips would be generated by an estimated maximum of 63 construction employees on the site at any one time. Parking for construction workers would be located onsite; there would be no staging of vehicles or equipment on or along existing roadways.

Construction Schedule and Phasing

Construction activities would typically occur during the work week, Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m. in accordance with the construction hour limitations established in the Fremont Municipal Code Section 18.160.010. If weekend work is necessary, construction would occur on Saturdays from 9:00 a.m. to 6:00 p.m. and, in most cases, construction would end by 4:00 p.m. There would likely be multiple destinations for off-haul materials. Construction workers would also be arriving from different directions.

Construction would include site preparation work, tree removal, excavation, grading, installation of access roads and utility infrastructure. The CRAFT building and townhomes would follow and overlap with some of the site work. Project construction is expected to last approximately 30 months, commencing in March 2019 with completion in August 2021. The project schedule is dependent on market conditions and regulatory approvals among several factors and, therefore, is subject to change.



STORMWATER CONTROL PLAN NOTES:

1. SOIL USED IN LANDSCAPE BASED TREATMENT MEASURES SHALL MEET THE SPECIFICATIONS INCLUDED IN THE MOST RECENT VERSION OF ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM'S C.3 STORMWATER TECHNICAL GUIDANCE MANUAL(ACCESSIBLE AT http://fremont.gov/stormwaterdevelopment). PROVIDE A SOIL CERTIFICATE OF COMPLIANCE TO THE CITY OF FREMONT ENVIRONMENTAL SERVICES DIVISION TO VERIFY THAT THE SOIL USED IN LANDSCAPE BASED TREATMENT MEASURES MEETS THE SPECIFICATIONS.
2. PRIOR TO BUILDING OCCUPANCY OR ACCEPTANCE OF IMPROVEMENTS, THE PROJECT CIVIL ENGINEER OR LANDSCAPE ARCHITECT MUST SUBMIT A STATEMENT CERTIFYING THAT ALL POST-CONSTRUCTION STORMWATER TREATMENT MEASURES HAVE BEEN INSTALLED PROPERLY.
3. THE CONTRACTOR MUST PROVIDE A SOIL CERTIFICATE OF COMPLIANCE TO THE CITY OF FREMONT ENVIRONMENTAL SERVICES DIVISION TO VERIFY THAT THE SOIL USED IN LANDSCAPE BASED TREATMENT MEASURES MEETS THE INTENT OF THE SPECIFICATION INCLUDED IN THE MOST RECENT VERSION OF ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM'S C.3 STORMWATER TECHNICAL GUIDANCE MANUAL.
4. THE CITY OF FREMONT ENVIRONMENTAL SERVICE DIVISION MUST INSPECT AND APPROVE ALL STORMWATER TREATMENT MEASURES PRIOR TO GRANTING CERTIFICATE OF OCCUPANCY. THEREAFTER, CITY STAFF MUST CONDUCT INSPECTIONS AS FREQUENTLY AS ANNUALLY TO VERIFY MAINTENANCE.
5. BIORETENTION TREATMENT AREAS HAVE BEEN SIZED ACCORDING TO THE ALAMEDA COUNTY CLEAN WATER PROGRAM C.3 STORMWATER TECHNICAL GUIDANCE MANUAL. BIORETENTION TREATMENT AREA LOCATIONS ARE SCHEMATIC AND WILL BE FINALIZED AFTER FINALIZATION OF BUILDING DOWNSPOUT LOCATIONS AND LANDSCAPE FEATURES.
6. ALL STORMWATER TREATMENT TAKING RUNOFF FROM CITY STREETS WILL NEED TO FOLLOW THE CITIES LANDSCAPE STORMWATER DETAILS, WHICH INCLUDE TRASH CAPTURE DEVICES.

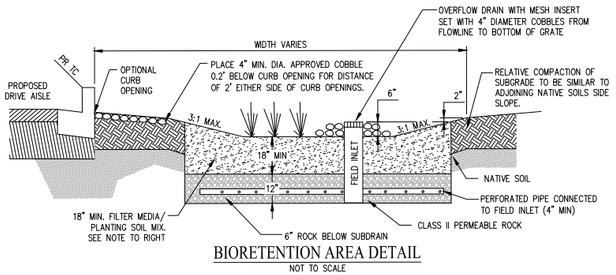
LEGEND

- FIELD INLET
- STORM DRAIN
- BIORETENTION AREA
- DMA 1 — DRAINAGE MANAGEMENT AREA
- DRAINAGE MANAGEMENT AREA BOUNDARY
- CURB CUT
- SUMP PUMP

DRAINAGE MANAGEMENT SUMMARY TABLE

DRAINAGE MANAGEMENT AREA	TOTAL AREA (AC)	TOTAL AREA (SF)	TOTAL IMPERVIOUS AREA (SF)	TOTAL PERVIOUS AREA (SF)	SIZING METHOD	BIORETENTION AREA REQUIRED /PROVIDED (SF)	TREATED BY BR #
DMA 1	0.06	2,570	1,910	660	FLOW (4%)	80	1
DMA 2	0.21	9,287	6,044	3,243	FLOW (4%)	245	2
DMA 3*	0.12	5,220	5,220	0	FLOW (4%)	210	1
DMA 4	0.26	11,381	10,693	688	FLOW (4%)	430	8
DMA 5	0.39	16,820	15,376	1,444	FLOW (4%)	620	3
DMA 6	0.53	23,214	15,381	7,833	FLOW (4%)	620	4
DMA 7	0.41	17,940	12,229	5,711	FLOW (4%)	490	8
DMA 8	0.59	25,663	19,005	6,658	FLOW (4%)	765	8
DMA 9	0.20	8,738	7,207	1,531	FLOW (4%)	290	9
DMA 10	0.18	7,650	6,075	1,575	FLOW (4%)	245	10
DMA 11	0.09	3,867	3,265	602	FLOW (4%)	135	11
DMA 12	0.18	7,733	3,981	3,752	FLOW (4%)	160	12
DMA 13	0.35	15,260	10,947	4,313	FLOW (4%)	440	12
DMA 14	0.28	12,291	9,820	2,471	FLOW (4%)	395	7
DMA 15	0.36	15,482	14,181	1,301	FLOW (4%)	570	8
DMA 16	0.52	17,160	15,435	1,725	FLOW (4%)	620	8
DMA 17	0.28	12,356	10,979	1,377	FLOW (4%)	440	8
DMA 18	0.25	10,808	7,584	3,224	FLOW (4%)	305	8
DMA 19	0.35	15,369	10,842	4,527	FLOW (4%)	435	5 & 6
DMA 20	0.26	11,452	9,715	1,737	FLOW (4%)	390	8
DMA 21	0.26	11,509	8,260	3,249	FLOW (4%)	335	8
DMA 22	0.29	12,752	10,927	1,825	FLOW (4%)	440	8
DMA 23	0.27	11,693	8,488	3,205	FLOW (4%)	340	8
DMA 24	0.11	4,798	4,306	492	FLOW (4%)	175	8
DMA 25	0.18	7,824	0	7,824	FLOW (4%)	0	8
TOTAL	6.99	298,837	227,870	39,735	FLOW (4%)	9,175	

* DMA 3 IS NOT BEING TREATED, THE EQUIVALENT AREA FROM NILES BLVD WILL BE TREATED ON BR#1.



BIORETENTION AREA DETAIL

NOT TO SCALE

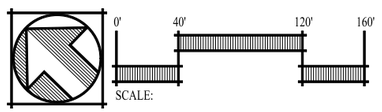
COMBINED EQUIVALENT BIORETENTION AREA FOR DMA AREAS 1 & 3 LOCATED ON DMA 1:

NEEDED AREA FOR:
DMA1 :80± SF
DMA3 :210± SF

TOTAL BIORETENTION AREA ON DMA1 :330± SF

NOTE:

1. BIO-RETENTION ON NILES BOULEVARD WILL BE ACQUIRED IN FEE.
2. REQUIRED BIO-RETENTION AREA, LOCATION, AND DOWNSPOUT ARE SUBJECT TO CHANGE BASED ON FINAL LANDSCAPE AND ARCHITECTURAL DESIGN.
3. BIO-RETENTION AREAS WILL BE OPTIMIZED ON FINAL DESIGN AND HYDRO MODIFICATION VAULT MAY BE ELIMINATED BASED ON OPTIMIZED BIO-RETENTION AREAS.



SOURCE: Carlson, Barbee & Gibson, Inc. 2014, revised 2017

Fremont Niles Gateway

Figure 10
Preliminary Stormwater Drainage Plan

ESA

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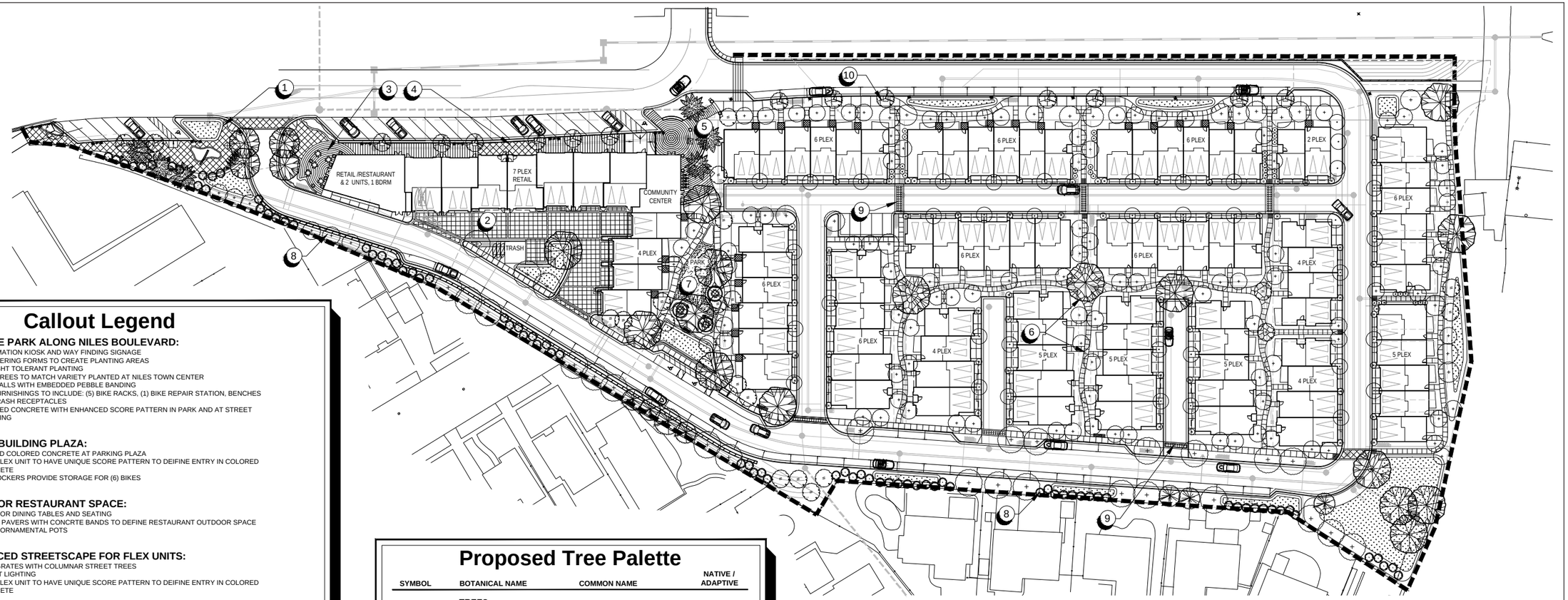

Callout Legend

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: (5) 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 DEIFINE ENTRY IN COLORED CONCRETE
   - BIKE LOCKERS PROVIDE STORAGE FOR (6) BIKES

3. **OUTDOOR RESTAURANT SPACE:**
   - AREA FOR DINING TABLES AND SEATING
   - RADIAL PAVERS WITH CONCRTE 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 DEIFINE ENTRY IN COLORED CONCRETE

5. **OUTDOOR SPACE AT COMMUNITY CENTER:**
   - LOW SEATWALLS WITH EMBEDDED PEBBLE BANDING
   - SITE FURNISHINGS TO INCLUDE: TABLES, (5) BIKE RACKS AND TRASH RECEPTACLES
   - FLAG POLE
   - INFORMATION KIOSK
   - RADIAL PAVER 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 BARBEQUE 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

NOTE: REFER TO SHEETS L-5 TO L-7 FOR DETAILS AND IMAGERY.

Proposed Tree Palette

SYMBOL	BOTANICAL NAME	COMMON NAME	NATIVE / ADAPTIVE
	TREES		
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	A
+	ACER PALMATUM	JAPANESE MAPLE	A
	CERCIS OCCIDENTALIS	WESTERN REDBUD	A
	ERIOBOYTRA DEFLEXA	BRONZE LOQUAT	A
	LAGERSTROEMIA SPP.	CRAPE MYRTLE	A
	RHUS LANCEA	AFRICAN SUMAC	A
	ACER RUBURM	RED MAPLE	A
	JACARADA MIMOSIFOLIA	JACARANDA	A
	QUERCUS AGRIFOLIA	COAST LIVE OAK	N
	ROBINIA AMBIGUS 'IDAHOENSIS'	IDAHOE LOCUST	A
+	ARBUTUS MARINA	ARBUTUS	A
	LAURUS NOBILIS 'SARATOGA'	BAY LAUREL	A
	SOPHORA JAPONICA 'REGENT'	JAPANESE PAGODA	A
	CALOCEDRUS DECURRENS	INCENSE CEDAR	N
	MELALEUCA QUINQUENERVIA	CAJEPUT TREE	A
	METROSIDEROS EXCELSA	NEW ZEALAND CHRISTMAS TREE	A
=	PLATANUS ACERIFOLIA	CALIFORNIA SYCAMORE	A
	MYOPORUM L. 'COMPACTUM'	MYOPORUM	A
	PODOCARPUS GRACILIOR	FERN PINE	A
	PALM TREES		
	PHOENIX CANARIENSIS	CANARY ISLAND DATE PALM	A
	FRUIT TREES		
	APPLE 'GRAVENSTIEIN'	GRAVENSTEIN APPLE TREE	A
	PEAR 'BARTLETT'	BARTLETT PEAR TREE	A
	PLUM 'SANTA ROSA'	SANTA ROSA PLUM TREE	A
	ALLEY TREES		
	CALLISTEMON STD.	BOTTLE BRUSH STANDARD	A
	RHAPIOLEPSIS STD.	INDIAN HAWTHORN STANDARD	A
	PODOCARPUS M. MAKI	YEW PINE	A

0' 20' 40' 80' 160'

NORTH

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SOURCE: vanderToolen Associates Landscape Architects, 2015

Fremont Niles Gateway

Figure 11
Conceptual Landscape Plan

ESA

Standard Development Requirements

The City of Fremont has established standard development requirements to address resource protection for development projects.[3] These requirements apply to air quality (construction-related air quality emissions), biological resources (special-status species), and cultural resources (notification of affiliated California Native American Tribes and accidental discovery of cultural resources) (Fremont Municipal Code Chapter 18.218). The proposed project would be required to comply with these standard development requirements, and discussed in greater detail in *Sections 4.3, Air Quality, 4.4, Biological Resources, and 4.5, Cultural Resources.*

1.5 Project Approvals

The project would require the following approvals and discretionary actions from the City:

- General Plan Amendment
- Preliminary and Precise Planned District Rezoning
- Vesting Tentative Tract Map
- Private Street
- General Plan Conformity Finding for a General Street Vacation
- Tree Removal Permit
- Preliminary Grading Plan

The project would require Historical Architectural Review Board (HARB) and Planning Commission consideration and recommendation to the City Council for final approval.

Other approvals may be required from the following agencies:

- San Francisco Bay Area Regional Water Quality Control Board (RWQCB)
- Alameda County Water District (ACWD)
- Union Sanitary District (USD)

[3] "Development project" shall mean the placement or erection of any solid material or structure; discharge or disposal of any dredged material or any gaseous, liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any soil or materials; change in the density or intensity of use of land including, but not limited to, amendments to the general plan and zoning ordinance or subdivision pursuant to the State Subdivision Map Act (commencing with Cal. Gov't Code § 66410), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal of any major vegetation. As used in the municipal code, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. A project, as defined in Cal. Gov't Code § 65931, is included within this definition.