



Notice of Intent to Adopt a Mitigated Negative Declaration

Date: November 19, 2020

To: Public Agencies, Organizations and Interested Parties

From: City of Fremont, Planning Division

Subject: Notice of Public Review and Intent to Adopt a Mitigated Negative Declaration

Pursuant to the *State of California Public Resources Code* and the *Guidelines for Implementation of the California Environmental Quality Act*, as most recently amended, this is to advise that the City of Fremont has prepared an Initial Study to evaluate the environmental effects of the project identified below:

Project Title: Witherly Road Homes (PLN2020-00037)

Project Location: 740, 750 and 830 Witherly Lane, Fremont, CA 94539, City of Fremont, Alameda County, APNs: 513-363-17, 513-363-16, and 513-363-15-3

Project Description: The Applicant proposes the Witherly Road Homes project (“Project”), a single-family residential development that would develop three contiguous parcels totaling 5.37 acres. The project site currently contains the Gallegos House, which is a c.a. 1882 house eligible for the National and California Registers of Historic Resources, and a c.a. 1956 commercial building. The project proposes development of an eight-lot subdivision that would contain seven single family residences (five new homes and two existing buildings) and one duplex, as well as two common parcels (Parcel A and Parcel B) corresponding to new private streets.

The development would involve constructing two-story single-family homes on five lots, constructing a two-story attached duplex on one lot, maintaining the National and California Register-eligible Gallegos House on one lot, and converting the existing one-story commercial building into a single-family home on one lot. One existing accessory structure on the subject site, a contemporary horse tack building constructed in the late 1900s, would be demolished.

The five new single-family homes would be located on lots of between 20,000 and 37,000 square-feet. The homes would range in size from 3,800 to 3,900 square feet and each would contain five bedrooms. All would include attached side-by-side three-car garages. The existing 3,180 square foot Gallegos House, which is eligible for the National and California Registers of Historic Resource, would be maintained on an approximately 22,000 square foot lot within the new subdivision. No work on the Gallegos House is proposed as part of the project and the house would remain in its current location. An existing 4,270 square-foot one-story commercial building would be converted into a single-family residence on one lot. Finally, a duplex would be constructed on an approximately 25,800 square foot corner lot bounded by Witherly Lane and the new private streets. Each attached unit within the duplex would be a four-bedroom, 3,200 square foot home with an attached two-car garage.

The two common parcels, Parcel A and Parcel B, would correspond to two segments of the private street providing access to the eight lots. A total of 950 linear feet of new roadway, with widths ranging from 26 feet to 44 feet (including on-street parking areas), would be constructed. Within the project, sidewalks would always be provided on at least one side of the private street and portions of the project would have sidewalks on both sides of the street. A total of nineteen on-street parking spaces would be provided throughout the project.

Water, fire water, sanitary sewer, and storm drain lines associated with the Project would connect with existing public utilities systems beneath Witherly Lane. One hundred percent of the run-off from the Project's impervious surfaces would be treated on-site within treatment areas located within easements on the privately-owned lots. After being treated, run-off would ultimately discharge into the public storm drain system via a new private storm drain line. No new run-off would be directed into the drainage channels located along the northern and northeastern boundary of the project site. The project would record in perpetuity a 50-foot riparian setback from those drainage channels.

Grading activities on the site would be completed in conformance with the City's Measure A and Hillside Initiative Combining District limitations. Grading activities would result in 500 cubic yards of soil export. Twenty of the 71 trees that exist on the site would be removed in conjunction with the project. Approximately 51 trees, including Chinese pistache, crape myrtle, western redbud, and several other species, would be planted as part of the project following construction, consistent with the requirements of the City's Tree Preservation Ordinance.

The proposed Project includes a rezoning of the project site from R-1-20(H-I) and Open Space to Preliminary and Precise Planned District P-2020-37, Vesting Tentative Tract Map No. 8546, Historical Architectural Review, and a Private Street entitlement. Based upon the conclusions set forth in the Initial Study, the City of Fremont proposes to adopt a Mitigated Negative Declaration.

Public Review Period: A 20-day public review period will begin on November 19, 2020. Written comments must be submitted to the City of Fremont, Planning Division (address noted below) no later than December 9, 2020. The draft Initial Study/Mitigated Negative Declaration and reference documents are available for review on the City's website at: <https://fremont.gov/430/Environmental-Review>.

Public Hearing: The City's Planning Commission is currently scheduled to consider the proposed project and recommendation to adopt a Mitigated Negative Declaration at a public hearing tentatively scheduled for December 10, 2020 at 7:00pm. Notice of the date and time of the public hearing will be published and/or mailed as provided by law. The City's Historical Architectural Review Board is tentatively scheduled to consider the proposed project and recommendation to adopt a Mitigated Negative Declaration at a public hearing tentatively scheduled for January 7, 2021. Notice of the date and time of the public hearing will be published and/or mailed as provided by law.

The City of Fremont has deemed it necessary in the interest of public health to limit the attendance of public assemblies to prevent or mitigate the effects of Coronavirus 2019 (COVID-19). As such, the public hearing will be held via teleconferencing and made accessible telephonically or otherwise electronically to impose and promote social distancing under the authority of Executive Order N-25-20, as amended. Due to the closure of City offices in response to the County Order, environmental documents are only available for review by the public online at: <http://www.fremont.gov/430/Environmental-Review>.

Further details may be obtained from Mark Hungerford, Associate Planner.
E-mail: mhungerford@fremont.gov
Phone: (510) 494-4541