



CITY OF NEWARK PLANNING COMMISSION

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City Administration Building
7:30 p.m.
City Council Chambers

MINUTES

Tuesday, January 23, 2007

A. ROLL CALL

At 7:41 p.m., Chairperson Kramer called the meeting to order. All Commissioners were present.

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, January 9, 2007.

Commissioner Fitts moved, Commissioner Young seconded, to approve the Minutes of January 9, 2007. The motion passed, 6 AYES, 1 ABSTENTION (Blowers).

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

E.1 Hearing to consider an extension of a conditional use permit (U-90-44) and a planned unit development (P-91-13) for an existing auto wrecking yard (Ace Auto Wreckers) at 7580 Mowry Avenue.

Planner Fujikawa presented the staff report. Planner Fujikawa reiterated that given the progress towards development of Area 4 and the inconsistency of an auto wrecking yard with the General Plan for this area, staff has advised both Ace Auto Wreckers and Pick-N-Pull that this may be the last one-year extension of their land use permits that staff can support.

Chairperson Kramer opened the public hearing.

Mr. Elmer Hebert, 5012 Brophy Drive, Fremont, CA 94536, the applicant, stated that he was in agreement with the recommended conditions of approval.

Chairperson Kramer closed the public hearing.

Vice Chairperson Marshall moved, Commissioner Blowers seconded, that the Planning Commission, by motion, approve Resolution No. 1686, for an extension of a conditional use permit (U-90-44) and a planned unit development (P-91-13) for Ace Auto Wreckers at 7580 Mowry Avenue. The motion passed 7 AYES.

E.2 Hearing to consider an extension of a conditional use permit (U-90-39) and a planned unit development (P-90-48) for an existing auto wrecking yard (Pick-N-Pull) at 7400 Mowry Avenue.

Planner Fujikawa presented the staff report. Planner Fujikawa explained that Pick-N-Pull had gone through the same multitude of extensions as the previous applicant (Ace Auto Wreckers).

Since the last extension was approved, it was brought to staff's attention that an alarm system was installed without permits at this location. Therefore, it is staff's recommendation to add an additional condition to the proposed resolution to include that within 15 days of City Council approval, the developer shall file for and obtain approval of an Alarm Permit with the Police Department. It shall be the developer's responsibility to be in full compliance with all requirements of the alarm permit, including the requirement that the alarms have a timing device which automatically shuts off the alarms within 15 minutes after the alarm is activated.

Chairperson Kramer opened the public hearing.

Mr. Tom Armstrong, HMM Engineers, 1570 Oakland Road, #200, San Jose, CA 95131, representing the applicant, stated that he was in agreement with the recommended conditions of approval.

Mr. Armstrong reaffirmed that he was in agreement with the added condition when asked by Chairperson Kramer.

Chairperson Kramer closed the public hearing.

Vice Chairperson Marshall moved, Commissioner Fitts seconded, that the Planning Commission, by motion, approve Resolution No. 1687, for an extension

of a conditional use permit (U-90-39) and a planned unit development (P-90-48) for Pick-N-Pull at 7400 Mowry Avenue. The motion passed 7 AYES.

F. STAFF REPORTS

None.

G. COMMISSION MATTERS

G.1 Report on City Council actions.

Community Development Director Grindall stated there was nothing of significance to report from the January 11, 2007 City Council meeting.

Commissioners' Comments

Commissioner Marshall asked what effect Little Al's perpetual extension would have on Pick-N-Pull.

Community Development Director Grindall stated that technically since Pick-N-Pull had absorbed Little Al's business, they could continue to operate their business on the original 5 acre site, but it was unlikely to occur. Staff is continuing to work with the applicant on a reasonable timeframe to cease operation of the auto wrecking yard.

Chairperson Kramer was happy to see construction activity on the 5 new houses at Jarvis Avenue and Lake Boulevard.

H. ADJOURNMENT

At 7:50 p.m., Chairperson Kramer adjourned the regular Planning Commission meeting of Tuesday, February 6, 2007.

Respectfully submitted,

TERRENCE GRINDALL
Secretary