



CITY OF NEWARK PLANNING COMMISSION

37101 Newark Boulevard, Newark, California 94560-3796 □ 510/578-4330 □ FAX 510/578-4265

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

AGENDA Tuesday, May 31, 2016

SPECIAL MEETING

- A. ROLL CALL**
- B. MINUTES**
 - B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, April 26, 2016. (MOTION)**
- C. WRITTEN COMMUNICATIONS**
- D. ORAL COMMUNICATIONS (Anyone wishing to address the Commission on any planning item not on the Agenda may take the podium and state his/her name and address clearly for the recorder.)**
- E. PUBLIC HEARINGS**
- F. STAFF REPORTS**
 - F.1 Presentation of the 2016-2018 Capital Improvement Plan and finding in conformance with the General Plan – from Public Works Director Fajeau.(MOTION)**
- G. COMMISSION MATTERS**
 - G.1 Report on City Council actions.**
- H. ADJOURNMENT**

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the Planning Commission, will be made available for public inspection at this meeting and at the Planning Division Counter located at 37101 Newark Boulevard, 1st Floor, during normal business hours. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection.

CITY OF NEWARK PLANNING COMMISSION

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4330 • FAX 510-578-4265

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

MINUTES

Tuesday, April 26, 2016

A. ROLL CALL

At 7:32 p.m., Chairperson Aguilar called the meeting to order. All Planning Commissioners were present.

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, April 12, 2016.

Vice-Chairperson Nillo moved, Commissioner Bridges seconded, to approve the Minutes of April 12, 2016. The motion passed 4 AYES, 1 ABSTENSION (Fitts).

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

None.

F. STAFF REPORTS

F.1 Work Session on Zoning Ordinance Update.

Assistant City Manager Grindall introduced Martha Miller with RRM Design Group and Newark Assistant Planner Sarah Bowab to the Planning Commission.

Ms. Miller gave the Staff Report via a PowerPoint Presentation.

Commissioner Fitts expressed concerns that the amortization concept of treating nonconforming uses may be viewed as legislating and restricting the amount of business use.

ACM Grindall stated the Planning Commission and the City Council would be reviewing individual cases of nonconforming uses in collaboration with the affected property owner.

Answering Commissioner Bridges, ACM Grindall stated staff has not compiled a list of nonconforming businesses and emphasized that the Zoning Policy is still in the conceptual stage.

Answering Commissioner Otterstetter, ACM Grindall stated the current process for a nonconforming use allows the use to continue as long as the business is not discontinued for more than 6 months.

Answering Vice-Chairperson Nillo, Ms. Miller stated in a catastrophic event, some type of emergency ordinance would go into effect.

Chairperson Aguilar liked the different classifications of nonconforming uses but thinks a performance criteria should be established to better determine which classification a use belongs to.

ACM Grindall stated the proposed review standards would allow a more streamlined process whereby the Planning Commission would receive a written Notice of Decision versus having to wait for the review optional item to be agendaized.

Answering Commissioner Otterstetter, Ms. Miller envisions the Planning Commission to have the same 10 day timeframe to request a Public Hearing as someone who wanted to appeal the decision.

Answering Commissioner Bridges, ACM Grindall stated a quarterly list of approved projects could be provided to the Planning Commission.

Commissioner Bridges commented that she would prefer the Planning Commission continue with reviewing and approving Architectural and Site Plan Reviews of large projects.

Vice-Chairperson Nillo suggested a dashboard system to easily identify the progress of new projects.

Commissioner Bridges added that she would like to see an automated application process in place.

Commissioner Otterstetter commented that since retail businesses are on the decline, she feels the option to require Minor Use Permits for other uses in Commercial Centers might be the best option presented to minimize empty tenant spaces.

Chairperson Aguilar stated he would not want to limit possible non-retail tenants who may be beneficial to the Community.

ACM Grindall stated when Commercial Centers were being developed, their parking space requirements were established to accommodate a wide variety of permitted uses.

Addressing Vice-Chairperson Nillo's concerns, ACM Grindall stated he would like to firm up parking regulations for businesses that lease out their parking lots.

Answering Chairperson Aguilar, ACM Grindall stated the City would go beyond the Public Hearing notification process by reaching out to property owners and inviting them to attend Community Meetings.

Discussion ensued on the Timber project.

Ms. Miller described the next steps in the process which would include: Incorporating Planning Commission comments; Drafting the Zoning Ordinance and Zoning Map; Holding Community Workshops.

Chairperson Aguilar thanked and commended Ms. Miller for her presentation.

G. COMMISSION MATTERS

G.1 Report on City Council actions.

ACM Grindall informed the Planning Commission that the two hotels and restaurant project at the former Cinedome site has been approved by the City Council and the Applicant indicated that they would obtain the demolition permit with 30 days.

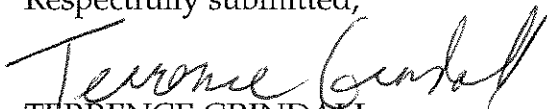
Commissioners' Comments

Answering Commissioner Fitts, ACM Grindall stated the Zoning Ordinance Update Project will take approximately 5 months to complete.

H. ADJOURNMENT

At 8:52 p.m., Chairperson Aguilar adjourned the regular Planning Commission meeting of Tuesday, April 26, 2016.

Respectfully submitted,



TERRENCE GRINDALL

Secretary



F.1 Presentation of the 2016-2018 Capital Improvement Plan and finding in conformance with the General Plan – from Public Works Director Fajeau. SF (MOTION)

Background/Discussion – The Capital Improvement Plan (CIP) is prepared as part of the City’s Biennial Budget as a policy statement of plans to fund proposed capital improvement projects. Capital improvements are major physical improvements throughout the Community that involve significant resources above and beyond the City’s operating budget. Planning for a CIP project allows the City to anticipate ongoing operating and maintenance costs for a project. Proposed CIP projects typically include all projects with expenditures of more than \$5,000 except for ongoing maintenance projects, the replacement of equipment, or operating programs.

The CIP process began in November 2015 with an initial call for projects. The submitted projects were reviewed in relation to the Critical Issues previously identified by the Executive Team. As in past years, projects were also evaluated based on the availability of various funding sources and potential maintenance impacts. In addition, staff evaluated the projects based on a revised selection methodology that includes new project prioritization criteria. There are three proposed priority levels, defined as follows:

1. Priority Level 1. Priority Level 1 projects are considered mandatory. These projects are of the highest priority and must be completed for one of the following reasons:
 - A. Satisfy a Legal or Regulatory Requirement
 - B. Address a Critical Safety Need
 - C. Preserve Existing Public Assets/Infrastructure

2. Priority Level 2. Priority Level 2 projects are considered necessary and include the following categories:
 - A. City Council Consensus Priority
 - B. Matching Requirements for Outside Funding
 - C. Necessary Service Level Increase
 - D. Feasibility Studies and Master Plans
 - E. Final Phase of a Project

3. Priority Level 3. Priority Level 3 projects are desirable, but do not meet Level 1 or Level 2 criteria and include the following:

- A. Aesthetic Improvements
- B. All other projects

As part of the call for projects for the 2016-2018 CIP, a total of 65 proposed projects were submitted for a total cost of about \$86,000,000. A majority of the recommended projects were submitted by the Public Works Department and include on-going projects to provide a minimum level of investment for pavement, sidewalk, street tree, buildings, and park maintenance. These projects are necessary to ensure continued preservation of the City's assets and represent 21 total projects and approximately \$2,100,000 over each of the next two years.

In addition to the on-going maintenance projects, staff recommended seven (7) other projects deemed as Priority Level 1 to satisfy legal/regulatory, safety, or asset preservation needs, as follows:

<u>Additional Priority Level 1 Projects</u>	<u>Estimated Cost</u>
1. Silliman Center Pool Air Handler #1 Replacement	\$ 250,000
2. Silliman Center Light Control Board	\$ 50,000
3. Silliman Center Phase I HVAC Unit Replacements	\$ 275,000
4. Citywide HVAC Replacements	\$ 150,000
5. Silliman Center Pool Heater (3) Replacements	\$ 120,000
6. Citywide Speed Survey	\$ 45,000
7. Email Message Archiving	\$ 15,000

Staff also recommended a total of ten (10) Priority Level 2 projects for funding:

<u>Priority Level 2 Projects</u>	<u>Estimated Cost</u>
1. Old Town PDA Specific Plan & Development Strategy	\$ 160,000
2. Silliman Center (II) Automatic Doors	\$ 25,000
3. Lakeshore Park Landscape Restoration	\$ 255,000
4. Patrol Annex Work Station Upgrades	\$ 50,000
5. Large Computer Monitors for Plan Review	\$ 6,000
6. New Vehicles for Building (2) and Engineering (1)	\$ 90,000
7. Trailer for Large Riding Mower	\$ 15,000
8. Silliman Center (II) Variable Frequency Drive Unit	\$ 45,000
9. Slit-Seeder Tractor Implement	\$ 20,000
10. Lawn Aerator Tractor Implement	\$ 14,000

There are 59 recommended projects for funding in the 2016-2018 CIP, at a total cost of approximately \$5,800,000. Projects recommended for funding are listed by Fiscal Year and organized alphabetically in the Draft CIP. Projects not recommended in the 2016-

2018 Biennial Budget are listed on the chart summarizing the Estimate of Future Funding Needs. Detailed CIP descriptions for all projects are also provided.

State law requires that the Planning Commission review proposed CIP projects for conformance with the General Plan prior to formal adoption of the CIP by the City Council. The Draft CIP was presented to the City Council on May 19, 2016. The entire 2016-2018 Biennial Budget, including the CIP, is scheduled for formal adoption by the City Council on June 9, 2016.

The CIP is exempt as a project per Section 15262, feasibility and planning studies, of the California Environmental Quality Act.

Attachment

Action - It is recommended that the Planning Commission, by motion, find the 2016-2018 Capital Improvement Plan in conformance with the General Plan.