



CITY OF NEWARK CITY COUNCIL

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

AGENDA

Thursday, February 8, 2018

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the City Council meeting of January 25, 2018.
(MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Introduction of promoted employees.**

Background/Discussion – Trang Tran and Diana Cangco have each been promoted to the position of Senior Civil Engineer in the Public Works Department. They will be at the meeting to have their promotions announced to the City Council.

D. WRITTEN COMMUNICATIONS

- D.1 An Architectural and Site Plan Review, to demolish and replace an existing restaurant, Ray's Sushi, with a new restaurant, Lazy Dog, located at 3100 Newpark Mall – from Associate Planner Mangalam.
(RESOLUTION)**

Background/Discussion – Lazy Dog Restaurants LLC has filed an application to demolish and replace an existing restaurant, Ray's Sushi with a new restaurant, Lazy Dog, located at 3100 Newpark Mall.

Lazy Dog restaurant is an upscale American casual dining restaurant chain. At present it operates 26 restaurants across California, Colorado, Nevada and Texas. Lazy Dog restaurant will be a unique freestanding building with its architectural style inspired by the Rocky Mountains. As the name suggests, artwork and playful touches influenced by man's best friend will be woven throughout the interior and exterior of the building. The restaurant will also include two dog-friendly patios with ample seating and fire-pits. Lazy Dog's ambiance will be rustic and inviting and will have a lodge-like feeling including cozy fireplaces, a massive chandelier grafted from aspen logs, with a rustic décor.

The existing Ray's Sushi restaurant is approximately 16,463 square foot and is located at the corner of Alpenrose Court and Mowry Avenue. The subject site is zoned CR (Regional Commercial District) with a Regional Commercial General Plan land use designation. As per Section 17.20.120 (G) of Newark Municipal Code, all new buildings that add over ten thousand square feet of new space or that are located along major arterials such as Mowry Avenue requires Architectural and Site Plan Review.

The existing restaurant will be removed and rebuilt with a completely new structure comprising of building area of 9,792 square feet and two patios of 2,910 square feet, thus totaling to 12,702 square feet. The new restaurant will have a total capacity of 394 seats including 270 interior and 124 patio seats. It will be constructed at the same location as the existing restaurant and the existing parking area will be resurfaced and restriped. 141 parking spaces are proposed for the new restaurant which exceeds current zoning parking requirement of 114 parking spaces. The proposed restaurant will be approximately 27 feet high with the tower feature extending up to 38 feet.

There will be extensive new planting around the proposed patios and the building with the addition of 15 Birch and 15 Spruce trees. In addition, all the existing planting areas in and around the parking area will be enhanced to improve the quality of the landscaping. 18 Madrone trees will be added to the perimeter landscaping.

Proposed signage consists of five building wall signs, one unique paw logo sign and refacing of two existing monument signs.

Environmental

The proposed project is categorically exempt from the California Environmental Quality Act per Section 15302, Class 2, "replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced."

Update – At its January 23, 2018 meeting, the Planning Commission approved Resolution No.1955, with Exhibit A, pages 1 through 14, approve ASR-17-17, an Architectural and Site Plan Review, to demolish and replace an existing restaurant, Ray's Sushi, with a new restaurant, Lazy Dog, located at 3100 Newpark Mall (APN 901-0111-017).

Attachments

Action – It is recommended that the City Council, by resolution, approve an Architectural and Site Plan Review to demolish and replace an existing restaurant, Ray's Sushi, with a new restaurant, Lazy Dog, located at 3100 NewPark Mall (APN: 901-0111-017).

D.2 Notice of Planning Commission approval of a Conditional Use Permit to allow two special events, the Bay Area Night Market, at 300 Newpark Mall– from Deputy Community Development Director Interiano.

(REVIEW OPTIONAL)

Background/Discussion - Ms. Ria Albellera has submitted an application to hold two outdoor special events at the Newpark Mall. The first event on February 24, 2018 will be a Lunar New Year celebration and the second event on July 13 and 14, 2018 will be the Annual Bay Area Night Market.

The Lunar New Year celebration will be a one-day event having carnival games, music, food (including food trucks) and retail vendors during the hours of 2 p.m.- 9 p.m. The Bay Area Night Market is a two-day event consisting of an open market concept which includes local food vendors and small retail businesses. The market celebrates the vibrant and diverse communities of the bay area through the sales of cultural foods, arts and crafts, and goods. There will be live music, karaoke, and arcade games. The market event will be held on July 13 and 14 between the hours of 4 p.m.-11 p.m. This will be the second year that the Bay Area Night Market will be held at this location. Both events will not be selling alcoholic beverages.

The events have the potential to bring up to 7,500 attendees per day. Therefore, staff monitors these events very closely. The event areas shall be fenced off and staff has approved of the Traffic Circulation Plan for the designated parking areas surrounding the event. The Police and Fire Department have reviewed and approved of the event layout and operations with conditions of approval as attached per the resolution. There were no major issues with the previous Bay Area Night Market which occurred last year in July.

CEQA - This project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15304, Class 4(e), minor temporary use of land having negligible or no permanent effects on the environment.

Update - On January 23, 2018, the Planning Commission held a Public Hearing to consider Conditional Use Permit U-17-12, and unanimously approved of the use permit with conditions of approval as stated in Resolution.

Attachments

Action – This item is review optional.

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

(It is recommended that Item F.1 be acted on unless separate discussion and/or action is requested by a Council Member or a member of the audience.)

CONSENT

- F.1 Authorization for the purchase of two (2) 2018 Harley Davidson Enforcement Electra Glides as replacement motorcycles for the Police Department from Oakland Harley Davidson with outfitting by Metro Mobile and Classic Graphics – from Maintenance Supervisor Connolly.**
(RESOLUTION)

Background/Discussion – The Newark Police Department is in need of two (2) replacement motorcycles that have reached the end of their useful lives. The 2016-2018 Biennial Budget and Capital Improvement Plan includes funding for vehicle replacements in the amount of \$68,600 as part of the Equipment Replacement Budget. Authorization is requested to participate in an intergovernmental procurement process for the purchase of two (2) 2018 Harley Davidson Enforcement Electra Glides.

An intergovernmental procurement process (also known as a “piggybacking”) is an alternative option to Newark’s formal bidding process. By piggybacking onto another agency’s contract, the City would save the cost and time associated with the formal bid process but be able to be assured of competitive set prices established by another agency’s formal bidding process. Upon completion of a formal bidding process, the State of California entered into a master contract and a procurement contract with Oakland Harley Davidson for the purchase of new motorcycles. This contract is in effect through May 1, 2019, and includes a provision to allow other agencies to participate.

The competitive process used by the State of California has been reviewed by the Public Works Department and satisfies the City’s requirements for the proposed vehicle purchases.

Based upon the State of California contract with Oakland Harley Davidson, the combined purchase cost for the two (2) motorcycles will be \$66,000. The purchase cost does not include outfitting of the vehicles which is estimated not to exceed \$2,600 combined for both motorcycles. The outfitting is based on specialized vendor quotes for the programming of radios, antennas, wiring, and City logos.

Action - It is recommended that the City Council, by resolution, authorize the purchase of two (2) 2018 Harley Davidson Enforcement Electra Glides as replacement

motorcycles for the Police Department from Oakland Harley Davidson with outfitting by Metro Mobile and Classic Graphics.

NONCONSENT

F.2 Update on preliminary designs of dog parks at Newark Community Park and Birch Grove Park - from Public Works Director Fajeau and Recreation and Community Services Director Zehnder. (INFORMATIONAL)

Background/Discussion – The Citywide Parks Master Plan was adopted by the City Council in June 2017 and identified new dog parks at Newark Community Park and Birch Grove Park as high priority projects. The City Council approved a Contractual Services Agreement with Robert Mowat Associates for professional design services for these dog parks in October 2017. An initial Community Workshop took place on Saturday, December 9, 2017 with preliminary design alternatives presented for each park based on the specific site locations identified in the Citywide Parks Master Plan. The preliminary designs for both parks included separated fence-enclosed areas with double-gated entries for both small and large dogs, shaded seating areas, and other potential amenities.

The Community Workshop was conducted with separate sessions for each dog park, both of which were well attended. Residents in attendance at the workshop were largely opposed to installation of a dog park at the northwest corner of Birch Grove Park (near the intersection of Birch Street and Robertson Avenue) as identified in the master plan. The primary reason cited for opposition was concern over the loss of existing prime open park space for ongoing passive uses. Based on the number of comments and feedback received from residents prior to and at the workshop, staff has suspended any further design development of the dog park at Birch Grove Park until alternative locations can be properly analyzed. In contrast, the dog park site location at Newark Community Park and the preliminary design alternatives presented were strongly supported by workshop attendees.

Robert Mowat Associates will provide a conceptual design of the Newark Community Park Dog Park based on the input received during the initial Community Workshop and further discussions with staff. The conceptual design will include a proposed site plan layout for the large dog and small dog areas along with potential park amenities. A second Community Workshop is tentatively scheduled for late February or early March prior to completion of a final recommended design for the City Council's consideration.

Attachments

Action – This item is informational only.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

J. CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

K. ORAL COMMUNICATIONS

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of February 8, 2018. (MOTION)

M. CLOSED SESSION

N. ADJOURNMENT

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the City Council, will be made available for public inspection at this meeting and at the City Clerk's Office located at 37101 Newark Boulevard, 5th 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.

For those persons requiring hearing assistance, please make your request to the City Clerk two days prior to the meeting.