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# CITY OF NEWARK PLANNING COMMISSION

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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, May 14, 2019

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### A. ROLL CALL

At 7:30 p.m., Chairperson Fitts called the meeting to order. Commissioners Bridges, Otterstetter, and Aguilar were present.

Commissioner Otterstetter moved, Vice Chairperson Aguilar seconded, to approve the Minutes of April 23, 2019. Motion passed 4 AYES.

### B. WRITTEN COMMUNICATIONS

None.

### C. ORAL COMMUNICATIONS

None.

### D. PUBLIC HEARINGS

#### E.1 **Hearing to consider MUP-19-1, a Minor Use Permit to allow an Art Studio with Instructional Services at 6180 Jarvis Avenue Suite H, J, & K. The property is zoned Community Commercial.**

Acting Community Development Director (ACDD) Interiano, stated the applicant previously requested the public hearing be continued to May 14, 2019. He presented research conducted by staff in response to the April 9 meeting.

Chairperson Fitts asked if any alternate locations were offered or recommended to the applicant. ACDD Interiano stated other options were discussed and explained the zoning code for the proposed location.

Vice Chairperson Aguilar asked where the applicant's business would be a fit in terms of zoning. ACDD Interiano responded.

Chairperson Fitts opened the public hearing.

Mr. Wu, owner and applicant for CalColor, expressed his interest in bringing CalColor to Newark.

Chairperson Fitts asked Mr. Wu if he had information about needing a daycare license and if he has researched any other viable locations. Mr. Wu responded with his findings.

Jane Sun addressed the Commissioners and described her research.

Robert Anderson, Jane Sun's attorney, urged the Commission to grant Mr. Wu the requested minor use permit.

Chairperson Fitts closed the public hearing.

Vice Chairperson Aguilar asked what the current educational/tutoring retail presence is in the shopping center of the proposed CalColor location. ACDD Interiano responded.

Chairperson Fitts asked ACDD Interiano if staff's recommendation to deny the minor use permit for this location changes given Ms. Sun's report. ACDD Interiano explained that Ms. Sun's report further strengthens staff's argument.

Commissioner Otterstetter asked staff questions regarding the configuration of Lido Faire and Newark shopping strip.

Jane Sun addressed a question from Commissioner Otterstetter.

Chairperson Fitts commented that Newark needs more businesses that promote the arts but CalColor is not suited for the proposed location.

Commissioner Bridges stated she is in support of this type of business in Newark but is hesitant to approve because it would allow similar businesses to apply to occupy retail spaces.

Commissioner Otterstetter expressed her support for granting the Cal Color minor use permit.

Vice Chairperson Aguilar stated he supports CalColor opening in Newark, although not at the proposed location.

Commissioner Bridges moved and Vice Chairperson Aguilar seconded the motion to deny MUP-19-1, a Minor Use Permit to allow an Art Studio with Instructional Services at 6180 Jarvis Avenue Suite H, J, & K. Motion passed 3 AYES, 1 NAY (Otterstetter).

## **F. STAFF REPORTS**

**F1: Review of proposed sign permit for Cedar Boulevard Neighborhood Church related to an approved Conditional Use Permit (U-87-52), Resolution 1103. The property address is 38325 Cedar Boulevard.**

ACCD Interiano gave the staff report.

Commissioner Otterstetter asked if neighbors were notified. ACCD Interiano stated it is not required.

Vince Oz, 635 Pickering Avenue, general contractor, answered Chairperson Fitts and Commissioner Otterstetter's questions.

Commissioner Bridges moved and Commissioner Otterstetter seconded the motion to approve the proposed sign permit for Cedar Boulevard Neighborhood Church related to an approved Conditional Use Permit (U-87-52), Resolution 1103. Motion carries 4 AYES.

## **G. COMMISSION MATTERS**

Chairperson Fitts, Vice Chairperson Aguilar and Commissioner Otterstetter expressed that Commissioner Nillo will be greatly missed as a member of the Planning Commission and a valued member of the Newark community.

## **H. ADJOURNMENT**

At 8:32 p.m., Chairperson Fitts adjourned the regular Planning Commission meeting of Tuesday, May 14, 2019.

Respectfully submitted,

ARTURO INTERIANO  
Secretary