

# 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, October 27, 2015

### **A. ROLL CALL**

### **B. MINUTES**

**B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, September 8, 2015. (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**

**E.1 Hearing to consider whether the Planning Commission should revoke Conditional Use Permit (CUP) No. U-84-14, issued to E-Z 8 Motel, on the grounds that E-Z 8 Motel is not complying with the conditions of the permit and is violating applicable provisions of Title 17 of the City of Newark Municipal Code – from Assistant City Manager Grindall. (CONTINUED FROM JULY 2, 2014, APRIL 28, 2015, JULY 28, 2015, AUGUST 25, 2015 AND SEPTEMBER 8, 2015). (RESOLUTION)**

### **F. STAFF REPORTS**

### **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.

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

## MINUTES

Tuesday, September 8, 2015

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### A. ROLL CALL

At 7:30 p.m., Chairperson Fitts 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, August 25, 2015.

Vice-Chairperson Aguilar moved, Commissioner Bridges seconded, to approve the Minutes of August 25, 2015. The motion passed 5 AYES.

### C. WRITTEN COMMUNICATIONS

A list of residential projects were presented to the Planning Commission by Assistant City Manager Grindall.

Answering Chairperson Fitts and Commissioner Bridges, ACM Grindall explained the Developer who moves forward first must lay down the infrastructure then be reimbursed by the other Developers so smaller projects are not willing to build first.

Answering Vice-Chairperson Aguilar, ACM Grindall stated the remediation efforts on the Trumark project is being held up due to financial funding.

Answering Commissioner Bridges, ACM Grindall stated the FMC project is not on the list because they have not yet received all of their approvals from the Planning Commission and City Council.

### D. ORAL COMMUNICATIONS

None.

**E. PUBLIC HEARINGS****E.1 Hearing to consider whether the Planning Commission should revoke Conditional Use Permit (CUP) No. U-84-14, issued to E-Z 8 Motel, on the grounds that E-Z 8 Motel is not complying with the conditions of the permit and is violating applicable provisions of Title 17 of the City of Newark Municipal Code.**

Vice-Chairperson Aguilar recused himself due to his employer's involvement with the adjacent property.

ACM Grindall gave the staff report and informed the Planning Commission that the absence of any representative from E-Z 8 is not indicative of any problems between them and City staff; they merely did not want to incur additional travel expenses knowing staff is recommending continuance.

Answering Chairperson Fitts, ACM Grindall stated E-Z 8 has not had any downsliding in their operations.

Chairperson Fitts reopened the Continued Public Hearing.

No member of the public chose to speak on this item.

Motion made by Commissioner Bridges, seconded by Commissioner Nillo, to continue this Item to the October 27, 2015 Planning Commission Meeting. Motion passed 4 AYES, 1 RECUSED.

Vice-Chairperson Aguilar returned to the Council Chambers and rejoined his fellow Planning Commissioners.

**F. STAFF REPORTS**

None.

**G. COMMISSION MATTERS****G.1 Cancellation of the regularly scheduled Planning Commission Meeting of Tuesday, September 22, 2015.**

Motion made by Commissioner Bridges, seconded by Commissioner Nillo, to cancel the September 22, 2015 Planning Commission Meeting. Motion passed 5 AYES.

**G.2 Report on City Council actions.**

None.

ACM Grindall informed the Planning Commission that a Community Meeting on the Civic Center Replacement Project will be held on September 9, 2015 at the Silliman Center's Community Room, 6800 Mowry Avenue, Newark, CA 94560, at 6:30 p.m., as well as a City Council Work Session on this project being held on October 8, 2015 at the City Hall Council Chambers, 37101 Newark Boulevard, Newark, CA 94560.

#### Commissioners' Comments

Answering Chairperson Fitts, ACM Grindall stated the widening of Thornton Avenue is a Capital Improvement Project that is still awaiting funding, however, he will inform the Public Work's Department of the need to trim vegetation in the area near Hickory Street for bicyclist safety.

Vice-Chairperson Aguilar stated he was looking forward to attending the Civic Center Project Community Meeting being held at the Silliman Center.

Commissioner Nillo announced Newark Days was coming up and encouraged the public to celebrate the City's birthday.

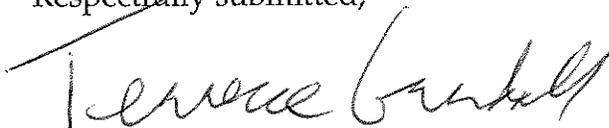
Commissioner Otterstetter announced Stage One performance of Dream Girls will be held from September 26 through October 11 at the Newark Memorial High School Theatre.

A member of the public, who arrived late, was invited to speak under "Oral Communications". The person declined.

#### **H. ADJOURNMENT**

At 7:51 p.m., Chairperson Fitts adjourned the regular Planning Commission meeting of Tuesday, August 25, 2015 to a regular scheduled Planning Commission meeting on October 13, 2015.

Respectfully submitted,



TERRENCE GRINDALL

Secretary



- E.1 Hearing to consider whether the Planning Commission should revoke Conditional Use Permit (CUP) No. U-84-14, issued to E-Z 8 Motel, on the grounds that E-Z 8 is not complying with the conditions of the permit and is violating applicable provisions of Title 17 of the City of Newark Municipal Code – from Assistant City Manager Grindall. (CONTINUED FROM SEPTEMBER 8, 2015 (MOTION TO CONTINUE))**

**Background/Discussion** – At the July 28, 2015 Planning Commission meeting, the Commission recommended that an amendment to the Conditional Use Permit be drafted with the consultation of the E-Z 8 Motel operators and brought before the Planning Commission for consideration. On August 25, 2015, the Planning Commission re-opened the public hearing and continued the item to September 8, 2015. On September 8, 2015 the Planning Commission again continued this item to October 27, 2015.

Staff is continuing to work with the representatives of the E-Z 8 Motel to incorporate the security measures into an amendment to the Conditional Use Permit. As such, additional time is needed in order to prepare the appropriate amendment for Planning Commission consideration. Staff recommends this item be continued to the December 8, 2015 Planning Commission meeting.

**Action-** After opening the Public Hearing on this matter the Commission should continue the item to the December 8, 2015 Planning Commission meeting.