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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, August 26, 2014

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### A. ROLL CALL

At 7:32 p.m., Chairperson Nillo called the meeting to order. All Planning Commissioners were present except Commissioner Aguilar (personal).

### B. MINUTES

#### B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, August 12, 2014.

Commissioner Fitts moved, seconded by Commissioner Bridges, to approve the Minutes of August 12, 2014. The motion passed 6 AYES and 1 ABSENT (Aguilar).

### C. WRITTEN COMMUNICATIONS

None.

### D. ORAL COMMUNICATIONS

None.

### E. PUBLIC HEARINGS

#### E.1 Hearing to consider: (1) Adopting a resolution recommending City Council approval of a General Plan Amendment (GP-14-21) to change the land use designation from S-I (Special Industrial) to P-I (Public and Institutional); and (2) adopting a resolution approving P-14-23, a planned unit development and U-14-24, a conditional use permit, for a private school (Stratford School) to be located at 39201 Cherry Street (APNs: 901-110-68 & 69). This project also includes temporary modular school rooms and offices for the 2014/15 school year.

Assistant City Manager Grindall gave the staff report.

Answering Commissioner Fitts, ACM Grindall replied children will not be in attendance until January 2015.

Answering Commissioner Fitts, ACM Grindall stated they do not anticipate any traffic impacts prior to the grand opening.

Addressing Commissioner Drews concerns, ACM Grindall replied the Public Works Engineering Division is working with the Applicant to provide queuing areas.

Answering Commissioner Drews, ACM Grindall stated the City is looking into providing a 4-lane arterial or possibly adding flashing lights to reduce the speed of vehicles.

Vice-Chairperson Hannon thanked the Applicant and the City for possibly reusing the existing structure for a new use.

Vice-Chairperson Hannon stated his concerns with the Traffic Study.

Answering Vice-Chairperson Hannon, ACM Grindall stated surrounding property owners were notified but no Community Meeting was held.

Commissioner Otterstetter stated her concerns with traffic issues.

Answering Commissioner Fitts, ACM Grindall stated the City Engineer will work with the Applicant to resolve any anticipated traffic issues but any additional issues would result in this item going back to the Planning Commission.

Chairperson Nillo opened the Public Hearing.

Clay Stringham, representative for Stratford School, 12930 Saratoga Avenue, Suite A-2, Saratoga, CA 95070, stated he has read and agrees with the Conditions in Resolutions 1883 and 1884 and thanked the Planning Commission for the opportunity to open their school in Newark.

Mr. Stringham described the project and the capacity of the three modular classrooms.

Answering Commissioner Bridges, Mr. Stringham stated this would be their 19<sup>th</sup> school.

Discussion ensued on after-school clubs, school hours, and playground/sports field usage.

Commissioner Drews commented on Mr. Stringham's work experience.

Mr. Stringham invited the Planning Commission to the open house and tour of other schools that his Company opened.

Chairperson Nillo closed the Public Hearing.

Commissioner Bridges moved, seconded by Commissioner Fitts, to approve Resolution 1883, recommending City Council approval of an amendment to the land use element of the General Plan. The motion passed 6 AYES, 1 ABSENT (Aguilar).

Commissioner Draws moved, seconded by Vice-Chairperson Hannon to approve Resolution 1884, approving P-14-23, a Planned Unit Development, and U-14-24, a Conditional Use permit, for a private elementary and middle school at 39201 Cherry Street, subject to the condition that the Applicant must address any issues brought up by the City Engineer, if an agreement is not reached, then this item will return to the Planning Commission. Motion passed 6 AYES, 1 ABSENT (Aguilar).

## **F. STAFF REPORTS**

### **F.1 ASR-14-35, an Architectural and Site Plan Review for a 75 unit senior housing project (Gateway at Newark) located on Willow Street (within the Dumbarton Transit Oriented Development).**

Assistant City Manager Grindall gave the staff report.

Vice-Chairperson Hannon gave his opinion that the proposed Community Center would be too small.

Discussion ensued on construction hours and obtaining neighborhood resident's input.

Answering Commissioner Fitts, ACM Grindall stated a condition could be added to the Resolution to address marketing the senior housing units to Newark residents.

Chairperson Nillo opened the public hearing.

Applicant Milo Terzich, USA Properties Fund Inc. 3200 Douglas Boulevard, Suite 200, Roseville, CA 95661, stated he has read and agrees with the Condition of Approval.

Answering Vice-Chairperson Hannon, Mr. Terzich stated the minimum age to rent a unit is 55 but the typical age is 72. Mr. Terzich said that a 1-bedroom unit is about 600 square feet and a 2-bedroom unit is about 750 square feet. He added that the rent would range from \$862/per month to \$1,242/per month.

Commissioner Bridges stated that she was very interested in a program that would specifically enable Newark residents to utilize the residential units.

Mr. Terzich responded that due to fair housing issues, he is limited to what he can do to give preference to Newark residents. He added that he could advertise the units in Newark first.

Commissioner Bridges asked if there would be a kitchen in the community center.

Mr. Terzich replied that there would be a half-kitchen with a sink, small refrigerator and microwave in the community center.

Commissioner Fitts asked if there would be any medical staff on-site.

Mr. Terzich answered that the residential complex would be an independent living facility.

Commissioner Hannon asked if the rent would be month-to month.

Mr. Terzich said that there would be annual leases.

Commissioner Hannon asked if caregivers are allowed to reside with the seniors.

Mr. Brandon Dinon, USA Properties Fund Inc. 3200 Douglas Boulevard, Suite 200, Roseville, CA 95661, came forward.

Mr. Dinon replied that caregivers are allowed to reside with the seniors, even if they do not meet the age requirements, provided that they are their spouses.

Chairperson Nillo asked if any steps would be taken to prevent elder abuse.

Mr. Terzich responded they would contract with social service programs.

ACM Grindall commented that a condition of approval be added to the resolution to address Commissioner Bridges' suggestion that an outreach program for Newark residents be developed.

Answering ACM Grindall, Mr. Terzich said that he agreed to add a condition of approval to be approved by the Community Development Director that will require the applicant to develop an outreach program to focus on Newark residents.

Chairperson Nillo closed the public hearing.

Commissioner Otterstetter moved, seconded by Commissioner Drews to approve ASR-14-35, an Architectural and Site Plan Review for a 75 unit senior housing project (Gateway at Newark) located on Willow Street (within the Dumbarton Transit Oriented Development), subject to the condition that the Applicant must

develop an outreach program to market to Newark residents.  
Motion passed 6 AYES, 1 ABSENT (Aguilar).

## **G. COMMISSION MATTERS**

ACM Grindall reminded the Planning Commission of the Housing Element meeting on September 3, 2014.

### **G.1 Report on City Council actions.**

None.

#### **Commissioners' Comments**

Commissioner Hannon commended staff for their work on the senior housing project.

Commissioner Fitts wished everyone a Happy Labor Day.

Commissioner Drews asked about a new business, "Futuris."

ACM Grindall responded that this new business manufactures automotive interiors for just-in-time delivery to Tesla.

Commissioner Drews asked about the occupancy of the Pacific Research Center.

ACM Grindall answered that the Center is 55% occupied but 70% rented.

## **H. ADJOURNMENT**

At 8:39 p.m., Chairperson Nillo adjourned the regular Planning Commission meeting of Tuesday, August 26, 2014.

Respectfully submitted,



TERRENCE GRINDALL

Secretary