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# CITY OF NEWARK PLANNING COMMISSION

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

## MINUTES

Tuesday, July 28, 2015

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### A. ROLL CALL

At 7:31 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, June 23, 2015.

Commissioner Nillo moved, Commissioner Bridges seconded, to approve the Minutes of June 23, 2015. The motion passed 5 AYES.

### C. WRITTEN COMMUNICATIONS

None.

### D. ORAL COMMUNICATIONS

Mr. Greg Lemos, 5788 Dichondra Place, Newark, CA 94560, expressed his concerns on how the increase in Newark residents from the recently approved housing projects would affect Newark's water supply and asked the Planning Commission to take this matter under consideration when looking at future housing projects.

### E. PUBLIC HEARINGS

#### E.1 Continued 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.

Assistant City Manager Grindall gave the staff report.

Answering Chairperson Fitts, ACM Grindall stated he will add language to the Conditions of Approval to address on-site inspections to determine continued compliance with the 17 agreed upon security measures.

Answering Commissioner Bridges, ACM Grindall confirmed all 17 measures had been substantially implemented.

Answering Commissioner Otterstetter, ACM Grindall confirmed that the communications between City staff and the E-Z 8 Motel Operators were good.

Commander Mike Carroll, City of Newark Police Department, gave an overview on the number of Police Reports and Arrests that occurred at the E-Z 8 Motel from 2009 to the present.

Answering Commissioner Bridges, Commander Carroll gave his opinion that the closure and demolition of Motel 6, the increase of E-Z 8 rates, and the sharing of E-Z 8 Motel's Registry, had contributed to the decrease in criminal activity at the E-Z 8 Motel.

Answering Chairperson Fitts, Commander Carroll stated the sharing of the Motel's registry is voluntary by the E-Z 8 Motel Operators.

Answering Commissioner Nillo, Commander Carroll stated crime statistics has decreased Citywide but he did not have any reports that specifically cover crime statistics for the surrounding neighborhoods by the E-Z 8 Motel.

The Planning Commission took a 5 minute recess.

Chairperson Fitts reopened the Continued Public Hearing.

Mr. Jerry Cannon, representing E-Z 8 Newark, LLC, 10399 Roof Fin Stairs, San Diego, CA 92018, stated he believed the interactions between E-Z 8 and Newark staff had been very positive.

Answering Commissioner Bridges, Mr. Cannon stated E-Z 8 intends to make improvements to their rooms after the current issues are resolved; he believes the motel still accommodates low-income families; and stated the Motel's occupancy rate after the rate increase is fine.

Mr. Jim Valiant, Santa Clara resident, stated he is encouraged by the improvements being made in Newark in decreasing criminal activity, and is hopeful that something similar could be done in Santa Clara. His only concern is with the Condition that the Motel must open up their guest registry, he would prefer this to be optional.

Ms. Emily Harris, Peppertree Court, Newark, CA 94560, gave her opinion that the E-Z 8 Motel is an eyesore; she stated she personally knows a family that resides at the Motel who have not received any Community assistance to enable them with the means to move into their own housing unit; and she questioned whether Section 8 Housing is going to Newark residents or to people from other areas.

Commissioner Bridges mentioned low-income housing assistance could be obtain by contacting Abode, but stated it does take approximately 6 months to go through their process.

Mr. Arnold Sharma, Newark resident, stated he has observed an increase in criminal activity taking place on the streets by the Motel and asked if additional safety measures could be extended to the surrounding neighborhoods.

Ms. Kim Aimes, Newark resident, stated her concerns that the Motel would not continue with the current safety measures and feels the Motel does not meet the revitalization standards of the City.

Chairperson Fitts stated he would like staff to work with the E-Z 8 Operators on future improvements to the Motel and suggested possibly changing the name of the Motel.

Commissioner Otterstetter thanked the E-Z 8 Operators and the City's Police Department for working together to reduce crime and stated she would like to ensure that the Safety Measures continue in the future by receiving regularly scheduled progress reports.

Motion made by Commissioner Bridges, seconded by Commissioner Otterstetter, to continue this Item to the August 25, 2015 Planning Commission Meeting. Motion passed 4 AYES.

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

## **F. STAFF REPORTS**

### **F.1 Review and recommend approval of the Greater NewPark Master Plan.**

Assistant City Manager Grindall gave the staff report which included a PowerPoint presentation.

Chairperson Fitts thanked City staff and the Consultant firm Design Collective for their work on the Greater NewPark Master Plan.

Answering Chairperson Fitts, ACM Grindall stated the projects envisioned in the Plan would be undertaken by private developers who would be conditioned to include public improvement amenities such as sidewalks.

Answering Chairperson Fitts. ACM Grindall stated the owners of the NewPark Mall were favorable to the proposed Master Plan and had no formal comments. ACM Grindall also stated that the consensus of the surrounding property owners were positive.

Mr. Sohan Sharma, owner of McDonald's Restaurant, expressed his excitement with the potential growth in Newark and stated his relief that the egress and ingress to the NewPark Mall would not change.

Commissioner Otterstetter stated she was disappointed that the Community Area for outdoor gatherings was not larger.

ACM Grindall commented that the Greater NewPark Mall Master Plan is only conceptual and does not place size constraints on any structures or amenities.

Chairperson Fitts stated additional space for outdoor amenities could be obtained if each multi-story structure included underground parking.

Answering Vice-Chairperson Aguilar, ACM Grindall confirmed the mixed use structures could be built vertically or horizontally.

Answering Commissioner Nillo, ACM Grindall stated transportation and solar panels could be added to the Master Plan if warranted in the future.

Motion recommending the City Council approve the Greater NewPark Master Plan, with an amendment to increase the size of the New Park Commons, made by Commissioner Otterstetter, seconded by Commissioner Nillo. Motion passed 5 AYES.

## **G. COMMISSION MATTERS**

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

None.

#### Commissioners' Comments

Commissioner Otterstetter encouraged the public to see Stage One's production of Aladdin being held at the Washington High School Amphitheater.

Commissioner Nillo wished a speedy recovery to Barbara Fitts.

**H. ADJOURNMENT**

At 8:58 p.m., Chairperson Fitts adjourned the regular Planning Commission meeting of Tuesday, July 28, 2015.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Terrence Grindall". The signature is written in a cursive style with a large initial "T".

TERRENCE GRINDALL  
Secretary