



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, March 27, 2018

A. ROLL CALL

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, February 13, 2018. (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 recommending that the City Council approve the NewPark Place Specific Plan (GP-18-3) and approve an Addendum to the General Plan Tune Up Draft Program Environmental Impact Report (E-18-2) addressing and disclosing the Environmental Impacts of the NewPark Place Specific Plan – from Assistant City Manager Grindall. (RESOLUTIONS-2)

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, February 13, 2018

A. ROLL CALL

At 7:31 p.m., Acting Chairperson Aguilar called the meeting to order. All Planning Commissioners were present except Chairperson Fitts (personal).

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, January 23, 2018.

Commissioner Nillo moved, Commissioner Bridges seconded, to approve the Minutes of January 23, 2018. The motion passed 4 AYES, 1 ABSENT (Fitts).

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

None.

F. STAFF REPORTS

F.1 JS-18-1, a Joint Staff Committee Review, to construct a duplex at 37136 Magnolia Street (APN: 92-61-15).

Associate Planner Mangalam gave the staff report and reminded the Planning Commission that this item is review optional.

Answering Commissioner Bridges, Assistant City Manager Grindall stated the size of this duplex is similar to other duplexes within the City.

Mr. Sy-Cheng Tsai, Architect, 1543 Greensborough Court, San Jose, CA, representing the Applicants, thanked AP Mangalam for her assistance with this project and stated they have read and are in agreement with the conditions listed in the February 5, 2018 approval letter.

Answering Commissioner Nillo, Mr. Tsai estimated it would take 2 months before they would be ready to submit for their building permit.

Acting Chairperson Aguilar commented that he likes the window treatment that was added to the garage.

The Planning Commission chose not to review this item.

ACM Grindall informed the Commission that this will be the last Joint Staff Committee Review utilizing the process under the old Zoning Ordinance. ACM Grindall described what the new process would entail.

G. COMMISSION MATTERS

G.1 Report on City Council actions.

None.

ACM Grindall informed the Planning Commission that the NewPark Place Specific Plan is on the City's website and a joint workshop will be scheduled at the end of February or the beginning of March.

Commissioners' Comments

Commissioner Nillo wished the public a Happy President's Day, and wished his wife, who is in Texas, a Happy Valentine's Day.

Acting Chairperson Aguilar wished his daughter a Happy Third Birthday.

H. ADJOURNMENT

At 7:46 p.m., Acting Chairperson Aguilar adjourned the regular Planning Commission meeting of Tuesday, February 13, 2018.

Respectfully submitted,



TERRENCE GRINDALL
Secretary



E.1 Hearing to consider recommending that the City Council approve the NewPark Place Specific Plan (GP-18-3) and approve an Addendum to the General Plan Tune Up Draft Program Environmental Impact Report (E-18-2) addressing and disclosing the Environmental Impacts of the NewPark Place Specific Plan – from Assistant City Manager Grindall. TR (RESOLUTIONS - 2)

Project Description – The Specific Plan focuses on revitalization of the Greater NewPark area into a vibrant, active and thriving mixed-use destination. The Specific Plan’s Land Use Plan translates this vision into an arrangement of land uses and amenities. The existing NewPark Mall remains the retail focus but residential development up to 1,519 apartment units, hotel development of up to 367 rooms, and up to 500,000 square feet of office development is enabled by the Specific Plan. The Specific Plan includes guidance in the form of plans, policies, development standards, and design guidelines. The Specific Plan covers 115 acres located between Mowry Avenue, Cedar Blvd., Balentine Drive and Interstate 880. The Specific Plan serves as an extension of the General Plan policies and is both a policy document and a regulatory document. The City Council, Planning Commission, City staff, developers and the Community will use the Specific Plan as a basis to evaluate the merits of individual projects proposed within the Specific Plan boundary.

Background – The NewPark Mall opened in 1980 and was, at its height, the key generator of retail sales in Newark and a bastion of the City’s revenue. In the past 15 years regional competition, notably from Union Landing, Fremont Hub, and Pacific Commons, as well as changes in retail shopping trends toward discount stores and online have contributed to a severe decline in sales. Revenues that were over \$200 Million in 2006 had fallen 35% to \$130 Million by 2012. In 2013 the City in partnership with mall ownership began the transformation and modernization of the Mall, leading to the AMC Theater, restaurant pavilion, and interior upgrades. This \$100 million investment is showing substantial progress in mall vibrancy. However, retail is evolving and single purpose enclosed malls are continuing to face serious challenges. Fortunately, the mall property owners are ready to evolve to meet the trends and have approached the City with a vision of reviving the area as a vibrant mixed-use destination that would include restaurants, entertainment and residential uses to complement the retail space. In order to guide this project, the City has embarked on a Specific Plan. The vision is to transform the Greater NewPark Mall into a premier vibrant urban place through thoughtful land use design, which includes modern residential areas, generous retail and dining opportunities, community venues, inviting pedestrian-oriented streets and public spaces, and enhanced sidewalks, bicycle lanes, and transit facilities. Creating a premier Bay Area and local destination will rejuvenate the regional retail uses within the mall itself and in the surrounding area.

Specific Plan Process – Numerous meetings with property owners were held to develop the Specific Plan vision and land plan which balanced the Community’s vision with market realities.

In May of 2017 a Public Workshop with the Planning Commission and City Council was held to review the land plan and development vision. After Council and Commission review, the detailed Specific Plan was prepared. On February 12, 2018, the Draft Plan was made available to the Planning Commissioners and City Council Members and made available on the City's website and on Social media. On March 1, 2018, a public work session with the Planning Commission and City Council was held to review the detailed Draft Specific Plan. At the March 1st work session the City Council raised some questions and requested additions and clarifications to the document in response to comments:

- A discussion of design guidelines for parking garages was added
- A recommendation that the housing units should use high quality finishes was included
- A recommendation that parking technology that indicates locations of vacant spaces was added
- A discussion of lighting was added
- The discussion of the parking standards was clarified to make clear that residential parking would meet zoning standards and would be separated from retail parking
- A discussion of potential options for the provision of affordable housing was included

Environmental Analysis -- An Addendum to the General Plan Tune Up EIR was prepared to provide information regarding: the history of the project; the description of the proposed project; standards for adequacy under the California Environmental Quality Act (CEQA) and State CEQA Guidelines; and a description of the format, content and processing of the Addendum. The City of Newark certified an Environmental Impact Report (EIR) for the General Plan Update. (State Clearinghouse Number 2013012052, December 2013).

The Proposed Specific Plan is an implementation of the General Plan. An Initial Study (IS) was conducted to determine whether the Specific Plan would result in any new or more substantial impacts from those identified in the prior adopted General Plan Tune Up EIR. The Initial Study is attached. Consistent with the General Plan vision for the Greater NewPark Focus Area, the Specific Plan focuses on revitalization of the Greater NewPark area into a vibrant, active and thriving mixed-use destination. The Specific Plan Land Use Plan translates this vision into an arrangement of land uses and amenities. Both The General Plan and Specific Plan enable up to 1,519 housing units, hotel development of up to 367 rooms, and up to 500,000 square feet of office development. The proposed Specific Plan, because it is consistent with the envisioned development in the approved EIR, would have similar impacts than the approved General Plan Update. It will not introduce new or more significant impacts that were not previously disclosed in the General Plan Update EIR. Based on the conclusions of the IS, an Addendum to the approved EIR is the appropriate CEQA-compliance document for the Specific Plan.

Action – It is recommended that the Planning Commission, by resolution, recommend that the City Council: (1) Approve the NewPark Place Specific Plan (GP-18-3); and (2) Approve an Addendum to the General Plan Tune Up Draft Program Environmental Impact Report (E-18-2) addressing and disclosing the Environmental Impacts of the NewPark Place Specific Plan.

Attachment

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF NEWARK RECOMMENDING THAT THE CITY
COUNCIL APPROVE THE NEWPARK PLACE SPECIFIC
PLAN

WHEREAS, the existing City of Newark General Plan envisions the transformation of the NewPark Place Specific Plan Area to a vibrant mixed use area; and

WHEREAS, the existing City of Newark General Plan land use diagram designates the proposed NewPark Place project area as Regional Commercial; and

WHEREAS, the Newpark Place Specific Plan proposes to allow development of 1,519 apartment units, hotel development of 367 rooms, and 500,000 square feet of office development; and

WHEREAS, the Regional Commercial General Plan designation will allow for the development of the mixed use project; and

WHEREAS, residents and other Community members have had opportunities to provide comments and suggestions throughout the development of the NewPark Place Specific Plan through two public workshops held in 2017 and 2018 and by commenting on information posted on the City's website and made available at City Hall and the Library, and by commenting on the Addendum to the General Plan Tune Up EIR which was posted on the City of Newark's website since March 6, 2018.

WHEREAS, public comments have been used to shape and revise the land use plan for the Project; and

WHEREAS, all the environmental impacts of the proposed Specific Plan were addressed in the Addendum to the General Plan Tune Up EIR; and

WHEREAS, the Planning Commission has read, reviewed, and considered the NewPark Place Specific Plan and Addendum to the General Plan Tune Up EIR, and staff report; and

WHEREAS, the Planning Commission held a Public Hearing on the NewPark Place Specific Plan on March 27, 2018 and has read, reviewed, and considered the NewPark Place Specific Plan and Addendum to the General Plan Tune Up EIR, staff report and public comment; and

WHEREAS, pursuant to California Government Code section 6061, 65090, 65091, 65094, and 65353, a public notice was published in the Tri City Voice on March 13, 2018, and the Planning Commission held a public hearing on the NewPark Place Specific Plan, at 7:30 p.m. on

March 27, 2018 at the City Administration Building, 37101 Newark Boulevard, Newark, California.

NOW, THEREFORE, the Planning Commission resolves to recommend that the City Council adopt the NewPark Place Specific Plan.

This Resolution was introduced at the Planning Commission's March 27, 2018 meeting by Commissioner _____, seconded by Commissioner _____, and passed as follows:

AYES:

NOES:

ABSENT:

TERRENCE GRINDALL, Secretary

WILLIAM FITTS, Chairperson

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWARK RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ADDENDUM TO THE GENERAL PLAN TUNE UP EIR ADDRESSING THE IMPACTS OF THE NEWPARK PLACE SPECIFIC PLAN

WHEREAS, ON December 12, 2013, the City of Newark has certified that the General Plan Tune Up Program EIR (State Clearinghouse Number 2013012052) assessed the potential environmental impacts of the proposed Newark General Plan update; and

WHEREAS, the Environmental Impact Report consists of a Draft Environmental Impact Report document as well as the Final Environmental Impact Report document, which in turn consists of all comments received by the City of Newark regarding the Draft Environmental Impact Report during the mandatory public review period, and responses to those comments; and

WHEREAS, An Initial Study (IS) was conducted to determine whether the NewPark Place Specific Plan would result in any new or more substantial impacts from those identified in the prior adopted General Plan Tune Up Program EIR; and

WHEREAS, the NewPark Place Specific Plan is consistent with the level of development analyzed in the General Plan Tune Up Program EIR; and

WHEREAS, based on the findings in the Initial Study; an Addendum to the Newark General Plan Tune Up Program Environmental Impact Report was prepared and made available to the public; and

WHEREAS, the members of the Planning Commission have read, reviewed, and considered the information contained in the Addendum to the Newark General Plan Tune Up Program Environmental Impact Report and staff report, and have conducted a public hearing on the subject of the Newpark Place Specific Plan, and have discussed, evaluated, analyzed, reviewed and considered the information presented at said hearing, as well as all of the printed matter in the Addendum, Initial study and General Plan Tune Up and Program Environmental Impact Report; and

WHEREAS, the Planning Commission held a duly noticed public hearing on March 27, 2018 regarding NewPark Place Specific Plan and Addendum to the Newark General Plan Tune Up Program Environmental Impact Report.

NOW, THEREFORE, the Planning Commission resolves to recommend that the City Council approve an Addendum to the Newark General Plan Tune Up Program Environmental Impact Report addressing the Environmental Impacts of the NewPark Place Specific Plan.

This Resolution was introduced at the Planning Commission's March 27, 2018 meeting by Commissioner _____, seconded by Commissioner _____, and passed as follows:

AYES:

NOES:

ABSENT:

TERRENCE GRINDALL, Secretary

WILLIAM FITTS, Chairperson