

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWARK APPROVING MUP-19-1, A MINOR USE PERMIT TO ALLOW INSTRUCTIONAL SERVICES, ART CLASSES, IN THE COMMUNITY COMMERCIAL ZONING DISTRICT AT 6180 JARVIS AVENUE SUITE H, J, & K. (APN: 092A259407900)

WHEREAS, Mr. Ligang Wu, has filed with the Planning Commission of the City of Newark an application for MUP-19-1, a minor use permit, to allow for instructional services, art classes; and

PURSUANT to the Municipal Code Section 17.31.060, a public hearing notice was published in The Tri City Voice on April 9, 2019 and mailed as required, and the Planning Commission held a public hearing on said application at 7:30 p.m. on May 14, 2019 at the City Administration Building, 37101 Newark Boulevard, Newark, California; and

WHEREAS, pursuant to Chapter 17.35 (Use Permits), Section 17.35.060 (Required Findings), the Planning Commission hereby makes the following findings:

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable zoning district and complies with all other applicable provisions of this Ordinance and all other titles of the Municipal Code;
- B. The proposed use is consistent with the General Plan and any applicable specific plan;
- C. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;
- D. Tax revenue generated by the development will exceed the City's cost of the service demand as a result of the development or a compelling community benefit will be provided.
- E. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this Ordinance;
- F. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and
- G. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approves this application, subject to compliance with the following conditions:

1. The hours of operation are limited to Monday through Friday 3pm-7pm and weekends 9am-7pm.
2. Art Classes for minors (under age of 13) shall require the parents of the children to be present and through the duration of the art class.

The Commission makes the findings prescribed in Newark Municipal Code Section 17.35.060, and directs a Notice of Decision be mailed to the applicant and filed with the City Clerk.

This Resolution was introduced at the Planning Commission's May 14, 2019 meeting by _____, seconded by _____, and passed as follows:

AYES:

NOES:

ABSENT:

ART INTERIANO, Secretary

WILLIAM FITTS, Chairperson