
CITY OF NEWARK

PLANNING COMMISSION

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, December 12, 2017

A. ROLL CALL

At 7:30 p.m., Chairperson Nillo called the meeting to order. All Planning Commissioners were present except Commissioner Otterstetter (business).

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, November 28, 2017.

Commissioner Fitts moved, Commissioner Aguilar seconded, to approve the Minutes of November 28, 2017. The motion passed 4 AYES, 1 ABSENT (Otterstetter).

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

E.1 Hearing to consider U-17-16, a Conditional Use Permit to allow a fitness gym, GFY CrossFit, in an existing building located at 36601 Newark Boulevard, Suite #77. The property is zoned Community Mixed Use.

Deputy Community Development Director Interiano gave the staff report.

Answering Commissioner Fitts, DCDD Interiano stated the previous tenant at this location was a hardware store.

Answering Commissioner Aguilar, DCDD Interiano confirmed all activities including running would be conducted inside the gym.

Chairperson Nillo opened the Public Hearing.

Applicants Fred Camacho and China Cho, 2105 Becard Court, Union City, CA 94587, stated they had read and agree to the conditions listed in Resolution 1951.

Answering Commissioner Aguilar, both Applicants responded there would be no more than 15 people in each class with the ideal class size being 12.

Mr. Camacho stated he is no longer a co-owner of the CrossFit Gym located on Cedar Boulevard.

Chairperson Nillo closed the Public Hearing.

Motion made by Vice-Chairperson Bridges, seconded by Commissioner Aguilar, to approve Resolution 1951, recommending the City Council approve U-17-16, to allow a fitness gym, CrossFit, to be located at 36601 Newark Boulevard, Suite #77. Motion passed 4 AYES.

E.2 Hearing to consider Z-17-15, an ordinance to repeal and replace Title 17 (“Zoning”) and rezone properties by adopting the Official Zoning Map.

DCDD Interiano and Consultant Martha Miller presented the staff report.

Answering Commissioner Aguilar, Assistant City Manager Grindall distinguished between Category 1 and 2 Classifications and stated a property owner could submit an application to move their nonconforming use to a Category 1.

Answering Chairperson Nillo, ACM Grindall stated the City’s position on the issues raised by Verizon Wireless in the correspondence received from Mackenzie & Albritton LLP dated December 11, 2017.

Chairperson Nillo opened the Public Hearing.

Mr. Ray Ayala, 7357 Dairy Avenue, Newark, CA 94560, expressed the need for a stop sign in his neighborhood; asked for more lead time when Notices are sent out; and stated there is an issue with non-residents parking their vehicles in his neighborhood. ACM Grindall will forward Mr. Ayala’s concerns and contact information to the Public Works Department.

Answering Mr. Ayala, ACM Grindall stated his property on Dairy Avenue is being rezoned to Medium Density Residential which will have no impact on his current use.

Chairperson Nillo closed the Public Hearing.

Motion made by Commissioner Fitts, seconded by Vice-Chairperson Bridges, to approve Resolution 1952, recommending the City Council approve Z-17-15, a repeal and replacement of Title 17 with associated Zoning Map; and to recommend City Council approve an Ordinance repealing and replacing Title 17 (“Zoning”) in order to update the Newark Zoning Code, rezone districts and properties, and add a new Zoning Map. Motion passed 4 AYES.

F. STAFF REPORTS

F.1 Appeal of Community Development Director’s decision to deny application number SFDR2017-017, a single-family design review, for change of exterior building material from siding to stucco at 8215 Thornton Avenue.

Associate Planner Mangalam gave the staff report.

Answering Vice-Chairperson Bridges, AP Mangalam stated the proposed two-story home would be 6000 sq.ft. ACM Grindall added the neighboring house is 900 sq.ft. and the average-sized house in this neighborhood is between 1,200 and 1,500 sq.ft.

Appellant Keshi Kumar, 8215 Thornton Avenue, Newark, CA 94560, cited the advantages of using stucco vs. siding.

Contractor Joe Looza, Looza Construction, stated fewer clients are using siding and he believes using stucco in combination with stone would result in an aesthetically pleasing product.

Answering Commissioner Fitts, AP Mangalam confirmed the original application was approved in 2015 with wood siding.

Commissioner Fitts commented that additional window treatments would help break up the building’s mass.

Commissioner Aguilar complimented the house design, but added siding would reduce the massing of the structure.

Chairperson Nillo closed the Public Hearing.

Motion made by Commissioner Fitts, seconded by Commissioner Aguilar, to approve Resolution 1953, to uphold the decision of Community Development Director’s denial of SFDR2017-017, a single-family design review with Exhibit A, pages 1 through 13, for change of exterior building material from siding to stucco at 8215 Thornton Avenue. Motion passed 3 AYES, 1 NO (Nillo), 1 ABSENT (Otterstetter).

G. COMMISSION MATTERS

G.1 Election of Officers.

Chairperson Nillo nominated Commissioner Fitts for Planning Commission Chairperson for 2018, seconded by Vice-Chairperson Bridges. Motion passed 4 AYES.

Commissioner Fitts nominated Commissioner Aguilar for Planning Commission Vice-Chairperson for 2018, seconded by Vice-Chairperson Bridges. Motion passed 4 AYES.

G.2 Cancellation of the regularly scheduled Planning Commission Meeting of Tuesday, December 26, 2017.

Motion by Commissioner Fitts, seconded by Vice-Chairperson Bridges, to cancel the regularly scheduled Planning Commission Meeting of Tuesday, December 26, 2017. Motion passed 4 AYES.

G.3 Report on City Council actions.

None.

ACM Grindall informed the Planning Commission that a Community Meeting to discuss dog parks was held and staff will be considering the comments concerning the Birch Grove location.

ACM Grindall and all Planning Commissioners thanked Chairperson Nillo for his service as the 2017 Planning Commission Chairperson.

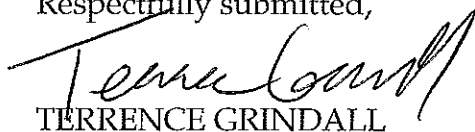
Commissioners' Comments

Chairperson Nillo and all Planning Commissioners wished Happy Holidays to the viewing public.

H. ADJOURNMENT

At 8:20 p.m., Chairperson Nillo adjourned the regular Planning Commission meeting of Tuesday, December 12, 2017 to a regular Planning Commission meeting on Tuesday, January 9, 2018.

Respectfully submitted,



TERRENCE GRINDALL

Secretary