



CITY OF NEWARK

CITY COUNCIL

City Administration Building, City Council Chambers

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Minutes

February 11, 2021

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:08 p.m. Present were Council Members Hannon, Collazo, Freitas, and Bucci.

B. PRESENTATIONS

C. PUBLIC COMMENT

No one from the public requested to speak.

D. CONSENT CALENDAR

Council Member Bucci moved, Council Member Collazo seconded, to approve Consent Calendar Items F.1 through F.5, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 5 AYES.

1. Approval of Audited Demands
2. Approval of January 28, 2021, Minutes
3. Acceptance of Alameda County Fire Department Inspection Report Showing Compliance with Health and Safety Code Section 13146.4
RESOLUTION NO. 11168
4. Approval of plans and specifications and award of contract for the Total Bid to Rosas Brothers Construction for 2021 Curb, Gutter, and Sidewalk Replacement, Project 1257
MOTION APPROVED
RESOLUTION NO. 11169
CONTRACT NO. 21003

5. Approval of plans and specifications and award of contract to Chrisp Company for Jarvis Avenue Class II Buffered Bike Lanes, Project 1294
MOTION APPROVED
RESOLUTION NO. 11170
CONTRACT NO. 21004

E. PUBLIC HEARINGS

1. Hearing to consider Z-20-1, a text amendment to Title 17 (Zoning) of the Newark Municipal Code to amend Section 17.26.040, Accessory Dwelling Units, generally affecting development standards for the construction of Accessory Dwelling Units
ORDINANCE INTRODUCED

Deputy Community Development Director Interiano gave the staff report recommending approval (Presentation on file with City Clerk). He stated that proposed amendments were primarily to comply with state mandated amendments and that staff amendments were related to size of the ADUs and design of garage conversions.

He noted that the California Renters Legal Advocacy and Education Fund submitted a letter seeking revisions to the ordinance regarding ADU exemptions and size limits. He stated that staff was not recommending either of the changes proposed in the letter.

Deputy Community Development Director Interiano recommended adding new language to Section 17.26.040(C)(8)(b):

b. No off-street parking shall be required for an ADU in any of the following instances:

“v. The ADU meets the requirements of Government Code section 65852.2(e)(1), that provides the minimum requirements for specific ADU types to be issued a ministerial permit, without discretion.

The City Council asked questions regarding parking, the size of the ADUS, and the entrance to the ADUS for garage conversions.

Council Member Hannon requested that City Council receive a copy of the State Accessory Dwelling Unit Handbook.

Mayor Nagy opened the public hearing at 7:30 p.m.

No one from the public requested to speak.

Mayor Nagy closed the public hearing at 7:31 p.m.

Council Member Bucci moved, Council Member Collazo seconded to introduce an ordinance, with the amendment to Section 17.26.040(C)(8)(b) proposed at the meeting, amending title 17 (zoning) of the Newark Municipal Code to revise chapter 17.26, Section 17.26.040 Accessory Dwelling Units to generally affect development standards for construction of accessory dwelling units. The motion passed, 5 AYES.

2. Hearing to consider a Planned Development Overlay District and Planned Development Plan, Design Review, and Tentative Map to allow a five-parcel, four-lot residential subdivision for the construction of four single-family residences at 37503 and 37511 Cherry Street.

ORDINANCE INTRODUCED

RESOLUTION NO. 11171 Planned Development

RESOLUTION NO. 11172 Vesting Tentative Map

Associate Planner Patel gave the staff report recommending approval (Presentation on file with the City Clerk).

Mayor Nagy opened the public hearing at 7:58 p.m.

John Barton stated that construction could start as soon as this summer. He stated that they considered having the Homeowners Association Bylaws address potential ADUS, but state law would not allow it. He noted that the development is modest in size.

Mayor Nagy closed the public hearing at 8:03 p.m.

Council Member Hannon requested that staff consider increasing the public noticing up to 1,000 square feet, the next time the Zoning Code is reviewed

Council Member Bucci moved, Council Member Hannon seconded, to 1) Introduce an ordinance establishing a planned development overlay district at 37503 and 37511 Cherry Street (APNS 092-0075-004-02; 092-0075-005-02); 2) adopt a resolution to approve p-20-02, establishing a planned development plan, and design review to allow for a 5-parcel, 4-lot subdivision for the construction of four single-family residences at 37503 and 37511 cherry street (APNS 092-0075-004-02; 092-0075-005-02); and 3) adopt a resolution to approve ttm-20-03, vesting tentative map 8531, to allow for a 5-parcel, 4-lot subdivision for the construction of four single family residences at 37503 and 37511 cherry street (APNS 092-0075-004-02; 092-0075-005-02). The motion passed, 5 AYES.

F. OTHER BUSINESS

G. CITY COUNCIL MATTERS

The entire City Council wished their spouses a Happy Valentine's Day.

Council Member Bucci wished his wife a Happy Birthday.

Council Member Hannon congratulated Police Chief Anderson on hiring new police officers.

Council Member Collazo discussed how masks have become normal compared to last year and that she misses seeing her Council colleagues in person. Shop Newark.

Council Member Freitas thanked Council Member Collazo for her kind words.

Mayor Nagy recognized the Police Department for providing mutual aid to the Fremont Police Department. He stated that he hoped for the best for School District and remote learning during the pandemic.

H. CLOSED SESSION

I. ADJOURNMENT

Mayor Nagy adjourned the meeting 8:13 p.m.

Sheila Harrington
City Clerk