



# CITY OF NEWARK

## Planning Commission

City Hall, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4330 | E-mail: [planning@newark.org](mailto:planning@newark.org)

## MINUTES

Tuesday, April 12, 2022  
7:30P.M.

### A. ROLL CALL

Chair Becker called the meeting to order at 7:31pm. Present were Vice-chair Fitts and Commissioners Aguilar, Bogisich, and Otterstetter.

### B. MINUTES

**B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, March 22, 2022**

**MOTION APPROVED**

Commissioner Aguilar moved, Commissioner Otterstetter seconded, to approve the Minutes of the regular Planning Commission meeting on March 22, 2022. The motion passed 5 AYES.

### C. WRITTEN COMMUNICATIONS

None.

### D. ORAL COMMUNICATIONS

None.

### E. PUBLIC HEARINGS

**E.1 Hearing to consider U-21-03, a Conditional Use Permit to allow a recycling center facility at 6711 Central Avenue (APN 092-0074-301). The subject site is zoned General Industrial and has a General Plan Land-Use designation of General Industrial – from Contract**

**Planner Sharma.**

**(RESOLUTION)**

Contract Planner (CP) Sharma provided the project overview including the project location, zoning, applicant requests, Conditional Use Permit (CUP) findings, CEQA review, and staff recommendation. CP Sharma discussed the project proposal in greater detail, including the proposed use for accepting, sorting, storing of construction debris, and conceptual property layout. CP Sharma summarized the findings made in support of the proposed project. CP Sharma stated that since there are no new structures or expansion, the proposed project is categorically exempt from CEQA. CP Sharma stated staff recommendation that the Planning Commission approve, by resolution, the Conditional Use Permit U-21-03.

Commissioner Aguilar asked the applicant, Mr. Clovis, what materials will be recycled at the facility. Mr. Clovis responded that it would be construction debris such as wood cut offs, sheet rock, metal, and cardboard.

Commissioner Otterstetter asked how noise complaints would be handled. CP Sharma responded that if a noise complaint is received, Code Enforcement officers would visit the site to measure the noise level. If the readings are above what is allowed, the applicant would be informed that they are not in compliance. The applicant would need to work with Code Enforcement to resolve the issue. Deputy Community Development Director (DCDD) Interiano mentioned that Condition F of the Conditions of Approval also address noise complaints.

Commissioner Fitts expressed concern of a backup of trucks onto Central Ave and asked if trucks would be driving to the facility on an appointment basis. Mr. Clovis does not anticipate more than 5 trucks per day. There is ample space between the scale and the street. If there happens to be a backup, the trucks would be staged on the property in a manner to prevent backup onto Central Ave.

Chair Becker opened the public hearing.

Chair Becker asked Mr. Clovis if he has read the Conditions of Approval and whether he agrees. Mr. Clovis responded that he has read the Conditions of Approval and agree with the conditions.

Chair Becker closed the public hearing.

DCDD Interiano stated there is an additional condition to be added to the Conditions of Approval that was inadvertently left off the original Conditions of Approval but is listed in the Staff Report. CP Sharma explained that the additional condition is to have the barbed wires removed from the front entrance gates.

Commissioner Aguilar asked if the Mr. Clovis agrees to the additional condition. Mr. Clovis agrees to the additional condition to have the barbed wires removed from the front entrance gates.

Commissioner Otterstetter moved, Commissioner Fitts seconded, to approve the resolution, with the additional condition to remove the barbed wires. The motion passed 5 AYES.

## **F. STAFF REPORTS**

Community Development Director (CDD) Turner introduced Associate Planner, Joseph Balatbat.

## **G. COMMISSION MATTERS**

### **G.1 Consideration of an amendment to the Planning Commission By-laws Article 3 (Meetings), Section 3.00 (Time) to change the regular meeting time from 7:30P.M. to 7:00P.M. (MOTION)**

CDD Turner presented background that the Planning Commission expressed interest in February to consider a change to the start time from 7:30pm to 7:00pm. The change was brought forth in an effort to standardize the start time between the Planning Commission and City Council. The original 7:30pm start time was previously meant to avoid conflict with other public meetings. The item to formally consider the by-laws change was introduced to the Commission in the February 22, 2022 meeting. Per the by-laws, the item is required to be introduced to see if there are objections and the item is to be brought to a future meeting for formal consideration. Staff is recommending that the Planning Commission adopt the requested amendment.

Commissioner Bogisich moved, Commissioner Aguilar seconded, to approve the amendment to the Planning Commission By-laws. The motion passed 5 AYES.

### **G.2 Report on City Council actions.**

No City Council actions were reported.

CDD Turner mentioned upcoming items regarding the Housing Element. City staff and consultants have begun a community outreach effort for the public and stakeholders to be aware of the City's effort to amend the Housing Element. Public outreach process began a few weeks

ago including at the Family Day at the Park event and the library on a Saturday afternoon. Staff believes a draft housing opportunity sites along with draft housing policies will be ready to be brought forward at a joint meeting between the Planning Commission and City Council in May 2022.

## **H. PLANNING COMMISSIONER COMMENTS**

Commissioner Fitts encourages the public and the Commissioners to complete the anonymous online survey on the City's website provide comments regarding housing in Newark.

## **I. ADJOURNMENT**

Chair Becker adjourned the regular Planning Commission meeting at 7:54 pm.

Respectfully submitted,



STEVEN TURNER  
Secretary