



CITY OF NEWARK

Planning Commission

City Hall, City Council Chambers

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

AGENDA

Tuesday, June 28, 2022
7:00 P.M.

**HYBRID IN-PERSON/VIRTUAL MEETING
REFER TO THE END OF THE AGENDA TO REVIEW
OPTIONS FOR PARTICIPATING IN THE MEETING REMOTELY OR IN-PERSON**

**IF YOU ATTEND THE MEETING IN PERSON,
YOU ARE REQUIRED TO WEAR A FACE COVERING
PURSUANT TO ALAMEDA COUNTY HEALTH OFFICER ORDER NO. 22.02**

A. ROLL CALL

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of June 14, 2022.

(MOTION)

C. WRITTEN COMMUNICATIONS

D. ORAL COMMUNICATIONS

Members of the public are invited to address the Planning Commission on any item not listed on the agenda. Public Comments are generally limited to 5 minutes per speaker. Please note that State law prohibits the Commission from acting on non-agenda items.

E. PUBLIC HEARINGS

E.1 Public hearing item U2021-006, proposed monopole at 35360 Fircrest Street (APN: 537-046-720) scheduled to be heard on June 28th will be rescheduled to the Planning Commission Regular Meeting of July 12, 2022.

(MOTION)

F. STAFF REPORTS

**F.1 Development Update- by Deputy Community Development Director Interiano
(INFORMATIONAL)**

G. COMMISSION MATTERS

G.1 Report on City Council actions.

H. PLANNING COMMISSIONER COMMENTS

I. ADJOURNMENT

HYBRID IN-PERSON/VIRTUAL MEETING NOTICE

This meeting is being conducted utilizing teleconferencing and electronic means consistent with Assembly Bill 361(2021). Members of the public may attend the meeting in person, virtually via Zoom, or watch it via YouTube. If you attend the meeting in person, you are required to wear a face covering pursuant to Alameda County Health Officer Order No. 22-02.

Chair Becker, Vice Chair Fitts, and Commissioners Aguilar, Otterstetter, and Bogisich may be attending this meeting via teleconference. Teleconference locations are not open to the public. In the event that any members of the Planning Commission elect to attend this meeting via teleconference, all votes conducted during the teleconferencing session will be conducted by roll call vote.

How to view the meeting remotely:

Livestream online at YouTube: <https://www.youtube.com/channel/UC383NGSxaPwZP1kJbo2T8A>
Copy/paste the YouTube URL into your browser if the link does not automatically open.

How to participate in the meeting remotely, via Zoom Webinar:

From a PC, Mac, iPad, iPhone or Android device: <https://us06web.zoom.us/j/83129488237>

From a telephone dial 1 669 900 6833, Webinar ID 831 2948 8237

Provide live, remote public comments when the Chairperson calls for comments. Use the raise your hand feature in Zoom to be called upon by the Secretary.

For frequently asked Zoom questions, please go to [Agendas and Minutes](#) and select the Frequently Asked Questions link.

Submission of Public Comments: Public comments received by 4:00 p.m. on the Planning Commission meeting date will be provided to the Planning Commission and considered before Planning Commission action. Comments may be submitted by email to planning@newark.org.

No question shall be asked of a Planning Commissioner, city staff, or an audience member except through the Chairperson. No person shall use vulgar, profane, loud, or boisterous language that interrupts a meeting. Any person who refuses to carry out instructions given by the Chairperson for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.

Commission Meeting Access/Materials:

The agenda packet is available for review at [Agendas and Minutes](#). The packet is typically posted to the City website the Friday before the meeting, but no later than 72 hours before the meeting.

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 will be posted, if time allows, at [Agendas and Minutes](#). 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. For those persons who require special accommodations, please contact the Administrative Support Specialist at least two days prior to the meeting at planning@newark.org or 510-578-4330.



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MINUTES

Tuesday, June 14, 2022

A. ROLL CALL

Chair Becker called the meeting to order at 7:00pm. Present were Vice-chair Fitts and Commissioners Aguilar, and Bogisich. Commissioner Otterstetter was absent.

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, April 12, 2022

MOTION APPROVED

Commissioner Fitts moved, Commissioner Bogisich seconded, to approve the Minutes of the regular Planning Commission meeting on April 12, 2022. The motion passed 4 AYES. 1 ABSENT.

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

E.1 Hearing to consider a Resolution recommending approval of a Conditional Use Permit (U2021-006) for the construction of a new monopole. The proposed monopole

communication tower is located at 35360 Fircrest Street (APN: 537-046-720). The subject site is zoned Business Technology Park (BTP) and has a General Plan Land-use designation of Special Industrial – from Contract Planner Shaveta Sharma.

MOTION TO CONTINUE

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. (presentation on file with City Clerk.)

Commissioner Aguilar confirmed if the adjacent school had no objections. CP Sharma stated that since the letter went out on April 4, 2022, there has been no communication from the school regarding the proposed tower.

Commissioner Aguilar asked if the City has received any letters from the public. CP Sharma stated there has been not comments received from the public.

The applicant, Aaron Delao, stated he was available to answer any questions.

Chair Becker asked if Mr. Delao has read the resolution and if he agrees with all the conditions of approval. Mr. Delao stated he has read the resolution and he is working with CP Sharma and AT&T to amend the condition of approval that states the old monopole must come down before the new one is up and running. Mr. Delao elaborated that the old monopole cannot come down before the new facility is up and running as it will cause a gap in service.

Commissioner Aguilar asked how long it would take to construct the new antenna. Mr. Delao stated it would take approximately 6 weeks. AT&T does not own the current tower. AT&T cannot commit to the removal of the tower. The owner of the tower is Crown Castle and they confirmed that their lease is set to expire in September 2023 and they would desire to remove their facilities as soon as AT&T removes their equipment. Mr. Delao stated there needs to be a certain amount of overlap, approximately 60 days of overlap.

Chair Becker opened the public hearing.

No one from the public requested to speak.

Chair Becker closed the public hearing.

Deputy Community Development Director (DCDD) Interiano explained that the condition can be revised to state the existing equipment must be removed prior to planning final. Once the existing equipment is removed from the pole for 60 days, the pole is then deemed abandoned.

Then staff would follow up with Crown Castle to remove the pole.

Chair Becker asked what parts of the existing pole will be removed. Mr. Delao stated the T-arms would be removed so that essentially only the pole itself is standing.

Commissioner Aguilar asked if staff has reviewed the existing lease of the current pole. Community Development Director (CDD) Turner stated staff has not reviewed the lease. Staff takes the word of the applicant and if the pole is not removed, Code Enforcement is able to act via citations. DCDD Interiano stated there's an email from Crown Castle that they will decommission the tower once AT&T removes their equipment.

Chair Becker commented that he is concerned about the inability to get the pole removed while the other one is active.

Vice Chair Fitts commented that he would feel more comfortable if there was written confirmation from the property owner that the pole would be removed.

Commissioner Fitts moved, Commissioner Aguilar seconded, to continue the item to a date certain of June 28, 2022. The motion passed 4 AYES. 1 ABSENT.

F. STAFF REPORTS

F.1 Presentation of the 2022-2024 Capital Improvement Plan and finding in conformance with the General Plan – from Assistant City Engineer Imai.

(MOTION)

Assistant City Engineer (ACE) Imai provided an overview of the 2022-2024 Capital Improvement Plan (CIP) including the overview of the CIP process, CIP selection methodology, CIP funding summary, projects approved for inclusion in CIP, and next steps. (presentation on file with City Clerk.)

Chair Becker asked if the Gas Tax Funds is estimated to go up since gas prices have gone up in the last year. ACE Imai responded that the Gas Tax Funds are on a per gallon basis instead of a per price basis, so Gas Tax revenue is not directly impacted by the price of gas. However, fuel consumption has largely recovered from the sharp decline experienced during the height of the COVID-19 HEALTH crisis resulting in increases in Gas Tax revenue compared to the most recent years.

Commissioner Bogisich asked for clarification of the Traffic Signal Interconnect project. ACE Imai answered that the project performs upgrades to signals along an arterial corridor and allows the signals to communicate and coordinate to minimize the number of signals that you stop at.

Commissioner Bogisich asked if Traffic Calming Measures refer to speed bumps. ACE Imai clarified that Traffic Calming Measures can include speed bumps, center line striping, or additional enforcement. Speed bumps impede emergency services so it is the last resort for Traffic Calming Measures.

Chair Becker commented that he's glad to see the Lindsay Tract project will now be fully funded. Commissioner Aguilar asked if the Citywide Geographic Information System Phase 2 is a software program that'll be available to staff and the public to check zoning, general land use, and address type. ACE Imai stated the service is currently not available, but staff can investigate making a public facing GIS system on the City's website for basic information.

Commissioner Aguilar asked if the next steps in processing for the sports fields is that a conceptual plan must be processed and approved, then it's brought to City Council for approval to be officially funded. ACE Imai stated the 2022-2024 CIP will fund the design and construction of the sports field projects. The next step would be revisiting the conceptual plan with the community for feedback. Then that revised plan is brought back to City Council for approval.

Vice Chair Fitts asked if the sports field park playground equipment would be open to the public for comment and suggestions. ACE Imai confirmed that there would be a community outreach meeting for the public to provide suggestions.

Chair Becker asked if the natural turf fields project is to refurbish the fields that are behind the aquatic center. ACE Imai answered that it's the section between the synthetic turf fields and softball fields and that these areas would be regraded and replaced with new turf.

Chair Becker asked if the sports field restroom and concession stand will be a secondary restroom with a concession stand. ACE Imai confirmed that it would be a secondary restroom situated closer to the softball fields.

Chair Becker asked when the softball netting surrounding the fields would be replaced. ACE Imai stated staff will have to get back to the Commission with a date of the replacement.

Chair Becker asked if the Sanctuary Park is the 3 acre park that's part of the Sanctuary Housing project and how the conceptual design and master plan will be determined. ACE Imai confirmed that it is that park and the addition of this project to the CIP is to develop a conceptual plan to install further enhancements and amenities to the park. Staff will solicit input on the conceptual design from the residents and consult with the state architect to ensure it is compatible with the future school.

Commissioner Fitz asked when construction will begin for the Central Avenue overpass. ACE Imai stated that staff is hoping construction of the actual bridge structure would begin in late 2024. Commissioner Bogisich asked how the arterial bike lanes would impact traffic. ACE Imai states the arterial bike lanes will not eliminate lanes but add posts and the bike lane.

Chair Becker asked if there is a start date for the Lakeshore Park landscape project. ACE Imai stated staff does not have a start date. Staff is hoping the project will go out to bid for construction this summer.

Commissioner Aguilar asked if the Lakeshore Park landscape project referred to the improving walkways and grass at the park. ACE Imai clarified is the landscape improvements around the boathouse.

Commissioner Bogisich asked if a restroom at Lakeshore Park is part of the planned improvements. ACE Imai stated that it was not approved for funding for this CIP plan.

Commissioner Bogisich asked if solar panels will be considered for Silliman Center. ACE Imai stated there's a project that will look at converting all buildings to solar.

No one from the public requested to speak.

Commissioner Aguilar moved, Commissioner Bogisich seconded, finding that the 2022-2024 CIP is in conformance with the General Plan. The motion passed 4 AYES. 1 ABSENT.

G. COMMISSION MATTERS

G.1 Report on City Council actions.

CDD Turner stated there is nothing to report on City Council actions.

CDD Turner wanted to remind the Commission that City Council will hold the State of the City on Thursday, June 23 at 5pm at City Hall, Council Chambers.

H. PLANNING COMMISSIONER COMMENTS

Commission Aguilar commented that it's exciting to see the projects in the CIP that improve the quality of life for the city.

Commissioner Fitts thanked staff for the outstanding job of widening and striping of Thornton Ave.

I. ADJOURNMENT

Chair Becker adjourned the regular Planning Commission meeting at 8:17 pm.

Respectfully submitted,

STEVEN TURNER
Secretary