



CITY OF NEWARK

Planning Commission

City Hall, City Council Chambers

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MINUTES

Tuesday, March 24, 2026

7:00 P.M.

A. ROLL CALL

Chair Becker called the meeting to order at 7:00 p.m. All members of the Planning Commission were present: Chair Becker, Vice Chair Fitts, and Commissioners Aguilar, Bogisich, and Dhillon.

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of March 10, 2026.

MOTION APPROVED

Chair Becker requested a motion. Vice Chair Fitts moved, and Commissioner Bogisich seconded, to approve the Minutes of the regular Planning Commission meeting on March 10, 2026. **The motion passed unanimously- 5 AYES.**

C. WRITTEN COMMUNICATIONS

None

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.

None.

E. PUBLIC HEARINGS

E.1. Hearing to consider DR2024-009, a Resolution approving a Design Review and Vesting Tentative Tract Map for a 7-unit townhome development and associated on-site improvements located at 37503 and 37511 Cherry Street (APNs 092-0075-004-02; 092-0075-005-02). The subject site is zoned RM Residential Medium Density with a General Plan designation of Medium Density Residential. The project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines §15332.

(RESOLUTION)

Brandon Delucas, Senior Contract Planner at Good City Company, presented the Cherry Street Townhomes project, Design Review No. 2024-009. He began by outlining the agenda, mentioning that the presentation would cover the project overview, requested entitlements, CEQA determination, and a desk item with minor modifications.

He explained that the applicant, My Truong of Bay Area Project Pros, is proposing a seven-unit attached townhome development at 37503 and 37501 Cherry Street, near the intersection of Cherry Street and Central Avenue. He noted that the surrounding area is mainly composed of multi-family residential uses, with single-family homes across the street. He added that the site is zoned RM (Residential Medium Density) and designated for 14-30 units per acre, and stated that the proposed density of approximately 19 units per acre complies with these standards.

He described the site plan, explaining that the townhomes would be situated along the northern part of the property, with a private alley, while the southern part would include guest parking, a trash enclosure, and shared open space with seating, walking paths, and landscaping. He mentioned that bicycle parking would be available through short-term racks at the front and long-term storage at the back.

He explained that the development features a mix of unit types, noting that Units 2 through 6 share a repeated floor plan, while Units 1 and 7 are unique. He stated that all units include two-car garages, ground-floor study rooms, and upper-level living areas with

balconies, and he added that Unit 1 faces Cherry Street to support a pedestrian-friendly streetscape. He also noted that upper-level units usually have two bedrooms and bathrooms, with some units offering small balconies.

Turning to design, he described the project as modern and contemporary, noting that it features white and gray stucco, brick veneer, stone tile accents, and dark gray roofing. He explained that variations in rooflines, step-backs, and front articulation are used to reduce massing and increase visual interest.

He stated that the project meets open space requirements through both private balconies and a shared common area. He noted that the landscaping plan includes 10 trees, including one additional tree added as part of the desk item, along with a mix of plantings and vines in restricted areas. He explained that the lighting plan, which includes bollards and pole lights, complies with municipal standards for required illumination levels.

He then discussed the vesting tentative map, explaining that it would merge the two existing lots and subdivide them into seven residential lots and two common lots, including a separate parcel for the private alley.

Regarding fees, he explained that the project is subject to the City's affordable housing impact fees, as it was deemed complete before the new inclusionary housing ordinance. He mentioned that fees are usually due when the building permit is issued, but recent state law allows payment at occupancy if requested.

He stated that the project is categorically exempt under CEQA (Section 15332, Infill Development), explaining that it meets all criteria, including consistency with zoning, the absence of significant environmental impacts, and the availability of utilities.

Finally, he addressed the desk item, noting that staff worked with the applicant on minor revisions, including adding a tree along Cherry Street and clarifying a condition related to undergrounding a joint utility pole while maintaining a streetlight.

He concluded by stating that staff recommends approval of the design review and vesting tentative map, subject to the findings and modified conditions in the draft resolution, and noted that staff was available to answer questions.

Staff Recommendation: Staff requests the Planning Commission to consider the following action:

- **Adopt the Draft Resolution approving Design Review and Vesting Tentative Map (DR2024-009) for the Project based on the findings provided in Attachment 1, Draft Resolution.**

Chair Becker thanked Sr. CP Delucas for the comprehensive presentation and invited the Commission to ask questions before opening the public hearing.

Commissioner Aguilar inquired about the use of affordable housing in-lieu fees and asked how those funds are allocated after collection.

DCDD Interiano explained that the fees are deposited into the City's housing fund and used for various purposes aligned with the City's affordable housing work plan. He mentioned that these funds may support projects through a Notice of Funding Availability (NOFA), such as a recent fully affordable development on Thornton Avenue, SAHA, as well as programs like emergency rental assistance and a planned first-time homebuyer program.

Commissioner Aguilar acknowledged that the funds are pooled and used flexibly to support community benefit.

Chair Becker asked if the units would be for sale, and Mr. Delucas confirmed they would be ownership units. He also inquired about how guest parking spaces would be managed. Mr. Delucas explained that such regulations are usually handled through CC&Rs, which often include limits on guest parking duration, although the specific approach will be determined by the applicant.

Chair Becker started the public hearing and called the applicant to the podium.

The applicant, Giridhar Doppalapudi, introduced himself as the property owner. He explained that the site was previously approved for four single-family homes, but that approval expired, leading to a new plan that meets current density requirements by proposing seven townhomes. He confirmed that guest parking rules would be included in the CC&Rs.

Chair Becker asked the applicant whether he had read and agreed to the conditions of approval. The applicant responded that he had reviewed and agreed to the resolution and conditions of approval.

Chair Becker inquired if any audience members would like to share their thoughts on the project.

Members of the public, Tina and Mike Takayama, spoke against the project, highlighting concerns about parking, traffic, safety, and site access. They explained that their neighborhood already faces significant parking shortages due to multi-generational households, and they worried that additional vehicles from the project would put more pressure on street parking. They noted that although each unit has a two-car garage, extra vehicles per household could spill into nearby streets.

They also expressed concerns about traffic and speeding, noting that nearby streets, especially Market Avenue, are often used as cut-throughs to avoid signalized intersections, with vehicles reportedly traveling at high speeds. They pointed out the multiple parked cars in the area that had been hit by speeding vehicles, highlighting ongoing safety issues. Additionally, they questioned the driveway location and circulation, specifically whether vehicles could safely turn into the development from Cherry Street and how access would work in relation to nearby intersections.

In response, DCDD Interiano explained that the project's traffic impact would be minimal given its small size of seven units. He acknowledged the broader concerns about speeding

and said that such issues would be better handled through Public Works strategies, like traffic calming measures or speed feedback signs.

Chair Becker added that cut-through traffic is a common issue unrelated to new developments and noted that enforcement and traffic calming could help reduce speeding, although it cannot eliminate it completely.

Addressing parking concerns, Mr. Delucas stated that the project complies with all City parking requirements, including two garage spaces per unit, four guest spaces, and bicycle parking. He mentioned that while CC&Rs could promote garage use for parking, state laws permitting accessory dwelling units (ADUs) limit the long-term enforceability of such restrictions.

DCDD Interiano noted that although such conditions were used in the past, state regulations have diminished their effectiveness.

Chair Becker acknowledged the broader challenge of rising vehicle ownership and housing costs, noting that parking shortages are a widespread issue that cannot be fully addressed through individual projects.

Regarding site access, Mr. Delucas explained that the driveway will be right-in/right-out only because of a median and coordination with Public Works. He noted that while signage will restrict certain turns, compliance can't be guaranteed. He also mentioned that due to site constraints, trash collection will happen along Cherry Street, with temporary no-parking restrictions during pickup times to allow service vehicles.

Commissioner Bogisich requested clarification on trash placement near parked vehicles, and Mr. Delucas confirmed that designated no-parking zones would be enforced during collection times.

Commissioner Dhillon expressed concerns about privacy issues caused by balconies facing neighboring properties.

Mr. Delucas explained that although privacy standards are stricter for single-family compared to multi-family uses, they are more flexible within multi-family developments. He mentioned that some separation exists through setbacks, walkways, and landscaping, although some overlooking is common in such developments.

Motion: After confirming there were no further questions, Chair Becker closed the public hearing and brought the item back to the Commission. He then requested a motion to approve the project. Commissioner Dhillon moved, and Vice Chair Fitts seconded, with Commissioner Bogisich opposing the motion. **The motion passed, 4 AYES and 1 NO.**

Following the vote, Commissioner Aguilar expressed gratitude to the Takayamas for their input, noting that their concerns about traffic calming were valid and useful. He recommended exploring potential measures, such as enlarging the center median.

Ms. Takayama also suggested adding speed bumps, to which Chair Becker responded that such measures depend on specific criteria and may not be practical on certain road types, but staff could follow up with more information.

Chair Becker finished the item by wishing the applicant success and encouraging them to work with staff to address community concerns when possible.

E.2. Hearing to consider U2026-001, a Resolution approving a Conditional Use Permit for a temporary special event (i.e., Butler Amusements Carnival) at NewPark Mall located at 1100 Newpark Mall {APN 901-111-19}. The subject site is zoned RC: Regional Commercial with a NewPark Place Specific Plan Overlay District and has a General Plan Land-Use designation of Regional Commercial.

(RESOLUTION)

Assistant Planner Yvonne Huynh presented the proposed Butler Amusements Carnival, which is to be held at 1100 New Park Mall. She noted that the Planning Commission

previously considered the item on March 10, 2026, and voted to continue it until March 24, 2026, at the applicant's request to allow more time to finalize the event dates. She explained that the applicant, Butler Amusements Inc., is seeking approval for a Conditional Use Permit to operate a temporary carnival in the southwest parking lot of Newpark Mall, in front of the former Sears building. The event is scheduled to take place over 10 days, from October 16 to October 25, 2026, with operating hours starting at either 12:00 p.m. or 5:00 p.m., depending on the day, and ending at 10:00 p.m. each night.

She noted that the site is zoned as Regional Commercial (RC) with a New Park Place Specific Plan overlay, and that the mall has a variety of commercial uses. She described the event as including 12 rides, 8 games, 2 food trucks, an on-site carnival office, and 6 bunkhouses for employee lodging.

She explained that the event would be open to the public free of charge, although tickets would be needed for rides and games. Attendance is expected to range from 200 to 400 people each day, with about 45 staff members, including supervisors and administrative staff. She added that four security officers would always be on duty, and that all staff would have radios to keep in touch and ensure safety.

Regarding parking, she mentioned that Newpark Mall offers over 5,000 parking spaces, and the area near the former Sears is usually underused. She added that attendees would be directed to designated parking spots and that sufficient parking would be available during the event.

She explained that under the zoning code, events lasting more than three consecutive days require a Conditional Use Permit if they do not exceed one month and do not cause significant impacts. She stated that, based on staff analysis, the project is compatible with surrounding uses, would not negatively affect nearby businesses, and would not create major adverse effects, especially since most retail businesses close earlier in the evening.

She further noted that the project is clearly exempt from CEQA, as detailed in the staff report.

She concluded by stating that staff recommended approval of the Conditional Use Permit based on the findings in the draft resolution and indicated her availability to answer questions.

Staff Recommendation: Staff requests the Planning Commission to consider the following action:

- **Adopt the Draft Resolution, approving the Conditional Use Permit (U2026-001) to allow for the temporary special event (i.e., Butler Amusement Carnival) at Newpark Mall based on the findings in Attachment 1, Draft Resolution.**

Chair Becker encouraged the Commission to ask questions after the staff presentation.

Commissioner Bogisich asked about the farmers' market schedule and if it would conflict with the proposed carnival event.

DCDD Interiano mentioned that staff would need to verify the current location and schedule, noting that the market is typically held on Sundays.

Vice Chair Fitts noted that the market is likely near Macy's, and Chair Becker mentioned that the mall would likely help avoid scheduling conflicts with current events.

Vice Chair Fitts asked whether similar incidents at the mall had raised public safety concerns.

DCDD Interiano explained that, although this will be the first Butler Carnival at this location, the City has hosted similar events such as circuses and festivals. Staff is unaware of any significant issues, and they note that conditions of approval usually include security and cleanup requirements.

Commissioner Aguilar asked whether staff had received any feedback from mall tenants or nearby property owners regarding parking or operating hours.

AP Huynh stated that public notices had been distributed, but no comments or concerns had been received.

Chair Becker expressed concern about public safety, especially given the event's 10-day duration, which is longer than that of other temporary events at the site. He mentioned

that larger events, like the annual Newark Days carnival, require a significant police presence and asked if the Police Department had reviewed the proposal.

DCDD Interiano confirmed that the project had been reviewed by the Police Department and invited Captain Jolie Macias to provide additional details.

Captain Macias explained that the proposed event will require enhanced security measures, like those used at other carnival-style events. She mentioned that these include metal detectors, more security personnel, and staff training in crowd management, evacuation, and dispersal procedures. She noted that these steps are designed to handle the expected daily attendance of 200 to 400 people.

In response to a follow-up question from Chair Becker, Captain Macias clarified that the Police Department does not plan to provide a dedicated on-site presence but will conduct periodic patrols, like other events held at the mall.

Chair Becker opened the public hearing, and the applicant's representative, Mark Whitney {Keva Works, on behalf of Butler Amusements), joined via Zoom.

Mr. Whitney introduced himself and explained that his firm manages partnerships between amusement operators and property owners. He stated that the proposed event has been coordinated with mall management to avoid conflicts with existing activities, including the farmers market, and confirmed that approval from mall tenants has been obtained. He offered to answer any additional questions the Commission may have.

After confirming there were no further questions, Chair Becker asked whether the applicant had reviewed and agreed to the conditions of approval, to which Mr. Whitney responded affirmatively.

With no additional speakers, Chair Becker closed the public hearing and returned the item to the Commission, requesting a motion to approve the conditional use permit as presented by staff. Commissioner Bogisich moved to approve, and Commissioner Aguilar seconded. **The motion passed, 5 AYES.**

Chair Becker thanked Mr. Whitney for his participation and responses to the Commission's questions, and Mr. Whitney expressed his appreciation to the Commission.

F. STAFF REPORTS

None

G. COMMISSION MATTERS

G. 1 *Report on City Council actions.*

None

H. PLANNING COMMISSIONER COMMENTS

None

I. ADJOURNMENT

Chair Becker adjourned the meeting at 7:52 p.m.

Respectfully submitted,

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Steven Turner,
Secretary