



CITY OF NEWARK

Planning Commission

City Administration Building, City Council Chambers

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PUBLIC HEARING NOTICE

Tuesday, August 9, 2022
7:00 p.m.

Publication Date: July 26, 2022

This hybrid Planning Commission special meeting will be conducted in-person and utilizing teleconferencing and electronic means consistent with Assembly Bill 361. Members of the public may attend the meeting in person, virtually or dial in via Zoom or watch it live on Youtube.

Details on how to participate in the meeting will be set forth in the meeting agenda which is anticipated to be posted by 5 p.m. on August 5, 2022 at <https://www.newark.org/departments/city-manager-s-office/agendas-minutes>. If you have any questions regarding viewing or participating in the meeting, after reviewing the posted agenda, then contact the Planning Department at planning@newark.org.

Pursuant to California Government Code [§6061](#), [§65090](#), [§65091](#), [§65094](#), [§65095](#), [§65905](#), and Newark Municipal Code (NMC) [§17.31.060](#), [§17.35.050](#), [§17.38.050](#), and [§17.39.050](#), on August 9, 2022, at or after 7:00 p.m., the Planning Commission will hold a public hearing to consider:

1. A Conditional Use Permit (U2022-001) for a temporary haunted house attraction (i.e., Fear Overload Haunted House) to be held from September 24, 2022, through November 5, 2022, at NewPark Mall located at 2086 Newpark Mall, Suite #1149 (APN 901-111-25). The subject site is zoned Regional Commercial (RC).

The applicant for the proposed project is Nathan Polanco, Fear Overload LLC. The applicant proposes to occupy an existing 7,504 square foot tenant space inside Newpark Mall for a temporary haunted house attraction. The proposed temporary haunted house attraction would be open on selective days for a total of 30-days from September 24, 2022, through November 5, 2022. The project applicant would be proposing interior improvements that includes installing wood partition walls for the forming areas. No exterior improvements would be proposed as part of the project. The project site is zoned RC: Regional Commercial with a general plan designation of Regional Commercial and is bounded by Mowry Avenue, Cedar Boulevard, Balentine Drive, and Interstate 880 (Nimitz Freeway). Pursuant to [NMC §17.26.260\(C\)](#), a temporary event that exceed three consecutive days may be allowed with the approval of a [Conditional Use Permit](#).

The project site is not identified on any of the lists enumerated under [Government Code §65962.5](#) or other lists of hazardous sites. The proposed Project is exempt from environmental review under State CEQA Guidelines [§15301](#), which applies to existing facilities, and under CEQA Guidelines [§15061\(b\)\(3\)](#) because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment.

Any interested person or authorized agent, or interested members of the public may appear at the public hearing to be heard and may submit written comments or request to view project details and information, including the complete application and project file (including any environmental impact assessment prepared in connection with the application) by contacting the project planner, Joseph Balatbat, via email at: josephb@newark.org.

If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City of Newark at, or prior to, the public hearing.

Joseph Balatbat
Associate Planner