



**PLANNING COMMISSION
AGENDA**

TUESDAY, FEBRUARY 17, 2009

REGULAR MEETING 7:30 P.M.

**COUNCIL CHAMBERS
3575 PACIFIC AVENUE
LIVERMORE, CA 94550**

1. CALL TO ORDER 7:30 P. M.

1.01 Roll Call

1.02 Pledge of Allegiance

2. MINUTES APPROVAL

3. OPEN FORUM

An opportunity for members of the audience to speak on an item not listed on the agenda. Each speaker is limited to five minutes.

4. COMMUNICATIONS

5. REPORT FROM COMMUNITY DEVELOPMENT DEPARTMENT STAFF

AGENDA REVIEW: *At this time, the Planning Commission may consider reordering or continuing agenda items.*

NOTE: *The Chairperson will inform the public of any continued items on this agenda.*

6. CONSENT CALENDAR

7. PUBLIC HEARINGS

- 7.01 Hearing to receive comments on the Draft Subsequent Environmental Impact Report for the proposed amendments to the Downtown Specific Plan and General Plan and Regional Performing Arts Theater projects. The proposed project includes amendments to the Downtown Specific Plan and General Plan to: increase the size of a proposed regional performing arts theater from 1,500 seats to 2,000 seats; increase the number of movie screens from 12 screens to 15 screens; increase the number of hotel and bed and breakfast rooms in the downtown area to 300 rooms; increase the amount of commercial development from 855,000 square feet to 1,000,000 square feet; increase the amount of office development from 217,000 square feet to 356,000 square feet; include a new second parking structure within the Downtown Core Area; and add a new chapter (Chapter 11, [Staff Report](#))

Financing) to the Downtown Specific Plan. Additionally, the project includes the construction of a 2,000-seat theater on one of three sites within the downtown. One of the potential theater sites (First Street/Maple Street site) would be created via the realignment of Railroad Avenue, which is also evaluated in the Draft Subsequent Environmental Impact Report.

- Location: Downtown Specific Plan Area
- Applicant: City of Livermore
- On-site and off-site public improvements: Various
- Site Area: 272 acres
- Zoning: Various
- General Plan: Downtown Area
- Historic Status: Various
- CEQA: A Draft Subsequent Environmental Impact Report under the provisions of the California Environmental Quality Act (CEQA) will be considered. State Clearinghouse Number 2008092085.
- Application Numbers: General Plan Amendment 08-002, Specific Plan Amendment 08-001
- Project Planner: Susan Frost

- 7.02 Hearing to consider a request for approval of a Development Agreement Amendment to modify construction deadlines and maintenance assessments for Cayetano Park, located southeast of Las Positas College, and to establish a public utility easement for the relocation of existing overhead utilities. [Staff Report](#)

- Applicant: Shea Properties
- On-site and off-site public improvements: No development is proposed with this application. However, the proposed Development Agreement establishes revised construction timing obligations for a previously approved 9.8-acre public park and secures a public utility easement to accommodate the relocation of existing overhead utilities.
- Site Area: 300 acres
- Zoning: Planned Development-Industrial (PD-I) 03-003
- General Plan: Business and Commercial Park (BCP), Urban High-4 Residential (UH-4) and Parks, Trail Ways, Recreation Corridors and Protected Areas (OSP), and Hillside Conservation (HLCN)
- Historic Status: None
- CEQA: An Environmental Impact Report was previously certified for this project (State Clearinghouse Number 97062005).
- Application Number: Development Agreement Amendment 09-001
- Project Planner: Ben Murray

8. NEW BUSINESS

9. UNFINISHED BUSINESS

10. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

- 10.01 Completed Matters Initiated MIP08-026 [Document](#)

11. ADJOURNMENT

The next regular meeting of the Planning Commission is March 3, 2009.

ADJOURN TO:

Planning Commission/Design Review Committee Consolidation
Preparation Training

- Design Standards and Guidelines

TENTATIVE SCHEDULE

Upcoming Meetings/Workshops/Training for the Planning Commission and the Design Review Committee:

February 24: Workshop for the review preliminary architectural, site plan, and landscape plan modifications for the previously approved Prime Outlets development in the El Charro Specific Plan; Training Topic: Zoning Code, Municipal Code, and Subdivision Codes

March 3: First meeting of new consolidated Planning Commission; Training Topic: Planned Development Districts and Consistency with Specific Plans/Approved Projects and Making Findings

March 17: Regular Planning Commission meeting; Training Topic: Brown Act and Conflict of Interest

RULES OF PROCEDURE - PLANNING COMMISSION MEETINGS

Pursuant to Rules of Procedure adopted by the Planning Commission, members of the audience will be recognized as follows:

All speakers: Please walk to the podium, state your name, address, and subject of your discussion. Each individual is limited to a total of five minutes for all listed agenda items. Longer presentations must be in writing.

The Planning Commission Agenda and Agenda Reports are prepared by City staff and are available for public review after 3:00 p.m. on the Friday prior to the Planning Commission meeting at the City Library, 1188 South Livermore Avenue and at the Planning Division's Office, 1052 South Livermore Avenue. Copies may be obtained from the Planning Division's Office and in the City Council Chambers lobby prior to the meeting.

Under Government Code 54957.5, any supplemental material distributed to the members of the Planning Commission after the posting of this agenda will be available for public review in the Planning Division's Office.

If supplemental materials are made available to the members of the Planning Commission at the meeting, a copy will be available for public review at the Council Chambers, 3575 Pacific Avenue, Livermore.

APPEALS: FINAL DECISIONS OF THE PLANNING COMMISSION MAY BE APPEALED TO THE CITY COUNCIL BY ANY INTERESTED PARTY. APPEALS MUST BE FILED WITH THE PLANNING DIVISION WITHIN 14 DAYS OF THE PLANNING COMMISSION'S DECISION. THE FILING FEE FOR SUCH APPEALS IS \$350.00. PLEASE CONTACT THE CITY PLANNING DIVISION AT (925) 960-4450 FOR FURTHER INFORMATION AND TO OBTAIN THE APPEAL FILING FORM.

The Telecommunications Device for the Deaf (TDD) number is (925) 960-4104.

Pursuant to Title II of the Americans with Disabilities Act (codified at 42 United States Code Section 12101 and 28 Code of Federal Regulations Part 35), the City of Livermore does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age, or sexual orientation in the provision of any services, programs, or activities. To arrange an accommodation in order to participate in this public meeting, please call (925) 460-4200 (voice) or (925) 960-4104 (TDD) at least 72 hours in advance of the meeting.

If you challenge any of these Planning Commission agenda items 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 Planning Commission or City Council at, or prior to, the public hearing.

PUBLIC WORKSHOP

Joint Planning Commission and Design Review Committee Workshop

**Tuesday, February 24, 2009, at 7:00 p.m.
City Council Chambers, 3575 Pacific Avenue**

The purpose of the workshop is to review preliminary architectural, site plan, and landscape plan modifications for the previously approved Prime Outlets development in the El Charro Specific Plan. The proposed modifications increase the total floor area from approximately 450,000 square feet to approximately 550,000 square feet. No actions will be taken by the Planning Commission or the Design Review Committee.

NOTICE

Joint PLANNING COMMISSION AND DESIGN REVIEW COMMITTEE TRAINING SESSION

There will be a joint Planning Commission and Design Review Committee training session on the

Zoning, Municipal and Subdivision Codes

on Tuesday, February 24, 2009, at approximately 8:00 p.m.

**at the end of the regular Design Review Committee meeting,
in the City Council Chambers, 3575 Pacific Avenue.**

**For more information, please call the City of Livermore Planning Division, at
(925) 960-4450.**