



**PLANNING COMMISSION
AGENDA**

TUESDAY, AUGUST 17, 2010

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

2.01 Meeting Minutes of July 20, 2010

[Draft Minutes](#)

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 - None

**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 - None

7. PROJECT REVIEW - None

8. PUBLIC HEARINGS

- 8.01 Hearing to consider a new restaurant with approximately 100 seats in a 3,618± square foot space in an existing building and an outdoor dining area adjacent to the building. Minor modifications to the building exterior are proposed. [Staff Report](#)

- Location: 2259 – 2265 Las Positas Rd.
- Applicant: Denny's Inc.
- On-site and off-site public improvements: None
- Site Area: 70,200± square feet
- Zoning: Planned Development-Commercial (PD-C) 01-018
- General Plan: Community Serving General Commercial (CSGC)
- Historic Status: None
- CEQA: The project is Categorically Exempt under the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301, which exempts leasing and interior and exterior alterations of existing facilities.
- Application Number: Conditional Use Permit Modification 10-002
- Project Planner: Scott Lee

- 8.02 Hearing to amend the Livermore Development Code to retain Fire Department and Community Development Department review, permitting, and inspections of businesses with hazardous materials uses, while removing the additional requirement for a Conditional Use Permit. [Staff Report](#)

- Location: Citywide
- Applicant: City of Livermore
- On-site and off-site public improvements: None
- Site Area: Various
- Zoning: Various
- General Plan: Various
- Historic Status: Various
- CEQA: A Negative Declaration under the provisions of the California Environmental Quality Act (CEQA) will be considered.
- Application Number: Development Code Amendment 10-002
- Project Planner: Frank Guido

9. NEW BUSINESS – None

10. UNFINISHED BUSINESS – None

11. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

- 11.01 Completed Matters Initiated MIP09-030 and MIP10-025 [Document](#)

12. ADJOURN TO:

NEXT PLANNING COMMISSION MEETING DATE: September 7, 2010

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 CITY CLERK WITHIN 15 DAYS FOLLOWING THE ACTUAL DATE 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.