LIVERMORE
CALIFORNIA

PLANNING COMMISSION

AGENDA
TUESDAY, SEPTEMBER 2, 2025

PLANNING COMMISSION REGULAR MEETING – 7:00 PM

MEETING PARTICIPATION INFORMATION CAN BE FOUND AT THE END OF THE AGENDA

IN PERSON INFORMATION:
CIVIC CENTER MEETING HALL
CITY COUNCIL CHAMBERS
1016 S. LIVERMORE AVENUE

Yolanda Fintschenko, Chair
Tracy Kronzak, Vice Chair
Jacob M Anderson, Commissioner
Nadine R Horner, Commissioner
Charity L Steele, Commissioner

1. CALL TO ORDER

ROLL CALL

Commissioner Charity Steele
Commissioner Nadine Horner
Commissioner Jacob Anderson
Vice Chairperson Tracy Kronzak
Chairperson Yolanda Fintschenko

PLEDGE OF ALLEGIANCE

2. OPEN FORUM

- In conformance with the Brown Act, no Planning Commission action can occur on items presented during Open Forum.
- To provide public comment, please submit a speaker card. When your name is called, walk to the lectern to address the Planning Commission.
- Comments are limited to a maximum of 3 minutes per person, per item. The Chair may reduce the amount of time based on the number of persons wishing to speak.
- Open Forum will conclude after 30 minutes; however, if there are additional speakers, Open Forum will reconvene after Matters for Consideration.

3. CONSENT CALENDAR

Consent Calendar items are considered routine and are acted upon by the Planning Commission with a single action. Members of the audience wishing to provide public input must submit a speaker card.

3.1 Approval of the June 17, 2025 Planning Commission Draft Meeting Minutes.

Recommendation:
Staff recommends the Planning Commission approve the draft minutes.
Staff Report
Attachments:
1. 06-17-2025 Draft Meeting Minutes

3.2 Approval of the August 12, 2025 Planning Commission Draft Special Meeting Minutes.

Recommendation:
Staff recommends the Planning Commission approve the draft minutes.
Staff Report
Attachments:
1. 08-12-2025 Draft Special Meeting Minutes

3.3 Approval of the July 17, 2023 City Council - Planning Commission Draft Joint Special Meeting Minutes.

Recommendation:
Staff recommends the Planning Commission approve the draft minutes.
Staff Report

Attachments:
1. 07-17-23 City Council-Planning Commission Special Meeting Minutes

4. PROJECT REVIEW

5. PUBLIC HEARINGS

5.1 Hearing to consider a request for a Conditional Use Permit (CUP) 25-004 to allow Gospel Community Church to conduct religious services in a portion of the Kings Classical Academy school building located at 3090 Independence Drive.

Recommendation:
Staff recommends the Planning Commission:

1. Adopt a resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301, Existing Facilities;
2. Adopt a resolution approving Conditional Use Permit (CUP) 25-004, subject to the attached Conditions of Approval;
3. Direct the Planning Manager to file a Notice of Exemption with the Alameda County Clerk; and
4. Advise the applicant that the Project approval is subject to a 15-day appeal period.

Staff Report
Attachments:
1. INSP Subarea Diagram, INSP Figure 2-3
2. Floor Plan
3. Tenant Locations
4. Project Site Context
5. Saturday-Sunday Parking Plan
6. Resolution - Environmental
7. Resolution - Approval
8. Exhibit A - Conditions of Approval

6. MATTERS FOR CONSIDERATION

7. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

8. ADJOURNMENT

To a regular Planning Commission meeting on Tuesday, September 16, 2025 at 7:00 pm, Civic Center Meeting Hall, City Council Chamber, 1016 S. Livermore Avenue.

9. HOW TO PARTICIPATE IN THE MEETING

You can participate in the meeting in a number of ways:

Open Forum is an opportunity for the public to speak regarding items not listed on the agenda. Speakers are limited to a maximum of 3 minutes per person. To address the Planning Commission you must submit a speaker card to the Planning Commission Liaison prior to the start of that item. Please note that the Planning Commission is prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires

action, the Planning Commission l may place it on a future agenda or direct staff to work with you and/or report to the Planning Commission on the issue.

Public Hearings - The topic of the hearing is typically summarized by staff, followed by a presentation by the applicant, and then questions from the Planning Commission. The Chair will then open the hearing to the public and offer an opportunity for public comments. Speakers are limited to a maximum of 3 minutes per person. To address the Planning Commission, you must submit a speaker card to the Planning Commission Liaison prior to the start of the presentation of the item.

Other Agenda Items are also open for public input including Consent Calendar or Matters for Consideration items. These comments are also subject to the 3-minute limit.

Special Meetings, Workshops - The public will have the opportunity to address the Planning Commission regarding the item that is the subject of the special meeting or workshop. Public comments are limited to a maximum of 3 minutes per person.

Submission of Comments Prior to the Meeting:

Email Comments may be submitted by the public to the Planning Commission Liaison (planning@LivermoreCA.gov). Items received no later than 12:00 pm on the day of the meeting will be provided to the Commission and available on the City website prior to the meeting. These items will NOT be read into the record.

eComments may be submitted by the public using the eComment link here. Comments may be up to 1000 characters in length and will be accepted up until 6:00 pm the day of the meeting. These items will NOT be read into the record and are viewable by the the Commission and the public upon submittal.

Submission of Comments During the Meeting:

Speakers are limited to a maximum of 3 minutes per person. To submit a comment in person, you must complete a speaker card for each item. Speaker cards are available in the Civic Center Meeting Hall lobby. Indicate on the card the item number you wish to comment on and submit the card directly to the Planning Commission Liaison prior to the start of the item. Please note that the Planning Commission is prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires action, the Planning Commission may place it on a future agenda or direct staff to work with you and/or report to the Planning Commission on the issue.

If you would like to deliver written materials to the Commission as part of your public comments, please provide 8 copies of to the Planning Commission Liaison with your speaker card.

The **Planning Commission Agenda and Agenda Reports** are prepared by City staff and are available for public review on Friday evening, three days prior to the Planning Commission

meeting at 1016 South Livermore Avenue, Livermore. The Agenda is also available on the City's website, http://livermoreca.gov/agenda.

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 at City Hall, 1052 South Livermore Avenue, Livermore, and included in the agenda packet available on the City's web site at http://livermoreca.gov/agenda.

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), AND SECTION 504 OF THE REHABILITATION ACT OF 1973, 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 CONTACT THE ADA COORDINATOR AT ADACOORDINATOR@LIVERMORECA.GOV OR CALL (925) 960-4170 (VOICE) OR (925) 960-4104 (TDD) AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE MEETING.

LIVERMORE
CALIFORNIA

PLANNING COMMISSION STAFF REPORT **ITEM NO. 3.1**

DATE: September 2, 2025

TO: Chairperson and Members of the Planning Commission

FROM: Steve Riley, Planning Manager

SUBJECT: Approval of the June 17, 2025 Planning Commission Draft Meeting Minutes.

RECOMMENDED ACTION

Staff recommends the Planning Commission approve the draft minutes.

DECISION TYPE

SUMMARY

DISCUSSION

ATTACHMENTS

1. 06-17-2025 Draft Meeting Minutes

Prepared by: Michele Donley
Division Clerk

DRAFT MINUTES

LIVERMORE
CALIFORNIA

PLANNING COMMISSION
JUNE 17, 2025

REGULAR MEETING

1. CALL TO ORDER – The regular meeting of the Planning Commission was called to order by Chairperson Yolanda Fintschenko at 7:00 pm, held in person at 1016 S. Livermore Avenue.

ROLL CALL – Present: Chairperson Yolanda Fintschenko, Vice Chairperson Tracy Kronzak, and Commissioner Jacob Anderson, Commissioner Nadine Horner, Commissioner Charity Steele.

PLEDGE OF ALLEGIANCE

Chairperson Fintschenko led the Pledge of Allegiance.

2. OPEN FORUM

Chairperson Fintschenko opened the public comment period.

There were no speakers, and the public comment period was closed.

3. CONSENT CALENDAR

ON THE MOTION OF COMMISSIONER ANDERSON, SECONDED BY VICE CHAIR KRONZAK AND CARRIED ON A 5-0 VOTE, THE PLANNING COMMISSION APPROVED THE CONSENT CALENDAR:

3.1 Approval of the June 3, 2025, Planning Commission Draft Meeting Minutes.

4. PROJECT REVIEW – NONE

5. PUBLIC HEARINGS

5.1 Hearing to consider a request to approve a Planned Development (PD) 25-001, Subdivision (SUB) 20-004, and Site Plan Design Review (SPDR) 21-001 to allow a two-story, attached, 13-unit multi-family, townhome-style development. The project will consist of all rental units that would be grouped on one lot. The units will consist of either three or four bedrooms and range in size from 1,400 to 1,900 square feet per unit. Each unit will have an attached two-car garage. The project will reconstruct the curb,

gutter, and sidewalk along the project frontages (East Avenue and Dolores Street), underground all utilities, and construct a new shared driveway to access the site from Dolores Street.

Recommendation:
Staff recommends the Planning Commission adopt resolutions recommending the City Council:

1. Find the project is Categorically Exempt under the provisions of the California Environmental Quality Act (CEQA) per Section 15332, In-Fill Projects, and Direct the Planning Manager to file a Notice of Exemption in accordance with the provisions of CEQA, subject to project approval; and
2. Approve Subdivision (SUB) 20-004 and Site Plan Design Review (SPDR) 21-001; and
3. Adopt an Ordinance authorizing Planned Development (PD) 25-001.

Associate Planner Purewal presented the staff report.

Terry Townsend, architect on behalf of the property owner, provided an overview of the proposed project.

In response to Commissioner Anderson, Mr. Purewal indicated the LAVTA bus stop would not be modified. Mr. Townsend explained the reason for east facing solar panels.

In response to Vice Chair Kronzak, Mr. Townsend confirmed that the units would be rentals. Mr. Purewal explained the original proposal for single family homes.

In response Commissioner Anderson, Senior Civil Engineer Salgado indicated staff felt the existing right of way could accommodate the ATP requirements and discussed options of eliminating parking or a lane. Commissioner Anderson expressed concern about the ability to meet the ATP goals.

Chairperson Fintschenko confirmed that, since the East Avenue Corridor Study was not complete, standards on the intersection could not be enforced.

Commissioner Horner suggested the motion include wording to ensure the bike lanes would be considered.

Vice Chair Kronzak confirmed that conditions could not be applied to the project because the East Avenue Study was not yet complete and also confirmed the cumulative impact on parking.

Chairperson Fintschenko indicated opposition to the friendly amendment due to the Study not being completed.

Commissioner Horner commented on the successfully proposed infill

development.

ON THE MOTION OF COMMISSIONER HORNER, SECONDED BY VICE CHAIR KRONZAK AND CARRIED ON A 4-1 VOTE, WITH COMMISSIONER ANDERSON VOTING NO, THE PLANNING COMMISSION ADOPTED THE FOLLOWING RESOLUTIONS:

Resolution 22-25 Recommending the City Council find that the project is exempt under CEQA guidelines section 15332 (In-Fill Project) and direct the planning manager to file a notice of exemption for the project

Resolution 23-25 Recommending that the City Council adopt an ordinance approving Planned Development (PD) 25-001

Resolution 24-25 Recommending the City Council approve Site Plan Design Review (SPDR) 21-001 and Subdivision (SUB) 20-004 (Tentative Parcel Map 11527)

5.2 Hearing to consider a request for the second amendment to Development Agreement 18-001 to revise the terms and timing of the off-site improvements including a public trail and public sewer line. The Development Agreement vests a previously approved project for 186 two- and three-story townhomes on a vacant 35-acre site located at the terminus of Lassen Road northwest of the First Street/I-580 Interchange and north of I-580.

Recommendation:
Staff recommends the Planning Commission adopt resolutions:

1. Recommending the City Council find that the environmental impacts of the Second Amendment to the Development Agreement for the Lassen Road Townhome Project are within the scope of the 2020 Initial Study and Mitigated Negative Declaration, the Active Transportation Initial Study and Mitigated Negative Declaration, and the Springtown Trunkline Sewer Initial Study and Mitigated Negative Declaration;
2. Recommending the City Council direct the Planning Manager to file a Notice of Determination, in accordance with the provisions of the California Environmental Quality Act (CEQA), subject to project approval; and
3. Recommending the City Council adopt an ordinance amending Development

Assistant Planner Emily LaDue presented the staff report.

Commissioner Anderson requested staff ensure quality bike lane connections to the trail.

ON THE MOTION OF VICE CHAIR KRONZAK, SECONDED BY COMMISSIONER ANDERSON AND CARRIED ON A 5-0 VOTE, THE PLANNING

COMMISSION ADOPTED THE FOLLOWING RESOLUTIONS:

Resolution 25-25 Recommending the City Council find that the Environmental Impacts of the Second Amendment to the Development Agreement for the Lassen Road Townhome Project are within the scope of the 2020 Initial Study and Mitigated Negative Declaration, the Active Transportation Initial Study and Mitigated Negative Declaration, and the Springtown Trunkline Sewer Initial Study and Mitigated Negative Declaration

Resolution 26-25 Recommending approval of Development Agreement Amendment (DAA) 25-001

6. MATTERS FOR CONSIDERATION – NONE

7. MATTERS INITIATED BY PLANNING COMMISSION STAFF

Commissioner Anderson requested the website and social media outlets be updated regarding Downtown development and suggested a webpage for the Isabel Neighborhood Specific Plan.

Vice Chair Kronzak concurred with the addition of information on the Isabel Neighborhood.

8. ADJOURNMENT – at 8:00 pm to a Regular Planning Commission Meeting on Tuesday, July 1, 2025 at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue.

LIVERMORE
CALIFORNIA

PLANNING COMMISSION STAFF REPORT **ITEM NO. 3.2**

DATE: September 2, 2025

TO: Chairperson and Members of the Planning Commission

FROM: Steve Riley, Planning Manager

SUBJECT: Approval of the August 12, 2025 Planning Commission Draft Special Meeting Minutes.

RECOMMENDED ACTION

Staff recommends the Planning Commission approve the draft minutes.

DECISION TYPE

SUMMARY

DISCUSSION

ATTACHMENTS

1. 08-12-2025 Draft Special Meeting Minutes

Prepared by: Michele Donley
Division Clerk

DRAFT MINUTES

LIVERMORE
CALIFORNIA

SPECIAL PLANNING COMMISSION
AUGUST 12, 2025

SPECIAL MEETING

1. CALL TO ORDER – The special meeting of the Planning Commission was called to order by Chairperson Yolanda Fintschenko at 7:00 pm, held in person at 1016 S. Livermore Avenue.

2. ROLL CALL – Present: Chairperson Yolanda Fintschenko, Vice Chairperson Tracy Kronzak, and Commissioner Jacob Anderson, Commissioner Nadine Horner, Commissioner Charity Steele.

PLEDGE OF ALLEGIANCE

Chairperson Fintschenko led the Pledge of Allegiance.

3. SPECIAL MEETING ITEM

3.1 Hearing to consider a request to approve development of a new, approximately 225,500 square-foot light industrial building and research and development facility on an approximately 14-acre vacant parcel along West Jack London Boulevard west of the Oaks Business Park. The facility would test and demonstrate commercially viable clean energy through fusion power.

Recommendation:
Staff recommends the Planning Commission adopt resolutions recommending the City Council:

1. Find that the project is exempt under the California Environmental Quality Act section 21080.69, as amended by Senate Bill 131, a project that consists exclusively of a facility for advanced manufacturing and certify/adopt an Addendum to the SMP 39/40 Environmental Impact Report, in accordance with the California Environmental Quality Act.
2. Approve Planned Development Amendment (PD) 25-002, Vesting Tentative Tract Map (VTTM) 8656/Subdivision (SUB) 25-001, Site Plan Design Review (SPDR) 25-005, and Conditional Use Permit (CUP) 25-002.
3. Direct the Planning Manager to file a Notice of Exemption and Notice of Determination, in accordance with the provisions of the California

Environmental Quality Act, subject to project approval.

Chairperson Fintschenko disclosed her role as Executive Director of iGate; knowledge of the applicant's technology; responsibilities representing the Tri-Valley startup ecosystem; and attendance at Pacific Fusion public outreach events.

Assistant Planner Emily LaDue presented the staff report.

Keith LeChien, Chief Technology Officer (CTO) and co-founder of Pacific Fusion, explained Fusion; differences between fusion and fission; the proposed demonstration system; and community engagement.

Chairperson Fintschenko opened the public comment period.

Joe Maraspini, field representative for the NorCal Carpenters Union, Local 713, discussed the importance of hiring responsible contractors.

Sheri Souza, Livermore Valley Chamber of Commerce, indicated support for the proposed project due to job growth, tax revenues, and the opportunity to deepen Livermore's leadership in innovation, science and discovery.

Katie Marcel, Chief Executive Officer (CEO) of Innovation Tri-Valley Leadership Group, encouraged the Commission to approve the staff recommendations due to the opportunity to advance green economy, and provide a clean power source and jobs.

Drew Felker indicated support for the project due to technology jobs and benefits.

There were no additional speakers, and the public comment period was closed.

Commissioner Anderson indicated the required findings could be made and expressed excitement about the project.

Commissioner Steele agreed that staff's recommendations were supported and shared enthusiasm for the project.

Commissioner Horner concurred with Commissioners Anderson and Steele; thanked Economic Development Director Brandon Cardwell; expressed excitement about the opportunity; and explained that there were no environmental concerns with the project.

Vice Chair Kronzak discussed clarifying questions which had been sufficiently answered by staff; the General Plan development process; justification for the project; support of the strategic plan; and net decrease in greenhouse gas emissions; and thanked staff for the site plan including 50% natives and pollinators.

In response to Chairperson Fintschenko, Principal Planner Ross explained the

rationale for removal of the 20% cap to help provide confidence to the investment community, which would not move forward if the project did not proceed.

Assistant Planner Emily LaDue explained the California Environmental Quality Act (CEQA) exemption from SB131.

ON THE MOTION OF COMMISSIONER ANDERSON, SECONDED BY VICE CHAIR KRONZAK AND CARRIED THE FOLLOWING ROLL CALL VOTE, AYE ANDERSON, AYE HORNER, AYEV STEELE, AYE VICE CHAIR KRONZAK, AYE CHAIR FINTSCHENKO, AND CARRIED ON A 5-0 VOTE THE PLANNING COMMISSION ADOPTED THE FOLLOWING RESOLUTIONS:

Resolution 27-25 Recommending that the City Council find that the Pacific Fusion Project is exempt from the provisions of the California Environmental Quality Act and adopt an addendum to the 2024 SMP 39/40 Environmental Impact Report.

Resolution 28-25 Recommending that the City Council approve Planned Development Amendment (PD) 25-002, Subdivision (SUB) 25-001, Site Plan Design Review (SPDR) 25-005, Conditional Use Permit (CUP) 25-002, for the Pacific Fusion Project.

4. ADJOURNMENT – at 7:43 pm to a Regular Planning Commission Meeting on Tuesday, August 19, 2025 at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue.

LIVERMORE
CALIFORNIA

PLANNING COMMISSION STAFF REPORT **ITEM NO. 3.3**

DATE: September 2, 2025

TO: Chairperson and Members of the Planning Commission

FROM: Steve Riley, Planning Manager

SUBJECT: Approval of the July 17, 2023 City Council - Planning Commission Draft Joint Special Meeting Minutes.

RECOMMENDED ACTION

Staff recommends the Planning Commission approve the draft minutes.

DECISION TYPE

SUMMARY

DISCUSSION

ATTACHMENTS

1. 07-17-23 City Council-Planning Commission Special Meeting Minutes

Prepared by: Michele Donley
Division Clerk

MINUTES

LIVERMORE
CALIFORNIA

CITY COUNCIL
July 17, 2023

CITY COUNCIL-PLANNING COMMISION JOINT MEETING

1. CALL TO ORDER – The joint special meeting of the City Council-Planning Commission was called to order by Mayor John Marchand at 5:00 pm, held in person at 1016 S. Livermore Avenue and remotely using Zoom and YouTube.

2.
ROLL CALL – Present: Mayor John Marchand, Vice Mayor Brittni Kiick and Council Members Ben Barrientos, Evan Branning and Robert W. Carling. Chair Daniel Leary, Vice Chair Jacob M. Anderson, Commissioners Steve Dunbar, Yolanda Fintschenko and Tracy Kronzak.

3. SPECIAL MEETING ITEM

3.1 Review local land use authority and Citywide Strategic Plan; discuss the respective roles and responsibilities of the City Council and Planning Commission.

City Manager Marianna Marysheva, City Attorney Jason Alcala, Senior Assistant City Attorney Kim Cilley, Senior Planner Jake Potter, and Community Development Director Paul Spence jointly presented the item.

Mayor Marchand opened the public comment period.

There were no speakers and the public comment period was closed.

THE CITY COUNCIL AND PLANNING COMMISSION RECEIVED THE PRESENTATION.

9. ADJOURNMENT – at 6:59 pm to a Regular City Council Meeting on Monday, July 24, 2023 at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue and virtually using Zoom.

John Marchand

APPROVED: _____
JOHN P. MARCHAND, MAYOR

ATTEST: Deborah L. Elam
For MARIE WEBER, CITY CLERK

LIVERMORE
CALIFORNIA

PLANNING COMMISSION STAFF REPORT **ITEM NO. 5.1**

DATE: September 2, 2025

TO: Chairperson and Members of the Planning Commission

FROM: Steve Riley, Planning Manager

SUBJECT: Hearing to consider a request for a Conditional Use Permit (CUP) 25-004 to allow Gospel Community Church to conduct religious services in a portion of the Kings Classical Academy school building located at 3090 Independence Drive.

RECOMMENDED ACTION

Staff recommends the Planning Commission:

1. Adopt a resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301, Existing Facilities;
2. Adopt a resolution approving Conditional Use Permit (CUP) 25-004, subject to the attached Conditions of Approval;
3. Direct the Planning Manager to file a Notice of Exemption with the Alameda County Clerk; and
4. Advise the applicant that the Project approval is subject to a 15-day appeal period.

DECISION TYPE

Quasi-judicial

SUMMARY

The applicant proposes to use approximately 3,434 square feet of sub-leased space for a church use within an existing 78,000 square foot office building in the Isabel Neighborhood Specific Plan (Specific Plan) Business Park area at 3090 Independence Drive. The site is located along the northern border of the City, north of the I-580 freeway and North Canyons Parkway, and lies generally between Independence Drive and Constitution Drive. The church would provide worship services, Bible study classes, counseling, and fellowship activities. In the Specific Plan's Business Park zone, churches are considered public and quasi-public uses and require approval of a Conditional Use Permit to ensure compatibility with surrounding uses.

The proposed church would provide a public-serving use in the Specific Plan's Business Park zone that would further the vision of the Isabel Neighborhood Specific Plan as a complete neighborhood with community gathering spaces to accommodate a diverse range of community needs and preferences.

The church use would promote synergy with Kings Classical Academy, the existing private school in the building, as well as offer potential public-serving uses to nearby residents in the Specific Plan area and broader region.

The existing building has been modified to accommodate school and office uses. Gospel Community Church (hereby referred to as "the Church") will occupy only a small portion of the building (less than five percent of the total building). The Church's Sunday services will occur during non-peak school and business hours. No changes to the building or site's exterior would occur as a result of the project. Staff recommends that all required findings can be made to authorize a Conditional Use Permit in accordance with the Livermore Development Code (Development Code) Section 9.03.060. The project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301, which exempts minor alterations to existing facilities involving negligible or no expansion of use.

DISCUSSION

BACKGROUND

The subject site is located within the Isabel Neighborhood Specific Plan, adopted by the City Council in November 2020. The Specific Plan intends to create a safe, vibrant, and complete neighborhood that includes amenities for residents, workers, and students and that is compatible with existing development and community character. The Specific Plan also intends to support citywide goals for increased transportation, housing, and economic opportunities.

Existing uses in the Specific Plan area include commercial retail, office, and business uses, religious assembly, educational and institutional, recreational and open space, and multi-family residential. Future development in the Specific Plan has been approved to include approximately 4,095 multi-family housing units, many of which are under construction, new commercial, office, and business uses, new public parks and amenities, pedestrian and bike facilities, and infrastructure improvements. These uses will also complement the future Valley Link rail station, which will be located in the median of I-580, just east of Isabel Avenue.

In 2010, the Planning Commission approved a Conditional Use Permit (CUP) 10-005 for K-12 Charter schools facilities at this site. While the Charter schools have since closed, a new public or private school serving any combination of grades K-12 may re-occupy this site if found to be consistent with the approved CUP or with a CUP amendment (see Attachment 1, Fig. 2-3, INSP Subarea Diagram). Several educational uses currently operate within this K-12 school overlay district. Earlier this year, Kings Classical Academy private K-12 school moved into this space as permitted under CUP 10-005.

The church is a regional counterpart of NorthCreek Church in Walnut Creek, and the fellowship currently meets in the Robert Livermore Community Center on Sunday mornings. The church began operations in Livermore in response to the high number of NorthCreek Church members commuting from the Tri-Valley. In June 2025, the church submitted an application to sub-lease a portion of the building at 3090 Independence Drive to provide a space for their growing fellowship and accommodate residents from the Tri-Valley area.

PROJECT DESCRIPTION

The applicant is proposing to use approximately 3,434 square feet of space within a portion of the office

and private school building at 3090 Independence Drive. The church would be a sub-tenant of the private school, Kings Classical Academy, that leases 16,000 square feet of space in a 78,000 square foot building. The other existing tenant of the building is Restoration Management Group. About 20% of the building is vacant with additional future tenants to be determined (See Attachments 2 and 3, Floor Plan and Tenant Locations)

Church services would include Sunday worship, classes, and nursery services, counseling and small group meetings, one-time events, and associated storage and office uses. The church's current congregation consists of 80 to 90 adults and 20 to 30 children, with expected growth in membership over time.

The church would sub-lease and occupy a 2,350 square foot room in the southwest corner of the building's first floor to conduct Sunday services. The space functions during the week as Kings Classical Academy's multipurpose room but would be converted on Sundays to function as the church's worship space, with non-fixed seating proposed for 225 people. The church would also lease and occupy a 924 square foot room located adjacent to the worship space to function as a Sunday nursery space with additional storage uses and another 160 square feet of first floor office space for administrative uses. The Church would also schedule arrangements with Kings Classical Academy to utilize approximately two classrooms for Sunday School classes. Attachments 2 and 3, illustrate the proposed church floorplan and existing tenant locations within the subject building.

On Sundays, primary hours of operation would be between 8:00 a.m. and 1:00 p.m. and include the setting up and conducting of worship services, nursery care, and Sunday School classes. Eventually, a total of 235 people would occupy the building during these hours, including attendees and staff. Additional Sunday hours of operation would be between 1:00 p.m. and 9:00 p.m. and would include occasional small group meetings, youth groups, Bible studies, and choir practice. Up to approximately 50 people would occupy the building during the additional Sunday hours of operation. Approximately 12 people will staff the Church on Sundays, including a pastor, one sound booth operator, two musicians, four Sunday School teachers, and four nursery workers.

On Saturdays, church hours would take place between 8:00 a.m. and 9:00 p.m. with a maximum of 50 people. Saturday services consist of setup and preparation for Sunday services, once per month men's and women's events ranging from 1.5 to 3 hours in length, and occasional youth meetings. Other one-time events are proposed for Saturdays and Sundays between 8:00 a.m. and 9:00 p.m. with a maximum of 225 people. These may include memorial services, weddings, concerts, and church-wide celebrations. The church estimates four such occasions per year.

Between Monday and Friday, the church would conduct routine administrative and counseling services and occasional small Young Mothers Education Group meetings. Administrative office uses and counseling by appointment would occur between 8:00 a.m. and 4:00 p.m. during the week. Administrative uses would be limited to the leased office and storage spaces on the first floor and would not conflict with normal school operations. The daily routine staff would not exceed two people, and the office will not be staffed during all hours of the day. Higher attendance weekday meetings would take place after school hours.

No changes to the existing site plan or exterior building would result. For this reason, this Conditional Use Permit application is primarily a land use compatibility review.

PROJECT SITE CONTEXT

The approximately 3,434 square foot sub-tenant space is located within a portion of 3090 Independence Drive, an approximately 5.6-acre parcel at the northwest end of Independence Drive, north of I-580 and North Canyons Parkway. The surrounding office, business and open space uses are shown below in Table 1. The nearest neighboring building is 400 feet to the south, and the next closest building is 600 feet to the west as shown on Attachment 4. The site is accessible by an entrance off Independence Drive to the east. The building is two stories. The first-floor lobby has north and south entrances. There is a playground area located on the northwest corner of the building's exterior which will be utilized by the Church on weekends.

A portion of the building is now being adapted and leased to accommodate the Kings Classical Academy private school, which leases 16,000 square feet of the 78,000 square foot building. The church proposes to be a sub-tenant of the private school.

The table below summarizes the subject site and adjacent property General Plan land use designations, zoning classifications, and existing land uses.

Table 1

	General Plan Designation	**Current Zoning Classification**	**Existing Land Use**
North	Resource Management (County) (RMG)	Not applicable. Outside of the City boundary.	Agricultural/Open Space (City owned)
South	Isabel Neighborhood (IN)	Business Park	Corporate Office Building
East	Isabel Neighborhood (IN)	Business Park	Offices, Research and Development, Commercial
West	Isabel Neighborhood (IN)	Educational/Institutional	Undeveloped parcel
Subject Site	Isabel Neighborhood (IN)	Business Park/Educational Institutional	Offices, Private School

STAFF ANALYSIS

General Plan

The project site's General Plan land use designation is Isabel Neighborhood (IN), which defers to the Isabel Neighborhood Specific Plan (Specific Plan) to guide development surrounding the future Valley Link station in the I-580 median at Isabel Avenue. Compatibility with the Specific Plan will be discussed in the following section.

Consistency with Isabel Neighborhood Specific Plan

The project is located within the dual Business Park/Educational and Institutional zoning district, which also has K-12 School Overlay district over it in the Isabel Neighborhood Specific Plan (Specific Plan) (see Attachment 1). The Specific Plan's intent is to create a safe, vibrant, complete neighborhood that includes amenities for residents, workers, and students; ensure new development is compatible with existing development and community character; and support transit ridership and citywide goals for increased transportation options, housing choices, and economic vitality. To that end, the Specific Plan contains 11 unique zoning districts that identify permitted and conditionally permitted uses within different locations in the plan area.

The Specific Plan Business Park/Educational and Institutional zoning district requires approval of a Conditional Use Permit for Public/Quasi-Public uses such as churches. The intent is to ensure compatibility with surrounding uses.

Land Use Compatibility

The Livermore Development Code (Development Code) contains standards for processing Conditional Use Permits [LDC section 9.03.060]. The Development Code requires that a proposed use must be compatible with land uses in the vicinity in order for a Conditional Use Permit to be approved by the review authority. Staff and the Planning Commission should assess compatibility by reviewing several characteristics, including a use's operations, parking, traffic, waste, odor, noise, and other site-specific elements.

The proposed church uses and associated administrative office uses would have limited administrative operations from 8:00 a.m. to 9:00 p.m. daily. Peak use hours would occur outside of the school’s peak hours. School operations at the same location would take place between 6:30 a.m. and 6:00 p.m. on weekdays, with all students arriving between 7:30 and 8:00 a.m. and departing between 3:00 and 3:15 p.m.. The church would experience the highest amount of traffic and use during the weekends and on weekday afternoons outside of the school's peak operating hours. Therefore, church and school operations would not conflict or cause excessive traffic, parking demands, and other congestion issues. The church's non-peak hour operation would also not cause any health and safety issues between the school, church, other tenants, and surrounding businesses.

During the week, Monday-Friday, between 8:00 a.m. and 4:00 p.m., approximately two administrative staff would occupy the first-floor office space and conduct routine counseling appointments with a maximum of two people. Twice per month, a Young Mothers Education Group would take place during this timeframe with a maximum of 12 people.

Parking and Traffic

The Specific Plan does not have parking requirement for churches, so the Livermore Development Code (LDC) Part 4, Table 4.6 parking standard will be applied, which requires one space for each 50 square feet of assembly area. The site has 298 paved onsite parking spaces, and the church will have parking rights to 100 spaces on Saturdays and Sundays (see Attachment 5) .Shown in Table 2, the proposed use is consistent with the automobile parking requirements listed in the LDC.

Table 2: Parking Requirements for Weekend (Sunday) Peak-Hours

Assembly Area	Required Parking (LDC): One space for every 50 square feet of Assembly Area.	Provided Weekend Parking (By Lease)	Total On-Site Parking
2,350 square feet	47 spaces	100 spaces	298 spaces

The project's parking requirements are based on peak Sunday morning attendance when school is not in session and other tenants are not likely to be on-site. It is also likely that many neighboring office/commercial buildings will not be occupied or operating on Sunday mornings. Independence Drive is the site's entrance and exit point. Presumably, parking spaces in the west lot near the building's main southwest entrance would be utilized first. Attendees are expected to arrive between 8:30 and 9:00 a.m. before services and are expected to depart between 11:30 a.m. and 1:00 p.m. due to after church activities.

Bicycle Parking

The Specific Plan does not have bicycle parking requirement for churches, so the Livermore Development Code (LDC) Part 4, Table 4.7 bicycle parking standard will be applied, which requires nine bike parking spaces. The site provides 20 bicycle parking spaces, with 10 located at both southern and northern entrances. Therefore, the proposed use is consistent with the on-site bicycle parking requirements.

For these reasons, the proposed use will meet the parking requirements and will not significantly impact existing intersections.

Waste and Odor

The Livermore Municipal Code (Municipal Code) requires that all on-premise solid waste and recyclables are collected and removed in an appropriate manner [LMC 8.08.030]. Further, the Development Code requires commercial enclosures of an appropriate size to accommodate such waste and recyclables.

The subject site has one exterior trash enclosure located approximately 100 feet away from the northeast corner of the building and easily accessed by paved, mostly flat terrain. It is a mostly enclosed concrete and metal structure with large operable doors. The enclosure is adequate in size to serve two four cubic yard commercial containers (on rollers), plus extra space. The church will be provided with janitorial services from Monday through Friday during the week as a part of their lease benefits. Trash is separated for recycling according to requirements for separation in the Municipal Code. Trash collection is provided by Livermore Sanitation Inc. on a weekly basis. The proposed church and office uses will produce basic refuse, including food and paper waste, and the applicant expects that the church will produce less trash than a business office use of the same size. The existing trash enclosure is adequate in size to serve the proposed use. In addition, all trash will be periodically transferred to the enclosure, limiting odor impacts. No other odor impacts are anticipated.

Airport Compatibility and Noise

The project site is located within Safety Zone 6 of the Alameda County Airport Land Use Compatibility Plan (Compatibility Plan), as identified in General Plan Land Use Element Figure 3-5. The intent of the

Compatibility Plan is to encourage airport compatibility with surrounding land uses and to implement State and Federal aviation policies. The Compatibility Plan categorizes the Church as a low-capacity indoor assembly use (≤ 300 people), which is conditionally permitted in Safety Zone 6 (Table 3-2, Safety Compatibility Criteria).

Conditional uses established in the Compatibility Plan are evaluated based on relevant criteria applied to the particular safety zone in which the use is located. The proposed church use complies with all relevant criteria for Safety Zone 6, including criteria for the intensity of the proposed use (people/acre), noise exposure and a recommended percentage of open land space. Further, Safety Zone 6 allows other existing assembly uses that are more intense in their use and may potentially receive greater impacts from airport activities, such as noise exposure. Because the proposed church use meets Safety Compatibility Criteria for Safety Zone 6, the Church is consistent with the Compatibility Plan.

The Compatibility Plan also establishes acceptable criteria for exterior noise exposure, which permits worship uses at the subject site (Table 3-1, Noise Compatibility Criteria). Standard construction methods outlined in CALGreen Building Code Section 5.507.4 will sufficiently attenuate exterior noise to an acceptable indoor community noise equivalent level. Therefore, the proposed Church use is also compatible with the Airport's standards for exterior noise exposure.

As with other uses in proximity to the airport, the project is conditioned to submit proof of a recorded Avigation Easement prior to conducting church services. The conditions also require that the applicant acknowledge and publicly disclose to all users of the facility that the church use in located in the vicinity of the airport and that the site may be subject to nuisances associated with airport operations.

Sensitive Receptors / Right to Farm Disclosure

The site is located within 2,000 feet of agricultural operations that comply with existing laws and regulations and accepted customs and standards. Due to the vicinity of the proposed use to farming operations, attendees may experience disturbances, including but not limited to noise, vibration, odors, dust, smoke, insects, rodents, and/or the operation of heavy machinery. The applicant is aware of these potential disturbances and shall provide sensitive receptors / right-to-farm disclosures to all users of the facility.

ENVIRONMENTAL DETERMINATION

The project is exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the CEQA Guidelines, which exempts minor alteration of existing facilities involving negligible or no expansion of use. The proposed church will occupy space in an existing school, with negligible expansion of use. No additions are proposed to an existing facility. Therefore, the project meets the criteria for this categorical exemption. It is, therefore, exempt from CEQA.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt a resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301, Existing Facilities;
2. Adopt a resolution approving Conditional Use Permit (CUP) 25-004, subject to the attached

Conditions of Approval;

3. Direct the Planning Manager to file a Notice of Exemption with the Alameda County Clerk; and
4. Advise the applicant that the Project approval is subject to a 15-day appeal period.

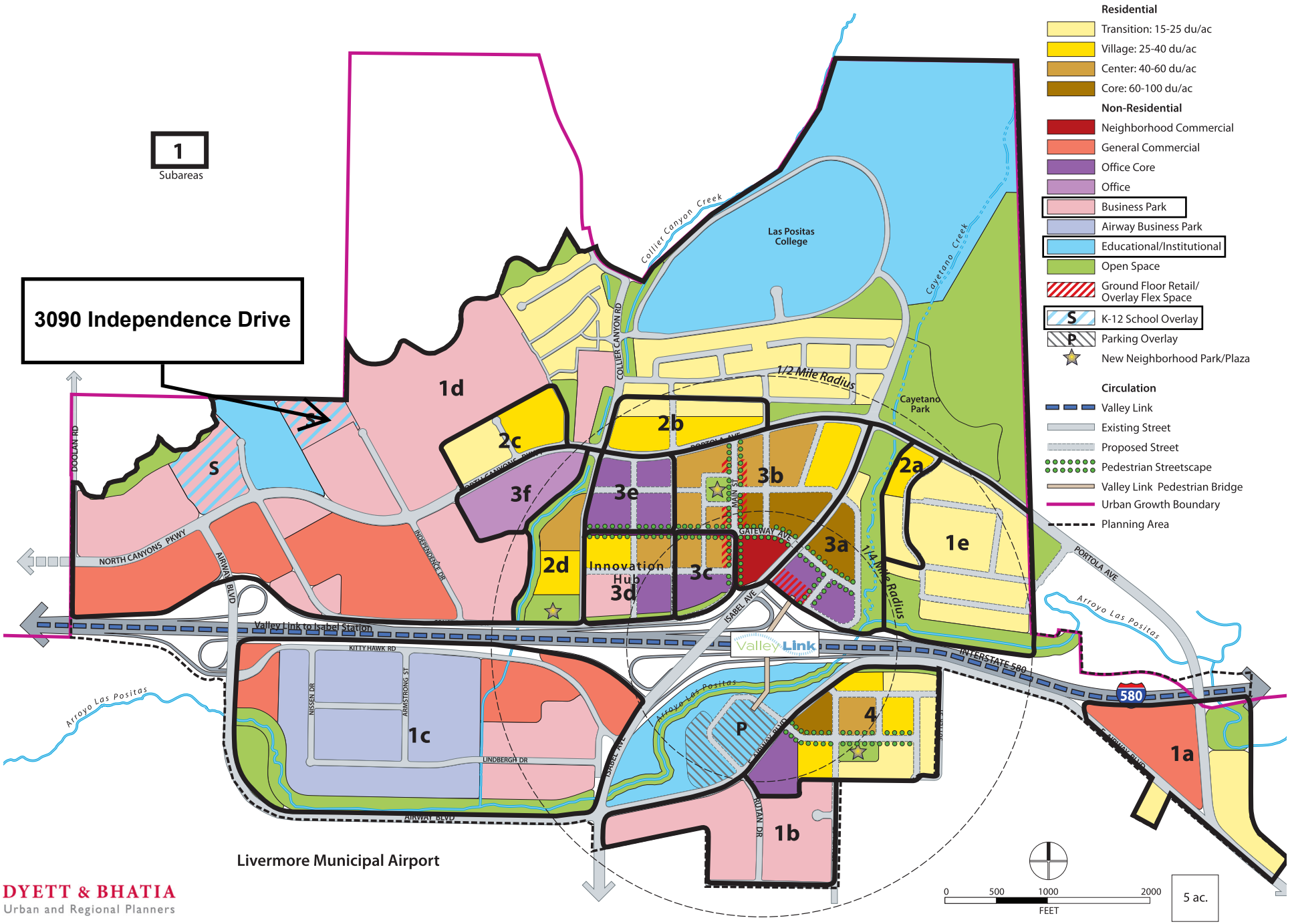
ATTACHMENTS

1. INSP Subarea Diagram, INSP Figure 2-3
2. Floor Plan
3. Tenant Locations
4. Project Site Context
5. Saturday-Sunday Parking Plan
6. Resolution - Environmental
7. Resolution - Approval
8. Exhibit A - Conditions of Approval

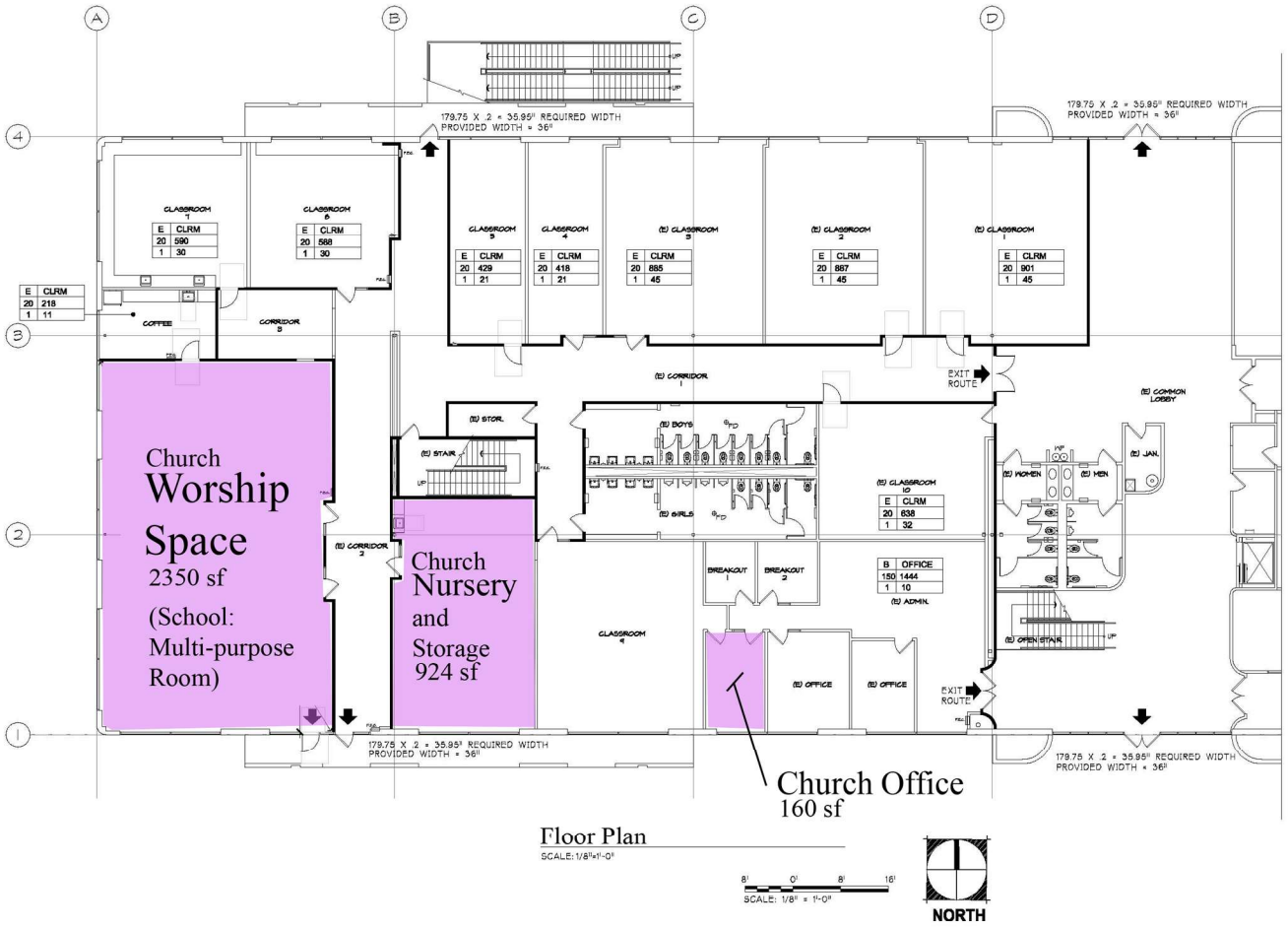
Prepared by: Jesse Garcia
Planning Intern

ATTACHMENT 1

FIGURE 2-3: SUBAREA DIAGRAM



DYETT & BHATIA
Urban and Regional Planners



Floor Plan
SCALE: 1/8"=1'-0"

SCALE: 1/8" = 1'-0"

NORTH

PLUMBING FIXTURE COUNT ANALYSIS

Total Area: 11,776 SF

Occupant Load (Table 4-1)
11,776 SF / 30 = 393 Total
393 / 2 = 196.5 M & F

Plumbing Fixtures Req. (Table 422.1)
Male Toilets = 3
Female Toilets = 8
Urinals = 2
Male Lavs = 3
Female Lavs = 4

BUILDING ANALYSIS

OCCUPANCY:	E; B; A
CONSTRUCTION TYPE:	TYPE II B (EXISTING) NON-RATED
FIRE SPRINKLER:	YES (EXISTING)
NUMBER OF STORIES:	2 (EXISTING)
BUILDING AREA:	77,903 SF (EXISTING)
AREA OF WORK:	15,570 SF
TOTAL OCCUPANTS	719 OCCUPANTS AT PROJECT AREA
NUMBER OF EXITS	4 PROVIDED AT PROJECT AREA *(2 REQ FOR 1-500 PER CBC TABLE 1006.2.1)*

GENERAL NOTES

1. ALL EXIT DOOR AND HARDWARE ARE EXISTING AND MEET CURRENT CODES.
2. ALL EXIT SIGNAGE AND LIGHTS ARE EXISTING AND MEET CURRENT CODES.

GRAPHIC LEGEND

OCCUPANCY GROUP — E | CLRM — ROOM USE
LOAD FACTOR — 20 | 656 — AREA (SF)
OF REQ'D EXITS — SF | 33 — # OF OCCUPANTS

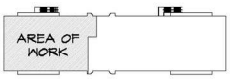
EXISTING 1-HR WALL
NEW 1-HR WALL OR INFILL
EXIT

Gospel Community Church

Leased Space Floor Plan

Gospel Community Church to be a sub-leasee of Kings Classical Academy
4-23-25

KEY PLAN



962 CHANDLER CT.
CONCORD, CALIFORNIA
925.286.7949

TENANT IMPROVEMENTS FOR:
KING'S CLASSICAL ACADEMY
3090 INDEPENDENCE DRIVE
LIVERMORE, CALIFORNIA

GREGORY G. GARTON
C 18163
EXP 08/31/2025
STATE OF CALIFORNIA

REVISIONS

Date 3/24/25
Scale AS NOTED
Job 25-4
Sheet G1

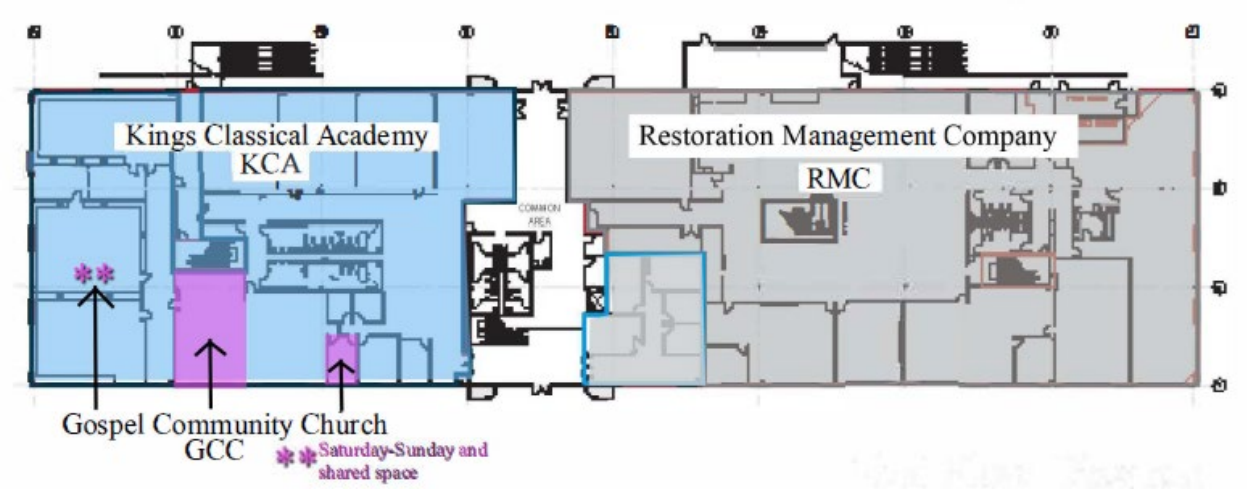
Leased Space Floor Plan

ATTACHMENT 3

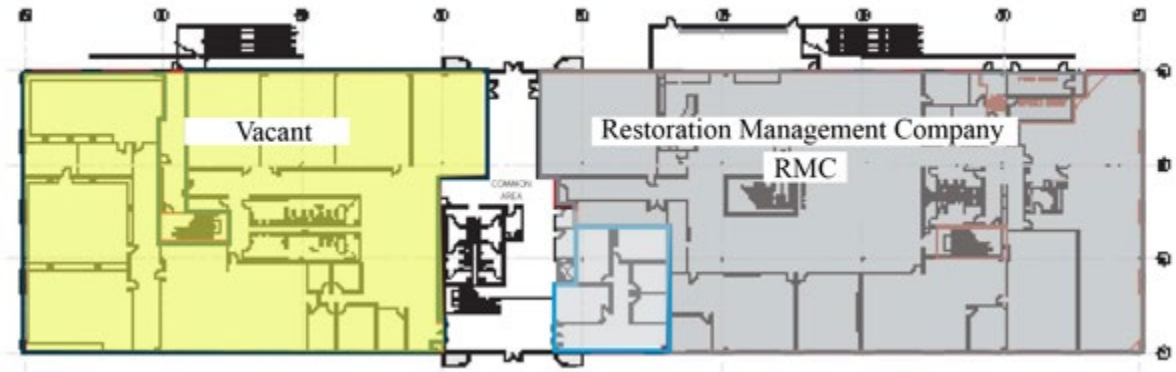
TENANT LOCATIONS

3090 Independence Drive

First Floor Tenant Locations:



Second Floor Tenant Locations:

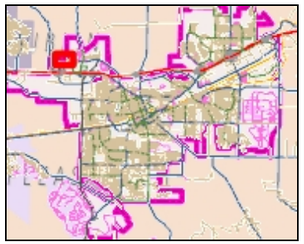


LIVERMORE
CALIFORNIA

Project Site Context

ATTACHMENT 4





Legend

- City Limits
- Street Names (0-2500)
- Golf Labels
- Creeks
- Public Facilities 0-4500)
- Park Names (0-4500)
- School Names (0-4500)
- SB9 Parcels
- Streets
  - Interstate
  - Other Freeway or Expressway
  - Arterial
  - Collector
  - Local
  - Ramp
- Private Streets
- Railroad
- Street Intersections
- Lotline
  - Condo Representation
  - Lot
  - Right-of-Way
  - Road Easement
  - SB9
- Parcels

1: 2,400

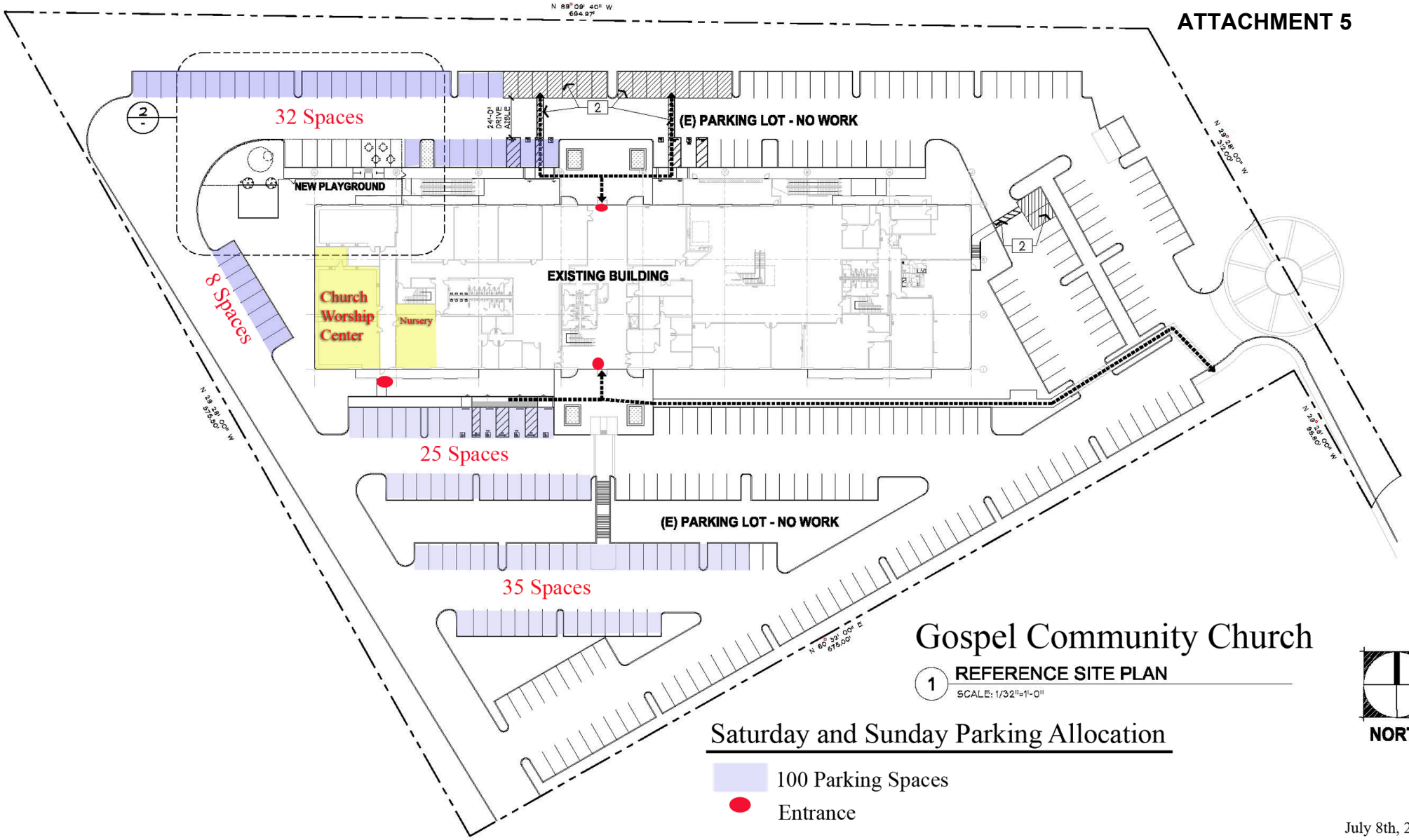
400.0 0 200.00 400.0 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US
Information Technologies, GIS Division, City of Livermore

Date Printed: 8/25/2025

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. The City of Livermore is not responsible for misuse or errors or omissions on this map. All information should be confirmed.

Notes


N 89° 09' 40" W
664.97'
32 Spaces
24'-0" DRIVE AISLE
(E) PARKING LOT - NO WORK
NEW PLAYGROUND
EXISTING BUILDING
Church Worship Center
Nursery
8 Spaces
N 29° 28' 00" W
575.50'
N 29° 28' 00" W
95.50'
25 Spaces
(E) PARKING LOT - NO WORK
35 Spaces
N 60° 32' 00" E
675.00'
Gospel Community Church
1 REFERENCE SITE PLAN
SCALE: 1/32"=1'-0"
NORTH
Saturday and Sunday Parking Allocation
100 Parking Spaces
Entrance

IN THE PLANNING COMMISSION OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION FINDING THAT CONDITIONAL USE PERMIT (CUP) 25-004 FOR GOSPEL COMMUNITY CHURCH IS EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Conditional Use Permit (CUP) 25-004

The City received an application on June 24, 2025, for a Conditional Use Permit to authorize a church to conduct religious services within an existing 3,343 square foot tenant space in the building located at 3090 Independence Drive, in the Isabel Neighborhood Specific Plan. The project involves a public and quasi-public land use within an existing building ("Project").

On September 2, 2025, the Planning commission held a duly noticed public hearing to consider the Project and staff recommendations, all public comments and testimony, and findings.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Livermore that prior to taking action on the Project, and at a properly noticed public meeting, the Planning Commission reviewed written and oral staff reports, conducted a public hearing on the Project and took testimony, and received into the record all pertinent documents related to the Project (collectively, the "Record Evidence"). The Planning Commission's determination is based on the Record Evidence, which is incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore, based upon its own independent review of the Record Evidence and considerations, hereby finds the Project is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15301, Existing Facilities.

Section 15301 of the CEQA Guidelines exempts projects involving the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities, where the project involves negligible or no expansion of existing or former use.

Furthermore, the General Plan and Isabel Neighborhood Specific Plan contemplated public and quasi-public uses at the subject site. Since a church use is consistent with this land use designation and the Project does not involve any physical expansion or modification of the facility, the Planning Commission finds that the Project qualifies for a Class 1 categorical exemption under CEQA Guidelines Section 15301.

Exceptions – CEQA Section 15300.2

None of the exceptions to the categorical exemption listed in CEQA Guidelines Section 15300.2 apply, as described below.

1. Location. The project site is not located within a sensitive area. The California Department of Forestry and Fire Protection designates the project site as a High Fire Hazard Severity Zone for a local responsibility area. However, the Project's proposed use would not generate additional fire hazards. The project is located within a Minimal Flood Hazard Area identified by the Federal Emergency Management Agency.

2. Cumulative Impact. The Project is fully consistent with the level of development that the City approved for the General Plan and Specific Plan. The project would not result in any significant impacts, and its contribution to regional growth is not cumulatively considerable. Therefore, the Project will not result in any cumulative impacts.

3. Significant Effects Resulting from Unusual Circumstances. There is no reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances. There is no evidence that any unusual circumstances exist. The development consistent with the level of development contemplated by the General Plan/Specific Plan. There is no evidence that the use/development would result in significant environmental effects.

4. Scenic Highways. The project site has been developed in accordance with the City of Livermore's Scenic Corridor Policy. No damage to scenic resources will occur.

5. Hazardous Waste Sites. The project site is not included on the list of hazardous waste facilities compiled pursuant to California Government Code section 65962.5, which comprises the following five parts: the list of Hazardous Waste and Substances sites from the Department of Toxic Substances Control (DTSC) EnviroStor database; the list of Leaking Underground Storage Tank (LUST) sites from the State Water Resource Control Board (SWRCB) Geotracker database; the list of solid waste disposal sites identified by the SWRCB with waste constituents above hazardous waste levels outside the waste management list; the list of active Cease and Desist Orders or Cleanup and Abatement Orders that concern the discharge of wastes that are hazardous materials; or the list of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code identified by DTSC.

6. Historical Resources. No substantial adverse change will occur to the significance of any historical resource. The project site does not contain any resource listed in Livermore's 2021 Historic Resources Inventory, the State Register of Historic Places, or the National Register of Historic Places.

BE IT FURTHER RESOLVED that the Livermore Planning Commission directs the Planning Manager to file a Notice of Exemption with the Alameda County Clerk, if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the Community Development Department, 1052 S. Livermore Avenue, in Livermore, California.

The Planning Commission's decision is subject to a 15-day appeal period in accordance with Livermore Development Code Chapter 9.15.

On the motion by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution was passed and adopted at the Planning Commission meeting of September 2, 2025, by the following vote:

AYES:
NOES:
ABSENT:

Yolanda Fintschenko, Chairperson

by Steve Riley, Planning Manager
Secretary to the Planning Commission

IN THE PLANNING COMMISSION OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CUP) 25-004 TO AUTHORIZE GOSPEL COMMUNITY CHURCH TO CONDUCT RELIGIOUS SERVICES IN A PORTION OF THE BUILDING LOCATED AT 3090 INDEPENDENCE DRIVE.

The City received an application on June 24, 2025, for a Conditional Use Permit to authorize a church to conduct religious services within 3,343 square feet on an existing tenant space in the building located at 3090 Independence Drive. The project involves a land use change to allow for public and quasi-public uses within an existing building ("Project").

On September 2, 2025, the Planning commission held a duly noticed public hearing to consider the Project and staff recommendations, all public comments and testimony, and findings.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Livermore that prior to taking action on the Project, and at a properly noticed public meeting, the Planning Commission reviewed written and oral staff reports, conducted a public hearing on the Project and took testimony, and received into the record all pertinent documents related to the Project (collectively, the "Record Evidence"). The Planning Commission's determination is based on the Record Evidence, which is incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED with respect to Conditional Use Permit (CUP) 25-004, the Planning Commission of the City of Livermore finds based on the information presented:

1. The proposed use is consistent with the General Plan and any applicable Specific Plan;

   Response: The project site's General Plan land use designation is Isabel Neighborhood (IN), which defers to the Isabel Neighborhood Specific Plan (Specific Plan) to guide development surrounding the future Valley Link station in the I-580 median at Isabel Avenue. The INSP seeks to create a safe, vibrant, complete neighborhood that includes amenities for residents, workers, and students; ensure new development is compatible with existing development and community character; and support transit ridership and citywide goals for increased transportation options, housing choices, and economic vitality. The project is a public and quasi-public church use that promotes goals of the Isabel Neighborhood to be a complete neighborhood by providing community uses and gathering spaces.

   General Plan Land Use Element, Objective LU-1.2 seeks to create neighborhoods that include a mix of uses that meet the needs of all residents. General Plan Land Use Element, Policy LU-1.2.P intends to accomplish this by encouraging, where

possible, the integration of neighborhood and commercial uses into service-type centers that include public facilities, day care centers, multi-purpose meeting facilities, and schools. While the proposed church use is not within a service-type center, the resulting mix of religious assembly/quasi-public uses alongside educational uses within the Business Park area, which contains various nearby commercial service uses, helps create a blend of community and commercial services that work to meet the regional demand of the church's Tri-Valley members, families of private school students, and other residents.

2. The proposed use allowed within the subject zone and complies with all other applicable provisions of this Development Code and the Municipal Code;

   Response: The subject site is located within the Specific Plan's Business Park/Educational Institutional zone, which requires a Conditional Use Permit for public and quasi-public uses. Under the Specific Plan, public and quasi-public uses include community buildings and uses, such as churches, museums, and art galleries. Therefore, a Conditional Use Permit is required for the proposed church. No significant exterior modifications are proposed. As discussed in the staff report dated September 2, 2025, the proposed use complies with the City's noise, parking, and solid waste requirements and all other provisions of the Development Code and Municipal Code.

3. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity;

   Response: The proposed use will be located entirely within an existing tenant space within a building with existing private school and office uses. No exterior activities are proposed. The applicant expects Sunday Service attendance to be approximately 225 people, and attendance for other weekday services to be scheduled and not exceed more than 25 people. The 3,343 square foot tenant space is adequate in size to accommodate the use and traffic trips will be similar to or less than existing school. Existing onsite parking stalls and the existing trash enclosure would adequately serve the use, and no objectionable odors are anticipated. No hazardous waste or materials would be generated by the proposed use. For these reasons, the design, location, size and operating characteristics will be compatible with existing and future land uses in the vicinity.

4. The subject site is (a) physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and (b) served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate.

   Response: The proposed church is located in the existing private school/office building at 3090 Independence Drive. The site is located near the I-580 interchange and is easily accessed by Livermore and other Tri-Valley residents. The 3,343 square foot space is large enough to support the expected 225 attendees on

Sundays and the combined 25 attendees on weekdays. The site provides adequate parking, including 100 reserved spaces on weekends through a lease agreement, trash receptacles and is currently served by public utilities.

The subject site is within the City boundary and existing fire, medical, and police service areas. The subject site is directly adjacent to, and is accessed by, North Canyons Parkway. North Canyons Parkway is classified in the General Plan as a Major Street that is fully improved and provides adequate dimensions for emergency vehicle access. Nearby streets are of a sufficient size to accommodate the cumulative traffic generated by the proposed church use and other tenant of the building would not produce significant traffic impacts. The proposed use would generate its highest attendance on Sunday mornings, when other tenants will not be present on-site.

5. The site's suitability ensures that the type, density, and intensity of use being proposed will not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially detrimental to the improvements, persons, property, or uses in the vicinity and zone in which the property is located; and

   Response: The proposed church will use existing space in a building currently occupied by a private school and an office tenant. The building is designed for assembly use, including school use, and is therefore appropriate for the proposed religious assembly use. Peak use of the space will occur when the space is not in use by the school and therefore will not increase the intensity of use of the building. The use would provide public-serving use for the Isabel Neighborhood, Livermore residents, and other Tri-Valley residents. For these reasons, the use will not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially detrimental to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

6. The applicant agrees in writing to comply with any and all of the conditions imposed by the review authority in the approval of the Conditional Use Permit or Zoning Use Permit.

   Response: The applicant has reviewed and agreed in writing to comply with the conditions of approval for the project.

7. That any other findings prerequisite to approval of a Conditional Use Permit or Zoning Use Permit states elsewhere in the Development Code can be made. (Ord. 1927 § 3 (Exh. C), 2011)

   Response: No other findings are required to approve this Conditional Use Permit.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore has considered the Record Evidence and adopted a resolution finding the

project to be exempt from the California Environmental Quality Act.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore has considered the findings set forth above and adopts these findings as part of this resolution. Based upon the Planning Commission's independent review of the Record Evidence and considerations the Planning Commission approves Conditional Use Permit (CUP) 25-004, subject to the Conditions of Approval attached hereto as Exhibit A for the Gospel Community Church

BE IT FURTHER RESOLVED, the Planning Commission of the City of Livermore directs the Planning Manager to file a Notice of Exemption with the Alameda County Clerk, if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the Community Development Department, 1052 S. Livermore Avenue, in Livermore, California.

The Planning Commission's decision is subject to a 15-day appeal period in accordance with Livermore Development Code Chapter 9.15.

On the motion by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution was passed and adopted at the Planning Commission meeting of September 2, 2025, by the following vote:

AYES:
NOES:
ABSENT:

Yolanda Fintschenko, Chairperson

by Steve Riley, Planning Manager
Secretary to the Planning Commission

EXHIBIT A – Conditions of Approval

CONDITIONS OF APPROVAL

Conditional Use Permit (CUP) 25-004

Authorization for Gospel Community Church to conduct religious services in an approximately 3,434 square foot portion of an existing business park building.

3090 Independence Drive
Gospel Community Church

Prepared: August 18, 2025
Approved by Planning Commission on September 2, 2025

A. PROJECT AUTHORIZATION

1. The project shall be in conformance with all City Ordinances, rules, regulations, and policies. The conditions listed below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

2. Approval is limited to the conformance of the land use and Livermore Development Code requirements. Use of the property shall be limited to those permitted by the Development Code as it exists now or may be amended in the future.

3. The permit shall expire unless all building permits are issued by September 2, 2027, unless a request for extension is received and approved by the City.

4. Signage is not proposed nor approved with this permit. Signage shall require a separate design review application.

5. Uses, occupancies, and operating hours shall be limited as follows:

    a. Weekend Church Services: permitted Saturday and Sunday from the hours of 8:00 a.m. to 9:00 p.m.

    b. Daily Office/Administrative and Counseling Services: permitted seven days a week from the hours of 8:00 a.m. to 9:00 p.m.

    c. Weekday Small Group Meetings (20+ people): permitted from Monday to Friday during the hours of 4:00 p.m. to 9:00 p.m.

B. PROJECT SPECIFIC CONDITIONS

Prior to issuance of a Building Permit, the applicant shall demonstrate conformance to the following conditions to the satisfaction of the Community Development Department:

1. The applicant shall respond in writing to all conditions contained herein and in attachments to this document. Responses shall clearly describe how each condition has been met. When the response references construction drawings, the page number and detail reference, if applicable, shall be noted.

2. Applicant shall submit proof of a recorded Avigation Easement on the property prior to occupancy.

3. The applicant shall provide 100 on-site parking spaces by lease agreement on Saturdays and Sundays.

4. Generated noise levels are not to exceed 75 dBA beyond the boundaries of the site.

5. The applicant shall confirm in writing that the following airport vicinity and right-to-farm disclosures have been read and understood, and that these disclosures will be disseminated and/or displayed in public view for all users of the facility.

   NOITCE OF AIRPORT IN THE VICINITY

   The property is located within the Airport Protection Area of Livermore Municipal Airport. Aircraft operations in the vicinity of the property may potentially create nuisances, including but not limited to noise, vibration or odors. Parents/Guardians should be aware that operations and flight numbers at the Livermore Municipal Airport could increase in the future.

   NOTICE OF RIGHT-TO-FARM

   The City of Livermore and Alameda County permit operations of properly conducted agricultural operations within the City and the County.

   Users of this facility should be aware that this property is located within 2,000 feet of agricultural land, agricultural operations or agricultural processing facilities or operations. People using this facility may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facilities operations. Discomfort and inconvenience may include, but is not limited to, noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents and/or the operation of machinery (including aircraft) during any 24-hour period.

   One or more of the inconveniences described above may occur as a result of agricultural operations which are in compliance with existing laws and regulations and accepted customs and standards. Users should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of an area with a strong rural character and an active

agricultural sector.

C. GENERAL CONDITIONS OF APPROVAL

1. Development shall substantially conform to the plans designated by the City as Approved Final Plans. Approved Final Plans shall include but are not limited to subdivision, landscape, and architectural plans reviewed and approved by the Planning Commission and City Council and amended by the applicant to reflect any changes indicated below in the Project Specific Conditions or required by the City in the approval process.

2. Minor amendment to the permit may be approved by the Planning Division, provided the permit is still in substantial conformance with the original approval.

3. To the extent permitted by law, the project applicant shall defend, indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorney's fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

D. GENERAL

1. Occupancy or use to be subject to the issuance of a Business License.