



Addendum to the Hercules New Town  
Center EIR  
Design Review Permit (DRP) 25-04  
Vesting Tentative Map (VTM) 25-02  
Planned Development Plan (PDP) 25-02

# Emblem Hercules Apartments

1601 Willow Avenue

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City of Hercules Planning Commission · May 4, 2026

# Presentation Agenda

- 1 Project Overview
- 2 State Housing Law Context
- 3 Regulatory Context
- 4 Project Description
- 5 Objective Development Standards / State Density Bonus Law — Development Standard Waivers
- 6 Findings
- 7 CEQA / Environmental Review
- 8 Recommendation

# Project Overview

## Location

1601 Willow Avenue  
(Loop Site)  
APN 406-070-042-6

## Applicant

Quarterra Multifamily  
Communities

## Entitlements

DRP 25-04 · VTM 25-02 · PDP  
25-02

## General Plan / Zoning

New Town Center (NTC)

# 180

## Apartment Units

102 one-bed · 66 two-bed · 12 three-bed

# 18

## Affordable Units (10%)

Very low-income households

# 26.8

## Gross Density

35.4 Net Density

# 6

## Three-Story Apartment Buildings

44 ft height

# Project Overview



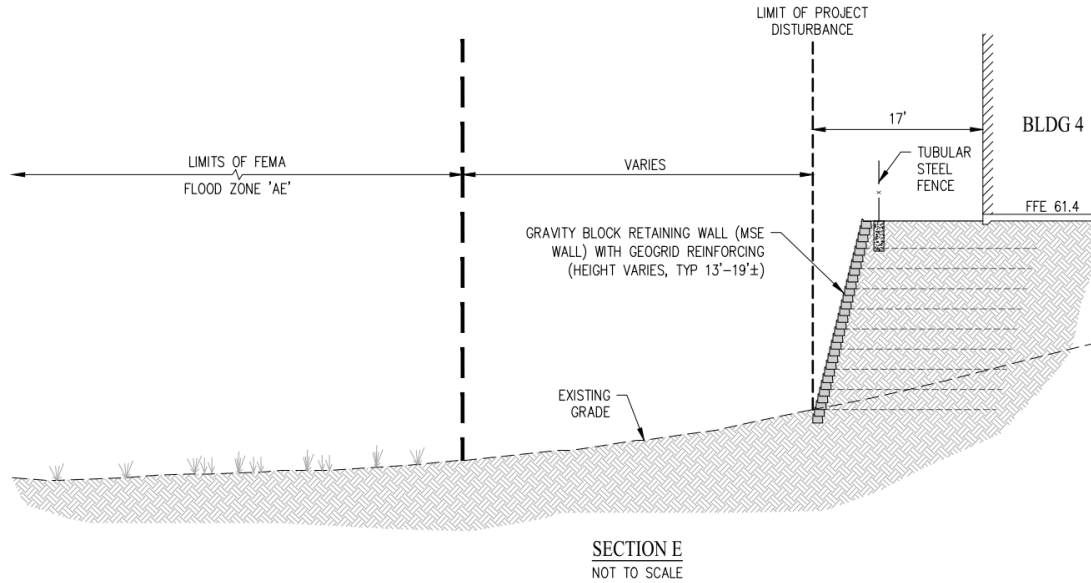
# Project Overview



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TYPICAL GRAVITY BLOCK WALL (MSE WALL)

NOT TO SCALE

# State Housing Law Context

## Housing Accountability Act (HAA)

Prohibits denial or density reduction of qualifying residential projects unless a specific, quantifiable adverse impact on public health or safety is demonstrated. Review is limited to objective standards.

*Gov. Code §65589.5*

## Housing Crisis Act — SB 330 / SB 8

Project submitted SB 330 Preliminary Application on Oct. 21, 2024 — prior to Housing Element certification. Project vested rules in effect at that time, including eligibility for Builder's Remedy.

*Gov. Code §65589.5(o)*

## Builder's Remedy 2.0 (AB 1893)

Project qualifies: purely residential, SB 330-vested, and 10% of units (18) restricted to very low-income households. City may not deny or reduce density absent specific health/safety findings.

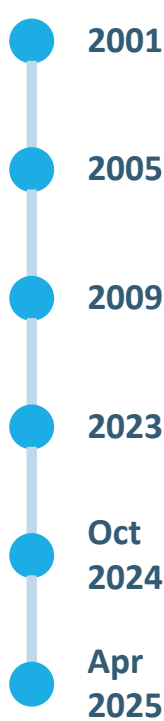
*Gov. Code §65589.5(d)(5)*

## State Density Bonus Law

Project qualifies for density bonus waivers, reducing maximum parking ratios to 1 space/studio-1BR and 1.5 spaces/2-3BR. Four development standard waivers are requested under SDBL (Gov. Code §65915).

*Gov. Code §65915*

# Regulatory Context - Background

- 
- 2001** Central Hercules Plan (CHP) Regulating Code adopted — NTC subdistrict established
  - 2005** Disposition & Development Agreement identifies Loop site as Additional Town Center Parcel
  - 2009** New Town Center zoning district created; HNTC EIR certified (SCH #2007062002)
  - 2023** DDA terminated for Loop site by City Council resolution at property owner's request
  - Oct 2024** SB 330 Preliminary Application filed prior to Housing Element certification
  - Apr 2025** Development applications submitted (DRP, VTM, PDP) within 180-day window

# Regulatory Context – Land Use Framework

## General Plan

New Town Center (NTC) — allows residential multifamily, commercial, or mixed-use

## Zoning

NTC New Town Center District (HMC Chapter 13-18)

## Central Hercules Plan Opt-In

Loop Site is an 'Additional Town Center Parcel' and did not opt into CHP Regulating Code objective standards

## Overlay Districts

Scenic Road & Highway Overlay District (Chapter 13-25) — Willow Avenue frontage standards apply

## CEQA

Addendum to HNTC EIR (SCH #2007062002), certified Feb. 10, 2009

# Project Description – Dwelling Units

Unit Type	Size (SF)	Total Units	Affordable Units	% Affordable
1-Bedroom (635 sf)	635	78	8	10.3%
1-Bedroom (677 sf)	677	24	2	8.3%
2-Bedroom (924 sf)	924	42	4	9.5%
2-Bedroom (965 sf)	965	12	1	8.3%
2-Bedroom (1,007 sf)	1,007	12	1	8.3%
3-Bedroom (1,207 sf)	1,207	6	1	16.7%
3-Bedroom (1,249 sf)	1,249	6	1	16.7%
<b>TOTAL</b>	—	<b>180</b>	<b>18 (10%)</b>	—

*All affordable units restricted to very low-income households, dispersed across all buildings and unit types.*

# Affordable Housing & No Net Loss

## AFFORDABLE HOUSING

18

### Very Low-Income Units

10% of 180 total units

10

### 1-Bedroom Affordable

8 × 635sf + 2 × 677sf

6

### 2-Bedroom Affordable

4 × 924sf + 1 × 965sf + 1 × 1,007sf

2

### 3-Bedroom Affordable

1 × 1,207sf + 1 × 1,249sf

## NO NET LOSS (GOV. CODE §65863)

The Project results in a change in income-category distribution from what was credited in the Housing Element sites inventory (402 units). Under §65863, the City must identify sufficient replacement sites, including sites for at least 277 very low-income units.

- **Singh Parcel (APN 406-160-002-1)**  
140 very low-income units
- **West Coast Drilling (APN 406-160-006-2)**  
137 very low-income units
- **Bayfront ABCDJ (Ledcor) – Builder’s Remedy application**  
36 low-income units on Block J
- **Bayfront EH (CHW) – SB 35 preliminary application**  
22 very low, 84 very low and 1 above-moderate income units

**Result: 1,129-unit RHNA surplus. No Net Loss requirements by income category are satisfied.**

# Objective Development Standards

Standard	Required	Proposed	Status
Residential Density	30–75 DUA	Gross: 26.8 DUA / Net: 35.4 DUA	✓ <b>Builder's Remedy min.</b>
Building Height	Min. 20 ft / Max. 85 ft	Apts: 44 ft / Clubhouse: 26 ft	✓ <b>Compliant</b>
Front Setback	0 ft min.	15 ft or more	✓ <b>Compliant</b>
Rear Setback	10 ft (non-residential adj.)	10 ft or more	✓ <b>Compliant</b>
Side Setback	0 ft min.	15 ft or more	✓ <b>Compliant</b>
Parking (SDBL max.)	219 spaces total	239 spaces total	✓ <b>Compliant</b>
Monument Sign	≤ 32 SF face, ≤ 6 ft ht.	31 SF face, 6 ft height	✓ <b>Compliant</b>
Carport space width	10 ft min.	9 ft wide (all carports)	⚠ <b>Waiver (SDBL)</b>
Surface pkg. setback	50 ft from street	< 50 ft along EVA	⚠ <b>Waiver (SDBL)</b>
Pkg. landscape islands	Every 6 stalls max.	Exceeds 6 stalls	⚠ <b>Waiver (SDBL)</b>
Town Center street type	CHP street standards	Infeasible due to freeway interchange	⚠ <b>Waiver (SDBL)</b>

# State Density Bonus Law — Development Standard Waivers

*Four waivers are requested under Government Code §65915. Each is the minimum deviation necessary to achieve the project's residential density.*

1

## **Carport Parking Space Width**

Standard: 10 ft minimum width required | Proposed: 9 ft wide carport spaces

Project cannot achieve required residential density with wider spaces given site constraints.

2

## **Air Conditioning Condenser Location**

Standard: A/C units prohibited between building facade and street | Proposed: Condensers located at certain building facades

Site layout at required density necessitates condenser placement in otherwise prohibited locations. Screened with landscaping.

3

## **Surface Parking Setback**

Standard: 50 ft setback from street required for surface lots | Proposed: Less than 50 ft along secondary EVA

Reducing the parking footprint required to meet the setback would reduce the available project area needed to achieve the residential density.

4

## **Parking Lot Landscape Islands**

Standard: Landscape island required every 6 consecutive stalls | Proposed: Islands spaced greater than 6 stalls to accommodate carports

Strict compliance would reduce the carport and building footprint needed to achieve the residential density.

# Findings — Design Review (DRP 25-04)

*The Project is not required to comply with subjective development standards, including subjective findings that would otherwise be required for the proposed entitlements.*

## **Finding 1: Compliance with Zoning and General Plan**

NTC designation expressly allows residential multifamily. No GP amendment or zone change required. Project evaluated for compliance with CHP objective standards or SDBL waivers.

## **Finding 2: Best Interests of Public Health, Safety & Welfare**

180 units including 18 affordable to VLI households on transit-proximate infill site. Willow Avenue frontage improvements, RRFB crossing, all-electric construction, solar carports, EV infrastructure.

## **Finding 3: Site Design Provides Desirable Environment**

Development focused on buildable western/southern portions; 50-ft buffer from stream/wetland preserved. Retaining walls address grade. Dedicated left-turn lane and RRFB crossing coordinated with Willow Ave. realignment.

## **Finding 4: Architectural Character Consistent with Design Standards**

West Coast Craftsman-inspired style, consistent Craftsman palette across all 6 buildings and clubhouse. Downcast LED lighting, matte finishes, screened mechanical equipment. Consistent with Scenic Road/Highway Overlay.

## **Finding 5: Landscape Consistent with Design Standards**

176 trees, MWELO-compliant irrigation, Hydrozone Plan submitted. Frontage landscaping consistent with Scenic Road & Highway Overlay District requirements (HMC Chapter 13-25).

# Findings — VTM 25-02 & PDP 25-02

## VESTING TENTATIVE MAP (Gov. Code §66474)

- Consistent with the General Plan (NTC designation)
- Consistent with NTC zoning and CHP — project uses permitted
- Design/improvements are consistent with the project site
- Consistent with PDP 25-02
- Site is physically suitable for the type and density of development
- HNTC EIR mitigation measures are appropriate
- Will not conflict with easements or access through the subdivision
- Consistent with Title 10 Chapter 2 (Subdivisions) of the HMC

## PLANNED DEVELOPMENT PLAN (HMC §48.600)

### Use & Density

NTC designation permits residential multifamily. 180 units at 35.4 DUA net density, consistent with Builder's Remedy minimum of 15 DUA.

### Streets & Traffic

~1,229 daily trips (13% of HNTC EIR projection). Dedicated left-turn lane on Willow Ave. Subject to Traffic Impact Fee.

### SDBL Waivers Justified

Four waivers from NTC/CHP standards requested. Each tied directly to achieving residential density; minimum deviation necessary.

### Area Compatibility

NTC planning area surrounds site. Freeway interchange physically separates from incompatible designations. Consistent with HNTC EIR development potential.

### Utility Services Adequate

All utility demands within HNTC EIR analyzed capacity. Infrastructure improvements conditioned prior to building permits.

# General Plan & Zoning Consistency

*The Project is consistent with the NTC General Plan designation and implements the following Housing Element policies:*

## **Policy H1.1**

*Facilitate affordable housing production*

18 units (10%) restricted to very low-income households. Processed under HAA and Builder's Remedy, consistent with City's commitment to remove regulatory barriers.

## **Policy H2.5**

*Support high-quality rental housing for large families*

180 rental apartments including 12 three-bedroom units. Clubhouse, dog park, and quality amenities support the policy objective.

## **Policy H2.7**

*Encourage infill development*

Currently vacant NTC-zoned parcel in the City's Housing Element sites inventory. Project provides 180 units on transit-proximate infill site; avoids greenfield development.

## **No Net Loss**

**\$65863**

*Maintain RHNA capacity by income category*

No net loss of adequate sites. Replacement sites identified: Singh parcel + West Coast Drilling (277 VLI units) + Bayfront ABCDJ/EH (285 units). Total RHNA surplus: 1,129 units.

# Environmental Review — CEQA

## **Addendum to the Hercules New Town Center EIR**

SCH #2007062002 · Certified February 10, 2009

Prepared by City of Hercules as Lead Agency

Project site analyzed as Parcel 3 in HNTC EIR for up to 375 DU.  
The proposed 180-unit project is substantially reduced in intensity.

### **Addendum is appropriate because:**

- No substantial changes requiring major revisions to the EIR
- No new significant environmental effects identified
- No new information of substantial importance discovered
- Project does not have one or more significant effects not discussed in the program EIR
- Applicant has agreed to all applicable mitigation measures

# REGULATORY AGENCY COORDINATION

## **Caltrans**

Encroachment Permit required for any work in State highway ROW adjacent to I-80 off-ramp and Willow Ave. improvements.

## **CDFW**

Coordination with CDFW is extensively reflected in both the Addendum and the Conditions of Approval. 50-ft buffer maintained. Lake and Streambed Alteration Agreement (if triggered).

## **USFWS**

California Red-Legged Frog (threatened) potential habitat on-site. There is currently no federal nexus for the project because no federal permit or authorization is being sought. Consultation with USFWS is not required.

## **RWQCB**

The Bay Area Regional Water Quality Control Board was consulted early and throughout the review process.

# Recommendation

*Staff recommends that the Planning Commission adopt a resolution recommending that the City Council:*

1

Approve the  
Addendum

Addendum to the  
Hercules New Town  
Center EIR  
(SCH #2007062002)

2

Approve Design  
Review Permit

DRP 25-04

3

Approve  
Vesting  
Tentative Map

VTM 25-02

4

Approve Planned  
Development  
Plan

Initial and Final PDP  
25-02