

HERCULES PLANNING COMMISSION
RESOLUTION NO. 26-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERCULES APPROVING CONDITIONAL USE PERMIT #26-02 FOR A RETAIL STORE (DOLLAR TREE) AT 1560 SYCAMORE AVENUE (APN: 407-020-035-9), HERCULES, CALIFORNIA, WITHIN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, Dollar Tree Stores, Inc., through its agent A&R Permits (“Applicant”), submitted Application CUP 26-02, requesting approval of a Conditional Use Permit to operate a general retail store within an existing approximately 12,115-square-foot commercial building at 1560 Sycamore Avenue, Hercules, California (APN: 407-020-035-9); and

WHEREAS, the subject property is designated and zoned Community Commercial (CC) in the Hercules General Plan Land Use Element and on the Hercules Zoning Map. A retail store of more than 2,000 square feet is conditionally permitted in the CC district, subject to a Conditional Use Permit approved by the Planning Commission pursuant to Hercules Municipal Code (HMC) Section 13-8.400 and Table 13-8.1; and

WHEREAS, no exterior building modifications or signage are proposed as part of this application, and a Design Review Permit is therefore not required; and

WHEREAS, pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.), the project is categorically exempt from environmental review under Class 1 (Existing Facilities), California Code of Regulations, Title 14, Section 15301, because it involves the minor alteration of an existing commercial building with negligible or no expansion of use, and none of the exceptions set forth in CEQA Guidelines Section 15300.2 apply; and

WHEREAS, the City provided notice of the public hearing in accordance with the Hercules Municipal Code and Government Code Section 65090 et seq.; and

WHEREAS, on July 20, 2026, the Planning Commission conducted a duly noticed public hearing at which all interested persons were afforded an opportunity to be heard, and after receiving public testimony and staff's presentation, the Planning Commission continued the public hearing to August 3, 2026; and

WHEREAS, on August 3, 2026, the Planning Commission reopened the continued public hearing, received additional testimony and information, and thereafter closed the public hearing and deliberated on the application; and

WHEREAS, based on the facts and evidence set forth in the entire record for this proceeding, including but not limited to the staff report prepared for this project, the Planning Commission finds, after due study, deliberation, and public hearing, that the

following circumstances exist with regard to the Conditional Use Permit application so long as the Conditions of Approval are met; and

WHEREAS, in accordance with the Conditional Use Permit findings required by HMC Section 13-50.300, the Planning Commission finds the project demonstrates the following:

1. **The proposed use is consistent with the General Plan (HMC §13-50.300(1)).** The proposed retail use is consistent with the Community Commercial (CC) land use designation. The site has long operated as general retail commercial, and the proposed use continues that established character.
2. **The proposed location of the use conforms with the purposes of the Zoning Ordinance and of the CC district, and the use will comply with the applicable provisions of the Zoning Ordinance (HMC §13-50.300(2)).** The CC district is intended to accommodate retail, office, and service uses serving City residents and employees, and general retail is a core conditionally permitted use type in the district. The project complies with the applicable provisions of the Zoning Ordinance: no changes to building footprint, floor area, setbacks, parking, or landscaping are proposed, and no signage is proposed under this application. Subject to the Conditions of Approval, the use complies with all applicable provisions of the Zoning Ordinance.
3. **The location, size, design, and operating characteristics of the proposed use are compatible in design, scale, coverage, and density with existing and anticipated adjacent uses (HMC §13-50.300(3)).** The proposed use occupies an existing retail building of unchanged size and scale, and surrounding uses along this segment of Sycamore Avenue are general commercial in character. The proposed waste-handling plan, including interior storage of cardboard bales pending pickup and a single dumpster located within the existing enclosure within the loading dock, is designed to avoid parking-space encroachment.
4. **There is adequate access, traffic, public utility, and public service capacity for the proposed use and surrounding existing and anticipated uses (HMC §13-50.300(4)).** The site is fully improved with existing access drives, surface parking, and utility connections that served the prior retail tenancy. Traffic generation would be comparable to the former Rite Aid use, as no floor area is added and the use classification is similar. Existing public streets, water, sewer, and dry utilities are adequate to serve the use. The finding can be made.
5. **There are no potential significant adverse environmental impacts that could not be feasibly mitigated and monitored (HMC §13-50.300(5)).** The project is a change of tenancy within an existing building on a developed commercial parcel, with minor interior improvements and no expansion of use or intensity. As discussed under Environmental Review below, the project is categorically exempt from CEQA as a Class 1 (Existing Facilities) project, and

no unusual circumstances or exceptions to the exemption apply. No significant adverse environmental impacts would result; and

WHEREAS, the Planning Commission finds that the Applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work at or visit this development.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Hercules finds that the above recitals are true and correct and are incorporated herein as findings.

AND BE IT FURTHER RESOLVED that the Planning Commission of the City of Hercules hereby determines that the project is Categorically Exempt from CEQA pursuant to Class 1 (Existing Facilities), California Code of Regulations, Title 14, Section 15301.

AND BE IT FURTHER RESOLVED that the Planning Commission of the City of Hercules hereby approves Conditional Use Permit #26-02 for a retail store (Dollar Tree) at 1560 Sycamore Avenue, subject to the Conditions of Approval attached as Exhibit A and incorporated herein, and as described and depicted on Exhibit B incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Hercules on this 3rd day of August 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Carol Most-Walker, Vice Chair

ATTEST:

Timothy Rood, AICP
Community Development Director

Exhibit A – Draft Conditions of Approval

Exhibit B – 1560 Sycamore Avenue Project Exhibits (CUP 26-02)

Exhibit A – Draft Conditions of Approval

Exhibit B – 1560 Sycamore Avenue Project Exhibits (CUP 26-02)