

RESOLUTION NO. 18-15

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERCULES
RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING TEXT AMENDMENT
#ZTA 18-04, ADDING “MINI-STORAGE” IN THE GENERAL COMMERCIAL (CG) ZONING
DISTRICT WITH A CONDITIONAL USE PERMIT**

WHEREAS, in accordance with Chapter 52 (Zoning Amendments) of the City of Hercules Zoning Ordinance, the Planning Commission has received and considered an application from Hercules Self Storage LP (“Applicant”) for Zoning Text Amendment #ZTA 18-04 for the Project known as the Willow Avenue Commercial Project, located at the south east corner of Willow Avenue and Palm Avenue to allow “Mini-Storage” uses (aka “Self Storage”) to be considered with a Conditional Use Permit in the General Commercial (GC) Zoning District; and

WHEREAS, the Project Site includes Assessor Parcels (APNs 406-522-001 and 406-522-004) totaling approximately 7.1 acres (“Project Site”); and

WHEREAS, the Project Site in its current state generally is vacant, undeveloped property that contains a small wetlands area; and

WHEREAS, the proposed Zoning Text Amendment would add “Mini-Storage” (aka “Self Storage”) as a use that could be considered in the City’s General Commercial (CG) Zone subject to the approval of a Conditional Use Permit, and

WHEREAS, in addition to the Zoning Text Amendment application referenced above, the following applications and environmental review related to the Project also have been filed and performed, and concurrently and collectively define the “Project”:

- Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS/MND and MMRP) for the Willow Avenue Commercial Project prepared pursuant to the California Environmental Quality Act (“CEQA”) and CEQA Guidelines;
- Development Agreement #DA 18-01 by and between the City of Hercules and Hercules Self Storage for the Willow Avenue Commercial Project;
- Design Review #DRP 18-02, approving the eight new buildings (5 associated with the mini-storage and 3 related to auto services uses) proposed and associated landscaping;
- Conditional Use Permit #CUP 18-01 for the Self Storage Use, Express Lube, Car Wash, Vehicle Rental, and other auto related uses. and

WHEREAS, in accordance with CEQA requirements, a Draft IS/MND was prepared for the proposed Project; and Notice of Intent to Adopt the Draft IS/MND was posted to the City’s website, posted at the Contra Costa County Clerk’s Office and published in the West County Times stating that the City was holding a 20-day public review period from June 22, 2018 to July 12, 2018; and

WHEREAS, on July 16, 2018 and August 6, 2018, the Planning Commission held a duly noticed public hearing and a continued public hearing on the Project, at which time all interested parties had the opportunity to be heard and the Commission reviewed staff reports, which are incorporated herein by this reference, that described and analyzed the entirety of the Project in addition to reviewing the Draft IS/MND and Final IS/MND and MMRP; and

WHEREAS, on August 6, 2018 the Planning Commission adopted Resolution No. 18-14 recommending that the City Council approve the Final IS/MND and MMRP based on the determination, pursuant to Sections 15063, 15070, and 15074 of the CEQA Guidelines, that the proposed Project could have a significant adverse effect on the environment, but that there will not be any significant effect because revisions have been made and mitigations included that will mitigate any effect to a less than significant level, and that there does not exist substantial evidence that the Project will have a significant effect on the environment; and

WHEREAS, the Planning Commission has received oral and written comments from the general public, property owners, and interested parties, and has thoroughly considered all above referenced information, reports, recommendations, and testimony before taking any action on the Project; and

WHEREAS, the Planning Commission heard and used its independent judgment and considered all such information, reports, recommendations, and testimony described herein; and.

WHEREAS, the Planning Commission finds, after due study, deliberation, and public hearings for the proposed Zoning Text Amendment #ZTA 18-04 and consideration of the facts and findings contained in the August 6, 2018 Planning Commission staff report on the project, that:

- a. Zoning Text Amendment #ZTA 18-04 is consistent with the General Commercial (CG) General Plan designation.
- b. The “Mini-Storage” use (aka “Self Storage”) use being considered for the Project Site would be subject to the approval of a Conditional Use Permit as a result of the by the proposed Text Amendment #ZTA 18-04 and would be compatible with the purposes objectives, policies, general land uses, and programs specified and allowed by the General Commercial (GC) General Plan land use designation.
- c. Zoning Text Amendment #ZTA 18-04 as proposed, would not be detrimental to the health, safety, welfare, and public interest of the City.
- d. Zoning Text Amendment #ZTA 18-04, as proposed, is internally consistent and does not conflict with the purposes, regulations, and required findings of the Zoning Ordinance.
- e. All elements, requirements, and conditions of Zoning Text Amendment #ZTA 18-04 are a reasonable and appropriate manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit, or live near this Project in particular.

NOW, THEREFORE, BE IT RESOLVED:

The Planning Commission for the City of Hercules recommends that the City Council approve and adopt Zoning Text Amendment #ZTA 18-04, attached hereto as Exhibit A.

The foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Hercules held on the 6th day of August, 2018 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dion Bailey, Chair

ATTEST:

Holly Smyth, Planning Director

Exhibit A to PC Resolution 18-15: Draft City Council Ordinance