

**RESOLUTION 18-16**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERCULES RECOMMENDING APPROVAL OF A DEVELOPMENT AGREEMENT WITH HERCULES SELF STORAGE, LP (DA#\_\_\_\_) FOR THE WILLOW AVENUE COMMERCIAL PROJECT LOCATED ON APN#'S 406-522-001 AND 406-522-004**

**WHEREAS**, on March 28, 2018, Hercules Self Storage applied for a development agreement ("DA") as part of the Willow Avenue Commercial Project (the "Project"); and

**WHEREAS**, a Mitigated Negative Declaration ("MND") was prepared for the Project in compliance with the requirements of the California Environmental Quality Act ("CEQA"), and

**WHEREAS**, Pursuant to California Government Code Section 65867, the Planning Commission reviewed the DA, in conjunction with other Project applications, and determined that the DA and the Project are consistent with the General Plan, and

**WHEREAS**, On July 16, 2018 and August 6, 2018, the Planning Commission held a duly noticed and public hearing and a continued public hearing, in accordance with state law,

**WHEREAS**, the Planning Commission independently reviewed the proposed Project for compliance with CEQA and determined that the Project is within the scope of the MND, that the proposed DA does not approve any act or action that is inconsistent with said MND, and that therefore, no additional environmental review is required for the development agreement; and

**WHEREAS**, the Planning Commission reviewed the proposed Zoning Text Amendment #ZTA 18-04, allowing "Mini-Storage" facilities in the General Commercial (CG) zoning district and added a new definition to the Zoning Code for Mini-Storage and believe that the amendment, if approved by the City Council, is consistent with the intent of the General Commercial District and should be approved; and

**WHEREAS**, after conducting the public hearings, the Planning Commission determined that the Development Agreement:

- a. Is consistent with the General Plan and objectives, policies, general land uses and programs specified in the City's General Plan;
- b. Is compatible with the uses authorized in, and the regulations prescribed for the land use district in which the real property is located, as modified by the Zoning Text Amendment allowing self storage uses to be considered with a Use Permit in the "General Commercial" Zoning District,
- c. Is in conformity with public convenience, general welfare, and good land use practice;
- d. Will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area, nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of the City as a whole;

- e. Will not adversely affect the orderly development of property or the preservation of property values; and

**NOW, THEREFORE, BE IT RESOLVED:**

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference as findings.
2. Compliance with CEQA. The MND for the Project, recommended for City Council approval by Resolution No. PC # 18-14 and incorporated herein by reference, was prepared in compliance with the requirements of the CEQA. The City undertook environmental review of the potential direct and indirect environmental impacts of the Project pursuant to CEQA and the CEQA Guidelines, and the proposed DA does not approve any act or action that is inconsistent with said MND.
3. Findings regarding Development Agreement. The Planning Commission recommends that the City Council find that the proposed DA, for those reasons set forth in the Recitals above and as more specifically set forth in the Recitals of the proposed DA because the DA is consistent with the provisions of Government Code Sections 65864 et seq. and the provisions of Title 10 Chapter 8 of the Hercules Municipal Code.
4. Development Agreement Approval. The Planning Commission recommends that the City Council approve the DA with Hercules Self Storage, attached hereto as Exhibit "1".

The foregoing Resolution # 18-16 was duly adopted at a regular meeting of the Planning Commission of the City of Hercules on the 6<sup>th</sup> day of August 6, 2018 by the following vote of the Commission to be forward to the City Council for their consideration.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Dion Bailey, Chair

ATTEST:

\_\_\_\_\_  
Holly Smyth, Planning Director