



Planning Department

TO: Chairperson and Members of the Planning Commission

FROM: Holly Smyth, AICP, Planning Director
Robert Reber, AICP, Adjunct Planner
Bruce Brubaker, PlaceWorks

DATE: April 15, 2019, Planning Commission Meeting

SUBJECT: Design Review Permit No. 19-01 for Bayfront Blocks M-P & O,
located in the Hercules Waterfront District Master Plan Area
(Design Review Permit 19-01)

APPLICANT: Hercules Development Partners, LP,
represented by Benjamin L. Ortega
114 Pacifica, Suite 100
Irvine, CA 92618

LOCATION: Bayfront Blocks M, O, and P (Parcels 21, 27, and 28, respectively, of
the Hercules Waterfront Vesting Tentative Map)
Assessor Parcel Number 404-730-005
Intersection of John Muir Parkway and Bayfront Loop
Hercules, California

1. RECOMMENDATION

That the Planning Commission:

- a. Continue and reopen the public hearing from April 1, 2015;
- b. Invite the Applicant to make a presentation;
- c. Request staff present further information on the project;
- d. Receive comments from the Commission and the public;
- e. Close the public hearing;
- f. Consider comments made at the meeting, including comments made by staff, the Applicant, and the public;
- g. Provide direction to the Applicant for revising and formally resubmitting the project design so that at its next regular meeting on May 6, 2019, the Planning Commission can vote to approve draft Resolution #19-03 (see Attachment A) approving Design Review Permit #19-01, including all CEQA findings and Design Review Permit findings, subject to the conditions of approval contained therein.

This continued public hearing before the Planning Commission will allow Hercules Land Development Partners, LP (hereinafter “the Applicant”) to present its responses to comments by the Planning Commission at the public hearing held on April 1, 2019, including project design and consistency with the Hercules Waterfront District Master Plan (HWDMP), its form-based code provisions, and other applicable City regulations. This hearing will also provide an opportunity for the Commission and the public to ask questions and comment on the project and City requirements, and if necessary, request additional information and provide direction to staff and the Applicant.

2. PRIOR HEARING AND DESIGN REVIEW SUMMARY

This staff report is intended as a supplement to the staff report provided for the project hearing held at the April 1, 2019, Planning Commission (see Attachment 2 for complete report with project description, background, and additional information).

At the April 1 public hearing, the project Applicant and its design team presented to the Planning Commission a detailed overview of the proposed design for Bayfront Blocks M–P and Block O, and the adjacent neighborhood park, playground, plaza/square, paseo, sidewalks, and streets. Commissioner comments and feedback at the hearing included the following general remarks:

Blocks M–P

- Northwest (shoreline facing) side is most prominent and important side of building, viewable from San Pablo Bay and Bay Trail, and should be more lively and dramatic.
 - Use a more vibrant color scheme.
 - Add corner detailing and parapets.
 - Add stone sills offset with brickwork.
 - Building columns should extend past the parapet
 - Buildings seems too contemporary
- Horizontal orientation of windows invokes office use instead of residential use, and is inconsistent with the required Waterfront Warehouse style.
- Building lacks mass/weight.
- Bay windows (e.g., at southeast corner of Block P) appear tacked on.
- Flush glazing implies brick veneer rather than massing; windows should be substantially recessed from brickwork.
- Elevated tower and causeway connecting the two sides of the building above the podium courtyard looks institutional; consider lighter color.
- Unclear if metal railings are exposed, powder-coated, or painted; ensure rust-proof treatment.
- Change materials at junctions.
- Need cross section(s) accurately reflecting adjacent property slope and retaining wall at rear emergency access alley where retaining wall height(s) are greatest.

Block O

- Add more contrast at corner of building facing intersection of John Muir Parkway and Bayfront Boulevard.
- Ground-level spaces on John Muir Parkway lack variety and don't relate well to upper stories.
- Add more decorative detailing appropriate for the Bay Area Eclectic style of architecture.
- Residential stoops and decks are both well done and appropriate, though stoops are preferable to decks.

Neighborhood Plaza/Square

- Add softscape, shade, and more seating.
- Need a grander central feature, such as sculpture or art.
- Include a water feature, as shown in HWDMP renderings.

Paseo

- Add more variety to ground-level frontages along paseo.

Park & Playground

- Playground is inadequate; should be more physically challenging and visually engaging for children; consider using functional/climbable art structures.
- Naturalistic style is appropriate along bayshore; consider creating a nautical/rope theme.

Landscaping

- Ensure plantings are appropriate to withstand extended periods of drought-induced water rationing.
- Redwood trees have failed in other locations in adjacent North Shore Business Park and may not be appropriate for top of retaining wall at Blocks M–P.

Streets & Sidewalks

- Add loading zones near entrances to all lobbies and mailrooms.

3. POST-HEARING PUBLIC COMMENTS

Although no public comments were received at the April 1 public hearing, on April 2, Hercules resident Douglas Bright sent an email regarding the project (see Attachment 3) to the Applicant, City Council, and City staff, who then forwarded the email to each Planning Commissioner. In his email comments, Mr. Bright asserted that the proposed plans for Blocks M–P and Block O do not meet all the applicable form-based code requirements of the Waterfront District Master Plan (HWDMP). The Planning Commission discussed at the hearing some of the issues described in the email; others are summarized and analyzed below.

- **Use of Stucco in Waterfront Warehouse Style**

The Waterfront Warehouse style is an allowed architectural style for Blocks M and P (p. 2-3 of the HWDMP). Typical characteristics of the Waterfront Warehouse style include façade composition of “brick or brick veneer walls with stone, cast stone, concrete, or metal details” (p. 2-6 of the HWDMP). Consistent with that description, virtually every photographic example of Waterfront Warehouse style in the HWDMP is of buildings with brick or brick veneer exteriors. However, the Introduction of HWDMP Chapter 2, “Architectural Styles,” states:

*“This chapter provides an overview of the allowable styles within the Undeveloped Portion of the Historic Town Center and Transit Village Planning Sub-Districts by describing the typical characteristics and providing photographic examples for each of the allowable Architectural Styles. **The typical characteristics and photographs are not intended to be the exclusive characteristics that may reflect the applicable architectural style. The intent of these regulations is to limit the range of architectural expression within those Sub-Districts to ensure a reasonable level of architectural harmony, so that the public spaces defined by the private development will be well-defined outdoor spaces conducive to the active public life envisioned by the General Plan.**”* [Emphasis added]

The proposed exterior materials for Blocks M–P include brick veneer, metal storefronts, and cast stone, which are all expressly allowed materials for Waterfront Warehouse buildings. The proposed plans also include extensive sections of building exterior covered with painted stucco. The HWDMP does not include stucco as a typical material for Waterfront Warehouse, nor does the HWDMP explicitly forbid stucco as a usable exterior material. At least one Planning Commissioner commented at the April 1 hearing that stucco surfaces do not convey the same texture or mass as brick or stone and that, consequently, portions of the building lacked the mass and feel of typical warehouse structures. While City staff do not feel that the use of stucco is prohibited on Waterfront Warehouse buildings, the Planning Commission may wish to consider whether there is sufficient use of expressly allowed materials (such as brick, brick veneer, stone, cast stone, concrete, and metal) to achieve the HWDMP goal of a “reasonable level of architectural harmony” that creates “well-defined outdoor spaces conducive to... active public life.”

- **Screening of Rooftop Equipment**

Though not included as a condition of approval in prior entitlements for Bayfront Block N and Blocks Q & R, shielding of rooftop equipment (HVAC, mechanical, etc.) is a standard condition of approval for projects in Hercules. Staff has added this requirement to the draft conditions of approval, but the Planning Commission may want additional information from the Applicant on how exactly equipment may be screened.

- **Use of Alleys to Access Off-Street Parking**

The *Central Hercules Plan (CHP) Regulating Code* stipulates that “alleys shall be the primary source of access to off-street parking.” The HWDMP supersedes all provisions

of the CHP Regulating Code, but it similarly states that “where alleys are provided, parking shall be accessed from alleys” (Parking Space Design, p. 1-35 of HWDMP). The HWDMP Street & Circulation Regulating Plan provides for a rear-access alley along the back (northwest) side of Block P. For the Fire District to meet fire code requirements, this rear-access alley has been extended the length of Block M and connected to the Bay Trail, giving emergency vehicles complete circulation access around Blocks M–P. Site grading results in an unavoidably substantial and lengthy retaining wall along the emergency vehicle access path, creating a space with limited visibility and potential safety concerns. The Police Department and Applicant agree that because of these safety concerns, the EVA should be restricted to emergency purposes and not publicly accessible, thus eliminating the possibility of using the EVA as a driveway into the structure parking garage.

Furthermore, on-site parking at Block O must be accessed via either John Muir Parkway (undesirable) or via Bayfront Loop (preferable). Because Waterfront parking is presumed to eventually be managed through a shared public–private parking district, the principles of which are laid out in the HWDMP (p. 1-34), both City staff and the Applicant believe there is significant advantage in locating the drive entrances to the off-street parking for Blocks M–P nearly opposite Block O’s on Bayfront Loop and directly opposite Block R’s on the private driveway.

- **Driveway Widths**

The HWDMP states that, “Except on alleys, driveways shall not exceed 20 feet in width, not including the apron.” However, both the City’s Public Works Director (licensed engineer) and the Applicant’s licensed transportation engineer agree— given vehicle turning movements into, out of, and within the parking garages—that 22-foot-wide driveways are safer for vehicles and pedestrians.

- **Sidewalk Connection to Private Residences at Block O**

The portions of Block O that front onto Bayfront Boulevard are regulated by the HWDMP Village Neighborhood standards, including the requirement that all ground-floor units fronting a street have a direct entry to the unit from the street or from a forecourt along the street. Block O has 13 ground-floor units fronting Bayfront Loop. Of those, only three have direct access to the sidewalk via stoops. Another eight of the units have private decks that, while not providing direct access to the sidewalk, serve as an outdoor amenity and a partial connection between the private residences and public realm that helps animate the street. The remaining two units have neither a stoop nor a deck. Though the stoops and decks were discussed at the April 1 hearing, the Planning Commission may wish to further discuss whether all 13 units must have a direct connection to the street (i.e., a stoop for every unit), or whether the proposed mix or some alternative mix of stoops and decks provides a suitable interface and balance between the building and the street, or some blend in between.

- **Width of Bayfront Loop**

The HWDMP (p. 4-10) indicates that Bayfront Loop should be 36-feet, curb-to-curb, with two 10-foot-wide travel lanes. However, since the adoption of the HWDMP, new fire code regulations lead the Fire District to require 13-foot-wide travel lanes adjacent to buildings over 30 feet tall.

- **John Muir Parkway Configuration**

The HWDMP (p. 4-6) shows John Muir Parkway between Blocks N and O as 52-feet curb-to-curb, with 8-feet of parking on each side, plus two 6-foot-wide bike lanes, and two 12-foot-wide travel lanes. In approving the design for Block N, the City's Public Works Director and the Applicant agreed that to facilitate access to and from Block N without impeding overall Bayfront transportation (including future transit access to the Regional Intermodal Transportation Center) a middle turn lane should be established whereby vehicles can safely queue and wait to turn without obstructing other vehicles. Adding the middle turn lane requires eliminating the dedicated bike lanes for that segment of John Muir Parkway, but cyclists will still have the safer option of using the Creekside Trail, a 10-foot-wide bike/ped-dedicated path on the back side of Block N. As the Bayfront develops, the Public Works Director will retain the right to restripe John Muir Parkway based on traffic and safety circumstances, which may lead to eliminating the middle turn lane and extending bike lanes the full length of John Muir Parkway on both sides of the street.

- **Building Height of Block O**

The allowable building height overlay of the HWDMP (p. 1-5) requires that Block O be between two and four stories tall. Because parking levels are not habitable space that count towards total story height, Block O could be considered either four-stories tall (under Building Code definition of a "story") or four-and-a-half stories tall (under the HWDMP definition of a story.¹ The primary purpose of the building height overlay of the HWDMP is not in determining how buildings are used within but how buildings relate to one another and to the public spaces that surround them. In this regard, the maximum height of Block O is appropriate for its surroundings. Measured from adjacent grade, Block O is 66.5 feet at its southwest corner, directly facing Block N (approved and currently under construction on the opposite side of John Muir Parkway), which itself includes four stories, plus upper-level mezzanines, has a parapet at a similar height of 62.5 feet, and sloped roof elements even higher. On the opposite side of Bayfront Loop, Blocks Q-R (approved, construction imminent) will also rise four stories to a similar maximum height of 61 feet.

¹ The HWDMP (Chapter 5: Appendix, p. 5-7) defines a "half story [as] conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows and occupying about half the area of the floor below."

4. APPLICANTS' PROPOSED MODIFICATIONS

In response to the Planning Commission's comments at the April 1 hearing, the Applicant submitted to the City on April 9 a set of proposed revisions for Blocks M–P & O (see Attachment 4). These proposed changes include:

Block P – East Lobby at Bayfront Loop and at Neighborhood Square

- Enhanced cornice and window detailing.
- More vertical window proportions.
- Bay window cornice detailing.

Neighborhood Square

- Removing central light fixture.
- Adding monument tree (e.g., coastal oak) with lighting.
- Additional green space (approximately 500 sq. ft. more).

Block M at Neighborhood Square

- Enhanced cornice.
- Lighter elevator tower with historical signage.

Block M at Waterfront Park

- Enhanced cornice and deck detailing.
- Brighter colors on corner façades.
- Emphasized vertical window proportions.

Block O along John Muir Parkway

- Recessed storefronts with darker finish.
- Enhanced door finishes.
- Trellis details reflective of Bay Area Eclectic style.
- More vibrant color for pitched-roof style.
- Additional brackets and dentals and larger eaves.
- Symmetrical windows and added trim at gable end.

Street Layout

- Additional drop-off/pick-up zones adjacent residential lobbies/mail rooms.
- Crosswalks at corners of Bayfront Loop.

5. REVISED CONDITIONS OF APPROVAL

At Applicant's request or consent, staff have made several revisions to the proposed Conditions of Approval (see Attachment 1) that seemed appropriate. Staff and the Applicant are still discussing some conditions of approval, such as maintenance of landscaping and affordable housing, with any revisions to be provided at the presumed hearing continuation recommended for the next regular meeting of the Planning Commission on May 6, 2019.

6. ATTACHMENTS

1. Draft Resolution 19-03 approving Design Review Permit #19-01 with Project Specific Conditions of Approval (revised, with tracked changes)

- Exhibit A – Additional Conditions of Approval from Overall Bayfront Project
 - Exhibit B.1 – Bayfront Blocks M-P: Site Plans & Architecture
 - Exhibit B.2 – Bayfront Blocks M-P: Civil & Landscape Plans
 - Exhibit B.3 – Bayfront Block O: Site Plans & Architecture
 - Exhibit B.4 – Bayfront Block O: Civil & Landscape Plans
 - Exhibit B.5 – Linus Pauling Sheets C-200 and C-201 for Blocks Q & R
 - Exhibit C – CEQA Conformity Findings to Certified Bayfront EIR
 - Exhibit D – Findings with Facts
2. Staff report from April 1, 2019
 3. Project comments from Douglas Bright, Hercules resident (email received April 2, 2019)
 4. Proposed revisions to submitted plans (April 9, 2019)