

**RESOLUTION #19-06
SYCAMORE CROSSING**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERCULES RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE AMENDMENT (ZA) #17-02 TO REZONE APPROXIMATELY 8.88 ACRES OF THE 12.88-ACRE PROJECT SITE KNOWN AS SYCAMORE CROSSING, LOCATED WITHIN THE WESTERLY AND CENTRAL PORTIONS OF THE SITE FROM GENERAL COMMERCIAL (CG) TO PLANNED COMMERCIAL-RESIDENTIAL (P-CR) AND PUBLIC/QUASI-PUBLIC OPEN SPACE (P/QP-O) LOCATED ALONG THE SOUTH SIDE OF SYCAMORE AVENUE AND NORTHWEST SIDE OF SAN PABLO AVENUE EAST OF TSUSHIMA STREET (ASSESSOR'S PARCEL NUMBERS 404-020-094-3 AND 404-020-095-0) AND CONCUR WITH PLANNING COMMISSION'S DETERMINATIONS

WHEREAS, an application was received from Sycamore Crossing Land Developers, LLC for a Zoning Amendment (ZA) #17-02 requesting a change in the Zoning designation of a portion of the 12.88 acre project site known as "Sycamore Crossing" located along the south side of Sycamore Avenue and northwest side of San Pablo Avenue east of Tsushima Street;

WHEREAS, the ZA would affect approximately 8.88 acres of the site with 6.86 acres of the westerly portion changing from General Commercial (CG) to Planned Commercial-Residential (PC-R) and 2.02 acres of the center portion changing from General Commercial (CG) to the Public/Quasi-Public-Open Space (P/QP-O) designation; and

WHEREAS, Section 13- 52 (Zoning Amendments) section of the Hercules Municipal Code Zoning section identifies the process for amending the Zoning Ordinance which requires properly noticed public hearings before the Planning Commission and the City Council prior to adoption, and

WHEREAS, the proposed Sycamore Crossing Project is located within the Central Quarter of the Plan for Central Hercules (considered the Penterra/Poe property) and classified as a Phase II/Permissive category (meaning that the applicant has the discretion to adhere to the uses and design standards of development allowed under the *Central Hercules Plan Regulation Code* rather than the standard City Zoning Code) but the Applicant has opted not to pursue development according to the *CHP Regulation Code*; and

WHEREAS, the Project Site is not subject to Chapter 29 of the Zoning Ordinance entitled "Zoning Regulations and Development Standards for Sycamore Crossing" adopted by Ordinance #459, which anticipated mixed-use development in accordance with the existing PC-R land use designation, because it was rescinded from the Zoning Ordinance by City Council through Ordinance No. 482 adopted January 27, 2015; and

WHEREAS, the Project Site in its current state generally is vacant/undeveloped, although it also contains remnant foundations, building pads, and retaining walls from past industrial uses, as well as utility improvements associated with a utility right-of-way along the site's southern boundary; and

WHEREAS, the Project Site is comprised of two separate Assessor parcel numbers which along with a combination of right-of-way dedications and vacations will result in Project Site of approximately 12.88 acres; and

WHEREAS, the overall Sycamore Crossing Project includes up to 120 multi-family condominiums residences, a four-story hotel and up to 29,511 square feet of retail uses, including a CVS drug store and pharmacy, along with parking and open spaces and a permanent open space corridor on 12.88 acres of land; and

WHEREAS, in addition to the Zoning Amendment application referenced above, the following applications for development entitlements related to the Sycamore Crossing Project also have been filed concurrently and collectively define the "Project":

- Initial Study – (IS) #17-02 dated June 2019 pursuant to Sections 15063 and 15168 of the California Environmental Quality Act (CEQA) Guidelines;
- General Plan Amendment (GPA) #17-02 to change the Land Use Designation of 6.86 acres of the westerly and central portions of the Project Site, from General Commercial (GC) to a combination of Planned Commercial-Residential (PC-R) and Public/Semi-Public Open Space (P/SP-OS) designations Land Uses;
- Vesting Tentative Map #9477 to subdivide approximately 12.88 acres into seven (7) parcels including the preservation of Ohlone Creek, a natural drainage way, with conditions of approval; and
- Final Planned Development Plan (FPDP) #17-02 for 120 multi-family dwelling units, a 105-room hotel, surface parking, and 29,511 square feet of total commercial space, to include a pharmacy, and retail and service uses, including a neighborhood restaurant and coffee shop with a drive-through, in four (4) buildings ranging from 4,400 square feet to approximately 6,000 square feet. The Project Site will include water quality features, utility extensions, and common areas for parking, landscaping, and pedestrian use;
- Design Review Permit (DRP) #17-04 with a Master Sign Program (MSP), in accordance with Section 13-34.400(R) of the Hercules Municipal Code Zoning section, for the above listed project.
- Conditional Use Permit (CUP) #17-04 for: a) retail stores greater than 2,000 square feet; b) drive-through facilities for the pharmacy and for a food service pad building; c) seasonal outdoor sales; d) a hotel; e) a shopping center; f) multi-family residential uses and g) potential beer & wine alcohol sales; and
- Minor Exception #ME 19-02 to reduce the amount of on-site parking for the hotel use; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), a CEQA Initial Study #IS 17-02 and Determination dated June 2019 was prepared for the

proposed Project; and determined that the land uses and impacts resulting from the level of development for the proposed Sycamore Crossing project are within the scope of the development program evaluated in the 2009 Updated Redevelopment Plan Draft EIR (Redevelopment Plan EIR) (SCH #200112049) certified by the City Council on April 20, 2009 and would result in no new or more severe significant impacts than previously analyzed; and

WHEREAS, the Planning Commission held a duly-noticed public hearing at its regular meeting on July 15, 2019, and continued the hearing to its regular meeting on August 5, 2019; and

WHEREAS, Staff reports dated July 15, 2019, and August 5, 2019, and incorporated herein by reference, described and analyzed the application for ZA #17-02 and related applications listed above, including the CEQA Initial Study and Determination #IS 17-02, and recommended that the Planning Commission recommend that the City Council approve the Project; and

WHEREAS, approval of the Project would amend corresponding maps, text, tables, and figures related to the Zoning Amendment, including but not limited to environmental resource exhibits; 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, Project plans, staff recommendations, and testimony up to and during the public hearing of July 15, 2019 (including those discussed at the prior Planning Commission workshops of October 17, 2017, December 4, 2017, and January 16, 2018, June 25, 2018, August 6, 2018, September 17, 2018, and December 3, 2018), described herein and incorporated by reference, before using its independent judgment and taking any recommending action on the Project.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission after due study, deliberation, and public hearing for the proposed ZA #17-02 to the westerly and central portions of the Project Site, consisting of approximately 8.88 acres of land, finds and determines that:

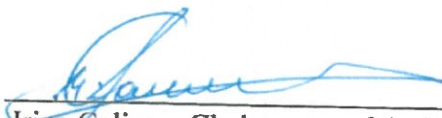
1. The foregoing recitals are true and correct and made a part of this Resolution by this reference.
2. The Proposed Project a) Falls within the scope of the development program evaluated previously in the 2009 Certified EIR and subsequent analysis provided in the June 2019 CEQA Initial Study checklist, b) Will not result in any new, significant impacts that were not examined and that none of the circumstances that would require preparation of an addendum or a subsequent or supplemental EIR under CEQA exists or needs to be filed for the proposed project, c) Should still be subject to the Mitigation Monitoring and Reporting Program of the 2009 EIR as part of the entitlement approvals, and 4) Does not require further environmental review, Pursuant to Sections 15162 and 15168 of the CEQA Guidelines.

3. Zone Amendment #17-02 is consistent with the Planned Commercial-Residential (PC-R) and the Public/Quasi-Public-Open Space (P/QP-O) General Plan designations contingent upon the adoption of General Plan Amendment #GPA 17-02 by the City Council.
4. Zone Amendment #17-02, as proposed, would not be detrimental to the health, safety, welfare, and public interest of the City.
5. Zone Amendment #17-02, as proposed, is internally consistent and does not conflict with the purposes, regulations, and required findings of the Zoning Ordinance in that:
 - *Potential uses for the Project Site allowed by the proposed ZA #17-02 are compatible with the objectives, policies, general land uses, and programs specified and allowed by the PC-R and P/QP-O General Plan land use designations.
 - *The elements, requirements, and conditions of ZA #17-02 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 in this development in particular.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council adopt #ZA 17-02 by Ordinance in conformity with the attached Exhibit after the General Plan Amendment #GPA 17 with CEQA determination is adopted.

PASSED, APPROVED AND ADOPTED this 5th day of August 2019 by the following vote:

AYES: K. Morrison; N. Sacramento; S. Tolley; Vice Chair H. Rubio; Chair I. Galieva
NOES:
ABSENT:
ABSTAIN:


Irina Galieva, Chairperson of the Planning Commission


ATTEST:

Holly Smyth, Planning Director & Secretary to the Planning Commission

Exhibit A: Existing and Proposed Zoning Map
Exhibit B: Findings with Facts for ZA #17-02

Exhibit A – Existing and Proposed Zoning Map for #ZA 17-02

SYCAMORE CROSSING - Existing Zoning: General Commercial (GC) on entire site



SYCAMORE CROSSING - Proposed Zoning: Changing the westerly half to Planned Commercial Residential (PC-R) & Public / Quasi Public Open Space (P/SP-O)

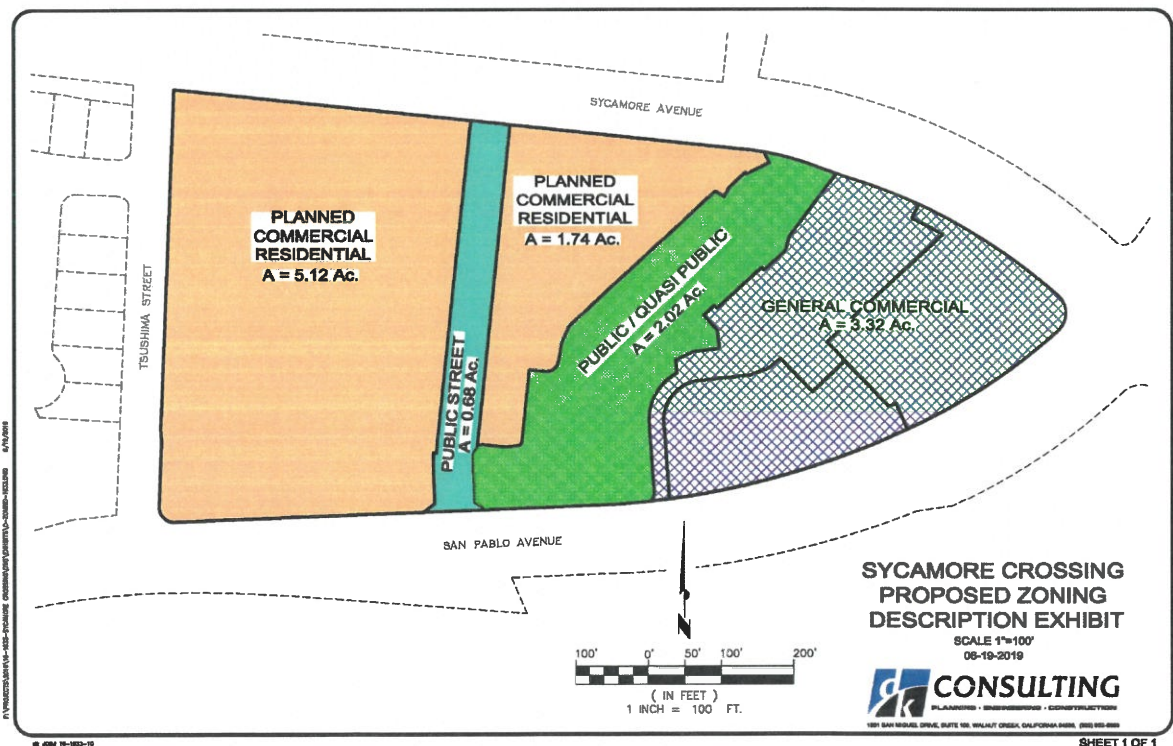


Exhibit B Findings with Facts for
Sycamore Crossing Zone Amendment (#ZA 17-02)

Section 52.400 of the City of Hercules Zoning Ordinance requires all of the following findings to be made for granting an amendment to the Zoning Map or Zoning Ordinance:

FINDING NO 1: The proposed amendment is consistent with the General Plan.

FACT: The proposed General Commercial (CG) zoning classification would be consistent with the proposed General Plan Land Use designation as the applicant proposes to amend the current Land Use designation of the western and central portions of the Project site from “General Commercial” (GC) to a combination of “Planned Commercial-Residential ” (PCR and Public/Semi-Public Open Space (P/SP-O)). The proposed Zoning Classification and Land Use designation would be consistent as both allow for the development of various types of commercial and residential uses provided that applicable regulations are satisfied and certain performance standards are met. The PC-R land use designation of the General Plan and related zoning allow for a wide variety of residential and commercial uses to serve the market area within a floor-to-area ratio (FAR) of 0.20 to 0.40 and a residential density of up to 40 dwellings per acre. The Sycamore Crossing mixed-use development, as currently designed and proposed, will be developed at density of approximately 23 dwellings per acre, consistent with the General Plan.

The proposed Zone Designation Amendment #ZA 17-02 to change the zoning designation from General Commercial (CG) to a combination of Planned Commercial-Residential and Public/Quasi-Public Open Space (P/QP/O) Plan and includes a Planned Development Plan as required by Title 13 Chapter 8.200 of the Hercules Municipal Code Zoning Section .

FINDING NO 2: The proposed ZA 17-02 would not be detrimental to the health, safety, welfare, and public interest of the City.

FACT: Staff has determined that development of the Project will result in a public benefit, including the provision of a commercial shopping center, hotel, and condominiums which will provide additional mix of services to the community of Hercules, located an infill area within close vicinity to existing single- and multi-family residential developments to the west and southwest of the project site and is located within close vicinity to I-80 and Highway 4.

In addition, the project will contribute to the City’s General Plan policies, goals, and vision in terms of increasing the City’s sales and property tax revenues.

Public improvements to current circulation infrastructure (including bus stop facility and multi-use path for bicyclists and pedestrians) along San Pablo and Sycamore Avenues will also occur as part of the project and will overall increase pedestrian accessibility to the site by providing alternative forms of transportation. The proposed commercial buildings will be developed to current building safety and fire codes, which promote development concepts of the Hercules General Plan.

FINDING NO. 3: The proposed ZA 17-01 is internally consistent and do not conflict with the purposes, regulations, and required findings of the Zoning Ordinance.

FACT: The proposed Zone Designation Amendment #ZA 17-01 is consistent with the proposed General Plan Amendment #GPA 17-01 and would allow for the development site consisting of approximately 29,511 square feet of commercial space (including an approximately 13,111 square foot one-story drug store and pharmacy and other pads), a four-story 105-room hotel, and up to 120 attached multi-family condominium dwellings along with common areas for parking, landscaping, and pedestrian use and preservation of a natural drainage way on the 12.88-acre infill Project Site.

The proposed Zone Designation Amendment #RZ 17-01, would be internally consistent and would not conflict with the purposes, regulations, and required findings of the Zoning Ordinance for the General Commercial (CG) zoning district in that approvals are being considered under the Planned Development Plan. The accompanying Planned Development Plan, pursuant to Title 13-Chapter 48 of the Hercules Municipal Code Zoning Section, would establish the Development Regulations applicable to the proposed project.

