

**RESOLUTION NO. 19-XX
SYCAMORE CROSSING**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES APPROVING GENERAL PLAN AMENDMENT #GPA17-02 CHANGING THE LAND USE DESIGNATION ON 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 (GC) TO PLANNED COMMERCIAL-RESIDENTIAL (P-CR) FOR 6.86 ACRES AND TO PUBLIC/SEMI-PUBLIC OPEN SPACE (P/SP-OS) FOR 2.02 ACRES OF LAND LOCATED ALONG THE SOUTH SIDE OF SYCAMORE AVENUE AND NORTHWEST SIDE OF SAN PABLO AVENUE, EAST OF TSUSHIMA WAY (ASSESSOR'S PARCEL NUMBERS 404-020-094-3 AND 404-020-095-0)

WHEREAS, Sycamore Crossing Land Developers, LLC (the "Applicant") submitted an application for a General Plan Amendment #GPA 17-02 (the "GPA") requesting a change in the Land Use 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 Way; and

WHEREAS, the GPA would affect approximately 8.88 acres of the site with 6.86 acres of the westerly portion changing the Land Use Designation from General Commercial (GC) to Planned Commercial-Residential (PC-R) and 2.02 acres of the center portion changing from General Commercial (GC) to Public/Semi-Public-Open Space (P/SP-OS) designation, as depicted on Exhibit A hereto; and

WHEREAS, in addition to the GPA application referenced above, the Applicant concurrently filed the following applications for development entitlements that collectively define the Sycamore Crossing Project:

- Initial Study #IS17-02, dated June 2019, pursuant to Sections 15063 and 15168 of the California Environmental Quality Act (CEQA) Guidelines;
- Re-Zone - #RZ 17-02 to rezone 8.88 acres of the westerly and central portions of the Project Site from General Commercial (CG) to a combination of Planned Commercial-Residential (PC-R) and Public/Quasi-Public Open Space (P/QP-O) zoning districts;
- Vesting Tentative Map #VTM 9477 to subdivide approximately 12.88 acres into seven (7) smaller lots and incorporating the abandonment of small portions of existing roadways, dedication of additional roadways, and removal of existing on-site easements (including the preservation of Ohlone Creek, a natural drainage way), with conditions of approval; and
- Initial/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 restaurant 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 on-site vehicle parking, 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 building; c) seasonal outdoor sales; d) a hotel; e) a shopping center; f) potential beer, wine, and alcohol sales, and g) potential 24-hour pharmacy store.
- Minor Exception (ME) #19-01 to reduce the amount of on-site parking for the hotel use.

WHEREAS, in accordance with the California Environmental Quality Act (“CEQA”) and its implementing regulations (the “CEQA Guidelines”), a CEQA Initial Study #IS17-02 and Determination dated June 2019 was prepared for the proposed Project and, based on the Initial Study, it was determined that the level of development for the proposed Sycamore Crossing project is within the scope of the development program evaluated in the 2009 Updated Redevelopment Plan Draft EIR (the “2009 EIR”) (SCH #200112049) certified by the City Council on April 20, 2009, that the Project would not result in any new or more severe significant impacts than was previously analyzed in the 2009 EIR, and therefore, pursuant to Section 15168(c)(2) of the CEQA Guidelines, no further environmental document is required for the Project; and

WHEREAS, California Government Code Sections 65350–65358 identify the process of amending a General Plan; and

WHEREAS, the Planning Commission held workshops on the project on October 17, 2017, December 4, 2017, January 16, 2018, June 25, 2018, August 6, 2018, September 17, 2018, and December 3, 2018 before scheduling public hearings on the project; and

WHEREAS, the Planning Commission of the City of Hercules held a properly noticed public hearing on the Project 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 #GPA 17-02 and the related applications listed above, including the CEQA Initial Study and Determination, and recommended that the Planning Commission recommend that the City Council approve the Project; and

WHEREAS, on August 5, 2019, the Planning Commission adopted Resolution #19-05 recommending that the City Council approve #GPA 17-02 using its independent judgement based on the entire record; and

WHEREAS, a Staff Report for the City Council, dated September 10, 2019, incorporated herein by reference, also described and analyzed the application for GPA #17-02 and related applications listed above, including the CEQA Initial Study and Determination, and recommended that the City Council approve the Project; and

WHEREAS, on September 10, 2019, the City Council held a properly noticed public hearing on the Project at which time all interested parties had the opportunity to be heard; and

WHEREAS, approval of the Project would amend corresponding text, tables, and figures related to amendments to land use designations of the General Plan, including but not limited to area-wide land use diagrams, land use summary tables, and environmental resource exhibits; and

WHEREAS, the City Council has received and reviewed oral and written comments from the general public, property owners, and interested parties and used its independent judgment to consider all information, reports, recommendations, and testimony described herein;

NOW, THEREFORE BE IT RESOLVED:

1. The foregoing recitals are true and correct and made a part of this Resolution by this reference.
2. The Proposed Project i) 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, ii) 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, iii) Should still be subject to the Mitigation Monitoring and Reporting Program of the 2009 EIR as part of the entitlement approvals, and iv) Does not require further environmental review, Pursuant to Sections 15168(c)(2) of the CEQA Guidelines.
3. After due study, deliberation, and public hearing, the City Council finds and determines that the proposed GPA #17-02 is in the public interest and the General Plan as so amended will remain internally consistent and will maintain the integrity and compatibility of its policy statements as shown in the Statement of Consistency with the Hercules General Plan document attached herein.
4. The City Council finds that all elements, requirements, and conditions of this General Plan Amendment 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.

5. The City Council approves GPA #17-02 changing the land use designation for an approximately 8.88-acre portion of the Project Site as depicted on Exhibit A hereto.

THE FOREGOING RESOLUTION was passed and adopted at a regular meeting of the Hercules City Council on the 10th day of September 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Romero, Mayor

ATTEST:

David Biggs
Deputy City Clerk/City Manager

APPROVED AS TO FORM:

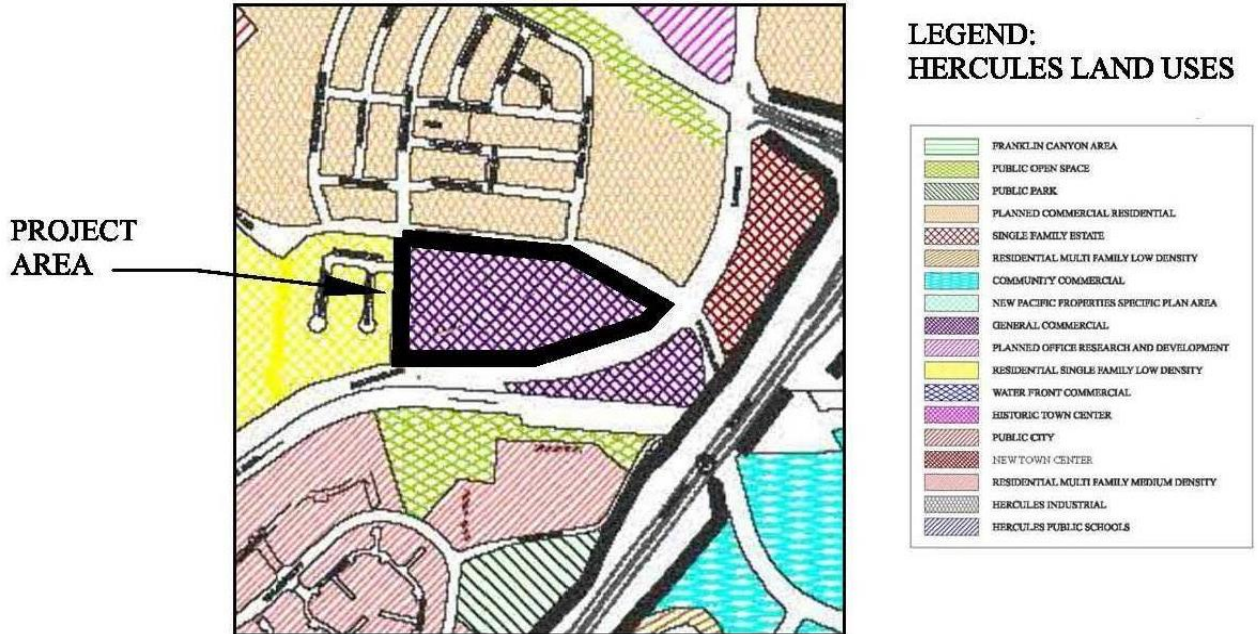
Patrick Tang, City Attorney

Exhibits:

- A. Existing and Proposed General Plan Map for GPA #17-02
- B. Statement of Consistency with the Hercules General Plan

Exhibit A – Existing and Proposed General Plan Map for GPA #17-02

SYCAMORE CROSSING - Existing Land Use Designation: General Commercial (GC) on entire site



SYCAMORE CROSSING - Proposed Land Use Designation: Changing the westerly half to Planned Commercial Residential (PC-R) & Public / Semi Public Open Space (P/SP-OS)

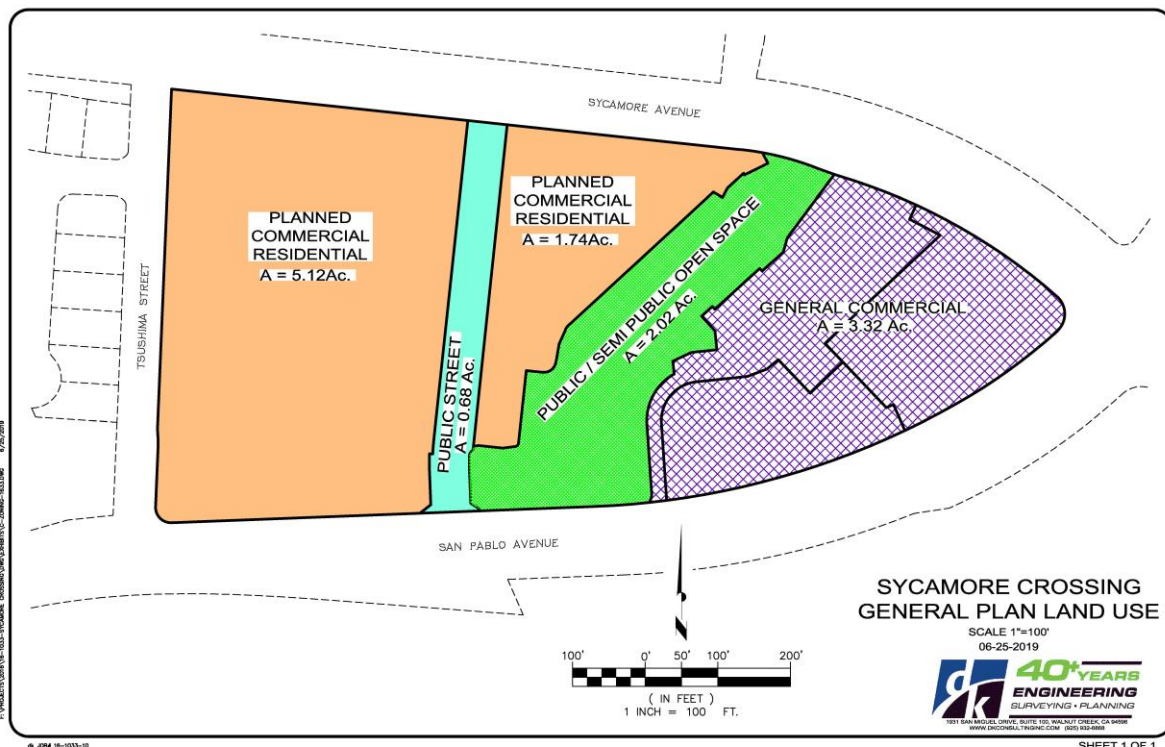


Exhibit B – Statement of Consistency with the Hercules General Plan for GPA #17-02 as part of City Council Resolution #19-____

Project Consistency: Land use development and resource conservation policies in Hercules generally are regulated by the City of Hercules General Plan. An amendment to the General Plan currently is under consideration to change the land use designation from General Commercial (GC) to Planned Commercial-Residential (PC-R) and Public/Semi-Public Open Space (P/SP-OS).

Planned Commercial-Residential (PC-R): This land use category is a mixed-use designation that is intended to permit both residential and commercial uses in a well-planned mixed-use development affording the opportunity for an integrated mixture of employment-generating uses within the same structure or site, lower cost live-work opportunities, upper-floor residential over ground-floor commercial uses, and to encourage mixed-use development that could minimize vehicle uses. Businesses locating within this district will attract clientele from both Hercules and the adjacent communities, as well as those using I-80 and Highway 4. Uses allowed within this designation include: home occupation; retail stores (2,000 square feet or less); restaurants and delicatessens; business services; offices and banks; personal services; accessory dwelling unit; caretaker, manager and employee housing; family day care homes; live-work units; multi-family units; townhouse/condominiums; planned unit development; supportive and transitional housing (apartment type); daycare facilities for employees and visitors; government offices; libraries, museums and galleries; and public safety facilities. Uses in this designation that require a conditional use permit include recreation and entertainment, retail outdoor sales, retail store more than 2,000 square feet, restaurants with liquor service, shopping centers, and hotels.

The P/SP-OS designation, as applied to the Ohlone Creek Corridor through the site, would protect this sensitive resource from development encroachment.

The PC-R land use designation amends the land use designation and is consistent with the various General Plan elements and further implements the Hercules General Plan, as follows:

Land Use Objective 2

<i>Develop a community that balances housing, jobs, and commercial opportunities.</i>
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As a mixed-use project, the Sycamore Crossing project provides a mix of job and commercial opportunities as well as new residential development in Hercules. The Sycamore Crossing project replaces a portion of the commercial services that potentially were lost with the 2014 approval of Muir Pointe (a 17-acre site residential subdivision) on a site previously zoned General Commercial and originally intended to serve as a neighborhood commercial shopping center.

Future residences on the site, up to 120 dwellings, would also serve to assist in reducing local vehicle trips due to the close proximity of the two uses.

Approval of the Sycamore Crossing Project would provide a location for a modern hotel use, which is currently lacking in the community.

Land Use Policy 2B	<i>Develop non-residential Land Use Categories which reduce the need for residents to leave the community by providing a variety of shopping and service opportunities.</i>
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As a mixed-use development, the Sycamore Crossing project provides much-needed commercial services in a currently underserved area. The proposed Project would be anchored by a large, nationally-recognized pharmacy that also offers a range of everyday needs, including but not limited to food, incidental items, and seasonal products. Space in the Project would also be provided for other retail, restaurants, and services. Retail and service uses included in the Sycamore Crossing project would be beneficial to on-site residents as well as residents of adjacent neighborhoods.

Land Use Program 4B	<i>Encourage uses that will bring additional revenues (retail sales, property tax) either directly or indirectly to the City.</i>
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The commercial portion of this mixed-use development will contribute increased sales and property tax revenues to the City. It will also provide a new stream of transient-occupancy (hotel-oriented) taxes which do not currently flow into the City.

Other Policies, Objectives, and Programs

Land Use Policy 3D	<i>Create a strong and successful focus or center for business and activities that would provide services, shopping opportunities which would attract employees, clients, and patrons from a regional area, while not disturbing existing residential and community oriented areas.</i>
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Land Use Objective 4	<i>Develop sufficient employment and commercial tax generating uses to maintain a positive City government fiscal condition.</i>
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Land Use Policy 4A	<i>Encourage local and regional commercial uses that can benefit from substantial regional traffic on I-80, Highway 4 freeway, and San Pablo Avenue.</i>
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Growth & Population - The projected population growth is within the projected population for the General Plan over all. The mixed-use project will provide local services and enhance the proximity of jobs to existing and on-site residential uses, integration with the local circulation system, and as a benefit, contribute toward meeting the goals related to jobs/housing ratio.

Housing - The Sycamore Crossing Project provides for up to 120 market-rate dwellings on the site, assisting the City in meeting regional and local housing goals.

Economic Development - The Project will contribute property tax, retail sales tax and transient-occupancy (hotel-oriented) tax directly to the City. Revenues from the Project site would support local economic development and job growth.

The Sycamore Crossing project seeks to promote the high standards in construction, infrastructure, facilities, maintenance, and community life that make Hercules attractive to businesses that induce economic development and will assure a quality environment, instill a sense of pride in the neighborhood, and encourage citizen involvement in the community. These factors will maintain and enhance the image of Hercules as a good location and a community that is inviting to new business activities.

Open Space and Scenic Corridors - The Project Site is adjacent to a major transportation route and scenic corridor (San Pablo Avenue). The large wetland areas to the north of the development provide a natural open space buffer for other planned and existing uses. In addition, an on-site natural drainage area (Ohlone Creek) will be preserved as visual open space within the view corridor of San Pablo Avenue and will be protected in perpetuity.

The project contains architectural variety and would be constructed with quality building materials and design. The proposed plan is consistent with the general planning and design intent of the Zoning Ordinance and complements the character of the planning and design in the area. The project is conducive to developing a pedestrian- and transit-friendly mix of uses, including retail, office, and residential uses. The Conditions of Approval would ensure compliance and compatibility.