



## PLANNING COMMISSION STAFF REPORT

**MEETING DATE:** October 21, 2019

**TO:** Members of the Planning Commission

**SUBMITTED BY:** Holly Smyth, AICP, Planning Director  
Michele Rodriguez, AICP, LEED AP Adjunct Planner

**SUBJECT:** **Workshop 1 – Review of the Hill Town Project located at 4200 San Pablo Avenue which proposes to develop the 44 acres site to include approximately 598 multi-family homes and 4,200 square feet of retail with passive open space and recreational elements.** The applicant has submitted an application for a Final Planned Development Plan #PDP 19-01; a Vesting Tentative Subdivision Map #TSM 19-01; Design Review #DRP 19-02; and Conditional Use Permit # CUP 19-01. The purpose of this workshop is to provide the history of the Project and Development and Owner Participation Agreement (DOPA); and an overview of Project No decision on the TSM, PDP, DRP, or CUP will occur at this meeting.

**APPLICANT:** The Santa Clara Housing Group, Inc. a California corporation located at 404 Saratoga Avenue, Santa Clara, CA 95050.

### RECOMMENDATION

Carrying out a *Workshop Session to include:*

- a. Presentation by the Applicant on the history of the site and overview of the Project.
- b. Presentation by Staff regarding the Development and Owner Participation Agreement and the Original Approved Initial Planned Development Plan
- b. Questions from the Planning Commission of the Applicant.
- c. Input from the public on the Project.
- d. Decide on next steps, such as additional information needed, focused sessions on particular topics, and/or a site visit.

### 1. BACKGROUND:

**Project Overview:** The Project is located at 4200 San Pablo Avenue west of Interstate Highway 80, North of State Highway 4 exit/ John Muir Parkway, East of San Pablo Avenue, and South of Gardenia Loop on Assessor Parcel Number 404-040-064-2. The Santa Clara Housing Group is proposing on 44 acres to develop a Mixed Use Retail Commercial and Residential community consisting of approximately 598 multi-family homes and 4,200 square feet of retail neighborhood commercial; passive open space and recreational elements. The Project will be constructed in four phases. The site includes an internal private loop road, and the residential buildings are accessible by alleys. There are six architectural styles with heights ranging from 38'-44' for the townhomes, and between 57'- 82' on the podium.

The applicant is proposing a right of way vacation on San Pablo Avenue requiring a separate action from the City to the Applicant for these lands. Site drainage is proposed to be captured by four on-site bio-retention filters, roof-top garden filtering on the podium building, and off-site treatment in the roadway at John Muir Parkway and San Pablo Avenues. Earthwork including cut, and fill is 786,899 cubic yards of soil, resulting in decreases in soil height adjacent to San Pablo Avenue by 60', and the addition of on-site retaining walls up to 12', no privacy fences are shown. A number of utility lines will be relocated, abandoned, and added such as water, gas, sanitary sewer, cell tower, PG&E, storm drain lines.

**Background on Vested Rights:** An Initial Planned Development Plan (#IPDP 07-01) that included site plan, civil plan, landscape plans, and architecture plans were recommended for approval by the Planning Commission on April 16, 2007 through Resolution No. 07-01. City Council subsequently approved the IPDP 07-01 drawings (see Attachment 3) on May 8, 2007 through Resolution No. 07-055 with Conditions of Approval (see Attachment 4) which may further refine the project drawings.

The City Council approved a Development and Owner Participation Agreement (DOPA 07-01) between the City of Hercules, Hercules Redevelopment Agency, and Santa Clara Valley Housing Group, Inc. for the Hill Town Redevelopment Project, Ordinance No. 442 dated September 23, 2008. The DOPA 07-01 gave the applicant the vesting right to develop the Project; set the framework for future Project approvals; fees, charges, and exactions; terms of amendments and termination of the Agreement, and schedule of performance. There are several sections in the DOPA that speak to those rights highlighted below as they relate to the Subsequent Approvals of the project through the Final Planned Development Plan and the environmental documents and related concurrent entitlement applications.

According to the DOPA Section 3.1 - General Development of the Project section of *"the Existing Project Approvals, the Initial Plan and Governing Ordinances shall control the overall design, development and construction of the Project and the issuance of Subsequent Project Approvals. To the extent that the Governing Ordinances conflict with this Agreement [referring to the DOPA] or the Existing Project Approvals, including, but not limited to, new, conflicting or potentially conflicting design standards or regulations, this Agreement and the Existing Project Approvals shall take precedence."*

Additionally, the DOPA Section 3.2 – Issuance of Subsequent Project Approvals states *"The permitted uses of the Project Site, the type, density and intensity of use, the maximum height, bulk and size of proposed buildings, setbacks, provisions for the acquisition, reservation or dedication of land for public purposes, location of public improvements, location of public utilities, fee and Exactions, and other terms and conditions of development applicable to the Project Site shall be those set forth in the Existing Project Approvals."*

As it relates to the environmental review, the DOPA section 3.3.1 states *"the City shall not prepare a supplemental or subsequent EIR unless the City determines, based on substantial evidence in light of the whole record one or more of the following apply (i) Substantial changes are proposed in the project which require major revisions....due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, (ii)....., and (iii)..."*

The DOPA has been further amended from the original document referenced above twice. Amendment 1 was approved May 8, 2018 through Council Ordinance 509 to extend the expiration date; replace a park in-lieu fee for on-site active park space; require 5% on-site affordable housing in-lieu of a fee; and require compliance with C3 requirements. Amendment 2 was approved on January 8, 2019 through Council Ordinance 516 to further extend the expiration date. A separate action is scheduled for Planning Commission tonight under separate staff report for Amendment 3 to future extend the expiration date due to the complexities in processing the project's full entitlement package and environmental documentation.

**Past Uses:** The Hill Town site was part of the land holdings of Hercules Powder Company although no Powder Company improvements took place on the property. Pacific Gas & Electric (PG&E) acquired the property in the mid-1970s and constructed a petroleum tank farm, including storage tanks and heating and pumping facilities, on the site. The tank farm was used in conjunction with a PG&E underground pipeline to move fuel oil from Richmond to PG&E power generating facilities in eastern Contra Costa County.

By the early 1980s, environmental regulations caused PG&E to switch to natural gas as fuel for its generating plants, and the Hercules tank farm and the related pipeline were placed in standby status. In 2000, PG&E applied to the California Public Utilities Commission for permission to sell the tank farm and pipeline facilities. The sale was concluded in October 2005, with Santa Clara Valley Housing Group becoming owner of the Hercules tank farm site, and Shell Oil Company acquiring the Richmond-to-Pittsburg underground pipeline. The tanks have since been removed, soil contamination is complete, and a California Water Board Remedial Actions Closure Report was issued for the site in April 30, 2015.

**Description of the Project Site:** The project site is situated on a prominent hillside overlooking the intersection of two regional highways, Interstate 80 and State Route 4. The site slopes downward toward the south and southwest, with elevations ranging from approximately 215 feet above Mean Sea Level (MSL) in the northern portion of the site to approximately 33 feet along the southern edge of the property.

The site reflects the historical industrial use of the property. The property has been extensively graded to accommodate the past industrial tank use. A large, artificial earthen berm – approximately 40 feet in height –visually shield the former tanks from the south. This berm accounts for the site's maximum elevation of 215 feet. A cellular telephone tower and equipment facility exists on the site and would be relocated for the project to meet the Federal Communications Commission requirements as to distances from residential uses.

Several utility easements cross or extend into the site. Two sets of PG&E electrical power line towers are in the northeast corner of the site, with associated access easements. A 20-foot-wide East Bay Municipal Utility District (EBMUD) easement traverses the length of the site in the southwest/northeast direction. This easement contains a 24" and a 36" viaduct that will be relocated as part of the development. Adjacent and parallel to the EDMUD line is a 10-foot-wide pipeline easement initially granted to Union Oil Company of California Now owned by Union Oil Company. This petroleum products pipeline will also require relocation. These existing and potential relocated utilities can be seen best in Attachment 2 – Large Scale Hill Town Civil Supplementary Exhibit pages 2 and 7.

The portion of the site not occupied by industrial improvements is undeveloped and vegetated with annual grass in addition to mature trees of various species and varying condition. No complete tree survey is shown in the attached drawings, however tree removals are shown on page 20 of Attachment 2 – Large Scale Hill Town Civil Supplementary Exhibit.

## **2. WORKING SESSION**

The following is a brief comparison of key topic areas of the Project to the DOPA regarding design, amenities, parking, cross-section, and aesthetics/retaining walls.

**Building and Site Design.** The design concept and layout envisioned the future development evocative of an Italian hill town; appealing to upscale residents and marketed based upon its urbanity, convenience and views; designed at higher densities and containing a small amount of commercial. According to the original IPDP the landmark Hill Town with its urban plan focuses on:

- Using the topography to its full advantage.
- Maximizing views from the site to the bay.
- Creating vistas from San Pablo (at Highway 4) and the main entry to the community feature
- Developing a vehicular circulation pattern that winds and traverses the grades, but is governed by current Fire Code standards.
- Overlaying a pedestrian circulation highlighted by 5 major public spaces and a number of semi-private plazas and courtyards.

In the IPDP the applicant proposed to take advantage of the hilly and visually prominent site. The Zoning Ordinance requires a Planned Development Plan (PDP) on all residential subdivisions of 5 acres or more. Chapter 48 of the City's Zoning Ordinance defines the Planned Development process and provides the opportunity to pursue a development project in three stages – Conceptual, Initial, and Final PDP. As mentioned above, in 2007 an Initial Planned Development Plan (IPDP) of a proposed site plan and architecture was submitted and reviewed by City staff, the former Planning Commission – City Council Design Review Committee, and Opticos Design acting as the Town Architect on behalf of the City and then approved by the City Council. The Redevelopment Agency approved the Initial Planned Development Plan on September 9, 2008 and established a comprehensive set of documents and conditions of approval which will regulate the subdivision and development. The Initial Planned Development Plan included civil, landscape, and architecture plans (Attachment 3) as well as Conditions of Approval (Attachment 4).

A proposed Final Planned Development Plan entitlement packet was initially submitted to the Planning Department back in May 2019 with a secondary submittal in July 2019; both submittals were incomplete applications (with the exception of the Vesting Tentative Map portions) and sent back for further refinements. The third submittal was submitted to the Planning Department on Thursday, October 9, 2019 and have not been fully reviewed by staff for completeness and have been forwarded to the Planning Commission for review as part of this evening's workshop.

The following is a comparison of total number of housing types and commercial square feet comparing the original DOPA to the Project:

| <b>Housing Types</b>     | <b>Development Agreement<br/>(DOPA 07-01)<br/>Attachment 3 Plans</b> | <b>Project (2019)<br/>Attachment 1<br/>Plans</b> | <b>Greater or (<i>less then</i>)<br/>DOPA</b> |
|--------------------------|--|--|---|
| <b>Townhome</b>          | 38 units   | 170 units  | 132 units                                     |
| <b>Courtyard Housing</b> | 209 units  | 230 units  | 21 units                                      |
| <b>Row Housing</b>       | 200 units  | 0 units  | (200) units                                   |
| <b>Podium</b>            | 193 units<br>(182 flats)<br>(11 townhome)                            | 197 units  | 4 units                                       |
| <b>Total Residential</b> | 640  | 597  | (43) units                                    |
| <b>Commercial</b>        | 4,000 sq.ft.   | 4,200 sq.ft.                                     | 200 sq.ft.                                    |

As shown above, there are slightly less overall residential units (predominately caused by the requirement by other agencies of C-3 treatment on-site which reduced the developable area), the deletion of row housing and increases in townhomes, and slight increases to commercial square feet. The developer has not clarified whether the housing anticipated to be for ownership or rental. Additionally, the original 2009 DOPA (condition 3.6.1.6) required an affordable housing in-lieu fee. DOPA Amendment #1 (2018) amended this section to set aside five percent (5%) of the total number of residential units for moderate income housing. The location of this housing has not been identified at this time.

The proposed residential development would consist of a mixture of three basic types of housing: townhouse, courtyard units arranged (around internal plazas, small motor courts, or interior pedestrian courtyards), and podium housing over commercial spaces or parking structures. No detached single-family residences are planned for this project. The proposed residential design integrates several housing types that will serve a mix of incomes, age, and family type. They incorporate a range of square footage and bedroom counts from one to four.

In order to further compare the DOPA building approval to the Project available information includes average density, net acreage, and building height, as follows:

| <b>Building Size Topics</b> | <b>Development Agmt.<br/>(DOPA 17-01)</b>   | <b>Project (2019)</b>   | <b>Greater or (<i>less then</i>) DOPA</b>                                |
|-----------------------------|---|---|--|
| Average Density             | 14.4 du/gross acre  | 13.09 du/gross acre   | (1.31 du/gross acre)   |
| Gross Acres/Net Acres       | 44.2 acres/31.0 acres   | 45.6 acres*/  | 1.4 acres  |
| Building Height**           | ***Townhome – 32’<br>with minor building<br>sections of 36’ for<br>variation.<br>Rowhouse – 48’<br>Court Yard – 32’<br>Podium – 58’ | Townhome – 38’-8”<br>to 44’<br><br>Rowhouse – N/A<br>Court Yard – 44’<br>Podium – 60’ | Townhome 6’- 8’<br><br>Rowhouse – N/A<br>Court Yard – 12’<br>Podium – 2’ |

\*The Project includes a proposed city right-of-way vacation (plan C1.01), which increases lot area.

\*\* Sec. 13-60.200 “Height” means a vertical dimension measured from the average elevation of the surface of the ground covered by the structure to the highest point of the structure.

\*\*\*The DOPA height was determined by taking the scale from the plans and measuring from grade to top of roof.

The height of the buildings exceed that which was approved from between 6'-12', not including appurtenances. According to Section 10 of the DOPA the building height increase is a Minor Amendment (10.3), which can be decided as part of the merits of the Project. The site was rezoned from Industrial to Planned Commercial Residential Mixed-Use Zoning District (PC-R) after 2007. In Table 13-15.2 of the Hercules Municipal Code Zoning Section, the building height maximums are 40/50/65' with 50' allowed for combined commercial and residential uses (Podium C); for major frontage along San Pablo Avenue 65' if approved in PDP; and 40' otherwise. At issue, is the heights of the townhomes and courtyard homes not abutting San Pablo Avenue, and the two podium buildings not mixed-use commercial residential.

## **Architecture**

**Townhomes:** The DOPA IPDP included townhomes extending along the north side of the site (adjacent to Victoria Crescent Subdivision) and would be stepped-up and down the hillside, providing articulated roof lines (Attachment 3 - IPDP page A-7) that appear as two-story in some cases but are actually three-story buildings. The garages would be cut into the slope such that the two stories of living space over parking would present a two-story front façade. **The 2019 project proposed townhome 8-plex (Attachment 1 elevation pages A3.2.5.0, A3.2.5.1 and A3.2.6.0 and A3.2.6.1) includes a three-story single unarticulated roof-line, lacking important details such as arched door entries, grided windows, material changes along full façade that break up the building, differing step-up entries with individual building changes to name a few.**

**Courtyard:** The DOPA IPDP courtyard housing (Attachment 3 – IPDP page A-6 & A-1 View Two) was located in the upper portion of the site as shown in the Key Plans, was configured as single buildings with an essentially square footprint; each building with an interior courtyard providing garage access from the rear, with vehicle access provided from an entrance on one side or corner of the building. Parking would thus be largely obscured from view along pedestrian ways and from other public rights-of-way. The courtyard housing would be arrayed on sloped sites such that building elevations would appear as one to two stories, while floor plans would consist of ground level parking with living space either on the same level with second-level bedrooms, or with two stories of living space on top of parking. **The 2019 project building configuration shown in Attachment A is similar but the overall bulk, size, and height appear larger because of the single roof line, lack of distinct building changes, no circular elements and lack of Mediterranean features such as railing used to create façade second story walkways, patterns of small and large windows. Attachment 1 pages A3.2.7.0 to A3.2.7.3 show Courtyard Style A elevations. Pages A3.2.8.0 to A3.2.8.3 show Courtyard Style B elevations. Pages A3.2.9.4 to A3.2.9.7 show Courtyard Style C elevations. This building monotony is particularly evident along San Pablo Avenue.**

**Rowhouse:** The DOPA IPDP included 200 Rowhouse style residential units in the southerly sections of the site whereas the new proposal does not contain any drawings labeled as such.

**Podium:** The DOPA IPDP podium housing is the largest massing of the housing types. Three buildings with square footprints would orient around a large plaza. The buildings included upper-story residential balconies overlooking central courtyards. The buildings included four stories above grade, with parking provided in underground garages. The project building C includes a 4,200 square foot retail space with entry doors facing the central plaza, two stories of below grade parking, with three stories of residential above – except building B includes four stories of residential above **(Attachment 1 - Plan Page A4.4.0). Unlike the IPDP the residential design does**

not include upper-story residential balconies overlooking central courtyards. Comparing the architecture (Attachment 3 - IPDP plan page A-4 and Project A4.3.1), the IPDP included circular elements, varied roof lines, distinctly smaller building masses, purposeful roof overhangs midway down building facades to reduce scale and bulk – these are missing on the proposed building giving the impression of long, flat, facades. The site elevation perspectives only dramatize the facade (Attachment 1 - Pages A5.0.4, A5.0.6). The perspectives provided in IPDP Attachment 3 page A-1 View One and View Two compared to 2019 Project Plan Attachment 1 A5.0.7, along with the elevation in IPDP A-4, A-6, A-7 .show differences in detail.

It appears that the proposed design requires revisions to add special façade treatments using fenestration, arcades, balconies etc. Additional recommendations to introduce to the stucco facades interspersed stone veneer elements, window shutters and black steel window detail, rail or deck elements, recessed entry doors within arched openings; arches repeating along single-story facades defining narrow step-up porches; balconies and terraces to add to pedestrian connection to outdoor spaces and red tile roof to contribute to distinctive identify of the buildings. The relocation of the cell tower in front of three buildings shown on **Attachment 1 plan page L6.0** is not an ideal location and will hinder views to and from the podium building.

### **Amenities**

**Site-wide:** The DOPA IPDP: included six public plazas dispersed around the site to provide a focal point for information gatherings of residents as well as an aesthetic focus (**Attachment 3 --IPDP Plan pages A-1 and A-2**). The original IPDP includes 13.2 acres of open space and parks shown on **Attachment 3 - IPDP Plan page C-3**. The proposed project includes 14.3 acres of common open space as shown in **Attachment 1 on plan page A0.1.1**.

| <b>Amenity Features</b>                 | <b>Development Agreement (DOPA 17-01) Attachment 3 Plans</b> | <b>Project (2019) – Attachment 1 Plans Attachment 2 Plans</b>                          | <b>Difference</b>                                  |
|---|--|--|--|
| Grand Allee                             | Included (L-1, location 3)                                   | Included (L1.1, & L4.0))   | Consistent   |
| Fountain Plaza                          | Included (L-1, location 9)                                   | Included (L1.1 & L6.0)   | Consistent   |
| Piazza with seatwalls and obelisk plaza | Included (L-1, location 11 & L-5, leftside)                  | Minor seatwalls only. (L5.0)   | Removed  |
| Grand Stairway Entry                    | Included (L-1, location 12 & L-5, leftside)                  | Minor stairway (L5.0) (Page 10 of 20 in Large Plans shows several alternative options) | Significantly Changed                              |
| Enhanced paving at entry and courtyards | Included (L-1 in all courtyard/alleys and L-5 rightside)     | Included at entry; decreased within alleys and motor courts (L1.0)                     | Decreased quantity                                 |
| Bocce Ball Courts                       | Included(L-1,location 14)                                    | Not Included (L1.0)  | Incorporated where Community Amenity #2 was on L-1 |
| Autocourt Fountain                      | Included(L-1, location 15 & L-5 rightside))                  | Not Included (L1.0)  | Removed  |



The Project design significantly modified the grand pedestrian entrance from John Muir Parkway at San Pablo Avenue leading up to a PIAZZA – Item 11 with an obelisk (IPDP Plan L-1 & L-5). The change occurred because the original design was in Cal-Trans right-of-way and may have conflicted with designated wetlands. **The design has changed to a simple sidewalk with a few benches that runs along the front of the 12-plex building (Project Plan A3.2.7.1) which is not as inviting or pedestrian scale and should be modified to better achieve the purposes of the prior design.**

Courtyard: Buildings were shown to wrap around interior motor courtyards, with enhanced pavement to distinguish the public plazas (IPDP Plan L-5), pedestrian ways, and interior motor courts. Planter boxes and other adornments would offset the utilitarian nature of the motor courts. The IPDP sidewalks included scored or stamped accenting color concrete pavement, and tree wells (IPDP L-4), which are being replaced with planting (Project L7.0). The enhanced courtyard paving on the project has been reduced (Plan L1.0), no raised planters or view plazas are proposed.

Podium: The IPDP included interior courtyard improvements (IPDP L-1) within each building. The project podium housing includes a “public amenity” space within each building (Plan L6.0). The proposed improvements are equal in quality and scale as the IPDP.

### **Parking**

Total Parking: Site-wide the IPDP, and the Project each provided parking at 2.35 spaces per dwelling unit. Both are also providing parking in garages (multi-floor underground, tandem, and side-by-side), and on-street.

Surface Parking: The IPDP surface parking was mostly provided on one-side of the street on the loop road (Attachment 3 - IPDP Plan page A-2); while the project provides parking through-out the site on both the loop roads, back-side of the project, and on one or both-sides of the street (Attachment 1 – 2019 Project plan pages C1.01, C1.02, C1.03, C1.04).

Courtyard and Townhome Garages: IPDP Courtyard and Townhome housing floor plans included two-car garages for each unit (IPDP A-6 & A-7). The Rowhouse Plan, not included in this project, had a combination of two-car garages, and tandem spaces (IPDP A-3). The applicant has introduced the tandem garage through-out the project in both the courtyard and townhome design which has enabled units to have a two-car garage. Almost 50% of the parking is proposed as tandem (Attachment 1 Parking Summary Spreadsheet page A0.1.2).

The Parking Ordinance 13-32.300 Table 13-32.1: Off-Street Parking Requirements allows tandem spaces for mobile home parks, and 13-32.300 Parking Standards (4)€ that each parking space shall be accessible from an alley, but is otherwise silent. Tandem spaces could make marketing of the units more difficult, but because the driver of each vehicle will be within that residential unit it may not be too problematic for users.

**One issue to note is 18 units in Phase 1 include a 1-car garage when the bedroom count is 2-3 bedrooms (Attachment 1 – Parking Summary Spreadsheet page A0.1.2) requiring any secondary car drivers to park on surface parking.**



Podium: According to the parking chart provided on Plan A0.1.3 the parking requirements are met within each building's underground parking. Commercial deliveries and garbage pick-up details are pending.

### **Cross-Sections for Street and Overall Site Grades**

Attachment 1 Proposed Landscape page L2.0 , L3.0 and L7.0 show several street cross sectional of the two main entries into the subdivision as well as several points along San Pablo as someone would be driving up the road on one side of the street. Engineered cross-sections of some of the interior street widths can be found in Attachment 1 on page C1.01 while comparative street sections in the IPDP can be found in Attachment 3 page L-4.

Multiple proposed cross-sections cutting through the site are provided in Attachment 2 – Large Scale Drawings on page 13 of 20 with Section 7 detail providing the best view of how the site will step down adjacent to San Pablo Avenue. Overall existing and proposed grading can be found in these same Large Scale Drawings on pages 1 and 4 of 20 that shows significant grading at the upper portion of the existing hill with soil removal up to 60', and soil added in the area of the second entrance by 30'. Staff requested sections thru and beyond the site to show the elevation change perspective so that transitions between neighborhoods is more clear which has not been provided. Sections have been provided through the podium building (Plan A4.3.1).

### **Aesthetics Wall**

Site-wide: Plan C3.00 – C3.06 includes the location of all new retaining walls (shown as a red line). Privacy fences are not shown, and are still in question. There are retaining walls as high as 11'-8" (page C3.01) adjacent to San Pablo Avenue, and 14'-7" (Plan C3.02) adjacent to the Podium. It is important to be cognoscente of retaining wall heights when considering the architecture, design details, landscaping designs, accessibility to units for fire, and police visibility.

Entrances: There are two main entrances from San Pablo Avenue, a primary entrance (Plan L2.0), and secondary entrance (Plan L3.0). Referring to Plan L2.0, Section A-A, a roadway, sidewalk, and entry walls are proposed. Referring to the grading and drainage plan (C3.00), the identified retaining wall height is 0.3' on the left side; and 5'-7" on the right side with a secondary wall above this and setback of 4' on the left and 6'-5" on the right. It will be important to have an even summitry and finish of the two sets of pilaster walls regardless of the design function.

## **3. ENVIRONMENTAL DETERMINATION**

*The Project:* The Hercules Updated 2009 Redevelopment Plan Draft Environmental Impact Report (EIR) (SCH #2008112049) dated January 2009; and subsequently amended in April 20, 2009 was prepared to provide an assessment of the potentially significant environmental effects of the proposed Updated 2009 Redevelopment Plan. Included in that EIR is the Hill Town project. As required by the California Environmental Quality Act (CEQA), the then Redevelopment Agency was the lead agency for the project evaluated in the draft EIR; the City has the principal responsibility for approving the Project. As such, an new environmental analysis is underway to compare the 2019 Project and its impacts to the 2009 EIR. The analysis is underway, and a public review draft will likely be available by January 2020. The DA requires the Applicant pay the sum

of \$100,000 as their proportionate share of the EIR. A payment schedule has been developed, and the deposits are up-to-date.

#### **4. ISSUES FOR PLANNING COMMISSION'S CONSIDERATION**

*Working Session:* After hearing the Applicants presentation, and public input decide if additional information is needed, schedule focused sessions on particular topics, and/or schedule a site visit. In future, a duly noticed public hearing will be scheduled on the merits of the project but no approval action is being sought.

#### **5. ATTACHMENTS:**

- Attachment 1— Hill Town Architecture, Civil, and Landscape Plans (Rcvd 10/9/19)
- Attachment 2- Hill Town Large Scale Civil Supplementary Exhibits pages 1-20 (10/9/19)  
Overall Site Drawings
- Attachment 3- Hill Town Initial Planned Development Plan (IPDP 07-01) civil, landscape, and architecture plans approved 5/8/2007 (last updated April 9, 2007).
- Attachment 4- Hill Town Conditions of Approval for the IPDP 07-01 approved 5/8/2007