



City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Minutes

Planning Commission

Chair Irina Galieva
Vice Chair Hector Rubio
Commissioner Ken Morrison
Commissioner Susan Tolley
Commissioner Nicole Sacramento

Monday, October 21, 2019

7:00 PM

Council Chambers

To view webcast of meetings, live or on demand, go the City's website at www.ci.hercules.ca.us.

I. CALL TO ORDER - ROLL CALL

Vice Chair Rubio called the meeting to order at 7:00 p.m.

Present 4 - Vice Chair Hector Rubio, Commissioner Ken Morrison, Commissioner Susan Tolley, and Commissioner Nicole Sacramento

Absent 1 - Chair Irina Galieva

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Morrison.

III. PUBLIC COMMUNICATION

None.

IV. CONSENT CALENDAR

1. [19-773](#)

Meeting Minutes

Recommendation: Approve Minutes for Meetings of: July 15, August 5, and August 19, 2019.

MOTION: A motion was made by Commissioner Morrison, seconded by Commissioner Tolley, to approve the regular meeting minutes of July 15, August 5, and August 19, 2019 . The motion carried by the following vote:

Aye: 4 - Vice Chair Rubio, Commissioner Morrison, Commissioner Tolley, and Commissioner Sacramento

Absent: 1 - Chair Galieva

V. PUBLIC HEARINGS

1. [19-772](#)

Conditional Use Permit No. 19-03, a request by Edward Lim, representing Lumigenics, to operate an approximately 2,750-square-foot cancer research laboratory, with administrative

uses and animal testing facility for mice, at 750 Alfred Nobel Drive in the North Shore Business Park, a Planned Office-Research & Development Mixed-Use District in Hercules.

Recommendation: Adopt Resolution #19-09 approving CUP #19-03, subject to the conditions therein, to operate a cancer research laboratory with administrative uses and animal (mice) testing facility.

Adjunct Planner Reber introduced the item and provided a staff report.

Vice Chair Rubio opened the public hearing at 7:09 p.m.

Vice Chair Rubio read into the record a letter received from the public.

Members of the Planning Commission asked questions and the applicant and staff provided responses.

MOTION: A motion was made by Commissioner Tolley, seconded by Commissioner Morrison, to approve Resolution No. 19-09. The motion carried by the following vote:

Aye: 4 - Vice Chair Rubio, Commissioner Morrison, Commissioner Tolley, and Commissioner Sacramento

Absent: 1 - Chair Galieva

2. [19-769](#)

Amendment #3 to the Development and Owner Participation Agreement for the Hilltown Project (DOPA 07-01) with the Santa Clara Valley Housing Group to Extend Key Performance Dates and Correct the Affordable Housing Section

Recommendation: Convene a Public Hearing and Consider Approving Resolution #2019-11 Recommending that the City Council Approve a Request from the Hilltown Developer to Execute Amendment #3 to the DOPA 07-01 for the Hilltown Project Site.

Planning Director Smyth introduced the item and provided a staff report.

Vice Chair Rubio invited the applicant to the podium to provide updates on the project.

Vice Chair Rubio opened and closed the public hearing at 7:24 p.m with no comments from the public.

MOTION: A motion was made by Commissioner Morrison, seconded by Commissioner Tolley, to approve Resolution No. 2019-11. The motion carried by the following vote:

Aye: 4 - Vice Chair Rubio, Commissioner Morrison, Commissioner Tolley, and Commissioner Sacramento

Absent: 1 - Chair Galieva

VI. DISCUSSION / ACTION ITEMS

1. [19-770](#) **Street Tree Landscaping for Sycamore Crossing, a mixed-use project comprising approximately 29,511 square feet of commercial space, a 105-room hotel, and up to 120 residential dwellings on an approximately 12.88-acre site bound by San Pablo Avenue, Sycamore Avenue, and Tsushima Street for Sycamore Crossing Land Developers, LLC**
Recommendation: Adopt Resolution #19-10 approving the Sycamore Crossing Street Tree Landscape Plan as part of a condition of approval for Initial/Final Planned Development Plan #17-02 and Design Review Permit #17-04.

Vice Chair Rubio introduced the item and Adjunct Planner Reber provided a staff report.

Members of the Planning Commission asked questions and staff and applicant provided responses.

MOTION: A motion was made by Commissioner Tolley, seconded by Commissioner Sacramento, to approve Resolution No. 19-10. The motion carried by the following vote:

Aye: 4 - Vice Chair Rubio, Commissioner Morrison, Commissioner Tolley, and Commissioner Sacramento

Absent: 1 - Chair Galieva

2. [19-771](#) **Workshop 1 - Review of the Hill Town Project located at 4200 San Pablo Avenue, a proposal to develop the 44-acre site with approximately 598 multi-family homes and 4,200 square feet of retail with passive open space and recreational elements.**
Recommendation: Carry out a workshop session to include a presentation by the applicant and staff on the overall project, followed by a dialogue led by the Planning Commission.

Vice Chair Rubio introduced the item and invited the applicant to provide updates on the project. Mr. Cory Cusich of Santa Clara Valley Housing Group, introduced members of his project team and provided a presentation.

Members of the Planning Commission asked questions and provided comments. City Staff and the applicant provided responses and additional information.

Vice Chair Rubio called for a short recess at 9:33 p.m.

Vice Chair Rubio reconvened the meeting at 9:39 p.m.

VII. PLANNING DIRECTOR REPORTS AND ANNOUNCEMENTS

Planning Director Smyth reported on upcoming events and the status of current projects.

VIII. COMMISSIONER REPORTS AND ANNOUNCEMENTS

Members of the Planning Commission provided reports and comments.

IX. ADJOURNMENT

Vice Chair Rubio adjourned the meeting at 10:51 p.m.

Irina Galieva, Chair

Attest:

Holly Smyth, Planning Secretary/Planning Director

COMMISSION STATEMENT OF PURPOSE: The Planning Commission typically meets the first and third Monday of every month; its primary functions are to advise the City Council on policy matters in regard to the growth and development of the City of Hercules and to act on applications for development permits.

SPECIAL ACCOMODATIONS: In compliance with the Americans with Disabilities Act, if you require special accommodations to participate in a Planning Commission meeting, please contact the City Clerk at 510-799-8215 at least 48 hours prior to the meeting.

AGENDA ITEMS: Persons wishing to add an item to an agenda must submit the final written documentation 12 calendar days prior to the meeting. The City retains the discretion whether to add items to the agenda. Persons wishing to address the Commission otherwise may make comments during the Public Communication period of the meeting.

PUBLIC COMMUNICATION: Persons who wish to address the Commission should complete the speaker form prior to the Commission's consideration of the item on the agenda. Speakers will be called after the project applicant has presented the project.

Anyone who wishes to address the Commission on a topic that is not on the agenda and is relevant to the Commission should complete the speaker form prior to the start of the meeting. Speakers will be called upon during the Public Communication portion of the meeting. In accordance with the Brown Act, the Commission may not take action on items not listed on the agenda. The Commission may refer to staff any matters brought before them at this time and those matters may be placed on a future agenda.

In the interests of conducting an orderly and efficient meeting, speakers will be limited to three (3) minutes.

Anyone may also submit written comments at any time before or during the meeting.

CONSENT CALENDAR: All matters listed under Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Commission or a member of the public prior to the time the Commission votes on the motion to adopt.

PUBLIC HEARINGS: A public hearing enables the public to present information, opinions, and arguments relevant to the actions of the Commission, and informs the public about the details of the proposal.

At the beginning of an item, the Chair will read the description of that item as stated on the agenda. The staff will then give a brief presentation of the proposed project. The Commission may then ask staff questions about the item.

The Chair will open the public hearing and ask the applicant(s) if he or she wishes to make a presentation or statement. Those persons in favor of the project will then be given an opportunity to speak followed by those who are opposed to the project. The applicant(s) will then be given an opportunity for rebuttal.

The public hearing will then be closed, and the Commission may discuss the item amongst themselves and ask questions of staff. The Commission will then vote to approve, deny, approve in a modified form, or continue the matter to a later date for a decision. The Chair will announce the Commission's decision and advise the audience of the appeal procedure.

Persons who wish to speak on matters set for public hearings will be heard when the Chair calls for comments in support thereof or in opposition thereto. After the hearing is closed, there is no further comment permitted from the audience unless invited by the Chair.

The Commission has decided that no public hearings will begin after 11:00 p.m., and that items still remaining on the agenda after 11:00 p.m. will be held over to the next Commission meeting.

LEGAL CHALLENGES: If you challenge a decision of the Planning Commission in court, you may be limited to

raising only those issues you or someone else raised at the meeting or in written correspondence delivered at, or prior to, the meeting. Actions challenging Commission decisions shall be subject to the time limitations contained in the Code of Civil Procedures Section 1094.6.

NOTIFICATION PROCEDURE: Property owners within 300 feet of a proposal will receive a notice of the proposal at least ten (10) days prior to the public hearing. The notice lists the type of application, application number, brief description and location of the project, and the applicant. The City of Hercules subscribes to a service that uses the property owner information from the most recent data on the Contra Costa County Tax Assessor's rolls. Please be aware there often is a time lag for both the tax rolls and this service to be updated.

AGENDA POSTING: The Planning Commission Agenda is posted at least 72 hours prior to the meeting at City Hall, the Hercules Swim Center, Ohlone Child Care Center, Hercules Post Office, and on the City's website (www.ci.hercules.ca.us),

REVIEW OF PUBLIC DOCUMENTS: All Planning applications are public documents, and can be reviewed by the public. These files, however, are not allowed out of the office. Should a member of the public require copies of information contained within the file, a written request must be submitted to the City Clerk's Office. Staff will accommodate the request within ten (10) calendar days. The charge is \$0.20 per page. If you require a complete copy of the file, or if staff cannot accommodate your request within ten (10) calendar days, you must make arrangements to bring in a copier or copy service that can make copies without leaving City Hall.

Environmental Impact Reports, Specific Plans, and other project specific documents are made available for the public to review at City Hall at 111 Civic Drive, Hercules CA. Loan copies (limited supply) are available for review, not purchase, at the Planning Department. These documents must be checked out with staff. You will be asked to provide your name, phone number, and a deposit. Persons will be informed of the date and time the document must be returned. You may check out the loan document, but staff will not make a complete copy of the document. Staff will accommodate the request to make photocopies based upon the current workload and availability of personnel to make copies. Costs are outlined in above paragraph.