

RESOLUTION NO. 20-____
CEQA ADDENDUM #19-01
HILL TOWN PROJECT

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES
APPROVING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
ADDENDUM #IS 19-01 FOR “HILL TOWN PROJECT,” PROPOSED FOR 44.2
ACRES ADJACENT AND WEST OF INTERSTATE I-80, ADJACENT AND
EAST OF SAN PABLO AVENUE AND ADJACENT AND NORTH OF JOHN
MUIR PARKWAY (EXISTING APN 404-040-064)**

WHEREAS, the Planning Commission and the City Council of the City of Hercules have considered the application by Santa Clara Valley Housing Group (“Applicant”) for the Project known as Hill Town located on San Pablo Avenue; and

WHEREAS, the Project Site is comprised of one parcel of approximately 44 acres assigned assessor parcel number APN 404-040-064 which, along with a combination of right-of-way vacation and abandonment, will result in a Project Site of approximately 46 acres; and

WHEREAS, the Project Site in its current state is generally vacant/undeveloped, although it contains utility improvements and telecommunications equipment; and

WHEREAS, the Project Site is within the development area that was evaluated in the 1998 City of Hercules General Plan Land Use and Circulation Element Update and also within the Central Hercules Plan area; and

WHEREAS, in 2007, the City Council approved a Development and Owner Participation Agreement for the Hill Town Redevelopment Project (DOPA 07-01) (the “Development Agreement”) and an Initial Planned Development Plan (“IPDP”) which contemplated development of up to 640 residential units and 4,000 square feet of neighborhood commercial uses on the Project Site; and

WHEREAS, in 2009, pursuant to the requirements of the California Environmental Quality Act (“CEQA”) and its implementing regulations (the “CEQA Guidelines”), the City Council certified the 2009 Redevelopment Plan Final Environmental Impact Report (SCH#20018112049) (the “Redevelopment Plan EIR”), which evaluated the potentially significant environmental effects from development of the Project Site as described in the DOPA and the IPDP and described mitigation measures to minimize those effects; and

WHEREAS, in 2019, the following applications related to the Hill Town project were filed concurrently and collectively define the currently-proposed Project:

- Request that the City vacate and abandon approximately 1.13 acres of existing road right-of-way, consistent with the General Plan; and
- Approve Final Planned Development Plan #FPDP 19-01 and Design Review

Permit DRP #19-02 for 598 residential units including townhomes, courtyard homes, and multi-family podium style buildings; a 4,200 square foot neighborhood commercial use; and associated common areas for parking, landscaping, active and passive areas, and pedestrian access.

- Approve Vesting Tentative map #TSM 9533 to subdivide the site into 47 smaller residential lots and various open space areas, incorporate the abandoned small portions of San Pablo Avenue right-of-way, and remove existing on-site easements (equating to an additional 1.13 acres); and
- Approve Conditional Use Permit #CUP 19-01 to allow a neighborhood retail use that exceeds 2,000 square feet in the PC-R Planned Commercial Residential zoning district; which proposed neighborhood retail use will total 4,200 square feet, and for an allowance of up to 10% of the building architectural appurtenances to be up to 25' taller than the 65' building height of the PC-R District; and

WHEREAS, in accordance with CEQA, including but not limited to Sections 15063, 15164, and 15168 of the CEQA Guidelines, the City has prepared an Initial Study including technical studies of biological resources, cultural resources, paleontological resources, traffic impact analysis, air quality, greenhouse gas, and noise to determine whether the potential environmental effects from the currently-proposed Hill Town Project were analyzed adequately in the Redevelopment Plan EIR or whether further environmental review and analysis is required, and

WHEREAS, based on information and analysis of the Initial Study, including several subject-specific technical reports/studies, the City has prepared an Addendum to the Redevelopment Plan EIR for the Hill Town Project which incorporates by reference the Initial Study, the technical reports/studies, and an updated Mitigation Monitoring and Reporting Program dated 2/14/2020 (the "Updated MMRP")(collectively, "CEQA Addendum #IS 19-01"), and which documents the City's determinations that the currently-proposed Hill Town Project is within the scope of the project evaluated in the 2009 Redevelopment Plan EIR and that none of the conditions described in Section 15162(a) of the CEQA Guidelines have occurred or will occur as a result of approval and development of the Project; and

WHEREAS, on March 2, 2020, after due study, deliberation and public hearing, the Planning Commission adopted Resolution 20-01 recommending that the City Council approve CEQA Addendum #IS 19-01;and

WHEREAS, on March 24, 2020, the City Council held a properly noticed public hearing on the Hill Town Project, at which hearing the City Council considered CEQA Addendum #IS 19-01, and at which time all interested parties had the opportunity to be heard.

NOW, THEREFORE BE IT RESOLVED that after public hearing, due study, and deliberation, the City Council hereby makes the following findings to support the determination that no further environmental review is required under CEQA for the proposed Hill Town Project. These findings are based on information contained in the CEQA Addendum #IS 19-01, the Redevelopment Plan EIR, the City Council staff report(s), and all other information contained in the administrative record for the Hill Town Project.

1. From the previously certified CEQA documents related to the Project Site, the City has identified those mitigation measures specifically applicable to the Hill Town Project, as set forth as the generally applicable mitigation measures in CEQA Addendum #IS 19-01 and the Updated MMRP.
2. No further environmental review under CEQA is required for the proposed Project because, consistent with the requirements of CEQA Guidelines sections 15063, 15162, 15164, and 15168, there is no substantial evidence in the administrative record that the Hill Town Project may result in any new significant environmental effects, any substantial increase in the severity of any previously identified impact, or require any new mitigation measures so as to warrant a supplemental or subsequent environmental impact report, and none of the conditions described in section 15162(a) of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred or will occur as a result of development of the Project.
3. The City has properly prepared CEQA Addendum # IS 19-01, in compliance with all applicable requirements of CEQA and the CEQA Guidelines, to support its decision to forego further environmental review for the Hill Town Project.
4. The City Council reviewed and considered all the information in the record on or before 3/24/2020 in the CEQA Addendum #IS 19-01 and the Redevelopment Plan EIR.

BE IT FURTHER RESOLVED that the City Council approves CEQA Addendum #IS 19-01 which is attached and incorporates the Mitigation Monitoring and Reporting Program, Initial Study with accompanying technical reports and appendices for the Hill Town Project.

AYES:

NOES:

ABSENT:

ABSTAIN:

Roland Esquivias, Chair, 2020

ATTEST:

Lori Martin Biggs,
City Clerk, Administrative Services Director

Exhibit A: Mitigation and Monitoring Reporting Program (MMRP)