

**CITY OF HERCULES**

**CITY COUNCIL AGENDA SUMMARY**

**TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Steve Lawton, Community Development Director  
Dennis Tagashira, Planning Manager

**HEARING DATE:** Regular Meeting of June 22, 2004

**SUBJECT:** **Adopt A Resolution Approving Final Planned Development Plan File No. 04-01, Authorizing The Construction Of 335 Single-Family Homes Including 96 Duets Allowing Home-Based Businesses, Open Space And Recreation Areas, And Associated Circulation Improvements On 32.6 Acres, In Accordance With Zoning Ordinance Chapter 28 - Central Hercules Plan Regulating Code And Chapter 48 - Planned Development Plans.**

**Applicants:** Douglas L. Eikenbary Representing William Lyon Homes, And Greg Plucker Representing John Laing Homes

**Location:** Parcels 4 And 5 Of Subdivision 8764; North Of Sycamore Aveune, South Of The Proposed Extension Of John Muir Parkway, And West Of San Pablo Avenue Within The Central Quarter Of The Central Hercules Plan Area

**RECOMMENDATION**

Adopt A Resolution Approving Final Planned Development Plan File No. 04-01, Authorizing The Construction Of 335 Single-Family Homes Including 96 Duets Allowing Home-Based Businesses, Open Space And Recreation Areas, And Associated Circulation Improvements On 32.6 Acres, In Accordance With Zoning Ordinance Chapter 28 - Central Hercules Plan Regulating Code And Chapter 48 - Planned Development Plans.

**BACKGROUND/DISCUSSION**

The Planning Commission on May 17, 2004, unanimously recommended approval of Final Planned Development Plan 04-01 and unanimously approved Variances for block perimeter, block length, paseo interval, build-to lines, and first-floor height for Final Planned Development Plan 04-01, in accordance with Chapters 28 and 48 of the Hercules Zoning Ordinance.

Initial Planned Development Plan 03-01 (October 2003) approved the residential use and density proposed in this Final Planned Development Plan application – as well as a 17.2-acre commercial component north of the residential site (which will be the subject of future Final

Planned Development Plan and Conditional Use Permit applications), 44.1 acres of wetland preservation around the residential subdivision, 1.9 acres along Sycamore Avenue dedicated to the City for a future “main street” development (planned to include shops and up to 60 affordable housing units), and associated right-of-way improvements.

Following conveyance of the 32.6-acre Bayside residential site to the applicants in December 2003, Staff and consultants met numerous times with the applicants to address more than 40 technical issues relating to site and architectural design that arose during the Initial Planned Development Plan review process. The Final Planned Development Plan application now before the City Council includes proposals to resolve all of those technical issues. The application also complies with the Conditions of Approval stipulated as part of the approval of Initial Planned Development Plan, as shown on the matrix included in the Final Planned Development Plan application packet (Exhibit E).

The series of issue-resolution meetings led to a number of changes in site and architectural design that were intended to improve the overall quality of the development and enhance the enjoyment of its future residents. These include.

- Traffic calming – raised, scored concrete crosswalks or intersections were added in a number of locations to slow traffic and provide safe and easily identifiable crossings, including along Tsushima Way and the perimeter drive.
- Park amenities – restrooms, play equipment, bathrooms, and benches were added to the 0.7-acre central green to create a more useful and attractive space, and a paseo was added at the eastern edge of that neighborhood common.
- Additional common area – a small green space was added in the northeast portion of the development.
- Trail amenities – overlooks and seating areas were added along the perimeter trail and green space, which is proposed to be separated from the adjacent wetlands and open space by a wood-and-wire-mesh fence.
- Full wrap – wood siding, as opposed to stucco, is specified for all sides of all homes to increase the quality of the units and the aesthetic value of the project.
- Quality windows – wood windows are incorporated into the design for the front of all homes to enhance the traditional look of the neighborhood.
- Corner lots – unit designs were refined to include either a porch or a custom façade facing each street.
- Perimeter homes – units were either turned to face the edge of the development, or blocks (including alleys and paseos) were redesigned to eliminate side views of homes.
- Streetscape features – fencing, pilasters, and landscaping were added at the Sycamore Avenue entrance and along Tsushima Way to create a distinctive neighborhood gateway and image.
- Noise mitigation – fencing was added at the rear of Lots 324-335 to protect those homes from Sycamore Avenue traffic noise.

The following table presents the full list of issues discussed by City Staff, consultants, and the applicants.

#	Issue	Description	Resolution
1	Conveyance Map	which City body approves?	Council approved
2	CEQA review	nature of continued exposure to CEQA by builders	City Attorney interpretation 12-03
3	VTSM final	accuracy/completeness of VTSM	park size discrepancy resolved through expansion
4	traffic study mitigation measure	who retains traffic consultant	DKS hired by Lewis
5	park area discrepancy	1742 sq.ft. shortfall/1.69 acres total required	KTGY submitted acreage verification
6	paseos as public space	can paseos count toward park dedication?	not allowed per prior City Attorney
7	landscaping/park design	plantings, trees, paths, benches, fencing, bathrooms	1-04 design accepted
8	build-to lines	13 feet where Reg Code identifies 10 as "typical"	variance needed
9	exceptions for grade breaks	identify lots requiring special grading treatment	applies to Lots 106-109
10	design/dev. on Sycamore/Main		will occur after residential review
11	wetland & creek management	clarify HOA/LLD/City responsibility	per Development Agreement section 11m
12	Req's for commercial tenants	describe requirements and approval process for tenants	CUP required per CHP Regulating Code
13	permitting for commercial uses	describe requirements and approval process for tenants	CUP required per CHP Regulating Code
14	CEQA mitigation plan	specific requirements for mitigation measures	City provided master summary of all project conditions
15	separate deposit accounts	set up new phase for deposit accts	3 accts: Lyon, Lewis: old/new
16	submittal contents	design review submission requirements	per Reg Code VII-I and Zoning Ord. 40.300, 48.500 etc.
17	application review schedule	identify review period	30 day completeness determination; 10 days for exceptions
18	paseo interval/block face length	block face length and paseo intervals	variance needed for paseo interval in two locations
19	windows	wood preferred over vinyl for depth and shadowing	wood facing street; no sliders
20	window grids	exterior muntins preferred	exterior muntins on wood windows
21	roofs	type of material	composition shingle
22	porch finishes	concrete detailing	as at Promenade; salt or brush finish if possible
23	fences and hedges	materials, height, spacing, setback	1-04 design accepted
24	front doors	material and style; windows and lighting	as at Promenade; fiberglass, lights allowable
25	columns	type of material	smooth turned wood required
26	garage doors	type of material and number of panels	steel, no lights, 4 or 8 panels ok
27	house numbers	lighting at front and in alley	light directed at residence; no box
28	alley lighting	type of wiring	hard wired
29	chimneys	gas, side/roof discharge, no chimney reqd, BAAQMD rule	no BAAQMD restrictions
30	siding	wrap distance	full wrap
31	stucco	allowable texture	medium sand preferred (N/A per full wrap - #30)
32	housing type mix	mix of architectural styles and unit/use types within blocks	KTGY to propose massing and feature variations
33	non-standard driveways	option for parking in longer driveways	HOA to enforce no parking requirement
34	sidewalk edge	landscape treatment defining PLs along sidewalk	TA review landscape plan
35	park restroom and tot amenities	required per IPDP approval condition 82	options to be presented
36	n'hood vs. town center streets	distance from property line for duets on E Street	e.g., smaller yard preferred; target units 311-14, 335
37	front elevations	porch versus stoop	stoops for type 1 and 2, porches elsewhere
38	lotting/site plan	details for corner units and structure elevations	e.g., porches and house placement for Lots 140, 141
39	signage for home business	establish rules for home-based businesses	draft guidelines to be provided for City Review
40	third floor fire egress	UBC requires access no further than one story below	mitigation options to be provided for Building Official review
41	special pavement treatments	options for crosswalks, gateways and traffic calming	concrete raised crosswalks and intersection tables
42	street/alley furniture	locations for trees, pedestals, mailboxes	mailboxes ganged in alley; HOA owns/maintains
43	utility line locations	locations for lines (all underground)	dry utilities in alley, water/sewer in streets
44	transformer undergrounding	required per IPDP approval condition 37	inform HMU
45	lath siding texture	aesthetic of siding	simulated wood grain
46	perimeter bike path	surface material	concrete not asphalt

After the series of issue-resolution meetings, the Town Architect and the applicant worked together further to refine architectural details in a cooperative effort to improve the quality of the project. These additional efforts:

- Revised porch depth to comply with Central Hercules Plan.
- Rearranged the northwest area alley to orient houses toward open space to improve the view of the neighborhood from John Muir Parkway.
- Rearranged northeast area streets, alleys and blocks to orient houses toward open space to enhance neighborhood experience.
- Separated and sited park restrooms and added a paseo to separate the public common from private homes.
- Type I Homes -
  - Redesigned front elevations to incorporate appropriate character and massing.

- Type II Homes -
  - Redesigned front elevations and suggested sectional changes to relate to historic precedent.
- Type III Homes -
  - Refined elevations on unit styles 1V2, 4C, 3V1.
  - Redesigned elevation and massing for unit style 4V1.
  - Matched window types and aligned head heights of side and rear elevations.
- Type IV Homes -
  - Refined elevations on unit styles 2C, 1C, 1V2.
  - Matched window types and aligned head heights of side and rear elevations.

Staff believes all of these changes have significantly improved the project, including by:

- Enhancing views of the development from both on- and off-site;
- Aligning homes to address the street in a consistent manner;
- Simplifying the site plan to make the neighborhood easier to navigate;
- Improving the quality of materials and individual home design; and
- Reflecting historical building styles and details.

### **Variations Approved by Planning Commission**

In accordance with Zoning Ordinance Chapters 28 and 48, the Planning Commission reviewed and on May 17, 2004, approved Variations requested to City standards for block perimeter, block length, paseo interval, build-to lines, and first-floor height for Type I units.

Zoning Ordinance Chapter 28 establishes standards (p. VI-1) for block face and perimeter length and minimum spacing of paseos in Central Hercules to encourage walking and convenient access to building front-entrances. However, the Variations requested to these standards generally will create an even more pedestrian-friendly neighborhood at Bayside. For example, variations sought to the minimum paseo interval standard will allow alignment of these mid-block walkways so that they will be easy for pedestrians to follow, provide pleasant views – including of San Pablo Bay, and place a paseo between the central common and private lots as an added public space.

The build-to Variations will facilitate even alignment of homes in locations with irregular lot shapes to create a more uniform setback as viewed from the street and sidewalk. The first-floor height Variation will bring the business entrances of live-work units into conformance with the Americans with Disabilities Act.

### **Required Council Findings**

According to Zoning Ordinance Section 48.600, in order to approve a Final Planned Development Plan, the City Council must find:

1. That the proposed use and densities are consistent with the General Plan.
2. That the streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned development.

3. That any exceptions from standard ordinance requirements are warranted by the design and amenities incorporated in the Final Planned Development Plan and approved through the minor exceptions.
4. That the area surrounding the project site can be planned and zoned in coordination and substantial compatibility with the proposed development.
5. That existing or proposed utility services are adequate for the development densities proposed.

**PROJECT DESCRIPTION**

Of the 335 single-family homes proposed, 96 (Type 1) would be three-story duets that would allow home-based businesses. These units are generally located along Tsushima Way (E Street in the application) and Sycamore Avenue, where live-work environments would complement the more-urban character of those thoroughfares. Another 95 units (Type 2) would have three stories, while the remainder (68 Type 3 and 76 Type 4 units) would be two stories on larger lots (see table below). The exteriors of the homes incorporate design elements of the Craftsman and Victorian building styles, as encouraged by the Central Hercules Plan.

**Proposed Residential Building Types**

<b>Building Type</b>	<b>No. Lots</b>	<b>Description</b>	<b>Minimum Dimensions</b>	<b>Minimum Lot Size</b>
Type 1 - 3-story paired and duet homes	96	Located along and adjacent to Tsushima Way and along Sycamore Avenue. 12 units facing Sycamore Avenue are especially configured for home-based businesses. Three floor plans range from 1850 sf to 3050 sf with optional carriage units in seven locations.	25' x 60'	1500 sf
Type 2 - 3-story SFR detached, narrow-lot or 2-stories over sub-grade floor	95	Generally located in the southeast section of the project behind the Sycamore Avenue "main street" site. Main entries are raised on stoops or front porches, and side yards are designed for reciprocal easements. Three floor plans range from 1539 to 1721 sf.	27' x 55'	1485 sf
Type 3 - 2-story SFR detached	68	These homes have an option for a third floor in finished attic space. Generally located in the northeast section of the project along the easterly wetlands area and Refugio Creek. Three floor plans range from 1740 sf to 2167 sf with side yards designed for reciprocal easements.	34' x 67'	2278 sf

Building Type	No. Lots	Description	Minimum Dimensions	Minimum Lot Size
Type 4 - 2-story SFR detached	76	These homes have an option for a third floor in finished attic space. Generally located on the west edge of the project along the westerly wetlands area and Refugio Creek. Three floor plans range from 2196 sf to 2683 sf with side yards designed for reciprocal easements.	36' x 70'	2520 sf

The development includes 1,082 parking spaces (3.23 spaces per unit), including 2 covered garage spaces per unit and 412 parallel curbside spaces. Parking would be allowed along both sides of Tsushima Way (a Neighborhood Street as defined in the Central Hercules Plan), the interior side of the perimeter street (a Two-Way Edge Drive as defined in the Central Hercules Plan), and along one side of each of the streets labeled A-D and F-H (Neighborhood Lanes as defined in the Central Hercules Plan).

Each alley (Neighborhood Alleys as defined in the Central Hercules Plan) would have a 20-foot right-of-way, rolled curbs, and a minimum 4-foot building setback from the right-of-way. Because the Zoning Ordinance requires 25 feet of back-out space behind any 90° parking stall, a minimum easement of one foot of back-out area is required on each opposing property along an alley.

In accordance with Development Agreement 03-01, the applicant will construct (and the City will reimburse for installment of) Sycamore Avenue along the southern edge of the development, including a traffic signal at Tsushima Way, a two-lane roadway with diagonal parking between Tsushima Way and San Pablo Avenue (to serve the future “main street” area), sidewalks, and improvements necessary to provide domestic water service to the project.

**CONSISTENCY AND CONFORMITY WITH CONTROLLING PLANS**

The current zoning for the project area site conforms to the existing land use designations shown in the General Plan, as follows:

General Plan Land Use Designation	Zoning District
Planned Commercial-Residential	(PC-R) Planned Commercial-Residential/ Scenic Road and Highway Overlay District

With 335 units, the project would be developed at a density of approximately 21 units per net acre (excluding streets and common areas), which is consistent with the General Plan land use designation and zoning. The uses and land use objectives under the PC-R/Planned Commercial-Residential zoning and land use designation are described, as follows:

**Zoning District:** (PC-R) Planned Commercial-Residential - The specific purposes under this zoning designation provide the opportunity to accommodate both residential and commercial uses in a planned, mixed use development. Standards in this zoning district generally are established by PDP. However, the following list includes certain standards that are specific to this zone and would not be established by PDP:

- Residential density of 15 - 30 units per acre.
- Residential structures are limited to three stories.

**General Plan Land Use:** Planned Commercial-Residential - Significant goals, policies, and objectives for this land use designation are summarized generally as follows (see Exhibit A, Findings with Facts, for additional detail):

- Residential or Commercial uses or both uses in a mixed-use project.
- Residential density shall not exceed 30 units per acre.
- Commercial structures to be arranged as a unified development to resemble a shopping center, shopping mall, or traditional downtown shopping street/“Main Street” design.
- Mixed-use commercial and residential development to provide a balance of open space, landscaping, recreation, and transit access.

**Central Hercules Plan:** The project site is located within Phase 1 of the Central Hercules Plan in the area identified as the Central Quarter District. The project site (as well as all of the Central Quarter District) is designated as “Phase I/Mandatory.” This category indicates consistency and conformity between the current General Plan land use designation and uses currently permitted by that zoning district with no needed further amendments or rezoning. The Central Hercules Plan does not prescribe architectural styles; instead, it establishes design elements, permitted and prohibited materials, signage, and landscaping.

**Redevelopment Plan:** The project site is identified as Parcel 3 of the Dynamite Redevelopment Project Area, as amended. The Redevelopment Plan was adopted to eliminate blight and spur economic development in the redevelopment area. In addition, residential projects within redevelopment areas are required by state law to provide 15 percent of the units as affordable to lower income households. Up to 60 required affordable units will be developed on the 1.9-acre “main street” parcel dedicated to the City. Therefore, as the project would eliminate blight, provide high quality development, and meet the 15 percent affordable housing requirement, it is consistent with the Redevelopment Plan.

**Subdivision Map No. 8764.** Vesting Tentative Subdivision Map No. 8764 (approved March 2004) represents the improvements and standards of the Initial Planned Development Plan No. 03-01. A revised Final Map for Parcels 4 and 5 of Subdivision Map No. 8764 will be submitted to reflect the final lot layout if and as approved by the City Council and following compliance and completion of any final Conditions of Approval to the satisfaction of the Community Development Director and the City Engineer.

**Environmental Determination** – Environmental impacts resulting from the proposed project were assessed in an Initial Study (Environmental Checklist, Exhibit 1 to Addendum for the Bayside Project) that included technical reports regarding traffic, noise, air quality, and

geotechnical conditions. The Bayside residential component lies within the larger project area, which was determined:

- a. to fall within the scope of the Final City of Hercules General Plan Land Use and Circulation Updates and Redevelopment Plan Amendments Environmental Impact Report (1995), as amended by the Revised Addendum to the Final EIR (1996), as certified and approved by the City Council in Resolution 96-13 on February 13, 1996; and
- b. not to result in any new significant impacts or any substantial increase in the severity of the significant impacts previously identified.

The resulting Addendum to the previously certified program EIR was certified in conjunction with the Initial Planned Development Plan approval. The Addendum includes a statement of purpose, a description of the combined Bayside project, and an analysis of impacts resulting from the proposed project in relation to previously analyzed impacts.

The only additional mitigation measure required for the proposed Bayside residential project results from the acoustical study required per Initial Planned Development Plan Conditions of Approval 214 and 215, which are based on EIR Noise Mitigation Measures 1(a) and 1(b), respectively. The acoustical study confirmed that noise fencing is necessary at Lots 324-335 along Sycamore Avenue. As described at Tab A and depicted on sheet L5 of the application, this solid fencing must be 6-feet high, at least 1-inch thick, and have a minimum surface weight of 3 pounds per square foot.

## **FUTURE SUBMITTALS**

If a Final Planned Development Plan for the Bayside residential project is approved, and once any conditions thereof are met, the proponent may submit a Final Map for Parcels 4 and 5 of Subdivision No. 8764 for City Council review and approval.

## **ATTACHMENTS:**

1. [Resolution](#)
2. [Findings with Facts](#)
3. [Conditions of Approval](#)