

May 27, 2022

Dear City of Hercules Community,

D.R. Horton appreciates the opportunity to submit our 215 Skelly application with 1 low income and 1 median income inclusionary residence (2 total inclusionary homes) for City review. The project will create 40 single family lots, a stormwater treatment area (Parcel B), emergency vehicle access (Parcel C), and an open space buffer (Parcel D) around an existing cell tower on the property (Parcel E). It also includes a public trail along the southern portion of Parcel A (the project roadway) that will provide pedestrian access to Pinole Creek and the San Francisco Bay Trail as well as on and off-site traffic calming improvements. The project streets will be private. All project private streets, common areas, and other common on-site project features will be maintained by the project HOA.



Prior to submitting its application, DR Horton conducted three community engagement events with the project neighbors. DR Horton has also coordinated site visits with multiple neighbors to receive project input and collaborate on neighborhood issues. The three formal community engagement events thus far were:

1. A neighborhood outreach walk to all adjacent residences (10/15/2022)
2. A project overview and listening session with the Hercules by the Bay HOA (11/16/2022)
3. A follow-up meeting with the HOA to go over project changes inspired by the community (3/15/2022)



The project site is a 7.44-acre parcel within the City that is designated for Residential Single Family Low Density use. Currently vacant, it contains a single-family residence with ancillary animal keeping and other accessory structures. The Hercules General Plan allows for 2-7 dwelling units per acre on the property, which supports a maximum of 52 residential units (up to 78 residential units could be constructed if State Density Bonus Law were to be exercised). D.R. Horton is proposing 40 single-family units (51% of the maximum density that is currently allowable for the site).

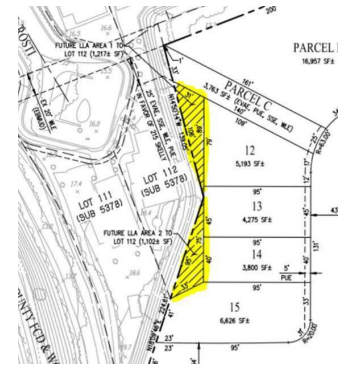
Properties would be comparably sized to the surrounding residential lots, with residences located to preserve neighbor privacy. Residences, which would all be two stories, would be similar in square footage to the adjacent homes along Pearce and Pavon. Each residence would have a two-car garage and a driveway with room to park two additional vehicles. On-street parking would also be provided within the project, to accommodate all resident and guest parking on site.

The project proposes applications for a **Vesting Tentative Tract Map (5 of more lots), Zoning Amendment** (detailed below), **Planned Development Plan** and a **Lot Line Adjustment**.

The proposed **Zoning Amendment** (see *Attachment A*) would change text in Section 13.48 (Planned Development Plans) of the Hercules Municipal Code. Specifically, the change would remove the limitation for Planned Development Plans that the City's minor exception process be utilized for deviations from zoning district standards. The minor exception process limits deviations from zoning district standards to 10 percent. This Zoning Amendment is being proposed due to the site's constraints, as detailed in the project's Site Constraints Map, so the project site can accommodate housing units within the property's allowed general plan density.

A **Planned Development Plan** is being proposed due to the site's constraints, as detailed in the project's Site Constraints Map, so the project site can accommodate housing units within the property's allowed general plan density.

Lot Line Adjustment application: In DR Horton's agreement to obtain Emergency Vehicle Access through Rosti, we have agreed to a minor land swap that will expand the rear yard of the property at 189 Rosti. The lot line adjustment will not create any new zoning inconsistencies. We believe the lot line adjustment will improve zoning conformity for the property at 189 Rosti (see exhibit to the right).



Thank you for your time and consideration of our application.

Sincerely,

Adam Foster
D.R. Horton Bay Area Division

Attachment A

Proposed Text Changes to Section 13.48 Planned Development Plans

Sec. 13-48.200 Application and Applicability.

A planned development plan shall be prepared for developments and subdivisions within zoning districts specified in Division II of the Zoning Ordinance. Development design may deviate from the standards of a zoning district to the extent that the planned development plan is consistent with the intent of the General Plan and Zoning Ordinance, ~~and a minor exception is granted for the deviation~~. A planned development plan shall include only uses and densities permitted in the zoning district in which the planned development plan is located.

All proposals for subdivision or development within zoning districts requiring planned development plans shall be required to submit a planned development plan application concurrently with other applications. There are 3 potential stages in the review process which are outlined below and include the following: (1) conceptual; (2) initial; and (3) final. The final stage includes design review as established in Chapter [13-42](#).

The final planned development plan encompasses the detailed building, landscaping, signage, and exterior lighting design of the project. Final planned development plans shall consist of both use permit and design review approval along with sufficient plans and exhibits to document all project features and conditions. The final planned development plan and design review must be approved prior to building permit issuance. [Ord. 515 § 2, 2018; ZO § 48.200.]

Sec. 13-48.600 Required Findings.

The City Council may grant a planned development plan permit, or modify an approved planned development plan with or without conditions only if all the following findings are made:

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 exception process~~.
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. [Ord. 515 § 2, 2018; ZO § 48.600.]