



HOLLISTER PLANNING COMMISSION AGENDA

Regular Meeting
February 9, 2023
6:00 PM

CITY OF HOLLISTER
CITY COUNCIL CHAMBERS, CITY HALL
375 FIFTH STREET
HOLLISTER, CA 95023
(831) 636-4360
www.hollister.ca.gov

NOTICE TO PUBLIC

Persons who wish to address the Planning Commission are asked to complete a Speaker's Card and give it to the Secretary before addressing the Planning Commission. Those who wish to address the Planning Commission on an Agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the Agenda will be heard under the Public Input Section of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. If you are joining us by Zoom, please click on the bottom of your screen to raise your hand. If you are joining us by Zoom using a cell phone, please press *9. After hearing audience comments, the public portion of the meeting will be closed, and the matter brought to the Planning Commission for discussion.

PUBLIC PARTICIPATION NOTICE

The public may watch the meeting via live stream at:

Community Media Access Partnership (CMAP) at:
<http://cmaptv.com/watch/>

or

City of Hollister YouTube Channel:
https://www.youtube.com/channel/UCu_SKHetqbOiiz5mH6XgpYw/featured

Public Participation: The public may attend meetings.

NOTICE: The Planning Commission will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Hollister utilizes Zoom teleconferencing technology for virtual public participation; however, we make no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of the public through this means is at their own risk. (Zoom teleconferencing may not be available at all meetings.)

If you wish to make a public comment remotely during the meeting, please use the zoom registration link below:

https://us02web.zoom.us/webinar/register/WN_OjePlcLASn2r5XX0QYXDvw

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners: David Huboi, Kevin Henderson, Luke Corona, Steven Belong

VERTIFICATION OF AGENDA POSTING Friday, February 3, 2023 at 1:15PM

APPROVAL OF MINUTES

None

PUBLIC INPUT

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the Planning Commission. Speaker cards are available in the lobby, and are to be completed and given to the Secretary before speaking. When the Secretary calls your name, please come to the podium, state your name and city for the record, and speak to the City Planning Commission. If you are joining us by Zoom, please click on the bottom of your screen to raise your hand. If you are joining us by Zoom using a cell phone, please press *9. Each speaker will be limited to three (3) minutes with a maximum of 30 minutes per subject. Please note that state law prohibits the Planning Commission from discussing or taking action on any item not on the agenda.

PUBLIC HEARINGS

1. **Tentative Map 2021-1, Conditional Use Permit 2021-6 for a Planned Unit Development, Site & Architectural Review 2021-4 Extension** – 1620 Buena Vista, LLC. – The applicant is requesting an extension of time to the previous approvals to subdivide an ~11.10-acre parcel into 130 multi-family units across 48 duplex and triplex buildings. This project site is located within the Medium Density Residential Performance Overlay (R3-M/PZ) Zoning District at 1620 Buena Vista Road, further identified at San Benito County Assessor Parcel Number 052-410-001. CEQA: Mitigated Negative Declaration.

2. **Conditional Use Permit 2022-4** – Target Corporation – The applicant is requesting a conditional use permit to allow for the sale of beer, wine, and distilled spirits at the existing Target retail store. This project requires a finding of public convenience or necessity in addition to the Conditional Use Permit. The project site is located in the General Commercial (GC) Zoning District at 1790 Airline Highway, further identified as San Benito County Assessor Parcel Number 057-430-007. CEQA: Categorically Exempt.

NEW BUSINESS

1. **Occupancy Agreement between the City of Hollister and Prakash Patel/Hollister Gateway Hotel, LP.** – Prakash Patel/Hollister Gateway Hotel, LP – The applicant is requesting approval of an Occupancy Permit Agreement for the approved Holiday Inn Hotel located at 391 Gateway Drive in the General Commercial (GC) Zoning District to receive a Certificate of Occupancy from the City of Hollister despite not having completed all required Conditions of Approval for Site & Architectural Review 2019-17.

OLD BUSINESS

STUDY SESSION ITEMS

1. **Zoning Ordinance Overhaul** – City of Hollister – A discussion of how the City reviews development requests and the process from submittal to decision (part of Phase IIB of the Overhaul).
2. **Zoning Ordinance Overhaul** – City of Hollister – A discussion of potential amendments to the Zoning Ordinance related to Planned Developments (Section 17.24.200 of the Zoning Ordinance).

PLANNING DEPARTMENT REPORTS

PLANNING COMMISSION REPORTS

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City of Hollister's Planning Division at (831) 636-4360. Notification of 48 hours prior to the meeting will enable the City to attempt to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 2.102-35. 104 ADA Title II].

Materials related to an item of this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection at the City Clerk's office at City Hall, 375 Fifth Street, Hollister, Monday through Friday, 8:00 a.m. to noon, 1:00 p.m. to 5:00 p.m. (closed between 12:00 and 1:00 p.m.). Materials are also available at the Development Services Department office located 339 Fifth Street, Hollister, Monday through Thursday, 8:30 a.m. to noon, 1:00 p.m. to 4:30 p.m. (closed between 12:00 p.m. and 1:00 p.m.).

Notice to anyone attending any public meeting: The meeting may be broadcast live on Cable 17 and/or videotaped or photographed. Recent Planning Commission meetings may also be viewed at www.CMAP.com and periodically on Cable Channel 17.

The next Planning Commission Meetings are scheduled as follows:

Regular Planning Commission Meeting – Thursday, February 23, 2023 at 6:00 p.m.

Planning Commission Study Session – Thursday, March 9, 2023 at 6:00 p.m.



Planning Commission

Staff Report

February 9th, 2023

Item 1

SUBJECT: Extension of Time – Tentative Map 2021-1, Conditional Use Permit 2021-6, and Site & Architectural Review 2021-14 Extension for the subdivision of an approximately 11.10-acre parcel into 48 lots, and the construction of 130 multi-family residential units, located at 1620 Buena Vista Road (APN 052-410-001).

APPLICANT: 1620 Buena Vista LLC

STAFF PLANNER: Mindy A. Davis, Senior Planner (909) 202-0533

ATTACHMENTS:

1. Resolution approving a two-year extension of time for Vesting Tentative Map No. 2021-1, Conditional Use Permit 2021-6 for a Planned Unit Development, and Site & Architectural Review 2021-14.
2. Original Tentative Tract Map submittal package, which includes the Tentative Tract Map, Conceptual Perspective Renderings, Landscape Master Plan, Landscape Details and Planting Plan, Park Expansion Plan, Floor Plans, Building Elevations, and Color and Materials Schedule

RECOMMENDATION: Staff recommends that the City of Hollister’s Planning Commission approve the applicant’s request; receive all written and oral testimony regarding the proposal; and make the following motion:

1. Approve Resolution 2023-__; thereby, approving the requested two (2) year extension of time to Vesting Tentative Map 2021-1, Conditional Use Permit 2021-6, and Site and Architectural Review 2012-14, extending the existing findings and conditions therein.

Project description:

The Applicant, 1620 Buena Vista LLC, is requesting a two (2) year extension for the previously approved Vesting Tentative Tract Map 2021-1, Conditional Use Permit 2021-6, and Site & Architectural Review 2021-14, which was originally approved by the City of Hollister Planning Commission on May 27th, 2021, per Resolution 2021-16, Resolution 2021-17, and Resolution 2021-18. The original vesting Tentative Tract Map approval comprises of the subdivision of an approximately 11.10-acre parcel into 48 lots, which will consist of 14 duplexes (28 units) and 34 triplexes (102 units) for a total of 130 multifamily units. A Site and Architectural review for the construction and design of the duplex/triplex units, as well as a Conditional Use Permit for a Planned Unit Development was also included as part of the original approval.

The approved project site is located within the Medium Density Residential Performance Overlay (R3-M/PZ) Zoning District at 1620 Buena Vista Road, further identified as San Benito County, Assessor Parcel Number 052-410-001 (formerly 019-110-031).

The requested extension does not propose any new and/or any revisions to the previously approved development. And the approved project still meets numerous City of Hollister's Municipal Code Sections, such as Section 17.18.060 *Number of parking spaces required*, Section 17.04.040 *Residential open space requirements*, and others. Additionally, the Conditional Use Permit for the Planned Unit Development approved for the overall project still gives the development flexibility to the general development and site layout standards while protecting the integrity and character of the residential areas within the City. While encouraging the innovation and development of affordable housing while ensuring the consistency with the City's General Plan. As such the approved Planned Unit Development allows for variations within the approved development, such as minimum lot size, setbacks, as well as lot coverage.

The multifamily residential units proposed as part of this approved development are still highly desired within the City of Hollister, as they will provided many benefits to the community, primarily needed rental units. Although affordable/low-income rental units are also greatly needed in the community, this approved project proposes a large quantity of market-rate rental units, another housing type needed within the community. As such, this project will help to offset some of the need within the community for this type of rental unit.

General Plan Consistency:

As previously determined in 2021, the City of Hollister's 2005-2023 General Plan designates the project site as Medium Density Residential, which allows for multi-family developments. As outlined in the General Plan the housing density for the Medium Density Zoning District is 8 to 12 dwelling units per acre. Since the requested extension doesn't propose any new and/or revisions to the proposed development, the project, as proposed, is still consistent with the density requirements within the General Plan and Zoning Code. Further, the requested extension of time for two (2) years is pursuant to the City of Hollister's Municipal Code Section 16.40.101 (B) *Time limits to record a final map* and Section 17.24.130 (E)(2) *Permit implementation, time limits, extensions and revocations*, which allows for an applicant to request an extension of time to exercise the original approval of their project.

California Environmental Quality Act:

On February 16, 2016, a Mitigated Negative Declaration was adopted for Prezone 2013-2 for the prezone and annexation of the subject property.

PLANNING COMMISSION OPTIONS:

The Planning Commission can choose one of the following options:

1. Adopt a Resolution approving the two-year extension for the approved Vesting Tentative Map 2021-1, Conditional Use Permit 2021-6 for a Planned Unit Development, and Site & Architectural Review 2021-14, subject to the existing Conditions of Approval (Attachment 1);
2. Adopt a Resolution approving a two-year extension for the approved Vesting Tentative Map

Staff Report

TM 2021-1, CUP 2021-6, S&A 2021-14 Extension of Time

Page 3 of 4

2021-1 Conditional Use Permit 2021-6 for a Planned Unit Development, and Site & Architectural Review 2021-14, with existing Conditions of Approval as modified by the Planning Commission;

3. Deny the Proposed Extension of Time; or
4. Continue the hearing and direct Staff to provide additional information and/or clarification.

| It is Staff's recommendation that the Planning Commission select Option 1 above and approve this item.

GENERAL INFORMATION

APPLICANT: 1620 Buena Vista LLC
3200 Danville Boulevard, Suite #200
Alamo, CA 94507

PROPERTY OWNER: Same as Applicant

LOCATION: 1620 Buena Vista Road, Hollister, CA

**ASSESSOR PARCEL
NUMBER:** APN 052-410-001

**GENERAL PLAN
DESIGNATION:** Medium Density Residential Performance Overlay

ZONING DISTRICT: (R3-M/PZ) Zoning District

SURROUNDING USES:

Location	Zoning Designation	General Plan Land Use	Current use of Property
APN 052-410-001	R3-M/PZ	Medium Density Residential	Mostly vacant with some residential
North	San Benito County	Low Density Residential	Vacant/Agriculture
South	R1 & R1 L/PZ	Low Density Residential	Residential
East	R3-M/PZ	Medium Density Residential	Residential
West	San Benito County	Low Density Residential	Mostly vacant with some residential

PLANNING COMMISSION RESOLUTION NO. 2023-__

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HOLLISTER APPROVING THE
EXTENSION OF TIME FOR VESTING TENTATIVE MAP 2021-1, CONDITIONAL USE PERMIT FOR A
PLANNED UNIT DEVELOPMENT 2021-6, AND SITE AND ARCHITECTURE REVIEW 2021-14 TO SUBDIVIDE
AN APPROXIMATELY 11.10-ACRE PARCEL INTO 48 LOTS AND THE CONSTRUCTION OF 130 MULTI-
FAMILY RESIDENTIAL UNITS, LOCATED WITHIN THE MEDIUM DENSITY RESIDENTIAL PERFORMANCE
OVERLAY (R3-M/PZ) ZONING DISTRICT AT 1620 BUENA VISTA ROAD
(1620 BUENA VISTA, LLC)
APN 052-410-001**

WHEREAS, under the provisions of Section 16.16.030 of Title 16 *Subdivisions* of the Hollister Municipal Code, the Planning Commission approved Resolution 2021-16 for Vesting Tentative Map 2021-1, Resolution 2021-17 for a Conditional Use Permit for a Planned Unit Development, and Resolution 2021-18 for a Site and Architectural Review 2021-14 during a duly noted public hearing on May 27th, 2021; and,

WHEREAS, under the provisions of Section 16.40.010 of Title 16 *Subdivisions* and Section 17.24.130 of Title 17 *Zoning* of the Hollister Municipal Code, the Planning Commission may grant an extension to the approval not to exceed a total of two (2) additional years; and,

WHEREAS, the applicant submitted a request for an additional two (2) year extension of the approval for Vesting Tentative Map 2021-1, Conditional Use Permit for a Planned Unit Development 2021-6, and a Site and Architectural Review 2021-14 to subdivide an approximately 11.10-acre parcel consisting into 48 lots and the construction of 130 multi-family residential units, located within the Medium Density Residential Performance Overlay (R3-M/PZ) Zoning District at 1620 Buena Vista Road; and,

WHEREAS, the City Planning Division received the applicant's request and forwarded the request to the Development Review Committee to assess the proposal for compliance with all relevant regulations; and,

WHEREAS, the Development Review Committee considerations were presented to the Planning Commission as part of the City staff report; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on February 9th, 2023 to consider the applicant's request, review the City staff report, and receive written and oral testimony for and/or against the proposal; and,

WHEREAS, after closing the public hearing, the Planning Commission deliberated and determined to approve the applicant's request in accordance with Section 16.40.010 Title 16 *Subdivisions* and Section 17.24.130 Title 17 *Zoning* of the Hollister Municipal Code, and based on the facts as presented, and the code requirements as plainly stated.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Hollister does hereby approve the two (2) year Extension for Vesting Tentative Map 2021-1, Conditional Use Permit for a Planned Unit Development 2021-6, and Site and Architectural Review 2021-14 subject to the following findings.

A. The proposed Project, as conditioned, will comply with the policies of the General Plan because:

1. As previously determined in 2021, the City of Hollister's 2005-2023 General Plan designates the project site as Medium Density Residential, which allows for multi-family developments. As outlined in the General Plan the housing density for the Medium Density Zoning District is 8 to 12 dwelling units per acre. Since the requested extension doesn't propose any new and/or revisions to the proposed development, the project, as proposed, is still consistent with the density requirements within the General Plan and Zoning Code. Further, the requested extension of time for two (2) years is pursuant to the City of Hollister's Municipal Code Section 16.40.101 (B) *Time limits to record a final map* and Section 17.24.130 (E)(2) *Permit implementation, time limits, extensions and revocations*, which allows for an applicant to request an extension of time to exercise the original approval of their project.

B. The proposed Project would not be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood or the general welfare of the City because:

1. As previously indicated, Resolution 2016-16 was approved by the City Council on February 16th, 2016, adopting a Mitigated Negative Declaration for the subject property. The development, as proposed, on the project site have been determined to result in potentially significant environmental impacts, but these potentially significant impacts have been mitigated by appropriate mitigation measures as outlined in the adopted Mitigated Negative Declaration, as well as by the proposed conditions of approval. Previously approved Vesting Tentative Map Resolution 2021-16, Conditional Use Permit for a Planned Unit Development Resolution 2021-17, and Site and Architectural Review Resolution 2021-18, which incorporate the applicable requirements of the Mitigation Monitoring and Reporting Program for the previously approved project, issuance of building permit, and operations. The Mitigated Negative Declaration was completed in compliance with the intent and requirements of CEQA, State CEQA Guidelines, and the City CEQA process.
2. As proposed, and approved, project provides connection to, as well as an expansion, of existing public facilities, open space, and roads, which will eliminate dead ends (Chariot Road), and provide through access for existing roads as well as nearby facilities such as Calaveras Elementary School. Furthermore, the project meets, and exceeds, the City of Hollister Municipal Code multifamily development requirements, as well as the medium density residential development requirements. The project's conditions of approval will ensure that any fair share contributions to off-site improvements, and any project development impact fees, as required to accommodate the new development, shall be paid by the developer.

BE IT FURTHER RESOLVED that the Planning Commission of the City Hollister hereby approves a two (2) year extension for Vesting Tentative Map 2021-1, Conditional Use Permit for a Planned Unit Development 2021-6, and Site and Architectural Review 2021-14 subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL
TM 2021-1, CUP 2021-6, S&A 2021-14

General Conditions of Approval

1. **Approval.** This approval is for a two (2) year extension for Vesting Tentative Map 2021-1, Conditional Use Permit for a Planned Unit Development 2021-6, and Site and Architectural Review 2021-14 submitted by 1620 Buena Vista, LLC. The proposed development shall be in substantial conformance to Exhibit A (Project Plans) prepared by North Star Engineering Group, Inc. and dated "Received December 15, 2022" on file with the Planning Division, and other plans, text and diagrams relating to Vesting Tentative Map, Conditional Use Permit, and Site & Architectural Review, except as modified by the following conditions. The elevations and improvements shall strictly adhere to the approved set of plans unless prior approval is granted by the Director of Developments Services for any changes.
2. **Permit Expiration.** In accordance with Sections 16.40.010(A) and 17.24.130(E)(1) of the Municipal Code, the Vesting Tentative Map 2021-1, Conditional Use Permit for a Planned Unit Development 2021-6, and Site & Architectural Review 2021-14 shall expire on May 27, 2025, unless a Building Permit is obtained.
3. **Time Extension.** In accordance with Sections 16.40.010(B) and 17.24.130(E)(2) of the Municipal Code, the Planning Commission may extend the time for an approved permit to be exercised upon the Applicant(s) written request from an extension of approval at least 30 days prior to expiration of the permit together with the filing fee. The application for an extension shall state the reasons for requesting an extension. A request for an extension may be approved, approved conditionally, or denied by the Planning Commission.
4. **Permit Validity.** This Site and Architectural Review approval shall be valid for the remaining life of the approved structure so long as the operator of the subject property comply with the project's conditions of approval.
5. **Appeal Period.** The final map and improvement plan check package will be accepted for submittal after the completion of the 15-day appeal period for the project, unless the Director of Development Services authorizes the project developer to submit a signed statement acknowledging that the plan check fees will be forfeited in the event that the approval is overturned on appeal or that the design is significantly changed as a result of the appeal. In no case will a Final Map be approved or recorded, or a building permit issued until the appeal period has expired or a final action is taken appeal.
6. **Revocation of Permit.** Conditional Use Permit for a Planned Unit Development 2021-6 and the Site and Architectural Review 2021-14 approval shall be revocable for cause in accordance with Section 17.24.350 of the Hollister Municipal Code. Any violation of the terms or conditions of this permit shall be subject to citation.

7. **Indemnification.** The applicant/Developer shall defend, indemnify, and hold harmless the City of Hollister and its agents, officers, employees, advisory board from any claim, action, or proceeding against the City of Hollister or its agents, officers, or employees to attach, set aside, void or annul an approval of the City of Hollister or its advisory agency, appeal board, Planning Commission, City Council, Director of Development of Services or any other department, committee, or agency of the City related to this project to the extent that such actions are brought within the time period required by Government Code Section 66499.37 or other applicable law; provided, however that the Applicant/Developer duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Applicant/Developer of any claim against the City and shall cooperate in the defense.
8. **Modifications.** Modifications or changes to the Vesting Tentative Map 2021-1, Conditional Use Permit for a Planned Unit Development 2021-6, and Site and Architectural Review 2021-14 may be considered by the Director of Development Services if the modifications or changes proposed comply with Section 17.24.130(F) of Municipal Code.
9. **Clarification of Conditions.** In the event that there needs to be clarification to the Conditions of Approval, the Director of Development Services and the City Engineer have the authority to clarify the intent of these Conditions of Approval with the Developer without going to a public. The Director of Developments Services and City Engineer also have that authority to make minor modifications to these conditions without going to a public hearing in order for the Developer to fulfill needed improvements and/or mitigations resulting from impacts to this project.

Project Extension Conditions of Approval

10. **Previously Approved Resolutions.** All findings and conditions in Planning Commission Resolution 2021-16, Resolution 2021-17, and Resolution 2021-18 approving Vesting Tentative Map 2021-1, Conditional Use Permit for a Planned Unit Development 2021-6, and Site and Architectural Review 2021-14 shall apply to this project.

PASSED AND ADOPTED at a special meeting of the City of Hollister Planning Commission held on this the 9th day of February 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson of the Planning Commission
of the City of Hollister

ATTEST:

Adrianna Ortiz, Secretary

Please Note

It is the sole responsibility of the project applicant to comply with the conditions as approved, modified or added by the Planning Commission. It is recommended that the applicant review these conditions carefully and if any questions arise as to compliance with the conditions, please do not hesitate to contact the staff planner. Also, if you do not agree with the proposed conditions, you have an opportunity to present your case to the Planning Commission at their meeting. In addition, the City provides for a 15-day appeal period.



DUPLEX - Building 100A



TRIPLEX - Building 200A



TRIPLEX - Building 300B

CITY SUBMITTAL
Planned Unit Development
for 130 Multi-Family Units

OUR TEAM

Property Owner
Contact: Fernando Gonzales
1260 4th Street, Hollister CA 95023

Kiper Homes
Contact: Michael Kiper
3200 Danville Blvd, Suite 200, Alamo, CA 94507
925.648.8888 | www.kiperhomes.com | mkiper@kiperinc.com

WHA. Architects . Planners . Designers .
Contact: Bill Hezmalhalch
680 Newport Center Drive, Suite 300. Newport Beach, CA, 92660
949.250.0607 | www.WHAinc.com | bill@whainc.com

SHEET INDEX:

SP.1	Conceptual Site Plan	A1.8	TRIPLEX - Building 200A Plan First Floor
SP.2	Cross Sections	A1.9	TRIPLEX - Building 200A Plan Second Floor
SP.3	Site Plan – Dimension Plan	A1.10	TRIPLEX - Building 200A Exterior Elevations
SP.4	Site Plan – Utility Plan	A1.11	TRIPLEX - Building 200B Plan First Floor
SP.5	Grading & Drainage Plan	A1.12	TRIPLEX - Building 200B Plan Second Floor
PR	Conceptual Perspective Renderings - Buena Vista Road	A1.13	TRIPLEX - Building 200B Exterior Elevations
L.0	Landscape Master Plan	A1.14	TRIPLEX - Building 200 Roof Plans
L.1	Landscape Enlargement Plan	A1.15	TRIPLEX - Building 300A Plan First Floor
L.2	Landscape Enlargement Plan	A1.16	TRIPLEX - Building 300A Plan Second Floor
L.3	Community Park Expansion	A1.17	TRIPLEX - Building 300A Exterior Elevations
L.4	Landscape Fence and Wall Details and Recomendated Plant List	A1.18	TRIPLEX - Building 300B Plan First Floor
L.5	Park Amenity Images	A1.19	TRIPLEX - Building 300B Plan Second Floor
A1.1	DUPLEX - Building 100A Plan First Floor	A1.20	TRIPLEX - Building 300B Exterior Elevations
A1.2	DUPLEX - Building 100A Plan Second Floor	A1.21	TRIPLEX - Building 300 Roof Plans
A1.3	DUPLEX - Building 100A Exterior Elevations	A1.22	Leasing Office Floor Plan / Roof Plan
A1.4	DUPLEX - Building 100B Plan First Floor	A1.23	Leasing Office Exterior Elevations
A1.5	DUPLEX - Building 100B Plan Second Floor	A1.23	Maintenance Building Exterior Elevations / Floor Plan
A1.6	DUPLEX - Building 100B Exterior Elevations	CM	Color & Materials
A1.7	DUPLEX - Building 100 Roof Plans		



Note: Artist’s conception; colors, materials and application may vary

1620 BUENA VISTA MULTI-FAMILY
HOLLISTER, CA

© 2021 WILLIAM HEZMALHALCH ARCHITECTS, INC. DBA WHA. | 2020232 | 05-07-21

CITY SUBMITTAL



A looping "walking street" links the community with the common area open space and Public Park.

A central paseo connects the northern and southern ends of the neighborhood.

Guest parking is evenly distributed throughout the community for proximity and convenience to units.

Centrally located common area open space and leasing facility is a focal point for the community, strengthening the connection with the Public Park.

Landscaped median for entry statement and sense of arrival.

Project Summary

- Site Area:** + 11.11 Acres
- Total Units:** 130 Units
- (130) 2-Story Duplexes and Triplexes
 - (34) Plan 1 (+ 1,345 SF, 2BD, 2.5BA) 26%
 - (34) Plan 2 (+ 1,404 SF, 3BD, 2.5BA) 26%
 - (28) Plan 3 (+ 1,532 SF, 3BD, 2.5BA) 22%
 - (34) Plan 4 (+ 1,537 SF, 3BD, 2.5BA) 26%

Net Site Density: +/-11.7 Homes per Acre

- Parking:**
- Required: 278 Spaces (2.12 SP/DU)
 - Provided: 334 Spaces (2.57 SP/DU)
 - Includes (4) ADA Spaces (1 of which is Van Accessible)

- Open Space:**
- | | |
|---------------------------------------|--------------------------------|
| Public Park OS Required: | 97,683 sf |
| Public Park OS Provided: | 25,460 sf |
| Private & Common OS Req. @ 500 sf/du: | 65,000 sf |
| Private OS Provided (250-500 sf/du): | +/- 45,500 sf (+/-350 sf avg.) |
| Common OS Provided (min. 15' wide): | 36,065+ sf |

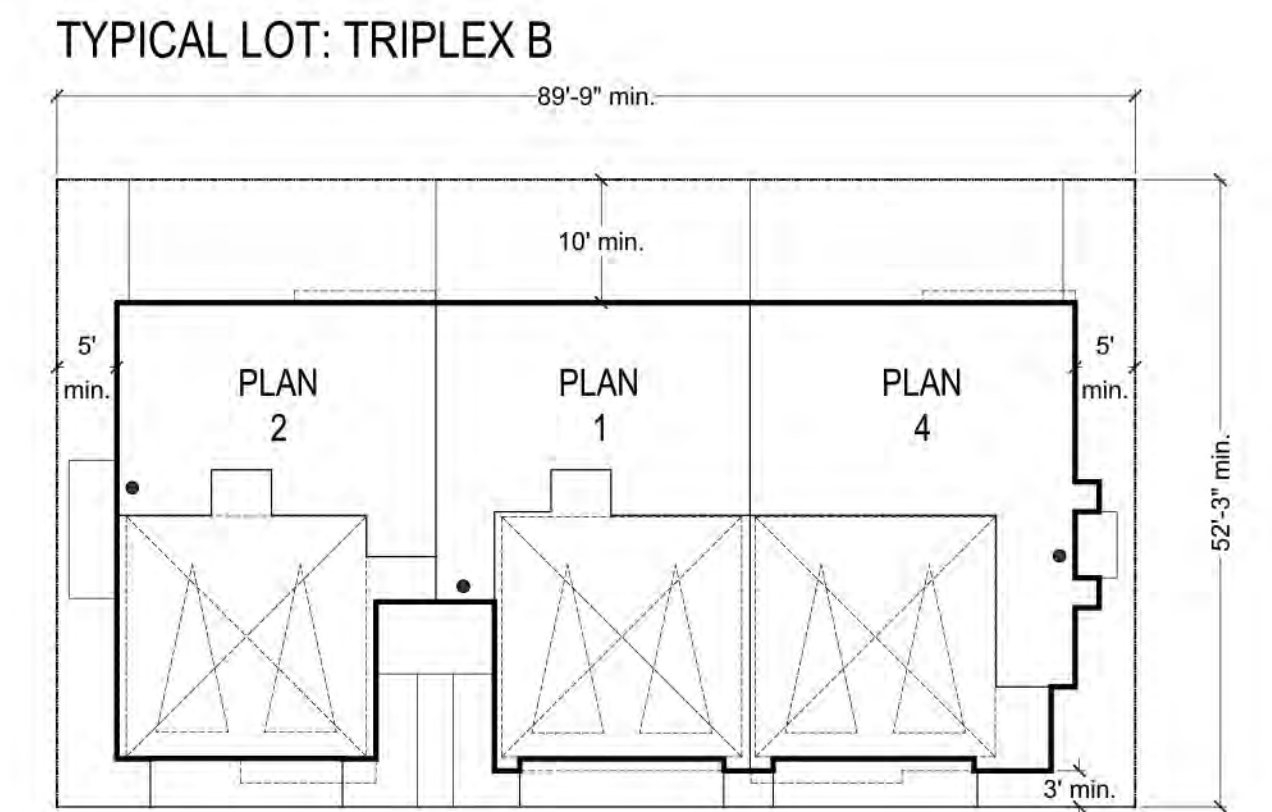
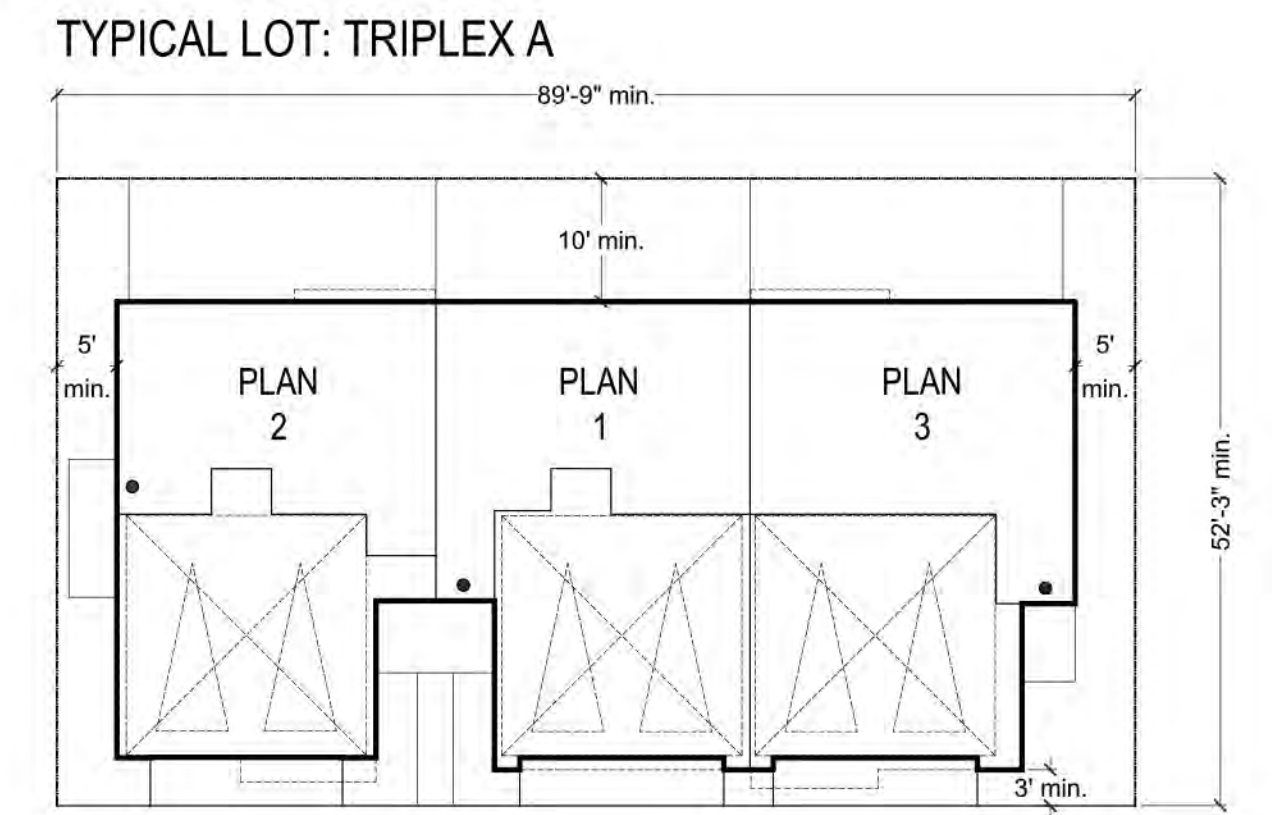
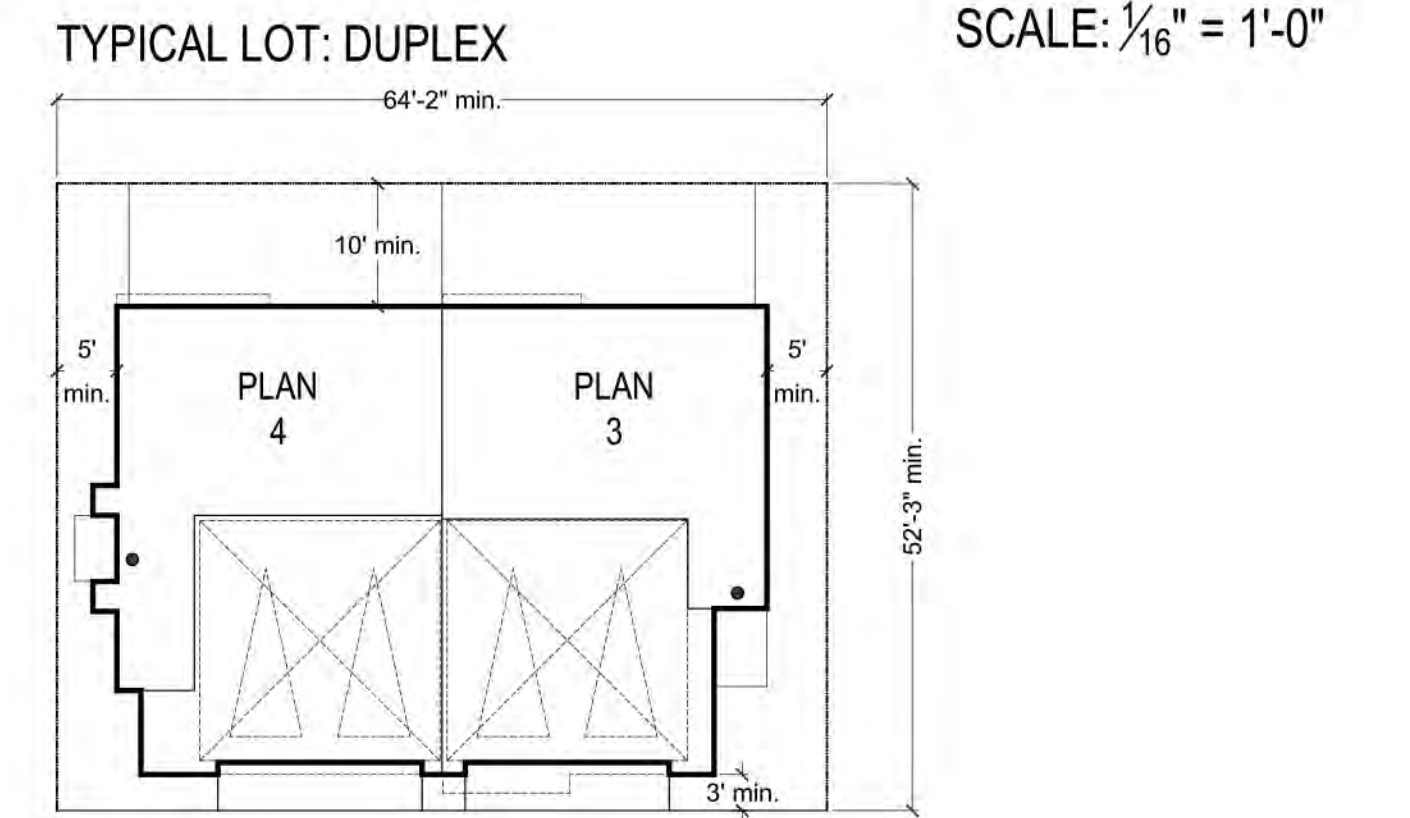


Public Park

Playground/ Tot Lot

Dog Park

20' Landscaped Buffer From ROW and 3' Landscaped Berm to visually soften frontage along Buena Vista Road, (a total of 32' of landscaping behind curb)



Notes:

1. Site plan is for conceptual purposes only.
2. Site plan must be reviewed by planning, building, and fire departments for code compliance.
3. Base information per civil engineer.
4. Civil engineer to verify all setbacks and grading information.
5. Building Footprints might change due to the final design elevation style.
6. Open space area is subject to change due to the balcony design of the elevation.
7. Building setbacks are measured from property lines to building foundation lines.



Conceptual Site Plan

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA

SP.1

CITY SUBMITTAL

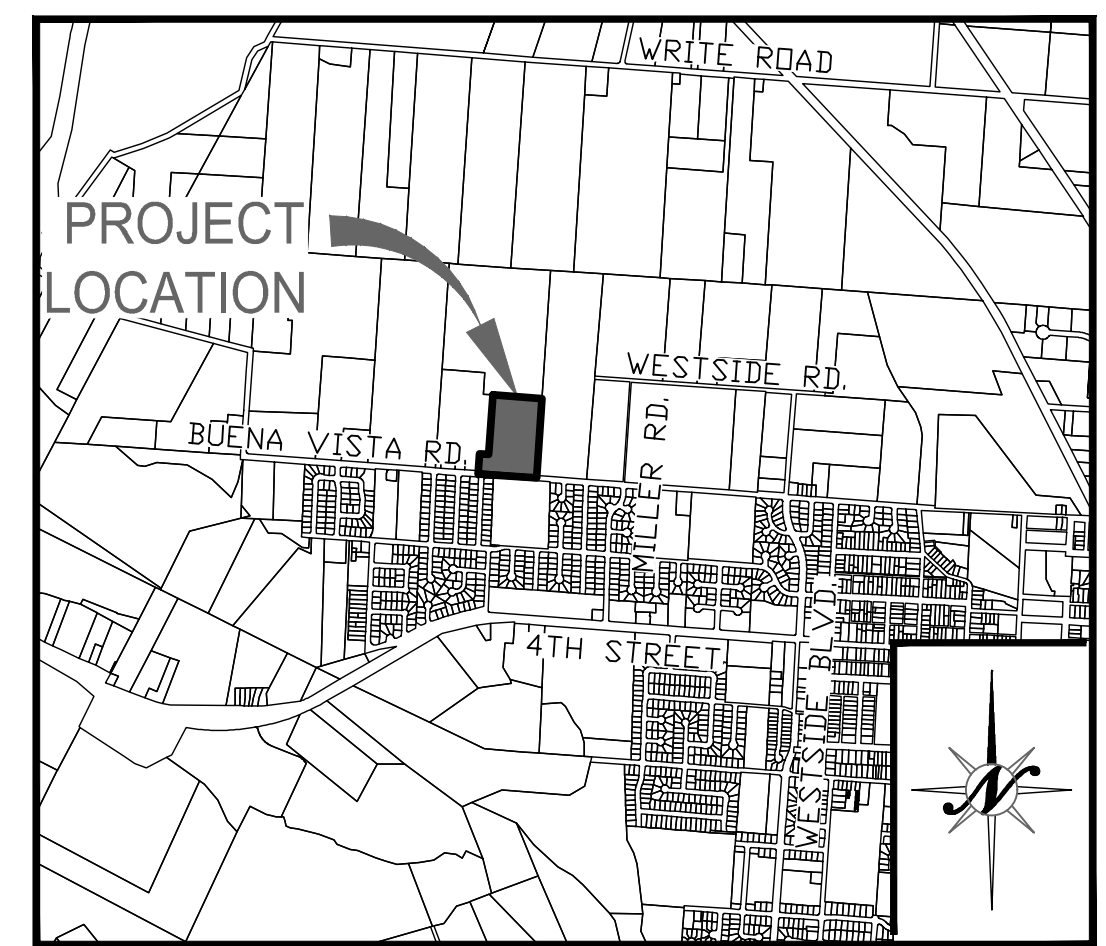
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ARCHITECTS . PLANNERS . DESIGNERS

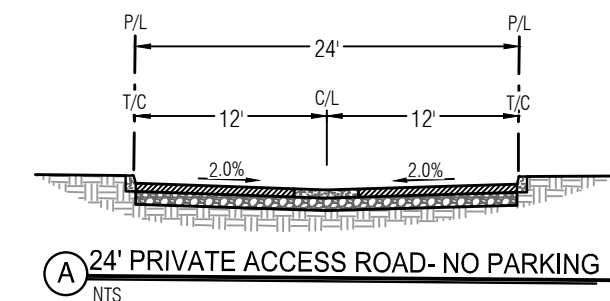
WHA.

ORANGE COUNTY . LOS ANGELES . BAY AREA

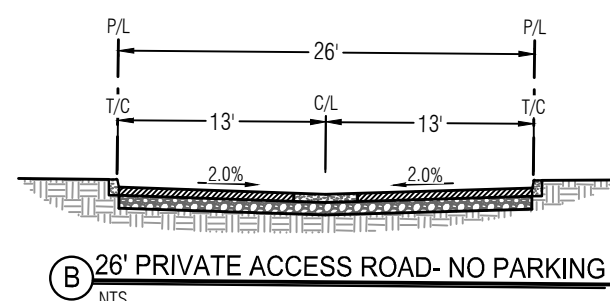
VESTING TENTATIVE SUBDIVISION MAP FOR
1620 BUENA VISTA MULTI-FAMILY
 HOLLISTER, SAN BENITO COUNTY, CALIFORNIA



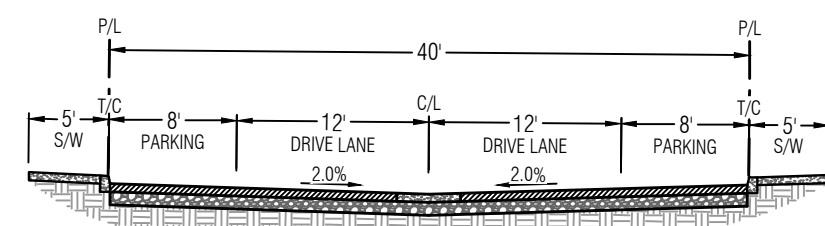
VICINITY MAP
NOT TO SCALE



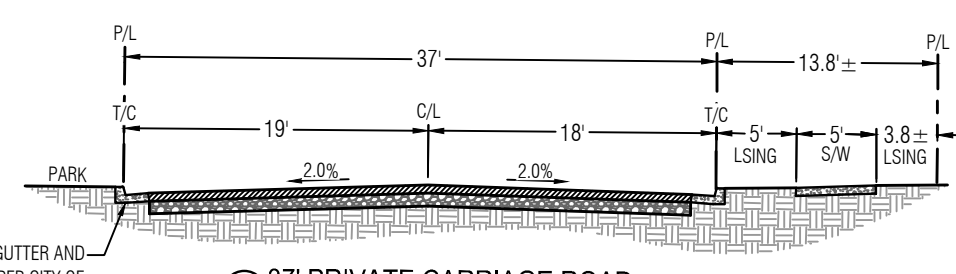
(A) 24' PRIVATE ACCESS ROAD- NO PARKING
NTS



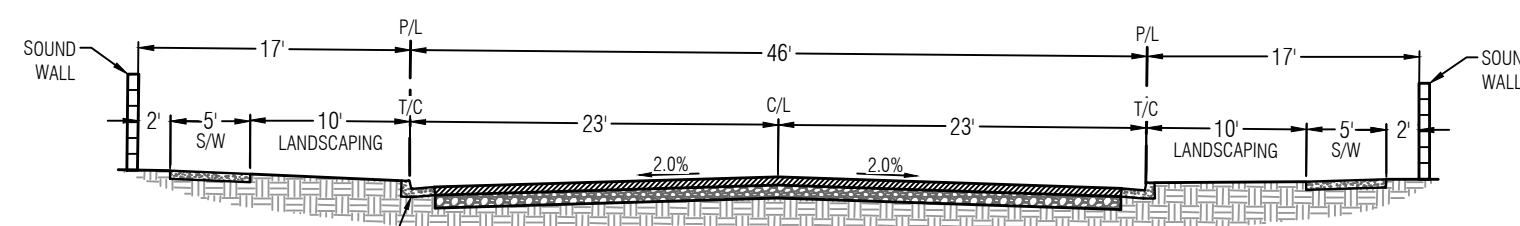
(B) 26' PRIVATE ACCESS ROAD- NO PARKING



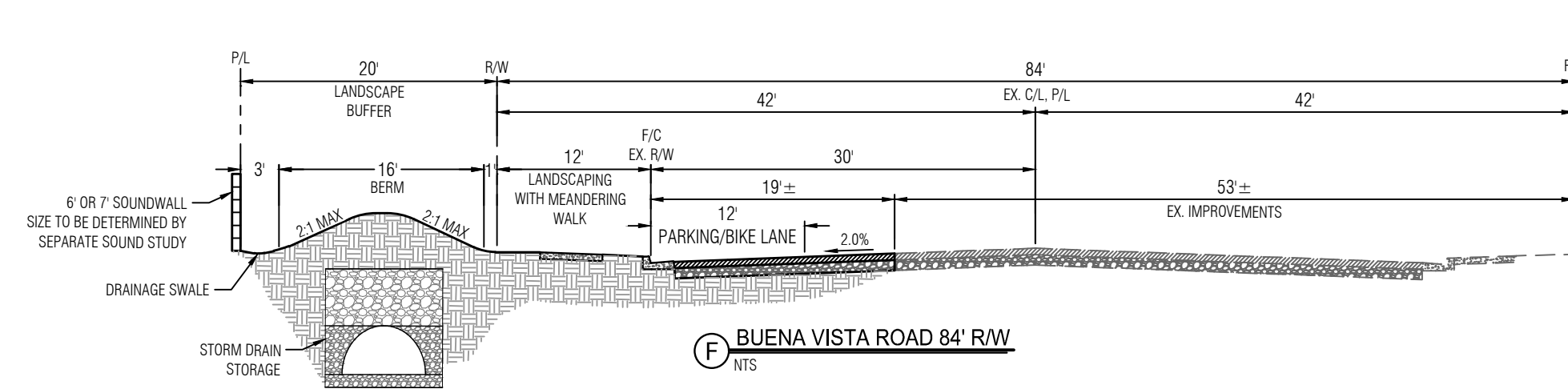
40' PRIVATE ACCESS ROAD- WITH PARKING



(D) 37' PRIVATE CARRIAGE ROAD



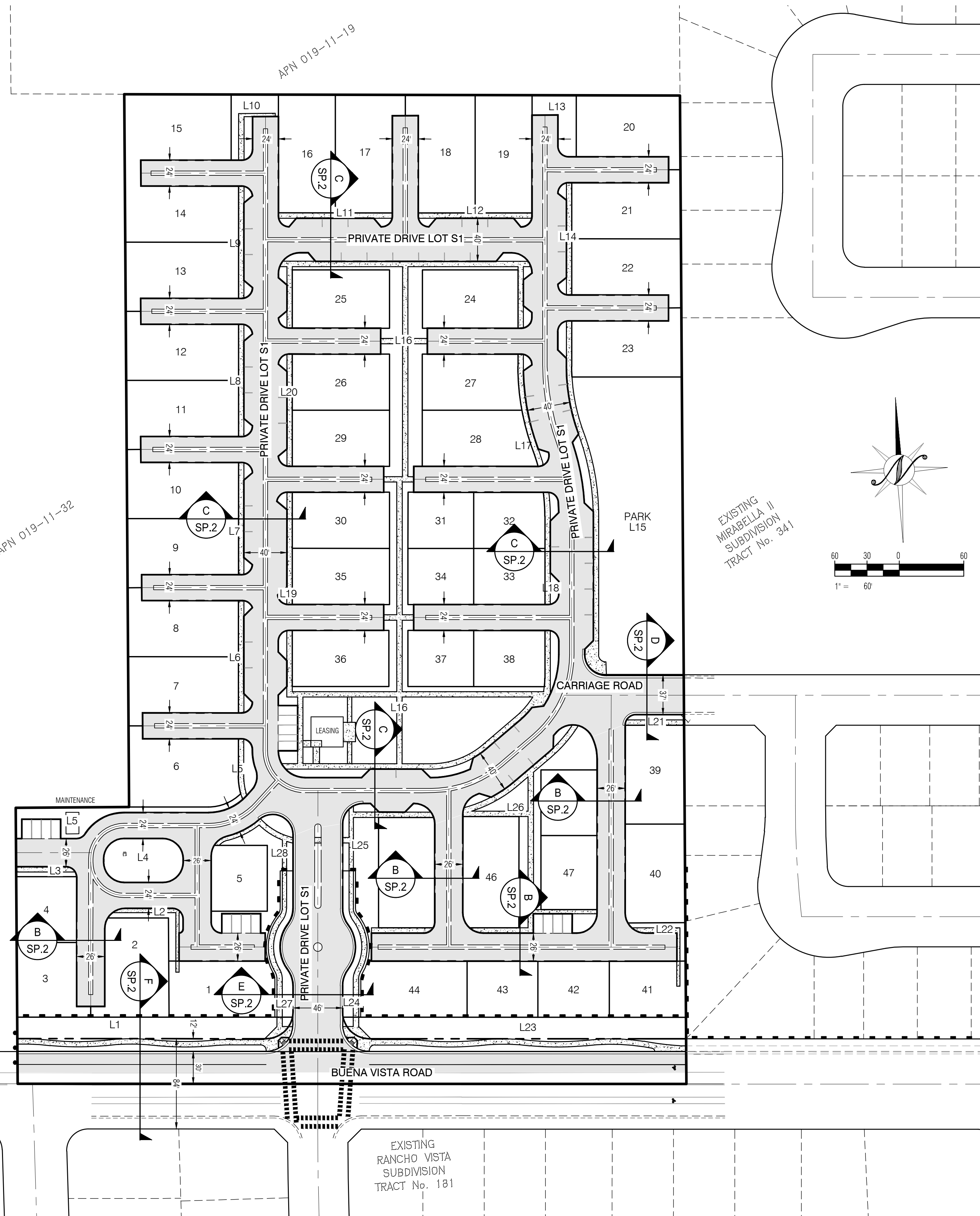
(E) 46' PRIVATE ENTRY STREET
NTS



(F) BUENA VISTA ROAD 84' R/W

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF HOLLISTER STANDARD PLANS AND SPECIFICATIONS EXCEPT AS NOTED.
2. STORM DRAINAGE: BY POSITIVE SYSTEM TO AN ON-SITE STORM WATER RETENTION BASIN, TO BE CONSTRUCTED TO THE CITY OF HOLLISTER STANDARDS.
3. THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE "MULTIPLE SUBDIVISION MAPS" AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 66469.1, AND FILE PARCEL MAPS FOR REASON OF SALE. ALL PARCEL LINES SHALL CONFORM TO THIS TENTATIVE MAP.
4. BASE OF BEARINGS: A COURSE OF SOUTH 86° DEGREES 58'15" EAST BETWEEN FOUND MONUMENTS FOR THE CENTERLINE OF BUENA VISTA ROAD, AS SHOWN ON THE MAP OF TRACT NO. 160 EL DORADO VILLAGE: FILED FOR RECORD IN BOOK 8 OF MAPS, AT PAGE 90, SAN BENITO COUNTY RECORDS, WAS USED AS A BASIS FOR ALL BEARINGS SHOWN ON THIS MAP.
5. BASIS OF ELEVATION: CITY OF HOLLISTER BM24 EMV4 = 279.245 ± BRASS DISK AT SOUTHWEST CORNER OF 4TH STREET AND RAJKOVICH WAY.
6. PUBLIC UTILITY EASEMENTS WILL BE PROVIDED.....
7. BUILDING SETBACKS WILL BE AS PER.....
8. ALL EXISTING STRUCTURES AND TREES ARE TO BE REMOVED. SEPTIC TANKS, LEACH FIELDS, AND WELLS ON SITE WILL BE REMOVED OR ABANDONED AS PER CITY OF HOLLISTER REQUIREMENTS.



SHEET INDEX

SP.2	COVER PAGE AND CROSS SECTIONS
SP.3	SITE PLAN- DIMENSION PLAN
SP.4	SITE PLAN- UTILITY PLAN
SP.5	GRADING AND DRAINAGE PLAN

PROJECT INFORMATION

A. REGULATORY AGENCY:	CITY OF HOLLISTER 375 5TH STREET HOLLISTER, CA 95023 T: (831) 636-4300 CONTACT:
B. APPLICANT:	1620 BUENA VISTA LLC 3200 DANVILLE BLVD. SUITE 200 ALAMO, CA 94507 T: (925) 314-9040 T: (925) 683-7052 F: (925) 831-8374 CONTACT: DOUG LEDEBERGER
C. OWNER:	FERNANDO GONZALEZ 1260 SAN JUAN ROAD, HOLLISTER, CA 95023
D. ENGINEER:	NORTH-STAR ENGINEERING GROUP, INC 620 12th STREET MODESTO CA. 95354 T: (209) 524-3525 F: (209) 524-3526 CONTACT: TONY DE MELO
E. ASSESSOR'S PARCEL No.	019-11-31
F. EXISTING LAND USE:	AGRICULTURE - GENERAL PLAN DESIGNATED MEDIUM DENSITY RESIDENTIAL
G. PROPOSED LAND USE:	DUETIS AND TRIPLEXES
H. TOTAL PROJECT SIZE:	11.2± ACRES
I. TOTAL NUMBER OF UNITS:	130
J. UNIT SIZES:	± 1,376 SF, 1,408 SF, 1,526 SF, & 1,587 SF
K. PARKING SPACES:	335 SPACES (9' x 18' STANDARD)
L. DENSITY:	11.7 UNITS PER ACRE
M. CONTOURS:	ONE FOOT INTERVALS
N. UTILITIES:	DOMESTIC WATER-CITY OF HOLLISTER SANITARY SEWER - CITY OF HOLLISTER STORM DRAINAGE-CITY OF HOLLISTER GAS & ELECTRIC - PG&E TELEPHONE - PACIFIC BELL CABLE TELEVISION-FALCON CABLE SCHOOL DISTRICT -HOLLISTER SCHOOL DISTRICT

LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE	_____	_____
CENTERLINE	_____	_____
RIGHT-OF-WAY	_____	_____
PARCEL LINE	_____	_____

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[illegible]

COVER PAGE AND CROSS SECTIONS

**1620 BUENA VISTA MULTI-FAMILY
HOLLISTER, CALIFORNIA**

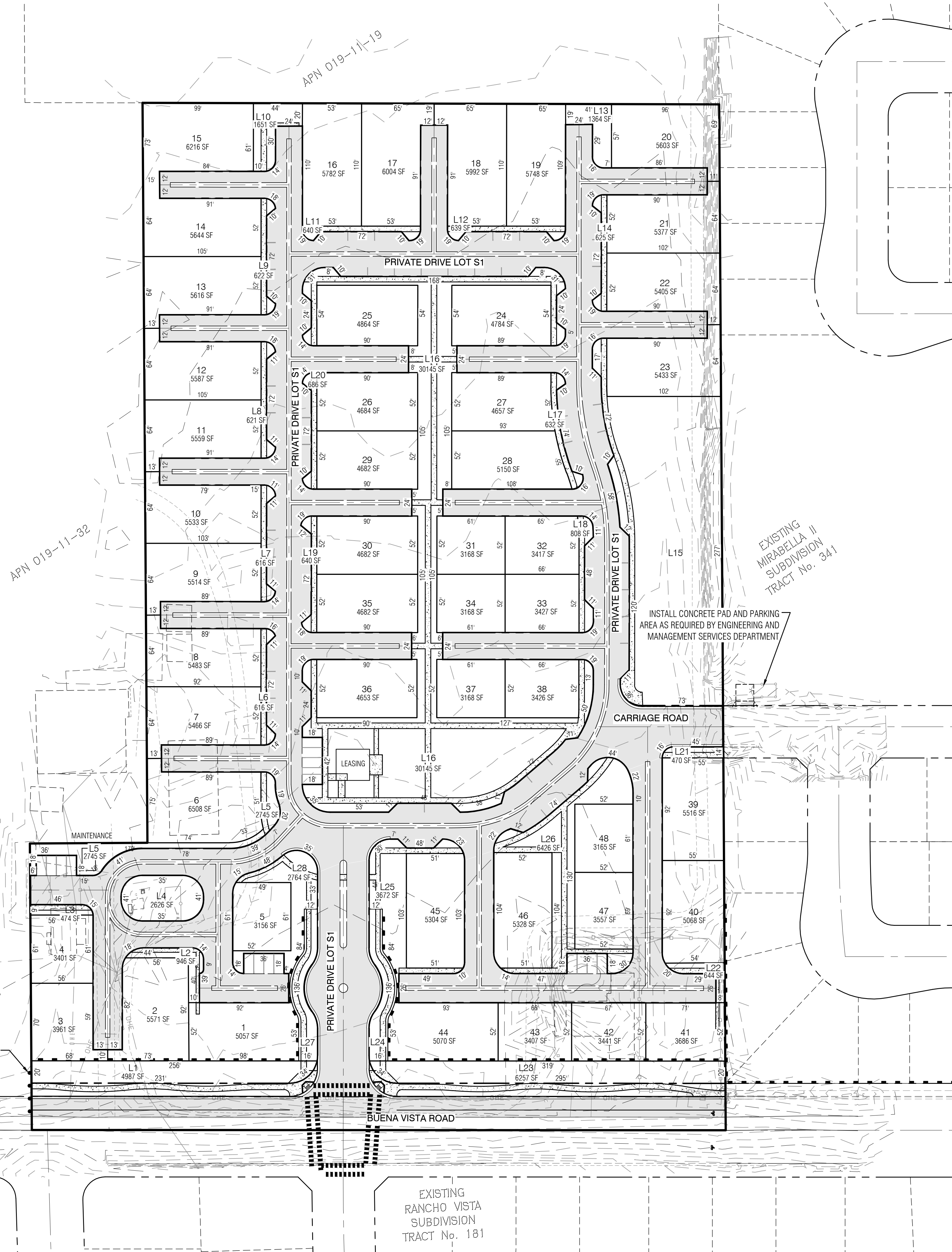
North Star
Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
620 12th Street
(209) 524-3525 Phone
(209) 524-3526 Fax

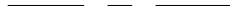
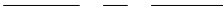
B #:	20-2544
TE:	5/5/2021
AL:	AS SHOWN
AWN:	PMH
SIGN:	PMH/ CV
IKD:	TPD

SHEET
NUMBER

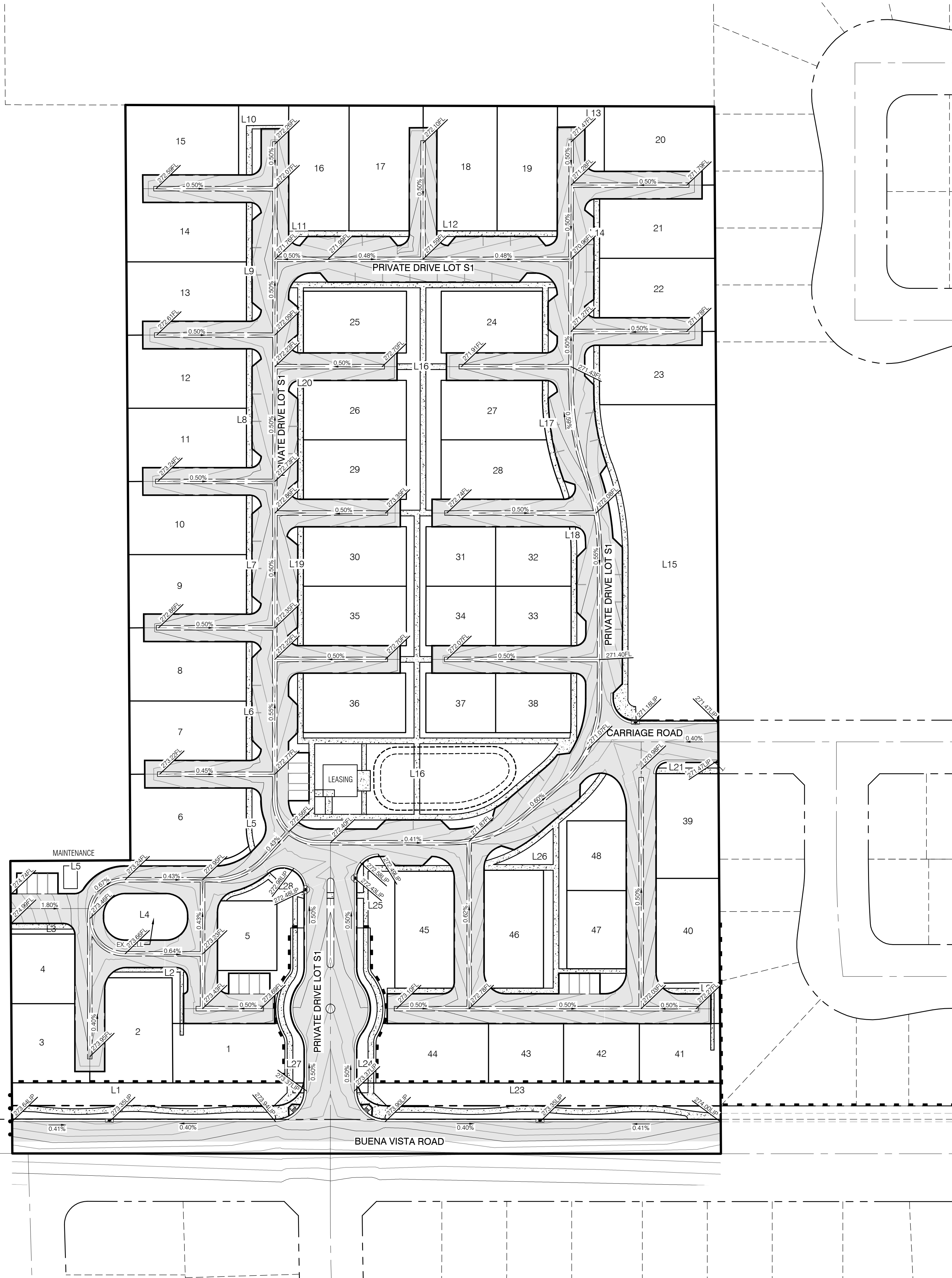
SP.2

PLOTTED: 05/05/2021 08:39 PLOTTED BY: Cvanderveen
DWGNAME: F:\20-2544 Hollister Gonzalez Property\Planning\TMTM1.1_SP.2.dwg



	EXISTING	PROPOSED
BOUNDARY LINE		
CENTERLINE		
RIGHT-OF-WAY		
PARCEL LINE		
CURB, GUTTER, AND SIDEWALK		
CURB AND EDGE OF PAVEMENT	NA	
VALLEY GUTTER	NA	
SIDEWALK		
MASONRY WALL		
LOT NUMBER	NA	72
LOT SQUARE FOOTAGE	NA	1528 SF
LOT DIMENSION	NA	
EXISTING CONTOUR (MINOR)		NA
EXISTING CONTOUR (MAJOR)		NA

SP.3



SP.5



Conceptual Perspective Renderings - Buena Vista Road Frontage

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



PR

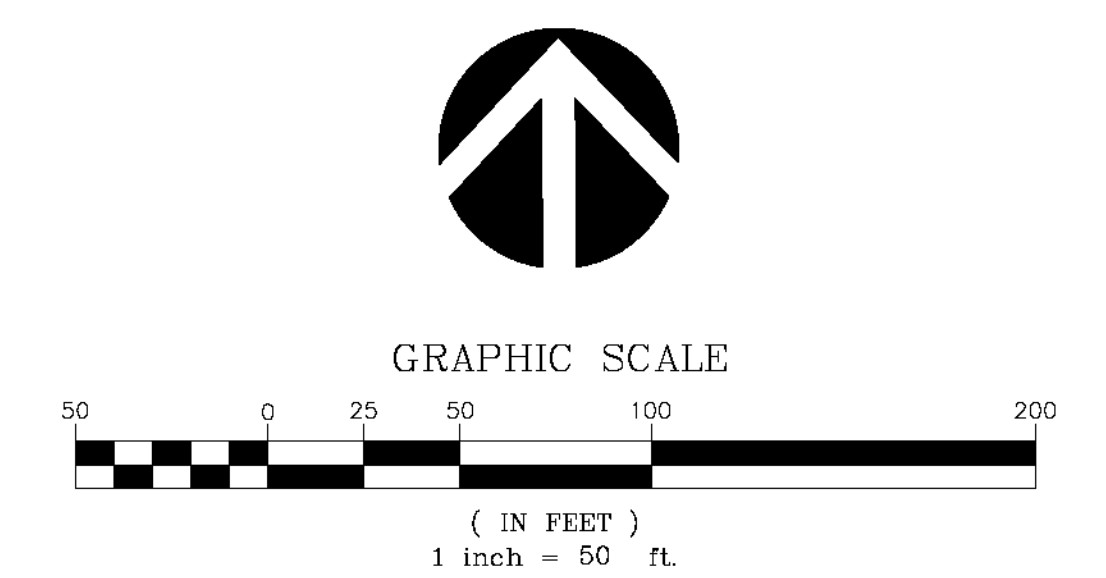
CITY SUBMITTAL

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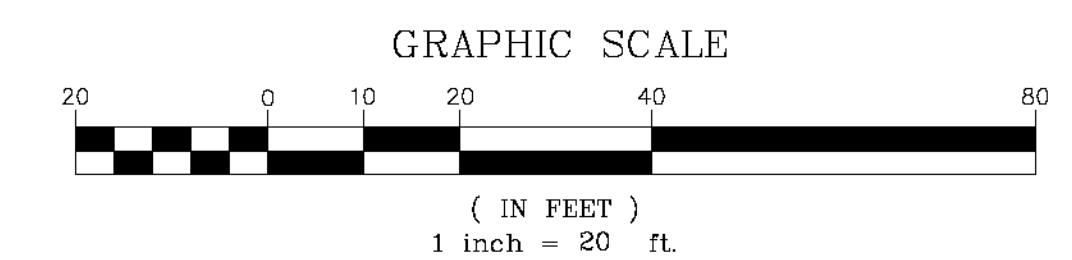
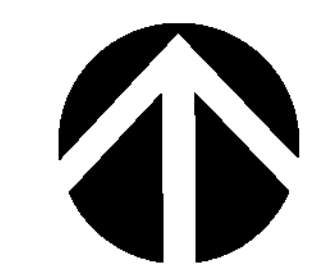
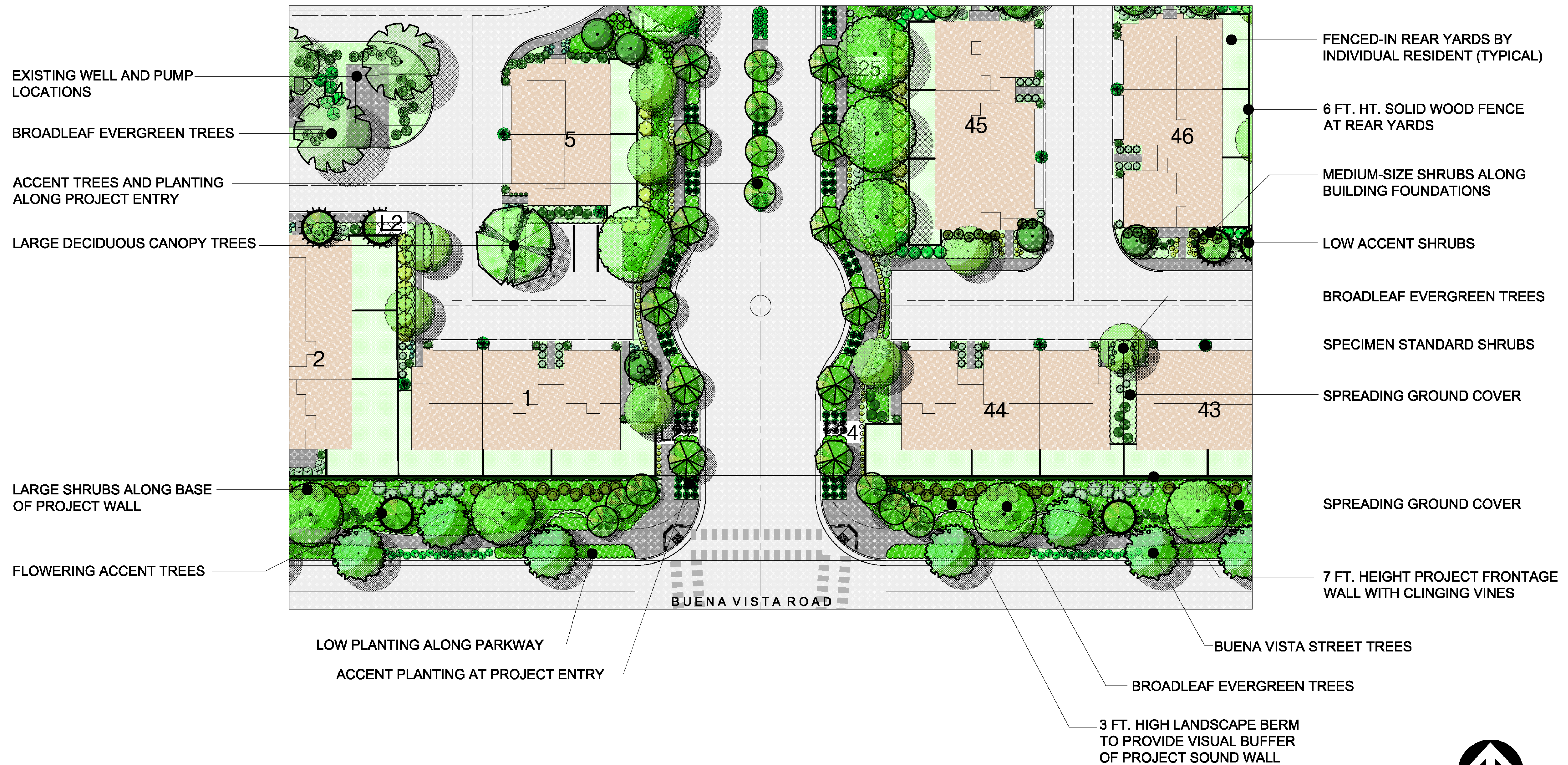
- PROPOSED PROJECT TREES:
- PRIMARY DECIDUOUS CANOPY TREE
CELTIS AUSTRALIS (EUROPEAN HACKBERRY)
 - SECONDARY DECIDUOUS CANOPY TREE
ROBINIA 'IDAHOENSIS' (LOCUST)
 - PRIMARY BROADLEAF EVERGREEN TREE
QUERCUS ILEX (HOLLY OAK)
 - SECONDARY BROADLEAF EVERGREEN TREE
QUERCUS AGRIFOLIA (CALIFORNIA LIVE OAK)
 - NARROW BROADLEAF EVERGREEN TREE
MAGNOLIA G. 'BRACKEN'S BROWN BEAUTY' (MAGNOLIA)
 - STREET TREE ON BUENA VISTA ROAD
CARPINUS 'FASTIGIATA' (EUROPEAN HORNBEAM)
 - PRIMARY FLOWERING ACCENT TREE
LAGERSTROEMIA SPECIES (CRAPE MYRTLE)
 - SECONDARY FLOWERING ACCENT TREE
PRUNUS CERSIFERA (PURPLE-LEAF PLUM)
 - TALL ENTRY ACCENT TREE
PYRUS CALLERYANA 'CHANTICLEER' (FLOWERING PEAR)
 - MINOR FLOWERING ACCENT TREE
CERCIS OCCIDENTALIS (WESTERN REDBUD)



LANDSCAPE MASTER PLAN

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CALIFORNIA

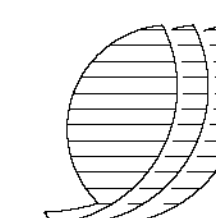


LANDSCAPE ENLARGEMENT PLAN

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CALIFORNIA

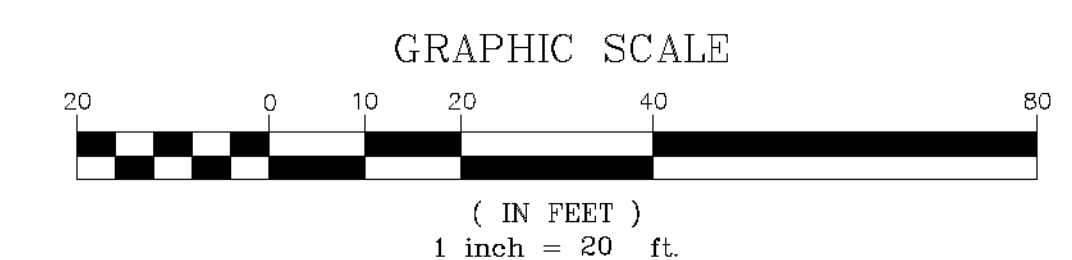
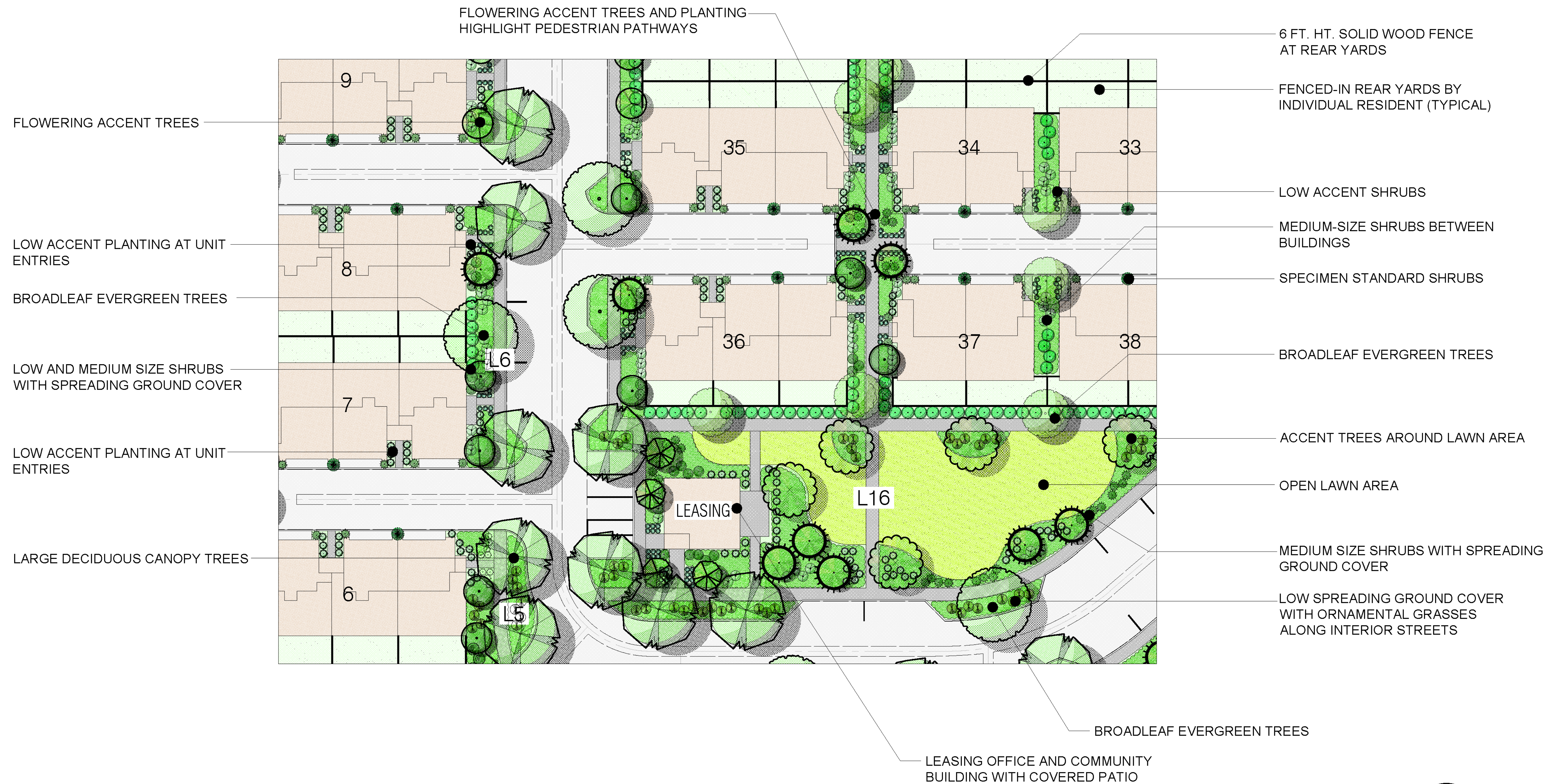
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RW Stover & Associates, Inc.
Landscape Architecture
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
Ph: 925.933.2583

REFER TO SHEET L.4 FOR RECOMMENDED PLANT LIST

MAY 5, 2021

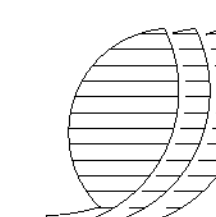


LANDSCAPE ENLARGEMENT PLAN

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CALIFORNIA

L.2



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Walnut Creek, CA 94596
Ph: 925.933.2583

REFER TO SHEET L.4 FOR RECOMMENDED PLANT LIST

MAY 5, 2021

PROPOSED NEW LARGE SHRUBS AND SPREADING GROUND COVER ALONG PARK PERIMETERS AT RESIDENCES

PLANTING IN COMMON AREAS AROUND RESIDENCES

CHILDREN'S PLAY LOT STRUCTURE W/ SHADE CANOPY (5-12 YEAR OLDS)

PROPOSED NEW CHILDREN'S PLAY LOT STRUCTURE W/ SHADE CANOPY (2-5 YEAR OLDS)

PROPOSED NEW BENCH SEATING AREAS

PROPOSED NEW LARGE DECIDUOUS CANOPY TREES

PROPOSED NEW LOW AND MEDIUM SIZE SHRUBS WITH SPREADING GROUND COVER

PROPOSED NEW ACCENT PLANTING AT PARK PEDESTRIAN ENTRANCES

EXISTING MIRABELLA II PARK PARCEL PICNIC TABLE AREAS

EXISTING MIRABELLA II PARK PARCEL OPEN LAWN AREAS

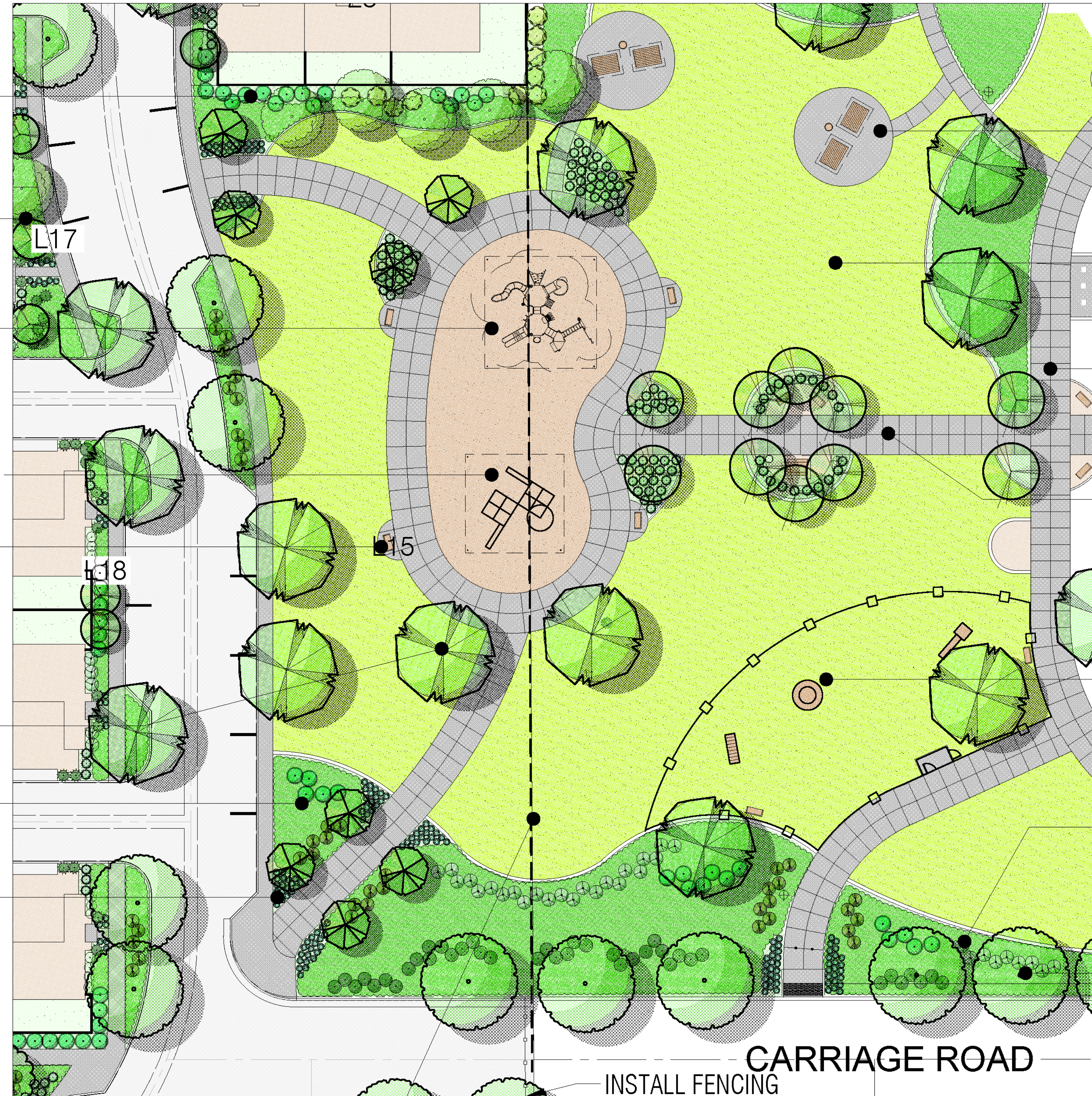
EXISTING MIRABELLA II PARK PARCEL PEDESTRIAN WALKWAYS

PROPOSED NEW CONCRETE PEDESTRIAN WALKWAY CONNECTION TO NEW PARK AREA

PROPOSED NEW FENCED-IN DOG PARK AREA WITH LAWN AND PLAY ITEMS

EXISTING LOW SPREADING GROUND COVER WITH ORNAMENTAL GRASSES ALONG INTERIOR STREETS

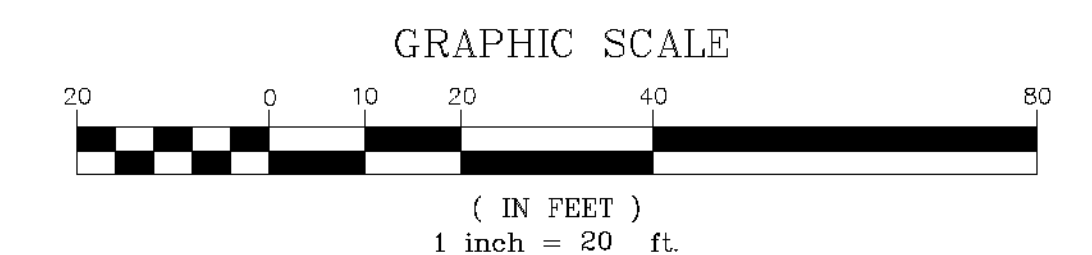
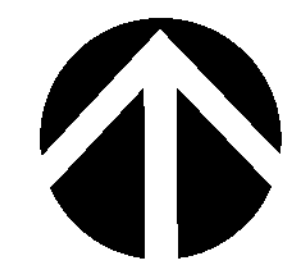
CONTINUATION OF STREET TREES (HOLLY OAKS)



COMMON PARCEL EDGE OF MIRABELLA II PARK PARCEL AND THE 0.63 ACRE EXPANSION

INSTALL FENCING

CARRIAGE ROAD

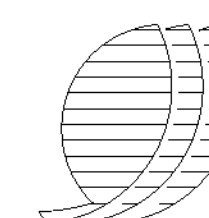


COMMUNITY PARK EXPANSION

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CALIFORNIA

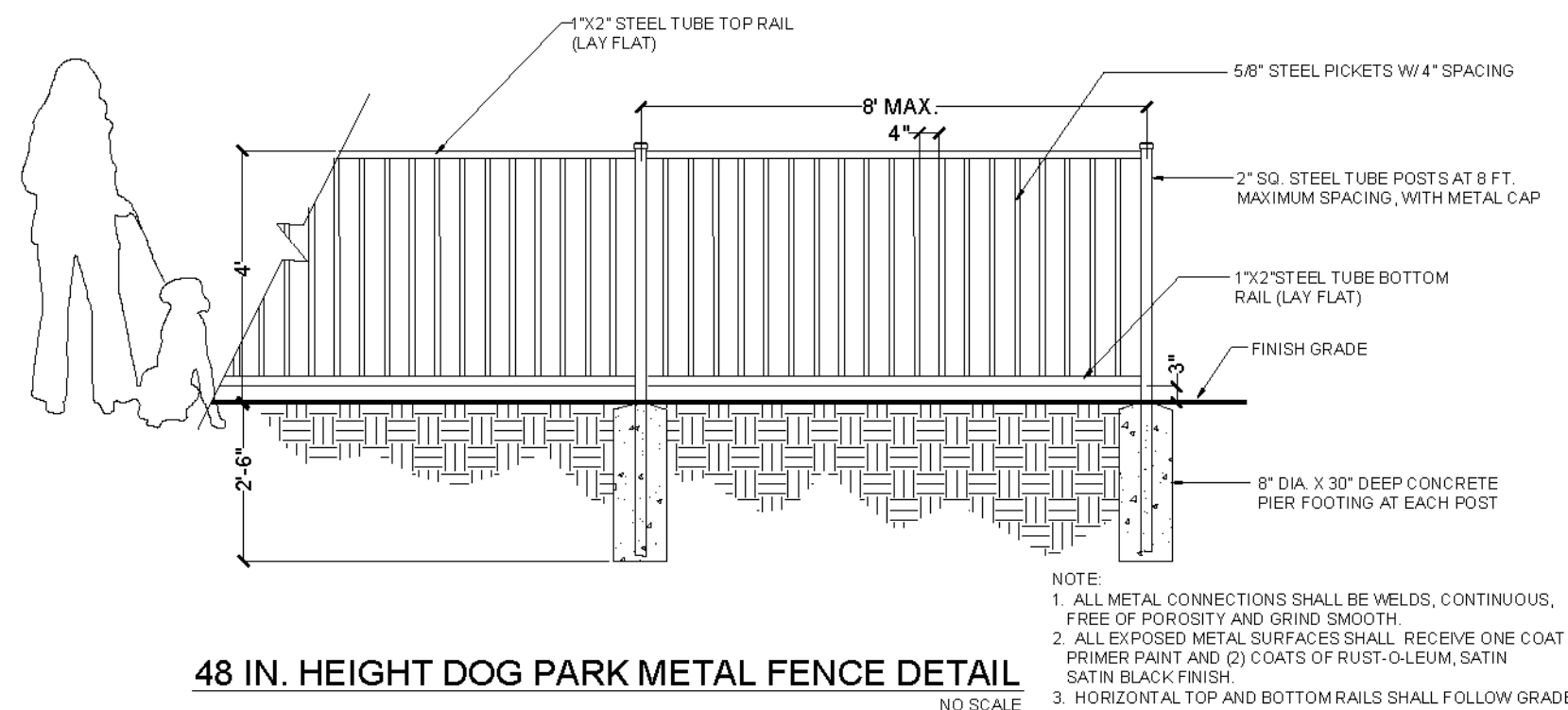
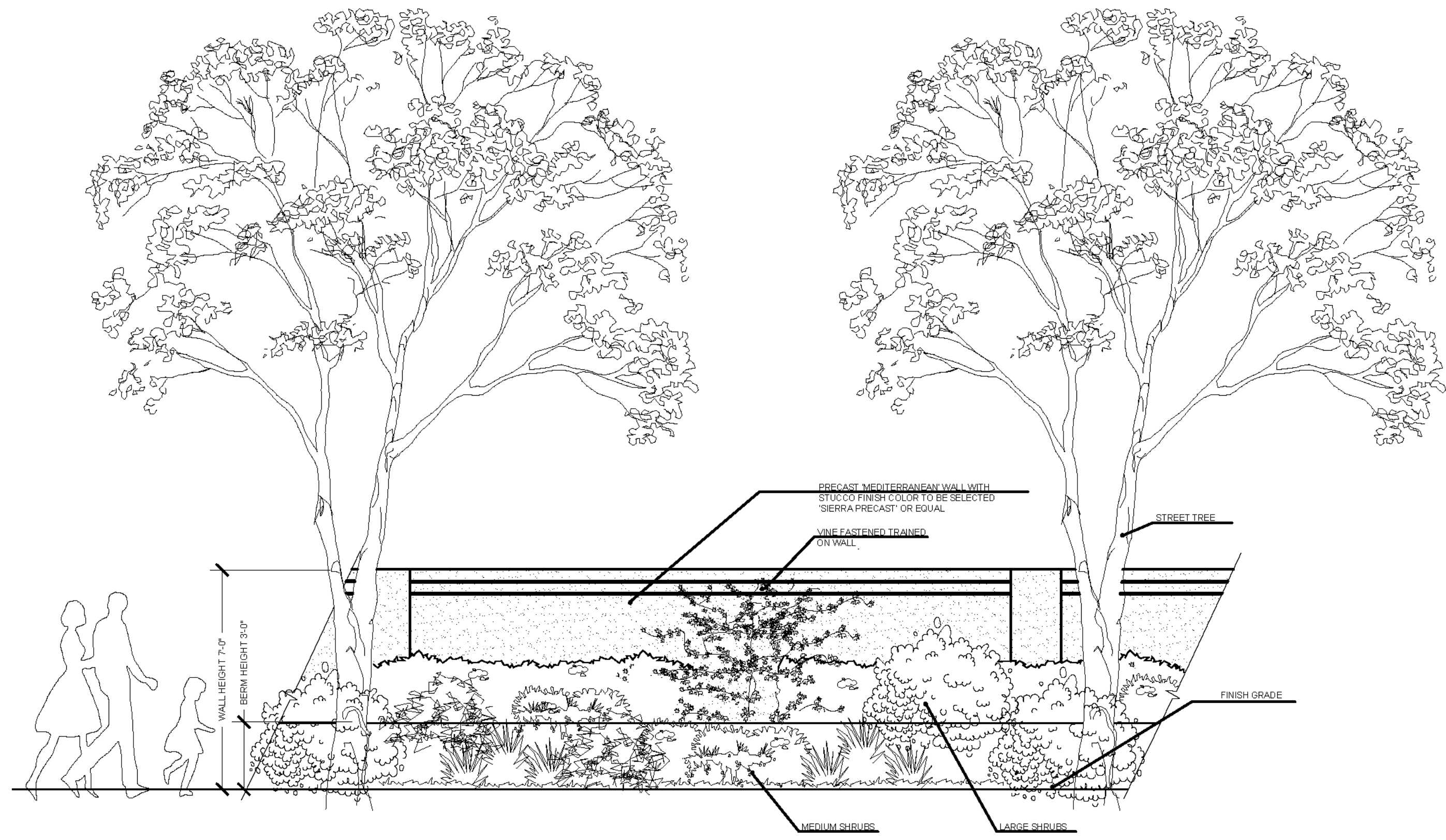
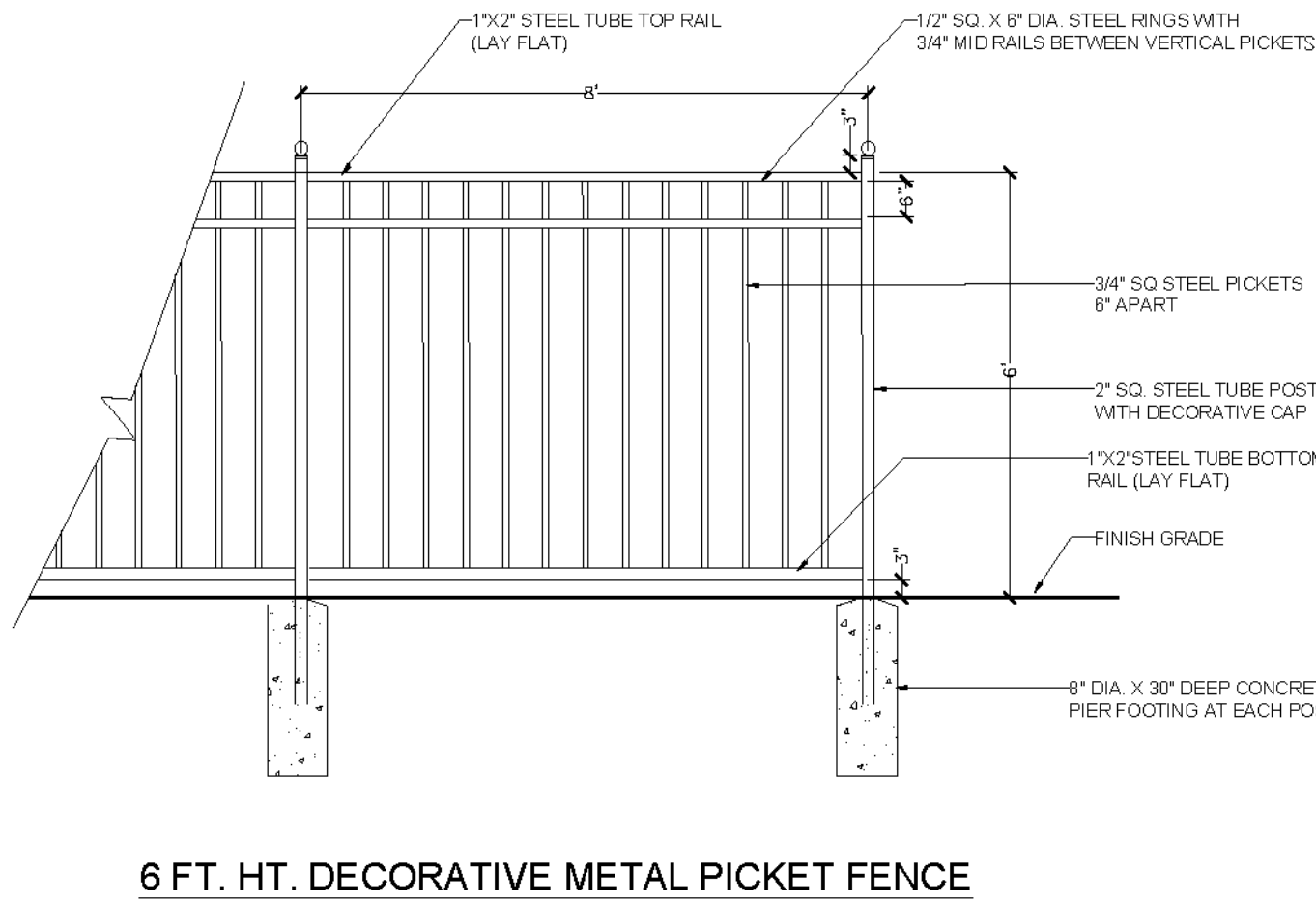
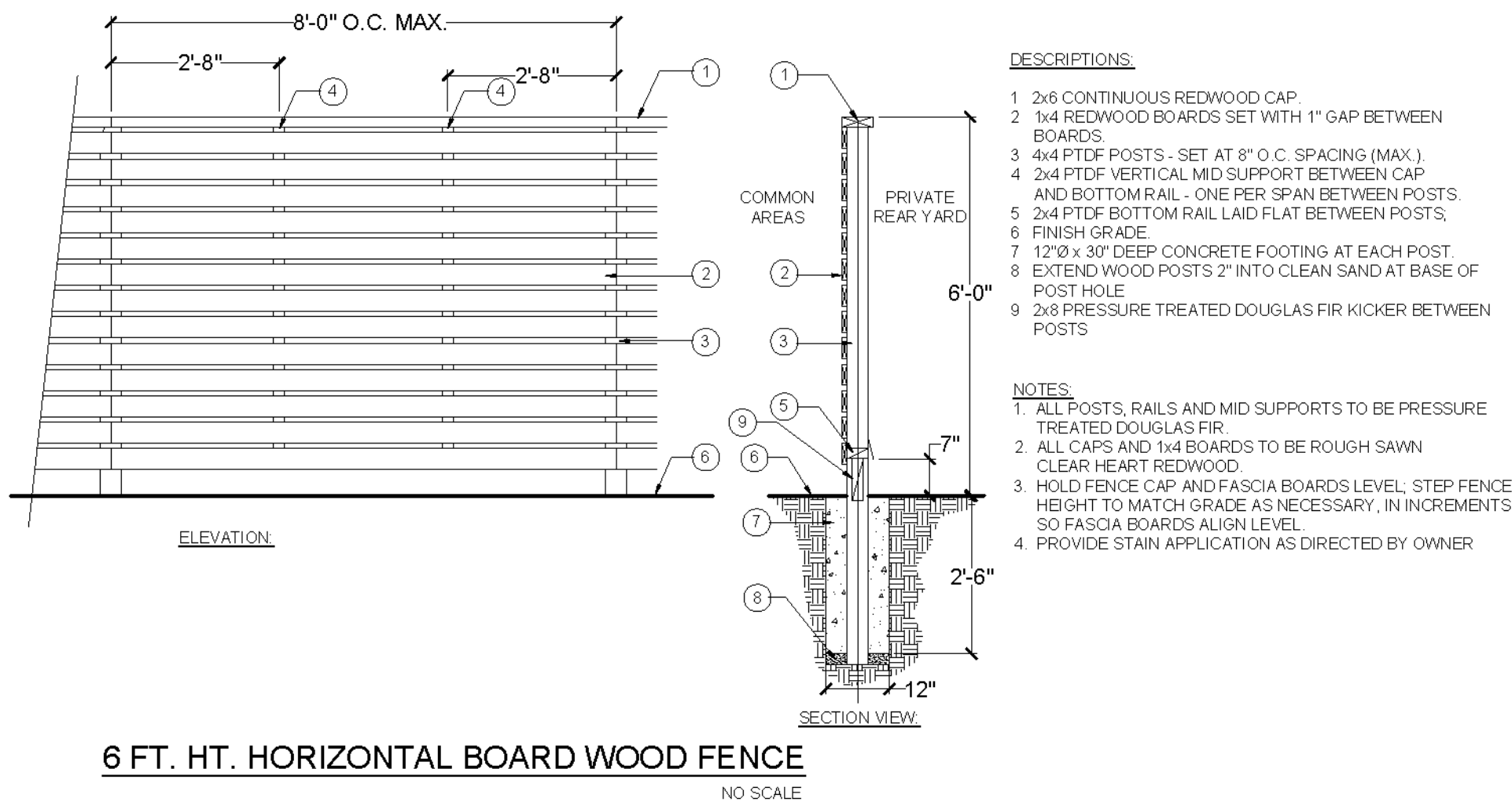
L.3



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Walnut Creek, CA 94596
Ph: 925.933.2583

REFER TO SHEET L.4 FOR RECOMMENDED PLANT LIST

MAY 5, 2021



SUGGESTED PLANT LIST:

TREES: 15 GALLON SIZE	WATER USE
CARPINUS BETULUS 'FASTIGIATA' (EUROPEAN HORNBEAM)	M
CELTIS AUSTRALIS (EUROPEAN HACKBERRY)	M
CERCIS OCCIDENTALIS (STD) (WESTERN REDBUD)	L
LAGERSTROEMIA INDICA (STD) (CRAPE MYRTLE)	L
MAGNOLIA GRAND 'BRACKEN'S BROWN BEAUTY' (MAGNOLIA)	M
PRUNUS C. 'KRAUTER VESUVIUS' (PURPLE-LEAF PLUM)	M
PYRUS CAL. 'CHANTICLEER' (FLOWERING PEAR)	M
QUERUS AGRIFOLIA (CALIFORNIA LIVE OAK)	L
QUERCUS ILEX (HOLLY OAK)	L

LARGE SHRUBS: 5 GALLON SIZE	WATER USE
ARCTOSTAPHYLOS 'HOWARD MCMINN' (MCMINN MANZANITA)	L
ELAEAGNUS 'MACULATA' (GOLDEN ELAEAGNUS)	L
HETEROMELES ARBUTIFOLIA (TOYON)	L

MEDIUM SIZE SHRUBS: 5 GALLON SIZE	WATER USE
CEANOTHUS SPECIES (WILD LILAC)	L
HESPERALOE PARVIFLORA (RED YUCCA)	L
MYRTUS COMMUNIS 'COMPACTA' (DWARF MYRTLE)	L
NANDINA DOMESTICA 'COMPACTA' (COMPACT NANDINA)	L
PITTOSPORUM 'VARIEGATA' (VARIEGATED TOBIRA)	L
PLUMBAGO AURICULATA (CAPE PLUMBAGO)	M
RHAMNUS CALIFORNICA 'EVE CASE' (COFFEEBERRY)	L
RHAPHIOLEPIS INDICA (INDIA HAWTHORN)	M
ROSMARINUS 'TUSCAN BLUE' (TUSCAN ROSEMARY)	L
SALVIA SPECIES (SAGE)	L
TEUCHRIUM FRUTICANS (GERMANDER)	L

LOW SHRUBS: 5 GALLON SIZE	WATER USE
CALLISTEMON 'LITTLE JOHN' (DWARF BOTTLEBRUSH)	L
NANDINA 'GULFSTREAM' (GULFSTREAM NANDINA)	L
RHAPHIOLEPIS INDICA 'BALLERINA' (INDIA HAWTHORN)	M
ROSA 'MAGIC CARPET' (CARPET ROSE)	M
ROSMARINUS 'HUNTINGTON BLUE' (ROSEMARY)	L

ORNAMENTAL GRASSES: ONE AND 5 GALLON SIZE	WATER USE
FESTUCA GLAUCA 'ELIJAH BLUE' (BLUE FESCUE)	L
LOMANDRA LONGIFOLIA 'BREEZE' (DWARF MAT RUSH)	L
PENNISETUM 'LITTLE BUNNY TAILS' (DWARF FOUNTAIN GRASS)	L
PENNISETUM 'RUBRUM' (RED FOUNTAIN GRASS)	L

ACCENT SHRUBS/PERENNIALS: ONE GALLON SIZE	WATER USE
DIETES VEGETA (FORTNIGHT LILY)	L
ERIGERON KARVINSKIANUS (SANTA BARBARA DAISY)	L
LAVANDULA AUGUSTIFOLIA (ENGLISH LAVENDER)	L
PHORMIUM SPECIES (FLAX)	L

GROUNDCOVERS: ONE GALLON @ 36" O.C. SPACING	WATER USE
MYOPORUM PARVIFOLIUM (PROSTRATE MYOPORUM)	L
ARCTOSTAPHYLOS 'POINT REYES' (MANZANITA)	L
COTONEASTER 'LOWFAST' (COTONEASTER)	L
ROSMARINUS PROSTRATUS (ROSEMARY)	L

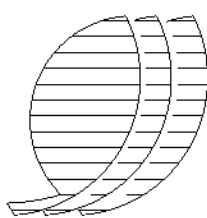
LAWN: SOD ROLLS	WATER USE
DWARF TALL FESCUE BLEND	H

LANDSCAPE FENCE & WALL DETAILS AND RECOMMENDED PLANT LIST

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CALIFORNIA

L.4



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1620 North Main Street, Suite 4
Walnut Creek, CA 94596
Ph: 925.933.2583

MAY 5, 2021



PROPOSED NEW CHILDREN'S PLAY LOT
STRUCTURE - *MIRACLE 'SHADY DAYS'*
(2-5 YEAR OLDS)



PROPOSED NEW CHILDREN'S PLAY LOT
STRUCTURE - *MIRACLE FUN FACTORY*
(5-12 YEAR OLDS)



PROPOSED SHAD CANOPY AT EACH PLAY STRUCTURE
CLASSIC RECREATION SYSTEMS FABRIC CANOPIES



DRINKING FOUNTAIN



BENCH



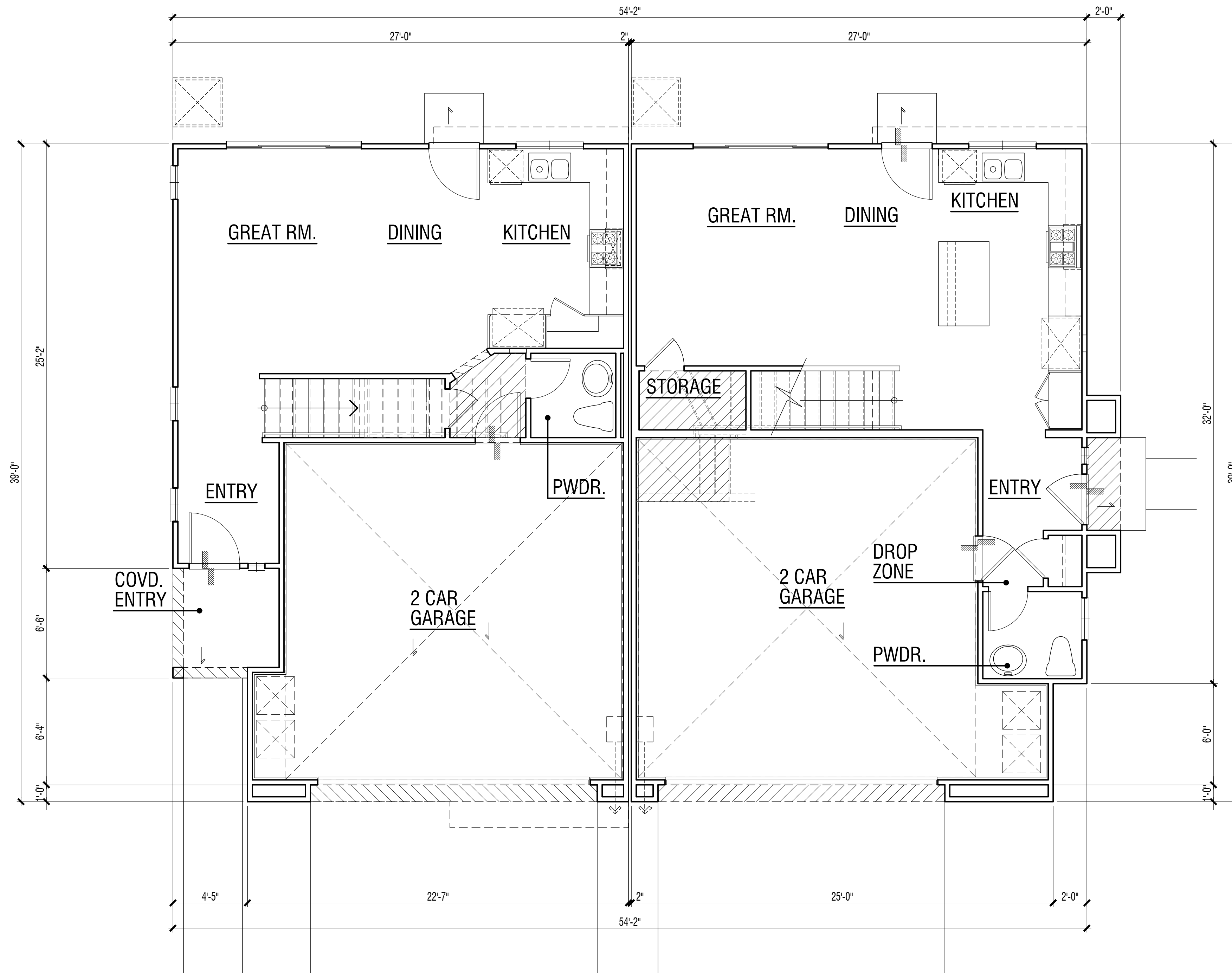
TRASH RECEPTACLE

PARK AMENITY IMAGES

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CALIFORNIA

L.5



PLAN 3

PLAN 4

DUPLEX PLANS 3, 4	
FLOOR AREA TABLE	PLAN 3
LOWER FLOOR PLAN	527 SQ. FT.
UPPER FLOOR PLAN	1005 SQ. FT.
TOTAL	1532 SQ. FT.
GARAGE	431 SQ. FT.
COVERED ENTRY	40 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

FLOOR AREA TABLE	PLAN 4
LOWER FLOOR PLAN	564 SQ. FT.
UPPER FLOOR PLAN	973 SQ. FT.
TOTAL	1537 SQ. FT.
GARAGE	450 SQ. FT.
COVERED ENTRY	11 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

DUPLEX - Building 100A | Floor Plan First Floor

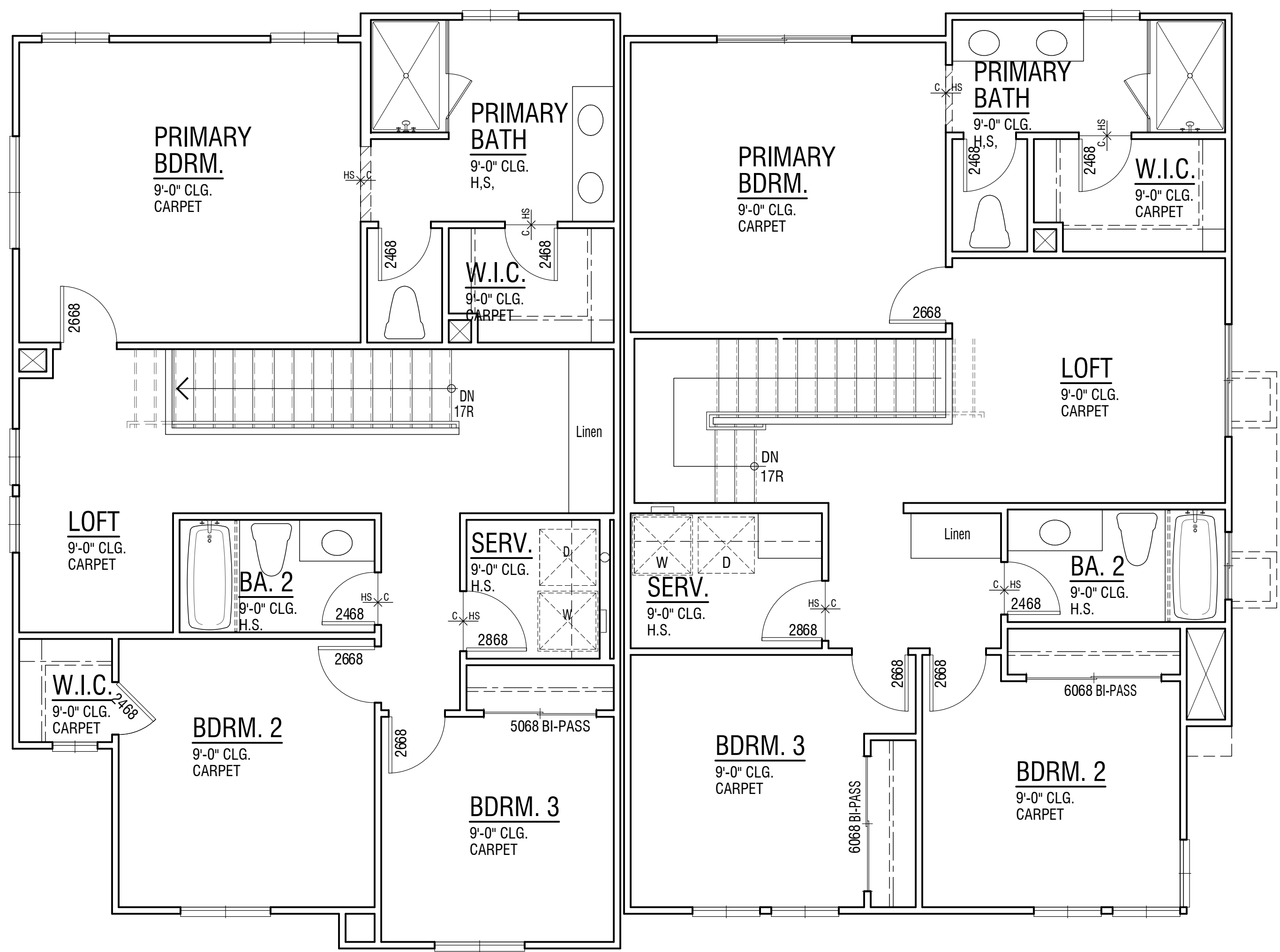
1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



0 2 4 8
A1.1
CITY SUBMITTAL





PLAN 3

PLAN 4

DUPLEX PLANS 3, 4

FLOOR AREA TABLE	PLAN 3
LOWER FLOOR PLAN	527 SQ. FT.
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DUPLEX - Building 100A | Floor Plan Second Floor

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



A1.2

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Plan 3 Left



Scheme 3 Plan 3 Plan 4 Front



Plan 4 Right



Plan 4 "FARMHOUSE" MATERIALS Plan 3 Rear

Roof:	Concrete Slate Tile
Fascia:	2X Wood
Exterior:	Stucco / Fiber Cement Batts over Fiber Cement Panel or Fiber Cement Lap Siding
Window / Door Trim:	Foam with Stucco Over / Fiber Cement Trim
Window:	Vinyl
Shutter:	Prefabricated
Post:	Wood
Brace:	Wood / Prefabricated
Entry Door:	Decorative Front Entry Door
Garage Door:	Metal Sectional Garage Door

DUPLEX - Building 100A | Exterior Elevations
1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA

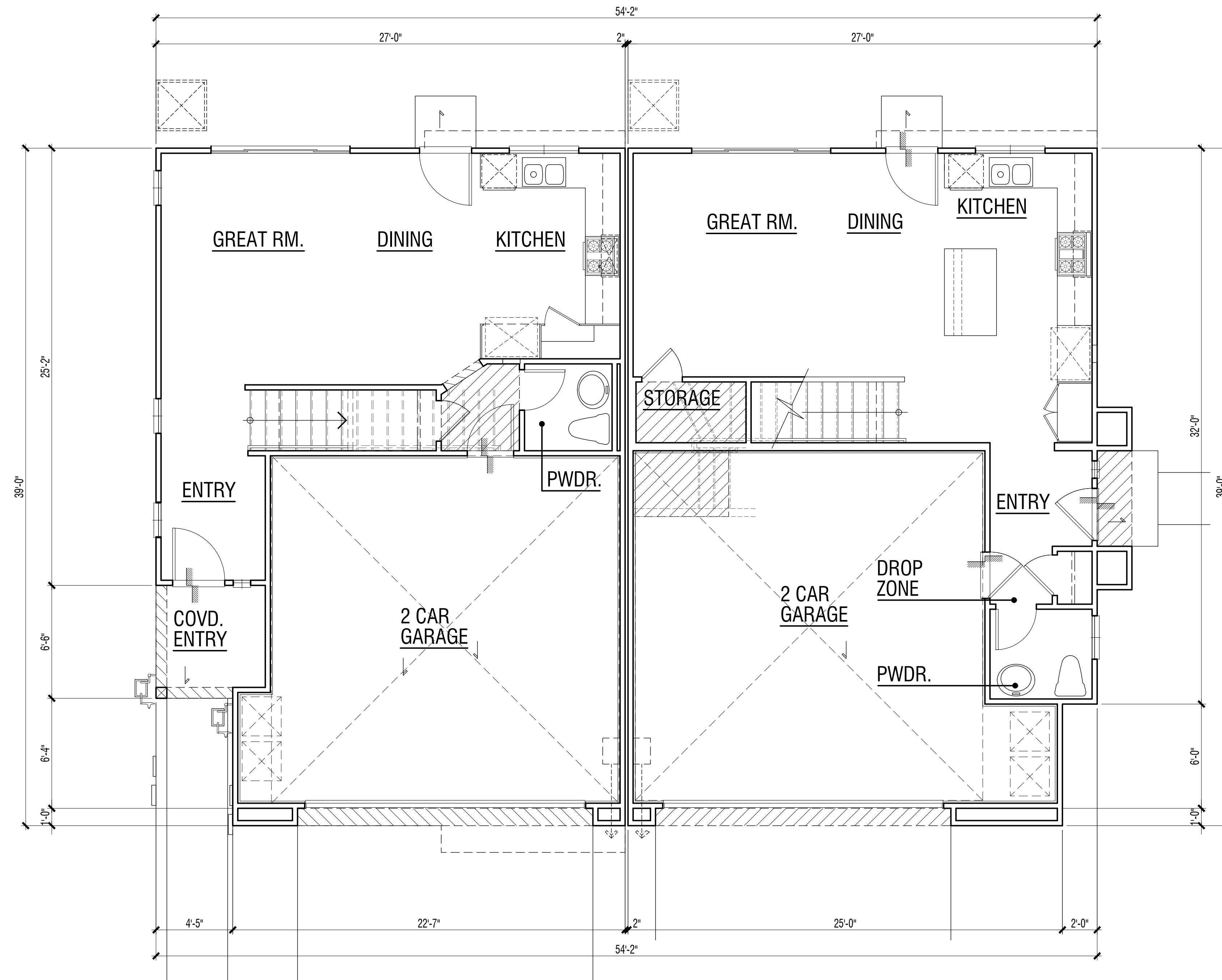


Note: Artist's conception; colors, materials and application may vary

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A1.3
0 2 4 8
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PLAN 3

PLAN 4

DUPLEX PLANS 3, 4

FLOOR AREA TABLE	PLAN 3
LOWER FLOOR PLAN	527 SQ. FT.
UPPER FLOOR PLAN	1005 SQ. FT.
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NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

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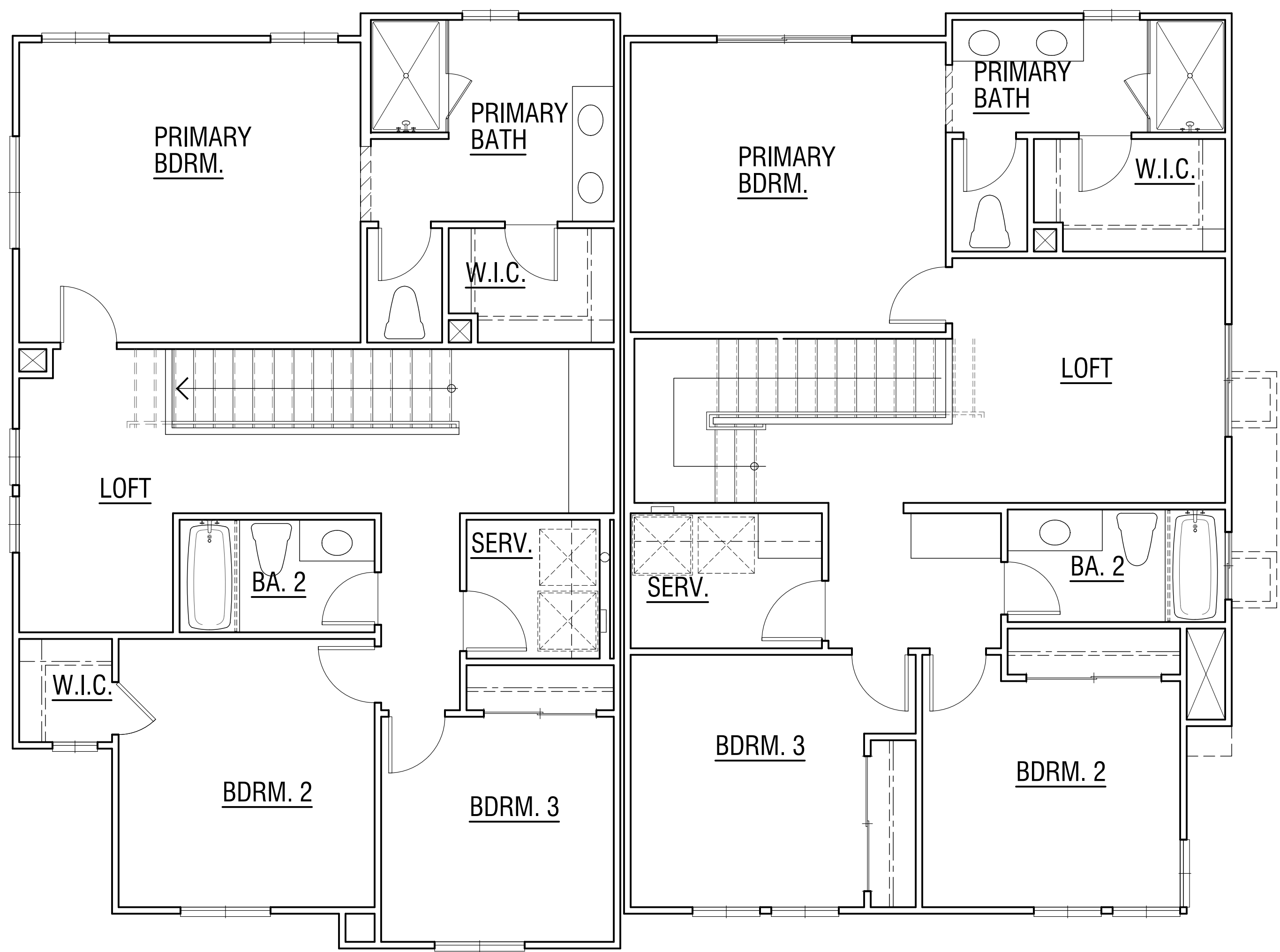
NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

DUPLEX - Building 100B | Floor Plan First Floor

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA





PLAN 3

PLAN 4

DUPLEX PLANS 3, 4

FLOOR AREA TABLE	PLAN 3
LOWER FLOOR PLAN	527 SQ. FT.
UPPER FLOOR PLAN	1005 SQ. FT.
TOTAL	1532 SQ. FT.
GARAGE	431 SQ. FT.
COVERED ENTRY	40 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

FLOOR AREA TABLE	PLAN 4
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NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

DUPLEX - Building 100B | Floor Plan Second Floor

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



0 2 4 8
A1.5

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Plan 3 Left



Scheme 6 Plan 3 Plan 4 Front



Plan 4 Right



Plan 4 Plan 3 Rear

"CRAFTSMAN" MATERIALS	
Roof:	Concrete Slate Tile
Fascia:	2X Wood
Outlooker/Brace:	Wood or Prefabricated
Exterior:	Stucco
Window / Door Trim:	Foam with Stucco Over
Window:	Vinyl
Shutter:	Prefabricated
Potshelf / Corbel:	Foam with Stucco Over
Post:	Wood
Entry Door:	Decorative Front Entry Door
Garage Door:	Metal Sectional Garage Door

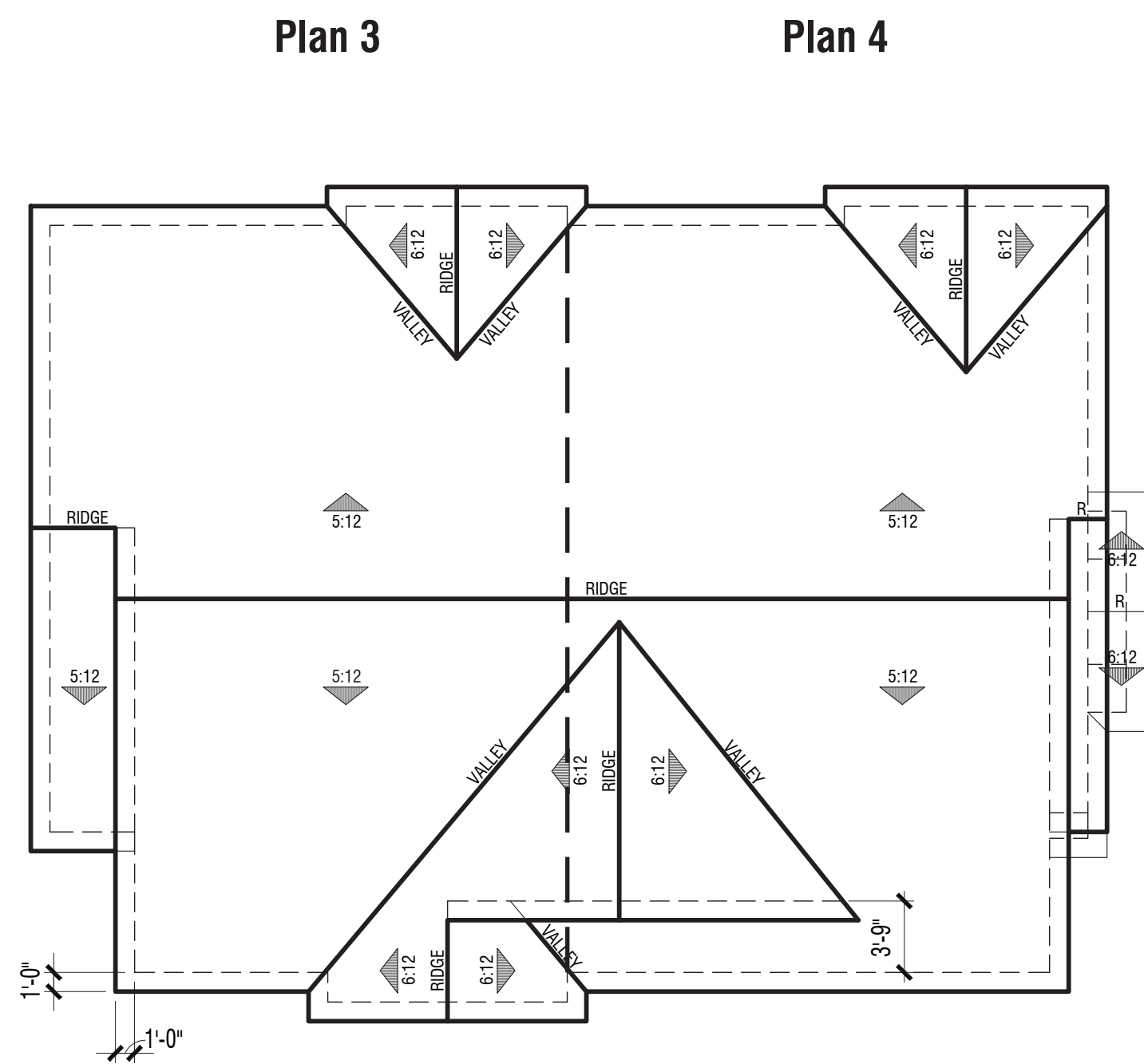
DUPLEX - Building 100B | Exterior Elevations
1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



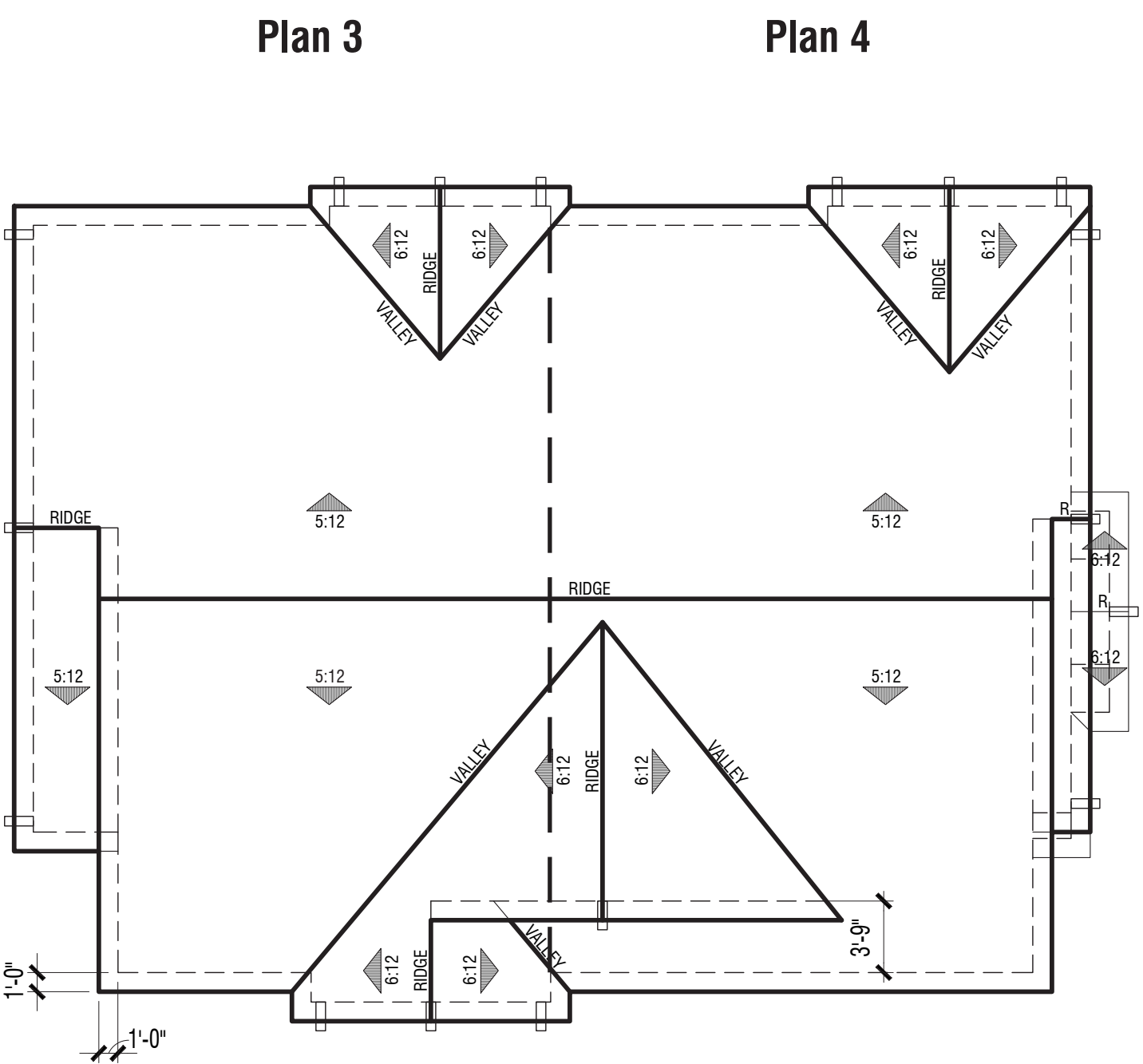
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Building 100A | Farmhouse

Eave 12" | Rake 12"
Concrete Slate Tile



Building 100B | Craftsman

Eave 12" | Rake 12"
Concrete Shake Tile

DUPLEX - Building 100 | Roof Plans **1620 BUENA VISTA MULTI-FAMILY**

HOLLISTER, CA

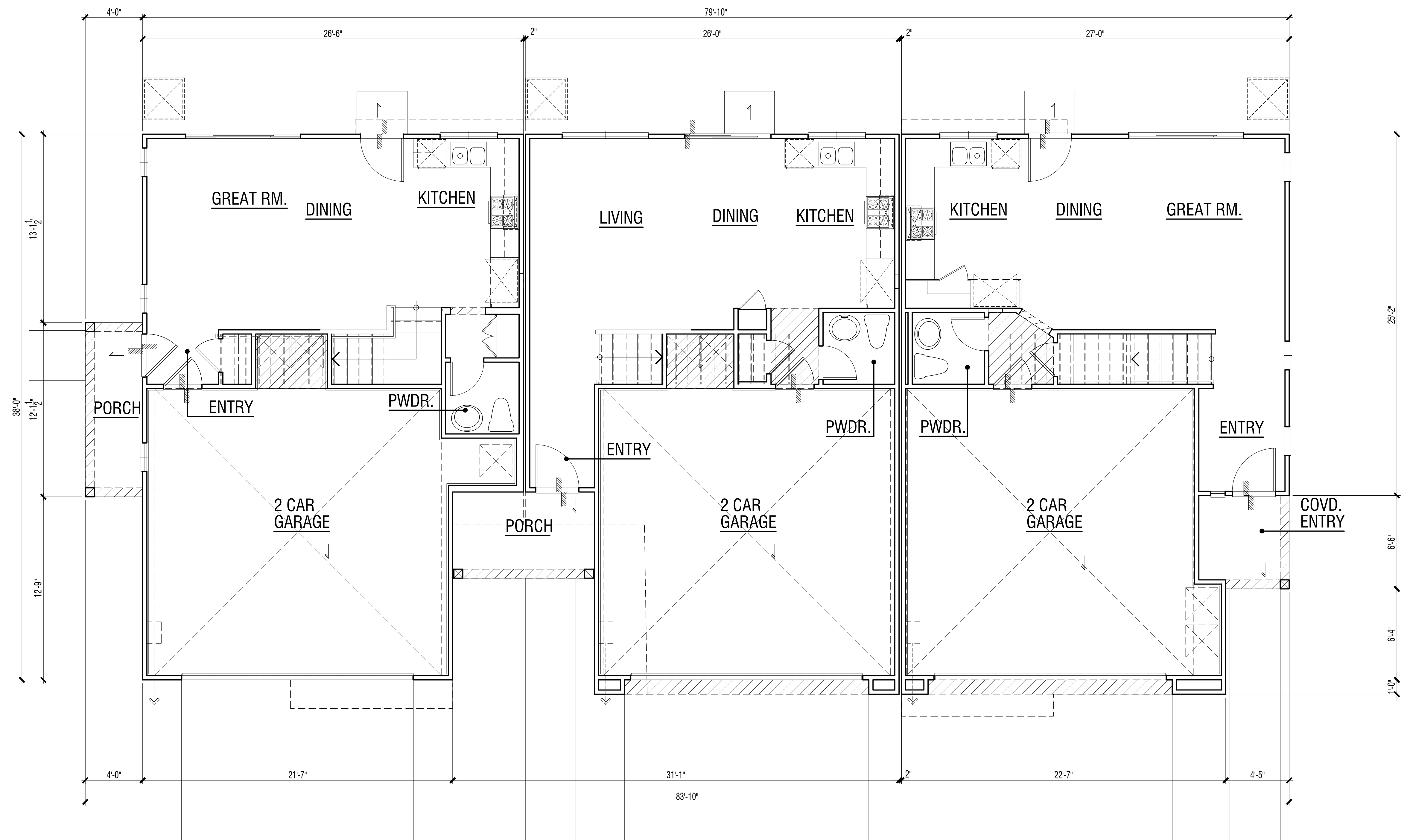


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PLAN 2

PLAN 1

PLAN 3

TRIPLEX 'A' PLANS 2, 1, & 3

FLOOR AREA TABLE	PLAN 2
LOWER FLOOR PLAN	470 SQ. FT.
UPPER FLOOR PLAN	934 SQ. FT.
TOTAL	1404 SQ. FT.
GARAGE	473 SQ. FT.
PORCH	48 SQ. FT.

FLOOR AREA TABLE	PLAN 1
LOWER FLOOR PLAN	479 SQ. FT.
UPPER FLOOR PLAN	866 SQ. FT.
TOTAL	1345 SQ. FT.
GARAGE	446 SQ. FT.
PORCH	59 SQ. FT.

FLOOR AREA TABLE	PLAN 3
LOWER FLOOR PLAN	527 SQ. FT.
UPPER FLOOR PLAN	1005 SQ. FT.
TOTAL	1532 SQ. FT.
GARAGE	431 SQ. FT.
COVERED ENTRY	40 SQ. FT.

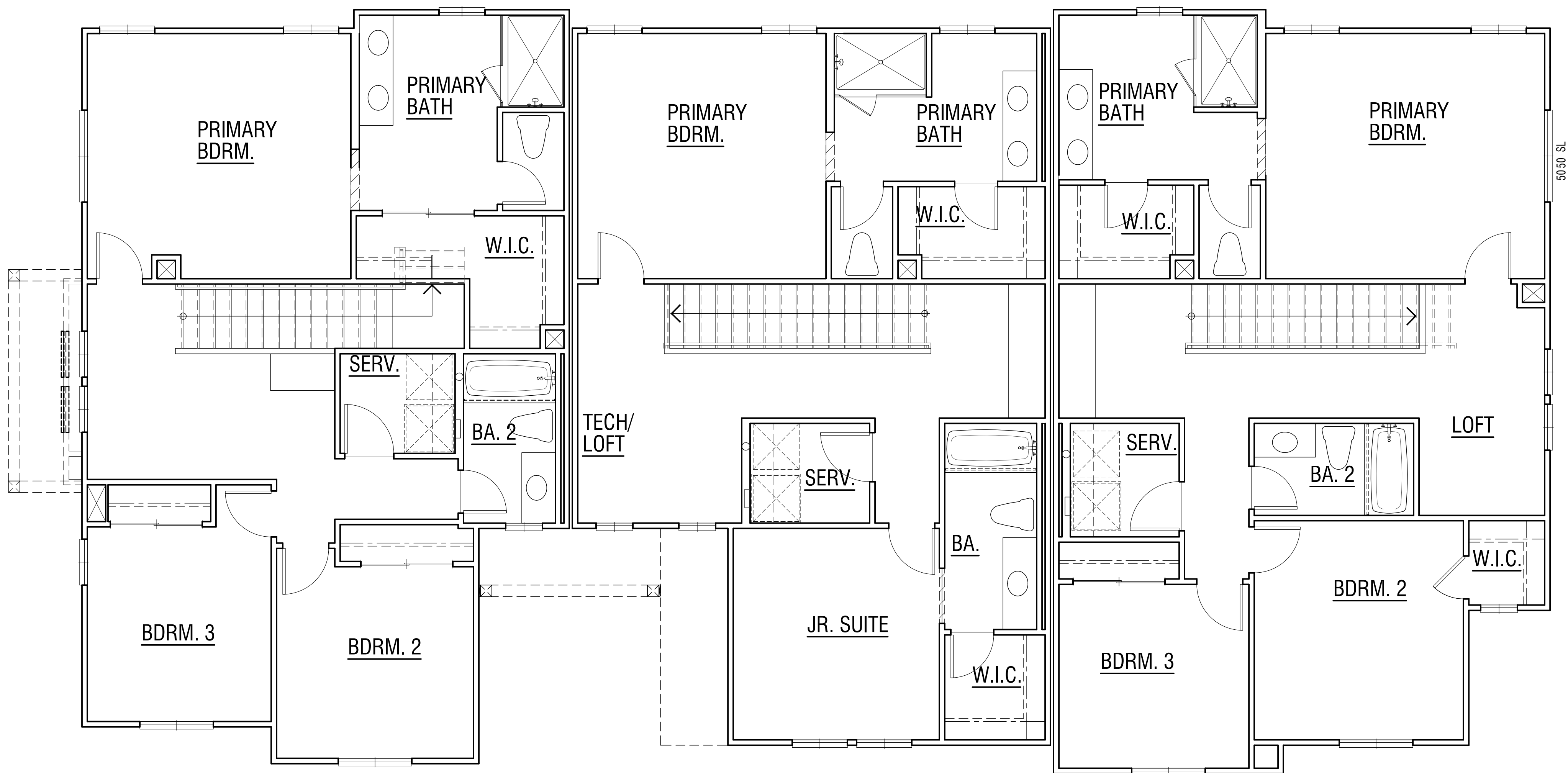
NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

TRIPLEX - Building 200A | Floor Plan First Floor

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA





PLAN 2

PLAN 1

PLAN 3

TRIPLEX 'A' PLANS 2, 1, & 3

FLOOR AREA TABLE	PLAN 2
LOWER FLOOR PLAN	470 SQ. FT.
UPPER FLOOR PLAN	934 SQ. FT.
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TOTAL	1532 SQ. FT.
GARAGE	431 SQ. FT.
COVERED ENTRY	40 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

TRIPLEX - Building 200A | Floor Plan Second Floor

1620 BUENA VISTA MULTI-FAMILY

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Plan 2

Left



Scheme 2

Plan 2

Plan 1

Plan 3

Front



Plan 3

Right



Plan 3

Plan 1

"FARMHOUSE" MATERIALS

Plan 2

Rear

Roof:	Concrete Slate Tile
Fascia:	2X Wood
Exterior:	Stucco / Fiber Cement Batts over Fiber Cement Panel or Fiber Cement Lap Siding
Window / Door Trim:	Foam with Stucco Over / Fiber Cement Trim
Window:	Vinyl
Shutter:	Prefabricated
Post:	Wood
Brace:	Wood / Prefabricated
Entry Door:	Decorative Front Entry Door
Garage Door:	Metal Sectional Garage Door

TRIPLEX - Building 200A | Exterior Elevations 1620 BUENA VISTA MULTI-FAMILY

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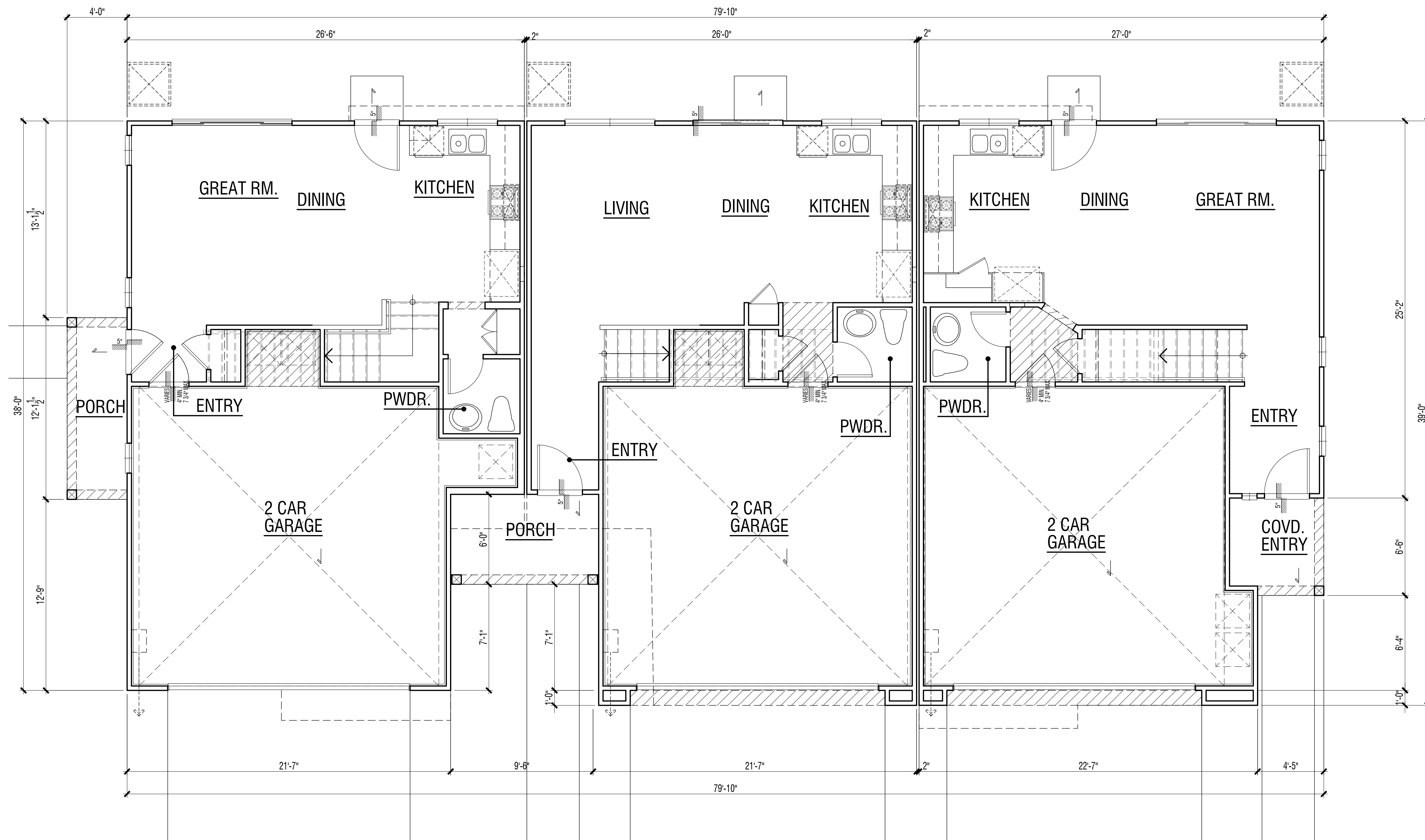


Note: Artist's conception; colors, materials and application may vary

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PLAN 2

PLAN 1

PLAN 3

TRIPLEX 'A' PLANS 2, 1, & 3

FLOOR AREA TABLE	PLAN 2
LOWER FLOOR PLAN	470 SQ. FT.
UPPER FLOOR PLAN	934 SQ. FT.
TOTAL	1404 SQ. FT.
GARAGE	473 SQ. FT.
PORCH	48 SQ. FT.

FLOOR AREA TABLE	PLAN 1
LOWER FLOOR PLAN	479 SQ. FT.
UPPER FLOOR PLAN	866 SQ. FT.
TOTAL	1345 SQ. FT.
GARAGE	446 SQ. FT.
PORCH	59 SQ. FT.

FLOOR AREA TABLE	PLAN 3
LOWER FLOOR PLAN	527 SQ. FT.
UPPER FLOOR PLAN	1005 SQ. FT.
TOTAL	1532 SQ. FT.
GARAGE	431 SQ. FT.
COVERED ENTRY	40 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

TRIPLEX - Building 200B | Floor Plan First Floor

1620 BUENA VISTA MULTI-FAMILY

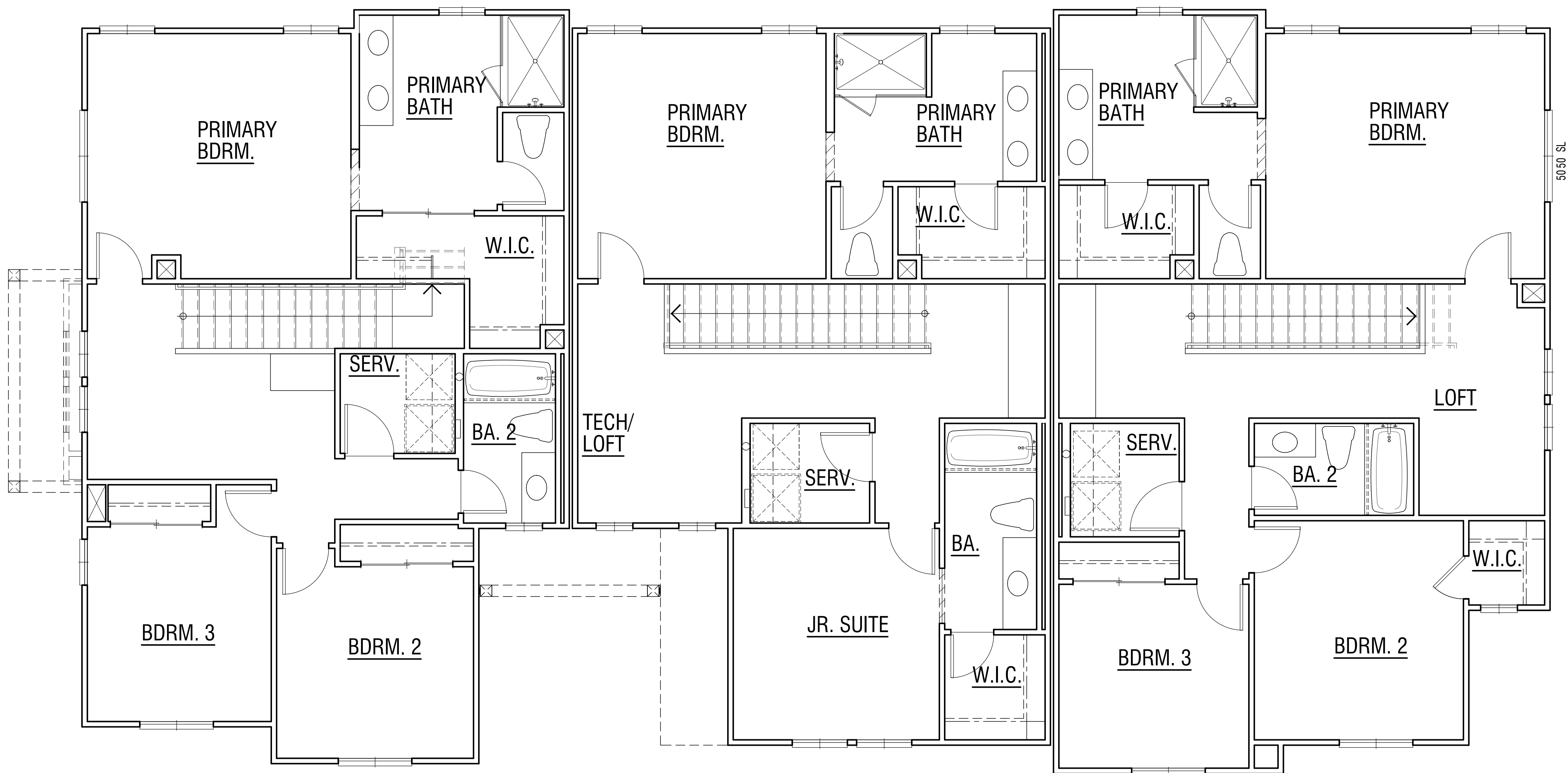
HOLLISTER, CA



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PLAN 2

PLAN 1

PLAN 3

TRIPLEX 'A' PLANS 2, 1, & 3

FLOOR AREA TABLE	PLAN 2
LOWER FLOOR PLAN	470 SQ. FT.
UPPER FLOOR PLAN	934 SQ. FT.
TOTAL	1404 SQ. FT.
GARAGE	473 SQ. FT.
PORCH	48 SQ. FT.

FLOOR AREA TABLE	PLAN 1
LOWER FLOOR PLAN	479 SQ. FT.
UPPER FLOOR PLAN	866 SQ. FT.
TOTAL	1345 SQ. FT.
GARAGE	446 SQ. FT.
PORCH	59 SQ. FT.

FLOOR AREA TABLE	PLAN 3
LOWER FLOOR PLAN	527 SQ. FT.
UPPER FLOOR PLAN	1005 SQ. FT.
TOTAL	1532 SQ. FT.
GARAGE	431 SQ. FT.
COVERED ENTRY	40 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

TRIPLEX - Building 200B | Floor Plan Second Floor

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



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Plan 2

Left



Scheme 5

Plan 2

Plan 1

Plan 3

Front



Plan 3

Right



Plan 3

Plan 1

"CRAFTSMAN" MATERIALS

Plan 2

Rear

Roof:	Concrete Slate Tile
Fascia:	2X Wood
Outlooker/Brace:	Wood or Prefabricated
Exterior:	Stucco
Window / Door Trim:	Foam with Stucco Over
Window:	Vinyl
Shutter:	Prefabricated
Potshelf / Corbel:	Foam with Stucco Over
Post:	Wood
Entry Door:	Decorative Front Entry Door
Garage Door:	Metal Sectional Garage Door

TRIPLEX - Building 200B | Exterior Elevations

1620 BUENA VISTA MULTI-FAMILY

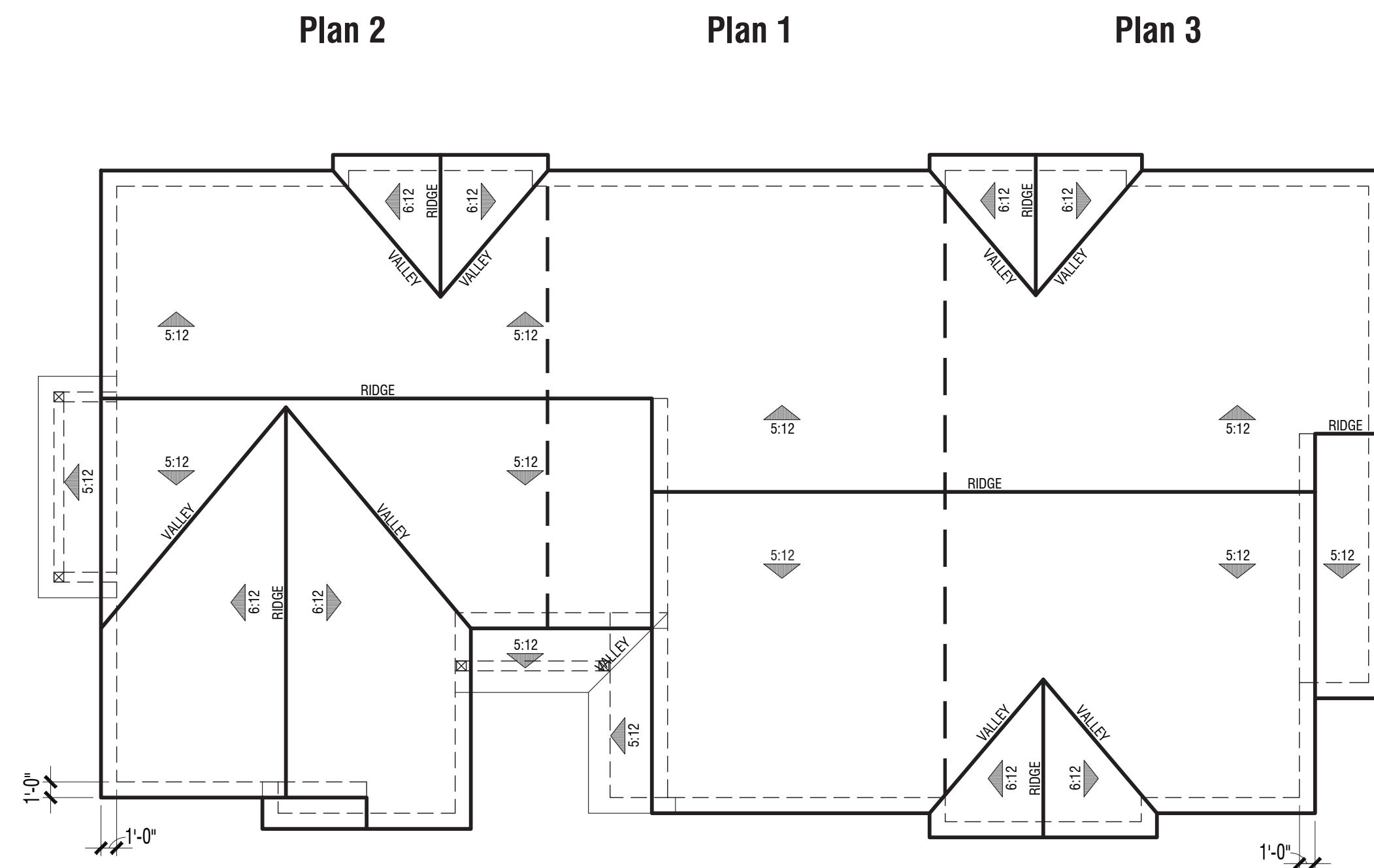
HOLLISTER, CA



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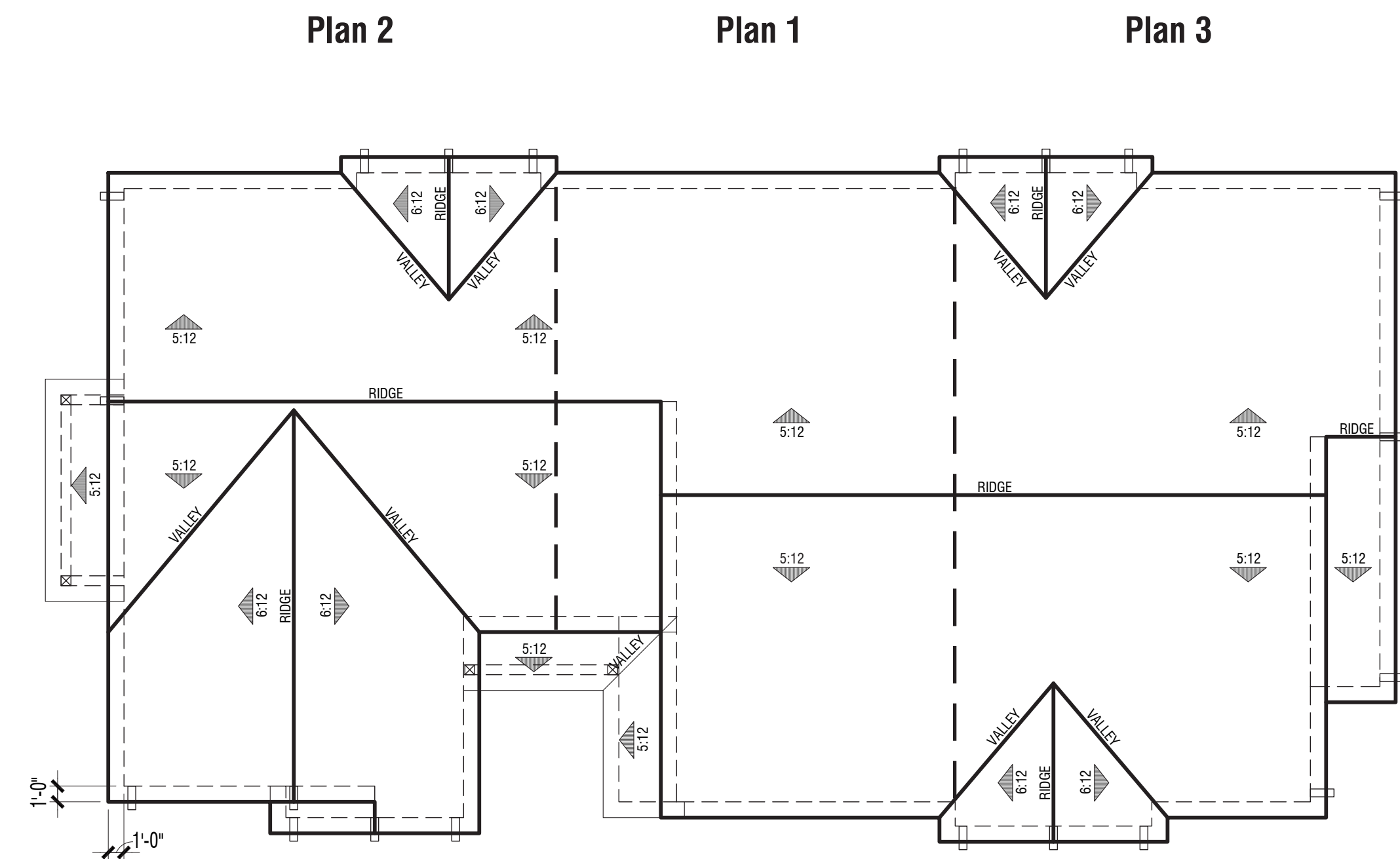
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Building 200A | Farmhouse

Eave 12" | Rake 12"
Concrete Slate Tile



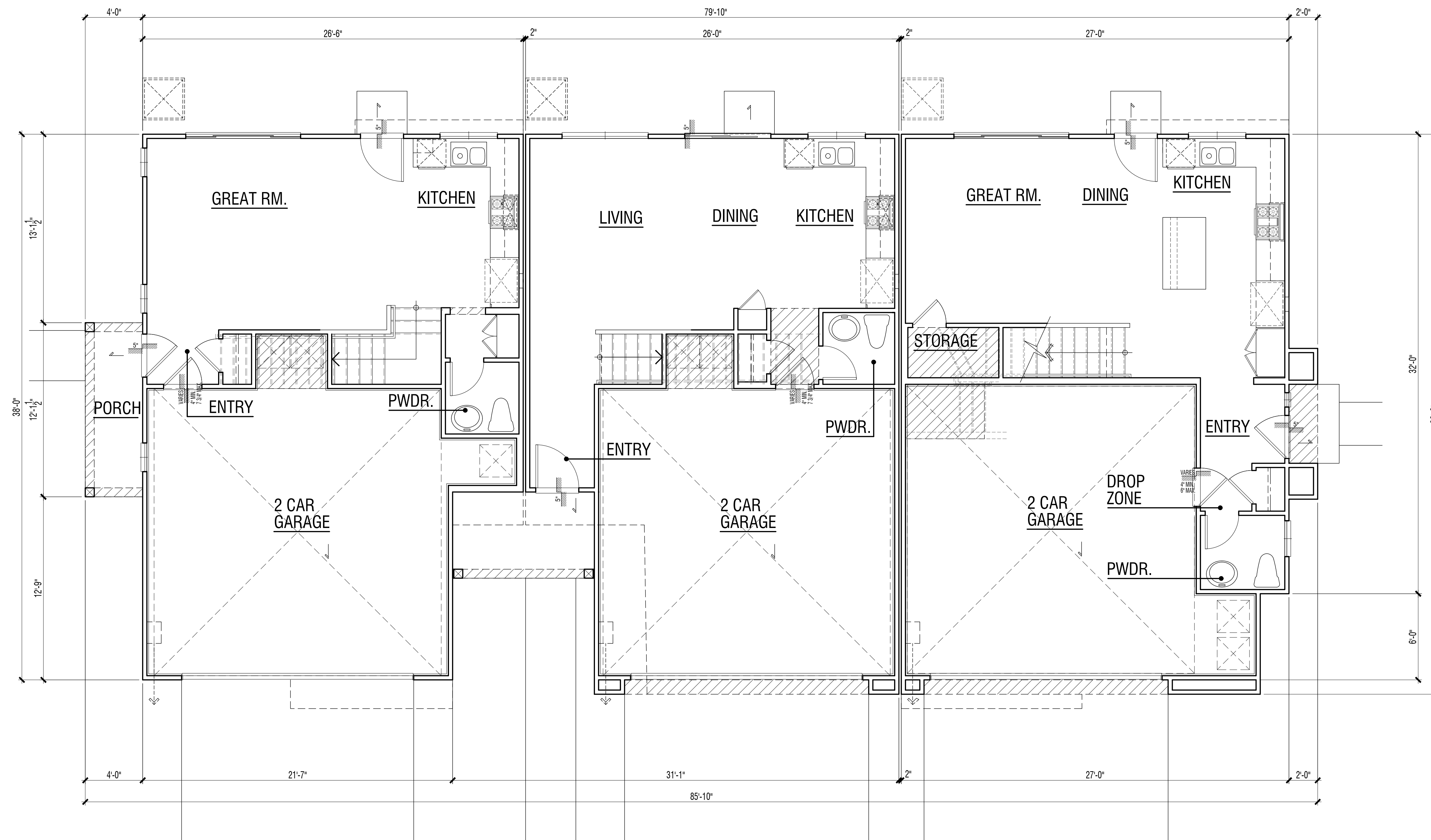
Building 200B | Craftsman

Eave 12" | Rake 12"
Concrete Shake Tile

TRIPLEX - Building 200 | Roof Plans

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



PLAN 2

PLAN 1

PLAN 4

TRIPLEX 'A' PLANS 2, 1, & 4

FLOOR AREA TABLE	PLAN 2
LOWER FLOOR PLAN	470 SQ. FT.
UPPER FLOOR PLAN	934 SQ. FT.
TOTAL	1404 SQ. FT.
GARAGE	473 SQ. FT.
PORCH	46 SQ. FT.

FLOOR AREA TABLE	PLAN 1
LOWER FLOOR PLAN	479 SQ. FT.
UPPER FLOOR PLAN	866 SQ. FT.
TOTAL	1345 SQ. FT.
GARAGE	446 SQ. FT.
PORCH	59 SQ. FT.

FLOOR AREA TABLE	PLAN 4
LOWER FLOOR PLAN	564 SQ. FT.
UPPER FLOOR PLAN	973 SQ. FT.
TOTAL	1538 SQ. FT.
GARAGE	450 SQ. FT.
COVERED ENTRY	11 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

TRIPLEX - Building 300A | Floor Plan First Floor

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



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PLAN 2

PLAN 1

PLAN 4

TRIPLEX 'A' PLANS 2, 1, & 4

FLOOR AREA TABLE	PLAN 2
LOWER FLOOR PLAN	470 SQ. FT.
UPPER FLOOR PLAN	934 SQ. FT.
TOTAL	1404 SQ. FT.
GARAGE	473 SQ. FT.
PORCH	46 SQ. FT.

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UPPER FLOOR PLAN	866 SQ. FT.
TOTAL	1345 SQ. FT.
GARAGE	446 SQ. FT.
PORCH	59 SQ. FT.

FLOOR AREA TABLE	PLAN 4
LOWER FLOOR PLAN	564 SQ. FT.
UPPER FLOOR PLAN	973 SQ. FT.
TOTAL	1538 SQ. FT.
GARAGE	450 SQ. FT.
COVERED ENTRY	11 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

TRIPLEX - Building 300A | Floor Plan Second Floor

1620 BUENA VISTA MULTI-FAMILY

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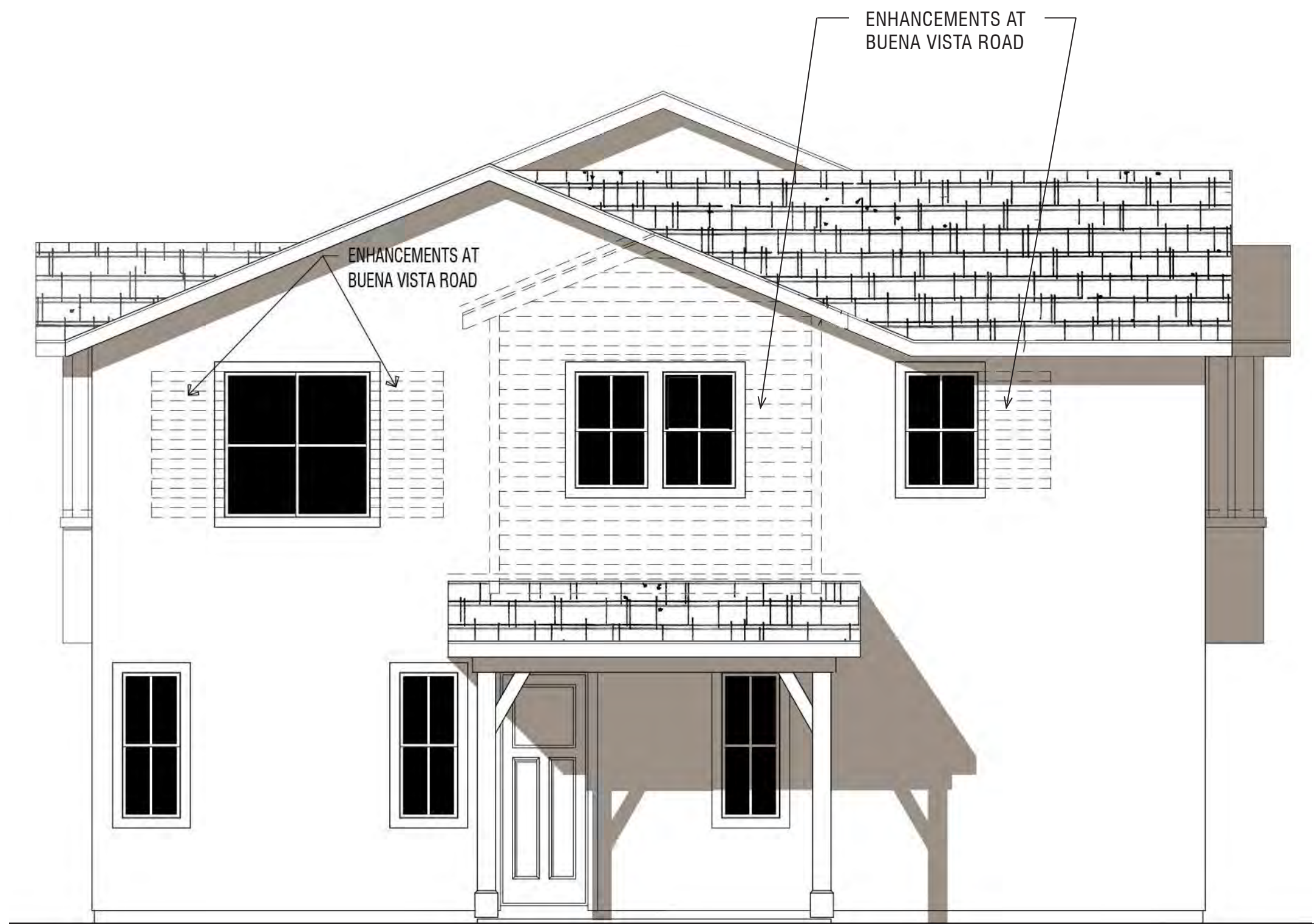


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Plan 2

Left



Scheme 1

Plan 2

Plan 1

Plan 4

Front



Plan 4

Right



Plan 4

Plan 1 "FARMHOUSE" MATERIALS

Plan 2

Rear

TRIPLEX - Building 300A | Exterior Elevations 1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA

Roof:	Concrete Slate Tile
Fascia:	2X Wood
Exterior:	Stucco / Fiber Cement Batts over Fiber Cement Panel or Fiber Cement Lap Siding
Window / Door Trim:	Foam with Stucco Over / Fiber Cement Trim
Window:	Vinyl
Shutter:	Prefabricated
Post:	Wood
Brace:	Wood / Prefabricated
Entry Door:	Decorative Front Entry Door
Garage Door:	Metal Sectional Garage Door

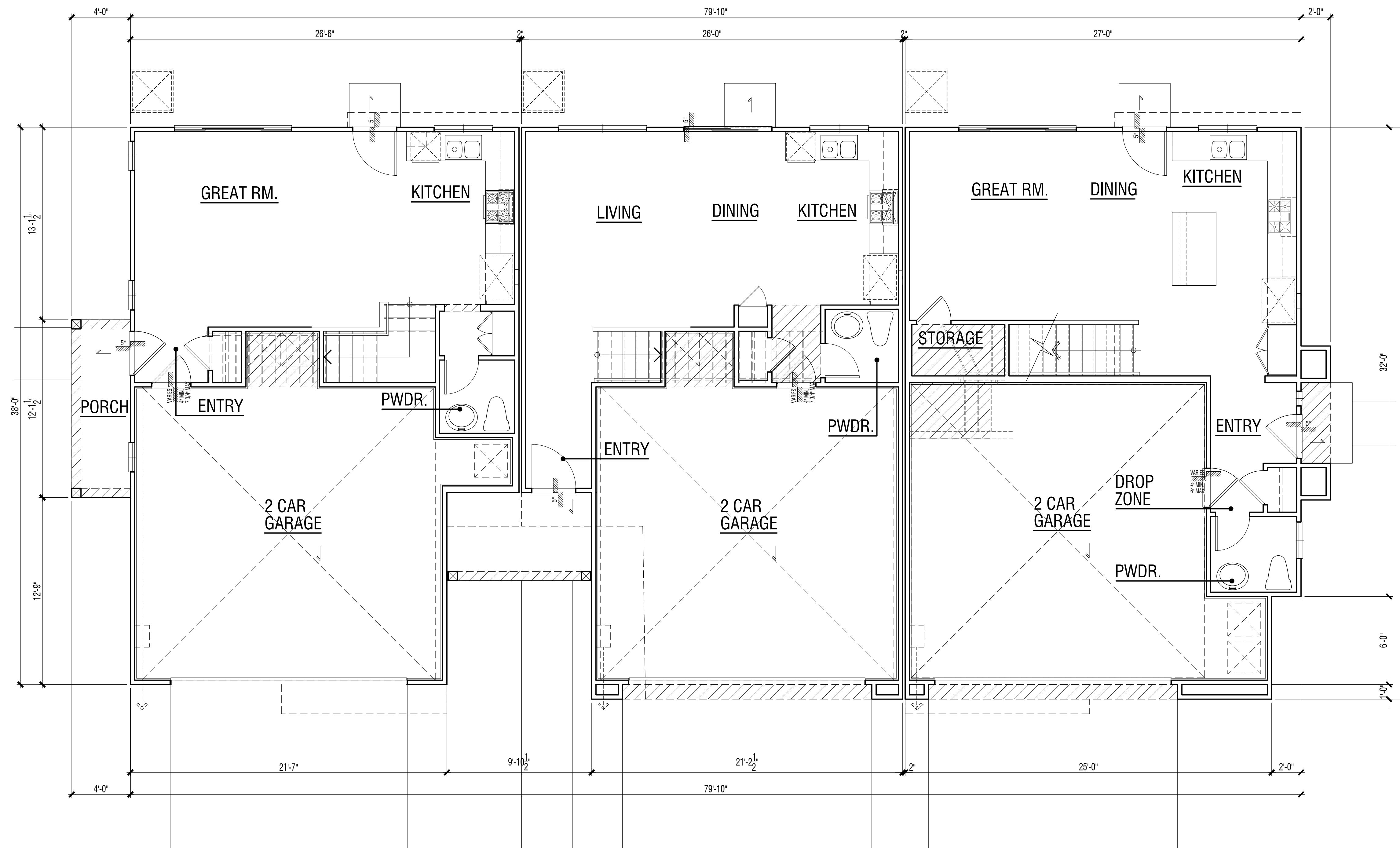
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PLAN 2

PLAN 1

PLAN 4

TRIPLEX 'A' PLANS 2, 1, & 4

FLOOR AREA TABLE	PLAN 2
LOWER FLOOR PLAN	470 SQ. FT.
UPPER FLOOR PLAN	934 SQ. FT.
TOTAL	1404 SQ. FT.
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FLOOR AREA TABLE	PLAN 1
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GARAGE	446 SQ. FT.
PORCH	59 SQ. FT.

FLOOR AREA TABLE	PLAN 4
LOWER FLOOR PLAN	564 SQ. FT.
UPPER FLOOR PLAN	973 SQ. FT.
TOTAL	1538 SQ. FT.
GARAGE	450 SQ. FT.
COVERED ENTRY	11 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

TRIPLEX - Building 300B | Floor Plan First Floor

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA





PLAN 2

PLAN 1

PLAN 4

TRIPLEX 'A' PLANS 2, 1, & 4

FLOOR AREA TABLE	PLAN 2
LOWER FLOOR PLAN	470 SQ. FT.
UPPER FLOOR PLAN	934 SQ. FT.
TOTAL	1404 SQ. FT.
GARAGE	473 SQ. FT.
PORCH	46 SQ. FT.

FLOOR AREA TABLE	PLAN 1
LOWER FLOOR PLAN	479 SQ. FT.
UPPER FLOOR PLAN	866 SQ. FT.
TOTAL	1345 SQ. FT.
GARAGE	446 SQ. FT.
PORCH	59 SQ. FT.

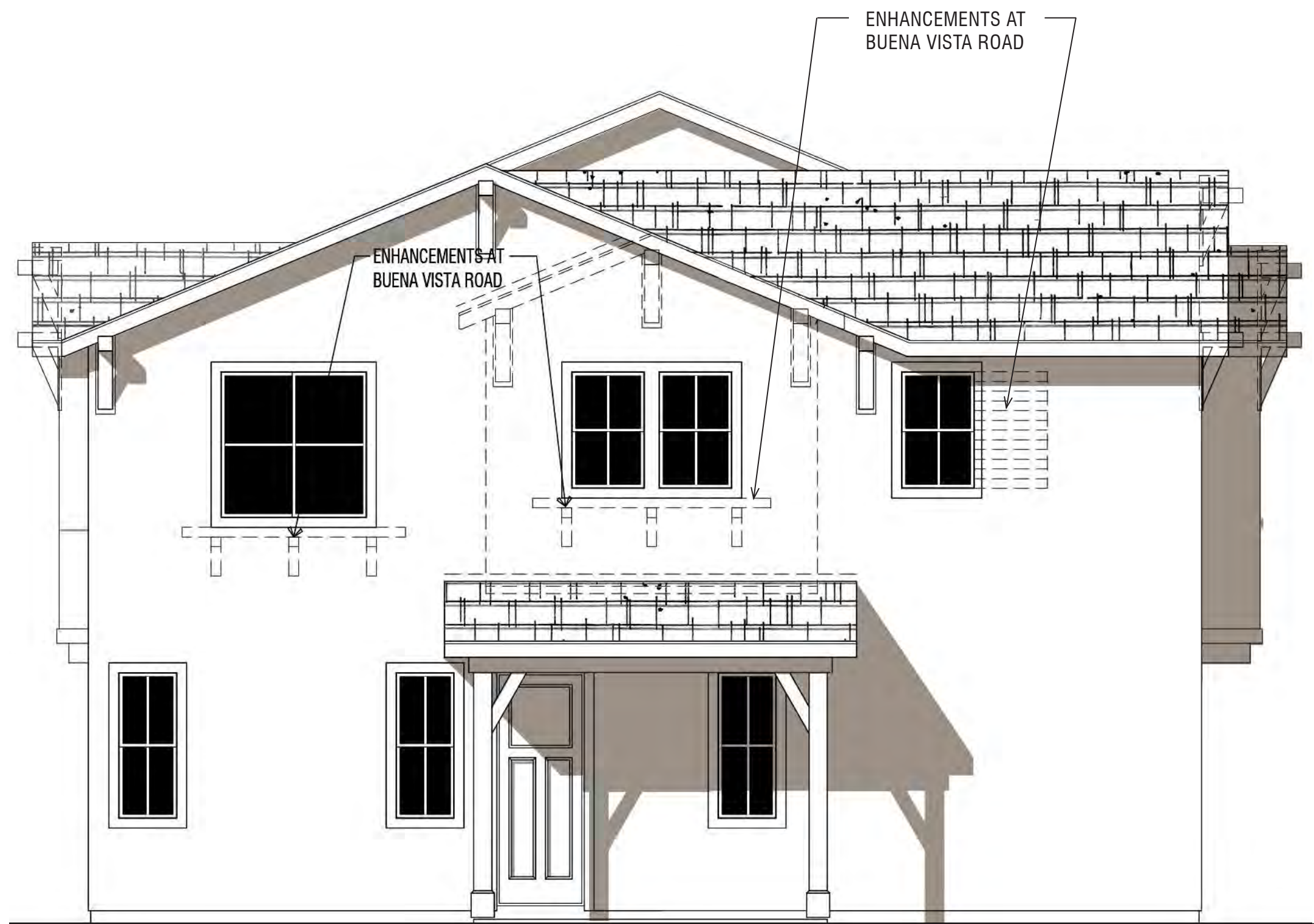
FLOOR AREA TABLE	PLAN 4
LOWER FLOOR PLAN	564 SQ. FT.
UPPER FLOOR PLAN	973 SQ. FT.
TOTAL	1538 SQ. FT.
GARAGE	450 SQ. FT.
COVERED ENTRY	11 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

TRIPLEX - Building 300B | Floor Plan Second Floor
1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA





Plan 2

Left



Scheme 4

Plan 2

Plan 1

Plan 4

Front



Plan 4

Right



Plan 4

Plan 1 "CRAFTSMAN" MATERIALS

Plan 2

Rear

Roof:	Concrete Slate Tile
Fascia:	2X Wood
Outlooker/Brace:	Wood or Prefabricated
Exterior:	Stucco
Window / Door Trim:	Foam with Stucco Over
Window:	Vinyl
Shutter:	Prefabricated
Potshelf / Corbel:	Foam with Stucco Over
Post:	Wood
Entry Door:	Decorative Front Entry Door
Garage Door:	Metal Sectional Garage Door

TRIPLEX - Building 300B | Exterior Elevations

1620 BUENA VISTA MULTI-FAMILY

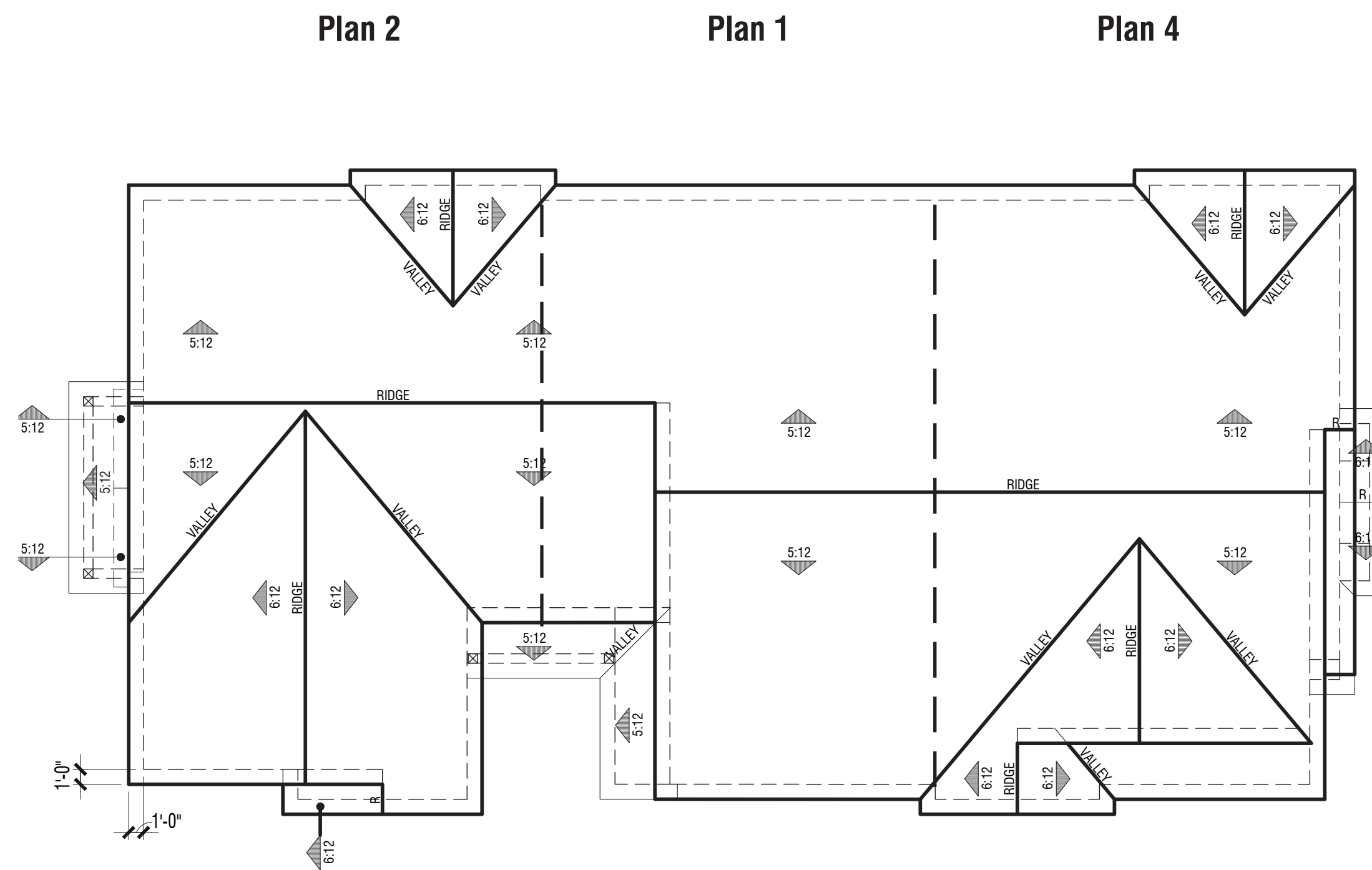
HOLLISTER, CA



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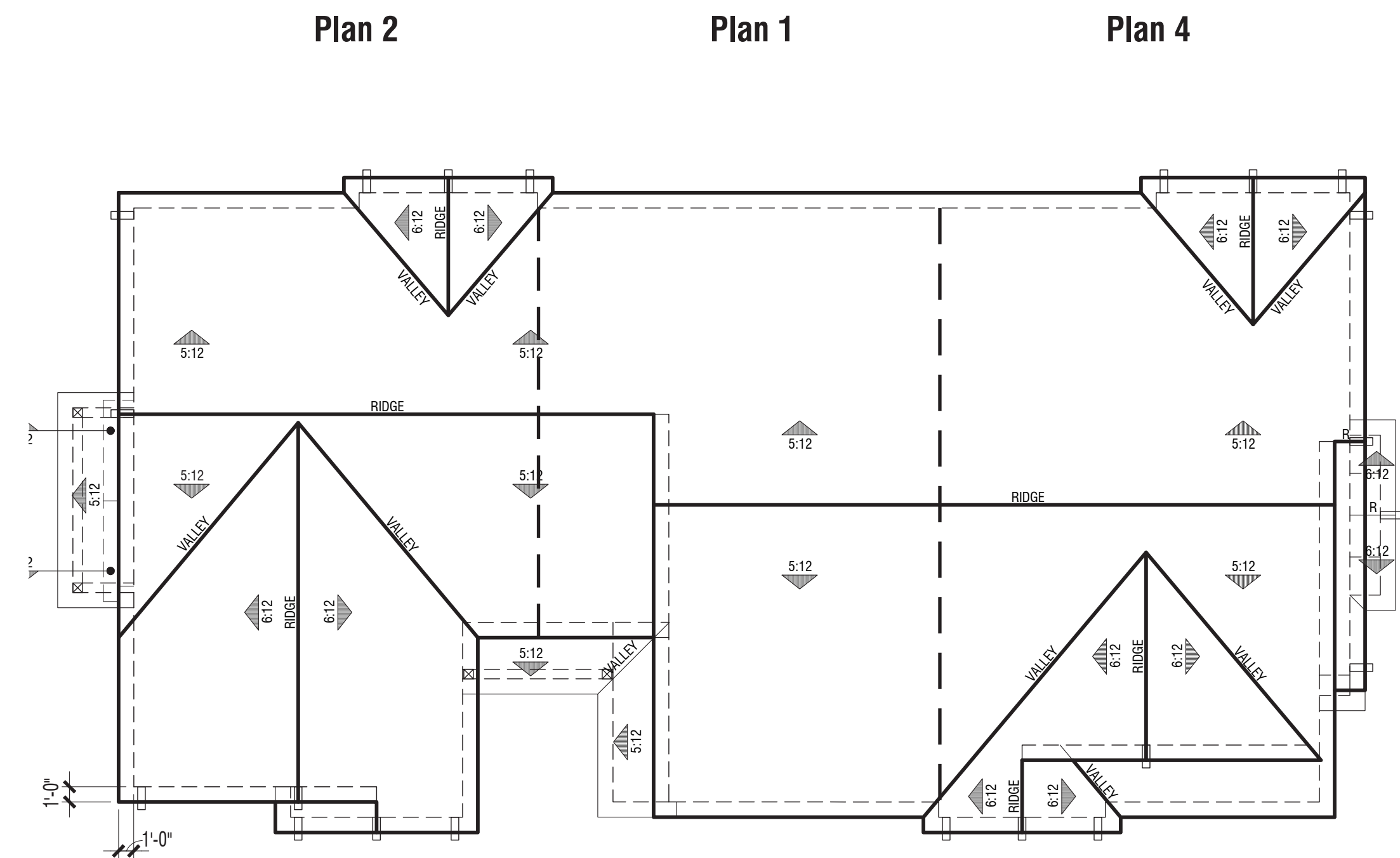
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Building 300A | Farmhouse

Eave 12" | Rake 12"
Concrete Slate Tile



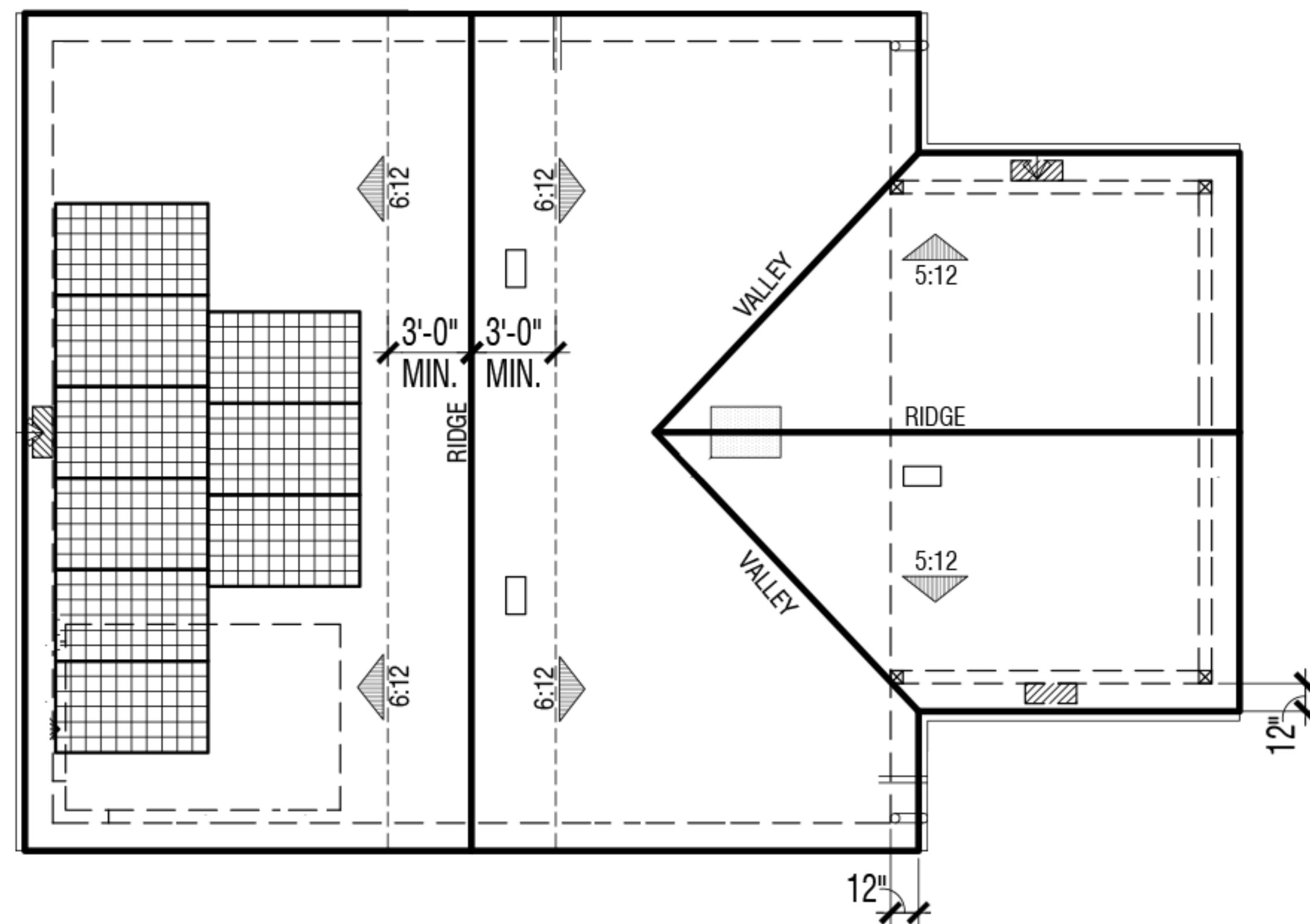
Building 300B | Craftsman

Eave 12" | Rake 12"
Concrete Shake Tile

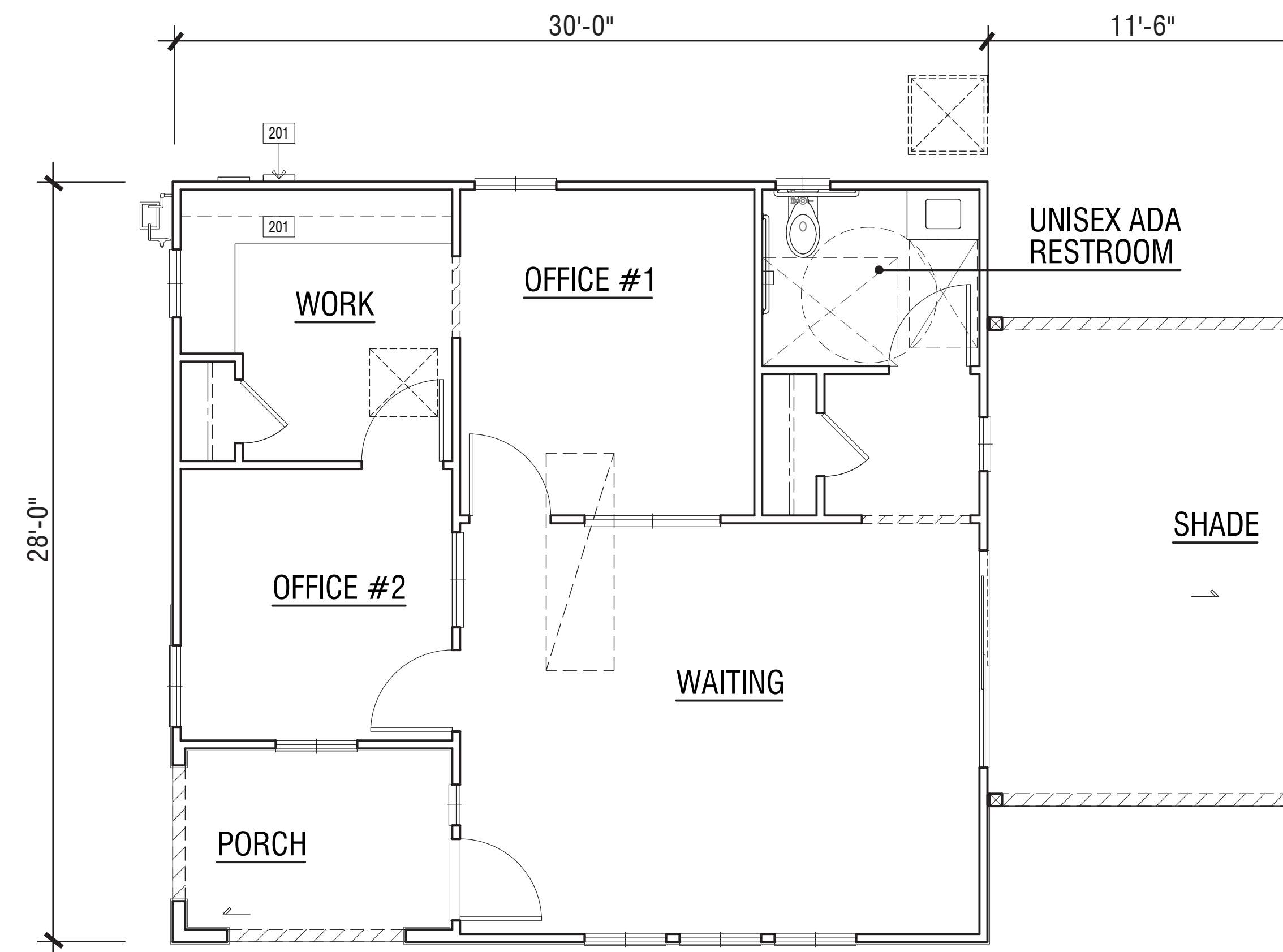
TRIPLEX - Building 300 | Roof Plans

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



Roof Plan



Floor Plan

FLOOR AREA TABLE	LEASING OFFICE PLAN
FLOOR PLAN	767 SQ. FT.
TOTAL	767 SQ. FT.
PORCH	73 SQ. FT.
SHADE	207 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

Leasing Office | Floor Plan / Roof Plan 1620 BUENA VISTA MULTI-FAMILY HOLLISTER, CA



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Left

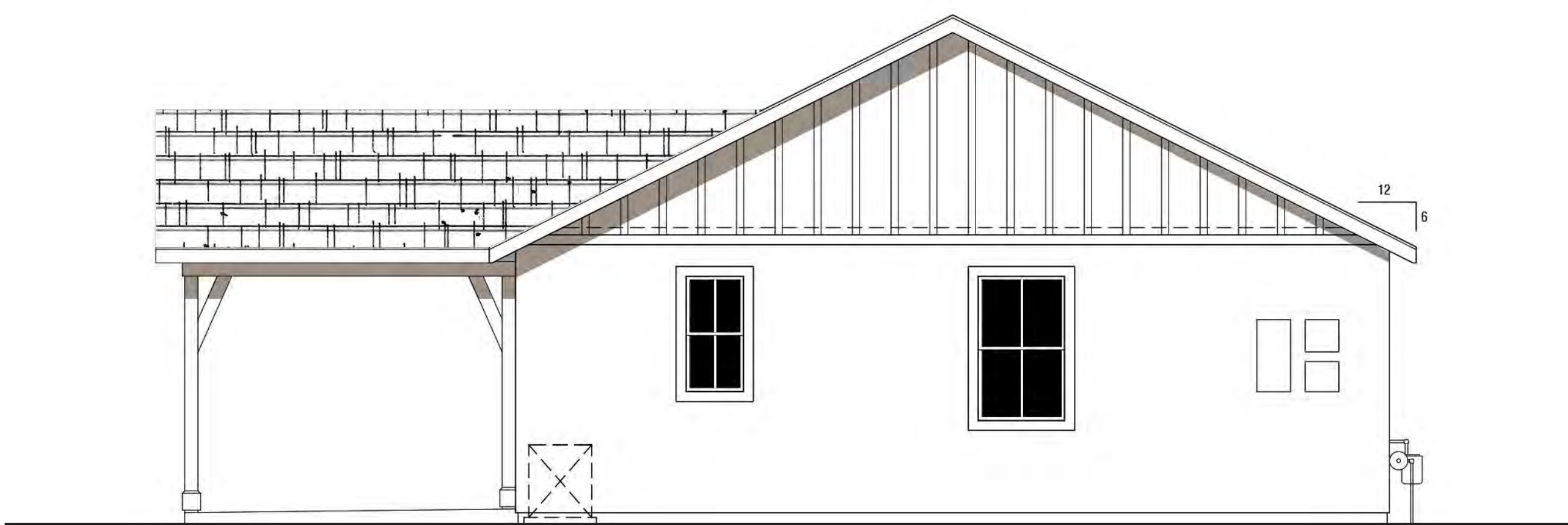


Scheme 3

Front



Right



Rear

"FARMHOUSE" MATERIALS	
Roof:	Concrete Slate Tile
Fascia:	2X Wood
Exterior:	Stucco / Fiber Cement Batts over Fiber Cement Panel
Window / Door Trim:	Foam with Stucco Over / Fiber Cement Trim
Window:	Vinyl
Post:	Wood
Brace:	Wood / Prefabricated
Entry Door:	Decorative Front Entry Door

Leasing Office | Exterior Elevations

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA

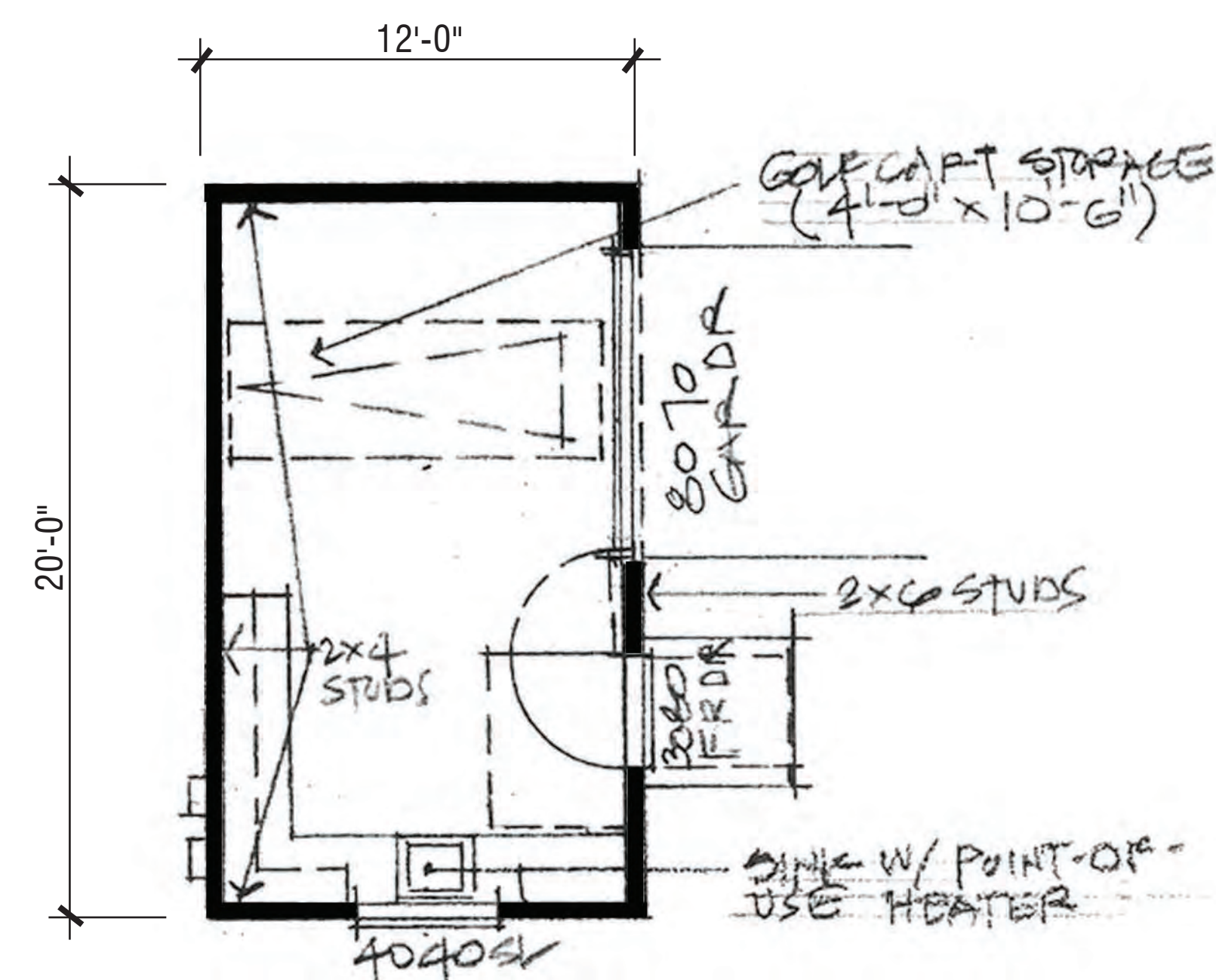


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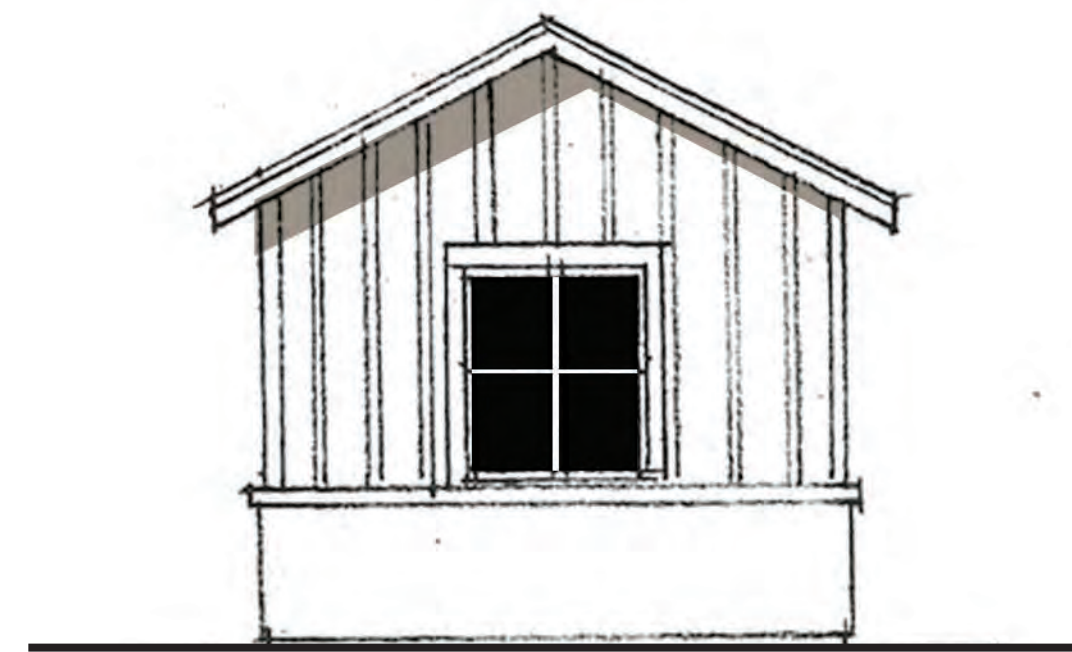
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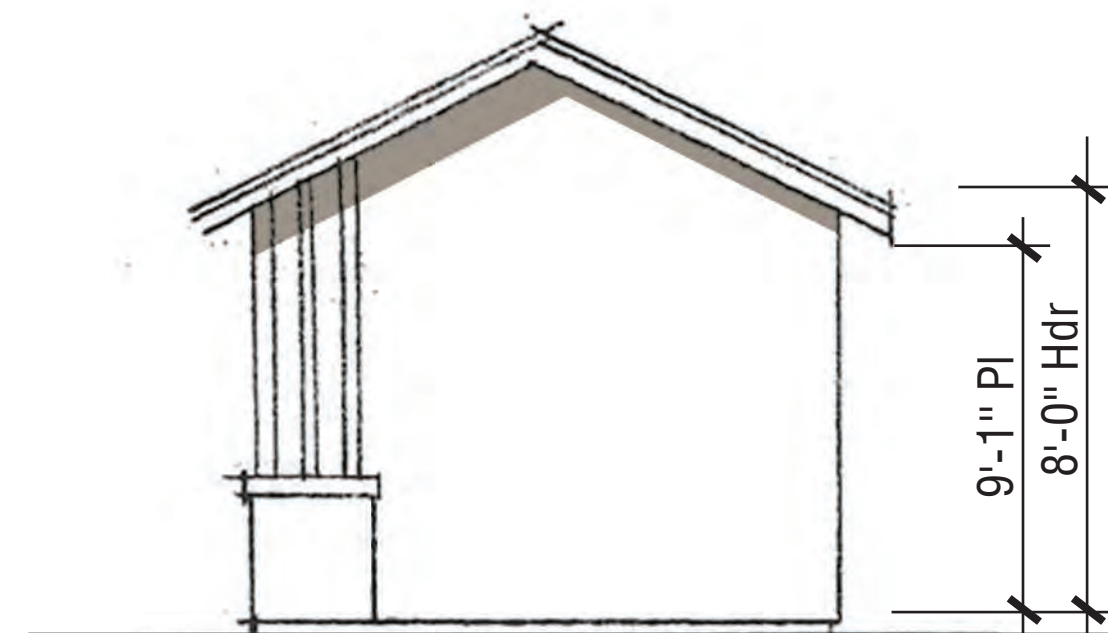




Floor Plan



Left

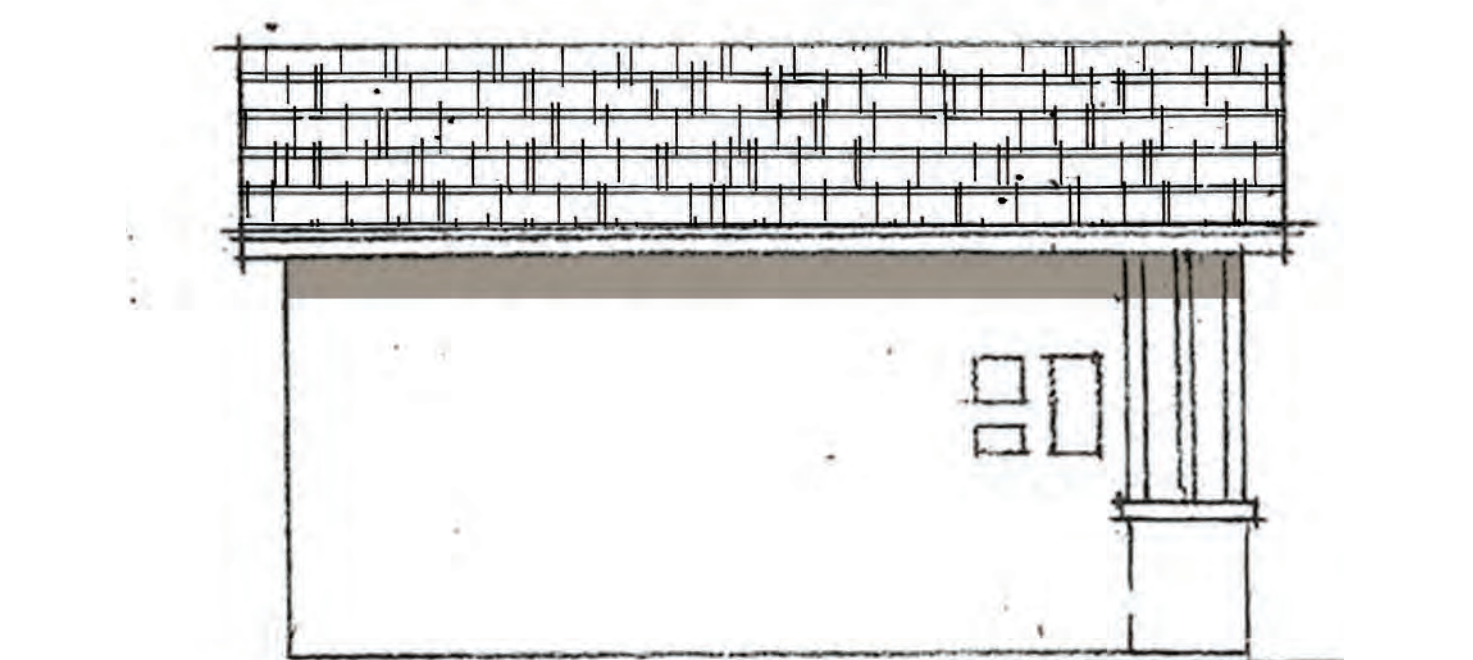


Right



Scheme 3

Front



Rear

"FARMHOUSE" MATERIALS

Roof:	Concrete Slate Tile
Fascia:	2X Wood
Barge:	Wood Barge Board
Exterior:	Stucco / Fiber Cement Batts over Fiber Cement Panel
Window / Door Trim:	Foam with Stucco Over / Fiber Cement Trim
Garage Door:	Metal Sectional Garage Door

Maintenance Building | Exterior Elevations / Floor Plan

1620 BUENA VISTA MULTI-FAMILY

HOLLISTER, CA



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HOLLISTER ANNEX PROPERTY

Hollister, California
KIPER HOMES
February 12, 2021 | 2020232

Exterior Color & Materials

SCHEME 1 OF 6

'A' ELEVATIONS ONLY, FARMHOUSE

Material	Color	Manufacturer
Roofing: Concrete Slate Tile	1FECY4070 Sea Pearl Blend Ref: .27 Emi: .93 A.SRI: 28 CRRC: 0022-0942	Boral
Gutters & Downspouts	Match Adjacent Color	TBD
Vinyl Windows (factory finish)	White	TBD
Stucco Color	SW 6198 Sensible Hue	Sherwin Williams
Siding Color (applied to): Board and Battens Corner Boards Lap Siding	SW 6207 Retreat	Sherwin Williams
Trim Color (applied to): Barge Boards Braces Eaves Fascia Garage Doors Posts Secondary Doors Trim	SW 7011 Natural Choice	Sherwin Williams
Accent Color (applied to): Shutters Unit Doors	SW 6090 Java	Sherwin Williams
Garage Door Weather Strip (factory finish)	Match Garage Door Color	TBD

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Starla Duffy or Donna Aldrich (949) 250-0607.

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HOLLISTER ANNEX PROPERTY

Hollister, California
KIPER HOMES
February 12, 2021 | 2020232

Exterior Color & Materials

SCHEME 4 OF 6

'B' ELEVATIONS ONLY, CRAFTSMAN

Material	Color	Manufacturer
Roofing: Concrete Shake Tile	1FBGF1132 Charcoal Brown Blend Ref: .18 Emi: .91 A.SRI: 19 CRRC: 0005-0942	Boral
Gutters & Downspouts	Match Adjacent Color	TBD
Vinyl Windows (factory finish)	White	TBD
Stucco Color	SW 6150 Universal Khaki	Sherwin Williams
Trim Color #1 (applied to): Trim	SW 7008 Alabaster	Sherwin Williams
Trim Color #2 (applied to): Barge Boards Braces Corbels Eaves Fascia Garage Doors Outlookers Posts Pot Shelves Secondary Doors	SW 7047 Porpoise	Sherwin Williams
Accent Color (applied to): Shutters Unit Doors	SW 6172 Hardware	Sherwin Williams
Garage Door Weather Strip (factory finish)	Match Garage Door Color	TBD

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Starla Duffy or Donna Aldrich (949) 250-0607.

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HOLLISTER ANNEX PROPERTY

Hollister, California
KIPER HOMES
February 12, 2021 | 2020232

Exterior Color & Materials

SCHEME 2 OF 6

'A' ELEVATIONS ONLY, FARMHOUSE

Material	Color	Manufacturer
Roofing: Concrete Slate Tile	1FACS1430 Charcoal Blend Ref: .17 Emi: .91 A.SRI: 17 CRRC: 0072-0942	Boral
Gutters & Downspouts	Match Adjacent Color	TBD
Vinyl Windows (factory finish)	White	TBD
Stucco Color	SW 7658 Gray Clouds	Sherwin Williams
Siding Color (applied to): Board and Battens Corner Boards Lap Siding	SW 2819 Downing Slate	Sherwin Williams
Trim Color (applied to): Barge Boards Braces Eaves Fascia Garage Doors Posts Secondary Doors Trim	SW 7009 Pearly White	Sherwin Williams
Accent Color (applied to): Shutters Unit Doors	SW 6055 Fiery Brown	Sherwin Williams
Garage Door Weather Strip (factory finish)	Match Garage Door Color	TBD

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Starla Duffy or Donna Aldrich (949) 250-0607.

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HOLLISTER ANNEX PROPERTY

Hollister, California
KIPER HOMES
February 12, 2021 | 2020232

Exterior Color & Materials

SCHEME 5 OF 6

'B' ELEVATIONS ONLY, CRAFTSMAN

Material	Color	Manufacturer
Roofing: Concrete Shake Tile	1FBCJ2010 Oceana Ref: .18 Emi: .93 A.SRI: 18 CRRC: 0197-0942	Boral
Gutters & Downspouts	Match Adjacent Color	TBD
Vinyl Windows (factory finish)	White	TBD
Stucco Color	SW 7043 Worldly Gray	Sherwin Williams
Trim Color #1 (applied to): Trim	SW 7005 Pure White	Sherwin Williams
Trim Color #2 (applied to): Barge Boards Braces Corbels Eaves Fascia Garage Doors Outlookers Posts Pot Shelves Secondary Doors	SW 7019 Gauntlet Gray	Sherwin Williams
Accent Color (applied to): Shutters Unit Doors	SW 9163 Tin Lizzie	Sherwin Williams
Garage Door Weather Strip (factory finish)	Match Garage Door Color	TBD

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Starla Duffy or Donna Aldrich (949) 250-0607.

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HOLLISTER ANNEX PROPERTY

Hollister, California
KIPER HOMES
February 12, 2021 | 2020232

Exterior Color & Materials

SCHEME 3 OF 6

'A' ELEVATIONS ONLY, FARMHOUSE

Material	Color	Manufacturer
Roofing: Concrete Slate Tile	1FACS3184 Rustic Brown Blend Ref: .18 Emi: .92 A.SRI: 20 CRRC: 0185-0942	Boral
Gutters & Downspouts	Match Adjacent Color	TBD
Vinyl Windows (factory finish)	White	TBD
Stucco Color (applied to): Barge Boards Braces Eaves Fascia Garage Doors Posts Secondary Doors Stucco Trim	SW 7012 Creamy	Sherwin Williams
Siding Color (applied to): Board and Battens Corner Boards Lap Siding	SW 6047 Hot Cocoa	Sherwin Williams
Accent Color (applied to): Shutters Unit Doors	SW 7020 Black Fox	Sherwin Williams
Garage Door Weather Strip (factory finish)	Match Garage Door Color	TBD

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Starla Duffy or Donna Aldrich (949) 250-0607.

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HOLLISTER ANNEX PROPERTY

Hollister, California
KIPER HOMES
February 12, 2021 | 2020232

Exterior Color & Materials

SCHEME 6 OF 6

'B' ELEVATIONS ONLY, CRAFTSMAN

Material	Color	Manufacturer
Roofing: Concrete Shake Tile	1FBCJ4072 Sahara Quartz Blend Ref: .19 Emi: .94 A.SRI: 24 CRRC: 0190-0942	Boral
Gutters & Downspouts	Match Adjacent Color	TBD
Vinyl Windows (factory finish)	White	TBD
Stucco Color	SW 7672 Knitting Needle	Sherwin Williams
Trim Color #1 (applied to): Trim	SW 7009 Pearly White	Sherwin Williams
Trim Color #2 (applied to): Barge Boards Braces Corbels Eaves Fascia Garage Doors Outlookers Posts Pot Shelves Secondary Doors	SW 6083 Sable	Sherwin Williams
Accent Color (applied to): Shutters Unit Doors	SW 7505 Manor House	Sherwin Williams
Garage Door Weather Strip (factory finish)	Match Garage Door Color	TBD

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Starla Duffy or Donna Aldrich (949) 250-0607.

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Planning Commission

Staff Report

February 9, 2023

Item 2

SUBJECT: **Conditional Use Permit No. 2022-4** to allow for the sale of beer, wine, and distilled spirits at an existing Target retail store, located at 1790 Airline Highway (Assessor's Parcel Number 057-430-007) within the General Commercial (GC) Zoning District.

STAFF PLANNER: Liz Gagliardi, Associate Planner; (831) 636-4360

ATTACHMENTS:

1. Resolution recommending City Council approve Conditional Use Permit 2022-4
2. Resolution recommending to the City Council that the determination of Public Convenience or Necessity would be served with the issuance of a Type 21 Off-Sale General ABC License at 1790 Airline Highway
3. Memo from City of Hollister Police Department, RE: Public Convenience or Necessity Determination
4. ABC 245 Form
5. Alcohol Sales Display examples
6. Applicant Statement of Justification
7. CUP 2022-4 Plan Set

RECOMMENDATION: Approve Resolution recommending approval of CUP 2022-4 to the City Council to allow off-site sale of alcohol at the existing target retail store located at 1790 Airline Highway.

PROJECT DESCRIPTION: The Applicant is requesting a Conditional Use Permit to allow for the sale of beer, wine, and distilled spirits at the existing Target retail store located at 1790 Airline Highway (APN 057-430-007). This parcel has a General Plan Land Use Designation of General Commercial and is located in the General Commercial (GC) Zoning District.

A vicinity map is included below as Figure A.

Figure A



ANALYSIS:

Permit Requirements:

This project requires a Conditional Use Permit, which is tied to the issuance of a license from the California Department of Alcoholic Beverage Control (ABC). For this permit, ABC also requires a finding of Public Convenience or Necessity (PCN). Each of these permit requirements is outlined below.

Conditional Use Permit (CUP):

Per Hollister Municipal Code (HMC) Section 17.22.070 *Alcohol Uses*, the off-site and on-site sale of alcohol is a permitted use, subject to issuance of a Conditional Use Permit (CUP). An exception to this code states that the requirement for a CUP for alcohol sales does not apply to restaurants with kitchen facilities that offer on-site dining, and a bar area that does not exceed 30 percent of the gross floor area of the premises. Target does not meet this exception, thus requiring a Conditional Use Permit to authorize alcohol sales.

Alcoholic Beverage Control (ABC) License:

The California Department of Alcoholic Beverage Control (ABC) regulates the manufacturing and sale of alcoholic beverages. In addition to the City of Hollister requirement for a Conditional Use Permit, a license from ABC is also required for alcohol sales in the State of California. Currently, Target is permitted to sell wine and beer under a Type 20 Off-Sale Beer & Wine License from ABC. With their Conditional Use Permit application, Target is seeking to surrender their existing active Type 20 Off-Sale Beer & Wine License, and apply for a Type 21 Off-Sale General License, which allows for the sale of distilled spirits in addition to beer and wine, for consumption off the premises where sold.

Public Convenience or Necessity (PCN):

In their review of the application for a Type 21 Off-Sale General License for Target, ABC has issued a Type 245 Form, requiring that the City make a finding of Public Convenience or Necessity (PCN) prior to issuance

of the required ABC License. PCN findings are required when ABC finds that there is an over concentration of alcohol outlets within the subject area.

“Over concentration” can refer to a case where the subject property is located in a high crime reporting district, and/or a case where the subject property is in a census tract where the number of off-sale licenses exceeds a number established by ABC. This number is calculated based on the ratio of off-sale licenses to population in the census tract, as compared to the ratio of off-sale licenses to population in the County where that census tract is situated.

In this case, ABC has reported that the property where Target is located is **not** in a high crime reporting district. However, the census tract where Target is located is over concentrated with licenses, as defined by ABC. In census tract 7.02, which includes the property where Target is located, ABC allows up to four (4) Off-Sale licenses without PCN findings. There are currently nine (9) Off-Sale licenses existing in Census Tract 7.02. Therefore, ABC requires that the Local Governing Body make a determination that either public convenience or determination would be served by the issuance of the Type 21 Off-Sale General license. In the City of Hollister, the Local Governing Body is the City Council. In this case, since the Conditional Use Permit for off-site alcohol sales is tied to the PCN determination, the role of the Planning Commission is to offer a recommendation on to the City Council on the project as a whole.

General Plan Consistency:

The City of Hollister 2005-2023 General Plan designates the project site as General Commercial. Per, the 2005-2023 General Plan, “General Commercial areas should support Downtown Hollister and neighborhood-serving mixed-use districts by offering products and services that vary from those found elsewhere. Larger chain stores, supermarkets or other automobile-oriented retailers are appropriate development types in General Commercial Districts.

Land Use and Design Element Policy LU10.3 is to “provide for economic development that assures the availability and diversity of resident-serving goods and services”

The existing Target retail store provides a variety of retail and grocery items, and is a popular shopping destination for nearby residents, consistent with the General Commercial land use designation. The proposed Conditional Use Permit to allow for off-sale general alcohol sales at the existing Target store is consistent with the existing use, and will allow for residents to conveniently access a larger variety of products in at this retail area, consistent with Policy LU10.3.

California Environmental Quality Act (CEQA):

The proposed project does not include any construction or expansion of the existing Target retail store building. Section 15301, Class 1, Categorically Exempts projects from further review under CEQA for Existing Facilities, with the key consideration being whether the project involves negligible or no expansion of use.

Given that this project proposes a negligible expansion of use to change an existing ABC License from Type 20 (Off-Sale Beer & Wine) to a Type 21 (Off-Sale General), and proposes no construction or physical expansion of the structure, no further CEQA review is required.

CONCLUSION:

The applicant is seeking a Conditional Use Permit (CUP) to allow for the sale of beer, wine, and distilled spirits at the existing Target retail at 1790 Airline Highway. This proposal would not change the existing site plan or building façade, and would allow for the expansion of alcohol sales from the currently permitted sale of beer and wine to also include distilled spirits. This proposal meets the Goals and Policies of the General Plan and the Zoning Ordinance. Conditions of Approval have been included to ensure that the project will continue to comply with all City of Hollister regulations and will not negatively impact the surrounding area.

PLANNING COMMISSION OPTIONS:

The Planning Commission can choose one of the following options regarding Conditional Use Permit 2022-4.

1. Adopt a Resolution approving a recommendation that the City Council approve Conditional Use Permit 2022-4 (Attachment 1);
2. Adopt a Resolution approving a recommendation that the City Council deny Conditional Use Permit 2022-4, with findings as provided by the Planning Commission; or
3. Continue the hearing and direct Staff to provide additional information or clarification.

Staff recommends that the Planning Commission choose Option 1 for the CUP.

The Planning Commission can choose one of the following options regarding the finding of Public Convenience or Necessity (PCN).

1. Adopt a Resolution recommending that the City Council make a determination that the City Council make the determination that Public Convenience or Necessity would be served with the issuance of Type 21 Off-Sale General ABC License at 1790 Airline Highway (Attachment 2);
2. Adopt a Resolution recommending that the City Council make a determination that the City Council not make the determination that Public Convenience or Necessity would be served with the issuance of Type 21 Off-Sale General ABC License at 1790 Airline Highway; or
3. Continue the hearing and direct Staff to provide additional information or clarification.

Staff recommends that the Planning Commission choose Option 1 for the finding of Public Convenience or Necessity.

GENERAL INFORMATION

APPLICANT: Target Corporation
Business Licensing
P.O. 9471, TPS-3010
Minneapolis, Minnesota 55440

PROPERTY OWNER: Same as above

LOCATION: 1790 Airline Highway
Hollister, California 95023

**GENERAL PLAN
DESIGNATION:** General Commercial

ZONING DISTRICT: General Commercial (GC)

SURROUNDING USES:

Location	Zoning Designation	General Plan Land Use	Current use of Property
Project Site	GC	General Commercial	Commercial (Target)
North	GC	General Commercial	Commercial
South	R1	Low Density Residential	Residential
East	CO / GC	General Commercial	Office / Commercial
West	R1	Low Density Residential	Residential

PLANNING COMMISSION RESOLUTION NO. 2023-XX

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HOLLISTER RECOMMENDING
APPROVAL OF CONDITIONAL USE PERMIT 2022-4 TO THE CITY COUNCIL TO ALLOW OFF-SITE SALE OF
ALCOHOL AT THE EXISTING TARGET RETAIL STORE LOCATED AT 1790 AIRLINE HIGHWAY
APN 057-430-007**

WHEREAS, under the provisions of Section 17.24.200 of Title 17 *Zoning* of the Hollister Municipal Code, the Planning Commission is charged with receiving, investigating, and taking action on Conditional Use Permit applicant; and,

WHEREAS, the Applicant, Target Corporation, has filed a Conditional Use Permit application to authorize off-site sales of beer, wine, and distilled spirits in a +/- 105,904 SF existing Target retail store located at 1790 Airline Highway in the General Commercial (GC) Zoning District, in conjunction with a request to issue a determination that Public Convenience or Necessity (PCN) would be served by the issuance of a Type 21 Off-Sale General License by the Department of Alcoholic Beverage Control (ABC); and,

WHEREAS, the City Planning Division received the applicant's plans and forwarded the request to the Development Review Committee to assess the proposal for compliance with all relevant regulations; and,

WHEREAS, the Development Review Committee considerations were presented to the Planning Commission as part of the City staff report; and,

WHEREAS, Hollister Municipal Code Section 17.22.070 *Alcohol Uses* requires the approval of a Conditional Use Permit for the off-site and on-site sale of alcohol; and,

WHEREAS, the ABC has determined that there is an "undue concentration" in relation to the number of alcohol-related licenses that currently exist in this area of the City (Census Tract 7.02'), thus requiring a determination of Public Convenience or Necessity; and,

WHEREAS, the ABC has determined that there is an "undue concentration" in relation to the number of alcohol-related licenses that currently exist in this area of the City (Census Tract 7.02'), thus requiring a determination of Public Convenience or Necessity; and,

WHEREAS, a determination of Public Convenience or Necessity must be made by the City Council of the City of Hollister; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on February 9, 2023 to consider the applicant's request, review the City staff report, and receive written and oral testimony for and against the proposal; and,

WHEREAS, after closing the public hearing, the Planning Commission determined to recommend to the City Council that a determination be made that Public Convenience or Necessity would be served by the issuance of a Type 21 Off-Sale General ABC License to Target Corporation located at 1790 Airline Highway, and the approval of a Conditional Use Permit for such use; and,

NOW, THEREFORE IT IS RESOLVED, that the City of Hollister Planning Commission does hereby recommend approval of Proposed Conditional Use Permit 2022-4 with the determination that Public Convenience or Necessity would be served by the issuance of a Type 21 Off-Sale General License by the Department of Alcoholic Beverage Control to Target Corporation at 1790 Airline Highway, with the following findings and conditions:

CEQA FINDINGS:

1. **Finding:** The approval of Conditional Use Permit 2022-4 is Categorically Exempt from environmental review per Section 15301 (Existing Facilities) of the State's Guidelines to Implement CEQA.

***Evidence:** The project is located within an existing Target retail store and does not expand upon an existing or former use. No exterior changes are proposed to the site.*

CONDITIONAL USE PERMIT FINDINGS:

1. **Finding:** The proposed use is conditionally allowed within the subject zoning district and complies with all applicable provisions of this Zoning Ordinance.

***Evidence:** The proposed use is conditionally allowed within the subject zoning district with the approval of a conditional use permit and compiles with all applicable provisions of this Zoning Ordinance.*

2. **Finding:** The proposed use is consistent with the General Plan.

***Evidence:** The proposed use is consistent with the City of Hollister's 2005-2023 General Plan use designation of General Commercial, which supports Downtown Hollister and neighborhood serving mixed-use districts by offering products and services that vary from those found elsewhere. Larger chain stores, supermarkets or other automobile-oriented retailers are appropriate development types in General Commercial Districts.*

3. **Finding:** The approval of the Conditional Use Permit is in compliance with California Environmental Quality Act (CEQA).

***Evidence:** The approval of Conditional Use Permit 2022-4 is Categorically Exempt from environmental review per Section 15301 (Existing Facilities) of the State's Guidelines to Implement CEQA.*

4. **Finding:** The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

***Evidence:** The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future lands uses in the vicinity. This use is within an existing Target store located within the City of Hollister's General Commercial (GC) Zoning District. The use*

of a general merchandise and grocery retailer, including sales of beer, wine, and distilled spirits is compatible with the existing and future land use in the vicinity.

5. **Finding:** The proposed project will not be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood or to the general welfare of the City.

***Evidence:** The proposed project has been reviewed by the City of Hollister Development Review Committee (DRC). Given the nature of the business, a general merchandise retailer and grocery store, no evidence has been found to indicate that this use would pose an undue risk to the community.*

CONDITIONS OF APPROVAL

1. **Approval.** This application is for the approval of Conditional Use Permit 2022-4 to authorize off-site sales of beer, wine, and distilled spirits in a +/- 105,904 SF existing Target retail store located at 1790 Airline Highway in the General Commercial (GC) Zoning District, in conjunction with a request to issue a determination that Public Convenience or Necessity (PCN) would be served by the issuance of a Type 21 Off-Sale General license by the Department of Alcoholic Beverage Control (ABC).
2. **Permit Expiration.** This approval expires within one year from the date of approval (February 9, 2024), if not implemented, unless an extension is approved by the Planning Commission in compliance with Section 17.24.170. If implemented, this approval shall be valid during the continued operation of the existing retail store described in Condition 1 above, by the Applicant, Target Corporation. Should the operation cease to exist, so shall this approval.
3. **Transferability of Conditional Use.** This permit is issued solely to the Applicant for the operations described and on file with the Planning Division of the City of Hollister. This permit shall not be transferrable to any other entity.
4. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City of Hollister, any agent, officer or employee of the City, and any advisory board of the City, against any claim, suit, action judgement, costs and attorney's fees arising out of this approval or any assertions that this approval, including the environmental determination made herein, is invalid, illegal, unconstitutional or otherwise contrary to law. The City shall promptly notify the applicant of any claim against the City and shall cooperate fully in the defense.
5. **Appeal Period.** No entitlements that rely upon this approval shall be granted during the 15-day appeal period. In the case of an appeal being filed, no entitlements shall be granted until final action is taken on the appeal.
6. **ABC License Type.** This Conditional Use Permit limits alcohol sales to off-site sales of beer, wine, and distilled spirits, under a Type 21 *Off-Sale General* license from the Department of Alcoholic Beverage Control (ABC). Any changes to the ABC license type shall require an amendment to this conditional use permit.

7. **Hours of Operation.** The hours of operation may be between 8:00 AM and 11:00 PM seven days a week. Off-site sales of beer, wine, and distilled spirits shall only occur during the hours of operation.
8. **Modification of Conditions.** Any condition imposed by the City Council in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the City Council shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Council finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of the deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the Conditional Use Permit.

POLICE DEPARTMENT

9. **Security System.** Within 60 days of approval of this conditional use permit, the applicant shall submit for review and approval a security system plan that includes video & audio surveillance of all public areas as required to the City of Hollister Police Department. The security system shall be installed and maintained by the Applicant. The system shall remain operational and actively recording 24/7; contacts provided to the Police Department; and Police Department approval of the system given. The recordings shall be made available to law enforcement in any criminal investigations.
10. **Lighting.** The applicant shall provide adequate exterior lighting to the satisfaction of the Chief of Police and/or his/her designee. The lighting shall be downward casting and compliant with the City's Dark Sky Ordinance. Coverage of the exterior lighting shall include but is not limited to the entry and exit points of the building, the property's perimeter and other areas surrounding near the building, and parking lots.
11. **Security Contact Person.** The property owner shall provide three security contact persons to the City of Hollister Police Department.
12. **Graffiti.** The applicant shall maintain the facility and graffiti free. All graffiti must be removed or painted within 48 hours of it appearing. According to the City of Hollister Municipal Code 8.32.060, Prohibited Activities and Unlawful Conditions, Section 15, Graffiti is considered a public nuisance and is a violation of the City codes.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Hollister held this 9th day of February 2023 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Chairperson of the Planning Commission
of the City of Hollister

ATTEST:

Christy Hopper, Secretary

Please Note

It is the sole responsibility of the project applicant to comply with conditions as approved, modified or added by the Planning Commission. It is recommended that the applicant review the conditions carefully and if any questions arise as to compliance with the conditions, please do not hesitate to contact the staff planner. Also, if you do not agree with the proposed conditions, you have an opportunity to present your case to the Planning Commission at their meeting. In addition, the City provides for a 15-day appeal period.

PLANNING COMMISSION RESOLUTION NO. 2023-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HOLLISTER RECOMMENDING THAT
THE CITY COUNCIL MAKE THE DETERMINATION THAT PUBLIC CONVENIENCE OR NECESSITY WOULD BE
SERVED WITH THE ISSUANCE OF TYPE 21 OFF-SALE GENERAL ALCOHOLIC BEVERAGE CONTROL LICENSE
AT 1790 AIRLINE HIGHWAY
APN 057-430-007**

WHEREAS, the Applicant, Target Corporation, has applied for a Type 21 Off-Sale General License with the California Department of Alcoholic Beverage Control (ABC) to authorize the sale of beer, wine, and distilled spirits for off-site consumption at 1790 Airline Highway; and,

WHEREAS, it has been determined by ABC staff, and verified by the City of Hollister Police Department, that the premises are not located in a high crime reporting district; and,

WHEREAS, it has been determined by ABC staff that there is an “undue concentration” in relation to the number of alcohol related licenses that currently exist in the area of the City (Census Tract 7.02.’); and,

WHEREAS, as a result of the undue concentration, California Code Section 23958.4 requires that “the local governing body of the area in which the applicant premises are located, or its designated subordinate office or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance; and,

WHEREAS, the City Council is the City’s governing body and has the ability to make a determination of Public Convenience or Necessity; and,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends to the City Council of the City of Hollister the determination that Public Convenience would be served by the issuance of a Type 21 Off-Site General ABC license for Target Corporation at 1790 Airline Highway based on the following findings.

1. **Finding:** The existing Target retail store located at 1790 Airline Highway is consistent with the City of Hollister’s General Plan and Zoning Ordinance as it pertains to the use. Target is a popular retail destination where customers can purchase groceries and other household items. Allowing sales of beer, wine, and distilled spirits at this location would provide a public convenience for customers looking to purchase these goods, and the City of Hollister has reviewed this proposed project and determined it will not be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood or to the general welfare of the City.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Hollister on this 9th day of February 2023, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Chairperson of the Planning Commission
of the City of Hollister

ATTEST:

Christy Hopper, Secretary

Please Note

It is the sole responsibility of the project applicant to comply with conditions as approved, modified, or added by the Planning Commission. It is recommended that the applicant review the conditions carefully and if any questions arise as to compliance with the proposed conditions, please do not hesitate to contact the staff planner. Also, if you do not agree with the proposed conditions, you have an opportunity to present your case to the Planning Commission at their meeting. In addition, the City provides for a 15-day appeal period.

Date: January 2, 2023

To: Liz Gagliardi, Associate Planner
City of Hollister Development Services Department
Planning Division

From: Carlos Reynoso, Chief of Police
City of Hollister Police Department

RE: Public Convenience or Necessity Determination:
Target Corporation, 1790 Airline Highway, Hollister, California; (APN 057-430-007)

I received your request for input regarding the Target retail store located at 1790 Airline Highway in Hollister, California; a grocery and consumer goods store seeking a Determination of Public Convenience or Necessity (PCN) to allow general off-site sales of alcohol (beer, wine, and distilled spirits).

Per Business and Professions (B&P) Code Section 23958, the State of California Department of Alcohol Beverage Control shall deny an ABC application for an ABC License if the issuance of that license would tend to create a law enforcement problem or if it would result in or add to an undue concentration of ABC Licenses, as described in B&P Sections 23958.4 (a)(1) and 23958.4 (a)(2). A location can be unduly concentrated because of its criminal statistics and/or its proximity to other ABC Licenses. ABC can issue the license per B&P Sections 23958.4 (b)(1), and 23958.4 (b)(2) if the local governing body determines that the public convenience or necessity would be served. The City of Hollister's City Council is the delegated authority to grant these exceptions.

1790 Airline Highway is located in Hollister Police Beat 3. The reported crime statistics as defined by B&P Section 23958.4(c) are not over the 20% crime index thus the location is not considered unduly concentrated per B&P Section 23958.4 (a)(1).

Police Beat Crime Statistics

2022 Calls for Service	Arrests	20% Above Average
9,717	193	No

Department of Alcohol Beverage Control (ABC) records indicate that 1790 Airline Highway is in census tract 7.02. Pursuant to B&P Section 23958.4 (a)(2), the ratio off-site retail licenses population in census tract 7.02 does exceed the ratio of off-site retail licenses to population in the county in which the applicant's premise is located. The approval of the current proposal would result in a further unduly concentration of off-sale retail licenses to population for the census tract.

Authorized and Current ABC Licenses in Census Tract 7.02

Census Tract	Authorized ABC Licenses As of September 2021		Current ABC Licenses as of January 2023	
	On-Sale	Off-Sale	On-Sale	Off-Sale
7.02	8	4	6	9

Given the type of business, a grocery and consumer goods store, the City of Hollister Police Department is neutral to the issuance of a determination of a Public Convenience or Necessity to allow off-sale of alcohol.

Please feel free to contact me at (831) 636-4330 if you have any questions.



Carlos Reynoso, Chief of Police
City of Hollister Police Department

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

Target Corporation

2. PREMISES ADDRESS (Street number and name, city, zip code)

1790 Airline Hwy Hollister, CA 95023

3. LICENSE TYPE

21

4. TYPE OF BUSINESS

Full Service Restaurant

Hofbrau/Cafeteria

Cocktail Lounge

Private Club

Deli or Specialty Restaurant

Comedy Club

Night Club

Veterans Club

Cafe/Coffee Shop

Brew Pub

Tavern: Beer

Fraternal Club

Bed & Breakfast

Theater

Tavern: Beer & Wine

Wine Tasting Room

Wine only

All

Supermarket

Membership Store

Service Station

Swap Meet/Flea Market

Liquor Store

Department Store

Convenience Market

Drive-in Dairy

Drug/Variety Store

Florist/Gift Shop

Convenience Market w/Gasoline

☒ Other - describe:

Upscale Retail Grocery

5. COUNTY POPULATION

63,526

6. TOTAL NUMBER OF LICENSES IN COUNTY

44

7. RATIO OF LICENSES TO POPULATION IN COUNTY

R:1,412

8. CENSUS TRACT NUMBER

7.02

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

4

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

9

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

☒ Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

☐ Yes (Go to Item #13)☒ No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

☒ No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.

☒ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

County Planning Dept.

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

C Gonzalez (ABC)

ABC-245 (rev. 01-11)

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26 CITY/COUNTY OFFICIAL NAME

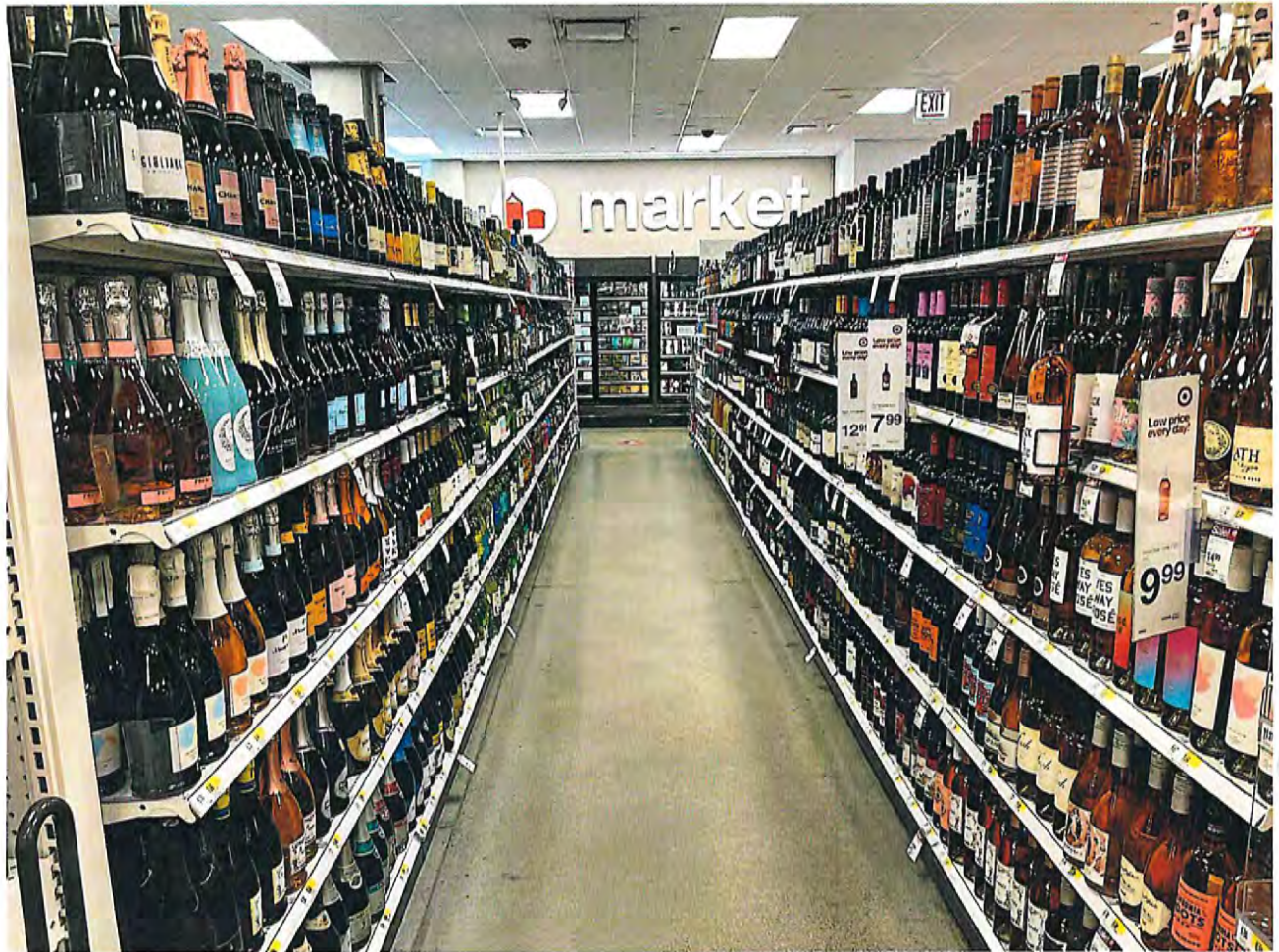
27 CITY/COUNTY OFFICIAL TITLE

28 CITY COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30 DATE SIGNED

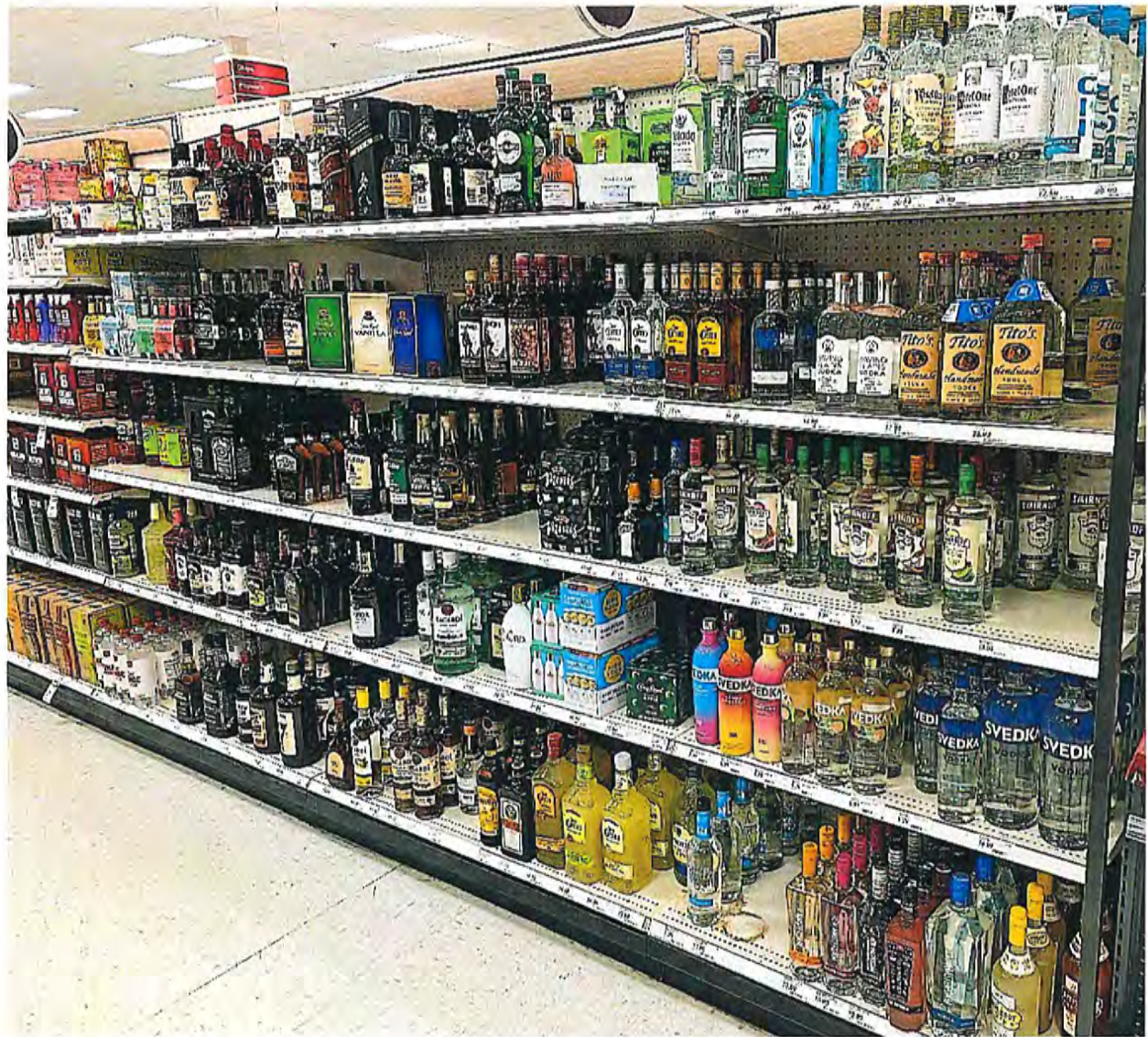
ALCOHOL DISPLAY IMAGES



RECEIVED

NOV 07 2022

CITY OF HOLLISTER
PLANNING DIVISION



**Attachment to ABC-245 – Statement of Justification for Finding of Public Convenience or Necessity
Target, 1790 Airline Hwy., Hollister, CA 95023**

Target Corporation ("Target") has applied to the Department of Alcoholic Beverage Control to upgrade its existing Type 20 Off-Sale Beer and Wine license to a Type 21 Off-Sale General license which allows the sale of distilled spirits in addition to beer and wine. Because the store is located in a census tract that has an "undue concentration" of off-sale licenses under Section 23958.4 of the California Business & Professions Code, Target is requesting a determination from the City that public convenience or necessity will be served by issuance of the license.

Since Target began selling beer and wine in 2006, Target's retail model has changed to include a significant grocery component. Target's market section offers a full-range of grocery products, including fresh meats, fresh vegetables and produce and fresh bakery items, along with a wide selection of dry goods. To complement its market section, Target would like to be able to offer customers a full-range of alcoholic beverage products, including distilled spirits. Adding distilled spirits will provide a more complete shopping experience and added convenience for Target's customers.

Most other Target stores in California sell a full range of alcoholic beverage products, including distilled spirits. Target would like to be able to offer customers of its Hollister store the same full selection of alcoholic beverage products available at other Target stores.

The addition of distilled spirits will not change the character of Target's operations. Alcoholic beverage sales will continue to be a very small component of Target's overall retail operations, but will provide customers with the convenience of one-stop shopping.

Furthermore, since Target has an existing Type 20 off-sale license, which it will be replacing with the Type 21 license, there will not be any increase in the number of off-sale licenses in the census tract. The number of active off-sale licenses in the census tract will stay the same.

TITLE SHEET

Project Information:

Project Name: Target

Project Address: 1790 Airline Hwy, Hollister, CA 95023

Project Description: Conditional Use Permit for the sale of beer, wine and distilled spirits for off-premises consumption

Applicant / Property Owner:

Target Corporation

Target Corporation, c/o Business Licensing

P.O. Box 9471, TPS-3010

Minneapolis, MN 55440

Applicant / Property Owner Representative:

Beth Aboulafia

Hinman & Carmichael LLP

260 California St., Ste. 700

San Francisco, CA 94111

(415) 362-1215 x104

aboulafia@beveragelaw.com

Plan Set:

Sheet #1: Title Sheet

Sheet #2: Site Plan

Sheet #3: Floor Plan

Sheet #4: Building Photographs

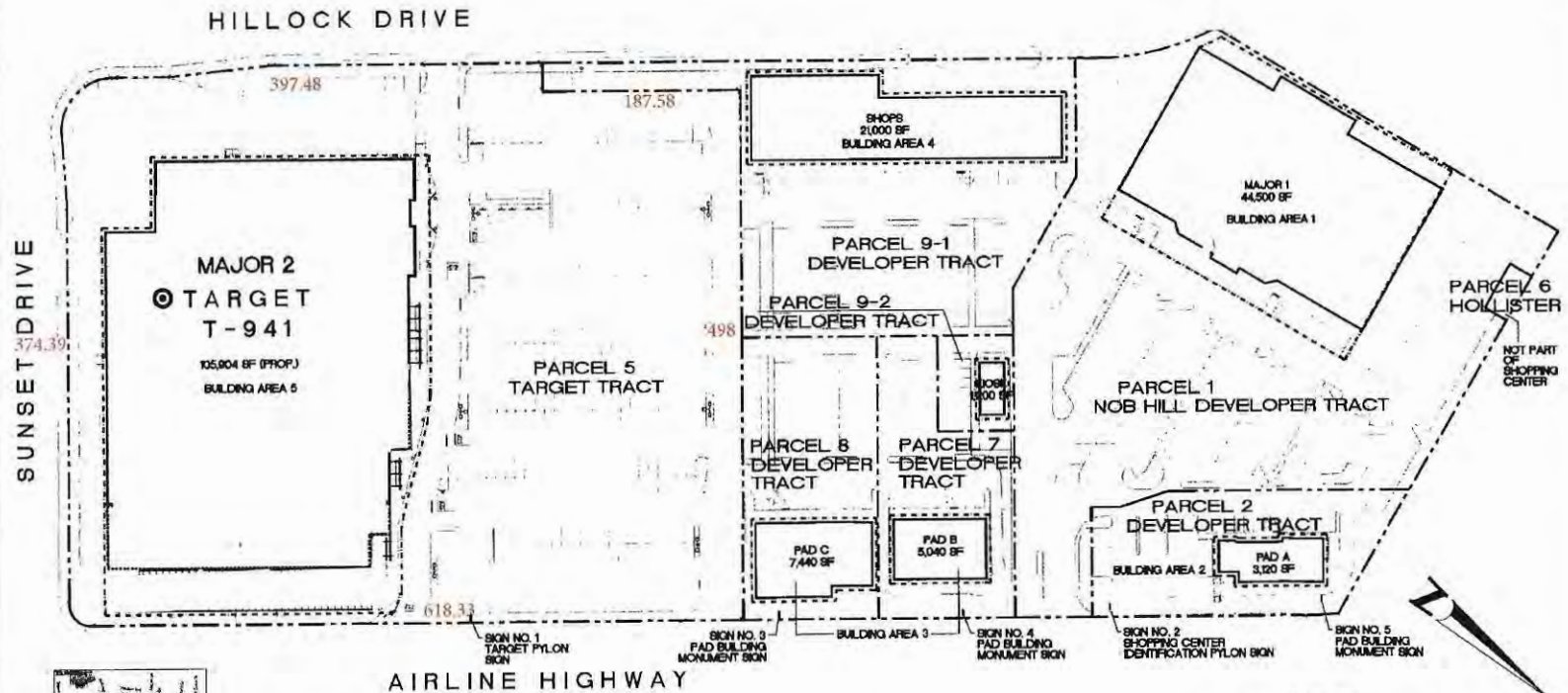
LEGEND

- INDICATES PERMITTED BUILDING AREA
- ===== INDICATES EXISTING BUILDING AREA
- INDICATES EXISTING PROPERTY LINE

TYPICAL PARKING DIMENSIONS:
STANDARD 9' x 18'
HANDICAP 8' x 16' + 5'

PARCEL AREA
PARCEL 1 (GROCERY) 3.05 AC
PARCEL 2 (BARGER KING) 2.71 AC
PARCEL 3 (TARGET) 7.54 AC
PARCEL 5 (TOTAL SITE) 3.02 AC
PARCEL 7 (PAD B) 0.78 AC
PARCEL 8 (PAD C) 0.78 AC
PARCEL 9 (SHOPS) 1.90 AC

LEGAL DESCRIPTION:
PARCEL 5 AS SHOWN UPON THAT CERTAIN PARCEL MAP RECORDED FEBRUARY 28, 1994 IN BOOK 8 OF PARCEL MAPS, AT PAGE 75, SAN BENITO COUNTY RECORDS, AND AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED MAY 31, 1994 AS INSTRUMENT NO. 8403769 OF OFFICIAL RECORDS



VICINITY MAP

Data Table:

APN: 057-430-007-000
Zoning: General Commercial
General Plan Designation: General Commercial

Target Parcel: 7.54 ac. Target
Building: 105,904 sq. ft. Target
Parking Spaces: 399



EXHIBIT D-2

JANUARY 25, 2004

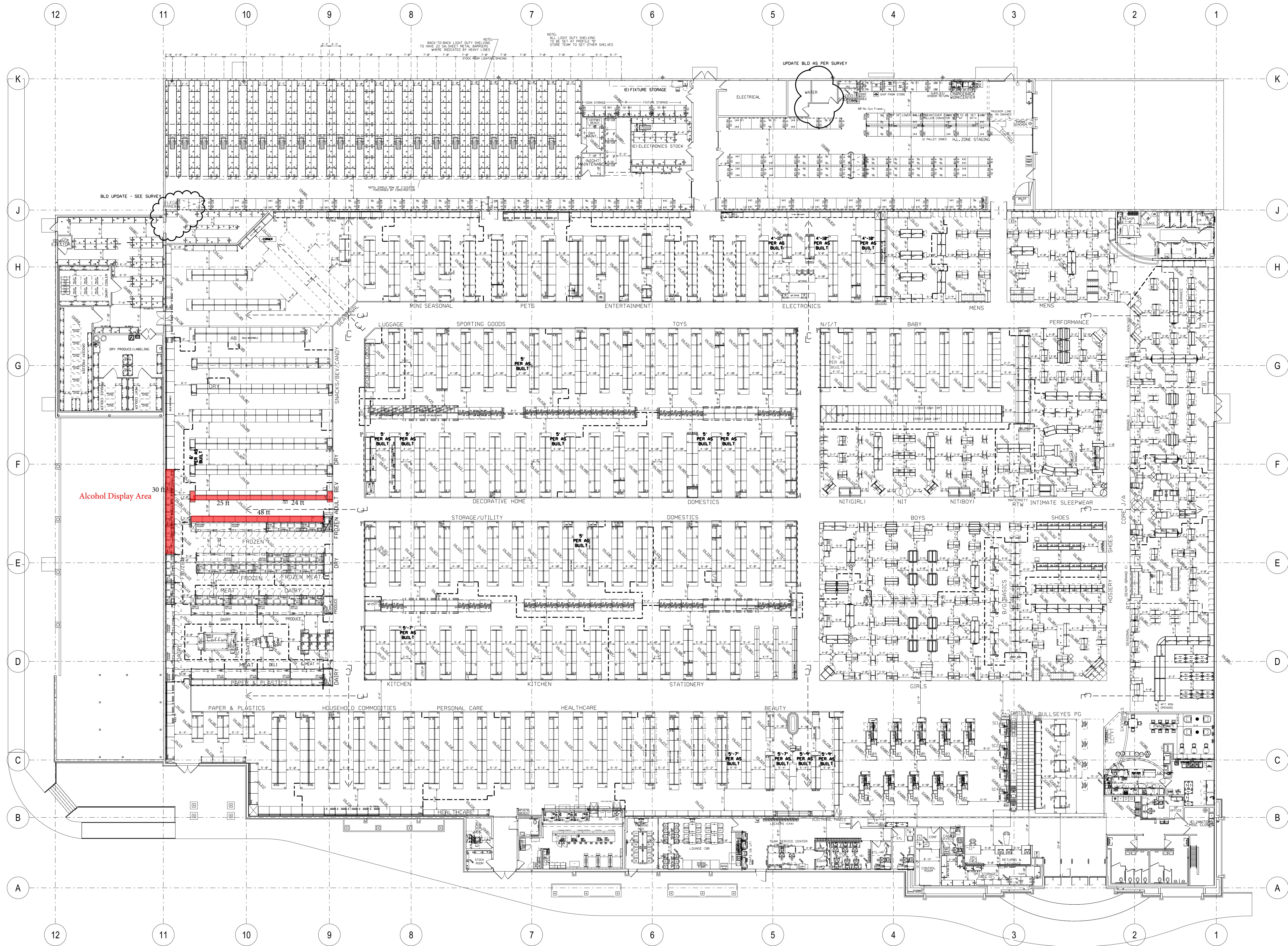
PACIFIC LAND SERVICES
1750 AIRLINE HIGHWAY
SUITE 200
HOLLISTER, CA 95023
TEL: 408-933-1400
FAX: 408-933-1401
WWW.PLS.COM

EXHIBIT D-2
TARGET T-941
1750 AIRLINE HIGHWAY
SAN BENITO COUNTY
CALIFORNIA
HOLLISTER
1699

Site Plan
(1.5)

NOTICE
-VERIFY ALL DIMENSIONS AND CONDITIONS
-NOTIFY THIS OFFICE OF ANY VARIATIONS
-ALTERNATE USE OF THIS DRAWING MUST
BE APPROVED BY THIS OFFICE
*This document is the exclusive property
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Target Corporation is strictly forbidden.*

CEILING HEIGHT
SOFTLINES CEILING:
14' - 0"
HARDLINES CEILING:
14' - 0"
* INPUT MULTIPLE IF CEILING HEIGHT VARIES
STOCK ROOM:
0' - 0"
* USE HEIGHT TO BOTTOM OF STRUCTURE
SEISMIC: Yes



Data Table:
Total Building Floor Area: 105,904 sq. ft.
Retail Sales Floor Area: 67,592 sq. ft.

EXISTING



ISSUE DATE:
PLOT DATE: 13-OCT-2021 02:37
PLANNER:
SCALE: 1/16"=1'-0"
PROJECT

NAME Hollister
Hollister, CA
STORE NO. T-0941
TITLE FIXTURE PLAN

PLAN TYPE	SHEET NO.
S293 P19	FW1





Planning Commission

Staff Report

February 9, 2023

New Business Item 1

SUBJECT:	Occupancy Agreement between the City of Hollister and Prakash Patel/Hollister Gateway Hotel, LP. The applicant, Prakash Patel/Hollister Gateway Hotel, LP is requesting approval of an Occupancy Permit Agreement for the approved Holiday Inn Hotel located at 391 Gateway Drive in the General Commercial (GC) Zoning District to receive a Certificate of Occupancy from the City of Hollister despite not having completed all required Conditions of Approval for Site & Architectural Review 2019-17.
STAFF PLANNER:	Liz Gagliardi, Associate Planner Cristian Builes, Associate Engineer
ATTACHMENTS:	1. Resolution approving the issuance of a Certificate of Occupancy and Execution of the Occupancy Permit Agreement by and between the City of Hollister and Hollister Gateway Hotel, LP (Holiday Inn Hotel) located at 391 Gateway Drive, APN No. 053-041-007 2. Exhibit A - Occupancy Agreement between the City of Hollister and Hollister Gateway Hotel, LP 3. Resolution No. PC 2019-49, Approving S&A 2019-17 4. Resolution No. PC 2019-50, Approving CUP 2019-6 5. October 24, 2019 Planning Commission Staff Report
RECOMMENDATION:	Adopt the Resolution approving the execution of an Occupancy Permit Agreement by and between the City of Hollister and Hollister Gateway Hotel, LP and delegate the authority to the City Manager to execute the agreement.

BACKGROUND:

On October 24, 2019, the Planning Commission approved Site & Architectural Review (S&A) 2019-17 and Conditional Use Permit (CUP) 2019-6, approving the construction of a four-story, 93-room Holiday Inn hotel on a 1.561-acre site located at 391 Gateway Drive (APN: 053-041-007) in the General Commercial (GC) Zoning District. CUP 2019-6 approved a variation in the minimum parking requirements for this project, which was approved with 92 parking spaces provided on the site.

The owner, Prakash Patel/Hollister Gateway Hotel, LP has constructed the hotel consistent with the

approved design for S&A 2019 and CUP 2019-6. A Temporary Certificate of Occupancy was granted by the City of Hollister Building Department on November 30, 2022. The owner is now seeking a Certificate of Occupancy, but has not fulfilled all applicable Conditions of Approval. In order to move forward with obtaining a Certificate of Occupancy to allow the Holiday Inn Hotel to open, the applicant is requesting to enter into an Occupancy Permit Agreement with the City of Hollister.

For more information on the past approvals, please refer to the attached documents:

- Resolution No. PC 2019-49, Approving S&A 2019-17 (included as Attachment 3)
- Resolution No. PC 2019-50, Approving CUP 2019-6 (included as Attachment 4)
- October 24, 2019 Planning Commission Staff Report (included as Attachment 5)

PROJECT DESCRIPTION:

Prakash Patel, Hollister Gateway Hotel, LP is the owner of the Holiday Inn Hotel located at 391 Gateway Drive in the General Commercial Zoning District. The owner has constructed a Hotel pursuant to Site and Architectural Review 2019-17 and is requesting approval of an Occupancy Permit Agreement to receive a Certificate of Occupancy from the City of Hollister despite not having completed all required Conditions of Approval.

The following aerial image depicts the location of the project site and the surrounding area.

Figure 1:



DISCUSSION:

The Owner is seeking to receive a Certificate of Occupancy for the Holiday Inn Hotel. However, the project does not yet satisfy Condition of Approval No. 16, which states:

“The property owner/developer shall replace any street or sidewalk improvements or utility services that are removed or damaged during the construction of the project as determined by the City Engineer. This could include, but is not limited to, permeable paving, PCC curbs, gutters, sidewalks, street lighting, signing and striping, all underground utilities including, but not limited to, sanitary sewers, gas, electrical, telephone, and water and fire services lines, and all other improvements to bring the right-of-way into full conformance with applicable City standards. All construction in the right-of-way shall be completed prior to final building approval.”

Per this condition, the property owner/developer is required to complete all public improvements including but not limited to any removed or damage improvements that occurred during construction prior to receiving a Certificate of Occupancy. Currently, the sidewalks that have been damaged during construction have not yet been replaced, and the developer will need to remove existing striping and Slurry Seal the entire frontage improvements, as well as restripe the frontage improvements as indicated by the City Public Works Inspector. However, despite these outstanding items, the City is willing to issue a Certificate of Occupancy for the Project based on the terms and conditions set forth in the attached Agreement.

The Owner will construct, install and complete the outstanding items and unfinished work as required by the conditions and/or as described in the Agreement. This agreement requires that the owner pay a Security Deposit to be held by the City to ensure the outstanding conditions are met within six (6) months of the effective date of the Agreement. Upon the City’s verification that the owner has satisfied and completed the outstanding items, the City will return the Security Deposit to the owner. Should the Owner fail to satisfy the conditions, the City will be authorized to use the security deposit to complete the outstanding work.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The proposed Occupancy Agreement is exempt from the requirements of CEQA pursuant to CEQA guidelines because the proposed Agreement will not result in any direct physical change to the City.

The associated project approval for S&A 2019-17, CUP 2019-6 was determined to be categorically exempt from CEQA pursuant to Section 15332, Class 32, *Infill Development*.

CONCLUSION:

The proposed Occupancy Agreement will allow the property owner/developer to move forward with opening the Holiday Inn Hotel despite not having repaired the sidewalk, slurry sealed entire frontage improvements, and restriped the frontage improvements to meet Condition of Approval No. 16 from the original approval of S&A 2019-17. By entering into this Agreement and providing the required security deposit, the City can ensure that the necessary improvements required by the Conditions of Approval are executed after the issuance of a Certificate of Occupancy.

PLANNING COMMISSION OPTIONS:

The Planning Commission can choose one of the following options:

1. Adopt a Resolution approving the execution of an Occupancy Permit Agreement by and between the City of Hollister and Hollister Gateway Hotel, LP and delegate the authority to the City Manager to execute the agreement (Attachment 1)
2. Deny the Proposed Project; or
3. Continue the Public Hearing and direct Staff to provide additional information or clarification

Staff recommends that the Planning Commission select Option 1 for this Item.

GENERAL INFORMATION

APPLICANT: Prakash Patel, Hollister Gateway Hotel, LP
P.O. Box 41160
San Jose, California 95160

PROPERTY OWNER: Same as above

LOCATION: 391 Gateway Drive (APN 053-041-007)

**GENERAL PLAN
DESIGNATION:** General Commercial

ZONING DISTRICT: General Commercial (GC)

SURROUNDING USES:

Location	Zoning Designation	General Plan Land Use	Current use of Property
Project Site	GC	General Commercial	Holiday Inn Hotel (under construction)
North	GC	General Commercial	Vacant / Hotel
South	N/A (San Benito County Island)	N/A (San Benito County Island)	Commercial
East	GC	General Commercial	Childcare Facility
West	GC	General Commercial	Vacant

PLANNING COMMISSION RESOLUTION NO. 2023-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HOLLISTER APPROVING THE
ISSUANCE OF A CERTIFICATE OF OCCUPANCY AND EXECUTION OF THE OCCUPANCY PERMIT
AGREEMENT BY AND BETWEEN THE CITY OF HOLLISTER AND HOLLISTER GATEWAY HOTEL,
LP/HOLIDAY INN HOTEL LOCATED AT 391 GATEWAY DRIVE APN NO. 053-041-007**

WHEREAS, Prakash Patel/Hollister Gateway Hotel, LP (“Owner”) is requesting approval of a Certificate of Occupancy for the project (Holiday Inn Hotel) located at 391 Gateway Drive in the General Commercial Zoning District; and,

WHEREAS, the owner has constructed the hotel consistent with the approved plan set for Site and Architectural Review (“S&A”) 2019-17, Conditional Use Permit (“CUP”) 2019-6 and related approvals (“Project”); and,

WHEREAS, the Owner seeks a Certificate of Occupancy for the Project from the City, but acknowledges that the Project has not yet satisfied all of the conditions required by Planning Commission Resolution No. PC 2019-49 and PC 2019-50 approving the Project; and,

WHEREAS, The City is willing to issue a Certificate of Occupancy for the Project on the terms and conditions as set forth in the Agreement attached herein as Exhibit A; and,

WHEREAS, during the regular meeting of the Planning Commission on February 9, 2023, the Planning Commission considered the Owner’s request, reviewed the City staff report, and received written and oral testimony for and against the proposal; and,

WHEREAS, during the regular meeting of the Planning Commission on February 9, 2023, the Planning Commission deliberated and determined to grant the Owner’s request in accordance with the terms and conditions as set forth in the Agreement; and,

NOW, THEREFORE IT IS RESOLVED, that the City of Hollister Planning Commission authorizes the City Manager to execute the Agreement with Hollister Gateway Hotel, LP and makes the following findings:

1. The proposed Agreement does not change the findings made by Resolution No. PC 2019-49 (Approving S&A 2019-17) and Resolution No. PC 2019-50 (Approving CUP 2019-17). Consistent with the findings outlined in PC Resolutions 2019-49 and 2019-50, the following findings remain unchanged:
 - a. Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be served adequately by required utilities and public services.
 - b. The project is consistent with the City of Hollister General Plan.
 - c. The proposed project will not be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood or to the general welfare of the City.
 - d. The reduction of parking is necessary for the efficient operation of the subject use and will not result in a parking deficiency.

PASSED AND ADOPTED, at a regular meeting of the City of Hollister Planning Commission held on this 9th day of February 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson of the Planning Commission
of the City of Hollister

ATTEST:

Christy Hopper, Secretary

Please Note

It is the sole responsibility of the project applicant to comply with the conditions as approved, modified, or added by the Planning Commission. It is recommended that the applicant review these conditions carefully and if any questions arise as to compliance with the conditions, please do not hesitate to contact the staff planner. Also, if you do not agree with the proposed conditions, you have an opportunity to present your case to the City Council at their meeting. In addition, the City provides for a 15-day appeal period.

EXHIBIT A

CITY OF HOLLISTER OCCUPANCY PERMIT AGREEMENT

This Occupancy Permit Agreement ("Agreement") is entered into by and between the City of Hollister, a political subdivision of California ("City") and Hollister Gateway Hotel, LP ("Owner") (collectively referred to as "Parties") and is effective on February 9, 2023 ("Effective Date"), with respect to the following recitals, which are a substantive part of this Agreement.

RECITALS

A. Owner owns property at 391 Gateway Drive in Hollister, California, on which Owner has constructed a hotel ("Project"), pursuant to Site and Architectural Review 2019-17 and related approvals ("S&A 2019-17").

B. Owner seeks a Certificate of Occupancy for the Project from City but acknowledges that the Project does not yet satisfy all of the conditions required by S&A 2019-17, Planning Commission Resolution Nos. PC 2019-49 and PC 2019-50 (collectively referred to as "PC 2019-49"), as further described herein.

C. City is willing to issue a Certificate of Occupancy for the Project on the terms and conditions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the promises and mutual agreements herein, City and Owner agree as follows:

AGREEMENT

1. Cash Security Deposit; Payment to City. Owner shall deposit the sum of One Hundred and Five Thousand Six Hundred Forty-Four Dollars and Thirty-Six Cents (\$105,644.36) ("Security Deposit") with the City by authorizing a wire transfer in the total amount of \$105,644.36 ("Wired Funds") to the City, to be received by the City no later than February 24, 2023. The Security Deposit shall be held by the City to secure Owner's performance of those outstanding items and unfinished work described in Exhibit 1 attached hereto and incorporated herein by reference and shall be held by and available for City use as regular funds upon Owner's default under this Agreement, or until Reconciliation as described in Section 6 herein, whichever occurs first. The Security Deposit shall not earn or accrue interest. Owner represents and warrants that sufficient funds will be available to pay the Wired Funds to the City, and that the City's reliance on such representation is a material inducement to the City's agreement to issue the Certificate of Occupancy as described in Section 2 of this Agreement. If the Wired Funds are not received by the City on or before February 24, 2023, this Agreement shall immediately terminate, and the Certificate of Occupancy will not be issued pursuant to Section 2 of this Agreement.

2. Certificate of Occupancy. Upon the City's verification that all outstanding Project work and conditions of approval for issuance of a Certificate of Occupancy have been satisfied, except the outstanding work/items specified in Exhibit 1 attached hereto, the City will issue a Certificate of Occupancy to Owner for the Project after the Wired Funds are received by the City as provided in Section 1 of this Agreement. Provided the aforementioned conditions are met, the Certificate of Occupancy shall be valid on the Effective Date of this Agreement but not earlier than when Wired Funds are received by the City.

3. Satisfaction of Permit Conditions. Owner must fully satisfy and complete all conditions of

approval specified in PC 2019-49, including the outstanding work/items specified in Exhibit 1 attached hereto within six (6) months from the Effective Date, and failure to do so shall constitute a default under this Agreement.

4. Failure to Satisfy Conditions. Owner's default under this Agreement, including but not limited to failure to satisfy the conditions/items described in Exhibit 1 attached hereto shall constitute a violation of PC 2019-49 and will be grounds for City to: (1) use the Security Deposit to complete the outstanding work/items described in Exhibit 1 attached hereto; (2) modify or revoke PC 2019-49 in accordance with applicable provisions of the Hollister Municipal Code; and/or (3) pursue any other legal or equitable remedies, including any and all remedies available under the Hollister Municipal Code.

5. Completion by City. Upon Owner's default under this Agreement, City shall be entitled to use any or all of the Security Deposit, as necessary, to complete any of the outstanding work/items described in Exhibit 1 attached hereto or cause any such work to be completed. The City shall not begin performing any work until after giving Owner not less than three (3) calendar days' notice that such work will be performed. Owner hereby grants City and City's contractors and/or agents the right to enter upon the premises of the Project, as reasonably necessary, to perform the work necessary to complete the work and satisfy the items listed in Exhibit 1 hereto.

6. Reconciliation. Upon Owner's satisfactory completion of all outstanding work/items described in Exhibit 1 hereto prior to six (6) months after the Effective Date, the City shall return the Security Deposit to Owner upon satisfaction of the conditions of this Agreement, including completion of the Project pursuant conditions set forth in PC 2019-49 and resolution of the existing outstanding work/items in Exhibit 1. If Owner defaults under this Agreement, and City uses any portion of the Security Deposit to complete any outstanding work/items described in Exhibit 1, upon City's completion of all such work/items the City shall reconcile the Security Deposit and work/items completed and shall return any unused portion of the Security Deposit to Owner along with a detailed record of monies used by City as authorized by this Agreement.

7. Conflict Between Certificate of Occupancy and This Agreement. If there is any conflict between this Agreement and the Certificate of Occupancy, the terms of this Agreement shall control.

8. Entire Agreement; Authority. This Agreement represents the entire understanding of the parties with respect to the subject matters expressed herein. The parties represent that they have read and understand this Agreement and have had the opportunity to consult with professionals of their own choosing, including legal counsel if desired, prior to executing this Agreement. The parties further represent that they have the authority to sign this Agreement and bind the respective parties hereto.

9. Construction of Agreement. This Agreement is the product of negotiation and preparation by and among each of the Parties hereto and their representatives, and the Parties agree that this Agreement shall not be deemed to have been prepared or drafted by any one party. Accordingly, the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.

10. Modification of Agreement. This Agreement may not be modified, amended, changed, or terminated, unless otherwise expressly provided herein, in whole or in part, except by an agreement in writing duly authorized and executed by both Parties.

11. Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon

each party and their respective authorized successors and assigns.

12. Counterparts. This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy or an original, with all signatures appended together, shall be deemed a fully executed Agreement.

OWNER:

HOLLISTER GATEWAY HOTEL, LP,
a California limited partnership

CITY:

CITY OF HOLLISTER

By: _____
Prakash Patel

By: _____
Brett Miller, City Manager

EXHIBIT 1

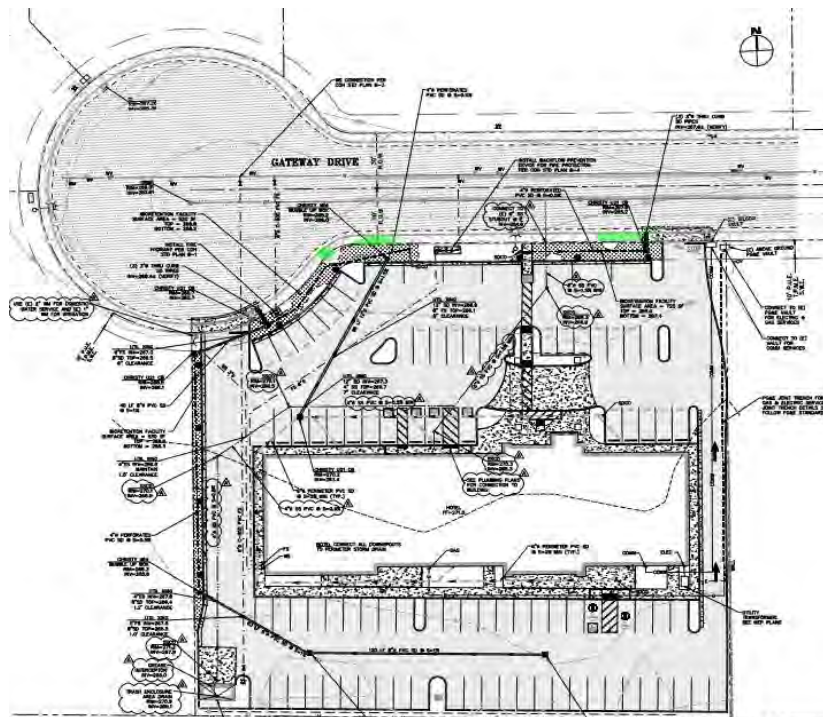
Conditions of Approval

(COA. 16)

The property owner/developer shall replace any street or sidewalk improvements or utility services that are removed or damaged during the construction of the project as determined by the City Engineer. This could include, but is not limited to, permeable paving, PCC curbs, gutters, sidewalks; street lighting; signing and striping; all underground utilities including, but not limited to, sanitary sewer, gas, electrical, telephone, and water and fire services lines; and all other improvements to bring the right-of-way into full conformance with applicable City standards. All construction in the right-of-way shall be completed prior to final building approval.

Description of Work

1. Remove & Replace damage sidewalk as indicated in the field by the City Public Work Inspector.
2. Remove existing striping and Slurry Seal (Type II) entire frontage improvements as indicated by the City Public Works Inspector (cul-de-sac to easterly terminus).
3. Restripe frontage improvements as indicated by the City Public Works Inspector.



PLANNING COMMISSION RESOLUTION NO. PC 2019-49

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HOLLISTER
APPROVING SITE AND ARCHITECTURAL REVIEW 2019-17 FOR THE
CONSTRUCTION OF A NEW FOUR STORY, 93-ROOM HOTEL ON A 1.561 ACRE
(68,032 SF) SITE, LOCATED AT 391 GATEWAY DRIVE IN THE GENERAL
COMMERCIAL ZONING DISTRICT
APN: 053-041-007
(HOLLISTER GATEWAY HOTEL, LP)**

WHEREAS, under the provisions of Section 17.24.190 of Title 17 Zoning of the Hollister Municipal Code, the Planning Commission is charged with receiving, investigating, and taking action on Site and Architectural applications; and,

WHEREAS, the applicant desires Site and Architectural approval 2019-16 for the construction of a four story, 93-room hotel building on a 1.561 acre site in the General Commercial (GC) Zoning District; and,

WHEREAS, the City Planning Division received the applicant's plans and forwarded the request to the Development Review Committee to assess the proposal for compliance with all relevant regulations; and,

WHEREAS, the Development Review Committee considerations were presented to the Planning Commission as part of the City Staff report; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on October 24, 2019 to consider the applicant's request, review the City Staff report, and receive written and oral testimony for and against the proposal; and,

WHEREAS, after closing the public hearing, the Planning Commission deliberated and determined to grant the applicant's request in accordance with Section 17.24.190 of the Zoning Ordinance, and based on the facts as presented, and the code requirements as plainly stated.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Hollister does hereby approve Site and Architectural Application 2019-17 subject to the following findings and conditions:

CEQA FINDINGS:

1. **Finding:** Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be served adequately by required utilities and public services.

***Evidence:** The project is exempt from CEQA, Section 15332, In-fill Development Projects, Class 32. The project is consistent with the 2005 City of Hollister General Plan designation and all applicable general plan policies. The project is located within the city*

limits of Hollister on property with urban services that is less than 5 acres in size. The project site has no value as habitat for endangered, rare, or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be adequately served by all required utilities and public services.

SITE AND ARCHITECTURAL FINDINGS:

2. **Finding:** The project as proposed is consistent with the City of Hollister General Plan.

Evidence: The project site is designated GC General Commercial. The project is consistent with land uses identified in the general plan.

3. **Finding:** The proposed project will not be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood or to the general welfare of the city.

Evidence: The evidence supports this finding as represented by the development plans, City prepared staff report, and the proposed conditions of approval.

CONDITIONS OF APPROVAL

PLANNING & BUILDING

1. This application approval is for Site & Architectural Review 2019-17 submitted by Hollister Gateway Hotel, LP on September 27, 2019 for the construction of a four story, 93-room hotel at 391 Gateway Drive. The elevations and improvements shall strictly adhere to the approved set of plans unless prior approval is granted by the City Development Services Director for changes. This approval expires on October 24, 2021, unless the City grants and extension. Any request for extension must be submitted 30 days prior to the date of expiration.
2. Applicant shall defend, indemnify, and hold harmless the City of Hollister, any agent, officer, or employee of the City, and any advisory board of the City, against any claim, suit, action, judgement, costs and attorney's fees arising out of this approval or any assertions that this approval, including the environmental determinations made herein, is invalid, illegal, unconstitutional or otherwise contrary to law. The City shall promptly notify the applicant of any claim against the City and shall cooperate fully in the defense.
3. A building permit shall not be issued during the 15-day appeal period. In the case of an appeal being filed, no building permit shall be issued until the appeal is settled by the City Council.
4. Prior to any site improvements or construction, the applicant shall submit a building permit application and receive a building permit from the City Building Division. All

improvements shall strictly adhere to the approved site plan, unless prior approval is granted by the city for changes.

5. All building plans submitted shall conform to all local and state energy and seismic requirements and all applicable building and Fire Codes.
6. All requirements of the State Architect for ADA accessibility shall be met, including but not necessarily limited to parking, access ramps, and building accessibility facilities.
7. Prior to issuance of a building permit, the applicant shall not be in violation of the City of Hollister Municipal Code involving the project site. More specifically, Chapter 1.16 Section 1.16.100 *Refusal to issue permits, licenses or other entitlements* states "No department, commission or public employee of the city which is vested with the duty or authority to issue or approve permits, licenses or other entitlements shall issue or approve such permits, licenses or other entitlements where there is an outstanding violation involving the property upon which there is a pending application for such permit, license or other entitlement.
8. **Noise during Construction.** Construction activities on the project site must employ noise suppression devices and techniques, and shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays. Construction activities shall be prohibited on Sundays and federally recognized holidays per Ordinance 1137 of the Hollister Municipal Code. No Construction, Landscape Maintenance, or Grounds Maintenance activities shall occur on federal holidays. Construction equipment and activities shall use noise suppression devices and techniques.
9. Prior to building permit issuance, the client is to provide the Building Department with verification that all necessary permits and approvals from the Fire Department and San Benito County Environmental Health Department have been obtained.
10. The applicant shall submit proposed color samples for the exterior painting of the building. These color samples will require an administrative approval from the Planning division. For details, contact the Planning Division at (831) 636-4360.
11. All signs shall conform and comply with the approved master sign program and Hollister Zoning Ordinance policies and procedures. Prior to the installation of any signage, the applicant shall secure any necessary approvals from the Development Services Department and building permits from the City of Hollister Building Division.
12. Prior to issuance of a demolition permit, the project sponsor shall apply for a demolition permit from MBUAPCD. Conditions of the permit may require preparation of an asbestos survey. The project sponsor shall comply with MBUAPCD NESHAP policies and regulations for removal and disposal of contaminated materials.

13. Prior to demolition activities, the project sponsor shall submit a solid waste disposal plan for demolition of the existing structures and new construction that establishes criteria and procedures to divert at least 50% of all construction and demolition debris from the landfill. The plan shall include measures to divert at least 50% of the solid waste from the John Smith landfill, which shall be subject to review and approval of the City of Hollister. To ensure compliance with the recycling plan, a refundable deposit shall be paid to the City of Hollister equivalent of \$50/ton of estimated construction and demolition debris for the phase of the project, to be deposited into an interest-bearing escrow account. The construction waste shall be calculated at 11.3 pounds per square foot of demolished floor area. The City shall return the deposit with any interest generated during the deposit after submittal of verifiable documentation of the required diversions.
14. **Notice of Exemption.** Within five days of project approval, the applicant shall supply a check payable to the "San Benito County Clerk" to the Development Services Department for filing of the Notice of Exemption required by CEQA. This fee is the administrative filing fee with the County Recorder's Office.
15. Prior to issuance of the building permit, the applicant shall submit a water efficient landscaping plan for review by the Planning Division staff. The Landscape Plan shall substantially conform to the approved plan and use drought resistant plant materials and water conserving irrigation devices. All landscaping and irrigation shall be installed prior to final of the building permit.

ENGINEERING & COMMUNITY SERVICES

16. The property owner/developer shall replace any street or sidewalk improvements or utility services that are removed or damaged during the construction of the project as determined by the City Engineer. This could include, but is not limited to, permeable paving, PCC curbs, gutters, sidewalks; street lighting; signing and striping; all underground utilities including, but not limited to, sanitary sewer, gas, electrical, telephone, and water and fire services lines; and all other improvements to bring the right-of-way into full conformance with applicable City standards. All construction in the right-of-way shall be completed prior to final building approval.
17. When the City of Hollister deems necessary, the applicant shall be required to install an RPP (Reduced Pressure Principal) backflow prevention device at their sites. The RPP shall conform to all AWWA (American Water Works Association) standards and shall be appropriately sized for the specific application on the site. The RPP shall be inspected by a certified California-Nevada AWWA Backflow Prevention Assembly General Tester. The Utility Division shall receive a copy of the initial RPP inspection report. Any and all RPP defects shall be immediately repaired or replaced prior to the Utility Division reestablishing water services to the sites. The owners/operators shall have the RPP inspected/tested each year thereafter, with all reports forwarded to Utility Division. Should the RPP fail to pass any inspection or test, the device shall be immediately

repaired or replaced, with all repair and/or replacement reports forwarded to Utility Division.

18. The RPP shall be installed according to AWWA standards, in regards to concrete padding and surrounding landscape/RPP height requirements. The RPP shall be installed inside a wire-mesh cage enclosure, preferably green in color, with a hinge on one end and a locking hasp device on the other to prevent vandalism and unauthorized entries. The RPP shall be installed at a site between the City's water meter and the building inside the property line where the RPP can be readily observed and be easily accessible for future inspections.
19. The owners shall install a backflow prevention device on the existing sewer lateral between the building and the City's sanitary sewer main. The device shall be maintained and operated by the owners and shall periodically tested by the owners to insure the device is working properly.
20. The Engineering department shall inspect all building laterals, the projects main sanitation collection system, the connection to the city's main sanitary collection system, and the interceptor installation prior to burial. The owner/developer shall contact our office at (831) 636-4340 at least 24 hours prior to all necessary inspections.
21. The project proponent shall install oil/grease separators to minimize the impact of pollutants from entering the sanitary sewer on the event of any drain installation.
22. **Storm Water Management:** Development projects with storm water discharge to the Waters of the U.S. through the City's MS4 drainage system are subject to the requirements of the California Regional Water Quality Control Board Central Coast Region, Resolution No. RJ-2013-0032, entitled "Post-Construction Storm Water Management Requirements for Development Projects in the Central Coast Region," dated July 12, 2013 (PCRs), as applicable. The City Engineer may review and approve an alternative to the PCRs to address storm water management for those development projects that the City deems to be eligible.
23. **Construction Stormwater BMP Control Plan (CSCP):** Prior to any site development or grading, the applicant shall submit for review and approval by the Engineering Department a CSCP for construction stormwater runoff BMP control measures. The applicant shall coordinate and meet with the City Engineering Department to receive written instructions related to the preparation and requirements of the CSCP that the applicant shall provide and submit as part of the plan, for City review and approval.
24. **Post-Construction Stormwater Control Plans (SWCP):** Prior to any site development or grading, the applicant shall submit for review and approval by the Engineering Department. The SWCP shall address all required post-construction stormwater runoff BMP control measures, as applicable. The applicant shall coordinate and meet with the City Engineering Department to receive written instructions related to the preparation and

requirements of the SWCP that the applicant shall provide and submit as part of the plan, for City review and approval.

25. **Drainage Report:** A drainage report shall be submitted for review and approval by the City Engineer. The drainage report shall include but is not limited to, depiction all areas tributary to the site, and provide all information pertinent to the capability of the proposed drainage facilities to handle the expected post-construction storm water management (LID, runoff control and reduction, water quality treatment, etc.) and flood control measures as required for the site. Additionally, the report shall include or incorporate the grading plan, CSCP, SWCP, and landscape plan for the project.
26. **Grading and drainage plan:** Prior to any site development or grading, the applicant shall submit for review and approval by the Engineering Department a grading and landscape plan. The applicant is advised that site development and design shall comply with all applicable requirements listed under municipal code 15.24 "Grading and Best Management Practices Control" and municipal code 17.16.140 "Storm water management", and all subsequent amendments to those codes. The applicant is advised that municipal code 15.24 includes a requirement among others, that Low Impact Development (LID) principles be considered and incorporated in the site planning and design. The applicant is also advised that municipal code 17.15.140 "storm water Management" includes a requirement among others, that all land use activities shall be designed to retain post-development storm water runoff on the property with a release no greater than 85th percentile pre-development levels for volume and rate and to reduce pollutants from entering the City storm drain system. Storm water management procedures shall include, but are not limited to; drainage fro, roof gutters from all buildings shall be directed to rain gardens, landscape areas, vegetated swales, or retention or detention ponds approved by the City Engineering Department. For details, contact Danny Hillstock (831) 636-4340.
27. **Storm water and grading permit:** Prior to any approval of any storm water permit, grading permit or improvement plans the applicant shall obtain all applicable permits directly associated with the grading activity, including, but not limited to the State Water Board's CGP, State Water Board 401 Water Quality Certification, U.S Army Corps 404 permit, and California Department of Fish and Game 1600 Agreement. Further, the applicant shall provide evidence to the City Engineer that required permits have been obtained.
28. Prior to any site development or grading, the applicant shall submit for review and approval by the Engineering Department a grading plan that complies with Chapter 15.14 *Grading and best Management Practice Control* of the Hollister Municipal Code. Low Impact Development (LID) strategies shall be considered and incorporated as part of site planning and design. The project site development is subject to the requirements of the California Regional Water Quality Control Board Central Coast Region, Resolution No. R3-2013-0032 entitled "Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region", dated July 12, 2013". The grading

and drainage design plans shall include, but is not limited to, depiction of all areas tributary to the site, and provide all information pertinent to the capability of the proposed drainage facilities to handle the expected post-construction stormwater management (LID, runoff control and reduction, water quality treatment, etc.), and flood control as required for the site. In addition, the grading and drainage design plans shall include, but is not limited to, all necessary calculations and support documentation as required by the City Engineer.

29. The Engineering Department shall process for new water meters and meter boxes for the irrigation and potable water systems. The owner/developer may contact the Engineering Department at (831) 636-4340 for information.
30. All urinals and commodes in all buildings shall be low-flush models using a maximum 1.6 gpf/6Lpf (1.6 gallons per flush/6 Liters per flush).
31. No floor drain shall be connected to the site's sanitation system.
32. All sanitary sewer and water service lines shall meet City standards.
33. No buildings, trees, bushes, or other structures or materials shall be placed within ten feet (10') of the meters, water lines, or sanitary sewer connections and laterals.
34. The applicant shall use drought resistant plant materials and water conserving irrigation devices. All landscaping and irrigation shall be installed prior to final of the building permit.
35. The property owner shall be responsible for maintenance of all on-site landscaping and irrigation systems, which shall be kept in a neat, clean and healthy manner and in compliance with the approved plans. The applicant will maintain the approved landscaping in perpetuity. No trees, shrubs, or plant material shall obstruct site distance of motorists and pedestrians.
36. Prior to issuance of a building permit, the applicant shall submit fees for review and approval of a Water Efficient Landscape Permit in compliance with Chapter 15.22 of the Hollister Municipal Code. Prior to Final Occupancy Inspection for the building, the applicant shall submit a copy of an approved Certificate of Completion that complies with Section 15.22.130 of the Hollister Municipal Code.
37. The approved trash enclosure(s) shall be designed to meet City of Hollister waste disposal provider standards. The trash enclosure must be constructed out of cinderblock concrete or stucco material and be easily accessible. For details, contact John Benavides at Recology at (831) 636-7500.

38. Final Occupancy Inspection: A final occupancy shall not be granted for the building unless the Building Inspector can verify the following:
- a. Prior to final occupancy of the building, the applicant shall install new Radio Read Meters. For details, contact the Lead Water Operator with the Utilities Division of the Management Services Department at (831) 636-4377.
 - b. The landscaping has been installed in compliance with condition 36, Water Efficient Landscape.
 - c. Runoff from roof gutters shall be directed to landscape swales, rain gardens and shall not be piped directly to gutters or non-permeable paving.
 - d. The development impact fees shall be based on those in effect at the time S&A 2019-17 was approved (October 24, 2019) and as adjusted by inflation, or further study. On the date of the final inspection or the date the certificate of occupancy is issued for the project, which occurs first, the owner must pay all development impact fees due to the City and county. Development impact fees that apply to the project are listed below:
 - i. Water Connection (City of Hollister)
 - ii. Traffic Impact Fee
 - iii. Sewer Facilities Development Impact Fee
 - iv. Sewer Collection Fee
 - v. Storm Drainage
 - vi. Park Land Acquisition In-Lieu fee (Quimby Act)
 - vii. Park Construction fee
 - viii. Police Impact Fee
 - ix. Fire Impact Fee
 - x. Jail and Juvenile Hall Facilities
 - xi. Library

For a complete list of all applicable impact fees, please contact the City Engineer with the City of Hollister Engineering Department at (831) 636-4340.

39. School Fee. Unless otherwise required by law, all school impact fees shall be paid at the time of building permit issuance.
40. Every two years or longer if deemed appropriate by the City Code Enforcement Officer, the applicant shall maintain and re-stripe the parking stalls so that they will always be clean and visible to employees and customers.
41. All landscaped areas adjacent to driveway/parking areas shall be bordered with 6-inch (6") PCC square curbing as determined by the City Engineer.
42. Wheel stops shall be installed in parking areas where needed to maintain proper pedestrian movements or to protect landscaping.

43. The applicant shall be required to obtain garbage service at the site.
44. The property owner shall install new Radio Read Meters prior to occupancy. For details, contact the Lead Water Operator with the Utilities Division of the Management Services Department at (831) 636-4377.

FIRE DEPARTMENT

45. Fire hydrants shall be Clow 865 units only with either Clow CW50 or equivalent Longbeach breakaway spool/risers and shut off valves.
46. The applicant shall place a three valve cluster connection with installation of each new fire hydrant and lateral. The City Engineer may waive this requirement if an existing shut-off valve exists within the proximity of the new hydrant.
47. The applicant shall install and maintain operational fire extinguishers to be located throughout the building at all times as the Fire Department deems necessary.
48. Prior to occupancy, the applicant shall install a knox key box on the outside of the building per the Fire Department regulations. Contact the City Fire Marshall at the Fire Department at (831) 636-4325 for details.
49. Prior to occupancy, an operating fire alarm system shall be installed. The fire alarm system shall be inspected and approved by the Fire Department.
50. Prior to occupancy, the applicant shall submit and obtain approval of a Hazardous Materials Management Plan (HMMP) from the San Benito County Environmental Health Department. Contact the environmental health office at (831) 636-4035 and the Fire Marshall at the Hollister Fire Department at (831) 636-4325 for more information.
51. The applicant shall place illuminated interior exit signs to include battery backup systems.
52. Prior to building permit issuance, the applicant shall submit a fire sprinkler system plan and obtain approval for this plan from the Fire Department. The fire system plan must be updated and retro-fitted for the new occupancy, its interior walls and all wall separations.

POLICE DEPARTMENT

53. Prior to occupancy, the applicant shall provide evening lighting, which is unobtrusive for neighboring parcels, on the project site. All light sources should be fully shielded from off-site view. All lights to be downcast except where it can be proved to not adversely affect other parcels.

54. Prior to occupancy, the applicant shall provide three security contact persons to the City Police Department. Please provide this to the Community Services Officer at (831) 636-4330.
55. The applicant shall maintain the facility clean and graffiti free. All graffiti must be removed or painted over within 48 hours of it appearing. According to the City of Hollister Municipal Code Chapter 8.32.060, *Prohibit Activities and Unlawful Conditions*, Section 15, Graffiti is considered a Public Nuisance and is a violation of the City codes.

SPECIAL CONDITIONS

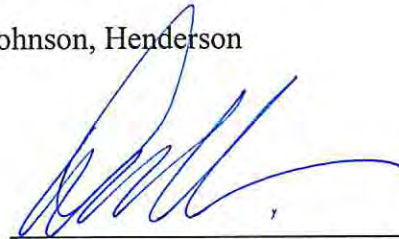
56. Prior to occupancy, the applicant shall install an emergency responder radio system as required by the Fire and Police Department. Please contact the Fire Department at (831) 636-4325 for more information.
57. An encroachment permit shall be issued in addition to the grading permit for the work within the City of Hollister right-of-way or public easements within the property. This includes improvements such as: driveway approaches, water line connections for domestic water or fire services, sewer lateral installations and any other improvements on right-of-way. A combination encroachment permit and grading permit may be issued with the approval of the City Engineer. The Encroachment Permit and Grading Permits are issued at the Engineering Department at 339 Fifth Street. An improvement plan may be required depending on the nature of the improvements. Contact the Engineering Department at (831) 636-4340 for further information.
58. AutoCAD and GIS: An electronic copy of the approved design improvements shall be submitted to the Development Services Department in both AutoCAD and GIS format, prior to issuance of a building permit, as applicable.
59. The applicant shall perform infiltration testing and hydraulic modeling to verify the stormwater control system will meet the permit and drain within 48 hours. For information regarding this condition please contact the Engineering Department at (831) 636-4340.
60. The property owner shall pay any applicable fees related to the pro-rata fair share costs of the ultimate improvements to the right-of-way at the intersection of San Felipe Road and Gateway Drive.
61. Dust Control: The project applicant shall implement the following Monterey Bay Unified Air Pollution Control District (MBUAPCD) recommended Best Construction Practices (BCPs) during all phases of construction, as determined necessary by the City of Hollister Engineering Division and Building Division to minimize dust generation:

- a. Water all active construction areas at least twice daily. Frequency shall be based on the type of operation, soil, and wind exposure.
 - b. Prohibit all grading activities during periods of high wind (over 15 mph)
 - c. Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
 - d. Apply non-toxic binders (e.g. latex acrylic copolymer) to expose areas after cut and fill operations.
 - e. Haul trucks shall maintain at least 2'0" of freeboard.
 - f. Cover all trucks hauling dirt, sand, or loose materials.
 - g. Cover inactive storage piles.
 - h. Install wheel washers at the entrance to construction sites for all existing trucks.
 - i. Sweep streets if visible soil material is carried out from the construction site.
 - j. Post a publicly visible sign, which includes the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within two hours. The phone number of the Monterey Bay Area Unified Air Pollution Control District shall be included on the sign to ensure compliance with Rule 402 (Nuisance).
62. **Safe Path of Travel/Construction Fencing:** The developer shall erect a 6' high chain-link fence around the entire perimeter of the development with a gate opening for construction entrance. The chain-link fence shall remain in place during the entire construction duration, or as directed by the City Engineer. Improvement plans submitted to the City of Hollister shall provide the location of any proposed fence and shall define a safe path of travel location on the plans. The developer shall submit a pedestrian traffic control plan for review and approval by the City Engineer prior to any construction of the site.
63. All outside equipment and utility devices, including, but not limited to water meters, reduced pressure principal equipment, electrical boxes, equipment for heating, ventilation, and air conditioning, shall be properly screened. Prior to building permit issuance, the applicant shall submit to the building department a plan illustrating the proper screening of all outside equipment and utility devices for review and approval by the director of development services and/or the director's designee. Proper screening techniques shall be used in the screening of outside equipment and utility devices such as a landscape trellis system, architecturally compatible walls, gates, and doors, or similar techniques as approved by the director of development services and/or the director's designee. Once approved and installed, the screening of all outside equipment and utility devices shall be inspected at the site and approved by the development services director and/or the director's designee prior to final occupancy.
64. Prior to the issuance of a building permit, the applicant must receive a land use consistency determination from the Airport Land Use Commission to confirm consistency with the Airport Comprehensive Land Use Plan. For more information, please contact the Planning Department at (831) 636-4360.

65. Prior to building permit issuance, the applicant must notify the City of Hollister Airport Director of any dates that a crane would be used on site. If the crane exceeds 80 feet in height, the applicant must complete an airspace analysis with the FAA (<https://oeaa.faa.gov/oeaaa/external.portal.jsp>). If the crane is less than 80 feet in height, the Airport Director will file the required NOTAM with the FAA. The crane will be required to display an orange and white checkered aircraft flag at its highest point, if the crane is left elevated at night, it must also have a flashing red beacon. For more information, please contact Mike Chambless at (831) 636-4365.
66. The applicant shall work with the City of Hollister Engineering Department and Recology to relocate – if possible – the trash enclosure away from the eastern rear fence. However, if no other suitable location exists on the property, as determined by the City Engineer and Recology, the trash enclosure shall be permitted in the proposed location as indicated on the plans and reviewed by the Planning Commission.
67. All Other Resolutions: All conditions in the resolution approving Conditional Use Permit 2019-6 shall apply to this resolution.

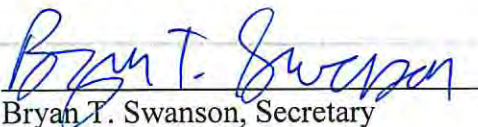
PASSED AND ADOPTED at a regular meeting of the City of Hollister Planning Commission held on this the 24th day of October 2019 by the following vote:

AYES: Stephens, Muenzer, Huboi, Johnson, Henderson
NOES: None
ABSTAIN: None
ABSENT: None



Chairperson of the Planning Commission
of the City of Hollister

ATTEST:



Bryan T. Swanson, Secretary

Please Note

It is the sole responsibility of the project applicant to comply with the conditions as approved, modified or added by the Planning Commission. It is recommended that the applicant review these conditions carefully and if any questions arise as to compliance with the conditions, please do not hesitate to contact the staff planner. Also, if you do not agree with the proposed conditions, you have an opportunity to present your case to the Planning Commission at their meeting. In addition, the City provides for a 15-day appeal period.

PLANNING COMMISSION RESOLUTION NO. PC 2019-50

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HOLLISTER
APPROVING CONDITIONAL USE PERMIT 2019-6 TO ALLOW A VARIATION IN
THE MINIMUM PARKING REQUIREMENTS IN CONJUNCTION WITH SITE AND
ARCHITECTURAL APPLICATION 2019-17 TO CONSTRUCT A FOUR STORY, 93-
ROOM HOTEL IN THE GC GENERAL COMMERCIAL ZONING DISTRICT
LOCATED AT 391 GATEWAY DRIVE
APN: 053-041-007
(HOLLISTER GATEWAY HOTEL, LP)**

WHEREAS, under the provisions of Section 17.24.220 of the Zoning Ordinance, the Planning Commission is charged with receiving, investigating, and taking action on Conditional Use Permit applications; and,

WHEREAS, Hollister Gateway Hotel, LP (“the applicant”) submitted an application, Site and Architectural Review 2019-17, for the construction of a four story, 93-room hotel building on a 1.561 acre site in the General Commercial Zoning District located at 391 Gateway Drive (APN: 053-041-007) (“the project”); and,

WHEREAS, the applicant also submitted an application for a Conditional Use Permit to allow for a variation in the minimum parking requirements for the project as well as a variation in the parking design standards which indicate that a landscaped island must be placed between every ten parking spaces; and,

WHEREAS, the findings have been made to demonstrate that the provided parking will be satisfactory to the use proposed; and,

WHEREAS, the proposed layout of the parking along the south boundary of the site will place one landscape island with thirteen spaces on either side, which does not meet the standards of Section 17.18.110(I)(4)(a), but it will allow the project to preserve a very large existing black walnut tree on the site; and,

WHEREAS, the City Planning Division received the applicant’s plans and forwarded the request to the Development Review Committee to assess the proposal for compliance with all relevant regulations; and,

WHEREAS, the Development Review Committee considerations were presented to the Planning Commission as part of the City staff report; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on October 24, 2019 to consider the applicant’s request, review the City staff report, and receive written and oral testimony for and against the proposal; and,

WHEREAS, after closing the public hearing, the Planning Commission deliberated and determined to grant the applicant’s request in accordance with Section 17.24.220 of the City of

Hollister Municipal Code, and based on the facts as presented, and the code requirements as plainly stated; and,

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Hollister does hereby approve Conditional Use Permit 2019-6 subject to the following findings and conditions:

CEQA FINDINGS

1. **Finding:** Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be served adequately by required utilities and public services.

Evidence: The project is exempt from CEQA, Section 15332, In-fill Development Projects, Class 32. The project is consistent with the 2005 City of Hollister General Plan designation and all applicable general plan policies. The project is located within the city limits of Hollister on property with urban services that is less than 5 acres in size. The project site has no value as habitat for endangered, rare, or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be adequately served by all required utilities and public services.

CONDITIONAL USE PERMIT FINDINGS

2. **Finding:** The reduction of parking is necessary for the efficient operation of the subject use and will not result in a parking deficiency.

Evidence: The applicant is proposing 92 parking spaces, which is only one space short of supplying the minimum of one parking space per guestroom. Through study of the existing Fairfield Inn & Suites hotel which is located across the street on Gateway Drive and is also owned by the project applicant, it has been demonstrated that the hotel is only expected to be at maximum occupancy possibly a few days out of the year, if any. This means that there would be very few times when the parking space would be required for guests. In addition to guests, there are expected to be between 10-15 employees of the hotel. However, these employees are expected to be working only during the day, with only one employee working at night – when the majority of guests are in the hotel and utilizing the parking spaces. This means that 14 of the parking spaces for guests can be reasonably considered to be shared parking spaces for guests and employees which do not have overlapping times of use. Therefore, the hotel would require 94 total parking spaces on a night of maximum occupancy. There are very few times where these two additional parking spaces would be necessary, and there is available street parking in the cul-de-sac if the need should arise.

3. **Finding:** The project as proposed is consistent with the City of Hollister General Plan.

Evidence: The project site is designated General Commercial in the 2005-2023 City of Hollister General Plan. The project proposes to construct a 93-room hotel on a 1.561 acre site, which is a permitted use in the General Commercial Zoning Designation. The project is consistent with the land use identified in the general plan.

4. **Finding:** The proposed project will not be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood to the general welfare of the city.

Evidence: The evidence supports this finding as represented by the development plans, City prepared staff report, and the proposed conditions of approval.

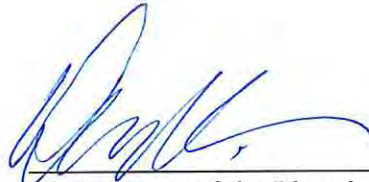
CONDITIONS OF APPROVAL

PLANNING & BUILDING

1. This application approval is for Conditional Use Permit 2019-6 submitted by Hollister Gateway Hotel, LP. This approval expires on October 24, 2021, if not implemented, unless the City grants an extension. Any request for extension must be submitted 30 days prior to the date of expiration. This application shall run with the land and is approved in conjunction with Site & Architectural Review 2019-17.
2. Applicant shall defend, indemnify and hold harmless the City of Hollister, any agent, officer or employee of the City, and any advisory board of the City, against any claim, suit, action, judgement, costs and attorney's fees arising out of this approval or any assertions that this approval, including the environmental determinations made herein, is invalid, illegal, unconstitutional or otherwise contrary to law. The City shall promptly notify the applicant of any claim against the City and shall cooperate fully in the defense.
3. A building permit shall not be issued during the 15-day appeal period. In the case of an appeal being filed, no building permit shall be issued until the appeal is settled by the City Council.
4. All conditions of approval in the resolution approving Site & Architectural Review 2019-17 shall apply to this resolution.

PASSED AND ADOPTED at a regular meeting of the City of Hollister Planning Commission held on this the 24th day of October, by the following vote:

AYES:	Stephens, Muenzer, Huboi, Johnson, Henderson
NOES:	None
ABSTAIN:	None
ABSENT:	None



Chairperson of the Planning Commission
of the City of Hollister

ATTEST:



Bryan T. Swanson, Secretary

Please Note

It is the sole responsibility of the project applicant to comply with the conditions as approved, modified or added by the Planning Commission. It is recommended that the applicant review these conditions carefully and if any questions arise as to compliance with the conditions, please do not hesitate to contact the staff planner. Also, if you do not agree with the proposed conditions, you have an opportunity to present your case to the Planning Commission at their meeting. In addition, the City provides for a 15-day appeal period.

DEVELOPMENT SERVICES DEPARTMENT

City of Hollister Planning Division

PLANNING COMMISSION STAFF REPORT

MEETING DATE:	October 24, 2019
APPLICATION No.:	Site and Architectural Application No. 2019-17 Conditional Use Permit No. 2019-6
APPLICANT:	Hollister Gateway Hotel, LP
OWNER:	Prakash Patel & Paresh Patel
REQUEST:	The applicant is requesting Site & Architectural Review and Conditional Use Permit for the construction of a 93-room, four-story hotel on a 1.561 acre (68,032 SF) site located at 391 Gateway Drive in the General Commercial (GC) Zoning District. The applicant is requesting a CUP to allow for variation in parking requirements.
LOCATION:	391 Gateway Drive APN: 053-041-007
STAFF PLANNER:	Eva Kelly, Assistant Planner (831) 636-4360 Ambur Cameron, Assistant Planner M. Abraham Prado, Planning Manager

**PROJECT
DESCRIPTION:**

The applicant is requesting approval for the construction of a 93-room, four-story hotel on a 1.561 (68,032 SF) site located at 391 Gateway Drive. In addition to the guestrooms, the hotel will have a pool, gym, and meeting room available, as well as will provide a continental breakfast service. The project is located at 391 Gateway Drive in the General Commercial (GC) Zoning District (APN: 053-041-007).

Elevations

The front (north) elevation of the hotel will be divided architecturally into four vertical sections. The leftmost body of the hotel will have a light beige stucco façade on the first two floors, darker taupe brown stucco on the third and fourth floors, and will be topped with a mid-tone beige stucco parapet. The trim at the top of the parapet and between the different sections will be white. The main entrance to the hotel will be in the center-left section of the building, defined by a tower that will be framed in aluminum panels on the top two –thirds, and the bottom will be stone. The tower will be stucco on the third and fourth floors and on the parapet in between the aluminum panel framing. There will be a location for the business signage at the top of the parapet. The main entrance will have a brown awning with columns in the matching aluminum panels which will cover the loading and unloading zone. The center-right section of the building will be similar to the left main body of the hotel, with the first floor being light beige stucco, the second to fourth floors being painted darker taupe, and the parapet remaining the same mid-tone beige. Finally, the right portion of the building will have another “tower” where the parapet is slightly taller than the main building, which will have the same light beige stucco for the first three floors, but will have a terra cotta brown stucco coloring for the fourth floor and parapet. The windows of the entire building will be trimmed in either light or dark brown depending on the wall coloring behind them, and the fourth floor and some of the first floor windows will have an arched decorative trim.

The rear (south) elevation will be almost an exact reflection of the front elevation, with the exception of the main entrance which will instead have an outdoor patio that can be used by the guests. There will be a rear entrance/exit which leads to the elevators inside, and there will also be an exit from the indoor pool area which leads to an outdoor patio as well.

The west elevation will have a tiered parapet and fourth floor painted in the terra cotta brown of the front elevation, with the light beige stucco wrapping around the first three floors of the building. There will be one guestroom window at the center of each floor. There will be an exit door in the center of the building which leads into the hallway of the first floor, as well as an exterior doorway for the stairs. The aluminum paneling of the main entrance tower and its reflection on the back of the building project past the main building and can be seen from the side.

The east elevation will have light beige stucco on the first and second floors, taupe stucco on the third and fourth floors, and mid-tone beige stucco for the parapet. The metal paneling of the projecting main towers is also visible from this side. There will be a location for signage on the third and fourth floors which faces toward San Felipe Road and the entering cars driving on Gateway Drive. There will be an exit/entrance door to both the central main hallway of the hotel as well as an exterior doorway into the stairs on the east side of the hotel as well.

Landscaping

Along the northern frontage on Gateway Drive, there is proposed to be a bio-retention landscape area which will be landscaped with trees, groundcover, and shrubs, including Chinese Flame Tree (*Koelreuteria bipinnata*), Crape Myrtle (*Lagerstroemia indica Tuscarora*), India Hawthorne (*Raphiolepis Clara*), California Gray Rush (*Juncus patens Elk Blue*), and Small Cape Rush (*Chondropetalum tectorum*), among others.

The east boundary of the site will be landscaped for bioretention as well, and the rear (south) of the property will be landscaped with a few new trees and groundcover. Many existing trees, including a large existing black walnut tree will be preserved in the landscape area along the back property line which forms a boundary to the parking lot. There is a trash enclosure located in the southeast corner of the parking lot as well.

Throughout the parking lot, there will be several landscaped islands with trees and shrubs. The entrance to the hotel as well as the rear areas between the walkways and patios will be landscaped with shrubs and ground cover as well.

Freestanding Sign

The applicant is proposing the install a freestanding monument sign at the eastern driveway entrance to the parking lot of the hotel. Details of the monument sign are provided on Sheet A2.1 of the plan set. The sign base is proposed to be eight feet in overall height with a round structure 4 foot in diameter. It will be painted mostly in white with blue accents and a metal base. The tenant signage will be approximately 19.3 SF and will project about 1 foot from either side of the base, and will sit approximately 1 foot from the top. The sign will be visible to entering vehicles from

Gateway Drive. It will be located in the landscaped area along the project frontage and will be lit by an overhead light post which also lights the parking lot and entrance.

Parking

The applicant is providing 92 parking spaces. Per Section 17.18.060 Table 17.18-1 *Off-Street Parking and Bicycle Spaces Required by Land Use Type*, the project would require one parking space per guest room and one per each employee. The project proposes 93 guestrooms and 10-15 employees, which would require 108 parking spaces. The project does not meet the minimum parking requirement.

The applicant is requesting conditional use permit approval to allow for a reduction in the required parking spaces for the following reasons:

1. The applicant is proposing 92 parking spaces, which is only one space short of supplying the minimum of one parking space per guestroom.
2. The applicant, who also owns and operates the existing Fairfield Inn and Suites which is located across the street from the proposed project, indicated that there are very few days of the year, if any, where the hotel will be at maximum occupancy.
3. While the hotel may have up to 15 employees during the day shifts, there will only be one to two employees during the night. However, guests are often away during the day, and therefore the parking lot will not be fully loaded during the day when employees will need to park.
4. On the rare day when the hotel is at maximum occupancy, if a few additional parking spaces are needed, there is available street parking along Gateway Drive where employees or guests may need to park.

There was a previous plan which had 93 parking spaces, but the applicant was required to change the plan to accommodate a second driveway access for life & safety requirements of the Fire Department, which resulted in the loss of one additional parking space.

In addition to a request to allow for a reduction in the minimum parking requirement, the applicant is also requesting approval to deviate from Section 17.18.110(I)(4)(a) which states as follows:

“Parking areas with multiple parking aisles shall be designed to provide a continuous planter island between each aisle. The planter island shall be six feet wide, with six foot by 18-foot projecting islands every ten parking spaces.”

The southern boundary of the site is proposed to be a long row of parking. It is broken up by only one island with 13 parking spaces on either side. The reasoning for this was to preserve the existing large black walnut tree, which is very old and provides a significant amount of shade. Staff requested that the applicant try to preserve the tree if possible, and this requires a slight deviation from the “every ten parking space” projecting island requirements of the municipal code.

RECOMMENDATION: Staff recommends that the Planning Commission review the applicant’s request; receive all written and oral testimony regarding the proposal, and make the following motions:

1. Adopt a resolution approving Site and Architectural Review Application No. 2019-17, subject to the findings and conditions contained in the draft resolution.
2. Adopt a resolution approving Conditional Use Permit No. 2019-6, subject to the findings and conditions contained in the draft resolution.

DISCUSSION:

General Plan Consistency

The City of Hollister 2005-2023 General Plan Designates the project site as General Commercial. The property is zoned General Commercial and the proposed hotel use is consistent with the zoning designation and the General Plan.

SITE INFORMATION

SITE DESCRIPTION: The proposed project will be located at 391 Gateway Drive (APN: 053-041-007). The property is outside of the Alquist Priolo Special Study Seismic Zone and outside of the FEMA flood plain.

ZONING: GC General Commercial Zoning District

GENERAL PLAN: General Commercial

LAND USE: Vacant

SURROUNDING USES: (North) General Commercial (Vacant/Hotel)
(South) Commercial (San Benito County)
(East) General Commercial (Childcare Facility)
(West) General Commercial (Vacant)

CEQA: The project is exempt from DEQA, Section 15332, Class 32, *Infill Development*; the project is consistent with the 2005-2023 City of Hollister General Plan designation and all applicable general plan policies. The project is located within the city limits of Hollister on property with urban services that is less than 5 acres in size. The project site has no value as habitat for endangered, rare, or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately serviced by all utilities and public services.

NOTICE

Appeal Notice: Any person aggrieved by the decision of the Planning Commission may appeal the decision within fifteen (15) calendar days to the City Council. The notice of appeal must be in writing and shall set forth specifically wherein the Planning Commission's decision was inappropriate or unjustified. Appeal forms are available at the City Planning Department and the City Clerk's office and may be obtained at the Planning Commission meeting. Appeals to the City Council shall be submitted to the City Clerk as prescribed by Ordinance No. 843.



Planning Commission Study Session Staff Report February 9, 2023 Study Session Item 1

SUBJECT: **Zoning Ordinance Overhaul** – City of Hollister – A discussion of project review in the City of Hollister (part of Phase IIB of the Overhaul).

STAFF PLANNER: Eva Kelly, Interim Planning Manager (831) 636-4360
Erica Fraser, AICP, Consulting Planner

ATTACHMENTS: 1. Permit Streamlining Act Flow Chart.
2. Planning Process Flowchart.

PURPOSE OF THE STUDY SESSION

In order to assist the Planning Commission with a future discussion of proposed amendments to Chapter 17.24, Administration and Enforcement, Staff will outline and discuss the project review process for major (requires Planning Commission review) and minor requests (Administrative review) during the Study Session. Staff will also discuss how the City conducts a review of each project that is submitted to the Planning Division.

In order to assist in the discussion during the Study Session and provide some information prior to the Study Session, the following background information is provided regarding the permit review process.

CITY REVIEW PROCESS

The following information is provided regarding the processing of development applications (non-legislative projects). A flow chart summarizing the complete review process for applications is included as Attachment 2.

Permit Streamlining Act

Projects which involve legislative review (i.e. a Rezone or General Plan Amendment) are not subject to the Permit Streamlining Act. All other projects are subject to the provisions of the Permit Streamlining Act. The Permit Streamlining Act (PSA) establishes project review time limits to expedite the processing of development applications (Government Code Section 65920). A flowchart summarizing the processing time lines required pursuant to the PSA is included as Attachment 1.

Project Submittal

Prior to the submittal of a formal Application, all Applicants and/or Property Owners are invited to submit their project for Preliminary Review. A Preliminary Review allows an Applicant to receive comments regarding the proposed project prior to submitting formal plans for review.

Once an Applicant is ready to submit their project for review and approval, the Applicant must submit a completed Application, Application Fee and required submittal materials (the City's submittal list can be found at <https://hollister.ca.gov/wp-content/uploads/2019/04/General-Development-Application-Packet.pdf>).

Initial Review

Once the submittal is accepted by the Planning Division, the initial review period of 30 days (required by the Permit Streamlining Act) begins. The project is assigned to a Planner and the Planner routes the project plans and all information submitted by the Applicant to the City's Development Review Committee (DRC) for review. Each Department reviews the proposed project for compliance with City requirements and submits their comments or information that is required to complete their review of the project.

Notice of Completeness

The assigned Planner then compiles all comments (including comments from the Planning Division) and sends a letter, noting the items that are required to be submitted in order to deem an application complete, to the Applicant.

The project is then on hold until the Applicant resubmits their plans. The time between the notice of incompleteness and the resubmittal of the required plans is determined by the Applicant. Some projects are resubmitted within two months and some projects are not resubmitted for a significant period of time. Once the project is resubmitted, Staff routes the project to the DRC for a second review, and the process begins again. A project may be resubmitted several times before the application is deemed complete. Staff is available for questions and assistance during this period.

During the completeness review of a project, Planning will also include project comments in the letter to the Applicant (for example noncompliance with setbacks, proposed parking does not meet the requirements of the Code, wrong street tree selected, architecture comments, etc). Staff attempts to resolve these comments prior to public hearing. If Staff is unable to resolve these issues (i.e. the development provides parking which is less than what is required by the Zoning Ordinance). In some cases, the Applicant is unwilling to revise the project plans to address Staff's comments. When this occurs Staff must bring the matter before the Planning Commission to review the areas in which the project does not meet the requirements of the Zoning Ordinance, Municipal Code, Specific Plan or adopted Design Guidelines.

Application Completeness

Once an Application is deemed complete, Staff must determine if environmental review is required pursuant to the California Environmental Quality Act. If no further review is required, Staff will then schedule the project for review by the appropriate reviewing body. Administrative Permit Reviews are

reviewed and approved by the Director of Development Services and Site and Architectural Reviews require review and approval by the Planning Commission.

Additionally, upon determination that the project is complete, Staff obtains recommended Conditions of Approval from each member of the DRC. These Conditions of Approval are all included in the Planning Commission Resolution.

California Environment Quality Act (CEQA)

Pursuant to CEQA, Staff is not required to determine if a project requires review pursuant to CEQA until the project is deemed complete. However, Staff does begin an initial assessment once plans are received to determine if review pursuant to CEQA is required. If review is required, Staff begins the process as soon as possible.

For some projects, Staff is unable to determine if review pursuant to CEQA is required until the project is deemed complete. This situation typically arises when a project does not comply with the Municipal Code or General Plan and the applicant does not wish to modify the design. This can result in a project which no longer qualifies for an exemption. Following the completeness determination, Staff will determine if CEQA review is required within 30 days as required by the PSA.

Project Review by Reviewing Body

For requests for an Administrative Permit Review, these projects are typically acted upon within one week of determining that the Application is complete. An Action Letter with Conditions of Approval is sent to the Applicant once approved or denied.

For Site and Architectural Review, these projects require review by the Planning Commission during a public hearing. The project must be noticed and must be printed in the newspaper 10 days prior to the hearing (to meet printing deadlines, this notice must be received by the newspaper three weeks prior to the meeting), notices must be mailed to property owners within a 300 foot radius of the project site, and the agenda for the hearing must be posted 72 hours prior to the hearing. Staff determines which meeting the project can be agendized for, based on noticing requirements.

The length of time it takes from initial submittal to approval is dependent on the Applicant. Staff is required to review and comment within 30 days of the receipt of a resubmittal. Following the first letter, Staff cannot ask for any additional items to be submitted, unless the revised plans are still incomplete based on the City's submittal checklist. Once an Application is deemed complete, Staff is required to bring the project before the reviewing body within 60 days (unless CEQA review is required).

Sample Project Review

The following is a timeline for Approval by the Planning Commission for 2300 Bert Drive (industrial building) which was recently approved by the Planning Commission.

Table 1: Sample Project Review Time-line

Date	Action	Time Period Between Previous Action
2/22/22	Project Submitted	
3/22/22	Comments Sent to Applicant	30 days
5/25/22	Project Resubmitted by Applicant	64 days
6/24/22	Comments Sent to Applicant (Letter #2)	30 days
7/12/22	Project Resubmitted by Applicant	18 days
7/26/22	Project Deemed Complete	14 days
8/5/22	Notice Sent to Newspaper	10 days
8/15/22	Notices Mailed	10 days
8/25/22	Planning Commission Approved Project	10 days

During the Study Session, Staff will walk the Planning Commission through a project review of a project submittal to demonstrate how the Planning Division reviews applications during the Study Session.

Project Review Summary

In summary, once a project is submitted, the plans are routed to the City's DRC for review and comment. Within 30 days of the acceptance of a development application, the City must provide a list of the items that are necessary to be included in the project plans in order to deem the application complete. Subsequent submittals and review by the DRC are required until the project is deemed complete and all DRC comments are addressed. Once the project is deemed complete and all DRC comments are addressed, Staff schedules the project for review by the appropriate reviewing body.

PLANNING COMMISSION QUESTIONS:

Staff does not have any direct questions for the Planning Commission for this item. Rather, Staff will present an overview of project reviews, will demonstrate how the Planning Divisions reviews a development proposal, and invites the Planning Commission to ask questions throughout Staff's presentation.

Permit Streamlining Act and California Environment Quality Act

Required Time-line for Review

Project Submittal

City Review of Application to Determine Completeness

Once an Application is submitted, the project is reviewed for consistency with the General Plan and Municipal Code and to determine if all items listed on the City's submittal checklist have been submitted. All items which are missing and are required to be submitted in order to deem the Application complete must be included in the Notice of Completeness. The Notice of Completeness must be sent to the Applicant within 30 days following the City's acceptance of an Application.

Project Resubmittal

Upon receipt of a formal resubmittal (i.e. full plans sets are submitted to the Planning Division), a completeness review is conducted. A determination on whether or not the Application is complete must be made (or comments sent) within 30 days of a project resubmittal. This phase will continue until the Application is deemed complete.

Project Deemed Complete

Within 30 days of a project submittal, or resubmittal, a project is deemed complete unless a letter noting the missing items is sent to the Applicant.

CEQA Determination

Within 30 days of deeming an Application complete, the City must determine if further review pursuant to CEQA is required.

Further CEQA Review

If a Negative or Mitigated Negative Declaration is required to review the potential environmental impacts related to a project, the Negative or Mitigated Negative Declaration must be completed 180 days following the completeness determination.

If an Environmental Impact Report is required, the Environmental Impact Report must be completed within one year of determining the project complete.

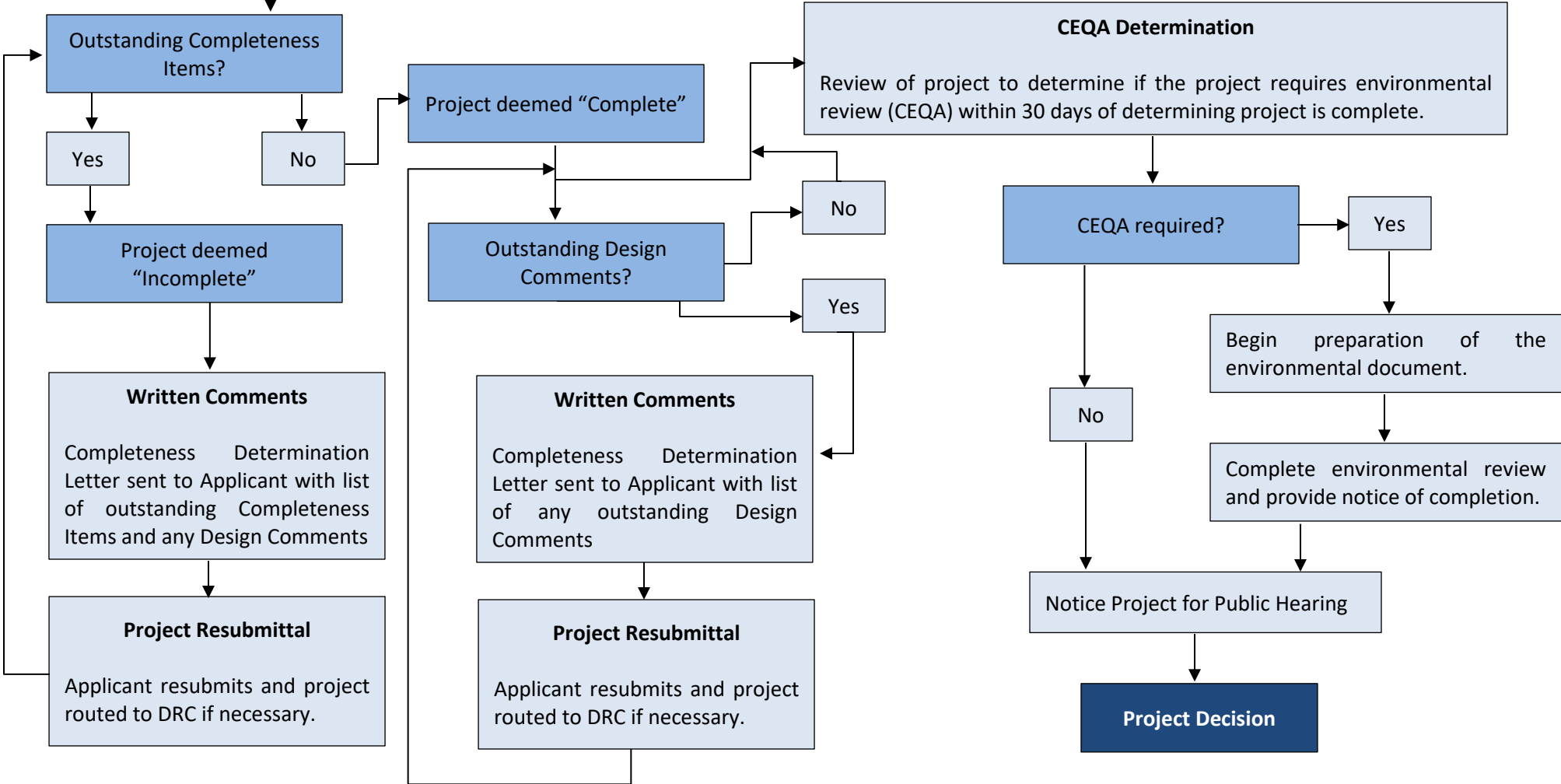
Action

The City must take a final action on a project within the following timeframes (Government Code Section 65950):

- 60 days from the determination that the project is exempt from CEQA
- 60 days from the adoption of a Negative Declaration for the project
- 60 -180 days, from the certification of an Environmental Impact Report depending on certain project criteria.

Submittal of Project
(Requires and appointment, plans, application, and application fee)

Project Routing
Project is assigned to a Planner (within 3 days) and routed to DRC for Comments. DRC reviews the project and determines if the project is complete, if any additional information is necessary for review (Completeness Items), and if the project meets the requirements of the General Plan and Municipal Code (Design Comments).





Planning Commission

Study Session Staff Report

February 9, 2023

Study Session Item 2

SUBJECT: **Zoning Ordinance Overhaul** – City of Hollister – A discussion of potential amendments to the Zoning Ordinance related to Planned Developments.

STAFF PLANNER: Eva Kelly, Interim Planning Manager (831) 636-4360
Erica Fraser, AICP, Consulting Planner

ATTACHMENTS:

1. Section 17.24.200, Planned Development
2. Planned Development Requirements in Other Jurisdictions
3. Example of a Planned Development Ordinance – Salinas
4. Example of a Planned Development Ordinance – Morgan Hill

RECOMMENDATION: Provide Staff with Direction

PURPOSE OF THE STUDY SESSION:

Tonight's discussion with the Planning Commission is intended to aid Staff in the preparation of a new Chapter in the Zoning Ordinance related to Planned Development. As part of Phase IIB of the Zoning Ordinance Overhaul, Staff will completely overhaul Chapter 17.24, Administration and Enforcement, which includes Section 17.24.240, Planned Developments.

Phase IIB of the Zoning Ordinance Overhaul includes a rewrite of each permit type and section to clearly identifying what types of projects require review, modifications for clarity, and to make this Section more user friendly for residents as well as developers. Amendments to Zoning Ordinances are common. Cities regularly amend and update their Zoning Ordinance for clarification, for consistency with State Law, to address changing conditions within the City, for consistency with best practices for Planning, and to change the permit types and projects that require permits prior to Building Permit.

A brief discussion of Planned Developments and questions to the Planning Commission are provided in this Staff Report. All questions are also included at the end of the Staff Report to guide discussion during the Study Session.

PLANNED DEVELOPMENTS

The purpose of a Planned Unit Development is to allow greater flexibility than would otherwise be allowed by the Zoning Ordinance, in exchange for innovative or interesting designs or layout, the preservation of open space or other amenity.

The City's regulations for Planned Developments can be found in Section 17.24.240 (Attachment 1) of the Zoning Ordinance. The regulations for Planned Developments must be completely rewritten as part of the Overhaul. The existing regulations are confusing, vague, are technically only allowed for very specific projects (Section 17.24.240 (B)), and contains errors (for example it requires conformance with the Zoning Ordinance and the purpose of a Planned Development is to allow something that would otherwise not be allowed due to the inherent rigidity of a Zoning Ordinance). Additionally, this Section conflicts with the provisions of Section 17.14.120, Residential Performance Overlay Zoning District. As written, the Planned Development section of the Zoning Ordinance is difficult for Staff to understand and enforce in a consistent manner.

Conditional Use Permit

In the City of Hollister, a Planned Development is approved by means of a Conditional Use Permit.

A Conditional Use Permit is intended to provide relief from a strict application of the requirements of the Zoning Ordinance in order to provide flexibility in the permitted (by right) uses within a City. Typically, a City will provide a list of permitted uses in each Zoning District as well as uses which are not permitted by right, but where a Conditional Use Permit may be obtained in order to operate the use (or business) For example, in the General Commercial (GC) Zoning District, a convenience store is a permitted use, but a convenience store with gas pumps is a conditional use. Section 17.24.200(A) of the Hollister Zoning Ordinance states:

"Purpose. Conditional Use Permits are intended to allow for activities and uses that are unique and whose effect on the surrounding environment cannot be determined prior to being proposed for a particular location. At the time of Application, a review of the location, design, configuration, and potential impacts of the proposed use shall be conducted by comparing it to established development standards."

By requiring a Conditional Use Permit, the City can review the layout, parking, design, operational characteristics, and impacts to surrounding uses. The City can then include Conditions of Approval as part of the project approval to ensure that the use operates as proposed and to minimize impacts on surrounding uses. Should the use fail to operate in a manner consistent with the approval, the City can revoke or modify the Conditional Use Permit (Section 17.24.130(H)).

The City of Hollister requires a Conditional Use Permit for Planned Developments. Planned Developments in Hollister are currently only allowed on properties which are designated for residential uses and allows:

- Flexibility in development standards (i.e. setbacks);
- Encourages the development of affordable housing;
- Modifications to density (although the density proposed must comply with the General Plan);

Planned Development requests in the City of Hollister are typically only allowed for relief from setbacks or open space due to the wording of the existing Ordinance.

The use of a Conditional Use Permit to allow for a reduction in development standards is not consistent with the stated purpose of Conditional Use Permits (Section 17.24.200(A)) and is not consistent with best practices in the State of California (see Section below for more information). As part of the overhaul, Staff is recommending that Planned Developments be established through a different method.

Question 1: Is a Conditional Use Permit appropriate for Planned Development requests?

Rezoning or Other Permits

Staff conducted a review of 22 jurisdictions in the surrounding area to determine how each jurisdiction reviews Planned Developments (Attachment 1). Of the 22 jurisdictions surveyed, only 1 processes Planned Developments as a Conditional Use Permit. The remaining require the development be rezoned to Planned Development. The designation of the property once rezoned varies with some jurisdictions rezoning the site to a combining district (i.e. PD/R1) and some simply rezoning to PD.

Planned Development is typically a type of zoning classification. As a zoning mechanism, Planned Developments typically apply to the development of a specific area (there can be more than one parcel) where it is beneficial to the City to permit zoning regulations in a more flexible manner than those established under the base zoning district, and to grant diversification in the location and number of structures and other site qualities.

There are advantages in requiring a rezone for Planned Developments. With a rezone, the City can allow for greater flexibility in design and use (see following discussion topic for more information) than can be allowed currently.

Additionally, if a property is rezoned to Planned Development, the City's Zoning Map is updated accordingly. The map would then show the site has been rezoned to a Planned Development. This is a signal that different development standards or uses apply to the property.

By noting the Planned Development zoning and Planned Development number, the City can provide better identification of the exact regulations for a particular property. Without a rezone, the map just notes the zoning district for the property (i.e. R1, Low Density Residential). For example, the KB Cluster Lots which were just approved with a Planned Development is shown as RWF on the Zoning Map. No indication is given on the map that there are different development standards for this property. A homeowner or designer would not be aware that development standards exist, separate from the standards in the West Fairview Road Specific Plan.

Staff suggests that Planned Developments are approved in conjunction with a Rezone that will rezone an entire development to Planned Development (PD 2023-1 for example). This would provide clarity, empower property owners and designers to easily determine the regulations that apply to their property, and assist Staff in future information requests (Staff can answer questions regarding development standards more accurately and more quickly if the property is rezoned). Additionally, by requiring a rezone, the City of Hollister will be consistent with the method by which Planned Developments are approved in the surrounding areas. Developers who currently work in the City of Hollister also develop projects in neighboring cities where a rezone is required, so the process would be familiar.

The disadvantage of requiring a rezone for a Planned Development is that the process will take longer than it does currently. In order to rezone a property to Planned Development, the Planning Commission would have to make a recommendation to the City Council, the City Council would then make a decision on approving or denying the request. Staff anticipates that this will add approximately one month onto the total timeline for project approval if the project includes a Planned Development request.

Staff has included two sample Ordinances showing how these cities regulate Planned Developments. These two examples are included as Attachments 3 and 4.

Question 2: Should the Planned Development Section of the Zoning Ordinance be revised so that a Planned Development is approved through a rezone?

Commercial and Industrial Uses

Currently, Planned Developments are only allowed for residential uses. As shown in the attached spreadsheet (Attachment 1), some cities allow a Planned Development rezone for residential and non-residential uses. A Zoning Ordinance is inherently inflexible by nature. By allowing a Planned Development on non-residential properties as well as residential properties, the City can allow for greater flexibility in uses (as long as the City determines that the proposed use is consistent with the General Plan). This would allow a project to come forward in which the proposed use is not clearly allowed by the Zoning Ordinance (for example a training facility and residential dwellings on one site).

Staff would like to allow Planned Development zoning and allow for greater flexibility for residential and non-residential uses. Staff believes that this would be beneficial to the community and would allow for greater flexibility in design and allow for uses which might not otherwise be allowed by the City, but is a use that the City determines is appropriate for the site.

This change would also allow development proposals to consider mixed-uses in areas where they might otherwise not be allowed (such as allowing for neighbor-hood scale commercial development in a standard residential zone, for example). All Planned Developments would be subject to discretionary approval so proposals can be regulated and appropriately tailored to the unique situation, but this would open opportunities to advance other City and State policies, such as encouraging complete streets and neighborhoods, improving walkability and access to services in development, among other ideas.

Question 3: Should the City allow for greater flexibility in the “uses” allowed?

Question 4: Should the City allow Planned Developments on land designated for Commercial? Industrial?

PLANNING COMMISSION QUESTIONS:

Staff has prepared the following questions to guide the discussion of modifications to the Planned Development Section of the Zoning Ordinance.

Question 1: Is a Conditional Use Permit appropriate for Planned Development requests?

Question 2: Should the Planned Development Section of the Zoning Ordinance be revised so that a Planned Development is approved through a rezone?

Question 3: Should the City allow for greater flexibility in the “uses” allowed?

Question 4: Should the City allow Planned Developments on land designated for Commercial? Industrial?

Question 5: Are there any additional modifications the Planning Commission would like included in the draft Planned Development Ordinance?

17.24.240 Planned Development Permits.

- A. *Purpose.* The following provisions are intended to: afford maximum flexibility in site planning/property development, design, and density/intensity, while protecting the integrity and character of the residential areas of the City; encourage innovation and the development of affordable housing; and ensure consistency with the General Plan. At the time of application submittal a review of the configuration, design, location and impact of the proposed land use shall be conducted by comparing the use to established development/site standards. This review shall determine whether the permit should be approved by weighing the public need for and the benefit(s) to be derived from the proposed use, against the potential negative impacts it may cause.
- B. *Applicability.* A Planned Development Permit shall be required for all applicable structures and uses permitted by this Zoning Ordinance; however, none shall be required for alterations to an existing single-family dwelling. Specifically, a permit shall be required under the following circumstances:
1. For a new structure or use listed as subject to a "Planned Development Permit" (PD) in the applicable zoning district;
 2. For the change, enlargement, expansion or exterior alteration of an existing structure or use for which a Planned Development Permit has not been issued, excluding an existing single-family dwelling used as a residence; and
 3. For the movement or relocation of any structure, including factory-built and manufactured housing, to any parcel within the City.
- C. *Application Requirements.* An application for a Planned Development Permit shall be filed in compliance with Section 17.24.070 (Application Filing).
- D. *Project Review.* Each Planned Development Permit application shall be analyzed to ensure that the application is consistent with the purpose/intent of this Zoning Ordinance and the City's CEQA Guidelines. To ensure effective implementation of General Plan policies relating to design, each application for a Planned Development Permit shall be reviewed in compliance with subsection E of this section prior to determination by the review authority. Additionally, any application which may result in grading shall require the submittal of preliminary grading plans for review and recommendation by the City Engineer and approval by the review authority.
- E. *Design Review Procedures.* The review of projects for architectural and site plan design is an integral part of the development approval process. Each Planned Development Permit application (including all associated plans and elevations) shall be reviewed to ensure that the application is consistent with: the purpose/intent of this section; all applicable development standards/regulations of this Zoning Ordinance; and any adopted design guidelines/policies that may apply. In addition, applications for Conditional Use Permits and variances are also subject to design review whenever any physical alteration/construction is proposed.
1. *Department Action.* Site plan/design review is initiated when the Department receives a complete application package including all required attachments, plans, specifications, elevations, sample materials, etc. as specified in the application form and any additional information required by the Director in order to conduct a thorough review of the proposed project.

Upon receipt of a complete application, Department staff shall conduct a review of the location, design, site plan configuration and impact of the proposed development by comparing the project plans to established development standards/regulations and any adopted design guidelines/policies. In general, development proposals will be reviewed considering criteria including, but not limited to, the following:
 - a. Compliance with this Zoning Ordinance and all other applicable city ordinances;

-
- b. Desirable site layout and design;
 - c. Compatibility with neighboring property/development;
 - d. Efficiency and safety of public access and parking;
 - e. Appropriate open space and use of water efficient landscaping;
 - f. Consistency with the General Plan; and
 - g. Consistency with any adopted design guidelines and design review policies.
2. *Reference to Design Guidelines/Policies.* In reviewing development/ improvements subject to design review, the Director shall refer to any design guidelines/policies that have been adopted by the Council/Commission in order to provide guidance to applicants seeking to comply with the requirements of this Zoning Ordinance. The Council/Commission may amend the design guidelines/policies whenever it deems it appropriate in order to carry out the purpose/intent of this Zoning Ordinance. Copies of the design guidelines/policies shall be available to the public at the Department.
- The adopted design guidelines are to be used by property owners, developers, architects, landscape architects, and designers in the planning and design of projects in the City. The design guidelines communicate the desired qualities and characteristics of development, and are intended to promote quality design that is compatible with the surrounding neighborhood and implement the General Plan. The design guidelines/policies are used by city staff, the Commission, and the Council as adopted criteria for the review of development proposals subject to design review.
3. *Department Recommendation.* Following completion of its review of a proposed project, Department staff shall provide a written statement of findings/recommendations to the review authority for its consideration simultaneously with a Conditional Use Permit. Department staff may recommend approval, approval with conditions, or disapproval of a project. The report containing findings, recommendations and conditions, shall also be forwarded to the applicant prior to consideration by the review authority.
- Where the findings/recommendations of the staff may substantially alter a proposed development, the applicant may be requested to submit revised plans at the discretion of the Director.
4. *Preliminary Design Concept Review.* The Director may require that a project applicant submit design concept plans for preliminary design review prior to submittal of a formal application for a project deemed significant by the Director. The purpose of the preliminary consultation is to advise the project applicant of applicable design guidelines, design review policies, and other specific design criteria that may affect the design of the project.
- F. *Hearings and Notice.* Upon receipt of a Planned Development Permit application in proper form, a public hearing before the Planning Commission shall be set and notice of the hearing given in compliance with Section 17.24.120 (Public Hearings) of this chapter.
- G. *Decision and Findings.* Following a hearing, if required, the Planning Commission, as outlined in Table 17.24-1, shall record the decision in writing and shall recite the findings upon which the decision is based. The Planning Commission may approve or modify a Planned Development Permit in whole or in part, and shall impose specific development conditions. These conditions shall relate to both on- and off-site improvements that are necessary to accommodate flexibility in site planning/property development, mitigate project-related adverse impacts, and to carry out the purpose/intent and requirements of the respective zoning district. The Planning Commission may approve a Planned Development Permit, only if all of the following findings are made:

-
1. The proposed development is one allowed within the subject zoning district and complies with all of the applicable provisions of this Zoning Ordinance, including prescribed development/site standards/guidelines and any adopted design guidelines;
 2. The proposed development is consistent with the General Plan;
 3. The approval of the Planned Development Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA);
 4. The proposed development would be harmonious and compatible with existing and future developments within the zoning district and general area, as well as with the land uses presently on the subject property;
 5. The subject site is physically suitable for the type and density/intensity of use being proposed;
 6. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety; and
 7. The design, location, size, and operating characteristics of the proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- H. *Expiration.* A Planned Unit Development Permit shall be exercised within two years from the date of approval or the Permit shall become void except when:
1. An extension is approved by the Planning Commission in compliance with procedure for extending a permit found in this Zoning Code; or
 2. An extension is required to allow the expiration date of the Planned Unit Development Permit to be consistent with the expiration date of the Tentative Subdivision Map for the same development project.
- I. *Revocation.* The Planning Commission may revoke or modify a Planned Development Permit in compliance with Section 17.24.130(H) (Revocations) and Article III (Enforcement).
- J. *Performance Guarantee.* The applicant/owner may be required to provide adequate performance security for the faithful performance of any condition of approval imposed by the review authority.

(Ord. 1038, § 2, 2008; Ord. 1071, § 19, 2011)

Jurisdiction	Permit Type	Notes
Dublin	Rezone	Stage 1/Stage 2 (Stage 1 annexation only)
Livermore	Rezone	
Morgan Hill	Rezone	Also allows for a master plan. Combining District
Gilroy	Rezone	
Fresno	CUP	Director Decision
Clovis	Rezone	Not allowed for properties that are zoned industrial. Uses must be the same as underlying district.
Brentwood	Rezone	All PD and regs listed in Zoning Ordinance for each PD. PD1, PD72 in order
Santa Maria	Rezone	Side and Rear Yard Setbacks Only. Plus Freeway signs
San Jose	Rezone	Combined with base district (R1/PD). Administrative PD Permit for modifications to established PD Districts.
San Juan Bautista	Rezone	
Greenfield	Rezone	No Specific Regulations in ZO other than the CC reviews and approves.
Watsonville	Rezone	Combining PD/R1
Salinas	Rezone	
Gonzales	Rezone	
San Benito County	Rezone	Residential only. Combined with base district
Los Banos	Rezone	No Specific Chapter in MC but is a rezone to Planned Development.
King City	Rezone	Requires a Specific Plan prior to approval
Pleasanton	Rezone	
San Jose	Rezone	Combining District. Requires a Community Meeting, then PC and CC
Santa Clara	Rezone	Planned Development - Master Community required.
Paso Robles	Rezone	Only allowed for properties which are 25% affordable, protect a natural feature with a minimum open space area of 1/4 acre, or provide a substantial public amenity such as a significant public plaza, open space, or park and includes a guarantee that the City is not required to maintain it.
Fremont	Rezone	Residential only. Zoned P

18.30.050 - Planned development combining district.

- A. Purpose of the Planned Development Combining District. The purpose of the Planned Development (PD) combining district is to allow for high quality development that deviates from standards and regulations applicable to base zoning districts in Morgan Hill. The PD combining district is intended to promote creativity in building design, flexibility in permitted land uses, and innovation in development concepts. The PD combining district provides land owners with enhanced flexibility to take advantage of unique site characteristics and develop projects that will provide public benefits for residents, employees, and visitors.
- B. Where Allowed. The PD combining district may be applied to any property in Morgan Hill with an area of 1 acre or more.
- C. Permitted Land Uses.
 - 1. Permitted land uses in each PD combining district shall conform to the PD master plan that applies to the property.
 - 2. Permitted land uses may deviate from the land use regulations of the applicable base zoning district provided the PD combining district allows only those land uses permitted in the applicable general plan land use designation.
- D. Development Standards.
 - 1. Development standards (e.g., height, setbacks, building coverage) for each PD combining district shall be established in the applicable PD master plan.
 - 2. Development standards may deviate from development standards in the applicable base zoning district except that the maximum permitted floor area ratio and residential density may not exceed maximums established in the general plan for the applicable land use designation.
- E. Required Approvals.
 - 1. PD Master Plan and Zoning Map Amendment. Establishment of a PD combining district requires approval of a PD master plan and a zoning map amendment.
 - 2. Design Review. A proposed development must receive a design permit as required by Section 18.108.040 (Design Permits). All development and land uses within a PD combining district shall be consistent with the approved PD master plan.
- F. Preliminary Review.
 - 1. When Required. Prior to submittal of an application for a PD rezoning and PD master plan, an applicant must receive preliminary input from the planning commission on the proposed planned development project.
 - 2. Application. A preliminary review application for a proposed planned development project

shall be submitted with the development services department in accordance with Chapter 18.104 (Common Permit Requirements). The application shall include, at a minimum, the following information and materials:

- a. A statement describing the proposed project and how it complies with the findings required for the approval of a planned development project in Section 18.30.050.H.7 (Findings).
 - b. Project plans, diagrams, and graphics as needed to illustrate the overall development concept, including proposed land uses, buildings, circulation, open space, and any other significant elements in the project.
3. Public Hearing. The planning commission shall consider the preliminary review application and a public hearing noticed in accordance with Section 18.104.090 (Notice of Hearing).
4. Preliminary Input.
 - a. The planning commission shall provide preliminary input on project compliance with findings required for the approval of a Planned Development project in Section 18.30.050.H.7 (Findings).
 - b. Planning commission input shall not be construed as a recommendation for approval or denial of the project. Any recommendation to the applicant is advisory only and shall not be binding on either the applicant or the city.
- G. Planned Development Rezoning.
 1. General Procedures and Requirements. Establishing a PD combining district requires city council approval of a zoning map amendment in accordance with Chapter 18.114 (Zoning Code Amendments). All requirements for zoning map amendments in Chapter 18.114 apply to the establishment of a PD combining district.
 2. Timing. The city council shall act on the zoning map amendment concurrently with the PD master plan. A PD combining district may be established only with concurrent approval of a PD master plan.
 3. Reference to PD Master Plan. The ordinance adopted by the city council establishing a PD combining district shall reference the PD master plan approved concurrently with the zoning map amendment.
- H. PD Master Plans.
 1. Review Authority. The city council takes action on PD master plan applications following recommendation from the planning commission.
 2. Timing. A PD master plan application shall be submitted within one year of preliminary review for the proposed project. If an application is not submitted within one year of preliminary review, the applicant shall compete a second Preliminary Review process prior

to submitting the PD master plan application.

3. Application Submittal and Review.

- a. PD master plan applications shall be filed and reviewed in compliance with Chapter 18.104 (Common Permit Requirements). The application shall include the information and materials required by the development services department and the information required by Paragraph 4 (Application Materials) below.
- b. If the property is not under a single ownership, all owners must join the application, and a map showing the extent of ownership shall be submitted with the application.
- c. It is the responsibility of the applicant to provide evidence in support of the findings required by Paragraph 7 (Findings) below.

4. Application Materials. Applications for approval of a PD master plan shall include the following information and materials:

- a. Project Description. A written description of the project proposed within the PD combining district. The project description shall include a narrative statement of the project objectives and a statement of how the proposed project will comply with general plan goals and policies for the applicable land use designation. An overview of the proposed land use, densities, open space, and parking should be included in the project description.
- b. Community Benefits. A description of how the proposed development is superior to development that could occur under the standards in the existing zoning districts, and how it will achieve a substantial public benefits as defined in Paragraph 8 below.
- c. Site Map. Maps depicting the existing topography, on-site structures and natural features, mature trees, and other significant vegetation and drainage patterns. The map shall show the proposed PD combining district boundaries and all properties within five hundred feet of the site boundary.
- d. Concept Plan. An overall diagram of the project concept. This diagram shall illustrate the overall development concept, including proposed land uses, buildings, circulation, open space, and any other significant elements in the proposed project. Phases shall be clearly indicated if multiple phases are proposed.
- e. Land Use. A map showing the location of each land use proposed within the site, including open space and common areas. The land use map shall be accompanied by a narrative description of permitted land uses, allowable accessory uses, and uses allowed by-right or with a conditional use permit.
- f. Subdivision Map. If the project involves the subdivision of land, a tentative parcel map or tentative map required by Title 17 (Subdivisions) of the Morgan Hill Municipal Code.

- g. Circulation. A map and descriptions of the major circulation features within the site including vehicular, bicycle, pedestrian facilities; traffic flow of internal traffic; and existing and proposed public streets and sidewalk improvements.
 - h. Public Facilities and Open Space. The amount (in square feet or acres) and percentage of site area that will be dedicated for all types of open space, including proposed recreational facilities and amenities; and any public facilities, including public utility easements, public buildings and public land uses.
 - i. Development Standards. All development standards that apply within the project, including:
 - (1) Density and/or intensity;
 - (2) Minimum lot size and dimensions;
 - (3) Maximum building coverage;
 - (4) Minimum setbacks;
 - (5) Maximum building heights;
 - (6) Signs;
 - (7) Landscaping;
 - (8) On-site parking; and
 - (9) Other items as deemed appropriate by the planning commission and city council.
5. Planning Commission Review and Recommendation.
- a. The planning commission shall hold a public hearing on the PD master plan application as required by Chapter 18.104 (Common Permit Requirements).
 - b. The planning commission shall recommend to the city council the approval, approval with modification, or denial of the PD master plan application. The recommendation shall be based on the findings in Paragraph 7 (Findings) below.
6. City Council Review and Decision. Upon receipt of the planning commission's recommendation, the city council shall conduct a public hearing and either approve, approve in modified form, or deny the PD master plan. The city council may approve the application only if all of the findings in Paragraph 7 (Findings) below can be made.
7. Findings. The city council may approve an application for a PD master plan if all of the following findings can be made:
- a. The proposed development is consistent with the general plan, zoning code and any applicable specific plan or area plan adopted by the city council.
 - b. The proposed development is superior to the development that could occur under the standards applicable in the existing zoning districts.

- c. The proposed project will provide a substantial public benefits as defined in Paragraph 8 (Substantial Public Benefit Defined) below. The public benefit provided shall be of sufficient value as determined by the planning commission to justify deviation from the standards of the zoning district that currently applies to the property.
 - d. The site for the proposed development is adequate in size and shape to accommodate proposed land uses.
 - e. Adequate transportation facilities, infrastructure, and public services exist or will be provided to serve the proposed development.
 - f. The proposed development will not have a substantial adverse effect on surrounding property and will be compatible with the existing and planned land use character of the surrounding area.
 - g. Findings required for the concurrent approval of a zoning map amendment can be made.
8. Substantial Public Benefit Defined. When used in this section, "substantial public benefit" means a project feature not otherwise required by the zoning code or any other provision of local, state, or federal law that substantially exceeds the city's minimum development standards and significantly advances goals of the general plan. A project must include one or more substantial public benefits to be rezoned as a planned development. The public benefit provided shall be of sufficient value as determined by city council to justify deviation from the standards of the zoning district that currently apply to the property. Examples of substantial public benefits include but are not limited to:
- a. Housing that is affordable to lower-income households.
 - b. Public plazas, courtyards, open space, and other public gathering places that provide opportunities for people to informally meet and gather.
 - c. New or improved pedestrian and bicycle pathways that enhance circulation within the property and connectivity to the surrounding neighborhood.
 - d. Green building and sustainable development features that substantially exceed the city's minimum requirements.
 - e. Preservation, restoration, or rehabilitation of a historic resource.
 - f. Increased transportation options for residents and visitors to walk, bike, and take public transit to destinations and reduce greenhouse gas emissions.
 - g. Publicly accessible parks and open space beyond the minimum required by the city or other public agency.
 - h.

Habitat restoration and or protection of natural resources beyond the minimum required by the city or other public agency.

9. Conditions of Approval. The city council may attach conditions of approval to a PD master plan to achieve consistency with the general plan, zoning code, and any applicable specific plan or area plan adopted by the city council.
- I. Effect of PD Master Plan. All future development and land uses within a PD combining district shall comply with the approved PD master plan.
 1. Land Uses. New land uses may be added in a PD combining district provided the PD master plan identifies the use as a permitted or conditionally permitted land use. Establishing a land use not specifically permitted by the PD master plan would require an amendment to the PD combining district.
 2. Structures. New structures may be added in a PD combining district provided the structures comply with development standards established in the PD master plan (e.g., height, setback, floor area ratio). Design review consistent with Section 18.108.040 (Design Permits) is required for all new development that was not approved with the PD master plan. Development that exceeds development standards in the PD master plan is allowed only with an amendment to the PD combining district.

(Ord. No. 2277 N.S., § 5(Exh. A), 6-6-2018)

Division 13. - Planned Unit Development Permits.

Sec. 37-60.960. - Purpose.

The purpose of this division is to:

- (a) Provide a process for the development of land in order to reduce design rigidity that otherwise would result from strict application of zoning standards and procedures designed primarily for small parcels;
- (b) Ensure orderly and thorough planning and review procedures that will result in quality urban design;
- (c) Encourage variety and avoid monotony in developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenities;
- (d) Encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods and commercial and industrial areas; and
- (e) Allow freedom of design in order to obtain developments which will be a community asset or environmentally superior by equaling or surpassing the quality required by strict application of the zoning regulations. Figure 37-60.90 illustrates the planned unit development permit process.

(Ord. No. 2463 (NCS).)

Sec. 37-60.970. - Relationship to other permits and subdivisions.

- (a) Any use authorized by the underlying zoning district may be included in an approved planned unit development permit consistent with the general plan.
- (b) A planned unit development permit may be granted in combination with any permit authorized by this Zoning Code or subdivision approved in accordance with Chapter 31: Subdivisions of the Salinas Municipal Code.

(Ord. No. 2463 (NCS).)

Sec. 37-60.980. - Development regulations.

- (a) Development regulations shall be as prescribed by the planned unit development permit.
- (b) The total number of dwelling units in a planned unit development shall not exceed the maximum number permitted by the underlying zoning district.

(Ord. No. 2463 (NCS).)

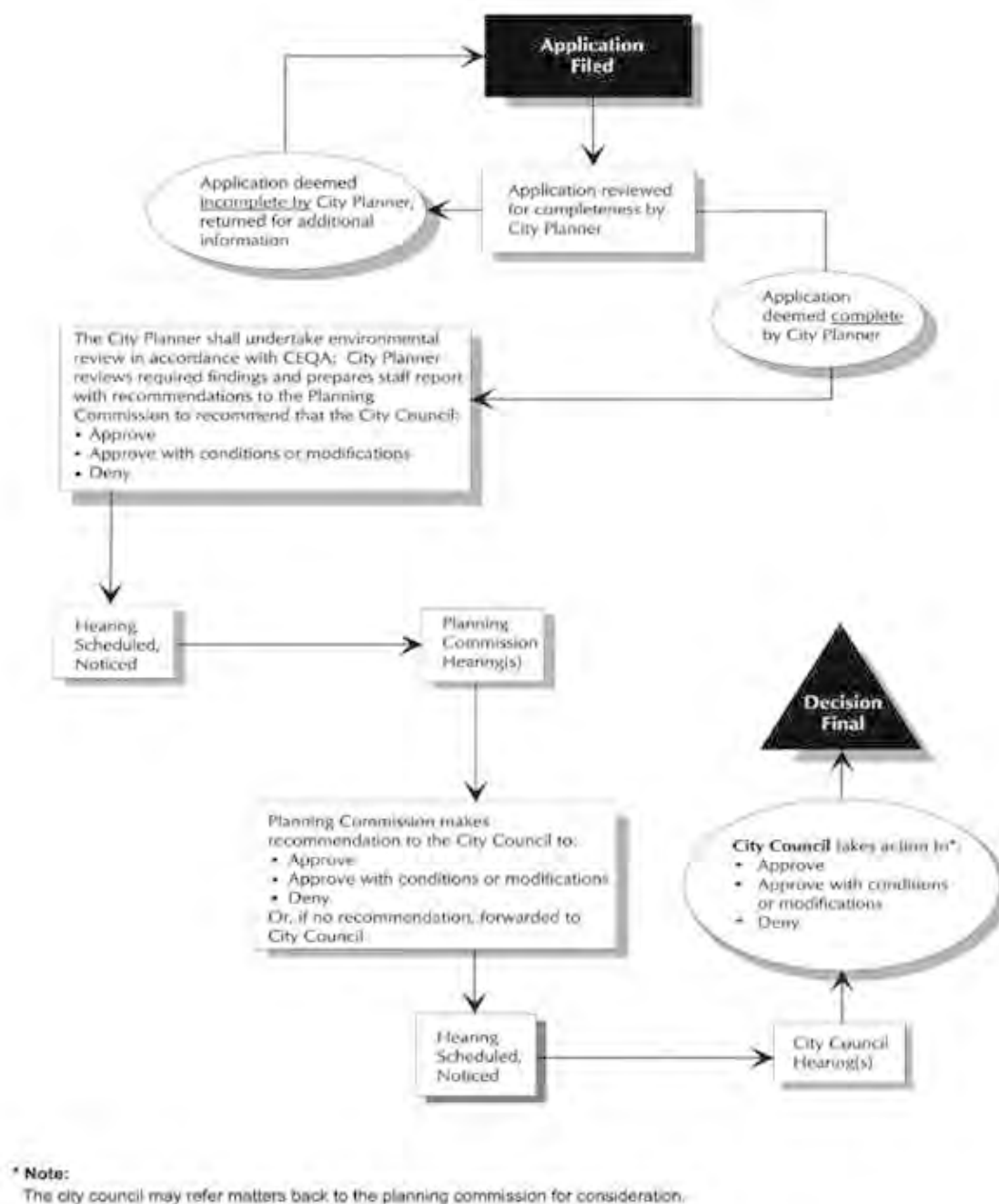


Figure 37-60.90
Process for Planned Unit Development Permits

Sec. 37-60.990. - Application.

An application for a planned unit development permit shall be initiated by submitting an application to community planning and development in accordance with *Division 2: Application Procedures* of this article.

(Ord. No. 2463 (NCS).)

Sec. 37-60.1000. - City planner duties.

- (a) The city planner shall set the time, date, and location of public hearings.
- (b) The city planner shall undertake environmental review in regard to the proposal, and, upon completion of such review and a review of the required findings (*Section 37-60.1030: Required findings* of this division), transmit the application, together with a staff report containing a recommendation to the planning commission and city council, as applicable.

(Ord. No. 2463 (NCS).)

Sec. 37-60.1010. - Planning commission duties.

- (a) Public Hearing Required. Following acceptance of an application, the planning commission shall conduct a public hearing for consideration of the application.
- (b) Notice. Notice of a hearing shall be given in accordance with Division 7: Public Hearing Notice of this article.
- (c) Public Hearing. The planning commission shall conduct the public hearing and hear testimony for and against the application. A public hearing may be continued without additional public notice.
- (d) Decision.
 - (1) Following the conclusion of a public hearing, the planning commission shall make a written recommendation to the city council to approve, approve with conditions or modifications, or deny the application as submitted or in modified form and shall make written findings supporting the reason for the recommendation in accordance with *Section 37-60.1030: Required findings* of this division.
 - (2) In the event that the planning commission is unable to make a recommendation to the city council on the application because a motion on the application fails to receive a majority vote resulting in no action being taken by the planning commission, the application shall be forwarded directly to the city council with a record of the planning commission's vote and the proceedings thereon.

(Ord. No. 2463 (NCS).)

Sec. 37-60.1020. - City council duties.

- (a) Public Hearing Required. After the planning commission provides a recommendation on the application for a planned unit development permit, the city council shall hold a public hearing on the application.
- (b) Notice. Notice of a hearing shall be given in accordance with Division 7: Public Hearing Notice of this article.
- (c) Public Hearing. At the time and place set for the public hearing, the city council shall consider the recommendations of the planning commission and shall hear evidence presented for and against the proposed planned unit development permit. The city council may continue a public hearing without additional public notice.
- (d) Decision. Following the conclusion of the public hearing, the city council shall approve, modify, or reject the planning commission's recommendation, provided that a substantial modification not previously considered by the planning commission shall be referred to the planning commission for a written recommendation prior to consideration of an amendment (such a modification may require additional environmental review in accordance with CEQA if determined applicable by the city planner). Prior to the adoption of the planned unit development, the city council written findings supporting the reason for the decision in accordance with Section 37-60.1030: Required findings of this division.

(Ord. No. 2463 (NCS).)

Sec. 37-60.1030. - Required findings.

The planning commission, prior to making written recommendations to the city council, and the city council prior to approving or approving with conditions or modifications a planned unit development permit shall, on the basis of the application and testimony submitted, make all of the following findings:

- (a) The location of the planned unit development is in accord with the objectives of this Zoning Code and the purposes of the district in which the site is located;
- (b) The planned unit development and the proposed conditions under which it would be developed or maintained are consistent with the Salinas general plan, applicable specific plan, and other plans and policies adopted by the Salinas city council and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the planned unit development, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city; and
- (c) The planned unit development does not represent an exception to the standards of this Zoning Code but rather an alternative resulting in an equal or superior design in

comparison to development, which strictly complies with base district property development regulations.

(Ord. No. 2463 (NCS).)

Sec. 37-60.1040. - Effective date—Appeals.

A planned unit development permit, which has been signed by the permittee(s), returned to the city planner within ninety days from the date of approval, and filed for recordation within the Monterey County recorder's office, shall become effective at the end of the appeal period unless appealed in accordance with Division 17: Appeals of this article.

(Ord. No. 2463 (NCS).)

Sec. 37-60.1050. - Expiration—Transferability—Recordation—Rescission—Revocation.

- (a) Expiration of Approval. A planned unit development permit shall expire one year after its effective date, or at an alternative time as specified in the approval, unless any one of the following occurs first:
 - (1) A building permit has been issued and construction diligently pursued;
 - (2) A certificate of occupancy has been issued;
 - (3) The city planner determines that other substantial action has been commenced to carry out the terms and intent of the planned unit development permit; or
 - (4) The project is one hundred percent very-low or low income or otherwise qualifying pursuant to Civil Code Section 51.3.
- (b) Transferability. A planned unit development permit shall not be affected by changes in ownership.
- (c) Recordation. The city planner shall file a planned unit development permit for recordation with the Monterey County recorder's office.
- (d) Rescission. The city planner may rescind a planned unit development permit in accordance with Section 37-60.1340: Rescission of permits when the city planner determines the following:
 - (1) The project as approved in the planned unit development permit is built-out;
 - (2) The structures and improvements will generally conform to and will not be in conflict with the development regulations of the base zoning district;
 - (3) The use is not a conditional or nonconforming use;
 - (4) There is no mitigation monitoring plan, mitigation measures, or conditions of approval that require on-going monitoring or review that if rescinded would adversely impact the public

health, safety, and welfare; and

(5) The rescission will not have an adverse impact on surrounding land uses.

(e) Revocation. A revocation of a planned unit development permit shall be in accordance with

Section 37-60.1330: Revocation of permits.

(Ord. No. 2463 (NCS).)

Sec. 37-60.1060. - Modified plans.

A request for modification of an approved planned unit development permit shall be subject to the requirements of Division 16: Modification of Approved Plans of this article.

(Ord. No. 2463 (NCS).)