



November 9, 2007

Dennis Tagashira
Planning Manager
City of Hercules
111 Civic Drive
Hercules CA, 94547

RE: Determination of Incompleteness of Development Application for Initial Planned Development Plan No. 07-02 for 39.59 acres site, Hercules, California (Bayfront IPDP)

Dear Mr. Tagashira:

We are in receipt of and have thoroughly reviewed your letter of August 30, 2007 regarding the Determination of Incompleteness of Development Application for Initial Planned Development Plan No. 07-02 for 39.59 acres site, Hercules, California ("IPDP"). There were many good comments with regard to some inconsistencies in our original document and certain other items that we have addressed in our revised IPDP.

In that regard, we are submitting to you a revised IPDP, dated today, addressing areas of major concern such as amendments to the General Plan, Master Plan, Zoning, Hercules Point, project program, affordable housing, urban design issues and planning issues. Further, it appears that some of the requests and comments you made are more appropriately handled in the Final Planned Development Plan, as has been recently clarified in City Council meeting agendas and minutes of other projects we have reviewed. We have attempted to clarify the sequencing of the submittal of materials in our revised IPDP.

While most of our responses to your letter can be found in our revised IPDP, there are several items we wish to address here. Specifically, one of your comments has caused us to further examine our planning process in relation to the Community's and City's Vision that resulted in the Central Hercules Plan and the Waterfront District Master Plan. That comment - ***"6. Modification to the proposed plan which correctly reflects the required location, site plan and road connection to the Inter-modal Transit Center"***, further described in paragraph 31 within the Comments & Questions section of your letter, brings to the forefront questions about the fundamental principles of planning, economic viability and the possibility of implementing the Community's and City's Vision.

We stand by our view that the Inter-modal Transit Center ("Transit Station") is the "center of planning" and we are excited at the notion of accommodating it and furthering the Community's and City's Vision created in 2000. We do not agree, however, that the Station is the most important element of the Waterfront District's urban design. Rather, the principles outlined in the Vision discussed and developed by the Community over the last decade are the most important. These principles are reflected in the following quote from the Vision created in 2000:

"Walkability is the key to the design of the Town Center and its adjacent neighborhoods."

A summary of the Vision principles is as follows:

- Building Placement and Height – create public “rooms” with a minimum of two or three story buildings front main streets, civic squares, or plazas;
- Mixing Land Uses – mix of retail, offices, housing, civic;
- Identifiable Centers and Edges – Primary and Neighborhood;
- Mobility – account for all modes of travel including pedestrians, bikes, transit and finally cars;
- Pedestrian Oriented and Walkable – a wide variety of uses must be available within walking distance and walking must be made comfortable and safe along streets.

The intent of the Vision cannot be implemented by addressing only one of the above principles. In fact, the plan from your consultant, Mr. Szabo, using his own words, is based upon the “big box approach” to transit. That is, it is suburban in concept, with particular focus on accommodating the automobile and it does not consider the balance mandated in the Vision principles. Nor does it address the critically important context of the surrounding neighborhoods, built and planned, or the engineering complexities of the site or the need to be compatible with the creation of a town center or neighborhood plan.

Recently we have met or spoken with the Water Transit Authority, Union Pacific, East Bay Regional Parks, the Capitol Corridor and WestCAT to discuss Block I as our preferred location or specifically our IPDP submitted to you on August 7, 2007. The only specific change recommended by those agencies was the addition of a bus loop, which we are now providing in our updated IPDP (dated November 9, 2007). Further, we were commended on our approach to parking for the transit station, following the guidelines prepared by Nelson/Nygaard and adopted by BART, whereby the order of priority to accommodate transit riders is a) pedestrian, b) transit, c) bicycle, d) pick-up/drop-off; and e) vehicle parking (motorcycles first and single occupant vehicle last).

We have continued to reach out to the community and have been applauded for our intense work and accommodation of the Community’s Vision. As such, our revised IPDP retains the location of the Transit Station on Block I, originally requested by the City and to meet the Vision so strongly articulated by the Community and other public agencies for years.

We are available to discuss this further upon your request.

Best regards,

Hercules Bayfront, LLC
a Delaware limited liability company

By: APL-Hercules, LLC
a Delaware limited liability company
Its: Manager

By: Anderson Pacific, LLC
a Delaware limited liability company
Its: Managing Member

By: 
James R. Anderson
Managing Member