

5th Street Development
1011 Camino Del Mar #258
Del Mar, CA 92014

March 23, 2026

Carla Torres De Luna
Chair
City of Hollister Planning Commission
339 5th Street 95023
Hollister, Ca

**Re: March 26, 2026 Planning Commission
6. Public Hearings – Comments APN 052-090-045 (RZ-W-8)**

Chair and members of the Planning Commission, I am the principal and manager of 5th Street Development, a commercial retail developer focusing on ground up developments in California.

Currently I have applications into the City of Hollister for a new proposed commercial development. The City has identified these as applications:

- S&A 2026-1
- MS 2026-2
- CUP 2026-1

* please note the City may request and require more applications and the above should be noted in general terms.

I attended the Planning Commission meeting on February 26, 2026 and spoke on item *7.1 Review of Proposed Phase 3 Zoning Ordinance Amendment Languge of City of Hollister Zoning Ordinance (ZOA 2025-4)*.

During the above referenced Planning Commission meeting, the commissioners directed staff to:

- providing language for sunset provisions to allow current applications to proceed under current governing processes and requirement like the current General Plan and Zoning Ordinance and code updates.

I do not believe staff has properly provided adequate language and direction as necessary and request this commission further reinforce this request with the direction that updates to the items before you tonight be modified in all locations as needed.

Additionally, I hope members of the Planning Commission will review what is being proposed tonight and ask staff to amend the items below and add our recommendations/changes as this commission recommendation to the City Council.

The requests below should pertain to each item and not individually and we request the changes be read for each item.

- **6.1**
 - 2040 General Plan and Revised Climate Action Plan Adoption Hearing

- We request the Planning Commission choose Option 2 in the list of options and make amendments in your recommendation to the City Council and not accept the language as presented.
 - Please direct staff to make all required changes so **APN 052-090-045** is “General Commercial” in all necessary documents.
 - West Gateway requirements for Housing, density, etc., should not apply to APN 052-090-045 and should be noted.
 - Clarification should be added that 100% commercial projects could be approved, and a proposed commercial project would then not be required to include any residential units or housing.
- **6.2**
 - 6th Cycle Housing Element and Adoption Hearing
 - We request the Planning Commission choose Option 2 in the list of options and make amendments in your recommendation to the City Council and not accept the language as presented.
 - Please direct staff to remove **APN 052-090-045** from the 6th Cycle Housing Element in its entirety. This has been identified as RZ-W-8 in the Housing Element, Appendix F. It is a 2.45-acre site (staff may be working on this change and may be part of the report; if that is the case then we request confirmation of this removal).
- **6.4**
 - Amendments to the Zoning Ordinance related to Implementation of the Goals and Policies of the City’s 6th Cycle Housing Element (ZOA 2026-1)
 - We request the Planning Commission choose Option 2 in the list of options and make amendments in your recommendation to the City Council and not accept the language as presented.
 - Please direct staff to have **APN 052-090-045** designated, classified and in all circumstances as “General Commercial”.
 - Additionally, it should be further clarified APN 052-090-045 will not be required to include any residential and/or housing.
- **6.5**
 - Phase 3 Zoning Ordinance Amendments Related to Permits and Procedures (ZOA 2025-4)
 - We request the Planning Commission choose Option 2 in the list of options and make amendments in your recommendation to the City Council and not accept the language as presented.
 - Section 17.02.030 – “Conformity Required” Please direct staff to add a sentence (before or after) the text in E.1. that will state:
“All land use permit and subdivision applications that have been determined by the Community Development Department to be “incomplete” before the effective date of this zoning ordinance, or any amendment, will be processed in compliance with the requirements in effect when the application was submitted, provided that the application is deemed “complete” for processing within 180 days after the effective date of this zoning ordinance.”

- Please direct staff to make all required changes necessary to allow projects with pending applications to proceed without having to comply with the 2040 General Plan update, Zone Change etc.

Regarding the above; these requests have been made for the following reasons:

- **6.1**
 - 2040 General Plan and Revised Climate Action Plan Adoption Hearing
 - Staff informed my team the project will need to go through a General Plan Amendment and Rezone and designate the property as commercial to proceed. This change can be done quickly now to avoid the delay (cost and time) of going through a rezone and General Plan Amendment later. This would be another year to process, if not more. Making the change now could allow the development to proceed 12-18 months faster.
 - There is a current ban on General Plan Amendments with nothing planned to lift that ban. Making the change now would avoid the delay and hassle of waiting for the ban to be removed.
 - Mixed Use typically allows for flexibility for market conditions. The mixed-use zoning designation in Hollister appears to be a moving target and less flexible and less capable of accommodating commercial projects. Zoning General Commercial with clarifications will allow a commercial development to proceed. Below are a few example of policy changes over the past (6) months.
 - July 2025, I met with David Marione and confirmed the zoning was “mixed use” and could be approved with a 100% commercial project as had been done recently.
 - November City approved mixed use language that required residential be part of commercial.
 - I was not informed in advance.
 - There is no minimum residential or density requirement even though staff insists that a table in the current General Plan requires 20-35 duac. Their interpretation now for my project is inconsistent with recent city practices and past implementation. See staff report to the City Council, dated October 20, 2025.
 - March 2026 Staff informs me mixed use must include 20 residential units/acre. This was after obtaining tenant approval and cost of preparing and submitting all applications (+/- \$40,000 fee to the City)
 - Modifications to West Gateway section (pages LU-29 & 30) in the general plan are not reasonable and should be removed to allow market conditions and review by the Planning Commission and City Council. We request clarification that current applications in West Gateway will not need to comply with the updates before you tonight. As an example, a project may be required to:
 - LU-8.1 requires commercial uses on ground floor only
 - LU 8.8 required 3-story buildings adjacent to the street
 - LU 8.7 rear parking only

City could convert the property to "General Commercial" now through mechanism deemed appropriate by the City Attorney (text amendment or other). This would allow the project to proceed under normal review without having to go through the added cost and delay of waiting for a Rezone and General Plan Amendment and staff interpretation.

- **6.2**
 - 6th Cycle Housing Element and Adoption Hearing
 - City is allowed to make non-policy changes without delaying approval by the City Council of the Housing Element. The report presented by Staff provides a summary from approving the Element through "Certification" but does not allow explanation and confirmation that the City has included within the 6th Cycle Housing element a significant "buffer" for the RHNA. By removing APN 052-090-045 from the Housing element an adequate "buffer" still remains, and no delays will occur with HCD certifying the 6th Cycle Housing Element.
 - We have spoken with the City Manager's office and believe there is agreement that the property can be removed from the 6th Cycle Housing Element.
- **6.4**
 - Amendments to the Zoning Ordinance related to Implementation of the Goals and Policies of the City's 6th Cycle Housing Element (ZOA 2026-1)
 - The language in this paragraph will dramatically reduce and hinder commercial development from occurring on mixed use projects within the City of Hollister. The design and development requirements being added to proposed projects are not reasonable or market. As an example; mixed use West Gateway projects will be required to have no less than 50% of FAR as residential with Density of 30-65 duac. Further, it would require ground floor retail with building on the street and parking in the rear with 3+ story buildings.
- **6.5**
 - Phase 3 Zoning Ordinance Amendments Related to Permits and Procedures (ZOA 2025-4)
 - We request clarification on this process, and current applications will not be required to comply with the updates for a certain period (180 days) and who the approving agency or party will be. It appears ministerial approvals will be handled by staff, who?

Thank You.



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