

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING CITY COUNCIL APPROVAL OF DEVELOPMENT AGREEMENT APPLICATION DA2016-0004: CONDIT- MANA FOR MC 15-18: SAN PEDRO-PRESIDIO (APN 817-12-006)

WHEREAS, the City Council of the City of Morgan Hill has adopted Resolution No. 4028 establishing a procedure for processing Development Agreements for projects receiving allotments through the Residential Development Control System (RDSCS), Title 18, Chapter 18.78 of the Morgan Hill Municipal Code; and

WHEREAS, Sections 65864 through 65869.5 of the California Government Code authorizes the City of Morgan Hill to enter into binding Development Agreements with persons having legal or equitable interests in real property for the development of such property; and

WHEREAS, the Planning Commission, pursuant to Section 18.78.125 of the Morgan Hill Municipal Code, awarded 80 building allotments for Fiscal Year 2017-2018 and 85 allotments for Fiscal Year 2018-2019 for application MC-15-18: San Pedro-Presidio Rental.

WHEREAS, said development agreement request was considered by the Planning Commission at its regular meeting of August 23, 2016, at which time the Planning Commission recommended City Council approval of development agreement application, DA2016-0004: Condit-Mana; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

**NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES
RESOLVE AS FOLLOWS:**

SECTION 1. The proposed project is consistent with the Zoning Ordinance and the General Plan.

SECTION 2. The Planning Commission of the City of Morgan Hill hereby finds that, on the basis of the whole record before it (including any comments received), that there is no substantial evidence that the project will have a significant effect on the environment based on the findings in the Addendum to the Final EIR for the General Plan Amendment to the subject property. This addendum demonstrates that the circumstances, impacts, and mitigation measures identified in the Final EIR remain substantively unchanged by the project-level detail described in the Addendum, and supports the finding that the San Pedro-Presidio Rental Project (proposed project) does not raise any new issues, and does not cause any significant impacts identified in the previous Initial Study to be substantially increased in severity.

SECTION 3. ADOPTION OF DEVELOPMENT AGREEMENT. The Planning Commission hereby recommends to the City Council adoption of the Development Agreement DA2016-0004: Condit-Mana and as contained in the attached Exhibit “A-C.”

PASSED AND ADOPTED THIS 23th DAY OF AUGUST, 2016, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

JENNA LUNA, Deputy City Clerk

Wayne Tanda, Chair

Date: _____