

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL REPORTING UPON THE DISPOSITION OF CERTAIN REAL PROPERTY BY THE SUCCESSOR AGENCY OF THE FORMER MORGAN HILL REDEVELOPMENT AGENCY COMMONLY KNOWN AS SITE 7 AND FINDING THAT SAID DISPOSITION OF REAL PROPERTY CONFORMS TO THE ADOPTED GENERAL PLAN OF THE CITY OF MORGAN HILL

WHEREAS, on September 21, 2016, the Successor Agency to the former Morgan Hill Redevelopment Agency ("Successor Agency") authorized the sale of Site 7, as that site was and is more specifically described within that certain Long Range Property Management Plan previously approved by Successor Agency, the Oversight Board of Successor Agency ("Oversight Board") and the State Department of Finance ("DOF"), and all pursuant to applicable laws; and

WHEREAS, it is anticipated that on September 28, 2016, the Oversight Board will review and concur with such disposition of Site 7; and

WHEREAS, Section 65402 of the California Government Code ("Section 65402") provides that if a general plan has been adopted in a jurisdiction, no real property shall be disposed of until the location, purpose, and extent of such disposition has been submitted to and reported upon by the planning agency of that jurisdiction as to conformity of said disposition with said adopted general plan; and

WHEREAS, the Planning Commission is the planning agency of the City of Morgan Hill with jurisdiction to make the review and report required by Section 65402 in connection with Site 7; and

WHEREAS, the reasons further supporting the adoption of this Resolution by the Planning Commission are set forth in that certain Planning Commission Staff Report entitled, "Finding of General Plan consistency - Successor Agency SALE OF 11,000 S.F. REMNANT PARCEL, SITE 7- EL CAPRI/GATEWAY, APN 764-10- 006, TO MOHAMMAD HABIB, CONSISTENT WITH THE NOVEMBER 2013 LONG RANGE PROPERTY MANAGEMENT PLAN (LRPMP)" (the "Staff Report") submitted to the Planning Commission for its meeting of September 27, 2016, the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, the consideration by the Planning Commission of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the Planning Commission meeting agenda on the date set forth in the Staff Report, or to such date that the Planning Commission may have continued or deferred consideration of this Resolution, and on such date the Planning Commission conducted a duly noticed public meeting at which

meeting the Planning Commission provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

WHEREAS, the disposition of Site 7 is a real property sales transaction resulting in a transfer of title to real property only, with no particular additional development forecasted, planned, or anticipated and will not result in any change in the physical environment such that this action does not constitute a project under the provisions of the California Environmental Quality Act of 1970 and regulations promulgated thereunder.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL AS FOLLOWS:

Section 1. That the Recitals set forth above are true and correct.

Section 2. That, based upon the information set forth above in the Recitals including, without limitation, the information contained in the Staff Report, together with all testimony and other evidence received as a part of the public hearing on the adoption of this Resolution, the Commission hereby finds and reports as follows:

- a. The location of Site 7 is as set forth in the Long Range Property Management Plan previously approved by Successor Agency, the Oversight Board and the DOF; and
- b. The disposition of Site 7 is as described in and is in accordance with the provisions of said adopted Long Range Property Management Plan; and
- c. The disposition of Site 7 will not result in any changes to the City of Morgan Hill's General Plan, Zoning Code, or related land use regulations that are currently applicable.

Section 3. That, based upon the foregoing information contained and referenced in this Resolution, the Planning Commission hereby reports and finds that the disposition of the Site 7 as described herein conforms with the General Plan for the City of Morgan Hill.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Planning Commission of the City of Morgan Hill at its meeting held on this 27th day of September, 2016 by the following vote:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

DATE: _____

CHAIR WAYNE TANDA