

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL GRANTING AN APPEAL SUBMITTED BY PRESIDIO EVERGREEN, LLC FOR RDCS2016-0017: MURPHY-PRESIDIO-EVERGREEN AND REVISING THE FINAL PROJECT SCORE FOR THE 2016 RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) COMPETITION YEAR.

WHEREAS, on September 1, 2016, Presidio Evergreen, LLC (RDCS2016-0017:Murphy-Presidio-Evergreen) submitted an application requesting building allotments pursuant to Chapter 18.78 of the Morgan Hill Municipal Code; and

WHEREAS, Section 18.78.110 of the Municipal Code further prescribes that the Planning Officer (PO) shall evaluate each residential project in accordance with Sections 18.78.115 and 18.78.120 of the Municipal Code and that the PO shall submit final evaluations to the Planning Commission for approval, disapproval or modification; and

WHEREAS, such requests were considered by the Planning Commission at its regular meetings of October 25, 2016 and November 8, 2016, at which time the Planning Commission recommended final scores for each application; and,

WHEREAS, on November 21, 2016, Presidio Evergreen, LLC submitted an Appeal of the Planning Commission's final scores for RDCS2016-0017: Murphy-Presidio-Evergreen; and

WHEREAS, such Appeal was duly noticed by the City and considered by the City Council at its regular meeting of December 14, 2016, at which time the City Council gave all interested persons an opportunity to be heard and provide testimony on the Appeal; and

WHEREAS, the City Council duly considered all testimony received and other information received on the Appeal, including without limitation that certain City Council Staff Report entitled, "Appeal (AAE2016-006) of the Planning Commission's Evaluation of Residential Development Control System application for RDCS2016-0017:Murphy-Presidio-Evergreen," including all attachments thereto (collectively, the "Staff Report"), which Staff Report is incorporated herein by this reference as though fully set forth herein.

NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1: The City Council hereby finds the relevant facts set forth hereinabove true and correct and, in connection with this Appeal, further finds as follows:

- A. In accordance with Section 18.78.110 of the Morgan Hill Municipal Code, the Planning Officer submitted the RDCS evaluation for RDCS2016-0017: Murphy-Presidio-Evergreen to the Planning Commission and the Planning Commission

modified the evaluation on October 25, 2016 and November 8, 2016.

- B.** The City Council has independently reviewed the evaluation of RDCS2016-0017:Murphy-Presidio-Evergreen with Chapter 18.78 (Residential Control System) Article II., Part 2.-Specific Standards and Criteria of the Morgan Hill Municipal Code, and has made adjustments to the final Residential Development Control System score.

SECTION 2: The final score of the Residential Development Control System Project Applications for RDCS2016-0017:Murphy-Presidio-Evergreen is hereby amended.

SECTION 3: Based upon all of the foregoing facts and findings, the City Council hereby grants the Appeal revising the final project score for the 2016 Residential Development Control System competition.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at the Regular Meeting held on the ____ day of _____ by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUCNIL MEMBERS:

ATTEST:

IRMA TORREZ
City Clerk

STEVE TATE, Mayor