



City of Morgan Hill

Legislation Details (With Text)

File #: 15-518 **Version:** 1 **Name:**
Type: Staff Report **Status:** Consent Calendar
File created: 8/10/2015 **In control:** City Council
On agenda: 9/2/2015 **Final action:** 4/1/2016
Title: ADOPT ORDINANCE 2161, NEW SERIES AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT FOR APPLICATION DAA-09-05B: COCHRANE-BORELLO INCORPORATING 15, FISCAL YEAR 2016-17 ALLOCATIONS (APN 728-34-008)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2161 DAA-09-05B Cochrane-Borello, 2. 2161 Exhibit A

Date	Ver.	Action By	Action	Result
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CITY COUNCIL STAFF REPORT MEETING DATE: SEPTEMBER 2, 2015

PREPARED BY: Angie Garcia, City Council Services Assistant/Administrative Services
APPROVED BY: City Manager

ADOPT ORDINANCE 2161, NEW SERIES AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT FOR APPLICATION DAA-09-05B: COCHRANE-BORELLO INCORPORATING 15, FISCAL YEAR 2016-17 ALLOCATIONS (APN 728-34-008)

RECOMMENDATION

Waive the reading, **Adopt** Ordinance No. 2161 New Series, and **Declare** that said title, which appears on the Agenda, shall be determined to have been read by Title and further reading waived.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Maintaining Fiscal Responsibility

2015 Focus Areas

Stimulate Economic Development

REPORT NARRATIVE:

On August 5, 2015, the City Council Introduced Ordinance No. 2161 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Librers, Siebert, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

COMMUNITY ENGAGEMENT: Inform

A 10 day public hearing notice was published in the Friday, July 24, 2015 edition of the Morgan Hill Times and notices were mailed to property owners within three hundred feet of the project pursuant to Government Code Sections 65090-65096.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

A public hearing was held with the Planning Commission on July 14, 2015, at which time the Commission voted 6-0 in favor of recommending City Council approval of the Development Agreement amendment request. The Commission indicated support for allowing this type of Development Agreement Amendment (e.g., amendments to incorporate additional allotments received by a project through successive RDCS competitions) through an administrative process and requested that a provision to allow such extensions be included the next time such a DAA is brought forward. The applicant spoke in support of the requested DAA. No other members of the public spoke on the item.

FISCAL AND RESOURCE IMPACT:

Filing fees were paid to cover the cost of processing the application

CEQA (California Environmental Quality Act):

Project, Description of CEQA requirements

In accordance with Section 15162 of the CEQA Guidelines there is no substantial evidence, in light of the whole record, that the project development agreement as revised may have a significant effect on the environment; therefore no further environmental analysis is required. An Environmental Impact Report (EIR) was adopted for the project and a Notice of Determination was filed. The EIR was adopted prior to action taken to adopt the original project proposal. The custodian of the documents or other material which constitute the record shall be the Community Development Department

LINKS/ATTACHMENTS:

Ordinance 2161
Exhibit A