



# City of Morgan Hill

## Legislation Details (With Text)

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**Title:** APPROVED SITE REVIEW AND USE PERMIT MONTEREY-MCCRANIE: A THREE STORY, 10,000 SQUARE FOOT BUILDING WITH OUTDOOR SEATING AND LANDSCAPING AND USE PERMIT FOR A WINE BAR, AND RESTAURANT LOCATED ON THE SOUTHWEST CORNER OF 2ND STREET AND MONTEREY ROAD (APN 767-07-047)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Planning Commission Staff Report, 2. Site Plans, 3. 20 Presentation, 4. video

Date	Ver.	Action By	Action	Result
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## CITY COUNCIL STAFF REPORT MEETING DATE: OCTOBER 19, 2016

PREPARED BY: Tiffany Brown, Associate Planner  
APPROVED BY: Steve Rymer, City Manager

**APPROVED SITE REVIEW AND USE PERMIT MONTEREY-MCCRANIE: A THREE STORY, 10,000 SQUARE FOOT BUILDING WITH OUTDOOR SEATING AND LANDSCAPING AND USE PERMIT FOR A WINE BAR, AND RESTAURANT LOCATED ON THE SOUTHWEST CORNER OF 2ND STREET AND MONTEREY ROAD (APN 767-07-047)**

### RECOMMENDATION(S)

Receive report on Planning Commission’s action to approve a Conditional Use Permit and Architectural and Site Review.

### COUNCIL PRIORITIES, GOALS & STRATEGIES:

#### Ongoing Priorities

Protecting the environment  
Maintaining fiscal responsibility

#### 2016 Focus Areas

Planning Our Community

## Developing Our Community

### **REPORT NARRATIVE:**

#### **Site Description**

The project site is located on the southwest corner of Monterey Road and West 2nd Street. The property is a 5,000 square foot lot, previously known as the Bike Shop and currently utilized for the downtown mobile pop-up park. The General Plan land use designation for the property is Mixed Use and the Zoning designation is Central Business District (CBD) with a Ground Floor Overlay (GFO).

#### **Project Description**

The project received approval for a Conditional Use Permit for wine bar and restaurant with two full service bars and live entertainment. In addition, a Site and Architectural Review permit was granted for the construction of an approximate 10,000 square foot three story building with roof deck amenity. For more detail on the project, see the Planning Commission Staff Report (Attachment 1) and the project plans (Attachment 2).

#### **Planning Commission Discussion**

The Commission requested two resolutions for the Use Permit (one for the wine bar, and the second for the restaurant) and had discussion regarding the roof deck live entertainment and sound projection during evening hours. Conditions were added to address the volume of the sound, along with a required six month review period. Planning staff is required to provide the Commission a status report on the uses after the businesses have been operating for six months, and provide information on whether complaints have been filed related to noise.

The Downtown Specific Plan requires projects of major significance to complete Site Review before the Planning Commission or the City Council. Since the Use Permit required Planning Commission action, the entire project was reviewed and acted upon by the Planning Commission.

#### **COMMUNITY ENGAGEMENT: Inform**

As part of the Planning Commission hearing, a public notice was sent to property owners within 300 feet of the property, a notice was published in the newspaper, and a sign was posted on the property.

#### **ALTERNATIVE ACTIONS:**

No action required.

#### **PRIOR CITY COUNCIL AND COMMISSION ACTIONS:**

On September 27, 2016, the Planning Commission reviewed and approved (6-0-0-1 with Downey absent) Conditional Use Permit UP2016-0014 and Site Review Permit SR2016-0013, effectively completing entitlements for this project.

#### **FISCAL AND RESOURCE IMPACT:**

The City administers land use entitlement processes on a cost-recovery basis with fees collected from applicants to cover the cost of services. Application fees are collected to cover the cost of processing these applications.

#### **CEQA (California Environmental Quality Act):**

Project, Description of CEQA requirements

In 2009, the Morgan Hill City Council adopted a resolution certifying the Final Environmental Impact

Report (FEIR) for the Downtown Specific Plan. In accordance with Section 15164 of the State Guidelines for Implementation of California Environmental Quality Act (CEQA), the City of Morgan Hill completed an Environmental Assessment which concluded that the project would not result in any new environmental impacts that were not previously disclosed in the FEIR for the Downtown Specific Plan, nor would it result in a substantial increase in the magnitude of any significant environmental impacts previously identified. This project was reviewed by Environmental Assessment, EA-2016-0007.

**LINKS/ATTACHMENTS:**

1. Planning Commission Staff Report
2. Site Plans