



# City of Morgan Hill

## Legislation Details (With Text)

**File #:** 16-846      **Version:** 1      **Name:**  
**Type:** Staff Report      **Status:** Second Reading  
**File created:** 12/19/2016      **In control:** City Council  
**On agenda:** 1/18/2017      **Final action:** 1/18/2017  
**Title:** DEVELOPMENT AGREEMENT, DA2016-0008: PEAK-FINAMORE: A DEVELOPMENT AGREEMENT FOR ONE RESIDENTIAL BUILDING ALLOTMENT FOR A SINGLE FAMILY ATTACHED (DUET) RESIDENCE LOCATED ON THE SOUTHEAST CORNER OF PEAK AVENUE AND CLAREMONT DRIVE (APN 764-36-037)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CC Ordinance-DA, 2. Planning Commission Staff Report, 3. Site Plan, 4. 20 Presentation

Date	Ver.	Action By	Action	Result
1/18/2017	1	City Council	waived reading of the Ordinance	Pass
1/18/2017	1	City Council	introduced	Pass

## CITY COUNCIL STAFF REPORT MEETING DATE: JANUARY 18, 2017

**PREPARED BY:** Richard Buikema, Staff Planner/Community Development  
**APPROVED BY:** City Manager

**DEVELOPMENT AGREEMENT, DA2016-0008: PEAK-FINAMORE: A DEVELOPMENT AGREEMENT FOR ONE RESIDENTIAL BUILDING ALLOTMENT FOR A SINGLE FAMILY ATTACHED (DUET) RESIDENCE LOCATED ON THE SOUTHEAST CORNER OF PEAK AVENUE AND CLAREMONT DRIVE (APN 764-36-037)**

### RECOMMENDATION(S)

1. Open and close public hearing;
2. Waive the first and second reading of Development Agreement Ordinance; and
3. Introduce Development Agreement Ordinance.

### COUNCIL PRIORITIES, GOALS & STRATEGIES:

#### Ongoing Priorities

Protecting the environment  
Maintaining fiscal responsibility

#### 2016 Focus Areas

## Developing Our Community

### **REPORT NARRATIVE:**

The applicant is requesting approval of a Development Agreement to formalize commitments made during the Residential Development Control System (RDCS) process. The Development Agreement will allow for the subdivision of a 0.3 acre site into two lots in accordance with the Residential Detached Medium General Plan land use designation and R-1 7,000 zone district standards. A Tentative Parcel Map (SD2016-0008 Peak-Finamore) is pending administrative approval.

The Development Agreement will establish a development schedule for the project, including a commencement of construction deadline and include other standard City requirements. The project took part in the City's 2015 RDCS competition and was awarded one allotment for Fiscal Year 2017-2018 (Application No. MC-15-09: Peak-Finamore).

The Development Agreement was reviewed by the Planning Commission at its December 13, 2016 meeting at which the Commission held a public hearing. The Planning Commission recommended approval of the Development Agreement to the City Council.

### **COMMUNITY ENGAGEMENT: Inform**

The Morgan Hill Community was informed about the project through public notification, including site signage, newspaper notice, and direct mail to property owners within 300 feet.

### **ALTERNATIVE ACTIONS:**

In addition to denial of the Development Agreement, the City Council could direct staff to make changes to the Development Agreement.

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

On January 12, 2016, the Planning Commission awarded the project one allotment for Fiscal Year 2017-2018 pursuant to the RDCS. On December 13, 2016, the Planning Commission voted unanimously to recommend that the City Council approve Development Agreement DA2016-0008.

### **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. These fees have been collected for the project.

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

Project, Description of CEQA requirements

The project is Categorically Exempt from CEQA in accordance with Section 15303(a) (New Construction of small structures) of the CEQA Guidelines, as the project is for the development of a single duet (single family attached residence) in a residential zone.

### **LINKS/ATTACHMENTS:**

1. Development Agreement Ordinance
2. December 13, 2016 Planning Commission Staff Report
3. Subdivision Plans