



City of Morgan Hill

Legislation Details (With Text)

File #: 17-072 **Version:** 1 **Name:**
Type: Staff Report **Status:** Consent Calendar
File created: 2/2/2017 **In control:** City Council
On agenda: 2/15/2017 **Final action:**
Title: ADOPT ORDINANCE 2232, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING DEVELOPMENT AGREEMENT DA-16-09: DEPOT-SUNSWEEP MORGAN HILL AWARDING 83 MEASURE "A" EXEMPT ALLOTMENTS FOR THE SUNSWEEP PROJECT LOCATED ON THE SOUTH SIDE OF EAST THIRD STREET, WEST OF DEPOT STREET AND NORTH OF EAST FOURTH (APNS 726-13-032, 044, & 054)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2232 Depot-Sunsweet Development Agreement Ordinance, 2. Downtown Specific Plan Addendum

Date	Ver.	Action By	Action	Result
2/15/2017	1	City Council		

CITY COUNCIL STAFF REPORT MEETING DATE: FEBRUARY 15, 2017

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

ADOPT ORDINANCE 2232, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING DEVELOPMENT AGREEMENT DA-16-09: DEPOT-SUNSWEEP MORGAN HILL AWARDING 83 MEASURE "A" EXEMPT ALLOTMENTS FOR THE SUNSWEEP PROJECT LOCATED ON THE SOUTH SIDE OF EAST THIRD STREET, WEST OF DEPOT STREET AND NORTH OF EAST FOURTH (APNS 726-13-032, 044, & 054)

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2232, 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

Protecting the environment

2016 Focus Areas

Planning Our Community

REPORT NARRATIVE:

On February 1, 2017, the City Council Introduced Ordinance No. 2232 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Robinett Jachimowicz, Tate; NOES: Spring; ABSTAIN: None; ABSENT: None.

Adoption of this ordinance would approve a Development Agreement between Sunsweet Morgan Hill LLC and the City of Morgan Hill. The development agreement reserves 83 Measure A allocations for an 83-unit market rate rental project further defined under Ordinance 2231 approving the Precise Development plan for the project. The development agreement also places a two year limitation on the use of the Measure A allocations.

COMMUNITY ENGAGEMENT: Inform

A 10-day public hearing notice was published on Friday, January 20, 2017 in 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. A noticed public hearing was also conducted by the Planning Commission on January 10, 2017.

ALTERNATIVE ACTIONS:

None

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Planning Commission considered the application requests at their January 0, 2017, meeting where they unanimously recommended each application for City Council approval.

FISCAL AND RESOURCE IMPACT:

Application filing fees were paid to cover the cost of processing the applications.

CEQA (California Environmental Quality Act):

Project, Description of CEQA requirements

An Environmental Impact Report (EIR) was adopted and certified for the 2009 Downtown Specific Plan. An addendum has been completed for the proposed mixed use project which concluded the project will be consistent with the development projections analyzed in the EIR for the subject site, and therefore, no further environmental assessment is required. As a condition of approval, the project will be subject to compliance with the mitigation measures of the Downtown Specific Plan EIR. A copy of the addendum is posted [here <http://www.morgan-hill.ca.gov/1591/Addendum-to-the-Downtown-Specific-Plan-E>](http://www.morgan-hill.ca.gov/1591/Addendum-to-the-Downtown-Specific-Plan-E) on the City website.

LINKS/ATTACHMENTS:

Ordinance 2232