



City of Morgan Hill

Legislation Text

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CITY COUNCIL STAFF REPORT **MEETING DATE: DECEMBER 16, 2015**

PREPARED BY: Michelle Wilson, Deputy City Clerk/Administrative Services
APPROVED BY: City Manager

PROVIDE DIRECTION TO STAFF ON INCLUDING ITEM ZA-14-13: PEAK-AMAS ON A FUTURE CITY COUNCIL MEETING AGENDA FOR RECONSIDERATION: A ZONING AMENDMENT TO CHANGE THE CURRENT ZONING FROM R-3(C) CONDITIONAL TO R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT AND CLARIFY COUNCIL DIRECTION FOR FUTURE REQUESTS TO RECONSIDER

RECOMMENDATION(S)

Provide direction to staff on including item ZA-14-13 Peak-Amas on a future City Council meeting agenda for reconsideration.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Fostering a positive organizational culture
Preserving and cultivating public trust

REPORT NARRATIVE:

At the December 2, 2015 City Council Meeting a request was made under public comment by Lesley Miles, representative of the project applicant, to have ZA-14-13: Peak-Amas placed on a future agenda to be reconsidered. No action was taken at that meeting to agendaize the item. At the request of the Mayor, this item is being brought forward for clarification if a member of the Council on the prevailing side wishes to have the item reconsidered.

COMMUNITY ENGAGEMENT: Inform

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

This item was first considered by the City Council on August 5, 2015. The item was tabled with direction to staff to address a limitation on the allowable use of the subject property and to evaluate the potential historic value of the existing site improvements. It was brought back to the November 8, 2015 City Council meeting where the ordinance amending the zoning designation was not approved to be introduced.

The Planning Commission conducted a public hearing on this item at their July 14, 2015 meeting and voted 5-1 to recommend City Council of Zoning Amendment ZA-14-13. Commissioner Mueller voted no and recommended the current R-3 Conditional Zoning remain in place, expressing concern that the proposed rezoning could allow future development of the site with multi-family residential development without further review by the Planning Commission and City Council. The recommended deed restriction described in Section 5 of the attached Zoning Ordinance addresses both the City Council and Commissioner Mueller's concern.

The applicant spoke at the Planning Commission hearing in support of the project. No members of the neighborhood appeared to speak on the project. Following the August 5, 2015 meeting the Mayor and Council members received email messages from the adjacent property owners and a nearby property owner in opposition to the zoning amendment and requesting that the subject property remain under its current use with no expansion of the existing Residential Care Facility for the Elderly.

FISCAL AND RESOURCE IMPACT:

There was no fiscal or resource impact to prepare this report. Additional staff time will be required if the item is reconsidered.

CEQA (California Environmental Quality Act):

Project, Description of CEQA requirements

The project site was reviewed as part of Master Environmental Impact Report for the 2001 general Plan update and has been found complete, correct, and in substantial compliance with the requirements of the California Environmental Quality Act. The Zoning Amendment complies with the General Plan as required by Government Code Section 65860 and as noted in the July 15, 2015 City Council staff report.

LINKS/ATTACHMENTS:

- City Council Policy CP 96-01: Placement of items on the agenda and matters to be reconsidered by the City Council
- November 18, 2015 City Council staff report: ZA-14-13: Peak-Amas