



City of Morgan Hill

Legislation Text

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CITY COUNCIL STAFF REPORT **MEETING DATE: SEPTEMBER 21, 2016**

PREPARED BY: Terry Linder, Interim Planning Manager/Community Development

APPROVED BY: City Manager

DEVELOPMENT AGREEMENT, DA2016-0007: DEWITT-MURRAY - A FOUR LOT SUBDIVISION PROPOSED ON THE SOUTHEAST CORNER OF DEWITT AVENUE AND PRICE DRIVE (APN 773-08-064)

RECOMMENDATION(S)

1. Open/close Public Hearing;
2. Waive the first and second reading of the Development Agreement Ordinance; and
3. Introduce Development Agreement Ordinance.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Protecting the environment

2016 Focus Areas

Developing Our Community

REPORT NARRATIVE:

This application is a request for approval of a development agreement that would allow for the subdivision of a 0.89 acre parcel located on the south east corner of DeWitt Avenue and Price Drive. The site is currently surrounded by single family detached homes to the north, south and west and multi-family development to the east. The site is currently developed with a single family detached home, barn, several out-buildings and orchard trees.

In January 2016, RDCS application MMC 15-07: DeWitt-Murray received three FY 2017-18 allocations allowing for the further division of the parcel into four lots.

Concurrent with the development agreement application, the applicant has requested approval of a four lot subdivision. Subdivision requests of four lots or less are considered parcel maps which pursuant to Municipal Code Section 17.24.060 are subject to the review and approval of the Community Development Director.

Approval of the proposed development agreement will allow for the subsequent approval of the subdivision so the proposed development agreement and subdivision were analyzed with respect to consistency with the: 1) General Plan; and 2) Zoning Ordinance.

1) General Plan

The proposed development agreement will facilitate development that is consistent with the parcel's Residential Detached Low land use designation.

According to the Morgan Hill General Plan, the Residential Detached Low designation is meant to accommodate detached dwellings in residential neighborhoods. The designation allows for up to four dwelling units per acre. The subject parcel was created by the split of a larger 1.57 acre parcel in 2007. Taking the original parcel as a whole (1.57 acres) and the total number of lots (5) resulting from the current and previous subdivision, the number of units per acre is 3.19 which complies with the prescribed density range of the General Plan.

2) Zoning Ordinance

The proposed four lot parcel map (attached for reference) is proposing four lots ranging in size from 9,006 to 10,223 square feet. The proposed lot sizes are 173-342 square feet smaller than the lot sizes shown on the approved PD plan. The reduction in the lots sizes are a result of the southerly shift of Price Drive that occurred with the completion of the adjacent subdivision to the north. The lot size reductions are considered minor and are found to be consistent with the PD plan approved under Ordinance 1644.

A condition of the parcel map approval is the recordation of a development agreement prior to recordation of the final map. Project development agreements are required as a formal contract between the developer and the City. The development agreement formalizes the commitments made during the Measure C process and establishes the project milestone deadlines including the 'commence construction' date. The project specific commitments are identified in Exhibit C of the development agreement and the project milestone deadlines are contained in Exhibit B. The attached development agreement covers the commitments from the project's 2015 RDCS application and the development schedule for the project's three, FY 2017-18 allocations.

City Council approval of the proposed development agreement attached as Exhibit A of the attached ordinance will allow for the approval of the corresponding subdivision which has been found consistent with the General Plan and Zoning.

COMMUNITY ENGAGEMENT: Inform

The proposed project was publicly noticed (mailing to property owners within 300 feet of the project and newspaper legal noticing) for the minimum 10-day period and a sign has been posted at the proposed business location per the Planning Division requirements.

ALTERNATIVE ACTIONS:

The Council could deny the application request or continue the applications with direction.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On August 23, 2016, the Planning Commission held a public hearing to consider the application and unanimously voted (Toombs absent) to recommend City Council approval.

FISCAL AND RESOURCE IMPACT:

Application processing fees were submitted to cover the cost of processing the application requests

CEQA (California Environmental Quality Act):

Categorical Exemption

The proposed development agreement and corresponding administrative subdivision applications are categorically exempt per Section 15315, Minor Land Division.

LINKS/ATTACHMENTS:

1. August 23, 2016 PC report
2. Ordinance with Development Agreement attached
3. Related parcel map