



City of Morgan Hill

Legislation Text

File #: 16-677, Version: 1

CITY COUNCIL STAFF REPORT

MEETING DATE: OCTOBER 19, 2016

PREPARED BY: Terry Linder, Interim Planning Manager/Community Development
APPROVED BY: Steve Rymer, City Manager

**ZONING AMENDMENT, ZA-13-07 AND DEVELOPMENT AGREEMENT, DA-13-05:
W. DUNNE - GERA: A 14-LOT RESIDENTIAL DEVELOPMENT PROPOSED ON A
1.41 ACRE SITE LOCATED ON THE NORTH SIDE OF WEST DUNNE AVENUE, 115
FEET WEST OF THE MONTEREY ROAD AND DUNNE AVENUE INTERSECTION
(APN'S 767-08-035 THROUGH 767-08-038)**

RECOMMENDATION(S)

1. Open/close public hearing;
2. Waive first and second reading of ordinance approving Zoning Amendment;
3. Introduce ordinance approving Zoning Amendment;
4. Waive first and second reading of ordinance approving Development Agreement; and
5. Introduce ordinance approving Development Agreement.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Protecting the environment

2016 Focus Areas

Planning Our Community

REPORT NARRATIVE:

The applicant is requesting approval of a Zoning Amendment to establish a Planned Development overlay zone and adopt a Development Agreement for a 14 lot subdivision, to include eight townhouse units, one duet, three single family residential units and the retention of one existing single family home. The project is on a 1.41 acre site in a D-R-3 zone district, located on the north side of West Dunne Avenue. The General Plan land use designation for the site is Residential Attached Low.

The proposed Zoning Amendment will rezone the property to Downtown R-2 zone district, establish a Planned Development overlay zone and adopt a Precise Development plan for the project which will allow for certain deviations from the development standards of the Downtown R-2 base zone district, including minimum lot size, lot width, depth and maximum lot coverage as shown in Exhibit C of the Ordinance (Attachment 3).

The applicant is requesting approval of a Development Agreement for the project which will commit the project to utilize 11 of the remaining Measure A exempt building allotments, reserved for Downtown projects. The Development Agreement establishes a two year timeframe for the project to utilize the Measure A allotments.

The project was reviewed by the Planning Commission at its September 27, 2016 meeting (staff report attached). The Planning Commission recommended approval of the Zoning Amendment and Development Agreement by the City Council.

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 site.

ALTERNATIVE ACTIONS:

The Council could deny the application requests or continue the applications with direction to applicant and staff.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On March 8, 2016 the applications were considered by the Planning Commission. The project at that time contained 16 units consisting of 11, 3-story townhouse units, two single family attached units and three single family homes. The Commission at that time tabled the application requests and directed the applicant to make the following adjustments to the project:

- Fewer units
- Unit proportions that match surrounding development
- Two-way traffic circulation
- Two story max height
- Retain all significant trees
- Maintain 50 foot setback from the creek
- Preserve the old house
- Preserve the old barn
- Create a common open space parcel.

On July 27, 2016, the City Council adopted the 2035 General Plan which amended the land use designation on the site from Multi-Family Medium (14-21du/ac) to Residential Attached Low (6-16 du/ac). On September 27, 2016, the Planning Commission approved the Mitigated Negative Declaration, Mitigation, Monitoring and Reporting Program and approved the Subdivision application contingent upon the City Council approving the Zoning Amendment request. The Planning Commission unanimously recommended City Council approval of the Zoning Amendment, the Precise Development Plan, and Development Agreement applications.

FISCAL AND RESOURCE IMPACT:

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

CEQA (California Environmental Quality Act):

Project, Description of CEQA requirements

The Planning Commission adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as part of a prior action for the project.

LINKS/ATTACHMENTS:

1. September 27 Planning Commission report
2. Planning Commission Resolution approving the MND and MMRP
3. Ordinance approving the Rezoning and Precise Development Plan.
4. Ordinance approving the Development Agreement
5. Project plans