

REPORT TO THE CITY COUNCIL



DATE: October 2, 2018

TITLE: Second Reading and Adoption of an Ordinance Approving Development Agreement No. 02-18 with Adkan, Adkan & Snell (APN: 667-050-011)

Prepared by: Scott Taschner, Senior Planner

Reviewed by: Daniel Porras, Community Development Director
Jennifer Mizrahi, City Attorney

RECOMMENDATION

Approve Second Reading and adopt an Ordinance of the City Council approving Development Agreement No. 02-18 for the development of a residential subdivision (Mission Creek Trails) development with ancillary uses.

BACKGROUND

On September 18, 2018, the City Council held a public hearing on the draft Development Agreement. The Ordinance (Exhibit 4) was then introduced and approved for first reading with certain conditions added by the City Council during the hearing. Those conditions are as follows:

- The force majeure clause shall be revised;
- The maximum height throughout the future development shall be 35 feet;
- A donation of \$30,000 shall be made at beginning of construction of visitor center;
- The dedication of open space (for the visitor center) shall be one acre, minimum (not up to one acre);
- The wording in the Development Agreement allowing the waiver of future application fees shall be stricken.

As requested previously, the staff report that was submitted to the City Council on September 18, 2018 and Final Draft Conditions of Approval are attached for reference (Exhibit 1 and 2).

The above edits have been made to the Development Agreement, attached hereto as Exhibit 3.

FISCAL IMPACT

The applicant has paid all required fees associated with the development agreement and will pay all fees associated with the required applications and future development entitlements.

EXHIBITS:

- 1) Final Draft Conditions of Approval
- 2) Staff Report from September 18, 2018 (First Reading)
- 3) Ordinance Approving Development Agreement with Adkan, Adkan, & Snell
- 4) Development Agreement No. 02-18, Map & Legal Description