



## Legislation Details (With Text)

**File #:** 17-0472 **Version:** 1  
**Type:** Gen. Bus. - Staff Report **Status:** Agenda Ready  
**In control:** City Council Regular Meeting  
**On agenda:** 12/5/2017 **Final action:**  
**Title:** Request to Extend for Six Months the Director's Authority to Conditionally Allow After-Hours Construction at the Manhattan Village Shopping Center (Community Development Director McIntosh). APPROVE

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Previous Approval for After-Hours Construction, 2. November 2, 2017 Letter from JLL Requesting After-Hours, 3. Municipal Code Section 9.44.030 Construction Hours

Date	Ver.	Action By	Action	Result
12/5/2017	1	City Council Regular Meeting		

**TO:**  
Honorable Mayor and Members of the City Council

**THROUGH:**  
Mark Danaj, City Manager

**FROM:**  
Anne McIntosh, Community Development Director

**SUBJECT:**  
Request to Extend for Six Months the Director's Authority to Conditionally Allow After-Hours Construction at the Manhattan Village Shopping Center (Community Development Director McIntosh).  
**APPROVE**

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### RECOMMENDATION:

Staff recommends that the City Council extend the Community Development Director's authority to approve requests for after-hours construction activities, including exterior work for an additional six months beginning December 6, 2017. At the end of six months, the City Council could extend the Director's authority for an additional period of time.

### FISCAL IMPLICATIONS:

There are no fiscal implications of this action.

### BACKGROUND:

On March 21, 2017, the City Council approved a request for after-hours work for exterior construction on the Center Court refresh clerestory instillation. As part of the approval, the City Council authorized the Director of Community Development to approve additional requests for a period of six months conditioned upon appropriate notice to and review by the residential neighbors in the Manhattan

Village area.

The Director placed a number of conditions on the request for after-hours construction, including a requirement that neighbors be notified and that any potential concerns are addressed prior to the work commencing. (Attachment 1).

On November 2, 2017, JLL submitted a request to extend the approval period for six months (Attachment 2).

#### **DISCUSSION:**

During the past six months, there have been two requests for exterior after-hours construction, including a request to work on the clerestory. Sound wall installation was required in addition to other mitigating conditions. The work on the center court refresh is nearly completed. Staff did not receive complaints during the construction period, although there were one or two reports of random noise when we asked nearby residents about the work being done.

The second request for after-hours was moved to regular daytime construction due to concerns raised by the manager of the Senior Villas.

#### **POLICY ALTERNATIVES**

If the City Council does not grant this request, then each incident of nighttime exterior construction would need to be vetted by the City Council at a regular meeting. This could result in construction delays.

#### **PUBLIC OUTREACH/INTEREST:**

The six designated representatives from the resident's groups at the Village have been notified of the request. A request was made for a meeting with JLL and the City to discuss construction activities. The meeting will have occurred prior to Council's discussion of the after-hours request and staff will provide an update at the Council meeting.

#### **ENVIRONMENTAL REVIEW**

This is not a project under CEQA.

#### **LEGAL REVIEW**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

#### **Attachments:**

1. Previous Approval for After-Hours Construction
2. November 2, 2017 Letter from JLL Requesting After-Hours
3. Municipal Code Section 9.44.030 Construction Hours