



## Legislation Details (With Text)

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**File #:** 19-0062      **Version:** 1

**Type:** Consent - Staff Report      **Status:** Agenda Ready

**In control:** City Council Regular Meeting

**On agenda:** 1/15/2019      **Final action:**

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

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
1/15/2019	1	City Council Regular Meeting		

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

**THROUGH:**  
Bruce Moe, City Manager

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

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

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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 at the Manhattan Village Shopping Center (MVSC), including exterior for the duration of the MVSC expansion project.

**FISCAL IMPLICATIONS:**  
There are no fiscal implications associated with this action.

**BACKGROUND:**  
On March 21, 2017, the City Council approved a request for after-hours work at the MVSC for exterior construction on the Center Court refresh clerestory installation. 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 approval was extended by the City Council for an additional six months in December 2017. The approval was again extended by the City Council for an additional six months on June 6, 2018. The current Manhattan Village Mall expansion project, phase two, is expected to be completed by December of 2020.

#### **DISCUSSION:**

A number of requests for after hours and holiday construction have been granted. Each of the requests has a number of conditions intended to eliminate or reduce potential impacts. No complaints have been made by residents regarding any of the after-hours requests. At this time, in that phase two is expected to be completed in two years, and there have been no complaints, staff is seeking authority to continue the administrative review until its completion.

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.

#### **ENVIRONMENTAL REVIEW**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

#### **LEGAL REVIEW**

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