



## Legislation Text

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**File #:** 18-0220, **Version:** 1

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

**AUTHORIZE DIRECTOR TO ALLOW AFTER HOURS CONSTRUCTION FOR SIX MONTHS**

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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 work, for an additional six months beginning June 6, 2018. At the end of six months, the City Council may extend the Director's authority for an additional period of time.

**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.

On May 9, 2018, JLL submitted a request to extend the approval period for six additional months.

**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.

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. The City Council could also extend the permission for a longer period of time.

**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 City Council's discussion of the after-hours request, and staff will provide an update at the City Council meeting.

**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.

**Attachment:**

1. Letter from JLL (May 9, 2018)