

**RESOLUTION NO. 22-004**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL GRANTING ONE CONCESSION FOR THE MONTEREY-KERLEY PROJECT (DENOVA HOMES), A 93-UNIT MARKET RATE CONDOMINIUM DEVELOPMENT TO BE LOCATED AT 19380 MONTEREY ROAD (APN'S: 726-42-001 AND -002).**

**WHEREAS**, DeNova Homes Inc. submitted an application for the Monterey-Kerley Project (Project) a 93-unit residential development project consisting of attached townhome-style condominiums.

**WHEREAS**, DeNova Homes Inc. has requested one concession for the housing development which includes an increase in the floor area ratio.

**WHEREAS**, the Project is a market rate housing development that includes 15 percent of the units to be restricted for-sale to qualified buyers with moderate- and median-incomes (7 median-income and 7 moderate income).

**WHEREAS**, pursuant to Government Code Section 65915(d)(2)(A), at least 10 percent of the total units will be available to persons and families of moderate income in a common interest development and therefore, is allowed one concession.

**WHEREAS**, the Monterey-Kerley housing development project to be located at 19380 Monterey Road and identified by Assessor Parcel Number's 726-42-001 and 726-42-002 will provide a public benefit of 15 percent of the units deed restricted to moderate- and median-income qualified buyers, or the concession to increase the floor area ratio will become null and void.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:**

**Section 1.** The City Council does hereby find that the foregoing recitals are true and correct.

**Section 2.** The Project is consistent with the Zoning Ordinance and General Plan.

**Section 3.** The City Council of the City of Morgan Hill hereby grants one concession for the Monterey-Kerley housing development project.

**Section 4.** This resolution shall take effect immediately upon adoption.

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**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Morgan Hill  
at a regular meeting held on the 16<sup>th</sup> day of February 2022 by the following vote:

<b>AYES:</b>	<b>COUNCIL MEMBERS:</b>	<b>Gino Borgioli, Rich Constantine, Yvonne Martinez Beltran, John McKay, Rene Spring</b>
<b>NOES:</b>	<b>COUNCIL MEMBERS:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>COUNCIL MEMBERS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>COUNCIL MEMBERS:</b>	<b>None</b>

**APPROVED:**

DocuSigned by:  
*Rich Constantine*  
\_\_\_\_\_  
**RICH CONSTANTINE, Mayor**

**ATTEST:**

DocuSigned by:  
*Michelle Bigelow*  
\_\_\_\_\_  
**MICHELLE BIGELOW, City Clerk**

∞ **CERTIFICATION** ∞

**I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California**, do hereby certify  
that the foregoing is a true and correct copy of Resolution No. 22-004, adopted by the City Council  
at a regular meeting held on February 16, 2022.

**WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.**

**DATE:** 2/17/2022

DocuSigned by:  
*Michelle Bigelow*  
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**MICHELLE BIGELOW, City Clerk**