

ORDINANCE NO.

Adopted by the Sacramento City Council

**APPROVING CITY AGREEMENT NO. 14-____, A DEVELOPMENT
AGREEMENT (MCKINLEY VILLAGE)**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1. Incorporation of Agreement.

This ordinance incorporates the establishment of the development agreement between the City and McKinley Village Investors, LLC and Encore McKinley Village, LLC (hereinafter, collectively the "Landowner"), a copy of which is attached to this ordinance as Exhibit A.

Section 2. Hearing before the Planning and Design Commission.

On March 27, 2014, in accordance with Government Code section 65867 and Sacramento City Code chapter 18.16, the Planning and Design Commission conducted a noticed public hearing on an application to establish a development agreement. During the hearing, the Planning and Design Commission received and considered evidence and testimony. After the hearing concluded, the Planning and Design Commission forwarded to the City Council a recommendation to approve the proposed agreement.

Section 3. Hearing before the City Council; Findings.

On April 29, 2014, in accordance with Government Code section 65867 and Sacramento City Code chapter 18.16, the City Council conducted a noticed public hearing on the application to establish a development agreement. During the hearing, the City Council received and considered evidence and testimony concerning the proposed amendment. Based on the information in the application and the evidence and testimony received at the hearing, the City Council finds as follows:

- a) The development agreement is consistent with the City's general plan and the goals, policies, standards, and objectives of any applicable specific or community plan.
- b) The proposed development agreement will facilitate Landowner's development of the property subject to the development agreement, which should be encouraged in order to meet important economic, social, environmental, or planning goals of the specific or community plan.

- c) Without the development agreement, Landowner would be unlikely to proceed with development of the property subject to the development agreement in the manner proposed.
- d) Landowner will incur substantial costs to provide public improvements, facilities, or services from which the general public will benefit.
- e) Landowner will participate in all programs established or required under the general plan or any applicable specific or community plan and all of its approving resolutions (including any mitigation-monitoring plan) which will benefit the public.
- f) Landowner has made commitments to a high standard of quality and has agreed to all applicable land-use and development regulations.

Section 4. Approval and Authorization.

The City Council hereby approves the establishment of the development agreement. The City Council hereby authorizes the Mayor to sign on the City's behalf, on or after the effective date of this ordinance, the development agreement for McKinley Village.

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Exhibit A – Development Agreement for McKinley Village