

Initiative Measure to be Submitted Directly to the Voters

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

MEASURE TO PRESERVE THE GRANADA THEATER (17440 Monterey Road) AND RESTRICT ITS LOCATION TO ENTERTAINMENT USES The City Council adopted the Downtown Specific Plan ("Plan") on November 4, 2009 that allows either the renovation of the Granada Theater or the establishment of a new cinema downtown. This initiative would specifically preserve the existing Granada Theater and restrict the use of its site to entertainment purposes. The Downtown Specific Plan ("Plan") provides the policies, permitted uses, zoning regulations and design guidelines for the Morgan Hill downtown area. As adopted by the City Council, the Plan has a goal of re-establishing a cinema in downtown Morgan Hill. The Plan would allow the alternatives of either renovating the Granada Theater for cinema/entertainment, or the establishment of a new cinema at another downtown site. In either case, the Plan has the goal of retaining certain aspects of the existing Granada Theater, including its upright sign and marquee, in downtown in association with a cinema or entertainment establishment. This initiative would amend the Plan to specifically preserve the existing Granada Theater by adopting the goal of restoring the Granada Theater, including the retention of the theater facade, signage, lobby and theater. The proposed goal would specifically state that the Granada Theater should not be demolished and its uses would be restricted to entertainment purposes. Moreover, this initiative would include as an action goal the provision of assistance by the Morgan Hill Redevelopment Agency to ensure that the Granada Theater is renovated and reopened as an entertainment venue downtown. This initiative also would amend the Plan and the City of Morgan Hill Zoning Ordinance to restrict the allowable use at the Granada Theater site (17440 Monterey Road) to an entertainment and / or cultural community venue. The preservation of the Granada Theater and the restriction on its use for entertainment purposes under this initiative would be permanent unless or until the restrictions are changed by a later initiative voted on by the voters of Morgan Hill.

Text of proposition: An ordinance requiring the preservation of the Granada Theater as a cultural icon in the City of Morgan Hill and amending the Downtown Specific Plan to include renovation and re-opening of the Granada as an entertainment venue downtown. Further, this ordinance amends the land use designation for The Granada to limit its future use to solely as an entertainment venue, disallowing its re-purposing for housing, retail, office, or any other purpose than entertainment and or community cultural center.

The people of the City of Morgan Hill do ordain as follows:

Initiative Measure Section 1: Findings and Purposes

In approving this initiative measure, the voters of the City of Morgan Hill make the following findings:

- A. Since 1927 there has been a Granada Theater on Monterey Road.
- B. The Granada was built in its current location, 17440 Monterey Rd. in Morgan Hill in 1952 and has served as a cultural center and icon of our City ever since.
- C. Many residents of our City have fond memories of the Granada that are integral to their recollections of growing up in Morgan Hill.
- D. The Granada reflects a period of time when Highway 101 ran through town on Monterey Road and cinema was in its prime in American culture.
- E. Many cities throughout California have renovated their downtown theaters to serve as centerpieces to a downtown revitalization plan. With roughly 12 such renovations completed in the past 3 years or currently in progress, this is an emerging trend in city planning.
- F. Preserving the Granada as part of a downtown redevelopment is consistent with the City's Downtown Specific Plan, which calls for a downtown theater and creation of a "sense of place" in downtown. Preserving the most recognizable icon in downtown will be integral to achieving both goals.
- G. The Granada is one of the last remaining examples of Art Moderne Theater architecture in America, and the only retro theater in Morgan Hill, and as such is worthy of preservation.

Initiative Measure Section 2: Downtown Specific Plan

The Downtown Specific Plan is hereby amended in the following ways:

Section 2-1 will be updated to reflect the voters passing this measure, amending the Downtown Specific Plan to include renovation and adaptive reuse of the Granada Theater.

Page 2-4, Figure 5 will be updated to reflect the parcel at 17440 Monterey Rd. (in Block 2) approved land use for entertainment only (more specifically than retail in general).

Page 2-5, Land Use and Objectives section will be amended to include the following bullet point: "Restore The Granada Theater, a cultural icon in the

City of Morgan Hill via renovation and re-opening as an entertainment venue and anchor tenant in a revitalized downtown."

Page 2-6, Actions section, 8th bullet point, "Provide Redevelopment Agency assistance to ensure that an operating theater use is retained Downtown. This could involve redevelopment of the Granada Theatre site or in another suitable location." Shall be amended to read, "Provide Redevelopment Agency assistance to ensure that The Granada Theater is renovated and re-opened as an entertainment venue downtown. The rebirth of the Granada as an entertainment center to downtown is integral to the success of revitalizing downtown and retaining a tie to an iconic part of our past."

Page 2-7, Point 2 Entertainment Uses "Entertainment uses are desired. Cinema venues and music provided in conjunction with restaurant dining are most desirable." Shall be amended to read, "Entertainment uses are desired. These include uses such as cinema, comedy, concerts, live stage theater, and live music in conjunction with restaurant dining."

Page 2-16, Block 2, currently reads in part, "Redevelopment of this block may incorporate a remodeled or new Granada Theater for a cinema or entertainment use, however the Specific Plan does not require this, and a cinema on an alternate downtown site is acceptable. Under any scenario, however, it is a goal of the Specific Plan that the existing Granada upright sign and marquee be retained in the downtown, associated with a cinema or entertainment use." Shall be amended to read, "Redevelopment of this block will include the restoration of the Granada Theater as a cinema and/or other entertainment venue, including retention of the facade, signage, lobby and theater. The building can be adapted based on the proposed uses but should not be repurposed for any use other than entertainment and should not be demolished." The remainder of Block 2 language is unchanged.

Initiative Measure Section 3: Land Use Amendment

Due to the integral part the Granada plays in both connecting us to our past and potential anchor tenant for a revitalized downtown, this ordinance hereby modifies the GFO (Ground Floor Overlay) section 18.23 of the municipal code, and the CBD included in the Downtown Specific Plan to include the following language, "The parcel including the Granada Theater, 17440 Monterey Rd. Morgan Hill, CA 95037, is hereby re-zoned for the expressed limited use as an entertainment and or cultural community venue. The property may not be re-purposed for any reason except by overturn of this initiative by the voters of Morgan Hill." This is consistent with Section 4, point 4, below

Initiative Measure Section 4: General Provisions

1. Duration of provisions.

This restriction shall remain in effect in perpetuity or until overturned by City Initiative by the voters of Morgan Hill.

2. Compliance with state and federal laws.

The provisions of this initiative shall apply to the extent, but only to the extent, that they would not violate the Constitution or laws of the United States or the state of California.

If any provision of this initiative is held unconstitutional or violative of any

state or federal law, the invalidation shall not affect the validity of any other provision or application of any other provision. The voters of Morgan Hill declare that the provisions and applications of the provisions of this initiative are severable and would have been enacted as they were even though any other provision or application or applications are held unconstitutional or otherwise violative of law.

4. Amendment or repeal.

The provisions enacted by this initiative were enacted into law by the voters and accordingly, may be amended or repealed only by the voters of the City at a municipal election.

Notice of Intention:

Notice is hereby given by the persons named below of our intent to circulate petitions within the City of Morgan Hill for the purpose of qualifying the Measure to Preserve the Granada Theater and Restrict Its Location to Entertainment Uses for the ballot. A statement of the reasons for the proposed action in the initiative are as follows.

The Granada Theater has been an icon in our community since it was built in 1952 and remains one of the most memorable landmarks in downtown. Preserving a recognizable piece of our downtown as part of the planned redevelopment is consistent with the stated goal of the Downtown Specific Plan to "create a sense of place". What better way to create a sense of place than to retain a key tie to the existing sense of place?

Many cities throughout California have renovated their downtown theaters to serve as centerpieces to a downtown revitalization plan. With roughly 12 such renovations completed in the past 3 years or currently in progress, this is an emerging trend in city planning. We can make this work here in Morgan Hill too.

A renovated Granada Theater will also be more flexible than a new cinema. A renovated Granada will not only re-establish cinema downtown, but also enable a variety of other events like concerts, comedy shows, live theater, etc. Market research shows that people travel to see live entertainment but not for cinema. A renovated Granada can help bring tourism dollars to Morgan Hill. There is no comparable sized live event venue from San Jose to Monterey. A renovated Granada Theater could make Morgan Hill the live music, live entertainment center of the South Valley.

A renovated Granada will also be better for Morgan Hill business. Not only will the events that can be hosted at the Granada draw attendees from other cities, those events will also make it much more likely that the attendees will spend money while here. When people attend cinema, there is very little carry over effect for local businesses. They watch a film and go home. When people attend a concert, however, they tend to make a night of it, perhaps going out for dinner, or drinks, or even shopping.

A renovated Granada Theater will be less parking intense than a cinema only. People are willing to walk a reasonable distance when attending concerts and other live events. The same is not true for cinema only. Further, valet parking and other strategies can be used to further alleviate traffic congestion at the Granada. There is a wealth of existing parking options within a 1/2 mile of the Granada that can be effectively used for live events and not for cinema.

We feel that the City Staff's assessment of the Granada for the RDA was flawed, based on a false comparison of renovating the Granada AND building a new cinema. This option is not allowable under the Downtown Specific Plan, which clearly calls for EITHER a renovated Granada OR a new cinema. We feel that an open, fair, public debate of the benefits of a renovated Granada vs. a new cinema is warranted. Further, the Granada is a public asset, owned by the RDA and as such, we feel the community should decide the fate of the building.

Stephen Beard
Pamala Meador

DECLARATION OF CIRCULATOR: (To be hand written by the circulator after the signatures have been obtained.)

I, _____, am registered to vote or am eligible to register to vote in Morgan Hill, California.

Print Name

My residence address is _____

Address, City, State, Zip

I circulated this section and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief,

the genuine signature whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____

Day, Month, Year

Day, Month, Year

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.

Signed this _____ day of _____ at _____ SIGNATURE: _____

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All signers of this petition must be registered to vote in Morgan Hill, California	Official Use Only
1. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
2. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
3. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
4. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
5. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
6. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
7. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
8. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
9. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
10. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	
11. Print Your Name _____ Residence Address _____ Signature As _____ Registered to Vote _____ City _____ Zip _____	