CITY OF MORGAN HILL

Regular Meeting Agenda

Planning Commission

Juan Miguel Munoz-Morris - Chairman
Mohammad Habib - Vice Chairman
Joseph Mueller - Planning Commissioner
Wayne Tanda - Planning Commissioner
Laura Gonzalez-Escoto - Planning Commissioner
Malisha Kumar - Planning Commissioner
Liam Downey - Planning Commissioner

Tuesday, February 11, 2020 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Pursuant to Government Code Section 54954.2

PLEDGE OF ALLEGIANCE

OPEN PUBLIC COMMENT PERIOD

Members of the public are entitled to address the Planning Commission concerning any item within the Morgan Hill Planning Commission's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the Planning Commission is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

ORDERS OF THE DAY

CONSENT AGENDA

1. **APPROVE THE NOVEMBER 18, 2019 MEETING MINUTES**

   Recommendation:

   Approve Minutes.

2. **APPROVE THE JANUARY 28, 2020 MEETING MINUTES**

   Recommendation:

   Approve Minutes.

PUBLIC HEARINGS

3. **PRELIMINARY REVIEW APPLICATION SR2019-0038: COCHRANE – MORGAN HILL RETAIL VENTURE CENTER: A PRELIMINARY REVIEW OF A PROPOSED PLANNED DEVELOPMENT AMENDMENT FOR THE COCHRANE COMMONS RETAIL CENTER AND ASSOCIATED LAND. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBERS: 728-37-056, -069, AND -041, ARE LOCATED ON THE NORTH WEST CORNER OF HIGHWAY 101 AND COCHRANE ROAD.**

   Recommendation:

   Planning Commission to provide preliminary comments on the proposed plan.

OTHER BUSINESS

DIRECTOR'S REPORT/ANNOUNCEMENTS

ADJOURNMENT

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the legislative body less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the legislative body. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the Commission concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Commission Chambers, and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the Commission on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the Commission.

Persons interested in proposing an item for the Commission agenda should contact a member of the Commission who may plan an item on the agenda for a future Commission meeting. Should your comments require Commission action, your request may be placed on the next appropriate agenda. Commission discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the Commission, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of Commission Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email cityclerk@morganhill.ca.gov.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

DRAFT

CITY OF MORGAN HILL

Meeting Minutes
Planning Commission

Juan Miguel Munoz-Morris	-	*Chairman*
Mohammad Habib	-	*Vice Chairman*
Joseph Mueller	-	*Planning Commissioner*
Wayne Tanda	-	*Planning Commissioner*
Laura Gonzalez-Escoto	-	*Planning Commissioner*
Malisha Kumar	-	*Planning Commissioner*
Liam Downey	-	*Planning Commissioner*

Monday, November 18, 2019 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL MEETING

A Special Meeting of the Planning Commission is called at 7:00 p.m. for the purpose of conducting City business.

CALL TO ORDER

Chair Munoz-Morris called the meeting to order at 7:01 p.m.

ROLL CALL ATTENDANCE

Attendee Name	Title	Status	Arrived
Juan Miguel Munoz-Morris	Chairman	Present	
Mohammad Habib	Vice Chairman	Present	
Joseph Mueller	Planning Commissioner	Present	
Wayne Tanda	Planning Commissioner	Present	
Laura Gonzalez-Escoto	Planning Commissioner	Absent	
Malisha Kumar	Planning Commissioner	Present	
Liam Downey	Planning Commissioner	Present	

DECLARATION OF POSTING AGENDA

Minutes Clerk Luna declared the posting the agenda at 7:02 p.m.

PLEDGE OF ALLEGIANCE

Planning Commissioner Tanda led the Pledge of Allegiance at 7:02 p.m.

OPEN PUBLIC COMMENT PERIOD

Chair Munoz-Morris opened the Public Comment Period at 7:02 p.m. Hearing requests to speak, the Public Comment Period was closed.

ORDERS OF THE DAY

No changes made.

PUBLIC HEARINGS

1. ZA2019-0015: ZONING AMENDMENT AMENDING CHAPTER 18.84: ACCESSORY DWELLING UNITS AND UPDATING DEFINITIONS IN CHAPTER 18.124 OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING AMENDMENTS MADE TO THE CALIFORNIA PLANNING AND ZONING LAW REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS BY ASSEMBLY BILL 68, ASSEMBLY BILL 881 AND SENATE BILL 13

Recommendation:

1. Open/close the public hearing; and
2. Adopt Resolution recommending City Council approval of the Zoning Amendment.

Principal Planner Adam Paszkowski presented the Staff Report at 7:03 p.m.

Chair Munoz-Morris opened the Public Hearing at 7:29 p.m. Hearing no requests to speak, the Public Hearing was closed.

MOTION:
Adopt a Resolution recommending City Council approval of the Zoning Amendment.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Joseph Mueller, Planning Commissioner
SECONDER:	Wayne Tanda, Planning Commissioner
AYES:	Munoz-Morris, Habib, Mueller, Tanda, Kumar, Downey
ABSENT:	Gonzalez-Escoto

2. PLANNING COMMISSION TO CONSIDER RESIDENTIAL DEVELOPMENT DESIGN STANDARDS (MISC2019-0009) THAT RESPOND TO THE REQUIREMENT OF SB330-GOVERNMENTAL CODE SECTION 65589.5.

Recommendation:

1. Open/close public hearing; and,
2. Adopt a Resolution recommending City Council approval of the Residential Development Design and Development Standards.

Principal Planner Gina Paolini presented the Staff Report at 7:30 p.m.

Chair Munoz-Morris opened the Public Hearing at 7:37 p.m. The following individuals addressed the Planning Commission on various sections of the Design and Development Standards that include: **Inclusionary Housing/Below Market Rate Program** and **Site Planning** - Zoning Compliance:

- Dick Oliver
- Vince burgos
- Rocke Garcia

The Planning Commission meeting recessed at 8:00 p.m.
The Planning Commission meeting reconvened at 8:05 p.m.

The Planning Commission continued with the Public Hearing at 8:07 p.m. The Following individuals addressed the Planning Commission on various sections of the Design and Development Standards that include: **Site Planning** - Orientation to an Existing Street, Intersection Sight Distance/Clear Vision Triangle, Agricultural Buffer, On Site Amenities, Trees, Useable Private and Common Open Space; **Architectural Design Features** - Balconies, Front Porches, 360 Degree Architecture, Exterior Treatments and Materials, Roof Line for Two or More Units, Roof Overhangs, Height and Project Massing, Separate Structures-Attached Projects, Building Colors, Window Design, and Exterior Lighting/ Illumination:

- Dick Oliver
- Rocke Garcia
- Ross Doyle
- Vince Burgos
- David Halvorsen
- Mr. Collier

The Planning Commission meeting recessed at 10:54 p.m.
The Planning Commission meeting reconvened at 10:56 p.m.

MOTION:
To extend the meeting past 11:00 p.m.

RESULT:	**PASSED**
MOVER:	Juan Miguel Munoz-Morris, Chairman
SECONDER:	Liam Downey, Planning Commissioner
AYES:	Munoz-Morris, Mueller, Tanda, Kumar, Downey
NAYS:	Habib
ABSENT:	Gonzalez-Escoto

The Planning Commission continued with the Public Hearing at 11:08 p.m. The Following individuals addressed the Planning Commission on various sections of the Development Standards that include: **Architectural Design Features** - Equipment Screening, Garage Door Design, Driveway/Vehicle Pavement, Multi-family Ground Level Entrances, Multi-family Wall Plane Articulation, Massing for Three Story Buildings or Taller, Trash Enclosures/Solid Waste/Recyclable Materials, Exterior Treatments and Materials; **Site Planning** - Arterial Design and Landscaping, Utility Location and Easement, Landscaping-Parkway/Park Strip Design, Agricultural Buffer; **Pedestrian, Bike and Transit Improvements** - Projects Abutting Undeveloped Land, Off-Street Bicycle and Pedestrian Connections, Complete Streets, Internal Pedestrian Connections, and Continuous Sidewalks:

- Dick Oliver
- David Halvorsen
- Rocke Garcia
- Vince Burgos

Hearing no further requests to speak, the Public Hearing was closed.

MOTION:
Adopt a Resolution recommending City Council approval of the Residential Development Design and Development Standards.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Juan Miguel Munoz-Morris, Chairman
SECONDER:	Mohammad Habib, Vice Chairman
AYES:	Munoz-Morris, Habib, Mueller, Tanda, Kumar, Downey
ABSENT:	Gonzalez-Escoto

DIRECTOR'S REPORT/ANNOUNCEMENTS

Community Development Director Jennifer Carman reminded the Planning Commission of their next meeting which will be held on December 10, 2019.

ADJOURNMENT

There being no further business, Chair Munoz-Morris adjourned the meeting at 12:36 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk

DRAFT

CITY OF MORGAN HILL

Meeting Minutes
Planning Commission

Juan Miguel Munoz-Morris	-	*Chairman*
Mohammad Habib	-	*Vice Chairman*
Joseph Mueller	-	*Planning Commissioner*
Wayne Tanda	-	*Planning Commissioner*
Laura Gonzalez-Escoto	-	*Planning Commissioner*
Malisha Kumar	-	*Planning Commissioner*
Liam Downey	-	*Planning Commissioner*

Tuesday, January 28, 2020 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

Chair Munoz-Morris called the meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

Attendee Name	Title	Status	Arrived
Juan Miguel Munoz-Morris	Chairman	Present	
Mohammad Habib	Vice Chairman	Present	
Joseph Mueller	Planning Commissioner	Present	
Wayne Tanda	Planning Commissioner	Excused	
Laura Gonzalez-Escoto	Planning Commissioner	Present	
Malisha Kumar	Planning Commissioner	Present	
Liam Downey	Planning Commissioner	Present	

DECLARATION OF POSTING AGENDA

Minutes Clerk Luna Declared the Posting of the Agenda at 7:01 p.m.

PLEDGE OF ALLEGIANCE

Planning Commissioner Gonzalez-Escoto led the Pledge of Allegiance at 7:01 p.m.

OPEN PUBLIC COMMENT PERIOD

Chair Munoz-Morris opened the Public Comment Period at 7:01 p.m. The following individuals addressed the Planning Commission:

- Joe Baranowski
- Allen Abrams

Hearing no further requests to speak, the Public Comment Period was closed.

ORDERS OF THE DAY

No changes made.

CONSENT AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Joseph Mueller, Planning Commissioner
SECONDER:	Liam Downey, Planning Commissioner
AYES:	Munoz-Morris, Habib, Mueller, Tanda, Gonzalez-Escoto, Kumar, Downey

1. APPROVE THE OCTOBER 22, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

2. APPROVE THE NOVEMBER 12, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

3. APPROVE THE DECEMBER 10, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARINGS

4. SR2019-0036 JUAN HERNANDEZ - MH MEDICAL PROPERTIES (LILLIAN COMMONS): PRELIMINARY PLAN REVIEW FOR A PROPOSED PLANNED DEVELOPMENT MEDICAL CAMPUS AND MIXED USE PROJECT REFERRED TO AS LILLIAN COMMONS, IDENTIFIED BY APN'S 817-09-039, -040, AND -041, LOCATED ON THE SOUTHEAST CORNER OF BARRETT AVENUE AND JUAN HERNANDEZ DRIVE.

Recommendation:

Planning Commission to provide preliminary comments on the proposed Planned Development.

Principal Planner Adam Paszkowski presented the Staff Report at 7:10 p.m.

Chair Munoz-Morris opened the Public Hearing at 7:24 p.m. The following individuals address the Planning Commission:

- Michael Groves
- Cecily Murray
- Joe Baranowski
- Aaron Scott
- Laura and Jeff Salem

The Planning Commission meeting recessed at 8:12 p.m.
The Planning Commission meeting reconvened at 8:18 p.m.

The Planning Commission continued with the Public Hearing. The following individuals addressed the Planning Commission:

- Michael Groves
- Cecily Murray
- David Clancy

Hearing no further requests to speak, the Public Hearing was closed.

The Planning Commission re-opened the Public Hearing at 9:16 p.m. The following individual addressed the Planning Commission:

- Chris Duarte

Hearing no further requests to speak, the Public Hearing was closed.

No action taken. The Planning Commission provided feedback to the applicant regarding the proposed Planned Development.

RESULT:	**NO ACTION TAKEN**

DIRECTOR'S REPORT/ANNOUNCEMENTS

Community Development Director Jennifer Carman gave the report at 9:34 p.m.

ADJOURNMENT

There being no further business, Chair Munoz-Morris adjourned the meeting at 9:36 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk

CITY OF MORGAN HILL

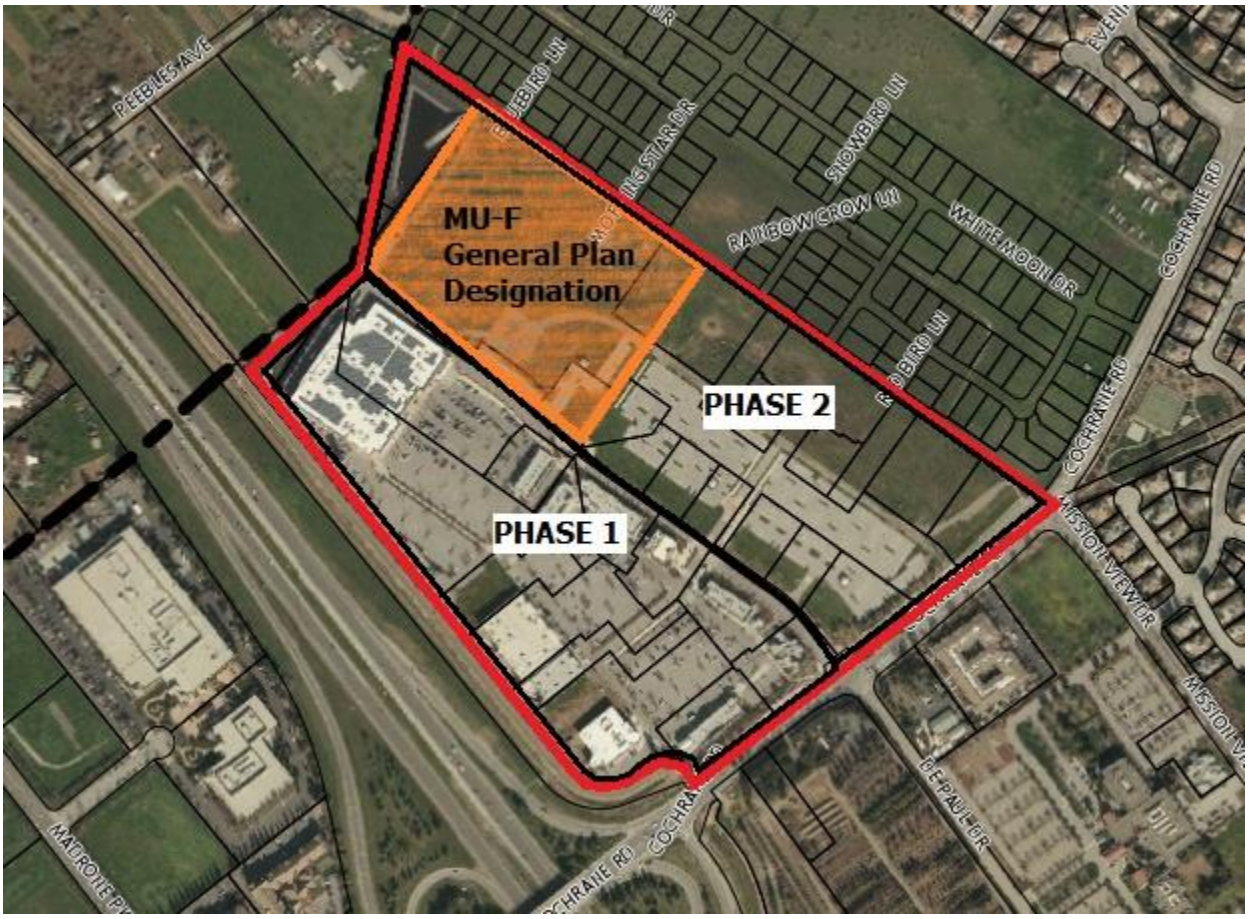
PLANNING COMMISSION STAFF REPORT
MEETING DATE: February 11, 2020

PREPARED BY: Jennifer Carman, Community Development Director
APPROVED BY: Jennifer Carman, Community Development Director

PRELIMINARY REVIEW APPLICATION SR2019-0038: COCHRANE – MORGAN HILL RETAIL VENTURE CENTER: A PRELIMINARY REVIEW OF A PROPOSED PLANNED DEVELOPMENT AMENDMENT FOR THE COCHRANE COMMONS RETAIL CENTER AND ASSOCIATED LAND. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBERS: 728-37-056, -069, AND -041, ARE LOCATED ON THE NORTH WEST CORNER OF HIGHWAY 101 AND COCHRANE ROAD.

RECOMMENDATION(S)
Planning Commission to provide preliminary comments on the proposed plan.

LOCATION MAP:



PROJECT SUMMARY:

1. Location:	Northeast corner of Highway 101 and Cochrane Road identified by Assessor Parcel Numbers: 728-37-056, -069, and -041
2. Site Area:	66.49± Acres
3. General Plan:	Commercial and Mixed-Use Flex
4. Zoning:	Highway Commercial & Mixed-Use Flex - PD (Planned Development Combining District)
5. Request:	Request for a Preliminary Review of a proposed Planned Development Amendment for the Cochrane Commons Retail Center and Associated Land.

BACKGROUND:

The Planned Development Combining District (PD) and associated Master Plan Overlay for the project site was established by City Council Ordinance No 1746, New Series on November 5, 2005 (Attachment 1). Phase 1, located on the west side of the property, has been constructed, with several sites still remaining before final buildout. Phase 2, occupying the eastern half of the property, has yet to develop, although the parking lot area and trash dumpsters were constructed along with Phase 1 many years ago.

The General Plan land use designation for Phase 1 of the shopping center is Commercial. The General Plan land use designation for the northeastern portion of Phase 2 next to Target was changed to Mixed Use Flex (MU-F) at the request of the property owner as part of the 2016 update of the Morgan Hill 2035 General Plan. Base zoning for the entire site is Highway Commercial (HC). A Planned Development Combining District has been applied to the entire site that serves as the zoning district that governs uses and development standards on the overall site.

As required by Section 18.30.050 (Planned Development Combining District) of the Morgan Hill Municipal Code, the applicant submitted an application for preliminary input from the Planning Commission on the proposed planned development project.

PROJECT DESCRIPTION:

The applicant seeks to modify the approved Planned Development Combining District and the associated Master Plan (Attachment 2) to modernize the mix of land uses in the Cochrane Commons Shopping Center. The approved center originally included over 650,000 square feet of commercial (12 major retail tenants and 50 smaller restaurants and shops). Based on changed market conditions, the applicant has requested to amend the approved Planned Development Combining District language to conform with the underlying Mixed-Use Flex General Plan designation on a portion of the site and allow for more flexibility in types of land uses allowed in the commercially-designated portion of the site (Attachment 3). Attachment 4 is a matrix comparison of approved versus proposed uses and the uses allowed in the base zoning districts. In

particular, the applicant wants to include market-rate, senior and affordable housing, assisted living, medical and hospitality businesses, recreational and educational uses.

The applicant is also seeking to:

1. Permit a third pylon sign within the Shopping Center near Highway 101;

2. Approve a Tentative Parcel Map consistent with the revised site plan; and,

3. Approve the "Conceptual Elevation Plans" which illustrate the intent of the architectural theme from the existing project to be carried over into the new uses in Phase II.

The plans (Attachment 2) are conceptual with the applicant requesting Planning Commission input regarding uses allowed by-right and overall design of the center.

A further explanation of the applicant's request is provided in the attached Statement of Planning Objectives (Attachment 5).

The City has recently retained Urban Field Studio to help provide guidance regarding urban design and interface in the Northeast Quadrant of the City where several projects are anticipated to be seeking entitlements for development in the next few years. The intent of the contract is provide area-wide design cohesion including public space, pedestrian and bicycle linkages, design consistency for this gateway area, architectural and functional interface specifically for the Trammel Crow Morgan Hill Technology Park, Dividend Homes 30-acre housing development, Cochrane Commons Phase II and preliminary planning for the re-use of the DePaul Health Center campus. While the contract scope will yield some master design concepts intended to assist the City plan for and tie components of many projects together, the City asked for input regarding this site specific preliminary review to start the greater public space and urban design discussion. A letter from Urban Field Studio is included as Attachment 6.

ANALYSIS:

1. Purpose of the Planned Development Combining District

Pursuant to Section 18.30.050.A of the Morgan Hill Municipal Code, "the purpose of the Planned Development (PD) combining district is to allow for high quality development that deviates from standards and regulations applicable to base zoning districts in Morgan Hill. The PD combining district is intended to promote creativity in building design, flexibility in permitted uses, and innovation in development concepts. The PD combining district provides landowners with enhanced flexibility to take advantage of unique site characteristics and develop projects that will provide public benefits for residents, employees, and visitors."

The PD allows a project to deviate from development standards in the base zoning

district (except the maximum floor area ratio and residential density may not exceed maximums established in the General Plan). The exception to this would be application of State mandated density bonus for affordable housing.

Permitted land uses in the PD combining district may deviate from the land use regulations of the applicable base zoning district provided the PD combining district allows only those land uses permitted in the applicable General Plan land use designation. The Preliminary Review hearing provides an opportunity for the Planning Commission and the public to offer input on different uses for the project site. The applicant has provided a set of PUD Guidelines that contains a revised list of land uses (Attachment 3). This list includes refined uses that are consistent with both the Highway Commercial and Mixed-Use Flex General Plan land use designation.

The applicant intends to amend the PD master plan for the entire site. However, SB330 allows the applicant to move ahead separately with housing on the Mixed-Use Flex portion of the site as an individual project built to the density allowed in the General Plan.

2. **Planned Development (PD) Master Plan Findings**

In addition to providing feedback to the applicant regarding their proposed Preliminary Development Plan, the Planning Commission should also provide preliminary input on the proposal's consistency with the PD Master Plan findings in Section 18.30.050.H.7 of the Zoning Code.

<u>18.30.050.H.7 PD Master Plan Findings</u>

a. The proposed development is consistent with the General Plan, Zoning Code and any applicable specific plan or area plan adopted by the City Council;

b. The proposed development is superior to the development that could occur under the standards applicable in the existing zoning districts;

c. The proposed project will provide a substantial public benefit(s) as defined in Paragraph 8 (Substantial Public Benefit Defined) The public benefit provided shall be of sufficient value as determined by the Planning Commission to justify deviation from the standards of the zoning district that currently applies to the property;

d. The site for the proposed development is adequate in size and shape to accommodate proposed land uses;

e. Adequate transportation facilities, infrastructure, and public services exist or will be provided to serve the proposed development;

f. The proposed development will not have a substantial adverse effect on surrounding property and will be compatible with the existing and planned land

use character of the surrounding area; and,

g. Findings required for the concurrent approval of a Zoning Map Amendment can be made.

18.114.060 Findings for approval for Zoning Map Amendments

The City Council may approve a zoning code amendment only if all of the following findings are made:

a. Findings for all Zoning Code and Zoning Map Amendments

1. The proposed amendment is consistent with the general plan and any applicable specific plan as provided by Government Code Section 65860.

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

b. The affected site is physically suitable in terms of design, location, shape, size, and other characteristics to ensure that the permitted land uses and development will comply with the zoning code and general plan and contribute to the health, safety, and welfare of the property, surrounding properties, and the community at large.

Conclusion

Staff recommends the Planning Commission provide feedback regarding the proposed land uses and Preliminary Development Plan. Input is not a recommendation for approval or denial of the project. At this point in project review, any recommendation to the applicant is advisory only and shall not be binding on either the applicant or the City.

California Environmental Quality Act (CEQA):

The Preliminary Review application is not subject to CEQA, as there will be no action taken as this is an information item only. Future development applications will require further environmental review.

Public Engagement

The proposed project was publicly noticed with expanded noticing (mailed to property owners within 600 feet of the project site and display notice placed in the local newspaper) for the minimum 10-day period. Information regarding the meeting was also placed on social media and the City's 411 information email.

LINKS/ATTACHMENTS:

1. City Council Ordinance 1746

2. Project Plans
3. Proposed Revised PUD Guidelines and Use List
4. Land Use Comparison Matrix
5. Statement of Planning Objectives
6. Comment letter from Urban Field Studio

ORDINANCE NO. 1746, NEW SERIES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING A ZONING AMENDMENT TO ESTABLISH A PLANNED UNIT DEVELOPMENT FOR A 66.49-ACRE AREA LOCATED AT THE NORTHEAST QUADRANT OF COCHRANE ROAD AND HIGHWAY 101 (APNs 728-37-001, -002, -004, -005 & -007) (ZA-04-12: COCHRANE – DINAPOLI/BROWMAN)

THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The subject site is designated a 'Sub-regional Commercial Site' on the General Plan Map. The project proposes a sub-regional commercial shopping center, and is therefore, consistent with the Zoning Ordinance and the General Plan.

SECTION 2. The zone change is required in order to serve the public convenience, necessity and general welfare as provided in Section 18.62.050 of the Municipal Code.

SECTION 3. An Environmental Impact Report has been prepared for this project as part of the following applications: General Plan Amendment, Zoning Amendment, Subdivision, Development Agreement, Use Permit and Architectural and Site Plan Review. Mitigation measures and a monitoring program will be adopted for those environmental impacts identified in the report.

SECTION 4. The project site is currently zoned PUD with a HC, Highway Commercial underlying zone.

SECTION 5. Section 18.30.090 of the Morgan Hill Municipal Code establishes minimum development standards for commercial PUDs.

SECTION 6. In accordance with Section 18.30.110 of the Morgan Hill Municipal Code, the City Council may grant exceptions to the minimum PUD development standards upon recommendation of the Planning Commission with the following affirmative findings:

a. Approval of the exception is necessary for the preservation and enjoyment of substantial property rights of the applicant; and
b. The exception will only be approved to the extent necessary for the preservation and enjoyment of the substantial property rights of the applicant; and
c. The effect of the reduction or elimination of the development standard will be substantially mitigated by the provision of other design features or enhancements to the project; and
d. Approval of the exception will not be outweighed by the adverse effects to the public health, safety and welfare of persons working or residing in the area.

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

SECTION 7. On November 8, 2005, the Planning Commission reviewed and recommended approval of the zoning amendment request, including the exceptions to the minimum PUD development standards. In their recommendation of approval, based on evidence and the facts in the record, the Planning Commission made the following affirmative findings:

a. Approval of the exception is necessary for the preservation and enjoyment of substantial property rights of the applicant; and
b. The exception will only be approved to the extent necessary for the preservation and enjoyment of the substantial property rights of the applicant; and
c. The effect of the reduction or elimination of the development standard will be substantially mitigated by the provision of other design features or enhancements to the project; and
d. Approval of the exception will not be outweighed by the adverse effects to the public health, safety and welfare of persons working or residing in the area.

SECTION 8. The project site is one of only two locations in the City designated 'Sub-regional Commercial Site' on the General Plan Map and zoned PUD (Highway Commercial).

SECTION 9. Strict adherence to the city-wide PUD standards would hinder the establishment of an economically and functionally successful sub-regional commercial shopping center at the proposed site, as the city-wide PUD standards did not anticipate a large scale, sub-regional commercial shopping center.

SECTION 10. Therefore, based upon the above reasons, and the evidence and facts in the record in this matter, the City Council hereby approves exceptions to the City-wide PUD development standards for the proposed sub-regional commercial shopping center. The Council hereby finds that:

a. Approval of the exceptions is necessary for the preservation and enjoyment of substantial property rights of the applicant; and
b. The exceptions will only be approved to the extent necessary for the preservation and enjoyment of the substantial property rights of the applicant; and
c. The effect of the reduction or elimination of the development standards will be substantially mitigated by the provision of other design features or enhancements to the project; and
d. Approval of the exceptions will not be outweighed by the adverse effects to the public health, safety and welfare of persons working or residing in the area.

SECTION 11. Based on the foregoing, the City Council hereby approves a precise development plan as contained in that certain series of documents dated August 22, 2005 (date stamped October 21, 2005), on file in the Community Development Department, entitled "A Retail Project – A DiNapoli Browman Guglielmo Development" prepared by Craig+Grant Architects. These

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

documents, as amended by site and architectural review, show the location and sizes of all lots in this development and the location and dimensions of all proposed buildings, basic design, uses, vehicle and pedestrian circulation ways, recreational amenities, parking areas, landscape areas and any other purposeful uses on the project.

SECTION 12. The approved project shall be subject to the following conditions:

a. The applicant shall comply with the mitigation measures of the certified Environmental Impact Report and adhere to the adopted Mitigation Monitoring and Reporting Program.

b. The project shall be subject to compliance with the Cochrane Road PUD Guidelines as attached in Exhibit A of this Resolution. The project shall also be subject to compliance with the city-wide PUD standards as contained in Chapter 18.30 of the Morgan Hill Municipal Code, excluding any exceptions approved by the City Council.

c. The signs identified on the project plans are not approved as part of the zoning amendment application, except that two freeway signs and one monument sign at the corner of Mission View and Cochrane Road are approved as described under Item 46 in the attached Cochrane Road PUD Guidelines. A uniform sign program shall be established for the overall PUD and submitted for review and approval by the Architectural Review Board (ARB).

d. Defense and indemnity. Applicant agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, injuries, costs and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against City by reason of its approval of applicant's project. In addition, developer shall pay all pre-tender litigation costs incurred on behalf of the City including City's attorney's fees and all other litigation costs and expenses, including expert witnesses, required to defend against any lawsuit brought as a result of City's approval or approvals, but shall not be required to pay any litigation from the City. However, developer shall continue to pay reasonable internal City administrative costs, including but not limited to staff time and expense spent on the litigation, after tender is accepted.

SECTION 13. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 14. Effective Date; Publication. This Ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

The foregoing ordinance was introduced at the regular meeting of the City Council of the City of Morgan Hill held on the 16th Day of November 2005, and was finally adopted at a regular meeting of said Council on the 7th Day of December 2005, and said ordinance was duly passed and adopted in accordance with law by the following vote:

AYES:	**COUNCIL MEMBERS:**	**Larry Carr, Mark Grzan, Dennis Kennedy, Greg Sellers, Steve Tate**
NOES:	**COUNCIL MEMBERS:**	**None**
ABSTAIN:	**COUNCIL MEMBERS:**	**None**
ABSENT:	**COUNCIL MEMBERS:**	**None**

ATTEST:

Moira Malone

Moira Malone, Deputy City Clerk

APPROVED:

Dennis Kennedy, Mayor

CERTIFICATE OF THE CITY CLERK

I, MOIRA MALONE, DEPUTY CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1746, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 7th Day of December 2005.

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

DATE: 12-08-2005

Moira Malone

MOIRA MALONE, Deputy City Clerk

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

EXHIBIT A

A Retail Project
Cochrane Road and Highway 101
A Dinapoli Browman Guglielmo Development

PUD Guidelines
Morgan Hill, CA
November 10, 2005

Location

This retail development is located at the northeast quadrant of the Cochrane Road overpass at Highway 101. The Assessor's Parcel Numbers (APN) for the land area within the project are: 728-37-001, 728-37-002, 728-37-004, 728-37-005, 728-37-007.

Introduction and Intent

The intent of this narrative is to describe the architectural theme and site development plans which will guide the future development of this site relative to architectural compatibility, site design, landscape features, and signage concepts. These development standards are designed to be flexible whenever possible to allow creative freedom and diversity, which is necessary for national tenants to be attracted to this regional shopping center and the development of the best possible project. This document outlines the guidelines under which all business can coexist in a competitive market.

Development Guideline Format

These PUD guidelines are organized as follows:

Section 1:	Allowable Uses
Section 2:	Site Development Concept
Section 3:	Landscape and Lighting Concepts and Guidelines
Section 4:	Parking and Loading/Circulation
Section 5:	Architectural Concepts and Guidelines
Section 6:	Sign Design Guidelines
Section 7:	Utilities and Appurtenant Uses / Devices

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

Section 1: Allowable Uses

Permitted:

- Mix of commercial and/or retail big box anchors
- Medium size anchors
- Shop space
- Eating Establishments (See Note 1 below)
- Up to five (5) drive-thru facilities as identified on the precise development plan, of which only two can be fast food drive-thru uses, as defined in Note 2 below; any additional drive-thru use proposed within the shopping center shall require a conditional use permit
- Commercial recreation and entertainment uses (including cinema and health club)
- Grocery store
- Offices
- Service Offices (including real estate offices, banks or other financial institutions, title companies, credit unions)
- Personal Services
- Liquor store
- Wine shop
- Any other use listed as a permitted use in the CG, General Commercial District in the Morgan Hill Municipal Code, with the exception of day care centers and nursery schools which shall be conditional uses

Note 1: Eating establishments shall include both sit down and fast food restaurants.
Note 2: For the purpose of this PUD only, 'drive-thru fast food' shall be defined as follows:

A "Drive-Thru Fast Food" restaurant is any establishment whose principal business is the sale of prepared foods to customers and whose service includes all of the following characteristics:

A. The restaurant has a drive-through aisle and window.

B. Meals are usually provided in disposable plastic or paper containers.

C. There is no substantial differentiation in the meals or the service provided for consumption on the premises and meals that are taken out of the premises for consumption.

Businesses that primarily sell coffee, juices and other beverages shall not be considered 'drive-thru fast food' for the purpose of this definition.

Conditional:

- Any drive-thru use that is proposed beyond the five (5) that are permitted in the shopping center shall require a conditional use permit
- A maximum of one fuel station, car wash and convenience market
- All other uses which are supportive of retail (i.e., daycare)

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

Section 2: Site Development Concept

1. The site development plan consists of three retail areas, created by the pattern of vehicular roadways which bisect the site N/S from Cochrane Road at De Paul Drive and E/W from Mission View Drive.

2. Building setbacks along Cochrane Road shall be an average of 30-ft; however, encroachments into the setback area are permissible to accommodate the architectural and functional needs of the development as long as the overall average is maintained and a substantial portion of the setback shall be no less than 30 feet.

3. Buildings situated at or near the front setback shall provide a public access route to the buildings from the front setback, except as shown on the Site Plan.

4. Elevations submitted with the PUD application (8/22/05) shall not require further review or approval except that the supporting architectural and design details for such elevations shall require final review and approval by an ARB Subcommittee. Any minor modifications to the submittals under the Precise Development Plan shall be subject to approval by Staff on the basis of substantial conformance with the Precise Development Plan, or if Staff is unable to make such a determination, then by a sub-committee of the Architectural Review Board. Subsequent submittals for elevations not submitted as a part of the original PUD application shall be substantially consistent with the Precise Development Plan and shall be subject to the approval of the Architectural Review Board. Individual buildings within the development may be larger or smaller than shown on the Precise Development Plan as long as the approximate location and overall total square footage is substantially consistent with and in aggregate, does not exceed the Precise Development Plan.

Section 3: Landscape and Lighting Concepts and Guidelines

Landscape

5. Project landscaping shall be substantially consistent with the Project Landscape Plan submitted as a part of the Precise Development Plan. All street trees, trees planted within the front setback areas, and trees planted at the entrance of buildings shall, at a minimum, conform to "15 gallon" sizing standards provided by the California Association of Nurserymen. Except as permitted under guideline #7 below, and except for landscaping adjacent to buildings, all landscape areas shall comply with city code.

6. The general characteristics of the plant palette for the PUD shall be a combination of year-round color and textural interest. Plants shall be selected on the basis of color combinations (consistent with the Art Deco theme), growth patterns, low maintenance and water conservation characteristics. At time of installation, all trees shall, at a minimum, conform to "15 gallon" sizing standards provided by the California Association of Nurserymen.

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

7. An average 30-foot wide landscape strip (excluding any landscaping within the right-of-way) shall be provided along Cochrane Road. An average 20-ft wide landscape strip shall be provided along Mission View Drive up to the first driveway. Thereafter, an average 15-foot wide landscape strip shall be provided along the northerly extension of Mission View Drive. Encroachments into such landscape strips shall be permissible to accommodate the architectural and functional needs of the development as long as the overall average is maintained and a substantial portion of each landscape strip equals or exceeds the respective 30-foot and 15-foot requirements. Acceptable mitigation for such encroachments shall include, without limitation, additional landscape planting or a combination of an earthen berm or screen wall. Berms shall be an average height of three feet with a minimum height of one and one-half feet, and shall undulate where possible and aesthetically pleasing. Except as provided herein, the design of the landscaping strips referred to above shall substantially conform to the Landscape Plan submitted as a part of the Precise Development Plan.

8. The driveway comprising the main vehicular entry from Cochrane Rd. shall be provided with landscaped medians in substantial conformance with the precise development plan dated 8/22/05 on file at the Community Development Department.

9. Canopy-providing trees shall be planted in the parking lot planter islands to produce shade.

10. The main project entrance at Cochrane Rd. and DePaul Drive shall be well landscaped and serve as a focal point.

11. Shrubs or vine planting shall be provided to screen utilities and trash enclosures.

12. The main parking field shall be screened from view of public streets by use of berming and/or bushes of a minimum of three feet effective height (18 months after planting), as measured from the top of the nearest street curb.

13. Where possible, landscaping shall be used to soften the appearance of fences and walls and front elevations of large scale retail buildings which lack fenestration or other architectural detailing.

14. All service areas fronting on public streets shall be screened by landscaping, berms, screens and/or walls, substantially consistent with the colors and materials shown in the 'colors and materials pallet' packet, date stamped August 24, 2005 on file at the Community Development Department.

15. Special paving or materials such as integral color concrete or asphalt, pavers and/or scored concrete paving shall be provided at key on-site intersections. Pedestrian walkways shall be provided connecting groupings of retail structures to other such retail areas and to parking areas. Walkways which cross traffic lanes shall have special markings such as integral color concrete, scored or raised concrete, colored paving, special striping and/or paving stones.

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

Lighting

16. Any decorative lighting on the pedestrian pathways parallel to the main driveway from Cochrane Road shall be reduced in height and scale, to create a more human-scale feeling and atmosphere.

17. The design of the exterior building lighting shall be compatible with the Art Deco architectural style of the PUD.

18. The main parking lot lighting fixtures shall be consistent throughout the PUD. The maximum pole height (including the base) shall be 33 feet except that lighting poles along the Mission View project edge and the Cochrane Road project edge across the approved congregate care and assisted living facilities to the south shall be limited to a maximum height (including the base) of 15 feet. Further conditions regarding residentially zoned properties are imposed under guideline #19 below.

19. All lighting shall be shielded and directed in such a manner so as not to directly cast light on neighboring residentially zoned properties or the approved congregate care and assisted living facilities to the south. The Applicant shall pay special attention to insure that there is no unacceptable spillage of light outside the applicable boundaries of the shopping center. Prior to issuance of site construction permits, Applicant shall provide a photometric plan evidencing the conformance of the lighting plan to these guidelines. Adjustments to the lighting intensity and direction may be required after commencement of the use to the extent that neighboring residential properties are adversely affected.

Section 4: Parking and Loading/Circulation

20. The main parking field shall be screened from public view on Cochrane Rd primarily through the use of berming and/or hedge row plantings, shrubs, trees or any combination thereof, in a manner substantially consistent with the project Landscape Plan. At the time of installation, shrub plantings shall conform to "5 gallon" sizing standards provided by the California Association of Nurserymen, trees shall conform to "15 gallon" sizing standards provided by the California Association of Nurserymen, accents and groundcover shall conform to "1 gallon" sizing standards provided by the California Association of Nurserymen and berming may undulate to create interest and contrast as long as (i) the average height shall be three feet, and (ii) not less than 50% of the length of such berming is actually 3 feet or more in height as measured from the top of the nearest street curb.

21. 90 degree parking shall be permitted. Alternatively, the PUD shall permit angled parking and one-way drive aisles subject to review and approval of the Architectural Review Board.

22. Parking areas shall be designed to include provision for pedestrian walkways for access to building entrances. Walkways which cross traffic lanes shall have special markings such as integral color concrete, scored or raised concrete, colored paving, special striping and/or

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

paving stones. Walkway strips shall be intermittently provided through landscaped areas to protect landscaping from foot traffic damage.

23. In order to facilitate on-site traffic flow and vehicle and pedestrian safety, parking stalls shall not be located directly adjacent to the front of a major use occupying a ground floor area that is 100,000 square feet or larger (i.e. Major 1 (Target) and Major 8 as shown on the precise development plan).

24. Reciprocal access and shared parking between properties shall be used, whenever possible.

25. Cross access easements shall be provided throughout the PUD.

26. Shared access easements and driveways shall be provided.

27. Drive aisles shall allow for circulation within the PUD, with sufficient width for emergency vehicles. Dead end drive aisles are discouraged but shall be allowed subject to review and approval of the Architectural Review Board.

28. Provisions for connecting driveways and walkways between adjacent properties within the PUD are to be provided.

29. Emergency vehicle access shall be provided throughout the PUD.

30. Loading areas and docks shall be screened from view along the new road (proposed northerly extension of Mission View Drive) by landscaping or a screening structure. Screen walls or other screening structures shall be architecturally treated, and may be constructed with metal, concrete, concrete block, wood or a combination thereof (see attached exhibit for an example of acceptable screening). Alternatively, screening along the northern property line may be comprised of dense evergreen plantings.

31. All truck deliveries between the hours of 10pm to 6am shall enter and exit through the DePaul Drive project driveway (main vehicular entry from Cochrane Road).

32. Overnight parking of delivery trucks shall be prohibited on-site, except that delivery trucks may be parked within loading docks provided no equipment is kept running, including but not limited to generators, refrigeration units and compressors.

Section 5: Architectural Concepts and Guidelines

33. The architectural concept shall create a campus of retail structures which vary in character, massing, materials, and colors but remaining consistent with the Art Deco theme of the Precise Development Plan. Each structure shall be complementary to the Art Deco theme but may maintain its own uniqueness. Building facades may contain design features and variances in scale to create interest and character. The design of entertainment uses may be enhanced by featured elements which may include some or all of the following: neon tower, marquee, theater lights and statement lobby glazing. Art Deco forms and treatments

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

shall be utilized as part of the overall architectural presentation. If neon is utilized, it shall not be established in areas facing residentially zoned properties adjacent to the site. The development shall include tower and/or entry features, bold cornices, and varying facades, and a variety of materials, colors and storefronts. Awnings, light sconces, site lighting, and/or street furniture shall be situated at appropriate locations as determined by Applicant to enhance the pedestrian and/or human scale feel of the project.

34. No building shall exceed 40 feet in height to the top of the parapet except that tower and accent features of buildings may exceed such height limitation as long as (i) the scale and design of such features are consistent and appropriate for the Art Deco design of the shopping center; (ii) such exception affects no more than 25% of the theater and no more than 15% of any other building; and (iii) such features shall not exceed 60 feet at the highest point. Overall, building heights and tower and accent features shall be substantially consistent in scale and proportion with the building elevations dated 8/22/05 on file at the Community Development Department.

35. Rooflines shall vary in height and flat rooflines shall be permitted in a manner substantially consistent with the building elevations dated 8/22/05 on file at the Community Development Department and the Art Deco architectural theme established for the development.

36. Large, continuous structures shall incorporate breaks in horizontal planes by varying architectural features and designs and recessing windows and entrances, to provide substance and scale.

37. Windows shall be enhanced by use of various sizes and shapes, and highlighted by the use of accent trim (e.g. molding, pop-out or wood trim). The design shall be complementary to the architectural style of the PUD.

38. Architectural treatment shall be applied to the front façade of all building elevations consistent with the building elevations dated 8/22/05 on file at the Community Development Department; complementary architectural treatment shall also be applied to other areas of any building clearly visible from any public street.

39. Building design shall be compatible with the immediate adjacent building and provide harmonious transition between various uses.

40. Gutters and downspouts shall be made of quality materials and treated to blend into the facade to which it is attached, unless used as a design element, in which case the color shall be consistent with the color schemes of the building.

41. No mechanical equipment shall be exposed on the wall surface of any building.

42. Mechanical and utility equipment shall be located below the roof line or parapet wall and out of public view. All roof-mounted mechanical equipment or ductwork which project vertically above the roof or parapet shall be screened by an enclosure which is detailed consistently with the building design.

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

43. Any outdoor storage of goods, materials or equipment (e.g. garden center, lumber yard) shall be located within an enclosed area. The fencing and/or screening enclosing such area shall be consistent with the Art Deco architectural theme of the Precise Development Plan and designed in a manner complementary to the building design and site layout. Chain link fencing with wood inserts is not an acceptable manner of screening.

44. Fences and walls shall be designed to be compatible with the surrounding landscape and architectural style of the PUD.

45. Trash enclosures shall be constructed of solid material, and shall be a minimum of six feet in height, with solid view obstructing gates. Trash enclosures shall be located in inconspicuous locations.

Section 6: Sign Design Guidelines

46. This PUD shall permit one pylon sign structure along Highway 101 near the north end of the site and one pylon sign structure along Highway 101 near Cochrane Road consistent with the original PUD application (8/22/05), subject to approval by the SCVWD if necessary. The pylon sign near the north end of the site shall be a maximum height of 68 ft, as measured to the top of the horizontal cornice. The pylon sign near Cochrane Road shall be a maximum height of 50 ft, as measured to the top of the horizontal cornice. Decorative architectural features may extend above the 68-ft and 50-ft height limits as depicted on the sign elevations date stamped October 27, 2005, on file at the Community Development Department. This PUD shall also permit one monument sign structure consistent with the original PUD application (8/22/05) at the intersection of Cochrane Road and Mission View Drive. This monument sign shall be a maximum overall height of 20 feet, and shall not be illuminated in the evenings after 10 pm.

47. The uniform sign program for the Project shall control the signage requirements and placement of signs within the project. The uniform sign program shall be applicable to all buildings and uses within the PUD. Tenant identification signs will be allowed on the sides of buildings that are visible to Highway 101. Signs fronting Highway 101 and Mission View Drive shall be limited to business identification signs only. Signs, banners and posters shall be permitted and must be of a high quality with character, and ambiance consistent with the Art Deco theme and the standards of the Precise Development Plan. Address numbers shall contrast with their background and shall be a minimum of six inches in height.

48. Poster boards containing retail displays (including advertising) incorporating an artistic component or displaying information of community interest shall be permitted. Such displays shall comply with guidelines issued by a sub-committee of the Architectural Review Board.

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)

Section 7: Utilities and Appurtenant Uses / Devices

49. Easements for the installation and maintenance of utilities, walkways, roads, shared driveways, parking and drainage facilities shall be recorded as part of any subdivision map or lot line adjustment.

50. A detention pond or an interlinked detention pond system with outfalls shall be used to serve the PUD. The detention ponds and/or bioswales may be located within any setback area or outside a setback area.

51. Utility equipment may be located within landscaped or setback areas provided they are located as far from the street frontage as feasibly possible, and adequately screened and/or landscaped to limit the visibility of such equipment.

52. Uses within the PUD that utilize shopping carts shall provide indoor or outdoor screened storage of the carts and shall provide for architecturally treated collection areas throughout the parking lots.

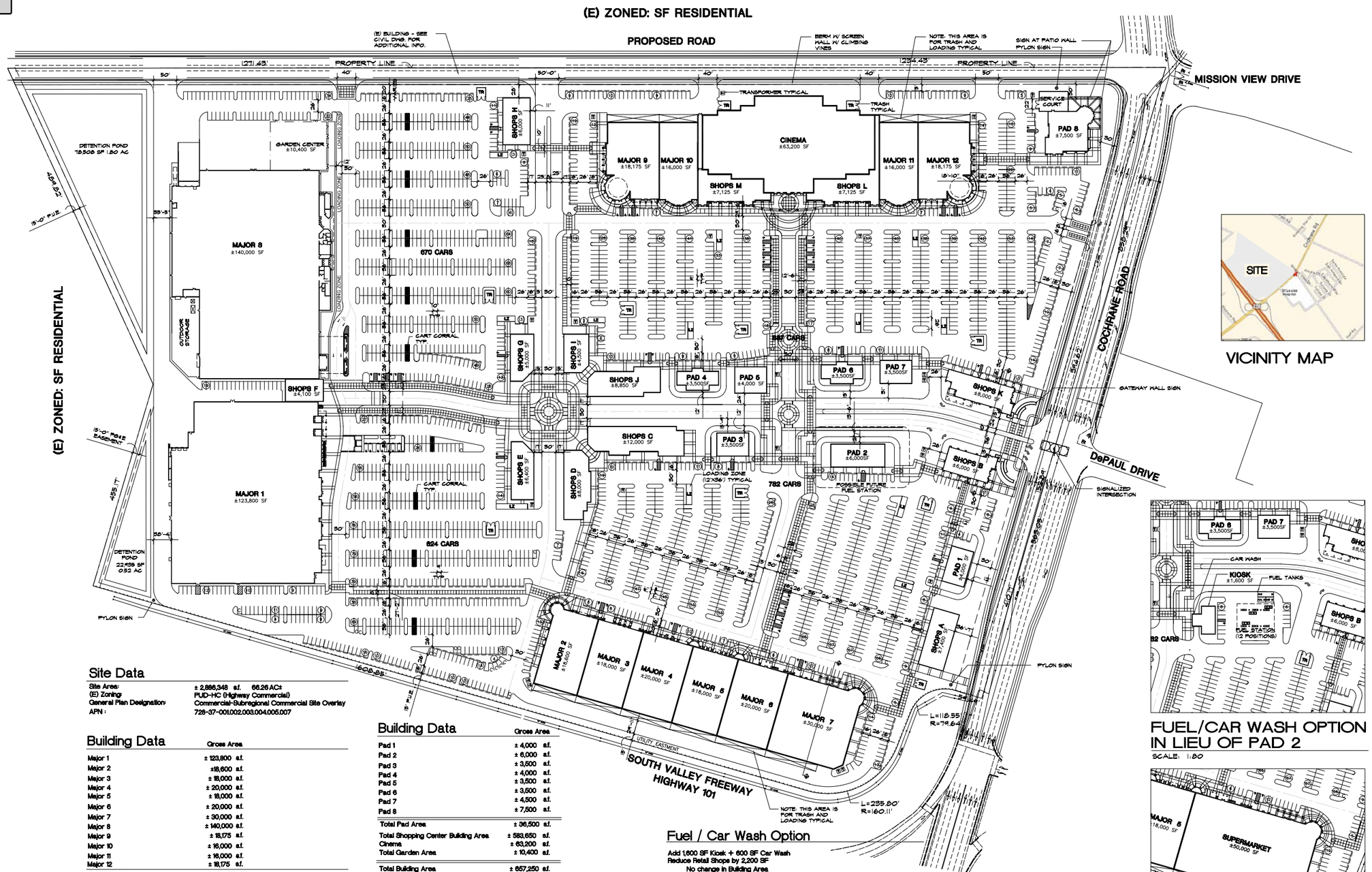
53. Vending machines, rides, newspaper racks, coin operated devices or other similar devices may be placed on the exterior of and/or walkway adjacent to proposed buildings, provided the area in which the devices are located is partially enclosed or architecturally treated. Prior to installing such equipment or devices, Applicant shall provide Staff with a proposed plan indicating the nature and proposed location of such devices for Staff review and approval. Once installed, such devices and locations shall be maintained in a high quality manner.

Section 8: Disclosures

54. A disclosure statement shall be included in all sale or lease agreements informing prospective buyers and tenants of the adjacent agricultural uses.

(end)

Attachment: City Council Ordinance 1746 (2623 : Preliminary Review - Cochrane Commons)



Site Data

Site Area:	± 2,866,348 s.f. 66.26 AC±
(E) Zoning:	PUD-HC (Highway Commercial)
General Plan Designation:	Commercial-Subregional Commercial Site Overlay
APN :	728-37-001,002,003,004,005,007

Building Data

	Gross Area
Major 1	± 123,800 s.f.
Major 2	±18,600 s.f.
Major 3	± 18,000 s.f.
Major 4	± 20,000 s.f.
Major 5	± 18,000 s.f.
Major 6	± 20,000 s.f.
Major 7	± 30,000 s.f.
Major 8	± 140,000 s.f.
Major 9	± 18,175 s.f.
Major 10	± 16,000 s.f.
Major 11	± 16,000 s.f.
Major 12	± 18,175 s.f.
Total Major Area	± 456,750 s.f.
Shops A	± 7,400 s.f.
Shops B	± 6,000 s.f.
Shops C	± 12,000 s.f.
Shops D	± 8,000 s.f.
Shops E	± 6,400 s.f.
Shops F	± 4,000 s.f.
Shops G	± 5,000 s.f.
Shops H	± 6,000 s.f.
Shops I	± 4,500 s.f.
Shops J	± 8,850 s.f.
Shops K	± 8,000 s.f.
Shops L	± 7,125 s.f.
Shops M	± 7,125 s.f.
Total Shops Area	± 90,400 s.f.

Building Data

	Gross Area
Pad 1	± 4,000 s.f.
Pad 2	± 6,000 s.f.
Pad 3	± 3,500 s.f.
Pad 4	± 4,000 s.f.
Pad 5	± 3,500 s.f.
Pad 6	± 3,500 s.f.
Pad 7	± 4,500 s.f.
Pad 8	± 7,500 s.f.
Total Pad Area	± 36,500 s.f.
Total Shopping Center Building Area	± 583,650 s.f.
Cinema	± 63,200 s.f.
Total Garden Area	± 10,400 s.f.
Total Building Area	± 657,250 s.f.

Parking Data (City Standard)

Shopping Center Parking Required:	594,050 s.f. / 287	= 2,070 cars
Cinema Parking Required:	3,000 seats / 3.5	= 857 cars
Total Parking Required		= 2,927 cars (4.4 cars/1000)
Parking Provided		= 2,963 cars (4.5 cars/1000)

Supermarket Alternative

Substitute 50,000 SF Supermarket for Majors 6 + 7
No change in Total Building Area

Shopping Center Parking Required:	544,050 s.f. / 287	= 1,896 cars
Cinema Parking Required:	3,000 seats / 3.5	= 857 cars
Supermarket Parking Required:	50,000 s.f. / 250	= 200 cars
Total Parking Required		= 2,953 cars (4.5 cars/1000)
Parking Provided		= 2,963 cars (4.5 cars/1000)

Fuel / Car Wash Option

Add 1,600 SF Kiosk + 600 SF Car Wash
Reduce Retail Shops by 2,200 SF
No change in Building Area
No change in Parking Data

Parking Requirements (City Standard)

Shopping Center	3.48 cars / 1000 s.f.	= 1 car / 287 s.f.
Cinema:		= 1 car / 3.5 seats
Supermarket:	4.0cars / 1000 s.f.	= 1 car / 250 s.f.

Parking Standards (City Standard)

Standard Parking = (9'x18') w/ 24' Overhang
Compact Parking = (8'x16') w/ 24' Overhang
• Aisle Width = 25'-0'
• 26'-0" Aisles shown on plan

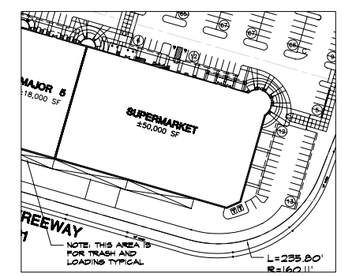
Lot Coverage Calculation

Site Area	±2,866,348 s.f.	±66.26 AC	
Building Area %	±657,250 s.f.	±15.08 AC	
Parking + Paving Area %	±1,635,162 s.f.	±37.70 AC	± 65.5 %
Landscape/Hardscape Area %	±573,936 s.f.	±13.16 AC	± 11.5 %
Floor Area Ratio (FAR):	±657,250/2,866,348 s.f.		± 23.00 %

VICINITY MAP

FUEL/CAR WASH OPTION IN LIEU OF PAD 2

SCALE: 1:80



SUPERMARKET IN LIEU OF MAJOR 6 + 7

SCALE: 1:80

PROPOSED SITE PLAN

SCALE: 1"= 80'-0"

CRAIG + GRANT
ARCHITECTS
301 HARTZ AVENUE, SUITE 213
DANVILLE, CALIFORNIA
94526
TELEPHONE 925-820-7585
FACSIMILE 925-820-5858
CGA@CRAIGANDGRANT.COM

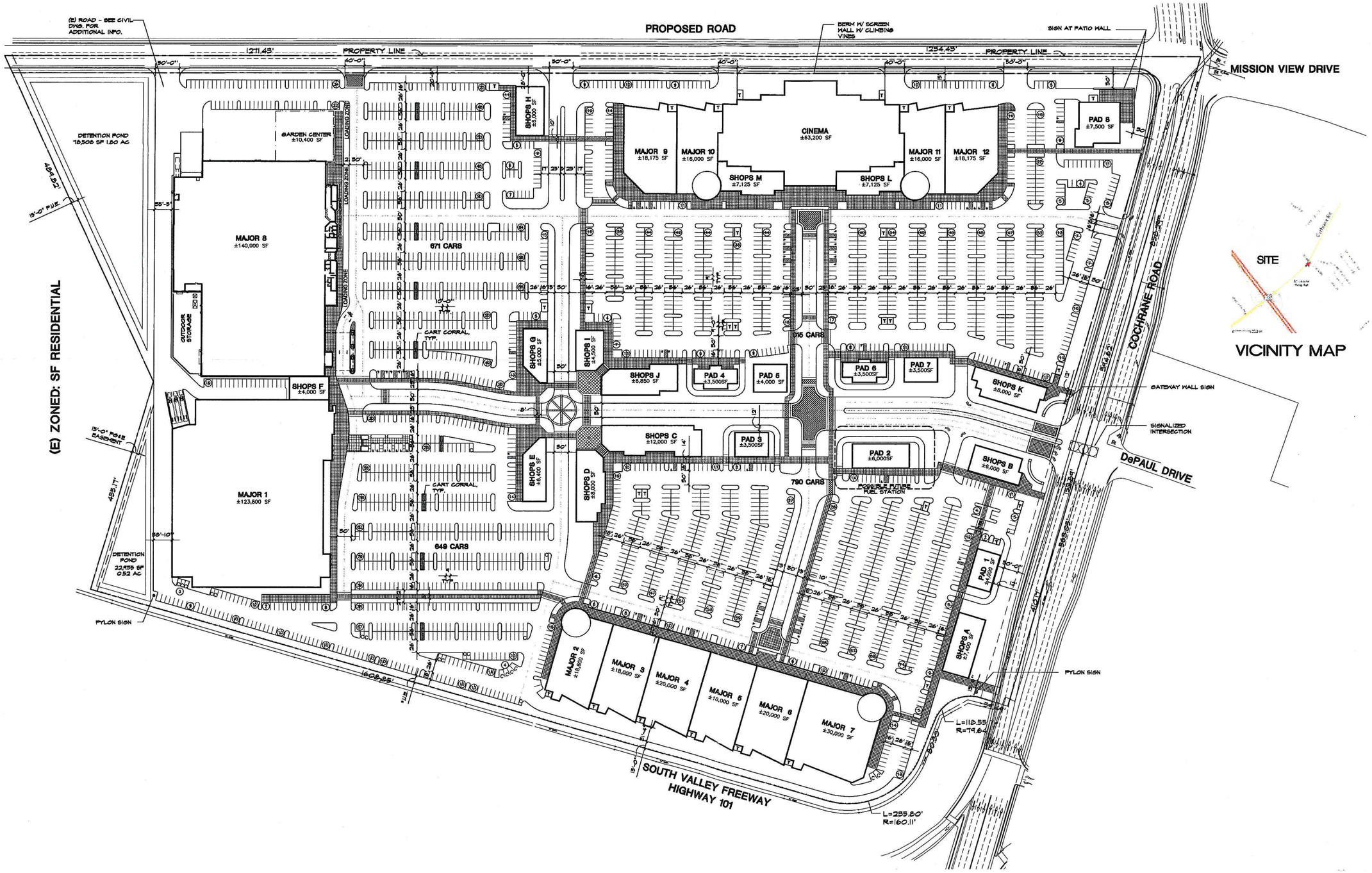
A RETAIL PROJECT
A DiNapoli Browman Guglielmo Development
COCHRANE ROAD, MORGAN HILL, CA.95123

PROPOSED SITE PLAN

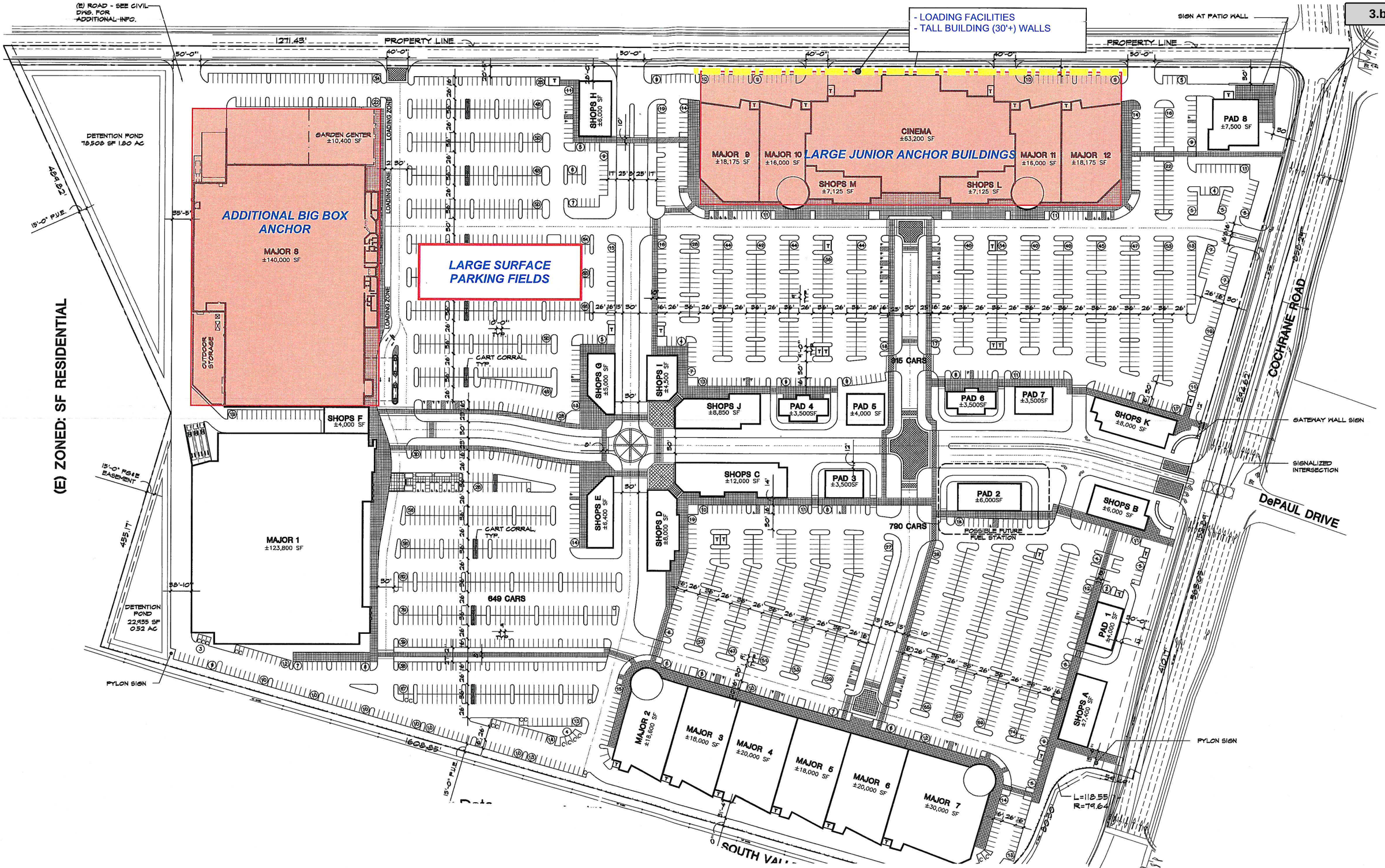
SP1

08.22.05

COCHRANE COMMONS - APPROVED SITE PLAN



Attachment: Project Plans (2623 : Preliminary Review - Cochrane Commons)



COCHRANE COMMONS - APPROVED SITE PLAN

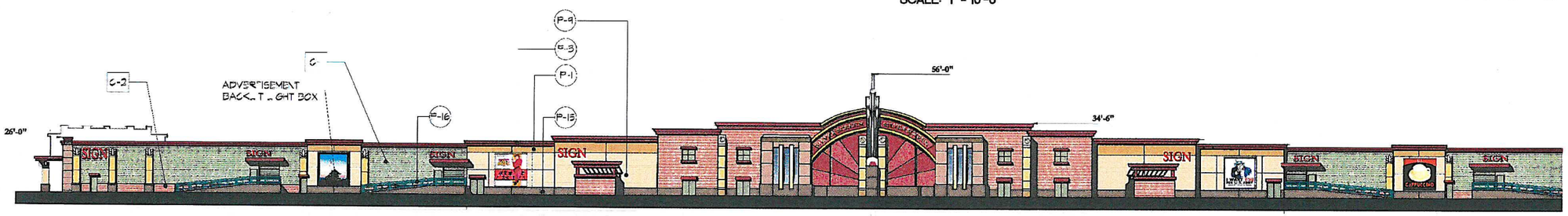
Attachment: Project Plans (2623 : Preliminary Review - Cochrane Commons)

COCHRANE COMMONS
APPROVED JUNIOR ANCHOR ELEVATIONS

CONCEPTUAL SIDE ELEVATION

SCALE: 1" = 10'-0"

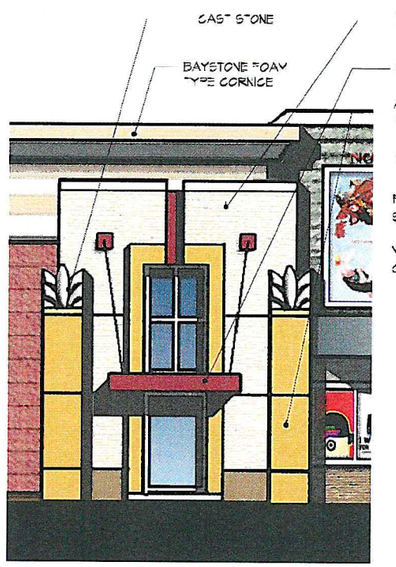
0 5' 10' 20'



CONCEPTUAL REAR ELEVATION
(FACING MISSION VIEW)

SCALE: 1" = 20'-0"

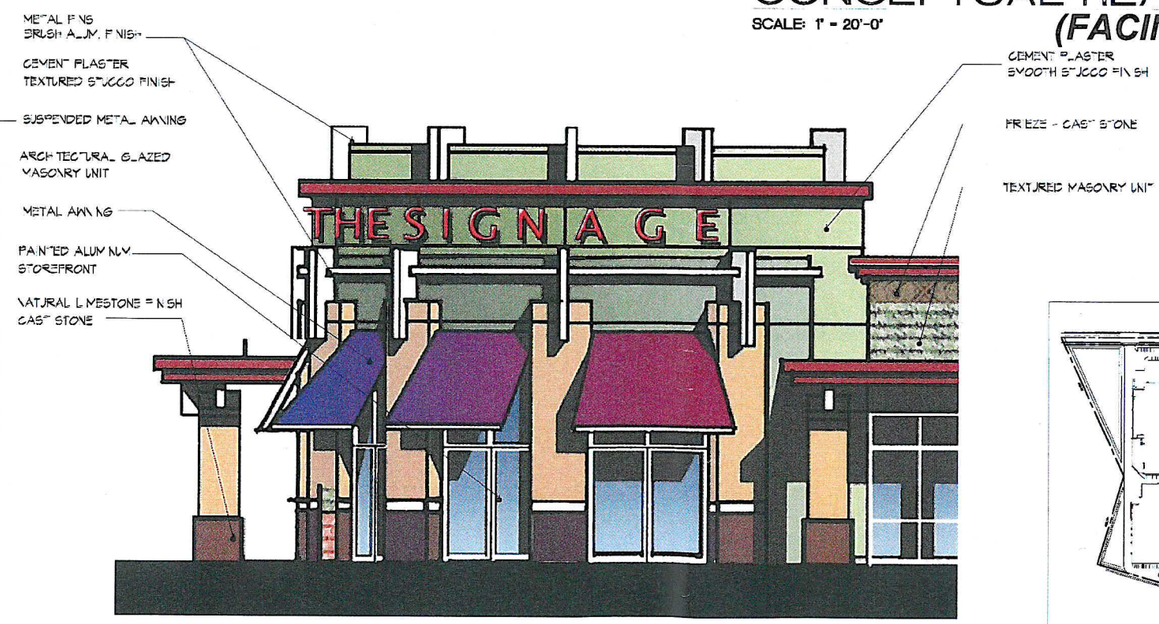
0 10' 20' 40'



SCALE: NTS

D-1

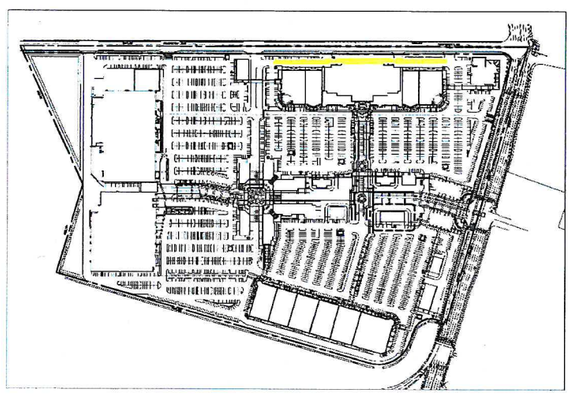
TYPICAL ELEMENT



SCALE: NTS

D-2

TYPICAL ELEMENT



KEY PLAN

SCALE: NTS

CRAIG + GRANT
ARCHITECTS
301 HARTZ AVENUE, SUITE 213
DANVILLE, CALIFORNIA
94526
TELEPHONE 925-820-7585
FACSIMILE 925-820-5858
CGA@CRAIGANDGRANT.COM

A RETAIL PROJECT
A DiNapoli Browman Guglielmo Development
COCHRANE ROAD, MORGAN HILL, CA.95123

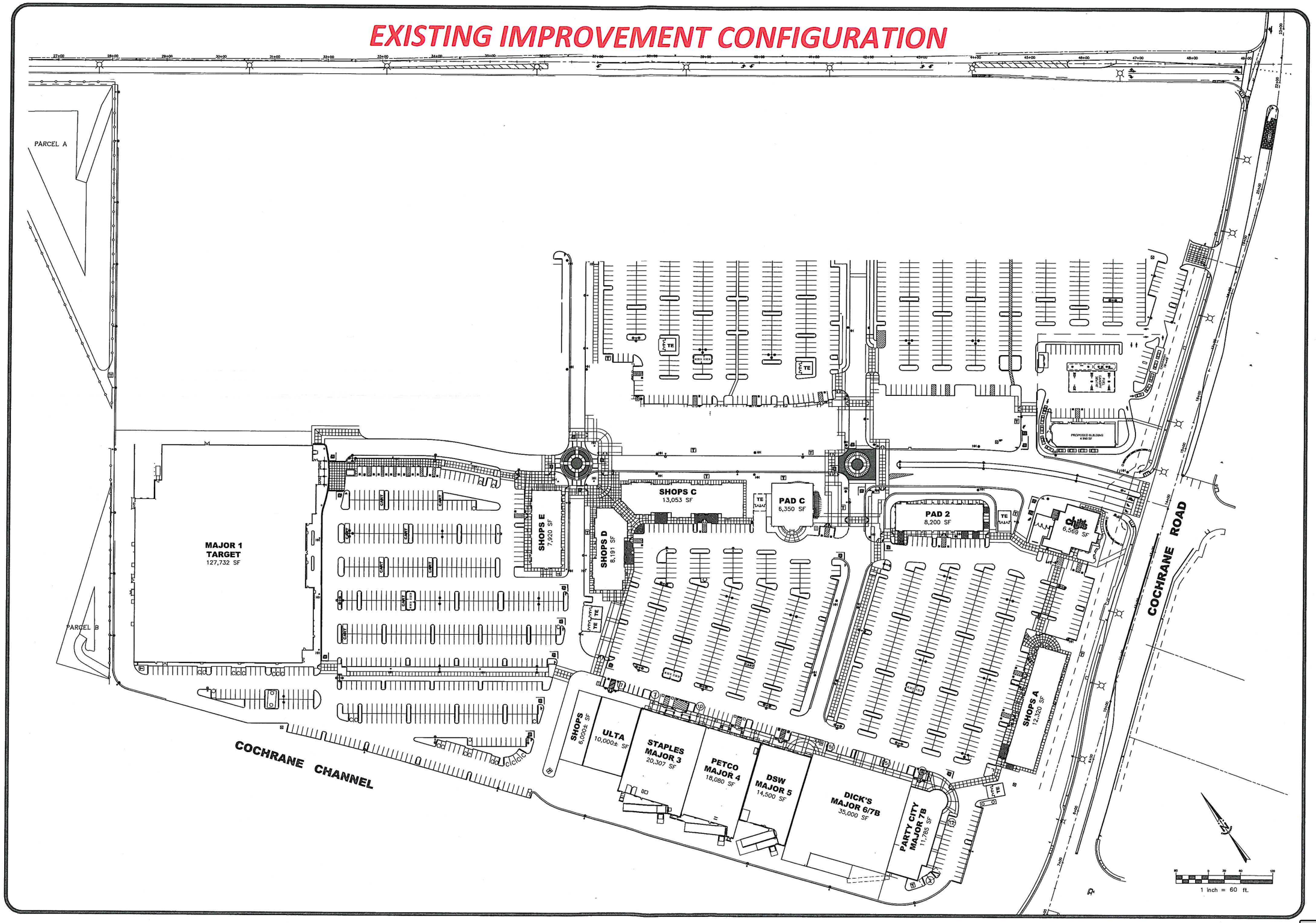
PROPOSED CONCEPTUAL
CINEMA ELEVATION

A1-a

08.22.05

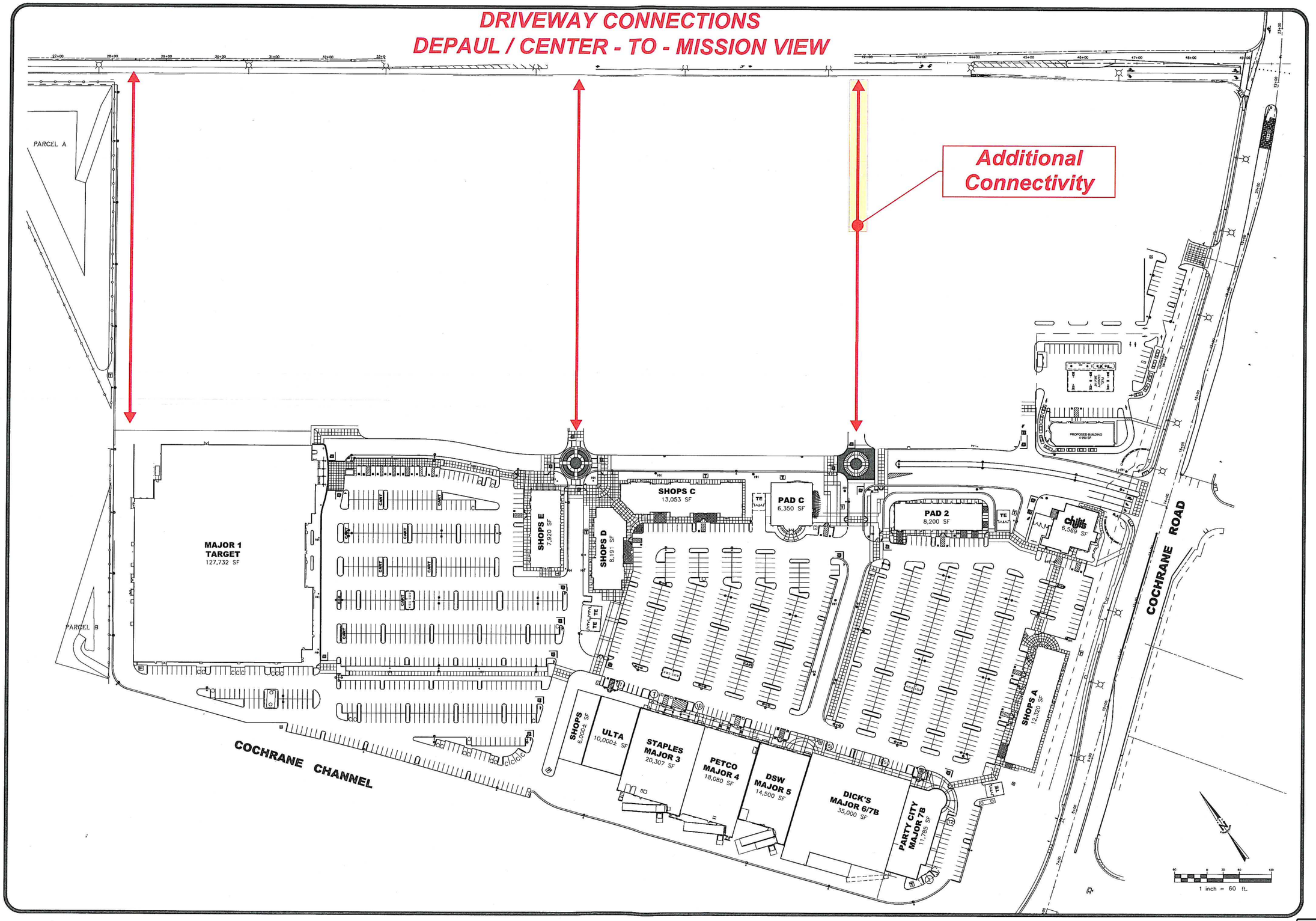
Attachment: Project Plans (2623 : Preliminary Review - Cochrane Commons)

EXISTING IMPROVEMENT CONFIGURATION



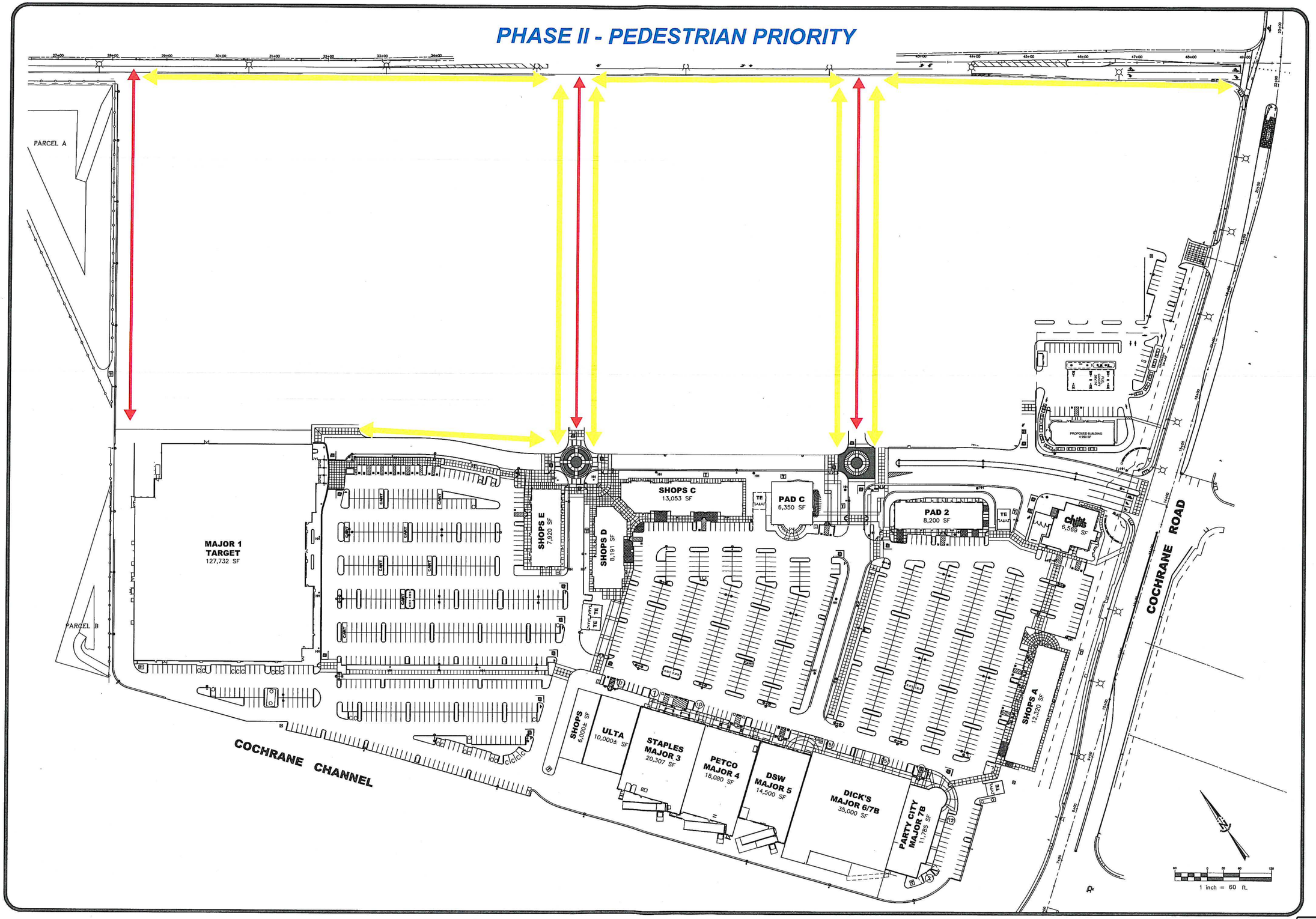
Attachment: Project Plans (2623 : Preliminary Review - Cochrane Commons)

DRIVEWAY CONNECTIONS
DEPAUL / CENTER - TO - MISSION VIEW



Attachment: Project Plans (2623 : Preliminary Review - Cochrane Commons)

PHASE II - PEDESTRIAN PRIORITY



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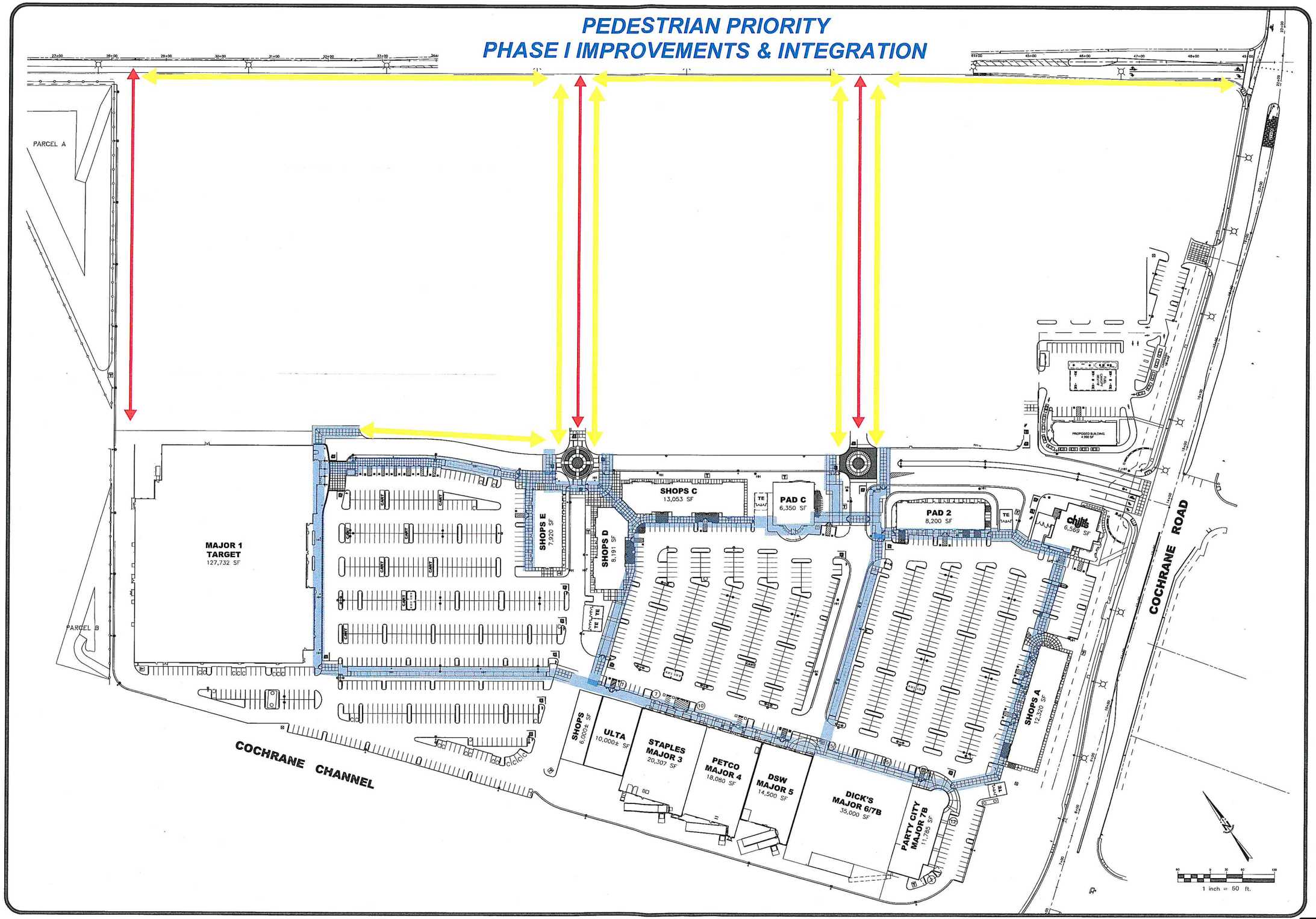
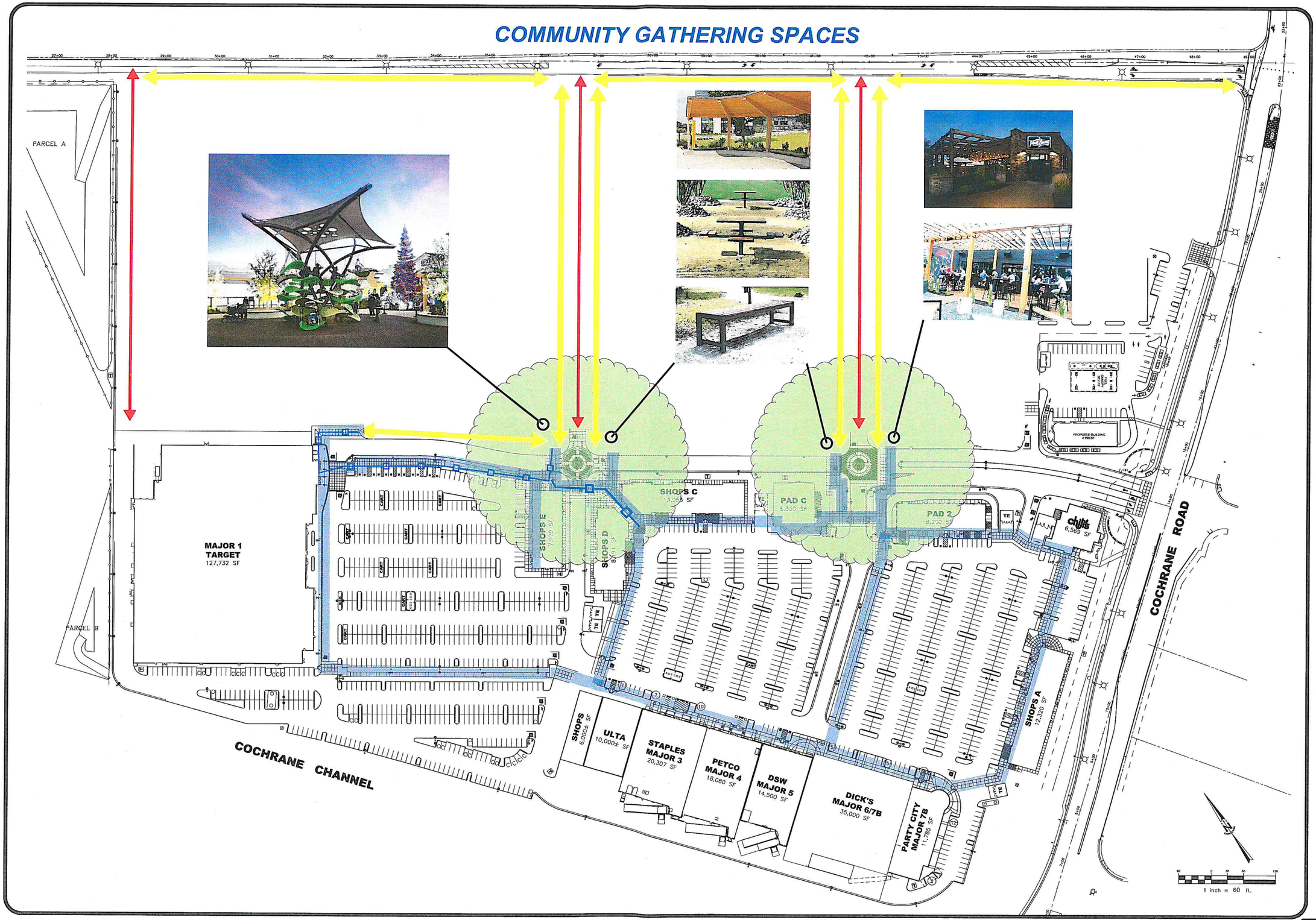
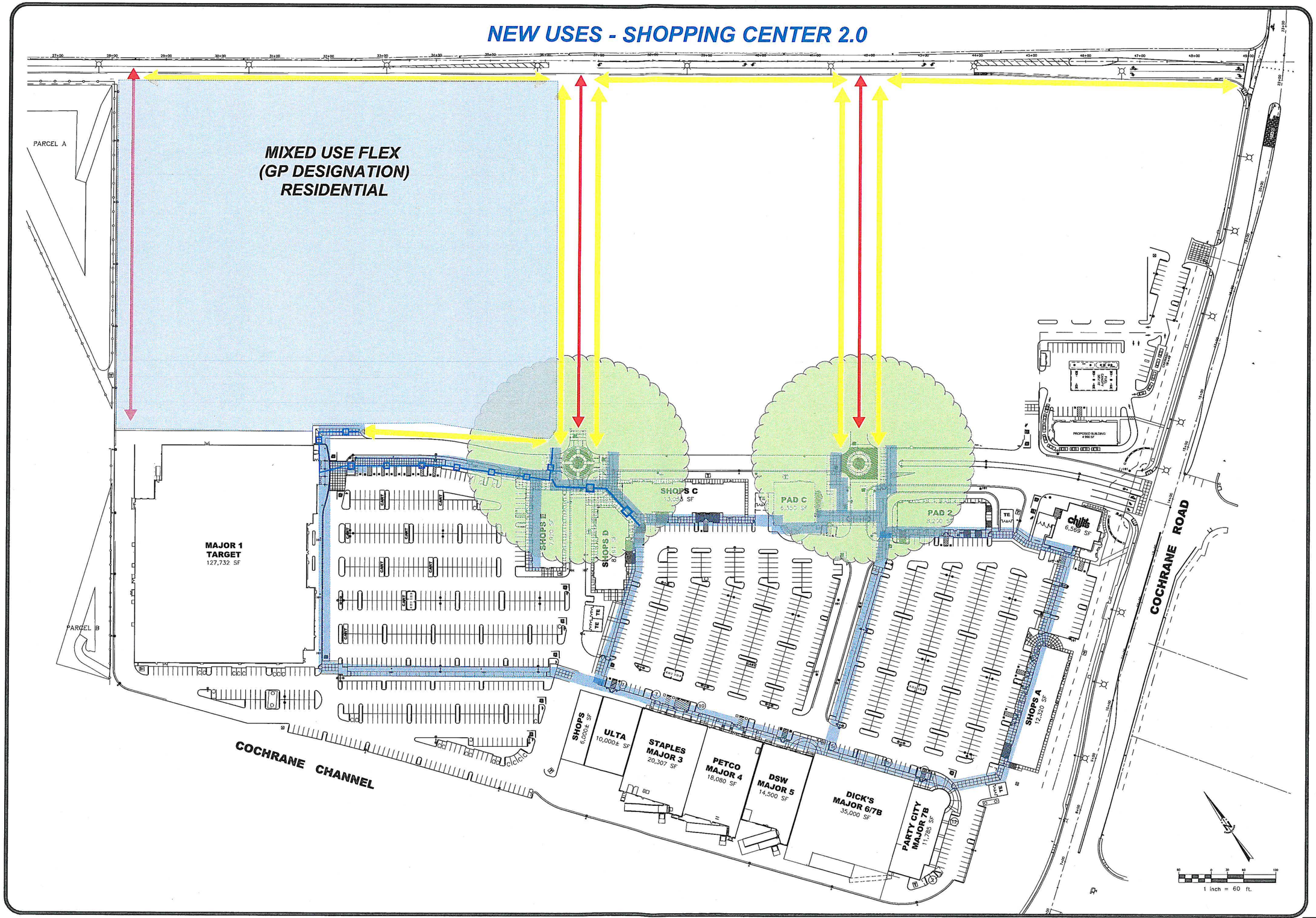
PEDESTRIAN PRIORITY
PHASE I IMPROVEMENTS & INTEGRATION



COMMUNITY GATHERING SPACES



NEW USES - SHOPPING CENTER 2.0



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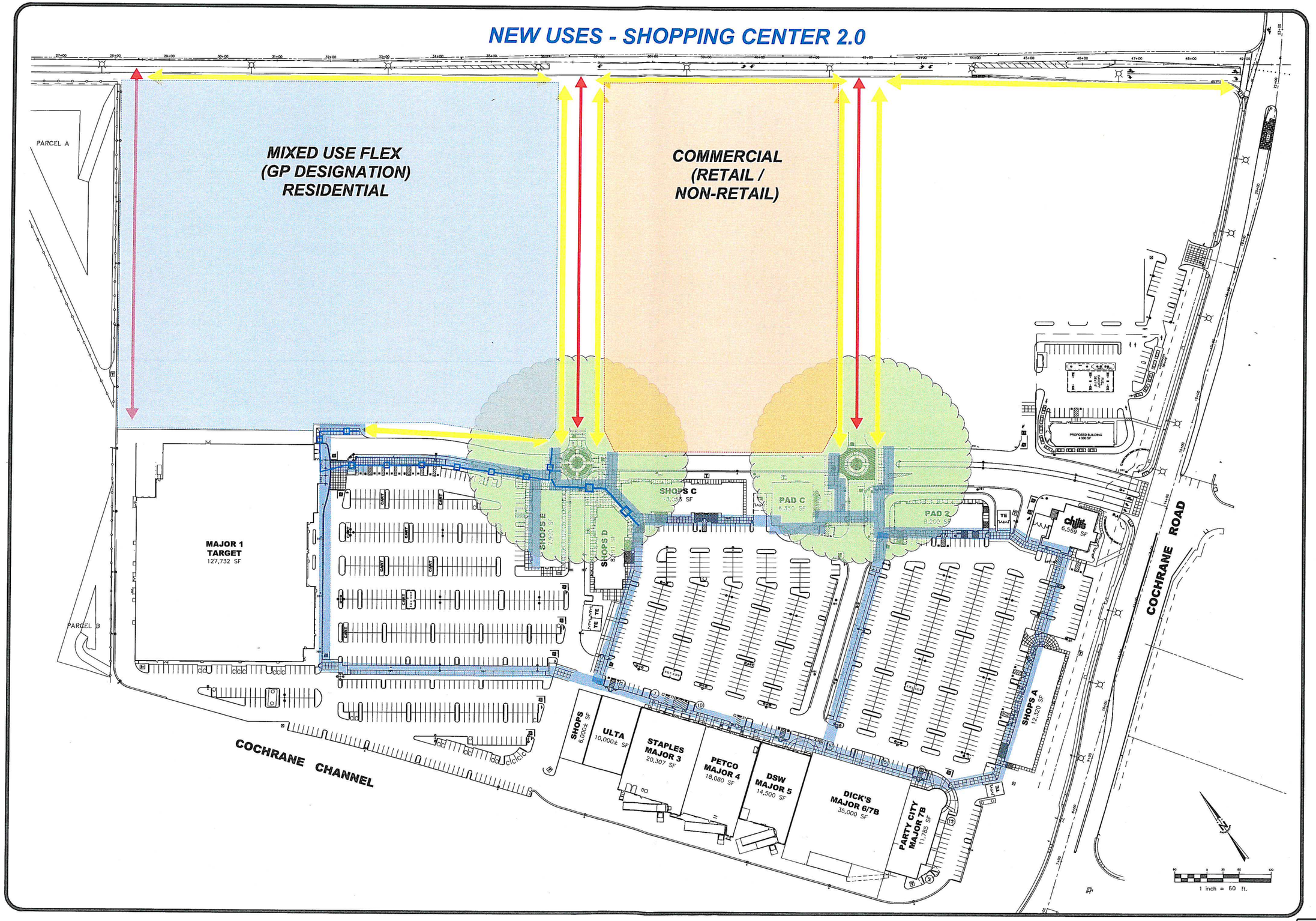

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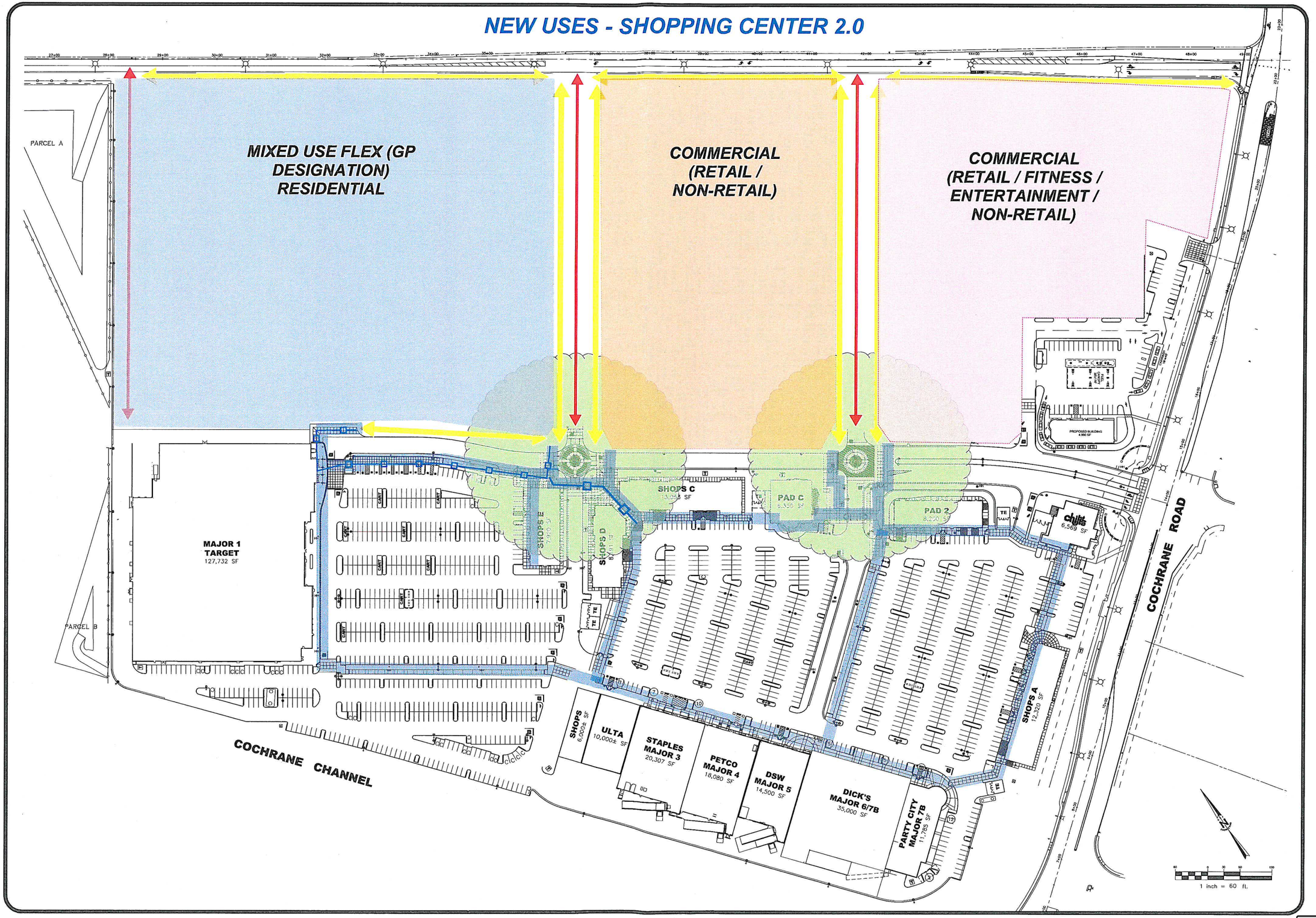

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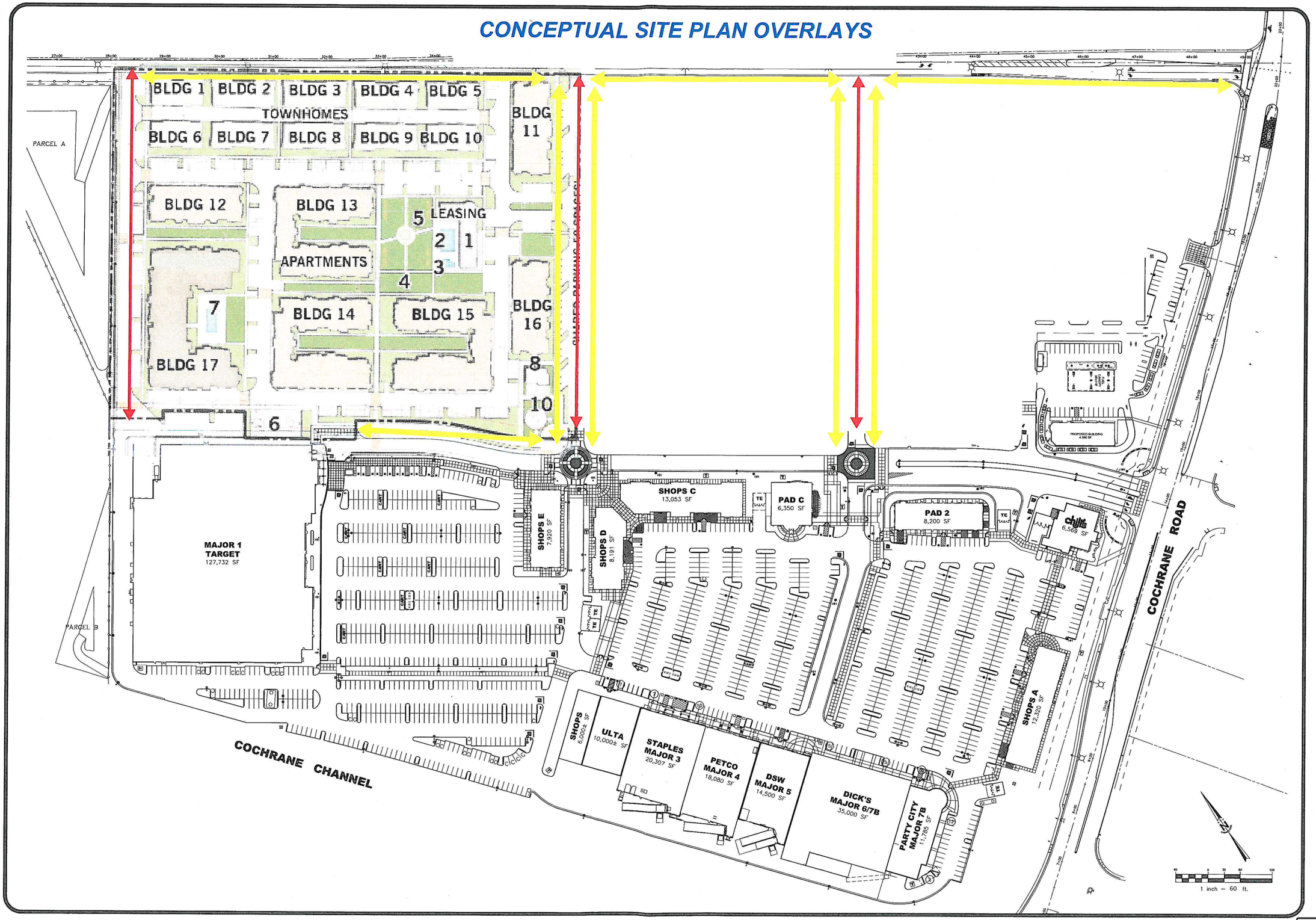
CONCEPTUAL SITE PLAN OVERLAYS



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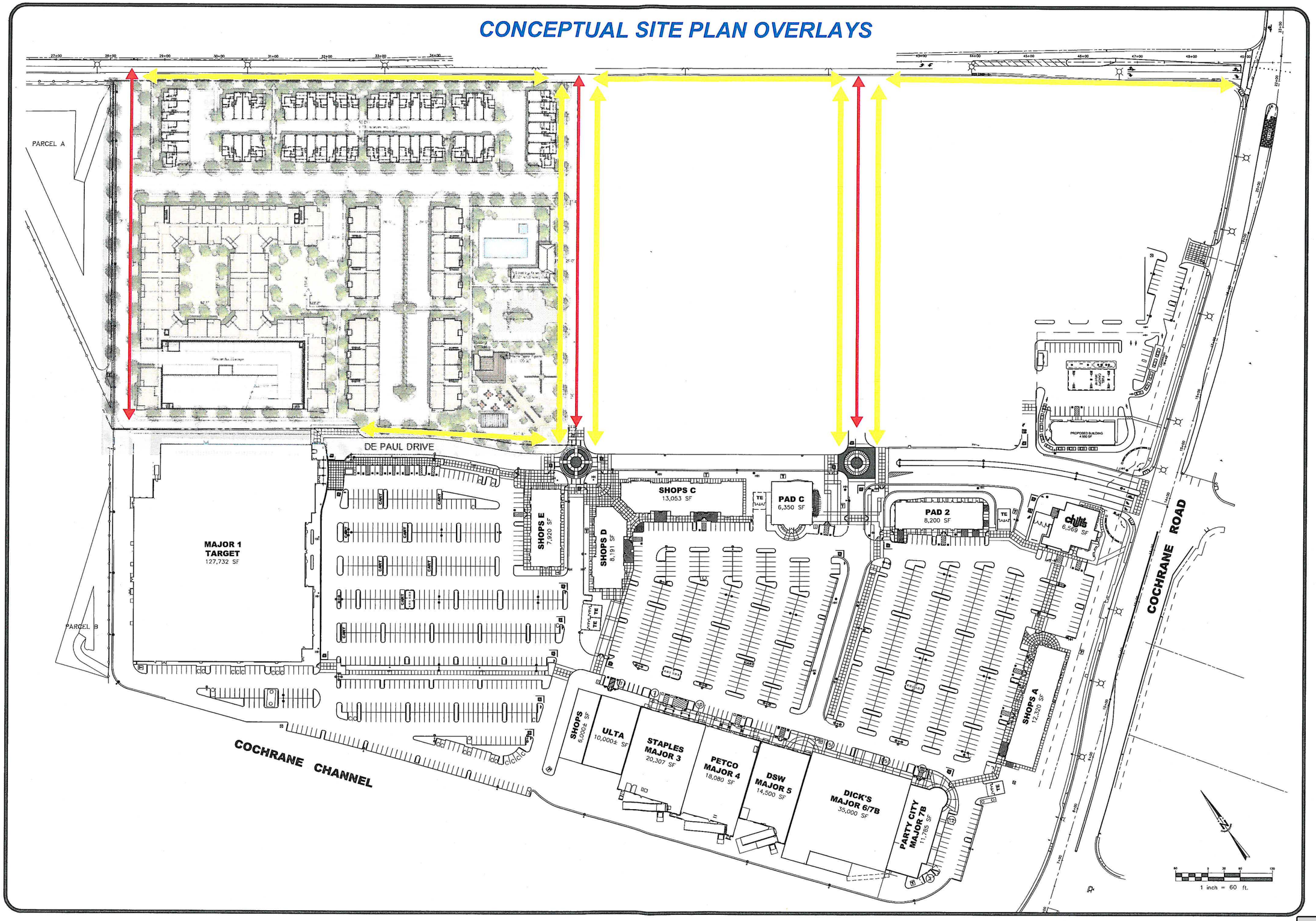
CONCEPTUAL SITE PLAN OVERLAYS



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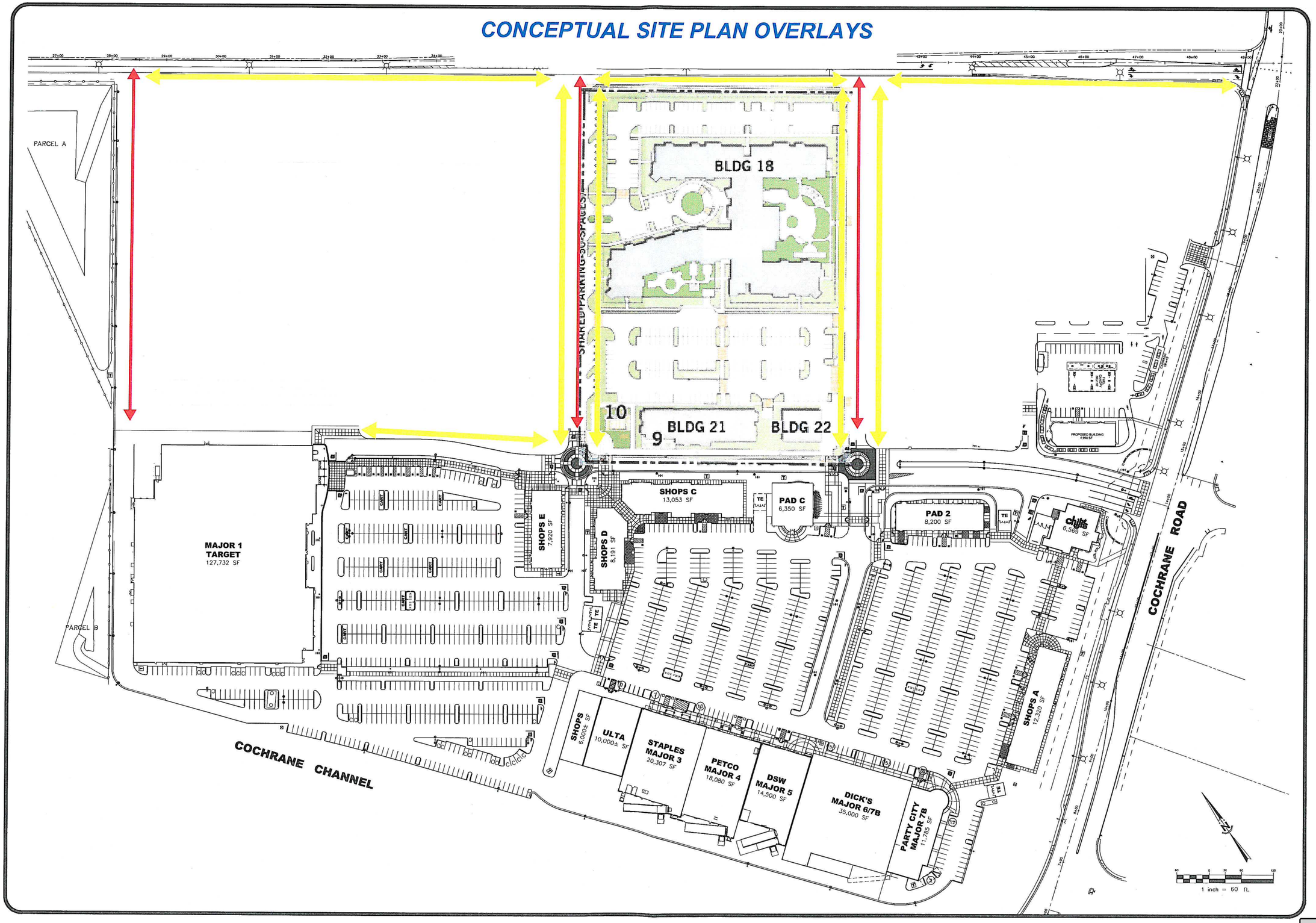

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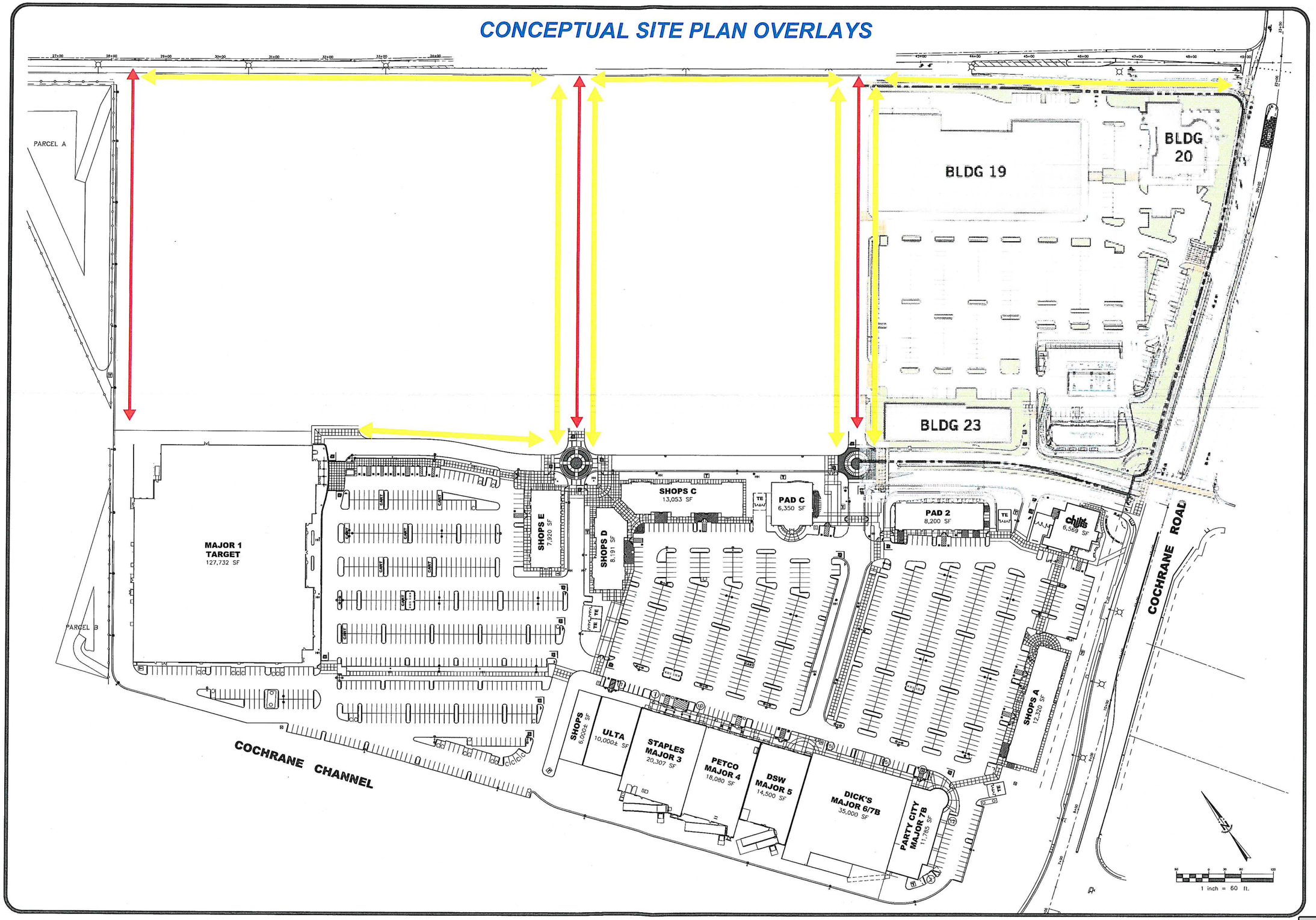
CONCEPTUAL SITE PLAN OVERLAYS



Attachment: Project Plans (2623 : Preliminary Review - Cochrane Commons)

CONCEPTUAL RESIDENTIAL ELEVATIONS - 3 STORY

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925.930.9690 930.9039 fax

Morgan Hill, California

A1
10.14.19

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CONCEPTUAL RESIDENTIAL ELEVATIONS - 4 STORY

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Morgan Hill, California

A2

101410

Attachment: Project Plans (2623 : Preliminary Review - Cochrane Commons)

CONCEPTUAL RETAIL ELEVATIONS

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LYMAN
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925.930.9690 930.9039 fax

Morgan Hill, California

A3
11.15.10

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~~City of Morgan Hill~~
~~Ordinance No. 1746, New Series~~
~~Page 1 of 13~~

~~EXHIBIT A~~MIXED USE PROJECT

~~A Retail Project~~
~~Cochrane Road and Highway~~COCHRANE ROAD AND HIGHWAY 101

A DINAPOLI, BROWMAN, GUGLIELMO DEVELOPMENT

~~A Dinapoli Browman Guglielmo Development~~

PUD ~~Guidelines~~GUIDELINES

~~Morgan Hill~~MORGAN HILL, CA

~~November 10~~MAY __, ~~2005~~2018

Location

~~This retail development~~Cochrane Commons is located at the northeast quadrant of the Cochrane Road overpass at Highway 101. ~~The Assessor's Parcel Numbers (APN) for the land area within the project are:~~

~~728-37-001, 728-37-002, 728-37-004, 728-37-005, 728-37-007.~~

Introduction and Intent

The intent of this narrative is to describe the architectural theme and site development plans which will guide the future development of this site relative to architectural compatibility, site design, landscape features, and signage concepts. These development standards are designed to be flexible whenever possible to allow creative freedom and diversity, which is necessary for ~~national tenants to be attracted to this regional shopping center and the development of the best possible project~~maintaining and attracting national retail tenants and future residents to ~~the~~ Cochrane Commons ~~Shopping Center.~~ This document outlines the guidelines under which all ~~business~~businesses and residents can synergistically coexist in a competitive market and in close proximity to Cochrane Commons Shopping Center.

Development Guideline Format

These ~~PUD~~PD guidelines are organized as follows:

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Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

[Different first page setting changed from on in original to off in modified.]

~~Section 1: Allowable Uses~~
~~Section 2: Site Development Concept~~
~~Section 3: Landscape and Lighting Concepts and Guidelines~~
~~Section 4: Parking and Loading/Circulation~~
~~Section 5: Architectural Concepts and Guidelines~~
~~Section 6: Sign Design Guidelines~~
~~Section 7: Utilities and Appurtenant Uses / Devices~~

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

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Section 1: Allowable Uses
Section 2: Site Development Concept
Section 3: Landscape and Lighting Concepts and Guidelines
Section 4: Parking and Loading/Circulation
Section 5: Architectural Concepts and Guidelines
Section 6: Site Design Guidelines
Section 7: Utilities and Appurtenant Uses / Devices

SECTION 1: ALLOWABLE USES

All capitalized terms herein shall have the meaning set forth in the Morgan Hill Zoning Code, as adopted on June 6, 2018.

Permitted:

- Small and medium size Retail, as well as retail big box Retail (including, but not limited to General Retail, Convenience Markets, Home Improvement Centers, and/or Large Commodity Retail)
- Residential Land Uses (approximately 8-24 dwelling units per acre), rentals or for sale (including, but not limited to, Duplexes, Group Housing, Live/Work Units, Mixed Use Residential, Multi-Family Dwellings, Single-Family Dwellings, Single-Family Attached Dwellings, and/or Single Family Detached Dwellings)
- Lodging Facilities
- Nursing Homes, Long-Term Care, Residential Care Facilities, and/or Residential Care Facilities, Small
- ~~Mix of commercial~~Day Care Centers and/or ~~retail big box anchors~~Home Day Care
- Colleges and Trade Schools, Community Assembly, Cultural Institutions, Instructional Services, Schools
- Eating and Drinking Uses (including, but not limited to, Restaurants, Fast Food; Restaurants, Sit-Down, quick service, fast casual, café, market hall, cafeteria style, and full service)
  - ~~Medium size anchors~~
  - ~~Shop space~~
  - ~~Eating Establishments (See Note 1 below)~~
- Up to five (5) ~~drive-thru facilities~~Drive-Through and Drive-In Facilities as identified on the precise development plan, of which only two (2) can be ~~fast food drive-thru uses, as defined in Note 2 below; any additional drive-thru use~~for Restaurants, Fast Food. Restaurants, Fast Food that primarily sell coffee, juices, and other beverages shall not be considered Restaurants, Fast Food, for the purpose of this definition. Any additional Drive-Through and/or Drive-In Facilities proposed within the shopping center shall require a conditional use permit.
  - ~~Commercial recreation and entertainment uses (including cinema and health club)~~
  - ~~Grocery store~~
- Commercial Recreation, Cinemas and Theaters, Parks and Recreational Facilities, Bars and Nightclubs, Tasting Rooms, Plant Nurseries
- Pop-up shops, food trucks and/or temporary food kiosks (day or night)
- Farmers Market,
- Animal Boarding and/or Equestrian Centers

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

- Professional Offices, Medical Offices and Clinics, Banks and Financial Institutions, Veterinarian Clinics and Hospitals, Government Offices, Funeral Parlors and Mortuaries, and/or Business Support Services
- Hospitals and/or Emergency Shelters
- Personal Services, Social Services, and/or Public Safety Facilities
- Fuel and Service Stations, Vehicle Rentals, Vehicle Sales and Leasing, Vehicle Washing
- Parking Lots and Structures
- Offices Recycling Facilities
  - Service Offices (including real estate offices, banks or other financial institutions, title companies, credit unions)
- Personal Light Fleet-Based Services
  - Liquor store
  - Wine shop
- Utilities, Major
- Wireless Communication Facilities
- Urban Agriculture
- Any other use that is supportive of Retail
- Any other use listed as a permitted use in the CG, General Commercial District in the Morgan Hill Municipal Code, with the exception of day care centers and nursery schools which shall be conditional uses

Note 1: Eating establishments shall include both sit down and fast food restaurants.
Note 2: For the purpose of this PUD only, drive-thru fast food' shall be defined as follows:

A "Drive-Thru Fast Food" restaurant is any establishment whose principal business is the sale of prepared foods to customers and whose service includes all of the following characteristics:

A. The restaurant has a drive-through aisle and window.

B. Meals are usually provided in disposable plastic or paper containers.

C. There is no substantial differentiation in the meals or the service provided for consumption on the premises and meals that are taken out of the premises for consumption.

Businesses that primarily sell coffee, juices and other beverages shall not be considered 'drive-thru fast food' for the purpose of this definition.

Conditional:

- Any drive-thru use Drive-Through and Drive-In Facilities that is proposed beyond the five (5) that are permitted in the shopping center above shall require a conditional use permit.
  - A maximum of one fuel station, car wash and convenience market
  - All other uses which are supportive of retail (i.e., daycare)

- A maximum of one (1) of each: Fuel and Service Stations, Vehicle Washing, and Convenience Markets, unless as a part of General Retail in which more than one of each of the foregoing shall be permitted.
- Mini-Storage
- Vehicle Repair and Maintenance, Major & Minor
- Towing and Impound
- Wholesaling
- Warehousing and Distribution

~~**Section 2: Site Development Concept**~~

SECTION 2: SITE DEVELOPMENT CONCEPT: Notwithstanding anything contained herein to the contrary, the original Site Development Concept in Section 2 of Ordinance No. 1746 dated December 8, 2005 ("First PD") shall continue in full force and effect, except as modified herein.

1. ~~1.~~ The mixed use site development plan consists of three retail areas and one residential area, created by the pattern of vehicular roadways which bisect the site N/S from Cochrane Road at De Paul Drive and E/W from Mission View Drive.
2. ~~2.~~ Building setbacks along Cochrane Road shall be an average of 30- ft; along Mission View an average of 10 feet, however, encroachments into the setback area are permissible to accommodate the architectural and functional needs of the development as long as the overall average is maintained and a substantial portion of the setback shall be no less than 30 feet along Cochrane and 8 feet along Mission View.
3. ~~3.~~ Buildings situated at or near the front ~~setback~~and side setbacks shall provide a public access route to the buildings from the ~~front~~side setback, except as shown on the Site Plan.
4. Elevations submitted with the PD Application (_____) shall not require further review or approval except that the supporting architectural and design details for such elevations for uses inconsistent with the ~~First~~ PD shall require Design Review in accordance with Section 18.108.040.

~~4. Elevations submitted with the PUD application (8/22/05) shall not require further review or approval except that the supporting architectural and design details for such elevations shall require final review and approval by an ARB Subcommittee. Any minor modifications to the submittals under the Precise Development Plan shall be subject to approval by Staff on the basis of substantial conformance with the Precise Development Plan, or if Staff is unable to make such a determination, then by a sub-committee of the Architectural Review Board. Subsequent submittals for elevations not submitted as a part of the original PUD application shall be substantially consistent with the Precise Development Plan and shall be subject to the approval of the Architectural Review Board. Individual buildings within the development may be larger or smaller than shown on the Precise Development Plan as long as the approximate location and overall total square footage is substantially consistent with and in aggregate, does not exceed the Precise Development Plan.~~

~~**Section**~~**SECTION 3:** ~~**Landscape and Lighting Concepts and Guidelines**~~ **LANDSCAPE AND LIGHTING CONCEPTS AND GUIDELINES**

Landscape

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

5. ~~5.~~ Project landscaping shall be substantially consistent with the Project Landscape Plan submitted as ~~a~~ part of the ~~Precise Development~~Master Plan. All street trees, trees planted within the front setback areas, and trees planted at the entrance of buildings shall~~, at~~ be a minimum~~, conform to "~~ 15 gallon~~" sizing standards provided by the California Association of Nurserymen~~ size. Except as permitted under guideline #7 below, and except for landscaping adjacent to buildings, all landscape areas shall comply with city code.
6. ~~6.~~ The general characteristics of the plant palette for the ~~PUD~~Project shall be a combination of year-round color and textural interest. Plants shall be selected on the basis of color combinations ~~(consistent with~~complementary to the Art Deco theme~~)~~, growth patterns, low maintenance and water conservation characteristics. ~~At time of installation, all trees shall, at a minimum, conform to "15 gallon" sizing standards provided by the California Association of Nurserymen.~~

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

7. ~~7.~~ An average ~~30-foot wide landscape strip (excluding any landscaping within the right-of-way) shall be provided along Cochrane Road. An average 20-ft wide landscape strip shall be provided along Mission View Drive up to the first driveway. Thereafter, an average 15-~~10 foot wide landscape strip shall be provided along the northerly extension of Mission View Drive. Encroachments into such landscape ~~strips~~strip shall be permissible to accommodate the architectural and functional needs of the development as long as the overall average is maintained and a substantial portion of ~~each~~the landscape strip equals or exceeds ~~the respective 30-~~10 foot ~~and 15-foot requirements~~requirement. Acceptable mitigation for such encroachments shall include, without limitation, additional landscape planting or a combination of an earthen berm or screen wall. Berms shall be an average height of ~~three~~3 feet with a minimum height of ~~one and one-half~~1.5 feet, and shall undulate where possible and aesthetically pleasing. Except as provided herein, the design of the landscaping ~~strips~~strip referred to above shall substantially conform to the Landscape Plan submitted as ~~a~~ part of the ~~Precise Development~~PD Master Plan.

~~8. The driveway comprising the main vehicular entry from Cochrane Rd. shall be provided with landscaped medians in substantial conformance with the precise development plan dated 8/22/05 on file at the Community Development Department.~~

8. ~~9.~~ Canopy-providing trees shall be planted in the parking lot planter islands to produce shade.

9. ~~10.~~ The main project entrance at ~~Cochrane Rd. and~~ DePaul Drive shall be well landscaped and serve as a focal point.

10. ~~11.~~ Shrubs or vine planting shall be provided to screen utilities and trash enclosures.

11. ~~12.~~ The main parking field and/or any parking structure shall be screened from view of public streets by use of berming and/or bushes of a minimum of ~~three~~3 feet effective height (18 months after planting), as measured from the top of the nearest street curb.

12. ~~13.~~ Where possible, landscaping shall be used to soften the appearance of fences and walls and front elevations of large scale retail buildings which lack fenestration or other architectural detailing.

13. ~~14.~~ All service areas fronting on public streets shall be screened by landscaping, berms, screens, and/or walls, substantially consistent with the colors and materials shown in the "colors and materials pallet" packet~~, date stamped August 24, 2005~~ on file ~~at~~in the ~~Community~~ Development ~~Department~~Services Center.

14. ~~15.~~ Special paving or materials such as integral color concrete or asphalt, pavers, and/or scored concrete paving shall be provided at key on-site intersections. Pedestrian walkways shall be provided connecting groupings of retail structures to other ~~such~~ retail areas, mixed use areas, and/or residential areas, and to parking areas. Walkways which cross traffic lanes shall have special markings such as integral ~~color~~colored concrete, scored or raised concrete, colored paving, special striping, and/or paving stones.

Lighting

15. ~~16.~~ Any decorative lighting on the pedestrian pathways parallel to the main driveway from Cochrane Road shall be reduced in height and scale, to create a more human-scale feeling and atmosphere.
16. ~~17.~~ The design of the exterior retail building lighting shall be compatible with the Art Deco architectural style of the ~~PUD.~~project. The design of the exterior residential and/or mixed use building lighting shall be complementary with the Art Deco architectural style of the project.
17. ~~18.~~ The main parking lot lighting fixtures shall be consistent throughout the ~~PUD.~~project, provided, however the mixed use and/or residential portions of the project shall complement the other portions of the project and will help identify neighborhoods within the project. The maximum pole height (including the base) shall be 33 feet except that lighting poles along ~~the~~ Mission View project edge and the Cochrane Road project edge across the ~~approved~~approve congregate care and assisted living facilities ~~to the south~~ shall be limited to a maximum height (including the base) of 15 feet. Further conditions regarding residentially zoned properties are imposed under guideline #~~19~~18 below.
18. ~~19.~~ All lighting shall be shielded and directed in such a manner so as not to directly cast light on neighboring residentially zoned properties or the approved congregate care and assisted living facilities ~~to the south~~. The Applicant shall pay special attention to ~~insure~~ensure that there is no unacceptable spillage of light outside the applicable boundaries of the ~~shopping center~~project. Prior to ~~ist uance~~issuance of site construction permits, Applicant shall provide a photometric plan evidencing ~~the~~ conformance of the lighting plan to these guidelines. ~~Adjustments to the lighting intensity and direction may be required after commencement of the use to the extent that neighboring residential properties are adversely affected.~~

~~Section~~SECTION 4: ~~Parking and Loading/Circulation~~PARKING AND LOADING/CIRCULATION

19. ~~20.~~ The main ~~narking~~parking field shall be screened from public view on Cochrane ~~Rd~~Road primarily through ~~the~~constructed buildings, the use of berming and/or hedge row plantings, shrubs, trees or any combination thereof, in a manner substantially consistent with the project Landscape Plan. ~~At the time of installation, shrub plantings shall conform to "5 gallon" sizing standards provided by the California Association of Nurserymen, trees shall conform to "15 gallon" sizing standards provided by the California Association of Nurserymen, accents and groundcover shall conform to "1 gallon" sizing standards provided by the California Association of Nurserymen and berming may undulate to create interest and contrast as long as (i) the average height shall be three feet, and (ii) not less than 50% of the length of such berming is actually 3 feet or more in height as measured from the top of the nearest street curb.~~
20. ~~21.~~ 90 degree parking, angled parking, compact parking, RV parking, parallel parking, one-way drive aisles, and round-abouts shall be permitted. ~~Alternatively, the PUD shall permit angled parking and one-way drive aisles subject to review and approval of the Architectural Review Board.~~

~~22.~~ Parking areas shall be designed to include provision for pedestrian walkways for access to building ~~er trances~~entrances. Walkways which cross traffic lanes shall have special markings such as integral color concrete, scored or raised concrete, colored paving, special striping and/or

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

21. paving stones. Walkway strips shall be intermittently provided through landscaped areas to protect landscaping from foot traffic damage.
22. ~~23.~~ In order to facilitate on-site traffic flow and vehicle and pedestrian safety, parking stalls shall not be located directly adjacent to the front of a ~~major use~~retail anchor tenant occupying a ground floor area that is 100,000 square feet or larger (i.e. Major 1 (Target) ~~and Major 8~~ as shown on the ~~precise development plan~~PD Master Plan).
23. ~~24.~~ Reciprocal access and shared parking between properties shall be used, whenever possible.
24. ~~25.~~ Cross access easements shall be provided throughout the ~~PUD~~project.
25. ~~26.~~ Shared access easements and driveways shall be provided.
26. ~~27.~~ Drive aisles shall allow for circulation within the ~~PUD~~project, with sufficient width for emergency vehicles. Dead end drive aisles ~~are discouraged but~~ shall be allowed subject to review and approval of the Architectural Review Board if not designated as such in the PD Master Plan.
27. ~~28.~~ Provisions for connecting driveways and walkways between adjacent properties within the ~~PUD~~project are ~~to be provided~~encouraged.
28. ~~29.~~ Emergency vehicle access shall be provided throughout the ~~PUD~~project.
29. ~~30.~~ Loading areas and docks shall be screened from view along ~~the new road (proposed northerly extension of~~ Mission View Drive~~)~~ by landscaping or a screening structure. Screen walls or other screening structures shall be architecturally treated, and may be constructed with metal, concrete, concrete block, wood or a combination thereof (see attached exhibit for an example of acceptable screening). Alternatively, screening along the northern property ~~line~~ may be ~~comprised~~compromised of dense evergreen plantings.
30. ~~31.~~ All truck deliveries between the hours of 10pm to 6am shall enter and exit through the DePaul Drive project driveway (main vehicular entry from Cochrane Road).
31. Parking required for the development shall meet the requirements set forth in the recorded reciprocal easement agreement including shared parking throughout the project and among a mix of uses.

~~32. Overnight parking of delivery trucks shall be prohibited on-site, except that delivery trucks may be parked within loading docks provided no equipment is kept running, including but not limited to generators, refrigeration units and compressors.~~

~~Section~~SECTION 5: ~~Architectural Concepts and Guidelines~~ARCHITECTURAL CONCEPTS AND GUIDELINES

~~33.~~ The architectural concept shall create a campus of ~~retail~~mixed use residential and commercial structures which vary in character, massing, materials, and colors but remaining ~~consistent with~~complementary to the Art Deco theme of the ~~Precise Development~~PD Master Plan. Each structure shall be complementary to the Art Deco theme, but may maintain its own uniqueness. Building facades may contain design features and variances in scale to create interest ~~and~~in character. The design of entertainment uses may be enhanced by featured elements which may include some or all of the following: neon, tower, marquee, theater lights and statement lobby glazing. Art Deco forms and treatments

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

32. shall be utilized as part of the overall architectural presentation. If neon is utilized, it shall not be established in areas facing residentially zoned properties adjacent to the site. The development shall include tower and/or entry features, bold cornices, and varying facades, and a variety of materials, colors and storefronts. Awnings, light sconces, site lighting, and/or street furniture shall be situated at appropriate locations as determined by Applicant to enhance the pedestrian and/or human scale feel of the project.

33. 34. No building shall exceed 4068 feet in height to the top of the parapet except that tower and accent features of buildings may exceed such height limitationlimitations as long as (i) the scale and design of such features are consistent and appropriate forcomplementary to the Art Deco design of the shopping centerproject; (ii) such exceptionexceptions affects no more than 25% of the theater and no more than 15% of any otherapplicable building; and (iii) such features shall not exceed 6075 feet at the highest point. Overall, building heights and tower and accent features shall be substantially consistent in scale and proportion with the building elevations dated 8/22/05 on file at the Community Development Department.

34. 35. Rooflines shall vary in height and flat and cascading rooflines shall be permitted in a manner substantially consistent with the building elevations dated 8/22/05 on file at the Community Development Department andcomplementary to the Art Deco architectural theme established for the development.

35. 36. Large, continuous structures shall incorporate breaks in horizontal planes by varying architectural features and designs and recessing windows and entrances, to provide substance and scale.

36. 37. Windows shall be enhanced by use of various sizes and shapes, and highlighted by the use of accent trim (e.g. molding, pop-out or wood trim). The design shall be complementary to the architectural style of the PIJDproject.

37. 38. Architectui alArchitectural treatment shall be applied to the front façade of all building elevations consistent • withcomplementary to the building elevations dated 8/22/05 on file at the Community Development Department; complementary architectural treatment shall also be applied to other areas of any building clearly visible from any public street.

38. 39. Building design shall be compatible with the immediate adjacent building and provide harmonious transition between various uses.

39. 40. Gutters and downspouts shall be made of quality materials and treated to blend into the facadefaçade to' hich which it is attached, unless used as a design element, in which case the color shall be consistent with the color schemes of the building.

40. 41. No mecharicalmechanical equipment shall be exposed on the wall surface of any building.

41. 42. Mechanical and utility equipment shall be located below the roof line or parapet wall and out of public view. All roof-mounted mechanical equipment or ductwork which project vertically above the roof or parapet shall be screened by an enclosure which is detailed consistently with the building design.

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

42. ~~43.~~ Any outdoor storage of goods, materials or equipment (e.g. garden center, lumber yard) shall be located within an enclosed area. The fencing and/or screening enclosing such area shall be ~~consistent with~~complementary to the Art Deco architectural theme of the ~~Precise Development~~PD Master Plan and designed in a manner complementary to the building design and site layout. Chain link fencing with wood inserts is not an acceptable manner of screening.
43. ~~44.~~ Fences and walls shall be designed to be compatible with the surrounding landscape and architectural style of the PUD.
44. ~~45.~~ Trash enclosures shall be constructed of solid material, and shall be a minimum of six feet in height, with solid view obstructing gates. Trash enclosures shall be located in inconspicuous locations.

~~Section~~SECTION 6: ~~Sign Design Guidelines~~ SIGN DESIGN GUIDELINES

45. ~~46.~~ This PUD shall permit ~~one~~two (2) pylon sign ~~structure~~structures along Highway 101 near the north end of the site and one pylon ~~sign~~ structure along Highway 101 near Cochrane Road consistent with the original PUD application (8/22/05), subject to approval by the SCVWD if necessary. The pylon sign near the north end of the site shall be a maximum height of 68 ft, as measured to the top of the horizontal cornice. The pylon sign near Cochrane Road shall be a maximum height of 50 ft, as measured ~~to~~at the top of the horizontal cornice. Decorative architectural features may extend above the 68- ft and 50- ft height limits as depicted on the sign elevations date stamped October 27, 2005, on file at the Community Development Department. This PUD shall also permit one monument sign structure consistent with the original PUD application (8/22/05) at the intersection of Cochrane Road and Mission View Drive. This monument sign shall be a maximum overall height of 20 feet, and shall not be illuminated in the evenings after 10pm. In addition, this PUD shall permit residential signage, including signage consistent with a leasing office.
46. ~~47.~~ The uniform sign program for the Project shall control the signage requirements and placement of signs within the project. The uniform sign program shall be applicable to all buildings and uses within the PUD. Tenant identification signs and "now leasing" signs will be allowed on the sides of the buildings that are visible to Highway 101. Signs ~~fronting Highway 101 and Mission View Drive shall be limited to business identification signs only. Signs, banners~~, Banners and posters shall be permitted and must be of a high quality with character, and ambiance ~~consistent with~~complementary to the Art Deco theme and the standards of the ~~Precise Development~~PD Master Plan. Address numbers shall contrast with their background and shall be a minimum of six inches in height.
47. ~~48.~~ Poster boards containing retail displays (including advertising), for sale/for rent signs incorporating an artistic component or displaying information of community interest shall be permitted. ~~Such displays shall comply with guidelines issued by a sub-committee of the Architectural Review Board.~~

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

~~Section~~SECTION 7: ~~Utilities and Appurtenant Uses / Devices~~ UTILITIES AND APPURTENANT USES / DEVICES

48. ~~49.~~ Easements for the installation and maintenance of utilities, walkways, roads, shared driveways, parking and drainage facilities shall be recorded as part of any subdivision map or lot line adjustment.
49. ~~50. A detention pond or an interlinked detention pond system with outfalls shall be used to serve the PUD. The detention~~Detention ponds and/or bioswales may be located within any setback area or outside a setback area.
50. ~~51.~~ Utility equipment may be located ~~within~~with landscaped or setback areas provided they are located as far from the street frontage as feasibly possible, and adequately screened and/or landscaped to limit the visibility of such equipment.
51. ~~52.~~ Uses within the PUD that utilize shopping carts shall provide indoor or outdoor screened storage of the carts and shall provide for architecturally treated collection areas throughout the parking lots.
52. ~~53.~~ Vending machines, bike and/or scooter racks racks, rides, newspaper racks, coin operated devices, electric vehicle parking or other similar devices may be placed on the exterior ~~of~~ and/or walkway and/or parking lot or garage adjacent to proposed buildings, provided the area in which the devices are located is partially enclosed or architecturally treated. ~~Prior to installing such equipment or devices, Applicant shall provide Staff with a proposed plan indicating the nature and proposed location of such devices for Staff review and approval.~~ Once installed, such devices and locations shall be maintained in a high quality manner.

~~Section 8: Disclosures~~

~~54. A disclosure statement shall be included in all sale or lease agreements informing prospective buyers and tenants of the adjacent agricultural uses.~~

~~(end)~~

Attachment: Proposed Revised PUD Guidelines and Use List (2623 : Preliminary Review - Cochrane Commons)

Approved PD	Proposed	General Commercial Zone	Highway Commercial Zone	Mixed Use Flex
PERMITTED USES	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**
Mix of **commercial** and/or **retail** big box anchors	**Small and medium size Retail** **Big Box Retail** **General Retail**	General Retail	General Retail	General Retail
Medium size anchors	**Home Improvement Center** **Large Commodity Retail**	Home Improvement Centers	Home Improvement Centers	
Shop space	**Convenience Markets**			
Eating Establishments	**Eating and Drinking Uses** including but not limited to: **Restaurants:** (Fast food*, sit down, quick service, fast casual, café, market hall, cafeteria style and full service) ***Fast Food** that primarily sell coffee, juices and other beverages shall not be considered as a restaurant for the purposes of this definition.	Restaurants, Fast Food Restaurants, Sit-Down	Restaurants, Fast Food Restaurants, Sit-Down	Restaurants, Fast Food Restaurants, Sit-Down
Up to five (5) drive-thru facilities	**Up to five (5) drive-through and Drive-In Facilities**			
Commercial recreation and entertainment uses (including cinema and health club)	**CommercialRecreation** **Cinemas and Theaters**	Commercial Recreation, Indoor ≤15,000 sq. ft.	Commercial Recreation, Indoor ≤15,000 sq. ft.	

Attachment: Land Use Comparison Matrix [Revision 2] (2623 : Preliminary Review - Cochrane Commons)

Approved PD	Proposed	General Commercial Zone	Highway Commercial Zone	Mixed Use Flex
PERMITTED USES	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**
Grocery store	**Pop-up shops** **Food trucks and/or Temporary food kiosks (day or night)**			
Offices	**Professional Offices** **Medical Offices and Clinics,** **Banks and Financial Institutions**	Banks and Financial Institutions Government Offices Medical Offices and Clinics Professional Offices	Banks and Financial Institutions Professional Offices	Banks and Financial Institutions Medical Offices and Clinics Professional Offices
Service Offices (including real estate offices, banks or other financial institutions, title companies, credit unions)				
Personal Services	**Personal Services,** **Social Services and/or Public Safety Facilities**	Personal Services		Personal Services
Liquor store	**Bars and nightclubs**			
Wine shop	**Tasting Rooms**		Tasting Rooms	Tasting Rooms
Any other use listed as a **permitted use in the CG,** General Commercial District in the Morgan Hill Municipal Code, **with the exception of day care centers and nursery schools which shall be conditional uses**	**Daycare Centers** **Home Daycare**			Home Day Care (small)
	Animal Boarding			
	Plant Nurseries			

Approved PD	Proposed	General Commercial Zone	Highway Commercial Zone	Mixed Use Flex
PERMITTED USES	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**
	Farmers Market			
	Lodging Facilities		Hotels and Motels	
	Veterinarian Clinics and Hospitals,			
	Government Offices and/or Business Support Services	Business Support Services	Business Support Services	Business Support Services
	Hospital and/Emergency Shelters			
	Colleges and Trade Schools **Community Assembly** **Cultural Institutions** **Instructional Services** **Schools**			College and Trade Schools Instructional Services
	Fuel and Service Station, **Vehicle Rentals,** **Vehicle Sales and Leasing,** **Vehicle washing**		Vehicle Rentals Vehicle Sales and Leasing	
	Light Fleet Based Services			
	Parking Lots and Structures			
	Recycling Facilities			
	Utilities, Major			
	Wireless Communication Facilities			
	Urban Agriculture			
	Any other use that is supportive of Retail			

Attachment: Land Use Comparison Matrix [Revision 2] (2623 : Preliminary Review - Cochrane Commons)

Approved PD	Proposed	General Commercial Zone	Highway Commercial Zone	Mixed Use Flex
PERMITTED USES	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**
	Nursing Homes **Long Term Care** **Residential Care Facilities** **Residential Care Facilities**-Small			Residential Care Facilities (small)
	<u>Residential land uses:</u> (approximately 8-24 dwelling units per acre), rentals or for sale including but not limited to: **Duplexes** **Group Housing** **Live/work Units** **Mixed Use Residential** **Multifamily Dwellings** **Single-Family Dwellings** **Single-Family Attached Dwellings**			Mixed Use Residential Accessory Dwelling Units
	Any other use listed as a **permitted use in the CG,** General Commercial District in the Morgan Hill Municipal Code,			Food and Beverage Production <5,000 sq. ft (*On site wholesale or retail sales required)
CONDITIONAL USES	**CONDITIONAL USES**	**CONDITIONAL USES**	**CONDITIONAL USES**	**CONDITIONAL USES**
Any drive-thru use that is proposed **beyond the five (5)** that are permitted in the shopping center shall require a conditional use permit	Any **Drive-Through** and Drive-In Facilities that is proposed **beyond the five (5**) that are **permitted** above shall require a conditional use permit.	Drive-Through and Drive-In Facilities	Drive-Through and Drive-In Facilities	Drive Through Facilities

Attachment: Land Use Comparison Matrix [Revision 2] (2623 : Preliminary Review - Cochrane Commons)

Approved PD	Proposed	General Commercial Zone	Highway Commercial Zone	Mixed Use Flex
PERMITTED USES	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**
A maximum of one fuel station, car wash and convenience market	A **maximum of one** (1) or each: Fuel and **Service Stations, Vehicle Washing, and Convenience Markets**, unless as part of General Retail in which more than one of each of the foregoing shall be permitted.	Convenience Market Fuel and Service Stations Vehicle Washing	Convenience Market Fuel and Service Stations Vehicle Washing	Convenience Market-A Fuel and Service Stations Vehicle Washing
All other uses which are supportive of retail (i.e., daycare)		Animal Boarding Bars and Nightclubs Cinemas and Theaters-A College & Trade Schools Commercial Recreation, Indoor >15,000 sq. ft. Community Assembly Cultural Institutions Day Care Centers-A Funeral Parlors and Mortuaries Hotels and Motels-A Instructional Services-A Large Commodity Retail Parking Lots and Structures Plant Nurseries Reverse Vending Machine Schools, Public and Private Social Services Tasting Rooms-A Vehicle Rentals Vehicle Sales and Leasing	Cinemas and Theatres-A Commercial Recreation, Indoor > 15,000 sq. ft. Instructional Services-A Medical Offices-A Reverse Vending Machine Veterinarian Clinics/Hospitals-A	Bars and Nightclubs Bed and Breakfast-A Cinemas and Theaters-A Commercial Recreation, Indoor >15,000 sq. ft. Community Assembly Cultural Institutions-A Day Care Centers Emergency Shelters Farmers Market-A Government Offices-A Hospitals Hotels and Motels Parking Lot and Structures Public Safety Facilities Reverse Vending Machine Vehicle Rentals Schools, Public and Private Social Services Veterinary Clinics & Hospitals

Attachment: Land Use Comparison Matrix [Revision 2] (2623 : Preliminary Review - Cochrane Commons)

Approved PD	Proposed	General Commercial Zone	Highway Commercial Zone	Mixed Use Flex
PERMITTED USES	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**
		Veterinary Clinics & Hospitals-A		
	Mini-Storage	Mini-Storage		
	Vehicle Repair and Maintenance, Major & Minor	Light Fleet-Based Services Vehicle Repair and Maintenance, Minor		
	Towing and Impound			
	Wholesaling	Wholesaling		
	Warehousing and Distribution	Food and Beverage Production <5,000 sq. ft.(*On site wholesale or retail sales required.)-A Food and Beverage Production-A 5,000 sq. ft. to 10,000 sq. ft. (*On site wholesale or retail sales required.) Utilities, Major	Food and Beverage Production <5,000 sq. ft.(*On site wholesale or retail sales required.)-A Food and Beverage Production 5,000 sq. ft. to 10,000 sq. ft. (*On site wholesale or retail sales required.) Freight Terminals and Transfer	Food and Beverage Production 5,000 sq. ft. to 10,000 sq. ft. (*On site wholesale or retail sales required.)

Attachment: Land Use Comparison Matrix [Revision 2] (2623 : Preliminary Review - Cochrane Commons)

Approved PD	Proposed	General Commercial Zone	Highway Commercial Zone	Mixed Use Flex
PERMITTED USES	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**	**PERMITTED USES**
		Residential Uses: Caretaker Quarters Nursing Homes and Long-Term care		**Residential Uses:** Duets and Duplexes Group Housing Home Day Care, Large Live/Work Unit-A Multi Family Dwellings Nursing Homes and Long-Term Care Residential Care Facilities Senior Housing, Independent Living Single Family Attached Dwelling Single Family Detached Dwelling

Cochrane Commons, Morgan Hill – Planned Unit Development Amendment

Realizing the vision of a vibrant village center for Northeast Morgan Hill, a decade in the making

Statement of Planning Objectives

The purpose of this Zoning Amendment, Amending a Planned Development (the "PUD Amendment"), and the approval of a tentative Parcel Map is to address the policy considerations for approval of an amendment to the existing Planned Development dated November 10, 2005 ("Existing PD") to allow for additional land uses in the 66.26 acre Cochrane Commons Shopping Center (the "Shopping Center"). The proposed project is an approximately 31 acre site (the "Project") located within the Shopping Center. The Project has a land use designation of Mixed Use Flex for a 14.89 acre portion of the site and a commercial designation for the remainder. The entire site is zoned PUD (underlying zoning Highway Commercial) in accordance with City Council Ordinance No. 1746.

Morgan Hill Retail Ventures L.P. ("Operating Partners") is now seeking to obtain a PD approval that would modernize the allowable uses in the commercial components of the Shopping Center, and make the make the zoning for the above mentioned 14.89 acre portion consistent with the City Council approved MUF zoning which allows for among other uses medium density residential, and is proposing a conceptual block level master plan to identify how commercial and residential uses will be incorporated within the Project. Currently, commercial uses within the Project are permitted with the Existing PD. The additional residential uses within the Project are consistent with the new General Plan designation.

Pursuant to the Initial Study, the Operating Partners' have found that the proposed Project (i) would not cause any additional significant effect on the environment which was not previously examined in the EIR originally created for the Shopping Center (ii) no additional mitigation measures or alternatives will be required as a result of the Project, and (iii) the Project is within the scope of the original EIR. Therefore, based on the foregoing reasons and the evidence and facts set forth in the Initial Study, subject to compliance with the mitigation measures of the existing EIR and the Cochrane Road PUD Guidelines as amended hereby, the Operating Partners recommend approval of this PUD Amendment, the precise development plan, tentative parcel map, location and sizes of lots, additional pylon sign, basic design, uses, vehicle and pedestrian circulation, related amenities, parking areas, landscaping areas, and any other purposeful uses on the Project.

Project Background

The Operating Partners entitled the Shopping Center during 2005 and 2006 as a 657,250 SF retail development at the height of the then booming economy, with expectation of demand from at least 12 major retail anchor tenants and over 50 smaller restaurant and shop tenants. In 2007 roughly 262,560 SF of the Shopping Center was built to meet the existing market demands from corporate, franchise, and/or independent retailers, including the 127,732 SF Target anchor. A study referenced in Resolution No. 17-052 notes that "while the Bay Area has seen one of the single largest economic expansions in the last 50 years, the City of Morgan Hill has not experienced as much new commercial and industrial

Attachment: Statement of Planning Objectives (2623 : Preliminary Review - Cochrane Commons)

development as other Bay Area jurisdictions." Following the Great Recession in 2008, the retail industry went into retraction and saw major retailers file for bankruptcy, including American institutions and/or big box retailers like Mervyn's, Borders, Linens n Things, Shoe Pavilion, Good Guys, and Circuit City, an anchor at the Shopping Center which permanently closed its doors in 2009.

Over the last 10 years the Operating Partners of the Shopping Center have continued to own and operate the property in a first class manner despite the financial hardships of vacancy and the burden of carrying the excess land. This has included actively marketing the Shopping Center to additional anchors to build out the remaining entitled buildings in the Shopping Center, as well as shop and junior retailers to fill the existing vacancies. These efforts have led to the near completion of the original Phase I of the project, bringing additional high quality retail offerings and tax revenue to the community including Dick's Sporting Goods and ULTA Beauty, among many other shop and restaurant tenants. Despite those additions space in the existing and future project areas have remained vacant, and at this time these outreach efforts have led to the belief that there will not be the originally expected demand for the amount of allowable retail development approved in the Shopping Center.

In July of 2016, the City Council of Morgan Hill approved the General Plan Update 2035. This update included a change in the General Plan designation for a 14.89 acre portion of the planned Phase II of the Shopping Center from Highway Commercial to Mixed Use Flex ("MUF"). The portion now designated as Mixed Use/Flex was previously approved for a second full size anchor of 150,400 SF, but there has been no demand due to (i) the shrinking pool of viable retailers in this size range and (ii) the self-imposed limit on housing growth within the City of Morgan Hill which prevents such anchor retailers to anticipate typical sales growth from housing expansion in the trade areas. The area also includes two proposed ancillary retail pad buildings totaling 11,000 SF. The new Mixed Use Flex designation maintains the ability to accommodate such an anchor should one have interest, while also allowing the flexibility for the construction of residential housing at the densities consistent with the new MUF Zoning.

Between the post-recession reality of consumer spending, and the competition with online retail sales, retailers and shopping centers throughout the country are still struggling to make sense of their own future. Many of these shopping centers have begun to take creative approaches in bringing additional foot traffic to their properties, including the introduction of new types of tenants like educational uses, health care uses, medical and hospitality uses, recreational and entertainment uses, as well as the inclusion of denser office uses and most notably residential uses.

Mixing residential uses with commercial shopping districts has an especially synergistic effect in bringing additional shoppers to the center, and there are many case studies where shopping centers have benefited greatly from this type of mixed use residential component. Additional environmental benefits exist from mixing residential and commercial uses. Creating an environment in which customers are able to walk to shops for their daily needs and basic services lowers green-house gas emissions from fewer car trips, as well as promotes health and quality of life benefits from living in a walkable community.

Attachment: Statement of Planning Objectives (2623 : Preliminary Review - Cochrane Commons)

The Operating Partners are now seeking to amend the Existing PD as follows:

1. Zoning: Reflect the change in the new overlaying General Plan designation and underlying Zoning of Mixed-Use Flex, including, without limitation, the lot sizes, densities, setbacks, and heights;
2. Uses: Permit, as a matter of right, the uses permitted in the Mixed-Use Flex zoning including residential, as well as other uses that are supportive of retail and typical in the shopping centers of today's post-recession economy; such uses are included in the attached "Revised Planned Unit Development". Please note that the current PUD already permits other uses that are "supportive of retail," but the Operating Partners would like to clarify such right;
3. Pylon Sign: Permit, as a matter of right, a third pylon sign within the Shopping Center and near Highway 101 to attract additional tenant interest in the planned buildings, which plan is attached hereto and labeled "Pylon Sign Plan";
4. Site Plan: Replace the current site plan with the site plan attached hereto labeled "Alternate Site Plan" in order to reflect the potential residential component of the Shopping Center and, in addition, allow the Operating Partner future flexibility in modifying the Alternate Site Plan to adapt to market trends; and
5. Elevations: Approve the "Conceptual Elevation Plans" which illustrate the architectural theme from the existing project being carried over into the new uses in Phase II. The same commitment to quality in design and material choice will be maintained throughout the project, and a thoughtful approach will be taken to integrating and improving on the existing architectural themes.

The Operating Partners are also concurrently seeking the approval of a Tentative Parcel Map consistent with the final revised site plan.

The above changes will help, among many other things, (i) increase the viability of the existing Shopping Center's anchors and tenants, (ii) create a vibrant and exciting place for the residents of Morgan Hill to live, work, and shop all in one place, (iii) assist in protecting the tax revenue generated by the current and future tenants and the long term viability of the City of Morgan Hill's retailers, and (iv) encourage the development of the remainder of the Shopping Center.

Attached to this letter the Operating Partner has included, among other things, the redline Revised Planned Unit Development reflecting the revised "Allowable Uses", the "Alternate Site Plan", conceptual "Phase II Elevations, the "Pylon Sign Plan", and a traffic study documenting the decreased impact on traffic of the Alternate Site Plan to the surrounding area based on the maximum allowable density, of which the current Alternate Site Plan does not reach. There are CC&R's in place that provide for the maintenance of the entire property, which have also been attached to this application.

Statement of Intent to Sell/Lease

The intent of ownership is to continue to own and operate the property including the shopping center and proposed multifamily housing, and to sell the proposed townhome portion either at allocation or at occupancy permit. Other portions of the vacant land may be considered for sale to attract the appropriate operator to enhance the overall planned development, though it is the preference of ownership to retain as much of the land as possible to lease and own in the long term.

Attachment: Statement of Planning Objectives (2623 : Preliminary Review - Cochrane Commons)

Development Scheme /Phasing

It is the goal of ownership to begin construction of Phase II upon receipt of planning and building permit approvals. Build out of the various uses within Phase II will depend on leasing and economic conditions, but it is our intent to build out as much of the vacant land as possible concurrently.

Operating Partner Statement

In summary we, the Operating Partners, are excited for the opportunity to continue to work with the City of Morgan Hill to complete the Project in a manner that best serves the surrounding neighborhood and city-wide community, and assists in the long term viability of this major retail node.

We believe the Alternate Site Plan and project as conceptually proposed is a dramatic improvement from the currently approved project, that it more adequately reflects the reality of today's shopping environment, and offers a drastically improved quality of life for nearby residents and the surrounding community compared to the previous plan and currently existing conditions. Special attention will be paid to the connections between Phase I and II to ensure uses complement each other, and that priority is given to the pedestrian scale of common areas and activation of the pedestrian realm.

Morgan Hill has worked hard to position itself among competing cities in Silicon Valley by offering quality housing opportunities, additional neighborhood amenities, a strong public school system, a growing local employment base, and an increasingly vibrant downtown. We appreciate your consideration in our being a part of these positive trends and look forward to staff feedback.

Attachment: Statement of Planning Objectives (2623 : Preliminary Review - Cochrane Commons)

URBAN FIELD

Ms. Jennifer Carman
Development Services Director
City of Morgan Hill
Development Services Center
17575 Peak Avenue
Morgan Hill, CA 95037

5 February 2020

SUBJECT: Cochrane Commons – Phase II Proposal
Urban Design Comments by Urban Field Studio for the City of Morgan Hill

Dear Jennifer,

I am responding to your request for comments about the internal circulation on the site of a Phase II proposed development for Cochrane Commons. The proposed Phase II is located between DePaul Drive and Mountain View Drive to the northwest of Highway 101 and Cochrane Road. My comments are based upon a PDF set of 18 sheets of drawings and a Uniform Application to the City that Urban Field Studio (UFS) received on December 17, 2019, in addition to a site plan received on October 25, 2019. I was not asked to comment on the proposed land uses, building plans or elevations, which are shown on the site plan and the drawings of the PDF set. The Uniform Application is for proposed zoning of "PUD - Planned Unit Development", which in the General Plan is currently "Commercial; Mixed-use Flex".

In general, the Phase II site is divided into three large parcels arranged in a row between DePaul Drive and Mountain View Drive. The smallest is the central parcel, which measures about 475 feet wide by 650 feet long between DePaul and Mountain View. The area of the parcel is more than 300,000 square feet, which is more than seven acres and which could be call a super block. The proposed plan on Sheets 8 through 11 (of 18 sheets) calls for "Pedestrian Priority", depicted by yellow lines along both sides of roadways. The roadways are indicated as red lines on either side of the central parcel, each boundary of which is about 650 long. A third roadway is shown with a red line along the northern boundary of the project, running between Mountain View and DePaul. In addition, a pedestrian way is shown in yellow as a sidewalk along the entire length of the project on Mountain View, as well as along one side of about a quarter of the length of DePaul. "Community Gathering Spaces" are indicated on Sheet 8 at the intersections of DePaul and the two roadways flanking the central parcel.

I have the following comments about the connections shown as roadways, the Pedestrian Priority routes, and the Community Gathering Spaces:

1. It is assumed that the "Pedestrian Priority" routes are also for bicycles; they should be designed for both pedestrians and bikes.
2. The pedestrian routes are very long and need to have activities and visual interest along the way in order that they are not perceived to be too long to walk.

Attachment: Comment letter from Urban Field Studio (2623 : Preliminary Review - Cochrane Commons)

3. The pedestrian and bicycle routes at the boundaries of the three parcels should not be in the same route as a parking area or parking aisle, as one route is currently shown between the northern and central parcels.
4. There should be pedestrian priority routes added to the northern boundary of Phase II (shown as a strip of parking), along Cochrane Road, and along the complete length of the east edge of DePaul.
5. In comparison to typical walkable blocks, e.g. in downtown Morgan Hill, the three blocks are super-block size. Each block, regardless of land use, should have a pedestrian and bicycle network within the block, making the walking distances shorter than traveling at the boundaries of the super-blocks.
6. Downtown Morgan Hill between 1st and 4th Streets has walkable blocks, which are 300 feet long along Monterey Road and divided by an alley into 200 and 300 feet lengths from Monterey to Depot Street. These distances for convenient walking are found in many towns and cities with interesting activities and views along the way.
7. The three parcels have very different development proposed: the northern parcel has two alternative residential plans, the central parcel has an assisted living complex, and the southern parcel has retail and entertainment uses. Each parcel should include connections for pedestrians and bicycles within the parcel in concert with the overall proposal for buildings, access, parking and landscaping.
8. Servicing for existing commercial buildings, as well as for the proposed Phase II uses should not conflict with the pedestrian and bicycle routes, as seems to be the case at the northeast corner of the existing Target store.
9. The "Community Gathering Spaces" need to have sufficient area and definition to be usable spaces for public and private events. The spaces should not be small spaces at the corners of intersections without buildings and landscaping to provide some definition and enclosure.
10. Buildings at the gathering spaces should have uses related to the activities and size of the spaces. The uses should front onto and open onto the gathering spaces.

Jennifer, if you would like to discuss our evaluation further, please do not hesitate to write or call.

Sincerely,

Frank L. Fuller, FAIA, Partner

cc: Leslie Little, Assistant City Manager for Community Development, City of Morgan Hill
Adam Paszkowski, Principal Planner, City of Morgan Hill
Heidi Sokolowsky, Partner, Urban Field Studio

Attachment: Comment letter from Urban Field Studio (2623 : Preliminary Review - Cochrane Commons)