



Regular Meeting Agenda
Planning Commission

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

Tuesday, October 13, 2020 7:00 pm

Virtual Meeting

MEETING GUIDELINES

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

Members of the public may NOT physically attend meetings at the Morgan Hill City Council Chamber.

The Planning Commission meeting will be live streamed on Channel 17 and on the City's website. Those members of the public wishing to participate remotely may do so via the electronic meeting at: <https://bit.ly/101320PlanningCommissionMtg> or by calling in to: (669) 900-9128, then enter the meeting ID 865 3972 2035.

Public comment for Planning Commission meetings will be accepted via email to pcpubliccomment@morganhill.ca.gov. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

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 CALENDAR

1. APPROVE THE SEPTEMBER 22, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

2. APPROVE THE SEPTEMBER 29, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

CONTINUED PUBLIC HEARINGS

3. GPA2019-0005/ZA2019-0016/SD2019-0007/EA2019-0023-JUAN HERNANDEZ – MH MEDICAL PROPERTIES (LILLIAN COMMONS) - AMENDMENTS THE GENERAL PLAN LAND USE MAP AND ZONING MAP, TENTATIVE PARCEL MAP AND MITIGATED NEGATIVE DECLARATION FOR A MIXED USE DEVELOPMENT ON A 19.67-ACRE SITE (APNS 817-09-039, 817-09-040 AND 817-09-041)

Recommendation:

1. Open/close the continued public hearing;
2. Adopt a Resolution recommending the City Council approve the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project;
3. Adopt a Resolution recommending the City Council approve an amendment to the General Plan land use designation;
4. Adopt a Resolution recommending the City Council approve a Zoning Amendment for a Planned Development Combining District; and
5. Adopt a Resolution recommending the City Council approve a Tentative Parcel Map.

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



Meeting Minutes Planning Commission

<i>Mohammad Habib</i>	-	<i>Chair</i>
<i>Malisha Kumar</i>	-	<i>Vice-Chair</i>
<i>Joseph Mueller</i>	-	<i>Planning Commissioner</i>
<i>Wayne Tanda</i>	-	<i>Planning Commissioner</i>
<i>Laura Gonzalez-Escoto</i>	-	<i>Planning Commissioner</i>
<i>Liam Downey</i>	-	<i>Planning Commissioner</i>
<i>Juan Miguel Munoz-Morris</i>	-	<i>Planning Commissioner</i>

Tuesday, September 22, 2020 6:00 pm

Virtual Meeting

MEETING GUIDELINES

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

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Public comment for Planning Commission meetings will be accepted via email to pcpubliccomment@morganhill.ca.gov. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

SPECIAL/REGULAR MEETING

A special meeting of the Planning Commission is called at 6:00 p.m. for the purpose of conduction a workshop.

Minutes Acceptance: Minutes of Sep 22, 2020 6:00 PM (CONSENT CALENDAR)

6:00 p.m. Workshop
7:00 p.m. Regular Meeting

SPECIAL MEETING

6:00 p.m. Workshop

CALL TO ORDER

Chair Habib called the meeting to order at 6:00 p.m.

ROLL CALL ATTENDANCE

Attendee Name	Title	Status	Arrived
Mohammad Habib	Chair	Present	
Malisha Kumar	Vice-Chair	Present	
Joseph Mueller	Planning Commissioner	Present	
Wayne Tanda	Planning Commissioner	Present	
Laura Gonzalez-Escoto	Planning Commissioner	Present	
Liam Downey	Planning Commissioner	Present	
Juan Miguel Munoz-Morris	Planning Commissioner	Late	6:36 PM

DECLARATION OF POSTING AGENDA

Minutes Clerk Luna declared the posted of the Agenda.

PLEDGE OF ALLEGIANCE

Planning Commissioner Mueller led the Pledge of Allegiance.

WORKSHOP

1. PLANNING COMMISSION WORKSHOP ON INDUSTRIAL POLICIES

Recommendation:

Accept the report and provide feedback on industrial preservation concentration policies.

Economic Development Director Edith Ramirez gave a presentation.

Planning Commissioner Munoz - Morris joined the meeting at 6:36 p.m.

Chair Habib opened for Public Comment at 6:44 p.m. The following individuals addressed the Planning Commission:

- John Lukez
- More Consulting - Michael Orosco
- Robert Benich
- Phone Caller (5656)
- Joe Baranowski - Mr. Baranowski also spoke on the behalf of:
 - Susi Jimenez
 - Sona Sidle
- Rick Kent
- Miguel Jimenez
- John William

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

No action taken. The Planning Commission accepted the report and provided feed back on the industrial preservation concentration policies.

RESULT:	ACCEPTED
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The Planning Commission Meeting recessed at 7:34 p.m.

REGULAR MEETING

CALL TO ORDER

Chair Habib called the regular meeting to order at 7:40 p.m.

OPEN PUBLIC COMMENT PERIOD

Chair Habib opened the Public Comment Period at 7:40 p.m. Hearing no requests to speak the Public Comment Period was closed.

ORDERS OF THE DAY

No changes made.

PUBLIC HEARINGS

2. **ZA2020-0003- ZONING TEXT AMENDMENT AMENDING TABLE 18.26-1 (PERMITTED LAND USES IN THE INDUSTRIAL ZONING DISTRICTS) OF SECTION 18.26.020 (LAND USE REGULATIONS) OF CHAPTER 18.26 (INDUSTRIAL ZONING DISTRICTS); SECTION 18.108.040 (DESIGN PERMIT) OF CHAPTER 18.108 (SPECIFIC PERMIT REQUIREMENTS); SECTIONS 18.124.050 (INDUSTRIAL USES) AND 18.124.060 (TRANSPORTATION, COMMUNICATION, AND UTILITY USES) OF CHAPTER 18.124 (LAND USE DEFINITIONS) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL REGARDING E-COMMERCE DISTRIBUTION USES AND DESIGN REVIEW FOR LARGE PROJECTS**

Recommendation:

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

City Attorney Donald Larkin and Economic Development Manager John Lang presented the Staff Report.

Chair Habib opened the Public Hearing at 8:45 p.m. The following individuals addressed the Planning Commission:

- Rick Kent
- Linda
- Armando Benavides
- Joe Baranowski - Mr. Baranowski also spoke on the behalf of:
 - Miguel Jimenez
 - Terry Williams
 - Bryan Espiritu
- John Lukez

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

MOTION:

Adopt a Resolution recommending City Council approve the Zoning Amendment and directed the City Attorney to make modifications to the Ordinance.

RESULT:	ADOPTED AS AMENDED [5 TO 2]
MOVER:	Wayne Tanda, Planning Commissioner
SECONDER:	Laura Gonzalez-Escoto, Planning Commissioner
AYES:	Kumar, Tanda, Gonzalez-Escoto, Downey, Munoz-Morris
NAYS:	Habib, Mueller

DIRECTOR'S REPORT/ANNOUNCEMENTS

Community Development Director Jennifer Carman made an announcement.

ADJOURNMENT

There being no further business, Chair Habib adjourned the meeting at 10:40 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk

Minutes Acceptance: Minutes of Sep 22, 2020 6:00 PM (CONSENT CALENDAR)

DRAFT



Meeting Minutes Planning Commission

<i>Mohammad Habib</i>	-	<i>Chair</i>
<i>Malisha Kumar</i>	-	<i>Vice-Chair</i>
<i>Joseph Mueller</i>	-	<i>Planning Commissioner</i>
<i>Wayne Tanda</i>	-	<i>Planning Commissioner</i>
<i>Laura Gonzalez-Escoto</i>	-	<i>Planning Commissioner</i>
<i>Liam Downey</i>	-	<i>Planning Commissioner</i>
<i>Juan Miguel Munoz-Morris</i>	-	<i>Planning Commissioner</i>

Tuesday, September 29, 2020 7:00 pm

Virtual Meeting

MEETING GUIDELINES

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

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Public comment for Planning Commission meetings will be accepted via email to pcpubliccomment@morganhill.ca.gov. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

CALL TO ORDER

Chair Habib called the meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

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

DECLARATION OF POSTING AGENDA

Minutes Clerk Luna Declared the Posting of the Agenda.

PLEDGE OF ALLEGIANCE

Planning Commission Tanda led the Pledge of Allegiance.

OPEN PUBLIC COMMENT PERIOD

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

- Joe Baranowski

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

ORDERS OF THE DAY

No changes made.

CONSENT CALENDAR

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

1. APPROVE THE SEPTEMBER 8, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

2. APPROVE THE SEPTEMBER 8, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARINGS

3. GPA2019-0005/ZA2019-0016/SD2019-0007/EA2019-0023-JUAN HERNANDEZ – MH MEDICAL PROPERTIES (LILLIAN COMMONS) - AMENDMENTS THE GENERAL PLAN LAND USE MAP AND ZONING MAP, TENTATIVE PARCEL MAP AND MITIGATED NEGATIVE DECLARATION FOR A MIXED USE DEVELOPMENT ON A 19.67-ACRE SITE (APNS 817-09-039, 817-09-040 AND 817-09-041)

Recommendation:

1. Open/close public hearing;
2. Adopt a Resolution recommending the City Council approve the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project;
3. Adopt a Resolution recommending the City Council approve an amendment to the General Plan land use designation;
4. Adopt a Resolution recommending the City Council approve a Zoning Amendment for a Planned Development Combining District; and
5. Adopt a Resolution recommending the City Council approve a Tentative Parcel Map.

Principal Planner Adam Paszkowski presented the Staff Report.

Chair Habib opened the Public Hearing at 7:38 p.m. The following individuals addressed the Planning Commission:

- Michael Groves
- Cecily Murray
- Elizabeth King

The Planning Commission meeting recessed at 8:36 p.m.

The Planning Commission meeting resumed at 8:41 p.m.

- David Clancy
- Joe Baranowski
- Serrali Serrali

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

Chair Habib re-opened the Public Hearing at 9:14 p.m. The Following individuals address the Planning Commission:

- Michael Groves
- Cecily Murray

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

RESULT:	CONTINUED [5 TO 2]	Next: 10/13/2020 7:00 PM
MOVER:	Joseph Mueller, Planning Commissioner	
SECONDER:	Malisha Kumar, Vice-Chair	
AYES:	Kumar, Mueller, Tanda, Gonzalez-Escoto, Downey	
NAYS:	Habib, Munoz-Morris	

ANNOUNCEMENTS

Community Development Director Jennifer Carman made an announcement.

ADJOURNMENT

There being no further business, Chair Habib adjourned the meeting at 10:07 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk



PLANNING COMMISSION STAFF REPORT

MEETING DATE: October 13, 2020

PREPARED BY: Adam Paszkowski, Principal Planner

APPROVED BY: Jennifer Carman, Community Development Director

GPA2019-0005/ZA2019-0016/SD2019-0007/EA2019-0023-JUAN HERNANDEZ – MH MEDICAL PROPERTIES (LILLIAN COMMONS) - AMENDMENTS THE GENERAL PLAN LAND USE MAP AND ZONING MAP, TENTATIVE PARCEL MAP AND MITIGATED NEGATIVE DECLARATION FOR A MIXED USE DEVELOPMENT ON A 19.67-ACRE SITE (APNS 817-09-039, 817-09-040 AND 817-09-041)

RECOMMENDATION(S)

1. Open/close the continued public hearing;
2. Adopt a Resolution recommending the City Council approve the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project;
3. Adopt a Resolution recommending the City Council approve an amendment to the General Plan land use designation;
4. Adopt a Resolution recommending the City Council approve a Zoning Amendment for a Planned Development Combining District; and
5. Adopt a Resolution recommending the City Council approve a Tentative Parcel Map.

LOCATION MAP:



PROJECT SUMMARY:

1. Location: 16130 Juan Hernandez Drive, on the southeast corner of Barrett Avenue and Juan Hernandez Drive (APNs 817-09-039, 817-09-040 and 817-09-041)
2. Site Area: 19.67± Acres
3. General Plan: Commercial
4. Zoning: CS (Service Commercial) and PD (Planned Development Combining District)

BACKGROUND:

On September 29, 2020, the public hearing was continued by the Planning Commission to October 13, 2020 to allow time for staff to clarify what options the Planning Commission has and to prepare alternative motions that reflect options for a lower building height for residential uses, paring down the number of uses listed in the Planned Development Master Plan, and considerations for limiting residential uses in the Planned Development Master Plan.

Please refer to the September 29, 2020 Staff Report and attachments (Attachment 1) for additional information on the project.

ANALYSIS:

Per the Planning Commission's request, staff has provided the following options for the Planning Commissions consideration for recommendation to the City Council including, amending the proposed residential building height within the PD Master Plan Development Standards, reducing the number of uses listed in the PD Master Plan Allowed and Conditional Uses, and limiting residential on the subject property.

1. Reduced Residential Building Height

At the September 29, 2020 Planning Commission meeting, the Commission stressed that the proposed maximum height for Residential/Office of four stories or 45 feet was excessive on the subject property adjacent to single-family residences and Barrett Elementary. Table 2 in the PD Master Plan lists the proposed development standards for the site.

Table 2 PD Master Plan Development Standards

Development Aspect	Parameter
Minimum Lot Size	10,000 square feet
Minimum Lot Dimensions	100-foot width; 100-foot depth
Maximum building coverage	50%
Minimum setbacks (front, rear, side, street) [1]	25, 0, 0, 15 feet (respectively)
Maximum height (exceptions 18.56.020)	Residential/Office – 4 stories or 45 feet Hospital – 4 stories or 55 feet
Floor Area Ratio	0.5 w/ Mixed Use Flex (MU-F)
Signs	Per Section 18.88
Lighting	Per Section 18.72.060.G
Landscaping	Per Section 18.64
On-Site Parking	Per Section 18.72 [2]
Retail	1 space per 250 square feet of net floor area
Restaurant (sit down)	1 space per 100 square feet of net floor area
Medical Office	1 space per 200 square feet of net floor area
Residential (multi-family)	1 bedroom unit – 1 covered 2 bedroom unit – 1 covered and 1 uncovered per unit
Guest Parking	1 per 3 units (shared with Medical Office use)
Electrical Vehicle Parking	1 per 25 to 49 automobile spaces, 2 per 50 to 100 automobile spaces, plus 1 per 50 ratio over 100 automobile spaces
Non-Residential Bicycle Parking	10% of automobile spaces; long term (enclosed): 5% of automobile spaces
Residential Bicycle Parking	10% of automobile spaces; long-term (enclosed), 1 per 5 units

Within the above table, if the Commission wants to reduce the maximum height of Residential/Office building on the site the Commission may make a recommendation to approve the PD Master Plan with the exception of revising 'Table 2 PD Master Plan Development Standards' to limit the height of Residential/Office uses to 3 Stories or 35 feet or a lower height as desired by the Planning Commission.

2. Pared Down Allowed and Conditional Uses

During the September 29, 2020 Planning Commission, it was discussed by the Commission that the number of uses listed in 'Table 1 PD Master Plan Allowed and Conditional Uses' should be pared down. The uses listed in the proposed PD Master Plan are shown below:

Table 1 PD Master Plan Allowed and Conditional Uses

Use	Planned Development (PD)
Accessory Dwelling Units	P
Banks and Financial Institutions	P
Bars and Nightclubs	C
Bed and Breakfast	C
Business Support Services	P
Cinemas and Theatres	C
College and Trade Schools	C
Convenience Market	C
Commercial Recreation, Indoor <15,000 square feet	P
Community Assembly	C
Cultural Institutions	P
Day Care Center	P
Drive-Through and Drive-in Facilities	C

Use	Planned Development (PD)
Duets and Duplexes	C
Emergency Shelters	C
Farmers Markets	P
Food and Beverage Production <10,000 square feet	P
Fuel and Service Stations	C
General Retail	P
Government Offices	P
Group Housing	C
Home Day Care, Small and Large	P
Hospitals	P
Hotel and Motels	C
Instructional Services	P
Live/Work Unit	P
Medical Offices and Clinics	P
Mixed Use Residential	P
Multi-Family Dwellings	P
Nursing Homes and Long-Term Care	C
Parking Lots and Structures	P
Parks and Recreational Facilities	P
Personal Services	P
Professional Offices	P
Residential Care Facilities	C
Residential Care Facilities, Small	P
Restaurant- Fast Food, Sit Down	C
School, Public and Private	C
Single-Family Detached Dwellings	C
Senior Housing, Independent Living	C
Social Services	C
Tasting Rooms	P
Veterinarian Clinics and Hospitals	C
Accessory Uses	(per Section 18.44)
Home Occupations	(per Section 18.92.060)
Temporary Uses	(per Section 18.92.150)

If the Commission wants to amend the uses listed in the above table the Commission may make recommendations to the City Council to add, remove or change a land use from “Permitted” (P) to “Conditional” (C) or vice versa. To pare down the number of uses shown on the above table, the Commission may make a

recommendation to the City Council to approve the PD Master Plan with the exception of revising 'Table 1 PD Master Plan Development Allowed and Conditional Uses' to remove Bars and Nightclubs, Bed and Breakfast, Cinemas and Theatres, Fuel and Service Stations, Government Offices, Hotel and Motels, and Tasting Rooms and/or any other uses the Planning Commission desires.

3. Limit Residential

At the September 29, 2020 Planning Commission meeting it was noted that a main focus of the discussions regarding the proposed project was the amount of residential that could potentially be developed on the site as represented in the proposed PD Master Plan (up to 200 residential units) and the potential for the entire 19.67± acres to be developed with residential uses with no medical uses or hospital ever being developed. There are several options that the Commission has regarding this topic to assist in ensuring the entire site is not developed as residential and the medical/hospital use is not eliminated.

- A. Require Conditional Use Permit for Residential. The Commission may recommend that all residential uses (Duets and Duplexes, Group Housing, Mixed Use Residential, Multi-Family Dwellings, and Single-Family Detached Dwellings) within 'Table 1 PD Master Plan Allowed and Conditional Uses' of the PD Master Plan require a Conditional Use Permit (C). This would require any residential development to obtain a Conditional Use Permit prior to construction; however, it is important to note that future State laws may remove the requirement of a Conditional Use Permit on future residential development.
- B. Reduce Maximum Residential Units Per Acre. The Commission could recommend a minimum and/or maximum residential units per acre within the PD Master Plan for the Mixed-Use Flex General Plan land use designation. The minimum and/or maximum residential units per acre could be added to 'Table 2 PD Master Plan Development Standards'. The Mixed-Use Flex designation as specified in the 2035 General Plan allows 7 to 24 units per acre. The proposed PD Master Plan and conceptual site plan indicates 20 units per acre. Therefore, the Planning Commission could restrict the maximum number of units per acre to a lower number, such as a maximum of 15 units per acre which would allow up to 150 residential units on the 19.67± acre site. However, as mentioned previously, it is important to note that the base density for housing projects under the future Housing cycle is 20 units to the acre and future State laws may permit a greater unit per acre number.
- C. Split General Plan Designations. The Commission may recommend that the northern half of the property (proposed Parcel C) consist of a General Plan land use designation of Mixed-Use Flex, as proposed by the applicant, and the remainder of the property (proposed Parcels A, B and D) General Plan land use designation is not amended and remains Commercial as it is currently designated. This option would require two land use tables within the PD Master Plan; one table would list the allowed and conditional uses for the Mixed-Use Flex land use designation and the other table would list the allowed and

conditional uses for the Commercial land use designation. 'Table 1 PD Master Plan Allowed and Conditional Uses' may be utilized for the Mixed-Use Flex land use designation, as proposed by the applicant. The Commercial land use designation could utilize a modified 'Table 1 PD Master Plan Allowed and Conditional Uses' that does not include any residential uses. Although this is the strongest option to limit residential uses on the entire project site, it is expected that a future State law will allow residential development on vacant commercial designated property.

- D. Medical/Office Only Alternative. If the Commission wants to restrict residential development altogether from the proposed project site, the Commission may make a recommendation to approve the project but deny the General Plan Amendment and amend the PD Master Plan to reflect commercial uses only thereby leaving the site with a Commercial land use designation but recommend a change to the zoning to Neighborhood Commercial. The incompatible uses allowed in the Service Commercial zone would not be allowed with that the change to Neighborhood Commercial. 'Table 1 PD Master Plan Allowed and Conditional Uses' of the PD Master Plan would need to be modified to not include any residential uses if this option is pursued.

For options C. and D. listed above, the allowed and conditional use table for the Commercial land use designation could consist of the following uses as listed in 'Table 1 PD Master Plan Allowed and Conditional Uses' of the PD Master Plan as represented below:

Use	Planned Development (PD)
Accessory Dwelling Units	P
Banks and Financial Institutions	P
Bars and Nightclubs	C
Bed and Breakfast	C
Business Support Services	P
Cinemas and Theatres	C
College and Trade Schools	C
Convenience Market	C
Commercial Recreation, Indoor <15,000 square feet	P
Community Assembly	C
Cultural Institutions	P
Day Care Center	P
Drive-Through and Drive-in Facilities	C

Use	Planned Development (PD)
Duets and Duplexes	C
Emergency Shelters	C
Farmers Markets	P
Food and Beverage Production <10,000 square feet	P
Fuel and Service Stations	C
General Retail	P
Government Offices	P
Group Housing	C
Home Day Care, Small and Large	P
Hospitals	P
Hotel and Motels	C
Instructional Services	P
Live/Work Unit	P
Medical Offices and Clinics	P
Mixed Use Residential	P
Multi-Family Dwellings	P
Nursing Homes and Long-Term Care	C
Parking Lots and Structures	P
Parks and Recreational Facilities	P
Personal Services	P
Professional Offices	P
Residential Care Facilities	C
Residential Care Facilities, Small	P
Restaurant- Fast Food, Sit Down	C
School, Public and Private	C
Single-Family Detached Dwellings	C
Senior Housing, Independent Living	C
Social Services	C
Tasting Rooms	P
Veterinarian Clinics and Hospitals	C
Accessory Uses	(per Section 18.44)
Home Occupations	(per Section 18.92.060)
Temporary Uses	(per Section 18.92.150)

Pursuant to Section 18.104.050.B of the Municipal Code, the Commission may wish to make a recommendation to the City Council that involves a combination of: 1) amending 'Table 2 PD Master Plan Development Standards' to reduce the maximum height of Residential/Office uses; 2) pare down the number of uses listed in 'Table 1 PD Master

Plan Allowed and Conditional Uses'; and 3) limit residential on the subject property as identified above by making proposed residential uses Conditional in the Mixed-Use Flex designation, reducing the maximum residential units per acre, approving the Mixed-Use General Plan land use on the northern portion of the site (Parcel C) and leaving the remainder of the site as a Commercial General Plan land use, and/or not approve the Mixed-Use Flex designation thereby leaving the entire site Commercially designated and zoned.

CEQA (California Environmental Quality Act):

As mentioned in the September 29, 2020 Staff Report, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the project by David J. Powers dated June 2020 in conformance with the California Environmental Quality Act (CEQA). The IS/MND was circulated for 30-days from June 30, 2020 to July 30, 2020.

LINKS/ATTACHMENTS:

1. September 29, 2020 Planning Commission Staff Report and Attachments (Weblink)
2. Staff Presentation
3. Applicant Response to Planning Commission
4. Resolution - Mitigated Negative Declaration
5. Resolution - General Plan Amendment
6. Resolution - Zoning Amendment
7. Resolution - Zoning Amendment - Exhibit A: Planned Development Master Plan
8. Resolution - Tentative Parcel Map
9. Resolution - Tentative Parcel Map - Exhibit A Standard Conditions



GPA2019-0005, ZA2019-0016, SD2019-0007 & EA2019-0023 LILLIAN COMMONS



Lillian Commons

Reduced Residential Building Height

Development Aspect	Parameter
Minimum Lot Size	10,000 square feet
Minimum Lot Dimensions	100-foot width; 100-foot depth
Maximum building coverage	50%
Minimum setbacks (front, rear, side, street) [1]	25, 0, 0, 15 feet (respectively)
Maximum height (exceptions 18.56.020)	Residential/Office – 4 stories or 45 feet Hospital – 4 stories or 55 feet
Floor Area Ratio	0.5 w/ Mixed Use Flex (MU-F)
Signs	Per Section 18.88
Lighting	Per Section 18.72.060.G
Landscaping	Per Section 18.64
On-Site Parking	Per Section 18.72 [2]
Retail	1 space per 250 square feet of net floor area
Restaurant (sit down)	1 space per 100 square feet of net floor area
Medical Office	1 space per 200 square feet of net floor area
Residential (multi-family)	1 bedroom unit – 1 covered 2 bedroom unit – 1 covered and 1 uncovered per unit
Guest Parking	1 per 3 units (shared with Medical Office use)
Electrical Vehicle Parking	1 per 25 to 49 automobile spaces, 2 per 50 to 100 automobile spaces, plus 1 per 50 ratio over 100 automobile spaces
Non-Residential Bicycle Parking	10% of automobile spaces; long term (enclosed): 5% of automobile spaces
Residential Bicycle Parking	10% of automobile spaces; long-term (enclosed), 1 per 5 units

Lillian Commons

Pared Down Uses

Use	Planned Development (PD)
Accessory Dwelling Units	P
Banks and Financial Institutions	P
Bars and Nightclubs	C
Bed and Breakfast	C
Business Support Services	P
Cinemas and Theatres	C
College and Trade Schools	C
Convenience Market	C
Commercial Recreation, Indoor <15,000 square feet	P
Community Assembly	C
Cultural Institutions	P
Day Care Center	P
Drive-Through and Drive-in Facilities	C

Use	Planned Development (PD)	3.2
Duets and Duplexes	C	
Emergency Shelters	C	
Farmers Markets	P	
Food and Beverage Production <10,000 square feet	P	
Fuel and Service Stations	C	
General Retail	P	
Government Offices	P	
Group Housing	C	
Home Day Care, Small and Large	P	
Hospitals	P	
Hotel and Motels	C	
Instructional Services	P	
Live/Work Unit	P	
Medical Offices and Clinics	P	
Mixed Use Residential	P	
Multi-Family Dwellings	P	
Nursing Homes and Long-Term Care	C	
Parking Lots and Structures	P	
Parks and Recreational Facilities	P	
Personal Services	P	
Professional Offices	P	
Residential Care Facilities	C	
Residential Care Facilities, Small	P	
Restaurant- Fast Food, Sit Down	C	
School, Public and Private	C	
Single-Family Detached Dwellings	C	
Senior Housing, Independent Living	C	
Social Services	C	
Tasting Rooms	P	
Veterinarian Clinics and Hospitals	C	
Accessory Uses	(per Section 18.44)	
Home Occupations	(per Section 18.92.150)	Packet Pg. 22
Temporary Uses	(per Section 18.92.150)	

Lillian Commons

Limit Residential - CUP

Use	Planned Development (PD)
Accessory Dwelling Units	P
Banks and Financial Institutions	P
Bars and Nightclubs	C
Bed and Breakfast	C
Business Support Services	P
Cinemas and Theatres	C
College and Trade Schools	C
Convenience Market	C
Commercial Recreation, Indoor <15,000 square feet	P
Community Assembly	C
Cultural Institutions	P
Day Care Center	P
Drive-Through and Drive-in Facilities	C

Use	Planned Development (PD)	3.2
Duets and Duplexes	C	
Emergency Shelters	C	
Farmers Markets	P	
Food and Beverage Production <10,000 square feet	P	
Fuel and Service Stations	C	
General Retail	P	
Government Offices	P	
Group Housing	C	
Home Day Care, Small and Large	P	
Hospitals	P	
Hotel and Motels	C	
Instructional Services	P	
Live/Work Unit	P	
Medical Offices and Clinics	P	
Mixed Use Residential	P	
Multi-Family Dwellings	P	
Nursing Homes and Long-Term Care	C	
Parking Lots and Structures	P	
Parks and Recreational Facilities	P	
Personal Services	P	
Professional Offices	P	
Residential Care Facilities	C	
Residential Care Facilities, Small	P	
Restaurant- Fast Food, Sit Down	C	
School, Public and Private	C	
Single-Family Detached Dwellings	C	
Senior Housing, Independent Living	C	
Social Services	C	
Tasting Rooms	P	
Veterinarian Clinics and Hospitals	C	
Accessory Uses	(per Section 18.44)	
Home Occupations	(per Section 18.92.150)	Packet Pg. 23
Temporary Uses	(per Section 18.92.150)	

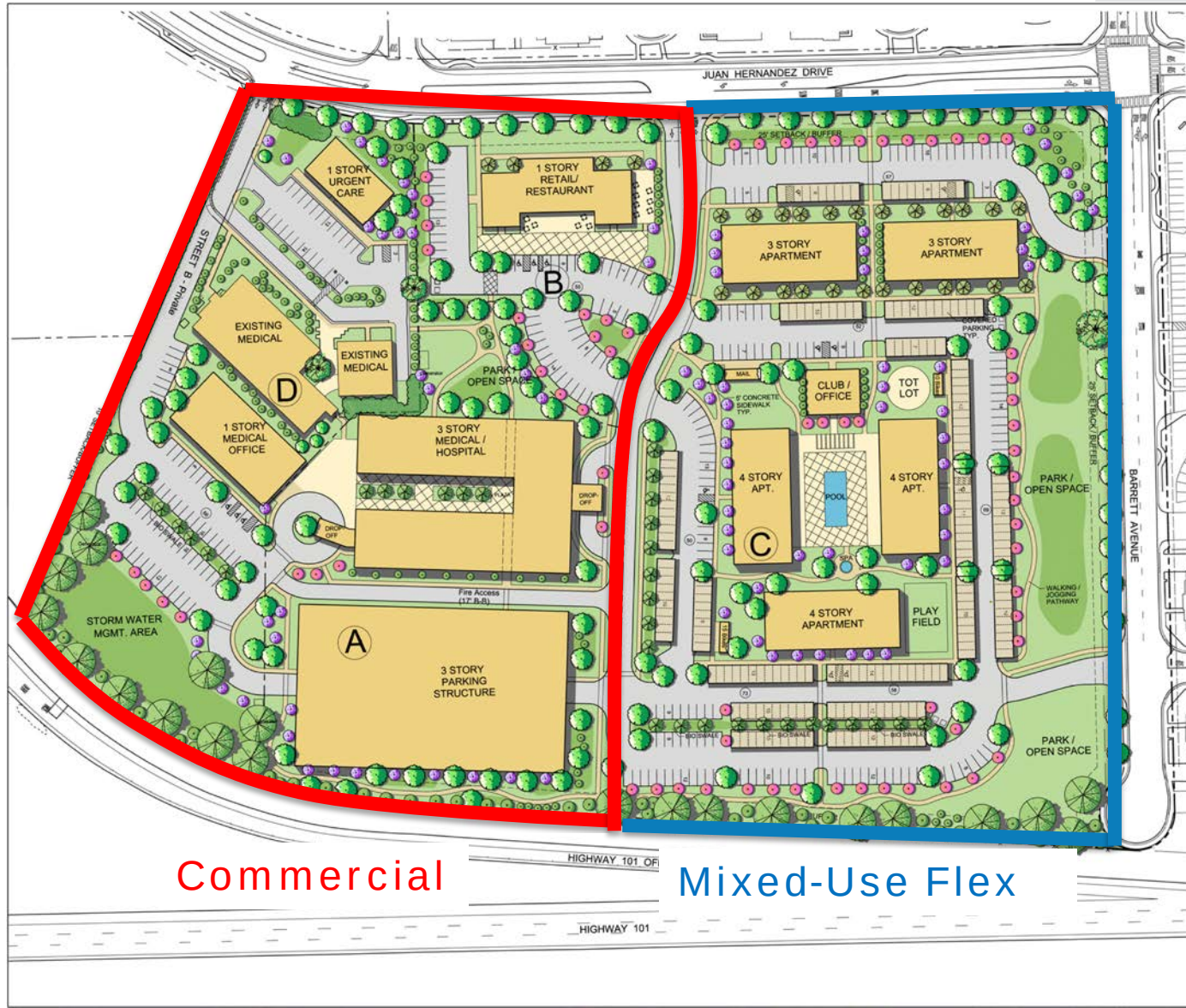
Lillian Commons

Limit Residential - Units/Acre

Development Aspect	Parameter
Minimum Lot Size	10,000 square feet
Minimum Lot Dimensions	100-foot width; 100-foot depth
Maximum building coverage	50%
Minimum setbacks	25, 0, 0, 15 feet (respectively)
Maximum Residential Units/Acre	15 Units/Acre
Maximum height (exceptions 18.56.020)	Residential/Office – 4 stories or 45 feet Hospital – 4 stories or 55 feet
Floor Area Ratio	0.5 w/ Mixed Use Flex (MU-F)
Signs	Per Section 18.88
Lighting	Per Section 18.72.060.G
Landscaping	Per Section 18.64
On-Site Parking	Per Section 18.72 [2]
Retail	1 space per 250 square feet of net floor area
Restaurant (sit down)	1 space per 100 square feet of net floor area
Medical Office	1 space per 200 square feet of net floor area
Residential (multi-family)	1 bedroom unit – 1 covered 2 bedroom unit – 1 covered and 1 uncovered per unit
Guest Parking	1 per 3 units (shared with Medical Office use)
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Non-Residential Bicycle Parking	10% of automobile spaces; long term (enclosed): 5% of automobile spaces
Residential Bicycle Parking	10% of automobile spaces; long-term (enclosed), 1 per 5 units

Lillian Commons

Limit Residential - Split General Plan



Commercial

Mixed-Use Flex

Lillian Commons

Limit Residential

Use	Planned Development (PD)
Accessory Dwelling Units	P
Banks and Financial Institutions	P
Bars and Nightclubs	C
Bed and Breakfast	C
Business Support Services	P
Cinemas and Theatres	C
College and Trade Schools	C
Convenience Market	C
Commercial Recreation, Indoor <15,000 square feet	P
Community Assembly	C
Cultural Institutions	P
Day Care Center	P
Drive-Through and Drive-in Facilities	C

Use	Planned Development (PD)	3.2
Duets and Duplexes	C	
Emergency Shelters	C	
Farmers Markets	P	
Food and Beverage Production <10,000 square feet	P	
Fuel and Service Stations	C	
General Retail	P	
Government Offices	P	
Group Housing	C	
Home Day Care, Small and Large	P	
Hospitals	P	
Hotel and Motels	C	
Instructional Services	P	
Live/Work Unit	P	
Medical Offices and Clinics	P	
Mixed Use Residential	P	
Multi-Family Dwellings	P	
Nursing Homes and Long-Term Care	C	
Parking Lots and Structures	P	
Parks and Recreational Facilities	P	
Personal Services	P	
Professional Offices	P	
Residential Care Facilities	C	
Residential Care Facilities, Small	P	
Restaurant- Fast Food, Sit Down	C	
School, Public and Private	C	
Single Family Detached Dwellings	C	
Senior Housing, Independent Living	C	
Social Services	C	
Tasting Rooms	P	
Veterinarian Clinics and Hospitals	C	
Accessory Uses	(per Section 18.44)	
Home Occupations	(per Section 18.92.150)	Packet Pg. 26
Temporary Uses	(per Section 18.92.150)	

Questions?





Planning for Success.

October 6, 2020

Jennifer Carmen, Development Services Director /
Adam Paszkowski, Principal Planner
City of Morgan Hill
17575 Peak Avenue, Morgan Hill, CA 95037

Re: GPA2019-0005, ZA2019-0016 & SD2019-0007 Response to Planning Commission Hearing
Comments

Dear Jennifer / Adam,

On September 29, 2020, you (the City staff) and EMC Planning Group presented the PD Master Plan to the Planning Commission. The applicant strongly believes that the residential use within the Mixed- Use development is a critical part of the development program for the property, not only providing necessary moderately priced housing for essential workers, but as a buffer from the hospital use to the adjacent residential and school uses. In response to the Planning Commission comments, we have made revisions to the conceptual Site Plan and Tentative Parcel Map (see attached) and have the following modifications that could be made to the PD Master Plan document.

The applicant would offer and agree to the following items listed below. References are provided to the locations where these are addressed within the PD Master Plan document. The requested PD Master Plan changes for the Planning Commission to recommend are as follows:

1. Reduction in building height for residential development from four stories maximum to three stories maximum. (Section 4.2, Parcel C, page 4-4);
2. Residential unit count to be adjusted from 200 units to 150 units maximum. (Section 4.2, Parcel C, page 4-4);

Attachment: Applicant Response to Planning Commission [Revision 1] (2879 : Lillian Commons Continuation)

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

Jennifer Carmen
 Town of Morgan Hill
 October 6, 2020, Page 2

3. Residential Land Use on the project site will be limited to 7.5 to 8 acres (up to 41% of the gross land area), excluding the park area located adjacent to Barrett Avenue and Highway 101. (new item, add to Section 4.2, Parcel C, page 4-4);
4. The residential land use will be limited to occupying the northern portion of the property near Barrett Avenue, Parcel C, as depicted on the latest site plan. (new item, add to Section 4.2, Parcel C, page 4-4);
5. Residential Single Family Detached lots would be changed to a Permitted use instead of a Conditional use. (Section 5.0, Table on page 5-2); and
6. The applicant will not participate in the drafting of a Development Agreement until the end users can participate in the agreement. (Section 4.4, page 4-11).

With regard to item #3 above, the application is providing a bubble diagram of land use types, including acreage and percentages of use by type for the record and the Planning Commissions information.

Thank you to you and the City for your direction and support. Please include this in the Staff Report for the October 13th Planning Commission meeting and let us know how you would like to present this information to the Planning Commission. Again, thank you!

Sincerely,



Michael J. Groves

President/Senior Principal

Cc: Cecily Murray

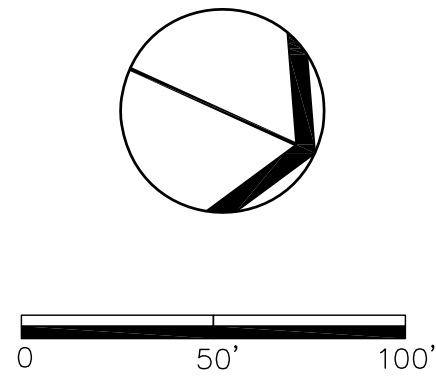
Attachments:

- Revised Site Plan (dated 10-6-20), based on Planning Commission comments and Staff recommendations.
- Revised Tentative Parcel Map (dated 10-6-20), showing revised Parcel information.
- Bubble Diagram (dated 10-6-20) outlining the Mixed-Use land use types, including acreages and percentage of each use type for Planning Commission information.



Lillian Commons / Morgan Hill Medical Campus

SITE DATA:
APN: 817-09-039, 040 and 041
Site Area: GLA -19.67 AC, 856,782 SF
Mix Use Parcels:
Medical Campus - 8.19 AC, 42% of GLA
Commercial - 1.88 AC, 10% of GLA
Residential - 7.51 AC, 38% of GLA
Park - 1.98 AC, 10% of GLA
Right-of-way Dedication - 0.10 AC



LAND USE BUBBLE DIAGRAM
PD Master Plan / General Plan Amendment /
Application for Development Permit
Morgan Hill, CA
October 6, 2020



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM
Monterey, CA 831.649.1799 www.emcplanning.com

Lillian Commons / Morgan Hill Medical Campus

SITE DATA:

APN: 817-09-039, 040 and 041

Site Area: GLA -19.67 AC, 856,782 SF

Parcel A - Proposed Medical Office / Hospital - 6.50 AC
100,000 - 130,00 SF, 566 Pkg. Spaces

Parcel B - Proposed Commercial/Restaurant - 1.88 AC
10,000 SF, 50 Pkg. Spaces

Parcel C - Proposed Residential - 9.49 AC
150 Dwelling Units Maximum
1.98 AC Park/Recreation
School Drop-off/Pick-up Lot

Parcel D - Proposed Urgent Care/ Existing Medical - 1.69 AC
15,900 SF Ex. Medical
4,500 SF Proposed Urgent Care
31 Pkg. Spaces

Right-of-way Dedication - 0.10 AC

Zoning: Service Commercial - CS w/ PD Overlay

Existing General Plan Designation: Commercial

Proposed General Plan Amendment: Mixed Use Flex

Parking: Total Required 790 spaces/ Provided 895 spaces*

Required: Medical Office / Hospital @ 1/200 & other = 452 spaces

Proposed: Medical Office / Hospital @ 1/200 & other = 597 spaces

Required: Retail/Restaurant @ 1/250 and 1/100 = 70 spaces

(Assumes 5,000 Retail and 5,000 Restaurant)

Proposed: Retail/Restaurant 50 spaces

Required: SF Residential (2 covered per DU + guest pkg.) 268 spaces

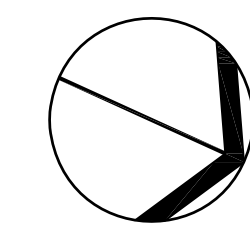
Proposed: SF Residential (2 covered per DU + guest pkg.) 268 spaces

*Shared parking proposed between Parcels per Municipal Code Section 18.72.050

Floor Area Ratio: 417,696 SF (0.5% max.)

LEGEND:

- Buildings
- Buffers / Open Space
- Sidewalks/Pathways
- Landscaping
(See Landscape Plan for Details)
- Park / Recreation



0 50' 100'

Figure 12

ILLUTRATIVE SITE PLAN

PD Master Plan / General Plan Amendment /
Application for Development Permit
Morgan Hill, CA

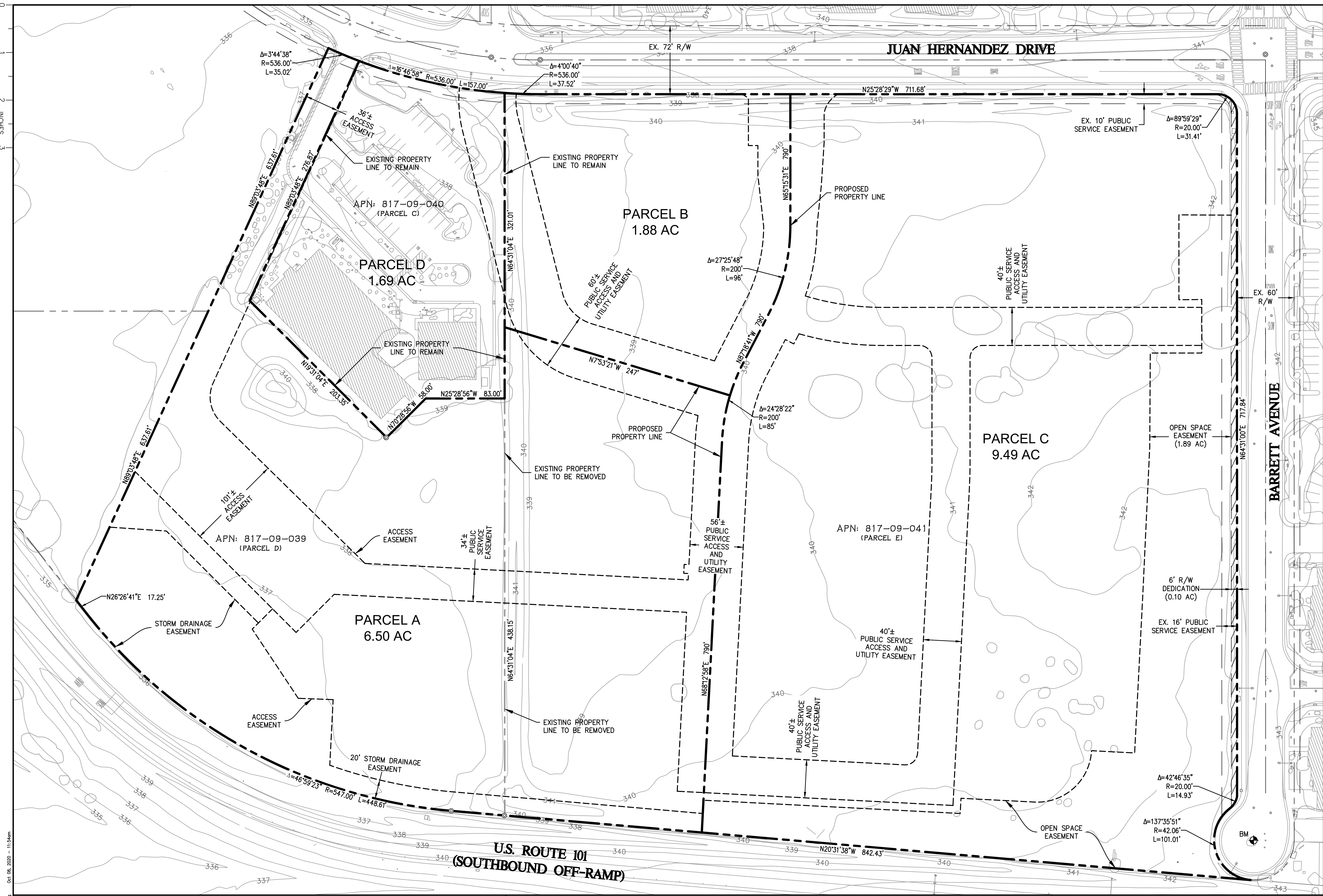
October 30, 2019

Revised October 6, 2020

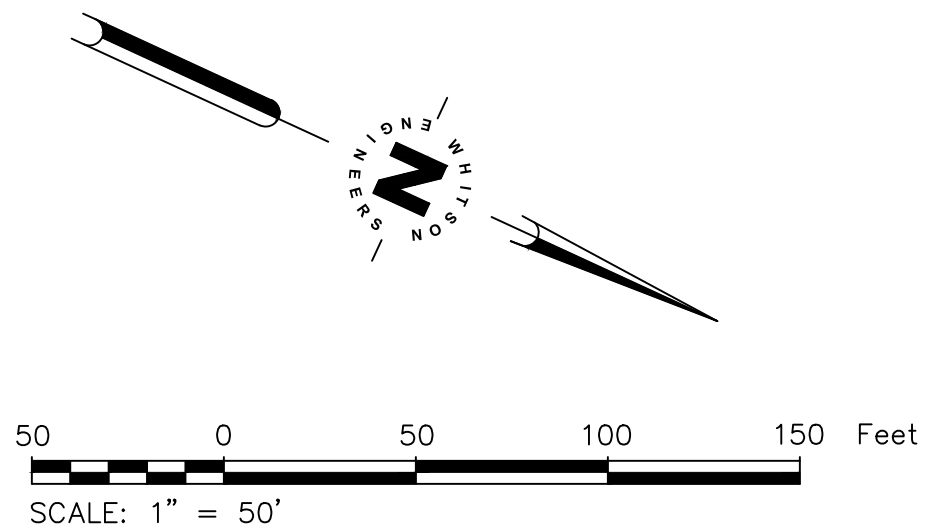


EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

Monterey, CA 831.649.1799 www.emcplanning.com



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SUBDIVISION NOTES

PROPERTY DATA	ASSESSOR'S PARCEL NO.:	817-09-039 817-09-040 817-09-041
LOCATION OF PROPERTY:		0 JUAN HERNANDEZ DRIVE
EXISTING LAND USE:		COMMERCIAL
PROPOSED LAND USE:		MIXED USE-FLEX (MU-F)
EXISTING AND PROPOSED ZONING:		SERVICE COMMERCIAL (CS) WITH A PLANNED DEVELOPMENT (PD) OVERLAY

OFF-SITE UTILITIES:
STORM DRAINAGE
SANITARY SEWER
WATER
GAS & ELECTRIC
TELEPHONE

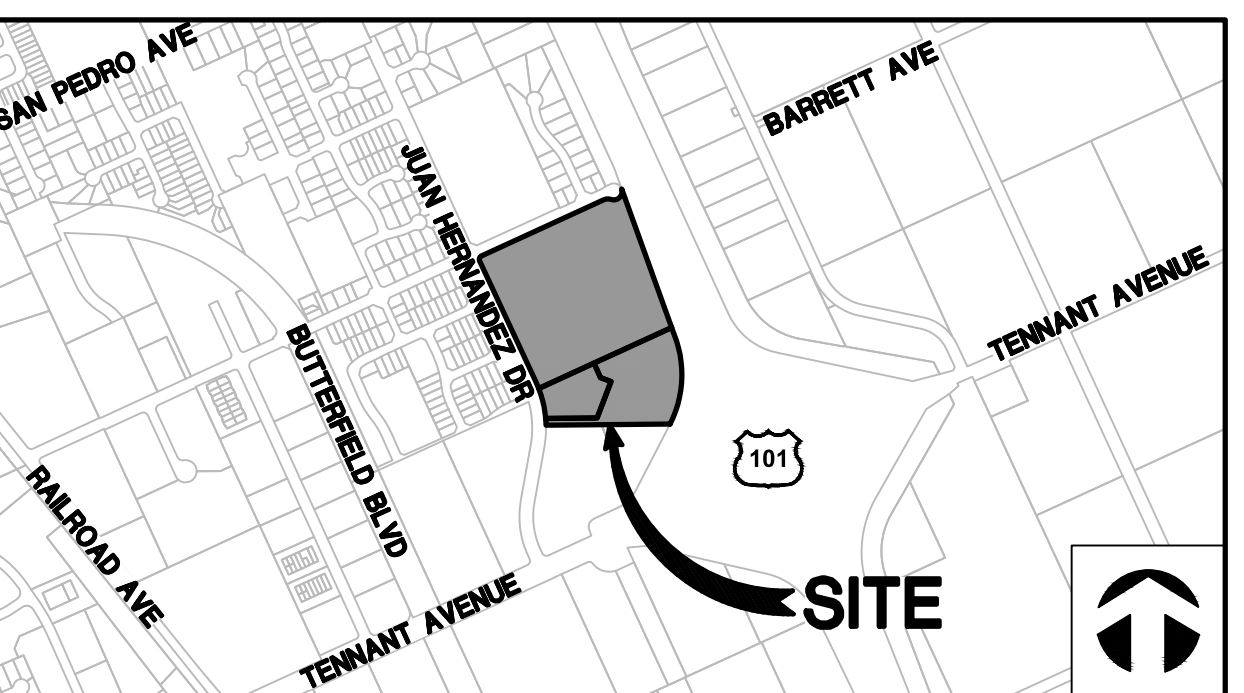
CITY OF MORGAN HILL
CITY OF MORGAN HILL
CITY OF MORGAN HILL
PACIFIC GAS & ELECTRIC
VERIZON

- NOTES:
- SUBDIVIDER SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF MORGAN HILL CODE OF ORDINANCES CHAPTER 17.32 IN REGARDS TO SUBDIVISION IMPROVEMENTS.
 - LOT DIMENSIONS AND EASEMENT LOCATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE PENDING FINAL ENGINEERING DESIGN.
 - THE PROJECT WILL BE PHASED.

ON-SITE UTILITIES:
STORM DRAINAGE
SANITARY SEWER
WATER
GAS & ELECTRIC
TELEPHONE

PRIVATE
PRIVATE
CITY OF MORGAN HILL
PACIFIC GAS & ELECTRIC
VERIZON

PARCEL SUMMARY	
DESCRIPTION	AREA (AC)
PARCEL A	6.50
PARCEL B	1.88
PARCEL C	9.49
PARCEL D	1.69
R/W DEDICATION	0.10
TOTAL	19.67



VICINITY MAP SCALE: 1" = 1000'

ABBREVIATIONS/LEGEND	
	GROUND CONTOUR
	PROPOSED PROPERTY LINE
	EXISTING PROPERTY LINE TO BE REMOVED
	ADJACENT PROPERTY LINE
	CENTERLINE
	EXISTING EASEMENT
	PROPOSED EASEMENT
	TREE DRIP LINE
	BENCHMARK
	SURVEY MONUMENT
	RIGHT OF WAY DEDICATION

LEGAL DESCRIPTION
PARCELS C, D AND E, AS SAID PARCELS ARE SHOWN AND SO DESIGNATED ON THE PARCEL MAP FILED FOR RECORD MAY 24, 1983, IN BOOK 513 OF MAPS, PAGE 16, SANTA CLARA COUNTY RECORDS, STATE OF CALIFORNIA.

BENCHMARK
LOCAL BENCHMARK TAKEN AS 2-INCH BRASS DISC. ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). ELEVATIONS WERE DETERMINED THROUGH STATIC GPS OBSERVATIONS AND THE USE OF THE NATIONAL GEODETIC SURVEY'S ONLINE POSITIONING USER SERVICE (OPUS). A NAVD88 ELEVATION OF 343.77 FEET FOR THE BRASS DISC WAS ESTABLISHED FOR THE LOCAL SITE BENCHMARK DESIGNATED POINT NUMBER 600, SHOWN HEREON.

PROJECT TEAM	
OWNER/APPLICANT LILLIAN COMMONS, LLC 782 SLEEPER AVENUE MOUNTAIN VIEW, CA 94040 (605) 575-9608	CIVIL ENGINEER WHITSON ENGINEERS 6 HARRIS COURT MONTEREY, CA 93940 RICHARD WEBER, RCE 55219 (831) 649-5225
PLANNER EMC PLANNING GROUP, INC. 301 LIGHTHOUSE AVENUE SUITE 210 MONTEREY, CA 93940 MICHAEL GROVES (831) 649-1799	ARCHITECT EVOCO ARCHITECTURE 160 SOUTH LINDEN AVENUE SUITE 210 SOUTH SAN FRANCISCO, CA 94080 DEEPAK PATANKAR (415) 312-0454

LANDSCAPE ARCHITECT
W. JEFFREY HEID LANDSCAPE ARCHITECT
6179 ONEIDA DRIVE
SAN JOSE, CA 95123

JEFFREY HEID
(408) 691-5207



TENTATIVE PARCEL MAP
0 JUAN HERNANDEZ DRIVE
PROPOSED SUBDIVISION OF
PARCELS C, D, AND E AS SHOWN ON
BOOK 513 OF MAPS ON PAGE 16
CITY OF MORGAN HILL, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA



ORIGINAL: SEPTEMBER 25, 2020
REVISED: OCTOBER 6, 2020 PROJECT No. 2690.01

RESOLUTION NO. 20-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF THE MITIGATED NEGATIVE DECLARATION THAT WAS PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND RECOMMENDING APPROVAL OF A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE JUAN HERNANDEZ – MH MEDICAL PROPERTIES (LILLIAN COMMONS) (APNS 817-09-039, 817-09-040 AND 817-09-041).

WHEREAS, prior to the adoption of this Resolution, the Planning Division of the City of Morgan Hill prepared an Initial Study and a Mitigated Negative Declaration for the Juan Hernandez – MH Medical Properties Project (Planning File No's. GPA2019-0005, ZA2019-0016, SD2019-0007 and EA2019-0023) in accordance with the requirements of the California Environmental Quality Act of 1970, as amended ("CEQA"), and state and local guidelines implementing CEQA; and

WHEREAS, the Juan Hernandez – MH Medical Properties Project ("Project") analyzed under the Initial Study/Mitigated Negative Declaration consisted of the request to amend the General Plan land use designation, a Zoning Amendment, subdivide the property into 4 lots, and Planned Development Master Plan for property located on the southeast corner of the intersection of Juan Hernandez Drive and Barrett Avenue (APNs: 817-09-039, 817-09-040 and 817-09-041); and

WHEREAS, in connection with the approval of a project involving the preparation of an Initial Study/Mitigated Negative Declaration that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures during project implementation; and

WHEREAS, the City of Morgan Hill is the lead agency on the Project, and the City Council is the decision-making body for the proposed Project; and

WHEREAS, the Planning Commission has reviewed and considered the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project; and

WHEREAS, the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 89.5 of the California Department of Fish and Game Code.

NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

SECTION 1. THAT THE PLANNING COMMISSION does hereby make the following findings:

- (1) It has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon the Project;
- (2) The Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA; and
- (3) The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project. The Development Services Director of the Development Services Department at 17575 Peak Avenue, Morgan Hill, California 95037, is the custodian of documents and records of proceedings on which this decision is based.
- (4) On the basis of the whole record before it (including the initial study and any comments received), there is no substantial evidence that the project will have a significant effect on the environment with the application of mitigation measures.

SECTION 2. THAT THE PLANNING COMMISSION does hereby recommend that City Council adopt the Mitigation Monitoring and Reporting Program prepared for the Project. The Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are: (1) on file in the Development Services Department, Planning Division, located at 17575 Peak Avenue, Morgan Hill CA 95037 and (2) available for inspection by any interested person.

City of Morgan Hill
 Resolution No. 20-09
 Page 3 of 3

PASSED AND ADOPTED THIS 29th DAY OF SEPTEMBER 2020, AT A SPECIAL MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

JENNA LUNA, Deputy City Clerk

MOHAMMAD HABIB, Chair

Date: _____

Attachment: Resolution - Mitigated Negative Declaration [Revision 1] (2879 : Lillian Commons Continuation)

RESOLUTION NO. 20-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT GPA2019- 0005 TO AMEND THE GENERAL PLAN LAND USE MAP ON A 19.67-ACRE SITE FOR THE JUAN HERNANDEZ – MH MEDICAL PROPERTIES (LILLIAN COMMONS) (APNS 817-09-039, 817-09-040 AND 817-09-041)

WHEREAS, the project applicant Lillian Commons, LLC proposes to amend the General Plan land use designation from Commercial to Mixed Use Flex on an 19.67-acre site located on the southeast corner of the intersection of Juan Hernandez Drive and Barrett Avenue (APNs: 817-09-039, 817-09-040 and 817-09-041); and

WHEREAS, the General Plan Amendment to amend the map was reviewed and found to be consistent with the 2035 General Plan; and

WHEREAS, an Initial Study/Mitigated Negative Declaration was prepared and found consistent with the California Environmental Quality Act (CEQA); and

WHEREAS, such request was considered by the Planning Commission at its regular meeting of September 29, 2020,; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

SECTION 1. The proposed General Plan Amendment is found to be consistent with the policies and provisions of the Morgan Hill 2035 General Plan as described in the staff report to the Planning Commission, incorporated herein by this reference.

SECTION 2. An Initial Study and Mitigated Negative Declaration (MND) was prepared in compliance with CEQA. The Planning Commission hereby finds that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment with the application of mitigation measures and that the Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis, and that the Mitigated Negative Declaration was considered prior to action taken to adopt this Resolution.

City of Morgan Hill
 Resolution No. 20-10
 Page 2 of 2

SECTION 3. The Planning Commission recommends that the City Council approve the General Plan Amendment application, GPA2019-0005: Juan Hernandez – MH Medical Properties (Lillian Commons).

PASSED AND ADOPTED THIS 29th DAY OF SEPTEMBER 2020, AT A SPECIAL MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

JENNA LUNA, Deputy City Clerk

APPROVED:

MOHAMMAD HABIB, Chair

Date: _____

Attachment: Resolution - General Plan Amendment [Revision 1] (2879 : Lillian Commons Continuation)

RESOLUTION NO. 20-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF A ZONING MAP AMENDMENT FOR A MIXED-USE FLEX AND PLANNED DEVELOPMENT COMBINING DISTRICT AND MASTER PLAN FOR A MIXED-USE DEVELOPMENT ON A 19.67-ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF JUAN HERNANDEZ DRIVE AND BARRETT AVENUE (JUAN HERNANDEZ – MH MEDICAL PROPERTIES (LILLIAN COMMONS)) (APNS 817-09-041, 817-09-039 AND 817-09-040)

WHEREAS, Lillian Commons, LLC proposes to develop the property (Lillian Commons) located on the southeast corner of the intersection of Juan Hernandez Drive and Barrett Avenue, identified by Assessor Parcel Numbers (817-09-041, 817-09-039 and 817-09-040), with a mixed-use project consisting of a 4,500 square foot urgent care facility, 10,000 square foot medical building, 100,000 square foot medical office/hospital with 55 beds, three-story parking garage with 500 spaces, 10,000 square foot commercial retail/restaurant building, and up to a 200-unit multi-family residential development on a 19.67-acre site; and

WHEREAS, said development proposes establishment of a Planned Development combining district which requires the approval of a Zoning Map Amendment and the establishment of a Planned Development Master Plan; and

WHEREAS, Section 18.114.040 of the Morgan Hill Municipal Code requires that the Planning Commission make a recommendation to the City Council regarding the Zoning Map Amendment to establish a mixed use flex and Planned Development combining district based on findings specified in Section 18.114.060; and

WHEREAS, Section 18.30.050.H.5 of the Morgan Hill Municipal Code requires that the Planning Commission make a recommendation to the City Council regarding the Planned Development Master Plan based on findings specified in Section 18.30.050.H.7; and

WHEREAS, such request was considered by the Planning Commission at its regular meeting of September 29, 2020; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

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

The project complies with the allowed density range for units and floor area ratio on the site in accordance with the General Plan.

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

The project is a mixed-used development that would provide health care services, retail and housing opportunities within the City.

SECTION 3. 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.

The project is a mixed development proposal consisting of medical, retail and residential development. The project builds off the existing medical offices on the site to provide a complete medical services center; provides a small commercial component with retail/restaurant uses to serve the employees and visitors to the medical office/hospital uses as well as the surrounding community; provide housing for the medical office/hospital uses that would be affordable to the employees of these uses; provide housing in proximity to a school, commercial services and employment opportunities.

SECTION 4. The proposed development is consistent with the general plan, zoning code and any applicable specific plan or area plan adopted by the city council.

The proposed development is consistent with the policies established by the General Plan and Zoning Code.

SECTION 5. The proposed development is superior to the development that could occur under the standards applicable in the existing zoning districts.

The development will allow a mix of compatible uses, including a residential component to provide sustainability to the remainder of the uses, and a

retail and medical office/hospital component to provide work opportunities to the neighborhood and community.

SECTION 6. The proposed project will provide a substantial public benefit. 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.

Several public benefits include a medical center featuring medical offices, urgent care/pharmacy, and hospital beds; high-density housing to achieve Regional Housing Needs Allocation by providing lower income housing units; open space, courtyards, and plazas available to the public that provide opportunities for people to informally meet and gather; pedestrian and bicycle pathways that enhance circulation within the property and connect to the surrounding neighborhood; locate housing in proximity to parks, school, retail and employment opportunities to reduce vehicle miles traveled and greenhouse gas emissions; provide green buildings and sustainable development features, including photovoltaic renewable energy and exceeding Title 24 standards by three to five percent; and provide accessible parks and open space beyond the minimum required.

SECTION 7. The site for the proposed development is adequate in size and shape to accommodate proposed land uses.

The project site is 19.67-acres and will have a density of 7 to 24 dwelling units per acre and a floor area ratio of 0.42 to 0.5. The size and shape of the site will accommodate the proposed medical, retail, residential and open space uses.

SECTION 8. Adequate transportation facilities, infrastructure, and public services exist or will be provided to serve the proposed development.

The site fronts Juan Hernandez Drive and Barrett Avenue. There are wet and dry utilities and infrastructure in the surrounding area that will support the project.

SECTION 9. 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.

The project is compatible with the surrounding single-family residential uses and Barrett Elementary School and will not have a substantial adverse

effect with Conditions of Approval and Mitigation Measures included. The open space and residential uses will provide a suitable buffer between the adjacent single-family residences and school.

SECTION 10. Planning Commission recommends approval of Zoning Amendment application, ZA2019-0016: Juan Hernandez – MH Medical Properties (Lillian Commons) and the Planned Development Master Plan as described in the attached Exhibit “A”, and by this reference incorporated herein.

PASSED AND ADOPTED THIS 29th DAY OF SEPTEMBER 2020, AT A SPECIAL MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

 JENNA LUNA, Deputy City Clerk

APPROVED:

 MOHAMMAD HABIB, Chair

Date: _____

EXHIBIT A

Planned Development Master Plan

PD Master Plan Zoning Amendment / General Plan Amendment/
Application for Development Permit

Lillian Commons/Morgan Hill Medical Campus A Mixed Use Development

Lillian Commons, LLC-Applicant

October 30, 2019
Revised March 13, 2020



Prepared by
EMC Planning Group

PD MASTER PLAN ZONING AMENDMENT /
GENERAL PLAN AMENDMENT/
APPLICATION FOR DEVELOPMENT PERMIT

Lillian Commons/ Morgan Hill Medical Campus A Mixed Use Development

Prepared for

LILLIAN COMMONS, LLC

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MARCH 13, 2020

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1.0

INTRODUCTION

This Planned Development (PD) Master Plan has been prepared pursuant to the requirements of the City of Morgan Hill Municipal Code, and submittal requirements of the Community Development Department. This PD Master Plan also incorporates the requirements for a General Plan Amendment; the property has been concurrently re-designated from Commercial to Mixed Use Flex.

The PD Master Plan covers an area of approximately 19.7 acres east of Juan Hernandez Drive and north of Tennant Avenue. Refer to PD Master Plan section 4.5 for maps illustrating the plan boundary.

The PD Master Plan presents the following required information:

- Planning objectives;
- Community benefits;
- Land uses and approvals;
- Development standard deviations requested;
- Circulation plan;
- Locations of public facilities and open space;
- Diagrams showing various aspects of planned development;
- Development phasing; and
- Ongoing obligations

The PD Master Plan provides an overlay to the base Commercial Services (CS) zoning district. The purpose of the CS zoning district is to provide an area for commercial services that may be inappropriate in neighborhood or pedestrian-oriented shopping areas, and which generally require automotive access for customer convenience, servicing of vehicles or equipment, loading or unloading, or parking of commercial service vehicles.

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 the City of Morgan Hill. Permitted land uses may deviate from the land use regulations of the applicable base zoning district, in this case Service Commercial, provided the PD combining district allows only those land uses permitted in the applicable general plan land use designation.

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2.0

PLANNING OBJECTIVES

The PD Master Plan is designed to achieve the following planning objectives:

- Build off existing medical offices to provide a complete medical services center within the City.
- Provide a small commercial component with retail/restaurant uses to serve the employees and visitors to the medical office/hospital uses as well as the surrounding community.
- Provide housing for the medical office/ hospital uses that would be affordable to the employees of these uses.
- Provide high-density housing in proximity to a school, commercial services, and employment opportunities.

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3.0

COMMUNITY BENEFITS AND GENERAL PLAN AMENDMENT JUSTIFICATION

3.1 Planned Development Community Benefits

The PD Master Plan will provide the following community benefits to the City of Morgan Hill:

- Provide the City with a well-rounded medical center featuring medical offices, urgent care/ pharmacy, and hospital beds.
- Provide the City with additional high-density housing to help the City achieve its Regional Housing Needs Allocation for lower income housing, and construct affordable housing units.
- Provide the neighborhood and City with open space, courtyards, and plazas that provide opportunities for people to informally meet and gather.
- Provide the neighborhood and City with pedestrian and bicycle pathways that enhance circulation within the property and connect to the surrounding neighborhood.
- Locate housing in proximity to parks, a school, retail, and employment opportunities to reduce vehicle miles traveled and greenhouse gas emissions.
- Provide the City with green buildings and sustainable development features. These will include photovoltaic renewable energy and meeting or exceeding Title 24 standards by three to five percent.
- Provide accessible parks and open space beyond the minimum required by the City. Park land will be dedicated to the City and the project will provide a walking/ jogging trail around the perimeter of the property to facilitate healthy living.

3.2 General Plan Amendment Justification

The PD Master Plan incorporates an amendment to the 2035 General Plan designation for the property to Mixed Use Flex (MU-F). The general plan amendment is necessary to permit the residential and hospital uses. Under the PD zoning, only those uses allowed in the property's general plan land use designation may be permitted by the PD zoning, and the general plan amendment to Mixed Use Flex accomplishes that purpose.

The 2035 General Plan defines the Mixed Use Flex district as follows:

The Mixed Use Flex designation, which is primarily applied to properties along the Monterey Road corridor north and south of downtown, allows for a mix of residential, commercial, and office uses applied either vertically (i.e., one structure with multiple uses) or horizontally (i.e., structures with different land uses located adjacent to one another). Density should transition from higher to lower at the ends of Monterey corridor. The Mixed Use Flex designation allows 7 to 24 units per acre and a maximum FAR of 0.5. Prior to development of Residential or Mixed-Use projects within the Mixed Use Flex designation a block level master plan is required to identify how commercial uses will be incorporated within the development of the block and how individual development projects will connect with each other. Commercial development may proceed without preparation of a block level master plan consistent with the Commercial designation.

This definition suits the development planned in the PD Master Plan, as the PD Master Plan conceptual Site Plan incorporates housing near the medical office/hospital uses that is intended to be affordable to the employees of these uses. In addition, the conceptual Site Plan incorporates a small commercial component within a 10,000 square foot building, with retail/restaurant uses to serve the employees and visitors to the hospital as well as the surrounding residential community. The conceptual Site Plan shows how the medical office/hospital, commercial, and high-density residential uses will be arranged and connect with one another.

Best Interest of the Community

Why is the proposed amendment in the best interest of the community?

The residential uses are located within the property to provide a transition in intensity between the existing medical uses, Barrett Avenue Elementary School, and the single family residential uses abutting Juan Hernandez Drive to the west. The commercial, medical office/ hospital uses will be located adjacent to the existing medical offices, providing a campus feel on the property. The structured parking will provide adequate parking to accommodate the medical uses and provide overflow parking for the compatible high-density residential uses on the project site.

The mix of uses will provide convenient retail uses and services adjacent to both the high density residential uses and the medical office/hospital. The medical office/hospital will be located close to a freeway access, and just off two thoroughfares (Tennant Avenue and Butterfield Boulevard) providing convenient access to Morgan Hill residents and those from elsewhere in the region.

Public Need

Is there currently a public need for this amendment?

The Commercial uses outlined in the 2035 General Plan, though appropriate for this property, do not include the “third leg” which provides a sustainable living solution for commercial and institutional employees. Housing, and especially affordable housing, are a critical public need throughout the State, and especially in the Bay Area. Apartments are an affordable housing option for service workers and would provide employees the opportunity to eliminate their commute to work. The one and two bedroom apartments, with 15 percent affordable, would allow younger adults, families, and seniors to live and work in a sustainable manner. Additionally the proposed amendment to the 2035 General Plan for this property would go a long way toward meeting several General Plan policies, as listed below, and addressed in Section 7.0, 2035 General Plan Consistency.

Housing- Policy HE-4u: Mix of Housing Near Services. Encourage a mix of housing types in each neighborhood located convenient to shopping, services, recreation, and transit routes.

Healthy Community- Policy HC-3.8 Private Open Space. Encourage new development to permit public access to private open space and parks where feasible and appropriate.

City & Neighborhood Form- Policy CNF-13.1 Mixed Use Flex Development. Encourage a mix of uses, either vertically or horizontally, to allow residents and employees to meet daily needs without the use of the private automobile.

The proposed hospital would also provide for the public needs, adding a much-needed medical services to the City of Morgan Hill. The hospital will also provide a variety of jobs for the city and surrounding population.

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4.0

PROPERTY AND DEVELOPMENT DESCRIPTIONS

4.1 Property Description

Location

The property within the PD Master Plan is located in the City of Morgan Hill, California, on Juan Hernandez Drive between Tennant Avenue and Barrett Avenue, adjacent to South Valley Freeway (US Highway 101-Salinas Valley Freeway). [Figure 1, Regional Location Map](#), shows the property location in a regional setting. All figures discussed in this section are presented in Section 4.5. Regional access to the property is provided by US Highway 101, and local access to the property is provided by Tennant Avenue from the south and Barrett Avenue from the north. Ingress and egress to the project site will be primarily from Juan Hernandez Drive, along the western property boundary.

The approximately 19.67-acre property consists of two adjoining undeveloped parcels of land (13.94-acres and 4.04-acres) and one developed parcel (1.69-acres). [Figure 2, Location Map](#), illustrates the location of the property with the parcels delineated. [Figure 3, Assessor's Parcel Map](#), presents the parcel map for the property and the Assessor's Parcels Numbers (APNs) 817-09-041 (13.94-acres), 817-09-039 (4.04-acres) and 817-09-040 (1.69-acres). Legal descriptions are presented in Section 9.0.

Property Characteristics

The undeveloped land is relatively flat, with several trees located on the northern parcel. Most of the property is vacant and has been farmed in the distant past. Two medical office buildings and related site improvements (driveway, parking, landscaping, and utilities) exist on the southern portion of the property as illustrated on [Figure 4, Existing Conditions Map](#).

Existing Land Use Designation and Zoning

The property is designated Commercial in the 2035 General Plan as illustrated in [Figure 5, Existing City General Plan Land Use Diagram](#), and is located in the Service Commercial zoning district with a Planned Development Combining District Overlay (PD) as illustrated in [Figure 6, Existing City Zoning Map](#).

Property Data

Project Location

City of Morgan Hill, CA (East of Juan Hernandez Drive, south of Barrett Avenue and west of US Highway 101 or Salinas Valley Freeway).

Street Address

0 and 16130 Juan Hernandez Drive, Morgan Hill, CA

Existing Assessor's Parcel Numbers

817-09-039, and 817-09-040, and 817-09-041

Acreage

Gross Property Acreage: 4.04, 1.69, and 13.94 (19.67 acres)

Net Property Acreage: 4.03, 1.66, and 13.49 (19.18- acres)

Zoning

Services Commercial District (CS) with Planned Development Combining District (PD) overlay

General Plan Designation

Mixed Use Flex (amended from Commercial)

4.2 PD Master Plan Description

General Plan Amendment

Incorporated into the PD Master Plan is an amendment to the 2035 General Plan land use diagram to change the designation for the property from Commercial to Mixed Use Flex (MU-F). [Figure 7, General Plan Amendment](#) indicated the existing and proposed land use designation.

Zoning Map Amendment

Concurrent with approval of the PD Master Plan, the property will be re-zoned by ordinance to reflect the application of the Planned Development combining district with a base CS district, and incorporation of this PD Master Plan for the property as illustrated in [Figure 8, Zoning Plat](#).

Parcel Map

A parcel map will divide the property's three existing parcels into four parcels to facilitate development or sale. The two vacant parcels would be subdivided into three parcels (A-C). The existing medical office site (Parcel D), would be reconfigured and included as part of the overall PD Master Plan. [Figure 9, Tentative](#)

Parcel Map, prepared by the project engineer indicates how the property will be subdivided. The three existing lots will be re-organized into four parcels. Parcel A, 4.17 acres, Parcel B, 1.78 acres, Parcel C, 9.49 acres, Parcel D, 4.13 acres, and 0.10 acres will be dedicated as right-of-way along Barrett Avenue.

Development

Development anticipated within the PD Master Plan would be in the range of 350,000 – 417,696 square feet of residential, commercial, office, and/or institutional uses, including up to 200 multi-family dwelling units. All land uses permitted in the PD Master Plan are presented in Section 5.0.

Figure 10, Site Plan is presented in Section 4.5. The conceptual Site Plan includes five uses. The square footage of each use is that provided on the conceptual Site Plan, and could slightly increase or decrease.

- 4,500 square foot urgent care/pharmacy facility on the existing medical site;
- 10,000 square foot medical office as cancer center;
- 100,000 square foot medical office and hospital with a parking deck (multi-story with 54,000 square-foot footprint);
- 10,000 square foot commercial retail/restaurant building; and
- 200-unit multifamily residential development (178,500 square feet living units plus clubhouse, and 32,886 square feet covered carports).

All uses will share common driveway access to Juan Hernandez Drive and Barrett Avenue. The conceptual Site Plan illustrates the overall development concept, including the proposed land uses, building placement, circulation patterns, parking, and open space. The descriptions in this section are based on the conceptual Site Plan.

Parcel A

The proposed medical/hospital facility will occupy one building in Parcel A. Two pick-up/drop-off areas are located adjacent to the proposed buildings to assist patients. Development of Parcel A includes a 500-space parking structure that will be shared by the adjacent uses along with access and utility infrastructure. A small park is also located on Parcel A for visitors and employees.

Parcel B

This parcel will be developed with approximately 10,000 square feet of commercial/retail uses, including a 5,000 square-foot sit down restaurant, a 55-space surface parking lot, and access and utility infrastructure. The remaining 5,000 square feet will be available for other personal service or retail uses. The mix of uses within this building will be market driven and could fluctuate over the life of the building.

Parcel C

Parcel C will be developed with 200 multifamily residential units in five buildings, a 3,000 square foot leasing office/club house, interior recreation area, covered and uncovered parking for 359 vehicles

and bicycles. Additional vehicle parking will be available through a shared parking agreement with the developer of Parcel A. The proposed mix of units consists of 61 one bedroom units and 139 two bedroom units. Two of the five buildings will be three stories, approximately 35 feet tall, and are located closest to Juan Hernandez Drive. The other three buildings will be four stories, approximately 45 feet tall and will be placed around an interior recreation area and swimming pool. Parcel C may also be developed with Single Family attached and detached for-sale dwelling units or other medical office uses.

Parcel D

Parcel D includes two existing medical buildings totaling 15,900 square feet and parking. The existing medical buildings will remain and a new one story 4,500 square foot urgent care/pharmacy medical facility will be constructed on this parcel, located in what is now occupied by a portion of the parking lot, leaving 30 surface parking spaces to remain for the existing medical facility and urgent care/pharmacy. A 10,000 square foot medical office – cancer center and a 66-space surface parking lot will be developed on this reconfigured parcel. Parking for the existing medical building displaced by the proposed urgent care/pharmacy facility will be replaced adjacent to the proposed medical office – cancer center and through a shared parking agreement with the remainder of the medical facility that will be developed on the new Parcel A.

Parkland/Open Space

The PD Master Plan includes the provision of approximately 2.9 acres of parks and open space. Amenities on Parcel C include a swimming pool, hot tub, lounging patio, and tot lot/play area, open play fields, and jogging/walking trail connections to adjacent sidewalk systems. Recreational parkland amenities in Parcel A include passive recreational opportunities with a landscaped area and park benches located between the medical/hospital facility and the commercial uses on Parcel B. Trail connections are provided throughout the property including new pedestrian access to the existing medical campus (Parcel D).

Site Access/Circulation

Access to the project site will be provided by four driveways: the existing driveway to the medical office would be retained and extended to provide secondary access to the medical/hospital facility and cancer center. An additional driveway, approximately 460 feet north of the existing driveway, will provide the primary access to Parcels A-C through the middle of the property. Two additional driveways will provide secondary access to the multifamily residential development from Barrett Avenue. The accessways for all project components are interconnected within the property. All new accessways will be designed to meet City of Morgan Hill design and performance standards for streets, driveways, curb, gutter and sidewalks. The conceptual Site Plan provides a layout of the circulation system for the project.

Juan Hernandez Drive is a two lane street with striping at Barrett Avenue to allow for turn lanes. The street is wide enough to provide on street parking but individual spaces are not marked. Barrett Avenue is a two lane street primarily providing access to Barrett Elementary School. Two left turn lanes from Juan Hernandez Drive into the property are proposed.

Sidewalks will be extended into the property from the existing sidewalks along Juan Hernandez Drive and Barrett Avenue. Connection will be made to the existing sidewalks on Juan Hernandez Drive and Barrett Avenue. Within the project boundary, sidewalks will be provided on all internal driveways to meet Americans with Disabilities (ADA) standards. Bicycle traffic shares the paved area or uses the sidewalk. Pathways and sidewalks designated for bicycle use will meet Caltrans design standards for bikeways. The passive park with a jogging/walking trail for pedestrians, will serve as a passage way from Barrett Avenue to the south side of the property. Additionally, all the uses proposed in the development project will have pedestrian connections to the park.

Parking

Parking will be located on each parcel and a shared parking agreement will be implemented per Municipal Code Section 18.72.050, on-site parking alternative-Section F, to meet the parking needs of the development. Parking below standards for some uses will be met by implementing a shared parking agreement between the newly created parcels within the property. Additionally, the mix of land uses will result in walking trips that will reduce parking demands for some uses.

Signage and Lighting

A detailed signage and lighting plans will be submitted during the Design Review phase of the project review. Signage and lighting will comply with the City of Morgan Hill Municipal Code, Sections 18.88 and 18.72.060G. We anticipate signage will be located at the intersection of Juan Hernandez Drive and the main access drive into the property, currently labeled as Street A on the conceptual Site Plan. Additional internal signage locations have not been determined at this time.

Storm Water Infrastructure

All drainage systems will be designed to comply with City and Regional Water Quality Control Board requirements for storm water management. Bio swales will be dispersed throughout the development, including a 25-foot wide landscape buffer along the east property line and a storm water basin, located in the southeast corner of the property. All drainage improvements will be designed and landscaped to meet City and State design criteria and performance standards. Where necessary, fencing around the ponds will consist of black chain link or decorative fencing and landscaping to shield views from US Highway 101 and onsite patrons.

Other Utilities

Sewer, water, and wastewater infrastructure will be designed and constructed in conformance with City standards. Ownership and maintenance will generally correspond to location within public or private property. Where utilities cross private property, easements will be established as necessary to provide access. Other utility infrastructure (gas, electric, communications, etc.) will be designed and constructed in conformance with State or utility standards. Ownership of these utilities will remain with the utility, with easements established as necessary to provide access.

Phasing

The proposed project would likely be constructed in phases starting with development of Parcel C, followed by development of Parcels B and D, and closing with the development of Parcel A. The hospital use will require approvals by the Office of Statewide Health Planning and Development (OSHDP) and the Division of the State Architect, some approvals could take as long as seven years, which is why it is expected to be the final element of the project to be developed. Full occupancy of all uses is assumed to occur in the year 2025-2027. Market factors could result in a changed phasing sequence.

Conceptual Development Plans

Figure 10, *Conceptual Site Plan*, illustrates the overall development concept, including the proposed land uses, buildings, circulation patterns, parking, and open space and common areas. This plan documents the percentage of site area that will be dedicated for all types of open space.

Figure 11, *Pedestrian Circulation/Open Space Plan*, illustrates the connectivity of the project, how it relates to the surrounding pedestrian network, and open space proposed on the project site.

Figure 12, *Illustrative Site Plan*, is a conceptual color rendering of how all the elements come together on the property.

Figure 13, *Conceptual Site and Utility Plan*, provides locations of sewer, water and fire connection on the site plan and also shows the proposed storm water management areas.

Figure 14, *Conceptual Grading Plan*, provides conceptual contour grading, drainage and flood control facilities, easement, property lines, rights-of-ways, and existing features beyond the site boundaries. Structures, building footprint and floor elevations are also depicted on the conceptual Grading Plan.

Full Size Plans, Illustrative Building Elevations, provided under separate cover, illustrate the building elevations and provide perspective renderings for each building. The building architecture and design are inspired by a distinctly modern and geometric aesthetic, using classical materials for a timeless appearance. The elevations are crafted of warm wood, grey stone and contrasting light stucco. The transparent glazing panes will provide ample daylight and animate the buildings, flooding the interior spaces with natural light and the orthogonal volumes and surfaces complement each other. The parking deck form is reduced in mass by using landscape screens facing US Highway 101.

Full Size Plans, The Conceptual Landscape Plans, provided under separate cover, identify landscaped areas throughout the PD Master Plan and explain the main landscape concepts to be achieved for the project. The conceptual Landscape Plans identify the major types of plant material to be used including street trees, parking lot trees, shrubbery to be used to screen the parking lots, and buffer plantings.

Conceptual Site Development Data

The PD Master Plan's conceptual Site Plan (see Figure 10) is used to provide the numbers that were used to prepare the project description and CEQA documentation. Additional dwelling units or floor area may be achieved on the property. The PD Master Plan allows a range of 350,000 – 417,696 square

feet of commercial, office, and/or institutional floor space and a maximum of 200 multi-family or single family dwelling units. It is expected the conceptual Site Plan will be modified prior to Design Review. Modification will be kept to a limit acceptable to not trigger additional CEQA impacts or mitigation measures. If the conceptual Site Plan changes exceed this limit, additional CEQA documentation may be necessary.

Medical Office / Cancer Center

Building Coverage: 10,000 square feet

Floor Area: 10,000 square feet

Building Height: One story (25-foot maximum)

Parking: 96 shared spaces, including 30 existing spaces, 2 ADA spaces, 2 EV spaces, and 5 bicycle spaces

Medical / Hospital

Building Coverage: 33,333 square feet

Floor Area: 100,000 square feet

Building Height: Three story (52-foot maximum including rooftop equipment)

Parking: 500 shared spaces within deck, including 9 ADA spaces, 10 EV spaces, and 25 bicycle spaces

Decked Parking

Building Coverage: 54,000 square feet

Building Height: Three story (32-foot)

Retail / Restaurant

Building Coverage: 10,000 square feet

Floor Area: 10,000 square feet

Building Height: One story (25-foot)

Parking: 55 spaces, including 3 ADA spaces, 2 EV spaces, and 5 uncovered bicycle spaces

Multi-Family Housing

Building Coverage: 51,750 square feet (apartments and clubhouse/leasing office)

Floor Area: 175,500 square feet – apartments; 3,000 square feet – club house

Building Height: Varies by building: Three story (35-foot maximum); Four story (45-foot)

Dwelling Units: 200 Units (conceptual Site Plan assumes 61 at 1 bedroom and 139 at 2 bedroom, or 200 units)

Parking: 359 spaces, including 8 ADA spaces, 200 covered spaces, and 7 EV spaces

Bicycle Parking: 36 covered bicycle spaces, 40 uncovered bicycle spaces

Urgent Care and Pharmacy

Building Coverage: 4,500 square feet

Floor Area: 4,500 square feet

Building Height: One story (25-foot)

Parking: 96 shared spaces, including 30 existing spaces, 2 ADA spaces, 3 uncovered bicycle spaces

Existing Medical Buildings

Building Coverage: 15,900 square feet (12,300 square feet and 3,600 square feet)

Floor Area: 15,900 square feet

Building Height: One story

Parking: 96 shared spaces, including 30 existing spaces, 4 ADA spaces, 2 EV spaces and 4 uncovered bicycle spaces.

Park

Open Space / Passive Park Acreage: +/- 2.2 acres

Recreation exclusive for Multi-Family: +/- 0.70 acres

Additional open space is provided on site in landscaped buffers including walking/jogging trails.

Total Building Coverage

(Net Property Land Area: 835,391 square feet / 19.18 acres)

Allowed: 417,696 square feet (50% of net land area)

Proposed: Not to exceed 50% (conceptual Site Plan indicates 212,319 square feet (25% of net land area)

Floor Area Ratio (FAR)

(Net Property Land Area: 835,391 square feet / 19.18 acres)

Maximum FAR (per MU-F 0.5): 417,696 square feet

Proposed FAR: (0.42-0.5) 350,000 to 417,696 square feet (conceptual Site Plan indicates 351,786 square feet)

Total Square Feet

(Within buildings/carports on conceptual Site Plan)

Retail/Restaurant: 10,000 square feet

Medical Offices (4): 30,400 square feet

Medical/Hospital: 100,000 square feet

Residential: 178,500 square feet (includes club house/leasing office at 3,000 square feet)

Covered Residential Parking: 32,886 square feet – expected to be carports

Total: 351,786 square feet – (does not include the commercial parking structure)

Total Parking

Proposed Vehicle Parking: 1,010 spaces total (96 compact spaces at bio swales)

Covered Vehicle Parking: 700 spaces (500 spaces within parking structure)

Bicycle Parking: 118 (36 covered spaces, 82 uncovered spaces)

ADA Parking: 28 spaces

Electric Vehicle (EV): 23 spaces

4.3 Implementing Approvals

After the actions noted above are complete (General Plan Amendment, Zoning Map Amendment, and Parcel Map), the following implementing actions will remain to be taken by the City prior to construction. These approvals will most likely be separate actions for each parcel within the PD Master Plan.

Final Maps. After the tentative parcel map is approved, final maps will be filed. It is anticipated that a separate final map may be filed for each parcel, along with a corresponding improvement plan.

Design Review Permits. Prior to construction, each structure will be required to obtain a design review permit. Each design review permit will be approved by resolution by the Planning Commission.

Conditional Use Permits. Some uses that are allowed within the PD Master Plan will require a conditional use permit. Each conditional use permit will be approved by resolution by the Planning Commission.

4.4 Ownership and Ongoing Obligations

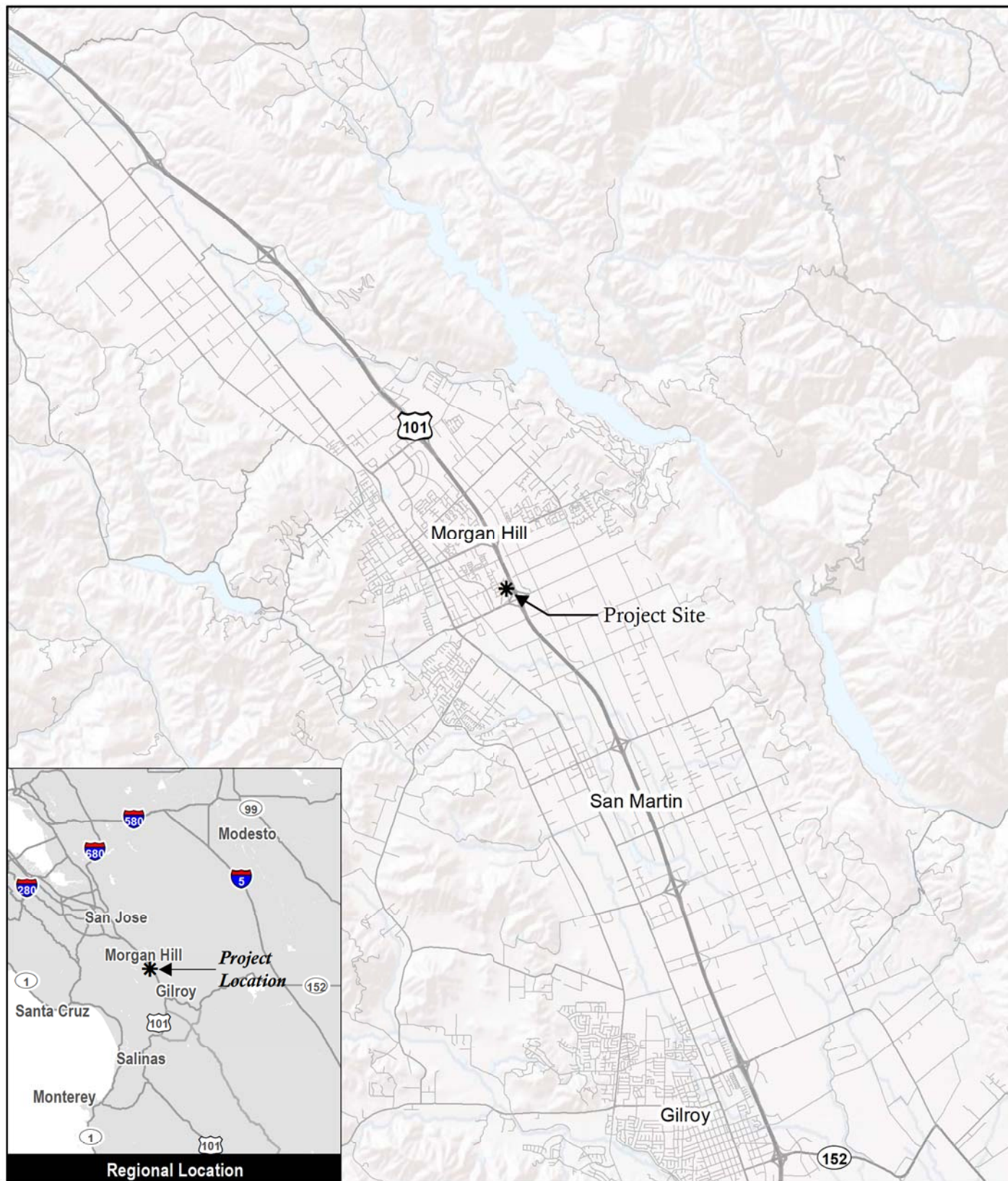
The PD Master Plan, General Plan Amendment, and subdivision proponent seeks to obtain City approval of the General Plan Amendment, PD Master Plan and subdivision entitlements. The applicant/proponent intends to develop Parcel D with the Medical Center (e.g. urgent care/pharmacy, cancer center, medical offices, etc.). The medical /hospital parcel, retail/restaurant parcel, and residential parcel will most likely be sold to end users or to specialized developers.

Park land will be set aside within an easement upon filing of the final parcel map(s). Infrastructure will be constructed by future developers. Dedication and long-term maintenance financing of circulation, water, wastewater, and storm water infrastructure will be determined when development applications are processed.

A memorandum of agreement (MOA) or development agreement (DA) will be drafted by the applicant and distributed to the developers of each lot to allow for an orderly manner in which to provide capital improvements and maintenance of the infrastructure and common areas located throughout the property. It is expected that a shared parking agreement will be prepared as part of the MOA/DA to allow shared parking among the end users of the PD Master Plan development.

4.5 Maps and Diagrams

Maps and Diagrams are presented on the following pages.



Source: ESRI 2019

Figure 1

Regional Location Map

Lillian Commons/Morgan Hill Medical Campus



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0 300 feet



Subject Property



Morgan Hill
City Limits

Source: ESRI 2019, Santa Clara County GIS 2018

Figure 2

Vicinity Map

Lillian Commons/Morgan Hill Medical Campus

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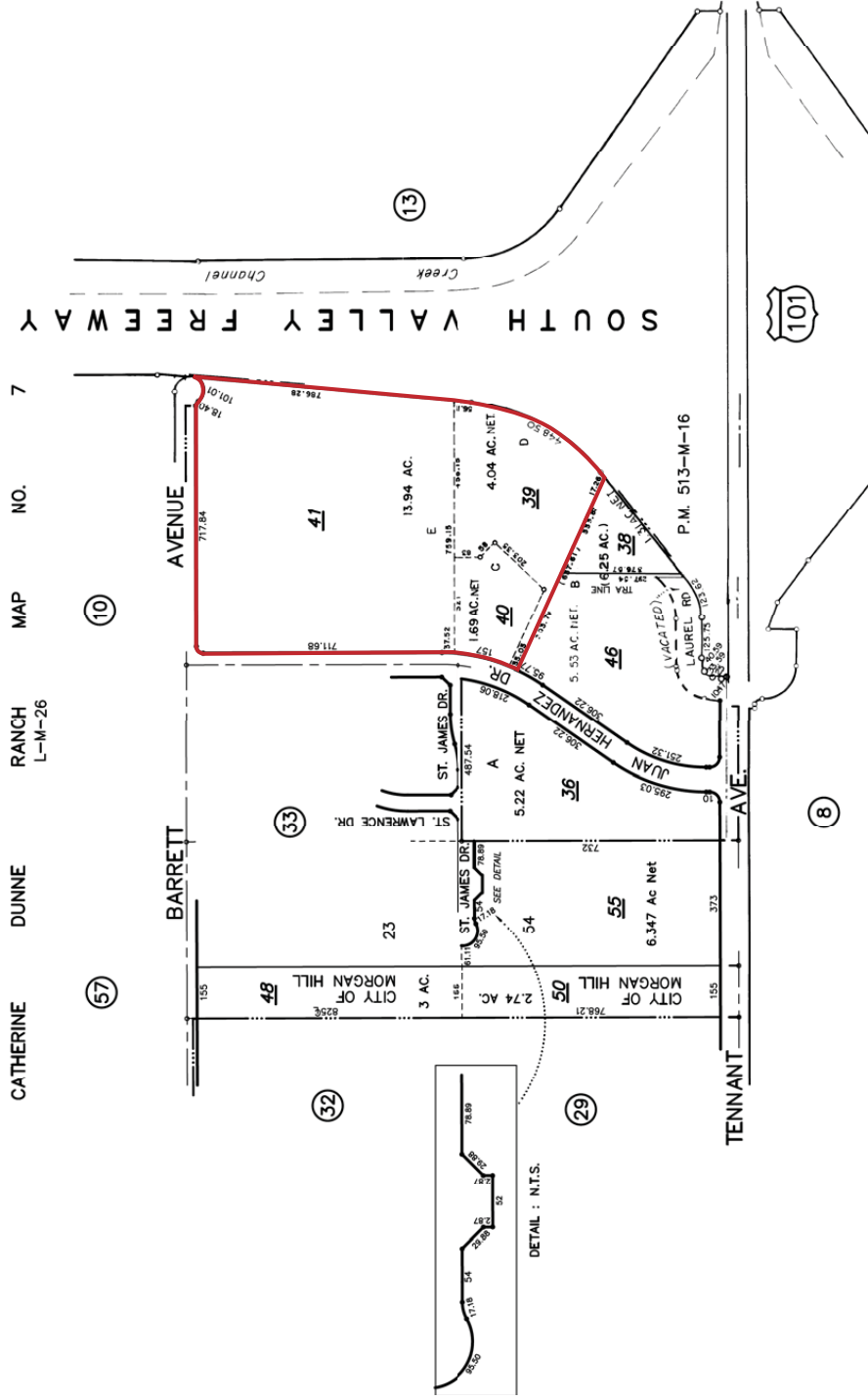
Figure 3

Assessor's Parcel Map

Lillian Commons/Morgan Hill Medical Campus

Attachment: Resolution - Zoning Amendment - Exhibit A: Planned Development Master Plan (2879 : Lillian Commons Continuation)

Source: Office of the Assessor, County of Santa Clara 2019



0 575 feet

Subject Property



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SURVEY NOTES

1. THIS MAP REPRESENTS AN AERIAL TOPOGRAPHIC SURVEY PERFORMED BY WHITSON ENGINEERS ON JUNE 26, 2019. MAPING SCALE IS 20' PER INCH WITH CONTOURS AT ONE FOOT INTERVALS.
2. THIS MAP PORTRAYS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT SHOW SOILS OR GEOLOGY INFORMATION, UNDERGROUND CONDITIONS, EASEMENTS, ZONING OR REGULATORY INFORMATION OR ANY OTHER ITEMS NOT SPECIFICALLY REQUESTED BY THE CLIENT.
3. BOUNDARY LOCATIONS SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY SUPPLEMENTED BY RECORD DATA. ALL BOUNDARY SHOWN IS FROM RECORD DATA. THIS TOPOGRAPHY DOES NOT CONSTITUTE A BOUNDARY SURVEY. THERE MAY BE EASEMENTS OR OTHER RIGHTS, RECORDED OR UNRECORDED, AFFECTING THE SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.
4. DISTANCES AND DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
5. LOCATING OF UNDERGROUND UTILITIES WAS NOT WITHIN THE SCOPE OF THE TOPOGRAPHIC SURVEY. WITH THE EXCEPTION OF OBSERVED FACILITIES, SIZE AND LOCATION OF UNDERGROUND UTILITIES ARE SHOWN BASED ON AS-BUILT DOCUMENTS PROVIDED BY THE CITY OF MORGAN HILL.

BENCHMARK

LOCAL BENCHMARK TAKEN AS 2-INCH BRASS DISC. ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). ELEVATIONS WERE DETERMINED THROUGH STATIC GPS OBSERVATIONS AND THE USE OF THE NATIONAL GEODETIC SURVEY'S ONLINE POSITIONING USER SERVICE (OPUS). A NAVD88 ELEVATION OF 343.77 FEET FOR THE BRASS DISC WAS ESTABLISHED FOR THE LOCAL SITE BENCHMARK DESIGNATED POINT NUMBER 600, SHOWN HEREON.

LEGEND

	SUBJECT PROPERTY LINE
	ADJACENT PROPERTY LINE
	CENTERLINE
	SANITARY SEWER LINE
	WATER LINE
	STORM DRAIN
	EXISTING CONTOUR
	UTILITY MANHOLE
	STORM DRAIN CATCH BASIN
	FIRE HYDRANT
	WATER VALVE
	SURVEY MONUMENT (FOUND)

ABBREVIATIONS

AC	ACRE
BW	BACK OF WALK
CB	CATCH BASIN
CH-LNK	CHAIN LINK
CONC	CONCRETE
EP	EDGE OF PAVEMENT
FL	FLOWLINE
GR	GRATE
HP	HIGH POINT
INV	INVERT
JP	JOINT POLE
LP	LOW POINT
MH	MANHOLE
OH	OVERHEAD
PL	PROPERTY LINE
SD	STORM DRAIN
SS	SANITARY SEWER
TC	TOP OF CURB
TS	TRAFFIC SIGNAL
WV	WATER VALVE
WM	WATER METER
x271.19	EXISTING SPOT ELEVATION

PROJECT TEAM

CIVIL ENGINEER / SURVEYOR

WHITSON ENGINEERS
6 HARRIS COURT
MONTEREY, CA 93940

(831) 649-5225

ARCHITECT

EVOCO ARCHITECTURE
160 SOUTH LINDEEN AVENUE, SUITE 210
SOUTH SAN FRANCISCO, CA 94080

(415) 312-0454

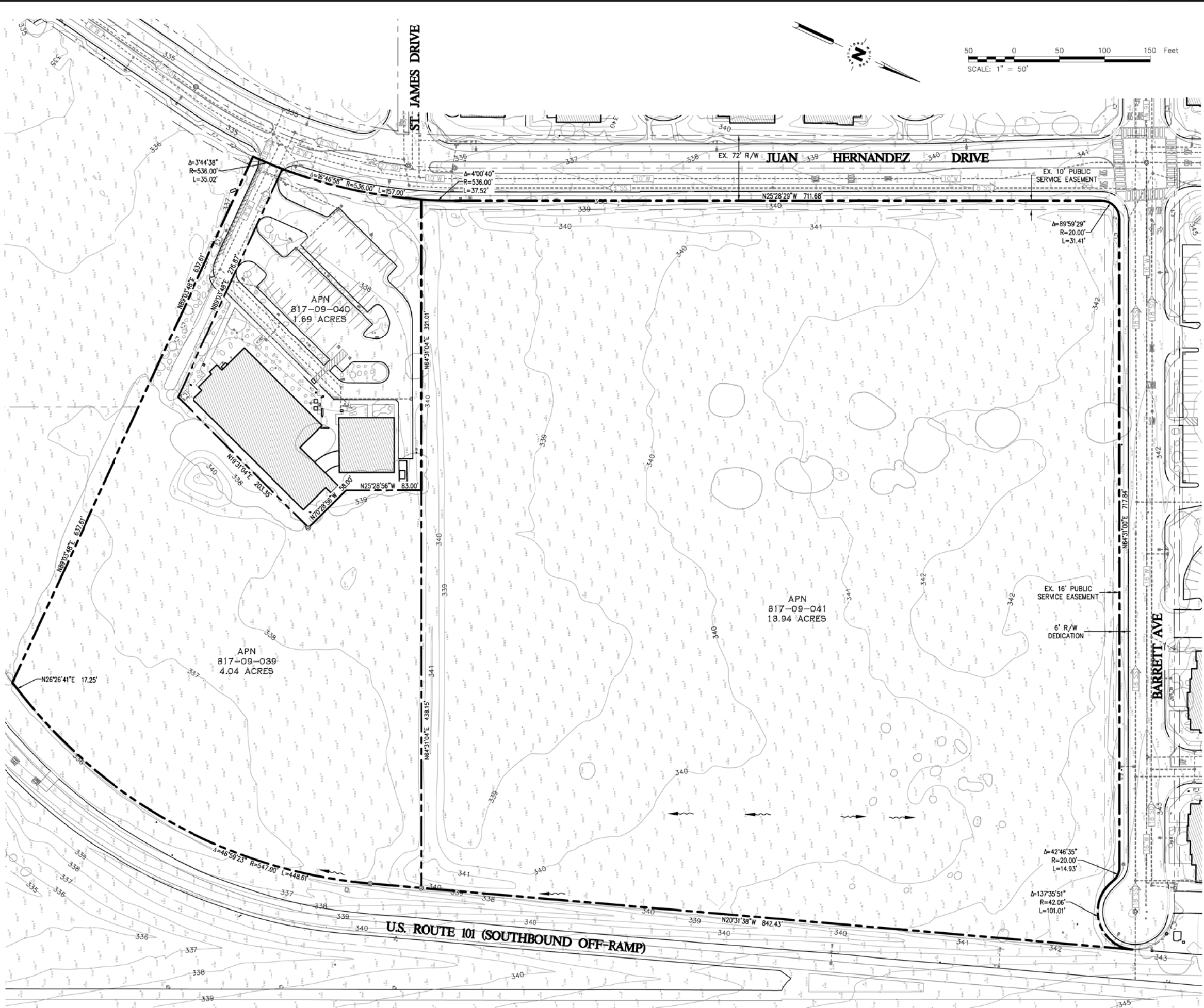
LANDSCAPE ARCHITECT

W. JEFFREY HEID LANDSCAPE ARCHITECT
6179 ONEIDA DRIVE
SAN JOSE, CA 95123

(408) 691-5207

SHEET INDEX

C1.0	EXISTING CONDITIONS MAP
C2.0	CONCEPTUAL SITE AND UTILITY PLAN
C2.1	CONCEPTUAL GRADING PLAN



Civil Engineering
Land Surveying
4 Harris Court
Monterey, California
93940
whitsonengineers.com



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WITHOUT
SIGNATURE

SUBMITAL / REVISION

LILLIAN COMMONS / MORGAN HILL
MEDICAL CAMPUS - A MIXED USE DEVELOPMENT
Morgan Hill, California

EXISTING CONDITIONS MAP

SCALE: 1" = 50'

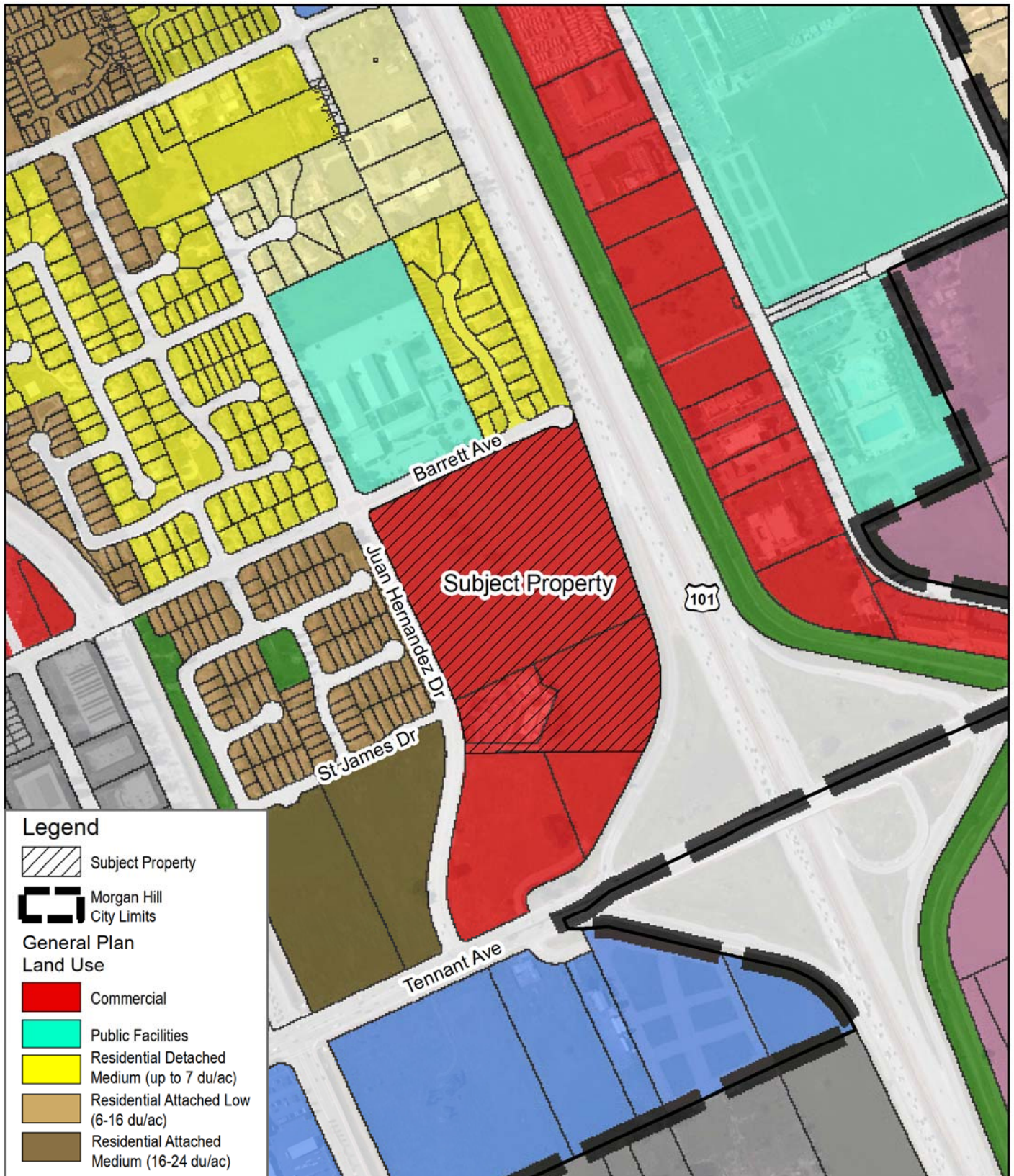
DRAWN: GK

JOB No.: 2690.01

SHEET
C1.0

Packet Pg. 73

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0 300 feet

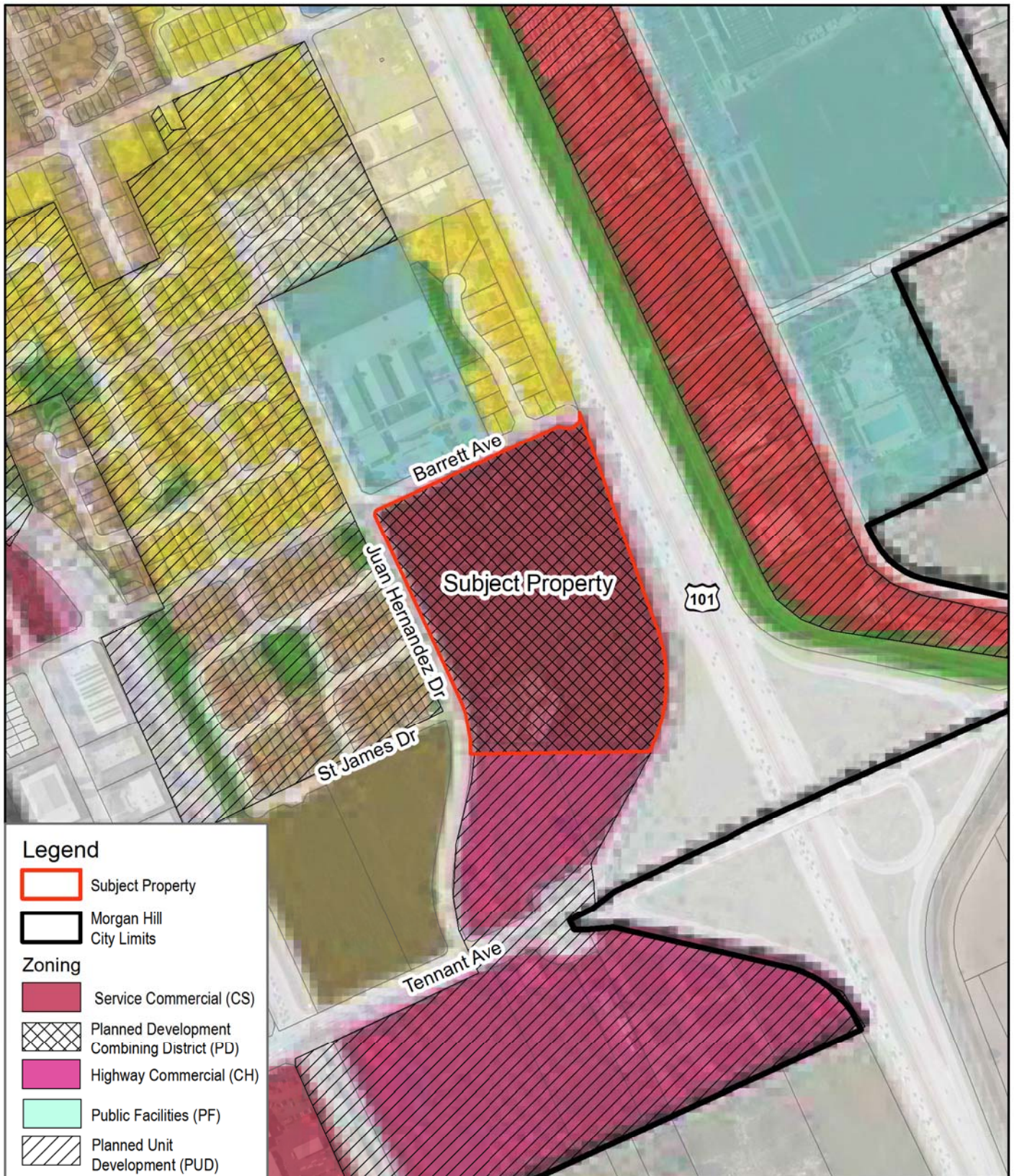
Source: ESRI 2019, Santa Clara County 2017

Figure 5

Existing City General Plan Land Use Map

Lillian Commons/Morgan Hill Medical Campus

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0 300 feet

Source: ESRI 2019, Santa Clara County 2017

Figure 6

Existing City Zoning Map

Lillian Commons/Morgan Hill Medical Campus

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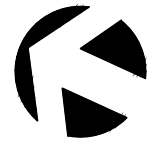
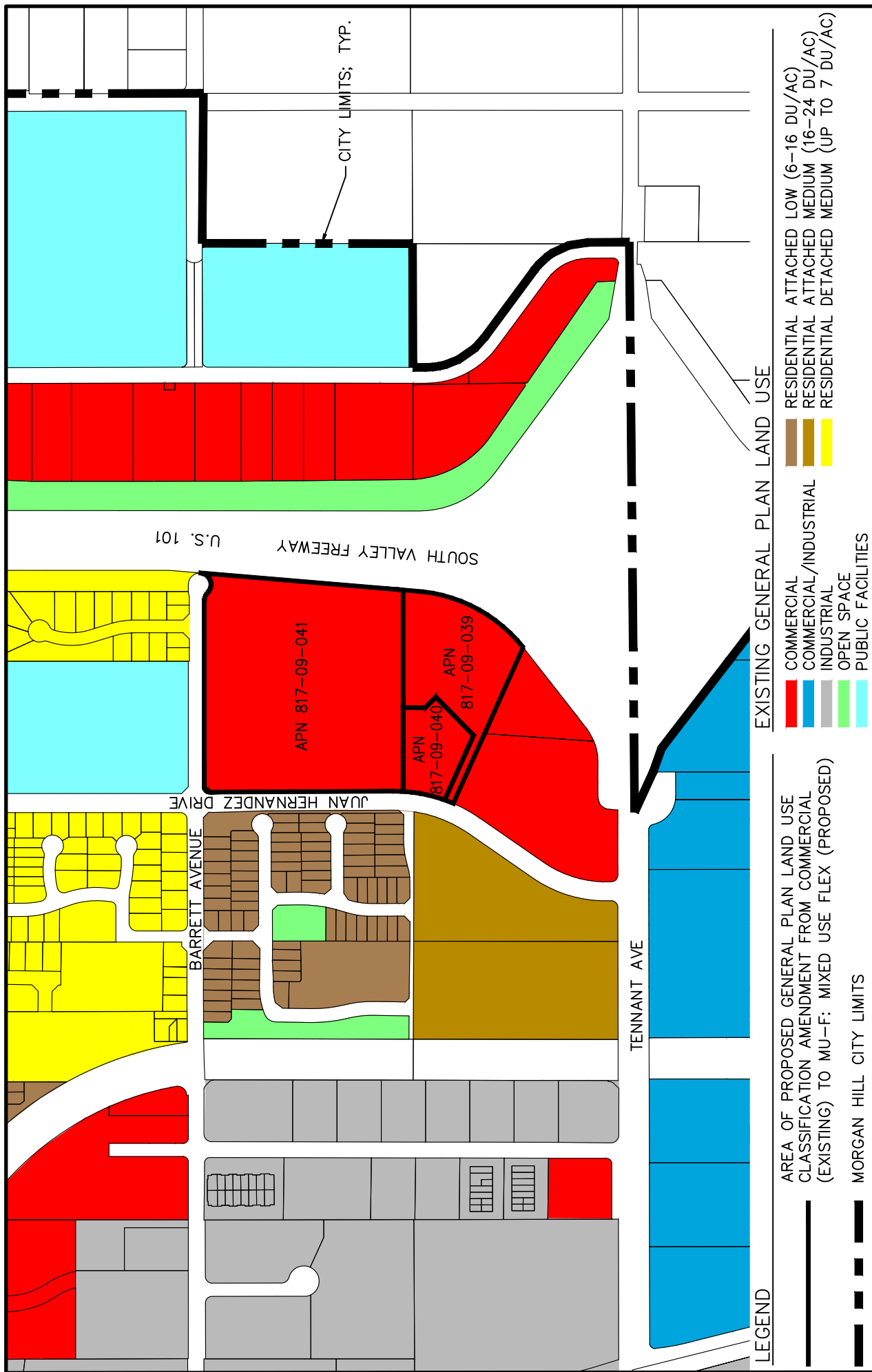
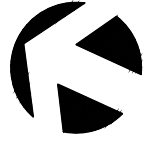
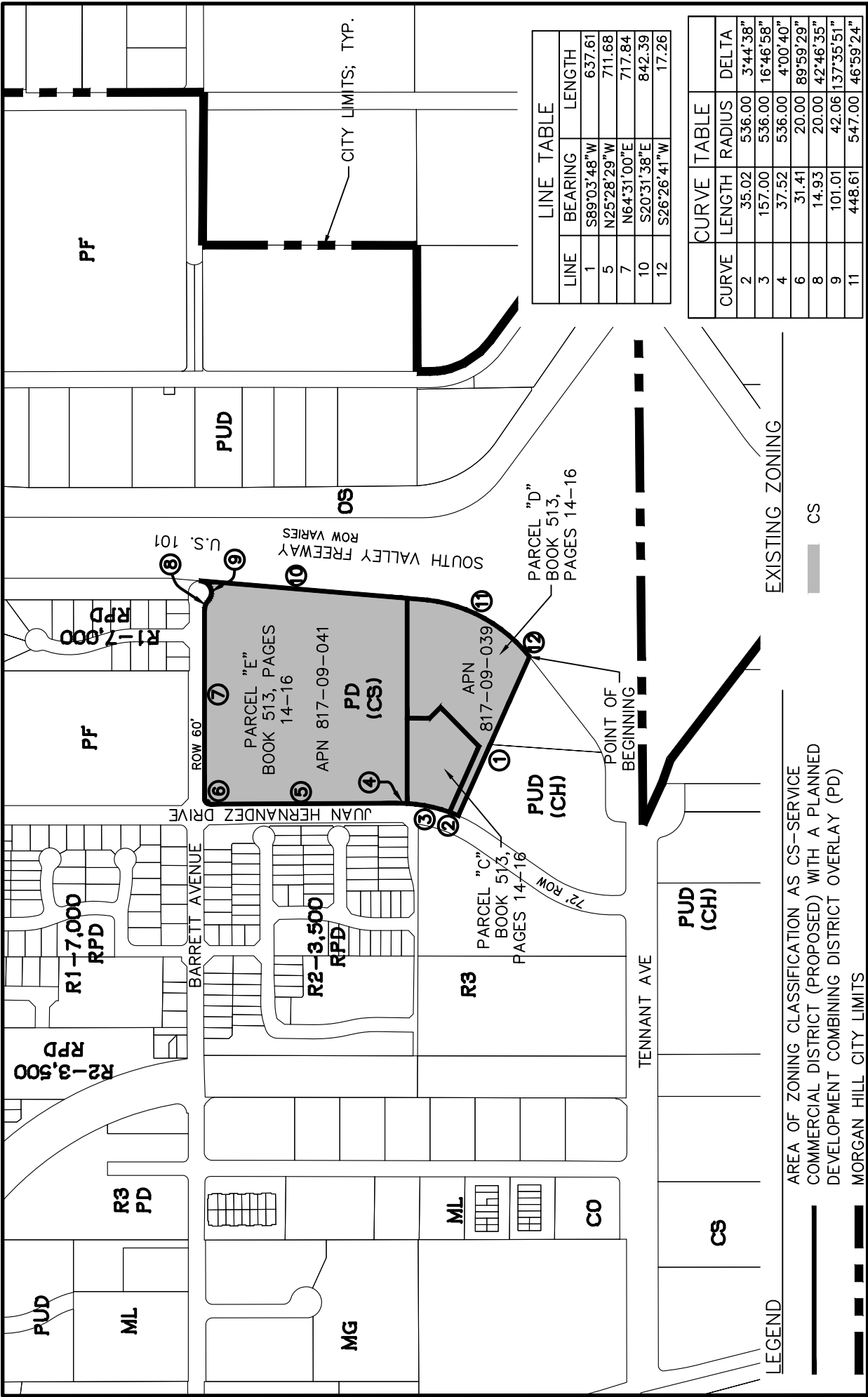


FIGURE 7 - PROPOSED GENERAL PLAN AMENDMENT TO THE CITY OF MORGAN HILL ENTITLED 0 JUAN HERNANDEZ DRIVE,

PREPARED BY:
 HITSON ENGINEERS
 HARRIS COURT
 MONTEREY, CA 93940
 (415) 649-5225

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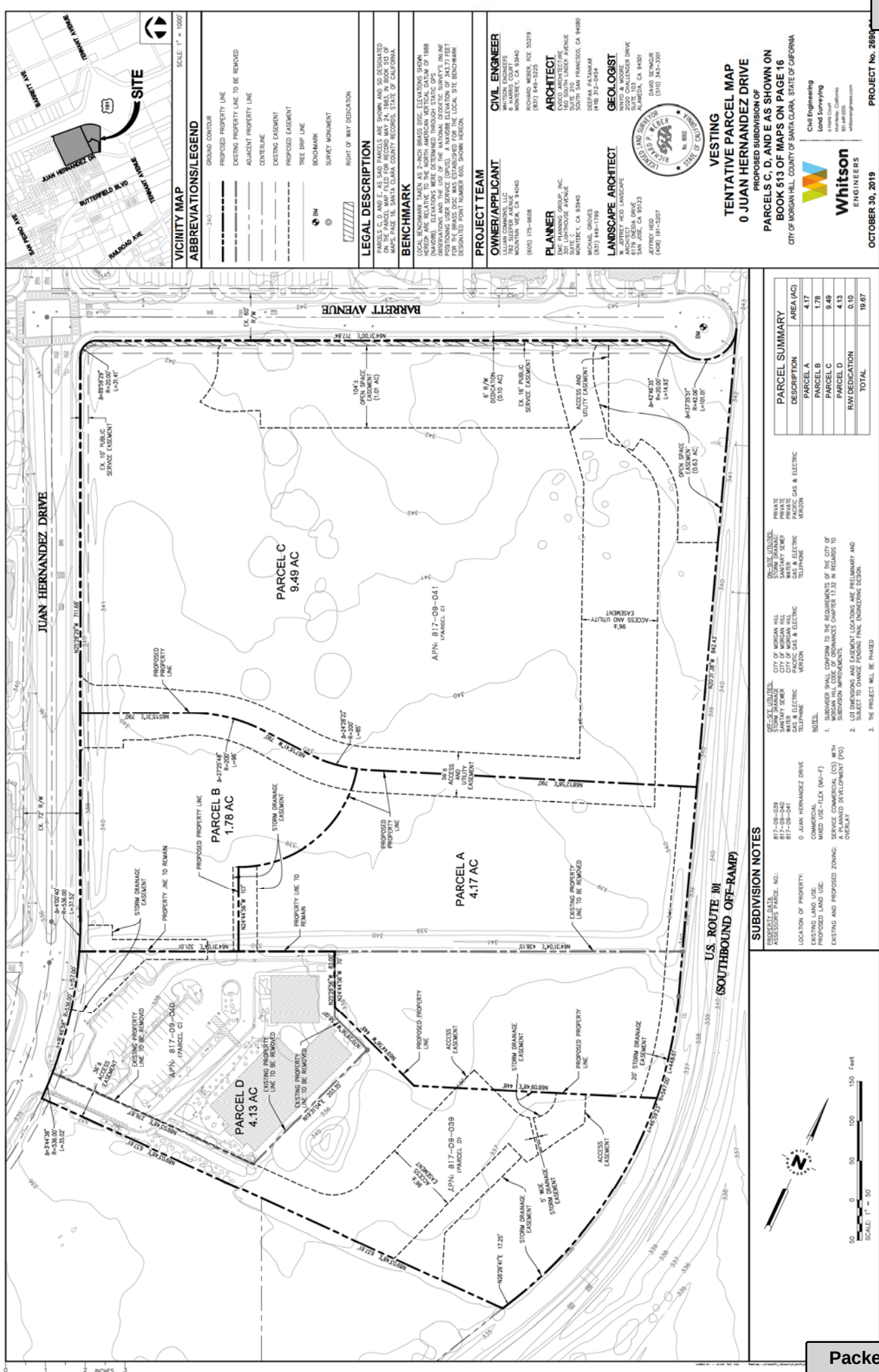


PREPARED BY:
 MITSON ENGINEERS
 HARRIS COURT
 SANTEFE, CA 93940
 (415) 649-5225

FIGURE 8 - MAP SHOWING ZONING LANDS OF 0 JUAN HERNANDEZ DRIVE, MORGAN HILL, BEING A PART OF ORDINANCE No. _____,

This side intentionally left blank.

Figure



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Lillian Commons / Morgan Hill Medical Campus

SITE DATA:

APN: 817-09-039, 040 and 041

Site Area: GLA -19.67 AC, 856,782 SF

Structure Size:

Parcel A - Proposed Medical Office / Hospital - 4.17 AC
100,000 SF, 500 Pkg. Spaces
0.44 AC Passive Park

Parcel B - Proposed Commercial/Restaurant - 1.78 AC
10,000 SF, 55 Pkg. Spaces

Parcel C - Proposed Residential Apartments - 9.49 AC
175,500 SF Res., 359 Pkg. Spaces
3,000 SF Leasing Office/Club House
2.42 AC Park/Recreation

Parcel D - Proposed Urgent Care/ Existing Medical - 4.13 AC
15,900 SF Ex. Medical
4,500 SF Proposed Urgent Care
10,000 SF Proposed Medical Office,
96 Pkg. Spaces

Right-of-way Dedication - 0.10 AC

Zoning: Service Commercial - CS w/ PD Overlay

Existing General Plan Designation: Commercial

Proposed General Plan Amendment: Mixed Use Flex

Parking: Total Required 1,161 spaces/ Provided 1,010 spaces*

Required: Medical Office / Hospital @ 1/200 = 652 spaces

Proposed: Medical Office / Hospital @ 1/219 = 596 spaces

Required: Retail/Restaurant @ 1/250 and 1/100 = 70 spaces
(Assumes 5,000 Retail and 5,000 Restaurant)

Proposed: Retail/Restaurant 55 spaces

Required: Apartments @ 1.5/1 bdrm and 2.0/2 bdrm = 375 spaces

Guest Parking at 1/3 DU = 68 spaces Total = 443 (203 covered)

Proposed: Apartments 359 spaces

*Shared parking proposed per Municipal Code Section 18.72.050

Lot Coverage:

Building = 212,319 SF (25% NLA)

Parking/Driveways = 227,804 SF

Landscape/Storm Water Mgmt. = 335,045 SF

Hardscape = 81,614 SF

Floor Area Ratio: 351,786 SF (0.42%)

LEGEND:

- Site Boundary (Whitson Engineering)
- Structures on Site
- Parking Carports



0 50' 100'

Figure 10

SITE PLAN

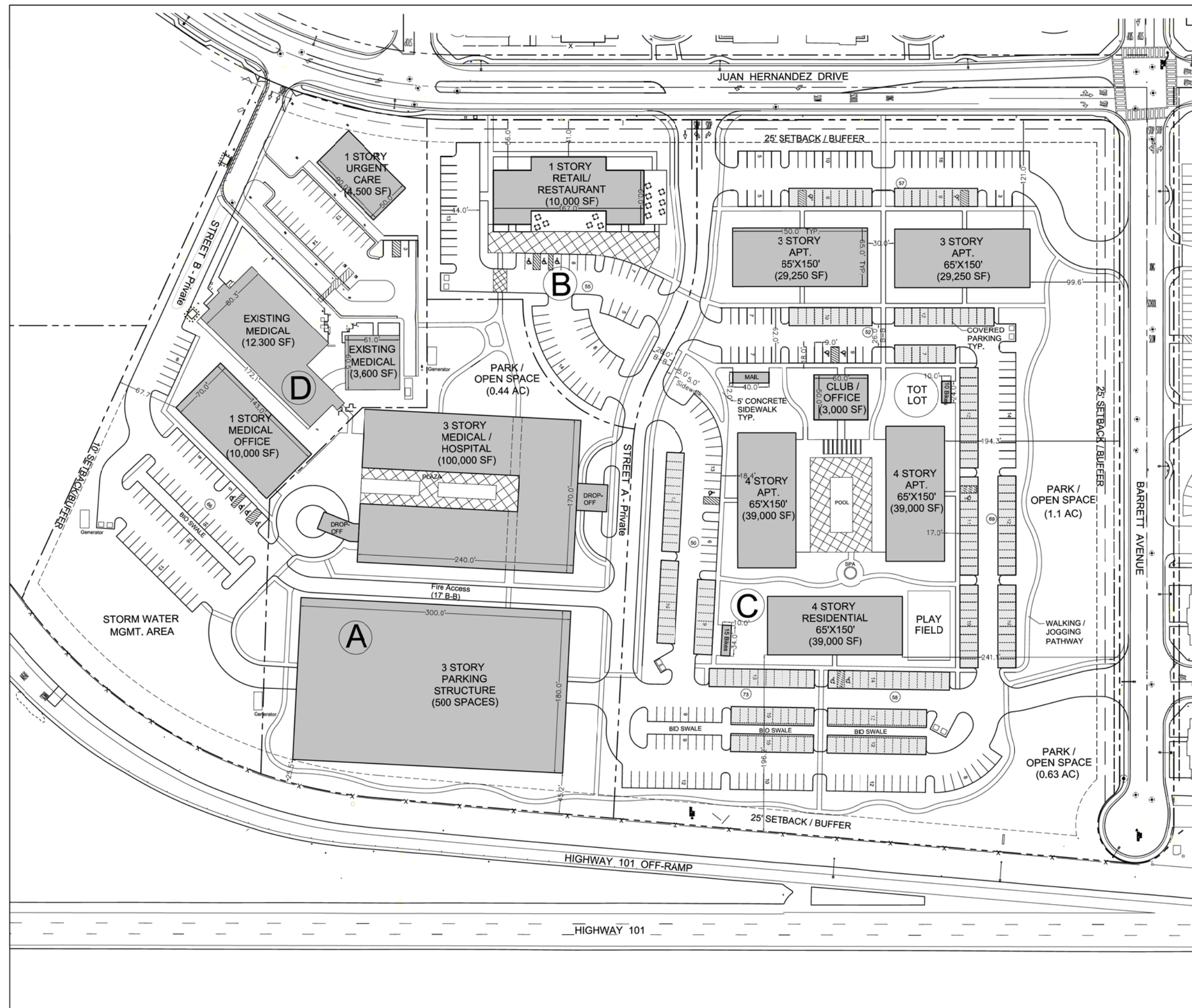
PD Master Plan / General Plan Amendment /
Application for Development Permit
Morgan Hill, CA

October 30, 2019



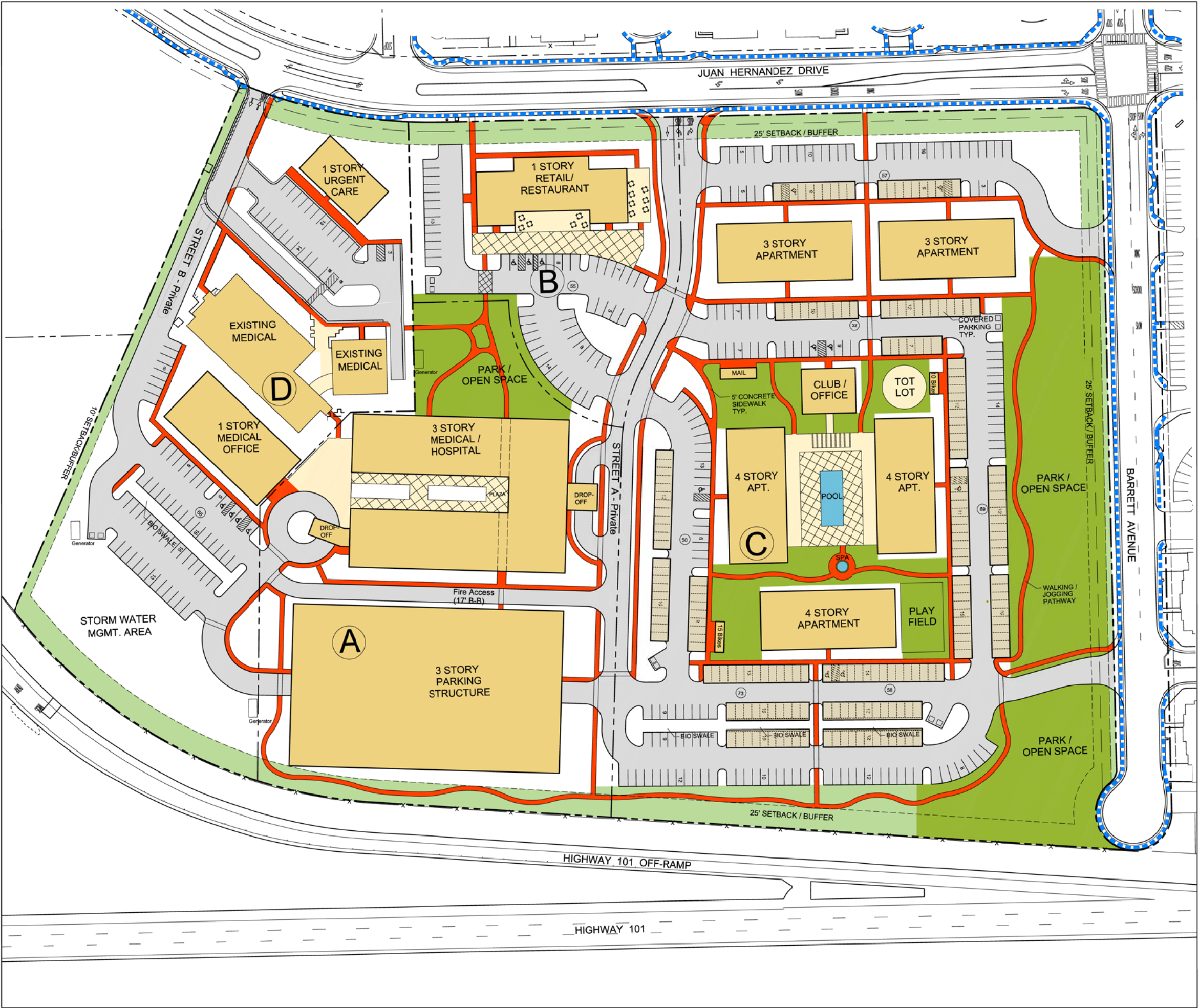
EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

Monterey, CA 831.649.1799 www.emcplanning.com



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Lillian Commons / Morgan Hill Medical Campus



- LEGEND
- Buildings / Carports
 - Existing Sidewalks
 - Walkways / Jogging Paths
 - Gathering Areas
 - Park / Recreation / Open Space
 - Landscape Buffers / Open Space

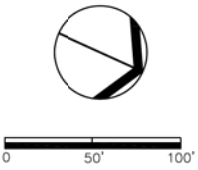


Figure 11
PEDESTRIAN CIRCULATION /
OPEN SPACE PLAN
PD Master Plan / General Plan Amendment /
Application for Development Permit
Morgan Hill, CA
October 30, 2019



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM
Monterey, CA 831.649.1799 www.emcplanning.com

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Lillian Commons / Morgan Hill Medical Campus

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APN: 817-09-039, 040 and 041

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0.44 AC Passive Park

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10,000 SF, 55 Pkg. Spaces

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Right-of-way Dedication - 0.10 AC

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(Assumes 5,000 Retail and 5,000 Restaurant)

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Required: Apartments @ 1.5/1 bdrm and 2.0/2 bdrm = 375 spaces

Guest Parking at 1/3 DU = 68 spaces Total = 443 (203 covered)

Proposed: Apartments 359 spaces

*Shared parking proposed per Municipal Code Section 18.72.050

Floor Area Ratio: 351,786 SF (0.42%)

LEGEND:

Structures on Site Storm Water Management

Park/Recreation/Open Space

Sidewalks/Pathways

Landscaping
(See Landscape Plan for Details)



0 50' 100'

Figure 12

ILLUTRATIVE SITE PLAN

PD Master Plan / General Plan Amendment /
Application for Development Permit
Morgan Hill, CA

October 30, 2019



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

Monterey, CA 831.649.1799 www.emcplanning.com

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PROJECT DATA

1.

PROPERTY DATA:
ASSESSORS PARCEL NO.:
817-09-039
817-09-040
817-09-041
3.

EXISTING SITE:
PERVIOUS: ±18.51 AC
IMPERVIOUS: ±1.16 AC
TOTAL AREA: ±19.67 AC
4.

PROPOSED SITE:
PERVIOUS: ±8.82 AC
IMPERVIOUS: ±10.75 AC
RIGHT OF WAY DEDICATION: ±0.10 AC
TOTAL AREA: ±19.67 AC
5.

OFF-SITE UTILITIES:
STORM DRAINAGE CITY OF MORGAN HILL
SANITARY SEWER CITY OF MORGAN HILL
WATER/FIRE CITY OF MORGAN HILL
GAS & ELECTRIC PACIFIC GAS & ELECTRIC
TELEPHONE VERIZON

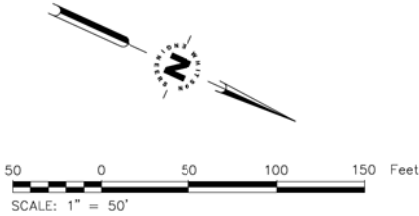
ON-SITE UTILITIES:
STORM DRAINAGE PRIVATE
SANITARY SEWER PRIVATE
WATER/FIRE PRIVATE
GAS & ELECTRIC PACIFIC GAS & ELECTRIC
TELEPHONE VERIZON
6.

ESTIMATED PRELIMINARY EARTHWORK:
CUT: ±30,000 CY
FILL: ±30,000 CY
NET BALANCE
7.

LEGAL DESCRIPTION:
PARCELS C, D AND E, AS SAID PARCELS ARE SHOWN AND SO DESIGNATED ON THE PARCEL MAP FILED FOR RECORD MAY 24, 1983, IN BOOK 513 OF MAPS, PAGE 16, SANTA CLARA COUNTY RECORDS, STATE OF CALIFORNIA.
8.

PARCEL AREAS:
PARCEL A 4.17 AC
PARCEL B 1.78 AC
PARCEL C 9.49 AC
PARCEL D 4.13 AC
R/W DEDICATION 0.10 AC
TOTAL AREA: 19.67 AC
9.

BUILDING SETBACKS:
FRONT 25'
REAR 0'
SIDE 0'
STREET 15'



CONSTRUCTION KEYNOTES:

1. SOUTHBOUND LEFT TURN LANE CHANNELIZATION PER TRAFFIC STUDY.
2. STORMWATER BASIN SIZED TO DETAIN THE 10-YEAR, 24-HOUR STORM EVENT, INCLUDING FLOW CONTROL STRUCTURE TO LIMIT POST-PROJECT PEAK FLOWS TO PRE-PROJECT PEAK FLOWS FOR THE 2- THROUGH 10-YEAR STORM EVENTS.
3. CONNECT TO EXISTING WATER MAIN.
4. CONNECT TO EXISTING SEWER MAIN.
5. CONNECT TO EXISTING STORM DRAIN.
6. ACCESSIBLE PARKING. SEE SITE PLAN FOR PARKING COUNT AND REQUIREMENTS.
7. TRASH ENCLOSURE.
8. DOMESTIC WATER BACKFLOW DEVICE.
9. FIRE MAIN DOUBLE CHECK ASSEMBLY.
10. FIRE HYDRANT.

CONSTRUCTION PLAN LEGEND

- #

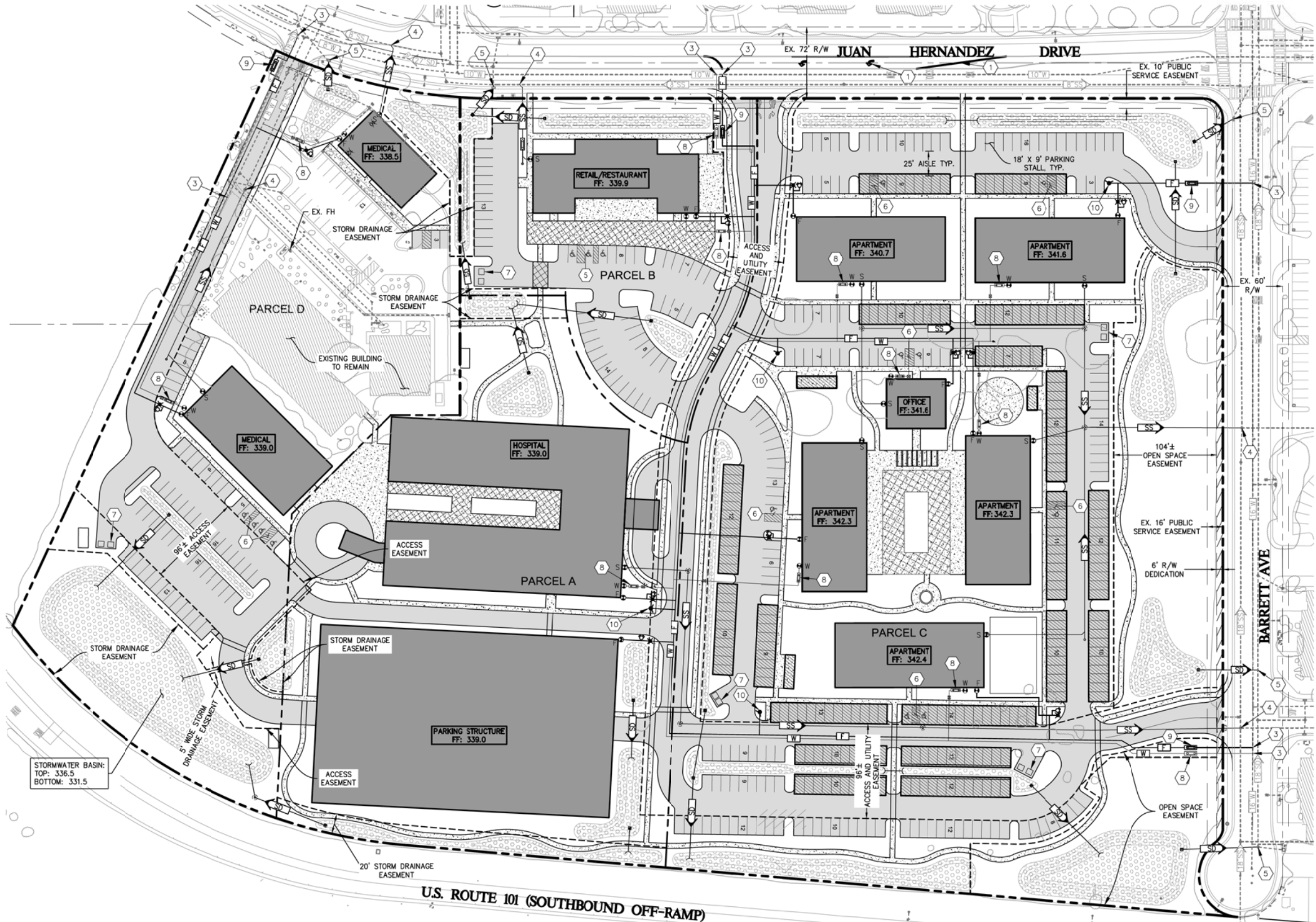
CONSTRUCTION KEYNOTE
- ASPHALT PAVING
- PROPOSED BUILDING
- CONCRETE WALKS AND FLATWORK
- 2

STORMWATER BIORETENTION OR BIOSWALE
- PROPOSED CARPORT/SHADE STRUCTURE
- RIGHT OF WAY DEDICATION
- PROPERTY LINE (EXISTING)
- PROPOSED PROPERTY LINE
- S

SEWER BUILDING POINT OF CONNECTION
- W

WATER BUILDING POINT OF CONNECTION
- F

FIRE BUILDING POINT OF CONNECTION
- FIRE DEPARTMENT CONNECTION AND POST INDICATOR VALVE
- UTILITY MANHOLE
- CLEANOUT



Civil Engineering
Land Surveying
4 Hains Court
Menlo Park, California
650.324.2225
whitsonengineers.com

Whitson
ENGINEERS

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LILLIAN COMMONS / MORGAN HILL
MEDICAL CAMPUS - A MIXED USE DEVELOPMENT
Morgan Hill, California
CONCEPTUAL SITE AND UTILITY PLAN

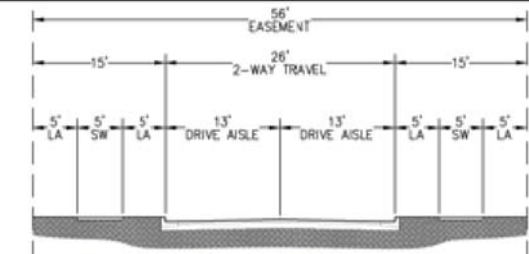
SCALE: 1"=50'
DRAWN: GK
JOB No.: 2690.01
SHEET

C2.0

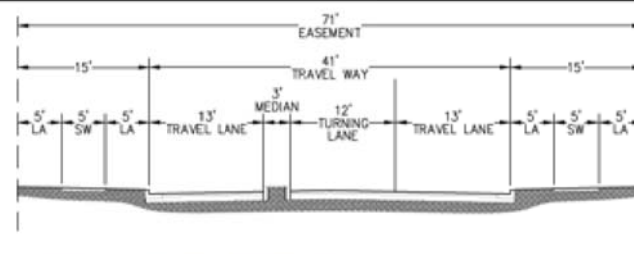
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PROJECT DATA

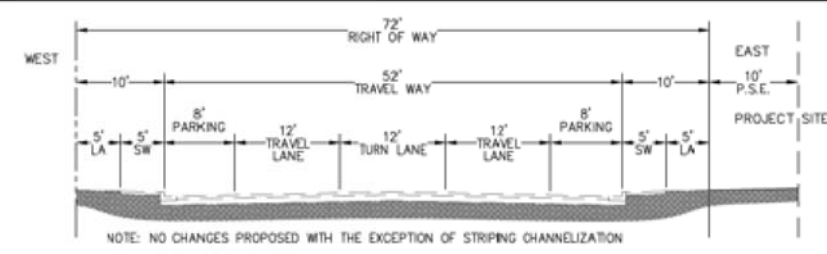
ESTIMATED PRELIMINARY EARTHWORK:
CUT: ±30,000 CY
FILL: ±30,000 CY
NET BALANCE



1 STREET 'A' (A PRIVATE STREET)
SCALE: 1" = 10'

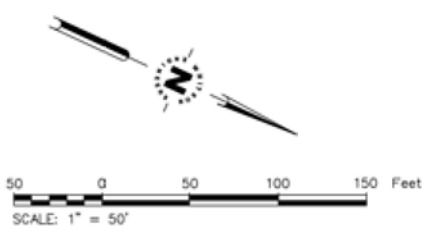
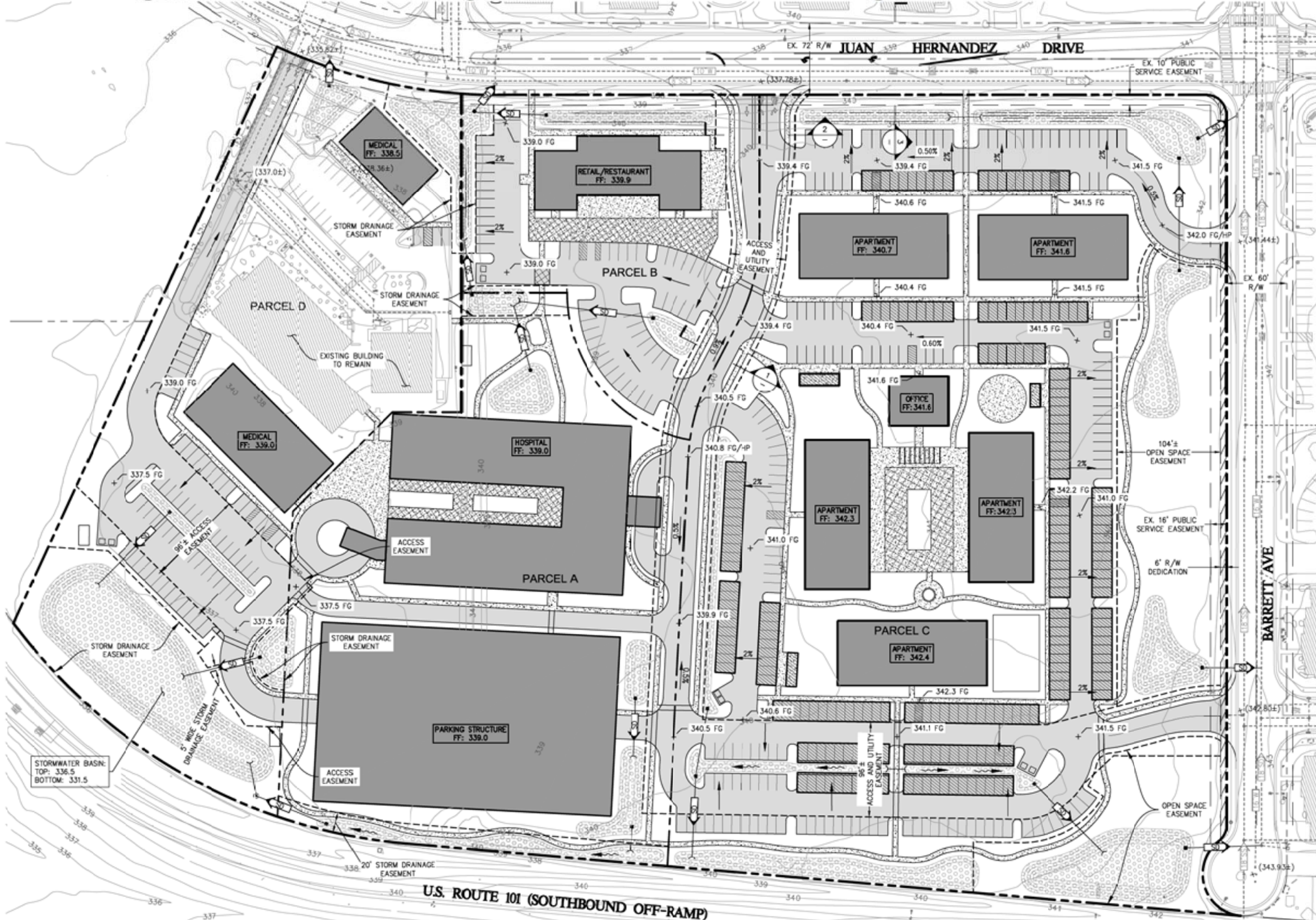


2 STREET 'A' (A PRIVATE STREET)
SCALE: 1" = 10'



3 JUAN HERNANDEZ DRIVE
SCALE: 1" = 10'

NOTE: NO CHANGES PROPOSED WITH THE EXCEPTION OF STRIPING CHANNELIZATION



Civil Engineering
Land Surveying
4 Years Court
Mentoring: California
301 Judd St
Whitson Engineers

Whitson
ENGINEERS

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LILLIAN COMMONS / MORGAN HILL
MEDICAL CAMPUS - A MIXED USE DEVELOPMENT
Morgan Hill, California

CONCEPTUAL GRADING PLAN

APN 817-09-039, -040, -041

SCALE: 1"=50'
DRAWN: GK
JOB No.: 2690.01
SHEET

C2.1

Packet Pg. 93

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3

RETAIL/ RESTAURANT



1

HOSPITAL

Figure 15

EVOCO ARCHITECTURE & INTERIORS
160 SOUTH LINDEN AVE # 210
SO. SAN FRANCISCO CA 94080
415.312.0454

OWNER:
LILLIAN COMMONS, LLC
782 SLEEPER AVENUE
MOUNTAIN VIEW, CA 94040

REVISIONS	
DATE/DESC.	

**LILLIAN COMMONS/ MORGAN HILL
MEDICAL CAMPUS**
0 AND 16130 JUAN HERNANDEZ DRIVE
MORGAN HILL, CA 95037



TITLE:
EXTERIOR
BUILDING VIEWS- 2

DATE: OCTOBER 22, 2019

SCALE: AS NOTED

JOB #: 19150

DRAWN BY: DP

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5.0

LAND USES

Table 1, PD Master Plan Allowed and Conditional Uses, presents uses allowed by the PD Master Plan. The table identifies the use as a permitted (P) or conditionally permitted (C) land use. Uses in bold are new uses added to the permitted uses in the CS zoning district as part of this PD Master Plan. Some uses permitted in the CS district were eliminated from the list. The MU-F General Plan designation permits the property to be developed in a mixed use fashion allowing residential and hospital uses not currently allowed within the 2035 General Plan Commercial land use designation or the CS zoning district.

The conceptual Site Plan portrays five types of uses on the property; however, a revised site plan, or the future reuse or re-purposing of buildings after they are constructed and initially occupied, could change or add to those uses. Table 1, PD Master Plan Allowed and Conditional Uses, provides a comprehensive list of allowed and conditional land uses that could be approved within the PD Master Plan.

Table 1 PD Master Plan Allowed and Conditional Uses

Use	Planned Development (PD)
Accessory Dwelling Units	P
Banks and Financial Institutions	P
Bars and Nightclubs	C
Bed and Breakfast	C
Business Support Services	P
Cinemas and Theatres	C
College and Trade Schools	C
Convenience Market	C
Commercial Recreation, Indoor <15,000 square feet	P
Community Assembly	C
Cultural Institutions	P
Day Care Center	P
Drive-Through and Drive-in Facilities	C

Use	Planned Development (PD)
Duets and Duplexes	C
Emergency Shelters	C
Farmers Markets	P
Food and Beverage Production <10,000 square feet	P
Fuel and Service Stations	C
General Retail	P
Government Offices	P
Group Housing	C
Home Day Care, Small and Large	P
Hospitals	P
Hotel and Motels	C
Instructional Services	P
Live/Work Unit	P
Medical Offices and Clinics	P
Mixed Use Residential	P
Multi-Family Dwellings	P
Nursing Homes and Long-Term Care	C
Parking Lots and Structures	P
Parks and Recreational Facilities	P
Personal Services	P
Professional Offices	P
Residential Care Facilities	C
Residential Care Facilities, Small	P
Restaurant- Fast Food, Sit Down	C
School, Public and Private	C
Single-Family Detached Dwellings	C
Senior Housing, Independent Living	C
Social Services	C
Tasting Rooms	P
Veterinarian Clinics and Hospitals	C
Accessory Uses	(per Section 18.44)
Home Occupations	(per Section 18.92.060)
Temporary Uses	(per Section 18.92.150)

6.0

DEVELOPMENT STANDARDS

Development standards such as heights, setbacks, and building coverage within the planned development combining district are established in the PD Master Plan. Those standards may deviate from development standards in the Service Commercial base zoning district except that the maximum permitted floor area ratio and residential density may not exceed maximums established in the 2035 General Plan for the commercial land use designation. The floor area ratio for the Commercial land use designation in the 2035 General Plan is 0.6. The general plan amendment to Mixed Use Flex changes the floor area ratio to 0.5, which is reflected in the PD Master Plan. Standards in bold have been revised from those of the CS zoning district as part of this PD Master Plan. [Table 2, PD Master Plan Development Standards](#), presents the development standards.

Table 2 PD Master Plan Development Standards

Development Aspect	Parameter
Minimum Lot Size	10,000 square feet
Minimum Lot Dimensions	100-foot width; 100-foot depth
Maximum building coverage	50%
Minimum setbacks (front, rear, side, street) [1]	25, 0 , 0, 15 feet (respectively)
Maximum height (exceptions 18.56.020)	Residential/Office – 4 stories or 45 feet Hospital – 4 stories or 55 feet
Floor Area Ratio	0.5 w/ Mixed Use Flex (MU-F)
Signs	Per Section 18.88
Lighting	Per Section 18.72.060.G
Landscaping	Per Section 18.64
On-Site Parking	Per Section 18.72 [2]
Retail	1 space per 250 square feet of net floor area
Restaurant (sit down)	1 space per 100 square feet of net floor area
Medical Office	1 space per 200 square feet of net floor area
Residential (multi-family)	1 bedroom unit – 1 covered 2 bedroom unit – 1 covered and 1 uncovered per unit
Guest Parking	1 per 3 units (shared with Medical Office use)
Electrical Vehicle Parking	1 per 25 to 49 automobile spaces, 2 per 50 to 100 automobile spaces, plus 1 per 50 ratio over 100 automobile spaces
Non-Residential Bicycle Parking	10% of automobile spaces; long term (enclosed): 5% of automobile spaces
Residential Bicycle Parking	10% of automobile spaces; long-term (enclosed), 1 per 5 units

NOTE:

[1] Outdoor seating, courtyards, and other publicly-accessible spaces may occupy the front setback. Residential porches and similar entry features may project ten feet into the front setback.

[2] Unless otherwise modified in this table.

PD Master Plan Development Standards for Single Family Residential

Development Aspect	Parameter
Minimum Lot Size (Single Family Residential)	1,000 square feet
Minimum Lot Dimensions	22-foot width; 45-foot depth
Floor Area Ratio	0.5 w/ Mixed Use Flex (MU-F)
Minimum Setbacks (front, rear, interior side, street side)	5 or N/A, 5 or N/A, 0 [1] or 3, 5 feet (respectively)
Maximum Height	3 stories or 35 feet [2]
Signs	Per Section 18.88
Lighting	Per Section 18.72.060.G
Landscaping	Per Section 18.64
Open Space	Per Section 18.40-4 based on lot size
Parking Residential (Single Family)	Per Section 18.72 [3] 2 spaces - 1 covered space for each housing unit
Guest Parking	1 per housing unit [4] (shared with Medical Office use)

NOTE:

[1] A setback of zero feet is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least eight feet

[2] Roof elements with minimum 5:12 roof pitch may exceed the building plate height by up to eight feet.

[3] Unless otherwise modified in this table.

[4] These guest spaces may include a combination of driveway parking, alley parking, on-street parking in front of the residence, and designated guest parking spaces.

CONSISTENCY WITH 2035 GENERAL PLAN

7.1 General Plan Land Use Designations

2035 General Plan- Commercial. The Commercial designation is primarily located along arterial roadways west of US Highway 101 and along the eastern freeway frontage. This designation is intended to allow a wide range of retail businesses, administrative and executive office uses, and professional services, either in stand-alone buildings or as part of shopping centers. The largest concentrations of this designation are found along Monterey Road and at the freeway interchanges, where retail stores are emphasized. The Service Commercial overlay along Monterey Road, north of Wright Avenue, allows auto-related uses, except for sales. The Commercial designation allows a maximum FAR of 0.6 and Mixed Use Flex designation allows a maximum FAR of 0.5

The General Plan goals and policies for Commercial with a Planned Development Combining District overlay are described below. In general, the 2035 General Plan encourages neighborhood-scale shopping near residential neighborhoods to foster walking and biking and to avoid car trips.

2035 General Plan - Mixed Use Flex. The Mixed Use Flex designation, which is primarily applied to properties along the Monterey Road corridor north and south of downtown, allows for a mix of residential, commercial, and office uses applied either vertically (i.e., one structure with multiple uses) or horizontally (i.e., structures with different land uses located adjacent to one another). Density should transition from higher to lower at the ends of Monterey corridor. The Mixed Use Flex designation allows 7 to 24 units per acre and a maximum FAR of 0.5. Prior to development of a Residential or Mixed-Use project within the Mixed Use Flex designation, a block level master plan is required to identify how commercial uses will be incorporated within the development of the block and how individual development projects will connect with each other. Commercial development may proceed without preparation of a block level master plan consistent with the Commercial designation.

Because the PD Master Plan includes a mix of uses on the property including retail, medical office, medical hospital, multi-family apartments, and a park element as part of the Planned Development Combining District, Mixed Use in addition to Commercial 2035 General Plan goals and policies have been analyzed.

7.2 General Plan Goals and Policies

Applicable 2035 General Plan Goals, Policies, and Implementation Measures are presented in Table 3 through Table 9 below, along with an assessment of PD Master Plan consistency.

City and Neighborhood Form

Table 3 General Plan 2035 - City and Neighborhood Form Goals and Policies

General Plan City and Neighborhood Form Goals and Policies	Consistency Analysis
Residential Neighborhoods-GOAL CNF-10 A variety of housing types and densities available to all residents.	Consistent: The PD Master Plan allows for a variety of housing types. The conceptual Site Plan shows multifamily residential which will provide the community with new housing types including one and two bedroom apartments.
Policy CNF-10.3 Adequate Supply of Multi-Family Housing. Provide for an adequate supply of multi-family housing, located convenient to shopping, services, and transportation routes.	The PD Master Plan will assist the City in achieving an adequate housing supply as the PD Master Plan allows for 200 residential units. The conceptual Site Plan provides for a mix of residential, commercial, and medical uses that will allow for the placement of housing convenient to the shops, services, and offices, and adjacent to major transportation routes.
Policy CNF-10.6 Density Near Infrastructure. Encourage higher residential densities at locations where convenient access and adequate infrastructure is readily available.	Consistent: The property is adjacent to Juan Hernandez Road and Barrett Avenue in an area with existing utilities. A survey was completed by Whitson Engineers that determined there was adequate infrastructure available around the project site to support the uses identified in the PD Master Plan.
New Subdivisions-GOAL CNF-11 High quality, aesthetically pleasing, livable, sustainable, well-planned residential neighborhoods, well-connected to neighborhood services.	Consistent: The PD Master Plan's conceptual Site Plan provides a well-planned, aesthetically pleasing, livable, sustainable and well-connected residential neighborhood with integrated commercial/retail and medical offices.
Policy CNF-11.5 Outside Connections. Require new subdivisions to provide multiple connections to the surrounding community. Methods to achieve this may include: - Providing multiple points of entry into the project for motorists, bicyclists and pedestrians. - Extending the existing street pattern at the edges of the subdivision into the site. Extended streets should match the type and scale of streets to which they connect. - Installing landscaping and street improvements at the edge of subdivisions that appear as common amenities shared with adjacent neighborhoods.	Consistent: As shown in the PD Master Plan conceptual Site Plan, development within the property will be designed to be compatible with the surrounding neighborhood. Multiple points of pedestrian ingress/egress are provided along Barrett Avenue and Juan Hernandez Drive, with connections to existing sidewalks. Two points of ingress/egress for vehicles and bicycles are provided along Barrett Avenue, and two along Juan Hernandez Drive. A private drive is provided along the southern portion of the property that could provide connectivity to the adjacent vacant parcel to the south when it is developed in the future. The conceptual Site Plan provides for connectivity to this adjacent vacant parcel to facilitate connectivity in anticipation of its eventual development. Residential and open space/park uses will be adjacent to existing residential uses and

General Plan City and Neighborhood Form Goals and Policies	Consistency Analysis
- Minimizing the use of gates, fences, and walls that separate the subdivision from the surrounding community. - Planning for future connections to adjacent undeveloped property.	Barrett Elementary School, and connectivity within the property will be provided via several pedestrian paths. The open space area abuts Barrett Avenue, which is adjacent to Barrett Elementary School, and will be made accessible to the school. The northern most open space/park area will be dedicated by easement for public use, including use by the Barrett Elementary School, to be used as a common amenity.
Policy CNF-11.10 Open Space. Require new subdivisions to feature integrated common open spaces, parks, and community facilities that serve as social and design focal points. Open spaces should be a close walking distance from all residents and should be large enough to be useful for residents.	The conceptual Site Plan includes approximately three acres of passive park/open space. Approximately 1.7 acres of the open space will be available to the elementary school for its use and benefit. The remainder of open space, including walking trails, serves the residential, commercial and office components of the plan, as well as neighboring residents. The open space and park areas are within walking distance of all of these uses and connected by pedestrian paths.
Policy CNF-12.1 Neighborhood Center Design. Allow neighborhood centers within future residential neighborhoods. Neighborhood centers are envisioned as nodes or focal points that offer neighborhood-serving services and amenities within a reasonable walking distance from adjoining residential areas. These centers should be designed to increase the accessibility of goods and services within existing residential neighborhoods, particularly for the benefit of senior citizens and those with limited mobility, and to offer opportunities for socialization.	Consistent: The PD Master Plan includes neighborhood serving uses and amenities including retail, restaurant, and medical office/hospital uses to serve the proposed and existing neighborhood. These uses include public gathering areas and pedestrian access. These services will be within walking distance to the existing and proposed neighborhoods and will increase the accessibility of services for the existing neighborhood, particularly for the benefit of senior citizens by providing close walkable medical offices.
Policy CNF-12.4 Neighborhood Center Requirements. Require future neighborhood centers to meet the following requirements: - The design of neighborhood center should provide a sense of place, promote casual interaction, and enhance overall well-being. - The design of neighborhood center should complement the residential character of its immediate surroundings, including site design, access, building style, building materials, signage, lighting, and landscaping.	Consistent: The PD Master Plan conceptual Site Plan includes pedestrian pathways that connect the open space, residential, retail, and medical components of the plan. The PD Master Plan includes a small retail center and open space/park areas that, along with the pedestrian access ways, will provide gathering areas and a sense of place, thereby promoting casual interaction and overall wellbeing. The project will be required to undergo design review with the City of Morgan Hill to ensure that the design complements the residential character of the adjacent neighborhood.

General Plan City and Neighborhood Form Goals and Policies	Consistency Analysis
Mixed Use Flex-GOAL CNF-13 Mixed use flex developments that include a variety of uses and forms to foster a dynamic urban environment. Policy CNF-13.1 Mixed Use Flex Development. Encourage a mix of uses, either vertically or horizontally, to allow residents and employees to meet daily needs without the use of the private automobile.	Consistent: The PD Master Plan allows for a variety of uses including retail, residential, and medical uses. The combination of uses within the property provides for walkability to services for residents and employees.
Commercial and Office- GOAL CNF-15 Sufficient, sustainable, and concentrated commercial and office uses. Policy CNF-15.3 Retail Uses at Major Intersections. Encourage retail sales use at major intersections as the focus of clustered commercial development.	Consistent: The PD Master Plan provides for clustered commercial, medical, and retail uses near a major intersection at the south side of Morgan Hill.
Policy CNF-15.5 Office Development. Encourage new regional and local-serving office development at appropriate locations.	Consistent: The PD Master Plan allows for medical offices / hospital uses to create a campus of medical offices to serve the community and region.
Commercial / Industrial-GOAL CNF-18 Integrated job-generating centers that offer workers and businesses a range of services to meet their daily needs. Policy CNF-18.1 Vibrant Job Centers. Encourage land with a Commercial/Industrial designation to develop with job-generating uses with amenities that support workers and businesses, such as restaurants, lodging, fitness centers, and hair salons.	Consistent: The PD Master Plan allows for concentrated and integrated retail, medical offices and hospital uses that will provide jobs for the City and the surrounding neighborhood. The medical office/hospital is expected to produce approximately 472 jobs. The PD Master Plan also allows for amenities such as restaurants, and personal services to serve the neighborhood and the surrounding community.

Housing

Table 4 General Plan 2035 - Housing Goals and Policies

General Plan Housing Goals and Policies	Consistency Analysis
Goal HE-4 A range of housing types for all age groups, served by transit, recreational amenities, shopping, and health and personal services, that allows residents to age in place.	Consistent: The PD Master Plan allows for a range of housing types including one and two bedroom units and affordable units. The PD Master Plan allows for housing conveniently co-located with services including medical office / hospital and retail uses. Residents of the neighborhood would live within walking distance of health and personal services that would allow for them to age in place.
Policy HE-4u: Mix of Housing Near Services. Encourage a mix of housing types in each neighborhood located convenient to shopping, services, recreation, and transit routes.	The PD Master Plan allows for a range of housing types including one and two bedroom units and affordable units. The PD Master Plan allows for housing conveniently co-located with services including medical office / hospital, retail uses, open space/park uses, and Barrett Elementary School. The nearest Valley Transportation Authority bus route is located more than one mile from the property, but the applicant is open to the establishment of service at the property.

Economic Development

Table 5 General Plan 2035 - Economic Development Goals and Policies

General Plan Economic Development Goals and Policies	Consistency Analysis
Policy ED-7.4 Compatible Uses in Retail Centers. Encourage the evolution of retail centers into mixed-use activity nodes by supporting integration of uses that provide necessary or useful services or amenities that will benefit nearby residential areas and commercial establishments. Such uses may include but shall not be limited to: a. Health services and fitness facilities. b. Childcare. c. Housing, including affordable and senior housing. d. Religious facilities. e. Education/training facilities. f. Parks/community facilities/public gathering places.	Consistent: The PD Master Plan provides a mix of retail and medical uses convenient to the proposed and existing adjacent neighborhood. The medical and retail uses will provide health and retail services and amenities to the existing and proposed neighborhood. The PD Master Plan also includes public plaza and gathering locations.
GOAL ED-8 Office and industrial areas that provide high-quality work locations for existing and new businesses. Policy ED-8.1 Office and Industrial Development. Support the development of office and industrial facilities to meet local demand, compete for regional growth opportunities, and create high-quality jobs that match with local housing opportunities.	Consistent: The PD Master Plan allows for medical and retail uses to meet local demand and create high quality jobs. The PD Master Plan also allows for residential uses thereby providing local housing opportunities adjacent to places of employment.

Healthy Community

Table 6 General Plan 2035 - Healthy Community Goals and Policies

General Plan Healthy Community Goals and Policies	Consistency Analysis
Parks, Recreation, and Trails- GOAL HC-3 Usable, complete, well-maintained, safe, and high-quality activities and amenities, including active and passive parks and recreational facilities, community gardens, and trails that are accessible to all ages, functional abilities, and socio-economic groups.	Consistent: As shown in the conceptual Site Plan, the PD Master Plan includes over three acres of passive park areas, open space buffer areas, and a tot lot connected by meandering pedestrian pathways. The passive park and open space on the property will allow for multiple activities for all socio-economic groups, functional ability, and ages.
Policy HC-3.8 Private Open Space. Encourage new development to permit public access to private open space and parks where feasible and appropriate.	Consistent: The PD Master Plan identifies open space areas that will be available to residents and patrons of the medical and retail facilities.

General Plan Healthy Community Goals and Policies	Consistency Analysis
Access to Health Care- GOAL HC-7 Access for all residents to health care facilities and other important community health amenities. Policy HC-7.2 Professional Education. Encourage increased education and professional development resources to support students and employees in the health care field.	Consistent: The PD Master Plan provides for 130,400 square feet of medical facilities and important health amenities for residents. It is expected that a wide variety of medical practices will be provided within a campus setting that could encourage increased professional development resources to support students/interns in the health care field.

Transportation

Table 7 General Plan 2035- Transportation Goals and Policies

General Plan Transportation Goals and Policies	Consistency Analysis
GOAL TR-3 A coordinated, continuous network of streets and roads. Policy TR-3.16 Private Development Access along Arterials. Require development that occurs along arterial streets to obtain access through a local street or major entrance and not through curb cuts directly onto the arterial street wherever possible.	Consistent: The property is not accessed directly from an arterial. Tennant Avenue and Butterfield Boulevard are the nearest arterials too the property. The property is accessed from Juan Hernandez Drive and Barrett Avenue, which connect to these arterials.
Policy TR-3.17 Planned Development Access near Highway 101. Require Planned Developments (PDs) for commercial, office, or industrial uses at the intersections of Highway 101 and arterial streets to take access from a public street intersecting with the arterial street at a minimum distance of 600 feet from the freeway on and off ramps, unless the City Engineer finds that direct access to the arterial street or closer access will meet safety standards, or that mitigating actions will be taken to ensure safe access and minimum interference with traffic flows.	Consistent: Access to the property will be from Juan Hernandez Drive and Barrett Avenue. Juan Hernandez Drive is an existing City street that intersects Tennant Avenue at a safe distance from the off ramp of US Highway 101. The nearest property driveway is more than 700 feet north of Tennant Avenue.
Parking-GOAL TR-5 Adequate off-street parking. Policy TE-5.1 Adequate Parking Supply. Ensure that all developments provide adequate and convenient parking...	Consistent: The conceptual Site Plan provides for a 500-space parking structure and 96 additional spaces for the existing and proposed medical uses, 55 spaces for the retail use, and 359 spaces for residential use, which totals 1,010 on-site parking spaces. Based on the parking demand study, the parking supply for the entire project is proposed to total 1,010 spaces, as indicated in the study. The total gross parking requirement for the entire project is 965 spaces using the more conservative approach. There will be an overall surplus of about 45 spaces using City gross parking requirements with selected ITE peak parking rates. The project therefore will provide an adequate total parking supply to meet the overall project demand. Parking is conveniently located within walking distance to the various uses, and can be easily facilitated through a shared parking arrangement.

Policy TR-5.3 Parking Lot Connection. Require cross-connection of parking lots, where feasible and practical, at the time of design review for all commercial and industrial developments.	Consistent: As shown in the PD Master Plan conceptual Site Plan, parking lots are cross-connected where practical.
Bikeways-GOAL TR-8 A useable and comprehensive bikeway system that safely connects neighborhoods with workplaces and community destinations. Policy TR-8.12 Bicycle Parking. Bicycle parking and other supportive facilities shall be provided at all schools, parks, recreation facilities, commercial centers, civic buildings (including the library), transit centers, and work places based on the recommendations and standards in the Bikeways Master Plan.	Consistent: Existing bike lanes on Juan Hernandez Drive will serve the development providing a safe bikeway system to get to and from the property. Bicycle parking will be provided at each use on the property to encourage residents, employees, and patrons to use alternative means of transportation. On-site bicycle parking will adhere to the Bikeways Master Plan guidelines, and zoning code requirements.
Pedestrian Network- GOAL TR-9 Expanded pedestrian opportunities. Policy TR9.7 Concurrent Implementation. Where feasible, implement the trails and pedestrian system concurrent with adjacent developments.	Consistent: As shown in the conceptual Site Plan, sidewalks and pathways will be provided throughout the property to encourage walking on the campus. Sidewalks connect to those located on adjacent streets to provide connectivity.
Policy TR 10.3 and TR-10.4 Flexible Work Hours. Encourage employers to provide a flexible set of working hours to ease traffic congestion. Carpooling. Support a Countywide car/vanpool matching program.	Consistent: The applicant will provide educational materials to end uses or future developers to encourage employers to provide flexible work hours, carpooling options, and other alternative transportation methods as may be available. Bay Area employers with 50 or more full-time employees within the Bay Area Air Quality Management District geographic boundaries are required to register and offer commuter benefits to their employees in order to comply with Air District Regulation 14, Rule 1.

Natural Resources and Environment

Table 8 General Plan 2035 - Natural Resources and Environment Goals and Policies

General Plan Natural Resources and Environment Goals and Policies	Consistency Analysis
Water Quality and Conservation - GOAL NRE-7 Conservation of water resources. Policy NRE-7.1 Water Standards for Private Development. Promote water conservation and efficient water use in all private development projects. Require development to exceed State standards for the use of water.	Consistent: Water saving measures will be implemented on the development project in the way of "green" design features. Very low flow toilets, efficient landscaping, and water capture and reuse will be used to conserve water.

Policy NRE-7.3 Water Efficiency and Landscaping. Promote water conservation and efficient water use in all public and private landscaping plans.	Consistent: Drought tolerant and area-suitable landscape materials will be utilized on the development project to promote water conservation.
Energy Efficiency-GOAL NRE-16 Conservation of energy resources. Policy NRE-16.1 Energy Standards for New Development. New development, including public buildings, should be designed to exceed State standards for the use of energy.	Consistent: New development will be designed consistent with energy standards that meet and exceed the City and State standards for use of energy.
Policy NRE-16.7 Renewable Energy. Encourage new and existing development to incorporate renewable energy generating features, like solar panels and solar hot water heaters.	Consistent: Future development of the property will adhere to new State climate change regulations, which include requirements to provide solar energy and otherwise reduce electrical use. Design approval of development is required, during which the merits of the project site plan and design will be considered, including renewable energy.

Safety, Services, and Infrastructure

Table 9 General Plan 2035- Safety, Services, and Infrastructure Goals and Policies

General Plan Safety, Services and Infrastructure Goals and Policies	Consistency Analysis
Noise GOAL SSI-8 Prevention of noise from interfering with human activities or causing health problems. Policy SSI-8.1 Exterior Noise Level Standards. Require new development projects to be designed and constructed to meet acceptable exterior noise level standards (see Table SSI-1), as follows: - Apply a maximum exterior noise level of 60 dBA Ldn in residential areas where outdoor use is a major consideration (e.g., backyards in single-family housing developments and recreation areas in multi-family housing projects). Where the City determines that providing an Ldn of 60 dBA or lower cannot be achieved after the application of reasonable and feasible mitigation, an Ldn of 65 dBA may be permitted. - Indoor noise levels should not exceed an Ldn of 45 dBA in new residential housing units.	Consistent: The conceptual Site Plan includes a 25 foot buffer from the US Highway 101 off-ramp and places the parking and parking garage closest to the freeway to further buffer the medical and residential uses. Residentially occupied buildings are located a minimum of 250 feet from the US Highway 101s through lanes. A noise analysis was completed for the project that determined all exterior and interior noise levels would be met with implementation of the recommendations contained therein. Mitigation measures will be implemented when the buildings are constructed to ensure the acceptable noise levels are met.

Noise levels in new residential development exposed to an exterior Ldn 60 dBA or greater should be limited to a maximum instantaneous noise level (e.g., trucks on busy streets, train warning whistles) in bedrooms of 50 dBA. Maximum instantaneous noise levels in all other habitable rooms should not exceed 55 dBA. The maximum outdoor noise level for new residences near the railroad shall be 70 dBA Ldn, recognizing that train noise is characterized by relatively few loud events.	
Policy SSI-8.4 Office Noise Level Standards. Interior noise levels in office buildings should be maintained at 45 dBA Leq (hourly average) or less, rather than 45 dBA Ldn (daily average).	Consistent: Mitigation measures including noise reduction measures and emergency generator noise suppressors will be implemented when the buildings are constructed to ensure the acceptable noise levels are met. A noise analysis is provided as part of the CEQA documentation.
Policy SSI-8.9 Site Planning and Design. Require attention to site planning and design techniques other than sound walls to reduce noise impacts, including: a) installing earth berms, b) increasing the distance between the noise source and the receiver; c) using non-sensitive structures such as parking lots, utility areas, and garages to shield noise sensitive areas; d) orienting buildings to shield outdoor spaces from the noise source; and e) minimizing the noise at its source.	Consistent: Building location was taken into account in the conceptual Site Plan to locate sensitive uses a minimum of 250 feet from the through lanes of US Highway 101. Building placement and strategically placed landscaping will help to minimize noise at its source. Additionally, the noise analysis recommends an 8 foot sound wall along Highway 101 to reduce noise impacts to the residential component of the project.

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PD MASTER PLAN AND ZONING FINDINGS

8.1 PD Master Plan Findings

The following statements describe how the PD Master Plan complies with the findings required for the approval of a planned development project per Municipal Code Section 18.30.050.H.7 (Findings).

General Plan and Zoning Consistency

- 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.*

Finding

The PD Master Plan incorporates an amendment of the 2035 General Plan. The 2035 General Plan designation of Mixed Use Flex with a seven dwelling unit per acre minimum and 24 dwelling unit per acre maximum will allow the residential uses proposed within the PD Master Plan and the hospital use, not currently an allowed use on the property. Section 7 outlines in greater detail how the PD Master Plan is consistent with the goals and policies of the 2035 General Plan. As allowed by Municipal Code Section 18.30.050, the PD Master Plan identifies several changes to the development standards that apply in the CS district; these changes include increased building heights and modifications to parking standards for shared parking arrangements. The floor area ratio is reduced from 0.6 to 0.5. The Planning Commission will have say on two aspects of future development, to ensure consistency with zoning regulations. Design approval is required for all development, during which the merits of the site plan and architectural design will be considered. Some uses may require a conditional use permit, and those will require a hearing to determine suitability. During these reviews, consistency with zoning code requirements will be analyzed as they specifically relate to the development project. The PD Master Plan is not located within a specific plan or area plan.

Superior to Development Under Existing Zoning

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

Finding

The PD Master Plan allows a mix of compatible uses, including a much-needed residential component to provide sustainability to the remainder of the uses, and a retail and medical office / hospital component to provide work opportunities to the neighborhood and community. The urgent care/ pharmacy would provide a convenient location for the surrounding neighborhood and patrons to the school to utilize the services it will provide. The affordable multi-family residential uses will allow tenants to age in place, and will provide a near-by down-sizing option for empty nesters in the adjacent single family houses. The passive park with a walking/jogging trail system, located along Barrett Avenue and US Highway 101, will allow for enjoyment by the retail and medical office employees and visitors, as well as by the apartment residents and residents of the surrounding neighborhood. The high-density residential use will allow elementary school-aged children to walk to Barrett Elementary School. The retail area will provide convenience services to both the medical/office uses and residents.

Substantial Public Benefit

- c. *The proposed project will provide a substantial public benefit as defined in Paragraph 8 (Substantial Public Benefit Defined) below. 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.*

Substantial Public Benefit Defined. When used in this section, “substantial public benefit” means a project feature not otherwise required by the zoning code or any other provision of local, state, or federal law that substantially exceeds the city’s minimum development standards and significantly advances goals of the general plan. A project must include one or more substantial public benefits to be rezoned as a planned development. The public benefit provided shall be of sufficient value as determined by city council to justify deviation from the standards of the zoning district that currently apply to the property. Examples of substantial public benefits include but are not limited to:

- a. ***Housing that is affordable to lower-income households.***
- b. ***Public plazas, courtyards, open space, and other public gathering places that provide opportunities for people to informally meet and gather.***
- c. ***New or improved pedestrian and bicycle pathways that enhance circulation within the property and connectivity to the surrounding neighborhood.***
- d. ***Green building and sustainable development features that substantially exceed the city’s minimum requirements.***
- e. *Preservation, restoration, or rehabilitation of a historic resource.*
- f. *Increased transportation options for residents and visitors to walk, bike, and take public transit to destinations and reduce greenhouse gas emissions.*
- g. ***Publicly accessible parks and open space beyond the minimum required by the city or other public agency.***
- h. *Habitat restoration and or protection of natural resources beyond the minimum required by the city or other public agency.*

Finding

The items shown in bold above are items for which the PD Master Plan exceeds the City's minimum development standards.

Affordable Housing. The PD Master Plan adds residential uses on the property in conjunction with an amendment to the 2035 General Plan. The residential units are planned at a density of about 20 units per acre, thus increasing the inherent affordability, and 15 percent of the units will be deed restricted affordable units. The PD Master Plan proponent agrees to enter into a contract with the City to ensure the continued affordability of all affordable rental units for 55 years or a longer period of time if required by an applicable construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. Rents for the lower income density bonus units will be set at an affordable rent as defined in Section 50053 of the Health and Safety Code.

Single Family for-sale units will comply with the City of Morgan Hill Municipal Code Section 18.48.070, and the city shall ensure that the initial occupant of all affordable for-sale units are households of low-, very low-, or moderate-income, as applicable, that the units are offered at an affordable housing cost as defined in Health and Safety Code Section 50052.5, and that affordability covenants and restrictions continue for 55 years.

Under Municipal Code Section 18.156, residential units are subject to Residential Development Control System (RDCS), and require an application for Residential Building Allotment for any units proposed. SB-330 (2019 – Nancy Skinner) was recently signed by the Governor and eliminates this program that is designed to meter new housing development over time.

Parks and Public Gathering Places. A passive park along Barrett Avenue, a passive park between the retail and medical uses, and installation of a walking/jogging trail around the perimeter of the property are proposed to provide a public benefit. The two park areas encompass approximately 2.20 acres of land. This acreage does not include the walking trail within other open areas of the property. This area can be used by residents, employees, and the general public as they visit the uses on the project site. The tenants on the property may also use the passive park as an amenity for people to informally meet and gather.

Pedestrian and Bicycle Pathways. Pathways are proposed within the park to allow walking opportunities and exercise for seniors and youth. Walkways will connect from the park to all other uses on the property and to the surrounding local streets to provide full connectivity. This will encourage visitors to walk, bike, and use other forms of transportation to reduce greenhouse gas emissions and promote a healthy community. The pathways will provide a connection between the high-density residential uses and Barrett Elementary School, and will connect all uses to the retail commercial area.

Because the development is a Commercial subdivision, the applicant is technically not required to dedicate open space per Title 17, Section 17.28.150. However the proponents, because they are submitting for a PD Master Plan, would like to dedicate a portion of the property as park area, available to the public and to the adjacent Barrett Elementary School. The minimum required open space for this project, if it were a multi-family subdivision, would be to provide recreation amenities in the amount

of .0088 acres per dwelling unit, at 200 dwelling units this would equal 1.76 acres of land. The park area and open space adjacent to Barrett Avenue is approximately 1.73 acres and would be dedicated with an easement, and be available to the general public. Additional public open space is provided where the pathway continues along US Highway 101. Additional open space and amenities are provided for private use of the multi-family residences (approximately 0.70 acres) and as a break area for the employees (approximately 0.44 acres); these would remain in private ownership.

Green and Sustainable Design. The buildings and site furnishings will include green building and sustainable development features such as LED smart lighting, solar power, very low flow toilets, and building materials to encourage healthy indoor air quality.

Residential market-rate and affordable housing rental units are proposed to provide a sustainable land use pattern that reduces the number and length of vehicle trips. This higher density residential and mixed use development is within walking distance to Barrett Elementary School, and will also provide for convenient services within walking distance for the on-site employees and residents.

Bicycle parking and pathways are provided to promote alternative modes of transportation. Landscaping will be designed to meet and exceed the state standards for water conservation, including low water use trees and shrubs, and plantings to provide shade to reduce the need for excessive building cooling.

Community Benefits from the Project

Healthcare Facilities. The PD Master Plan would provide much needed medical facilities to serve the community. The Urgent Care/Pharmacy would reduce trips traveled to receive routine medical care. The Cancer Center would provide services to meet the growing need for this service in the area.

Retail Component. Providing an appropriately sized retail/restaurant building would provide onsite workers the opportunity to have breakfast or lunch within walking distance from their place of employment, avoiding automobile travel.

Creates Jobs for Morgan Hill. The hospital, urgent care/pharmacy, medical office and retail uses proposed will provide varied work opportunities for the people living in Morgan Hill and the surrounding area.

Parks and Public Gathering Places. A passive park along Barrett Avenue, a passive park between the retail and medical uses, and installation of a walking/jogging trail around the perimeter of the property are proposed to provide a public health benefit. The two park areas encompass approximately 2.20 acres of land. It is expected the Restaurants will also have outdoor dining areas, providing places to gather.

Pedestrian and Bicycle Pathways. Pathways are proposed within the parks to allow walking opportunities and exercise for all ages. Walkways will connect from the park and to all other uses on the property and to the sidewalks on the surrounding streets, providing full connectivity.

Affordable Housing. The PD Master Plan adds residential uses on the property in conjunction with an amendment to the 2035 General Plan. As proposed in the Conceptual Site Plan, the residential units

are planned at a density of about 20 units per acre, thus increasing the inherent affordability, and 15 percent of the units will be deed restricted affordable units. If the project is designed with Single Family for-sale units, affordable housing will be provided per the City code.

School Drop-off. The project will help to alleviate the parking and drop-off issues associated with Barrett Avenue Elementary School. Cross walks will be installed on both adjoining streets to enhance walkability to and from the project. Parking to serve the school and public is expected to be provided in the park adjacent to Barrett Avenue.

Green and Sustainable Design. The buildings and site furnishings will include green building and sustainable development features.

Landscape the Site. The development will provide abundant landscaping throughout to create a green and aesthetic feel, as well as screen development from the traffic on US Highway 101, Juan Hernandez Drive and Barrett Avenue.

Restore Habitat. The project tree and landscape planting will enhance wildlife on the project site as well as provide a visually pleasing atmosphere for the surrounding area. Flowering plants and trees are proposed to accomplish this restoration. Adequate Property Size

Adequate Property Size

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

Finding

With approximately 19.67 acres of land, there is adequate land area to provide the uses proposed in the PD Master Plan. The medical office / hospital uses proposed are intentionally located adjacent to the existing medical office to promote a walkable medical campus. The retail uses, including public services, are proposed along the active local street to ensure visibility and ease of access by the surrounding residential uses and provide easy access by the residents and employees on the property. Residential uses, providing affordable housing, are located on the property to provide adequate separation from the highway and close proximity to the passive park and Barrett Elementary School.

The PD Master Plan under a Mixed Use Flex general plan designation, which includes multi-family residential uses, retail commercial and restaurant, medical office/hospital uses, and open space parks, will provide a dynamic environment of compact living. This will allow residents and employees to meet daily needs and lessen the need for a private automobile.

Adequate Infrastructure

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

Finding

The PD Master Plan, which abuts the US Highway 101 off-ramp, is surrounded on two sides by local streets and has a driveway connection just south of the existing medical offices, used for access to the medical campus and additional driveways are proposed for site access. Juan Hernandez Drive and Barrett Avenue are existing local streets with the capacity to handle the development of this property. Circulation to the property from within Morgan Hill is provided by Tennant Avenue and Butterfield Boulevard. Public utilities exist in the surrounding streets and can serve the proposed development.

Compatible with Surroundings

- 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.*

Finding

The PD Master Plan deviates from the approved commercial zoning existing on the property by the addition of hospital and multi-family residential uses. With the incorporated general plan amendment to Mixed Use Flex, and the mixed use development envisioned in the conceptual Site Plan, suitable transitions between the existing uses will be provided. There are no uses included in the conceptual Site Plan that would have an adverse effect on the surrounding residential and school uses. The existing residential uses adjacent to Juan Hernandez Drive and Barrett Avenue, and Barrett Elementary School will benefit from the retail and restaurant uses that the PD Master Plan provides. The park and open space provided on the property will benefit the adjacent Barrett Elementary School and the adjacent residences. The high density residential use will provide a suitable buffer between the adjacent single family residences and school, and the walkable medical campus. The uses proposed will not cause odors, health risks, or safety issues to the surrounding sensitive uses. Adequate measures will be taken during the construction phase to protect the surrounding property from noise, vibration, dust, and construction traffic.

Zoning Map Findings

- g. Findings required for the concurrent approval of a zoning map amendment can be made.*

Finding

The project site is in a Services Commercial zoning district with a PD combining overlay so the finding can be made that it is consistent with the zoning map. Amending the 2035 General Plan use to allow the residential and hospital use will not alter the zoning map.

8.2 Zoning Amendment Findings

The following statements describe how the PD Master Plan complies with the findings required for the approval of a planned development project per Municipal Code Section 18.114.060 - Findings for Approval.

A. Findings for all Zoning Code and Zoning Map Amendments.

General Plan Consistency

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

Finding

With the general plan amendment that is incorporated into the PD Master Plan, the zoning map amendment is consistent with the 2035 General Plan. The general plan land use diagram amendment from Commercial to Mixed Use Flex allows specific residential uses to be included in the CS district with the PD overlay.

Public Interest, Health, Safety, Convenience, Welfare

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

Finding

The multi-family residential uses would be beneficial to the public interest, health, safety, convenience, and welfare of the city. The multi-family residential uses would provide more opportunities for residents to work near the medical offices, retail uses, and medical/hospital facility on the property, all of which provide job opportunities for the onsite and surrounding residential uses. The residential uses, including 15 percent affordable units, would also allow seniors the opportunity to age in place, consistent with 2025 General Plan policy. Providing residential uses in close proximity to the commercial and office uses would also reduce the greenhouse gas emissions if the residents were employees or were patrons of the proposed uses, and would enable school-aged children to walk to school. The multi-family residential housing added on this property, when capped at 200 units, would not create an overload on the local street system. Additionally, where the housing is positioned on the property allows for a step down from the existing residential and public facility use to the denser office and commercial uses. The hospital use would also be beneficial to the public interest, health, safety, convenience, and welfare of the city. The hospital would provide much needed medical service to the community and a variety of job opportunities.

Internal Consistency

- B. Additional Finding for Zoning Code Text Amendments. The proposed amendment is internally consistent with other applicable provisions of the zoning code.*

Finding

No changes to the existing zoning code text will be made. The PD Master Plan continues to rely on Zoning Code development standards for the most part. Several deviations from established standards are specifically outlined in the PD Master Plan, consistent with the regulations for establishing PD districts and PD Master Plans. There would be no internal inconsistencies as a result of the PD Master Plan.

Physically Suitable Site

- C. *Additional Finding for Zoning Map Amendments. 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.*

Finding

The 19.67 acre parcel is suitable in design, location, shape and size to accommodate the uses allowed by the PD Master Plan. The multi-family residential use would be appropriate next to the passive park located on the property along Barrett Avenue and would serve as a buffer from the more intense uses of office/commercial on the southern end of the property. With the amendment to the 2035 General Plan changing the land use designation from Commercial to Mixed Use Flex, the PD Master Plan is consistent with the general plan and zoning code. All of the uses in the PD Master Plan will contribute to the health, safety, and welfare of persons living or working on the property and surrounding properties, and to the community at large. The PD Master Plan promote community health and social interaction within the neighborhood by providing retail stores, a restaurant, plazas, and open spaces as gathering places. The pathways provide places for healthful exercise.

9.0

LEGAL DESCRIPTIONS

Legal Description – APN 817-09-039 and 817-09-041

Real property in the City of Morgan Hill, County of Santa Clara, State of California, described as follows:

All of parcels “D” and “E”, as shown on that certain Parcel Map filed for record in the Office of the Recorder, County of Santa Clara, State of California on May 24, 1983 in Book 513 of Maps, on Pages 14, 15, and 16, more particularly described as follows:

Beginning at the most southerly corner of said parcel “D”, as shown on said Parcel Map; thence

- 1) South 89°03’ 48” West, 637.61’, thence
- 2) Along a non-tangent circular curve, concave west, the center of which bears South 89°03’ 47” West, with a radius 536.00’, through a central angle 3° 44’ 38”, an arc length of 35.02 feet; thence
- 3) North 89° 03’ 48” East, 276.87 feet; thence
- 4) North 19° 31’ 04” East, 203.35 feet; thence
- 5) North 70° 28’ 56” West, 58.00 feet; thence
- 6) North 25° 28’ 56” West, 83.00 feet; thence
- 7) South 64° 31’ 04” West, 321.00 feet; thence
- 8) Along a non-tangent circular curve, concave southwest, the center of which bears South 68° 32’ 11” West, with a radius 536.00’, through a central angle 4° 00’ 40”, and arc length of 37.52 feet; thence
- 9) North 25° 28’ 29” West, 711.68 feet; thence
- 10) Along a tangent circular curve, concave east, with a radius 20.00 feet, through a central angle 89° 59’ 29”, and arc length of 31.41 feet; thence
- 11) North 64° 31’ 00” East, 717.84 feet; thence
- 12) Along a non-tangent circular curve, concave south, the center of which bears South 15° 32’ 49” East, with a radius 20.00 feet, through a central angle 42° 46’ 35”, an arc length 14.93 feet; thence

- 13) Along a tangent reverse circular curve, concave northwest, with a radius 42.06 feet, through a central angle 137° 35' 51", an arc length 101.01 feet; thence
- 14) South 20° 31' 38" East, 842.39 feet; thence
- 15) Along a non-tangent circular curve, concave west, the center of which bears South 69° 29' 06" West, with a radius 547.00 feet, through a central angle 46° 59' 24", an arc length 448.61 feet; thence
- 16) South 26° 26' 41" West, 17.26 feet, more or less to the Point of Beginning

End of Description

All of parcels "C", as shown on that certain Parcel Map filed for record in the Office of the Recorder, County of Santa Clara, State of California

Legal Description – APN 817-09-040

The land referred to herein below is situated in the City of Morgan Hill, County of Santa Clara, State of California and is described as follows:

Parcel One:

Parcel C, as shown on Parcel Map recorded in Book 513 of Maps, at Pages 14, 15, 16, Santa Clara County Records, and being a portion of Lot 25 and lot 52 of "Catherine Dune Ranch Map No. 7", as shown on Map thereof, recorded in Book "L" of Maps, at page 26, Santa Clara County Records.

Parcel two:

An easement for ingress and egress over, under, on and across a strip of land 35.00 feet wide, described as follows:

Beginning at an iron pipe distant thereon South 25 degrees 57' 55" East 126.93 feet from the Southerly corner common to Lots 24 and 25, as shown on said Map and running thence North 89 degrees 03' 48" East 276.87 feet, South 00 degrees 56 deg. 12" East 35.00 feet, and South 89 degrees 03' 48" West 272.72 feet; thence along a curve to the left from a tangent bearing of North 00 degrees 56' 12" West, having a radius of 536.00 feet and a Central Angle of 3 degrees 44' 48", a distance of 35.03 feet to the Point of Beginning.

RESOLUTION NO. 20-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF A TENTATIVE PARCEL MAP FOR A 4-LOT PARCEL MAP ON A 19.67-ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF JUAN HERNANDEZ DRIVE AND BARRETT AVENUE (JUAN HERNANDEZ – MH MEDICAL PROPERTIES (LILLIAN COMMONS)) (APNS 817-09-039, 817-09-040 AND 817-09-041).

WHEREAS, on November 18, 2019, Lillian Commons, LLC submitted an application for a tentative parcel map (SD2019-0007: Juan Hernandez – MH Medical Properties) for the Lillian Commons project; and

WHEREAS, such request was considered by the Planning Commission at its regular meeting of September 29, 2020; and

WHEREAS, in accordance to the California Environmental Quality Act (CEQA), the City completed an Initial Study to determine whether the project could have a significant effect on the environment, and found that with the application of mitigation measures there will not be a significant effect in this case , and therefore a Mitigated Negative Declaration has been prepared and considered by the Planning Commission prior to action taken to adopt this Resolution; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

SECTION 1. The Tentative Parcel Map, together with its provisions for its design and improvements, is consistent with the General Plan.

SECTION 2. The Tentative Parcel Map as described herein is hereby recommended for City Council approval, as conditioned in the set of standard conditions attached hereto, as Exhibit A, and by this reference incorporated herein, as well as all mitigation measures identified in the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program incorporated by this reference as though fully set forth herein.

PASSED AND ADOPTED THIS 29th DAY OF SEPTEMBER 2020, AT A SPECIAL MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

City of Morgan Hill
 Resolution No. 20-12
 Page 2 of 2

AYES: **COMMISSIONERS:**

NOES: **COMMISSIONERS:**

ABSTAIN: **COMMISSIONERS:**

ABSENT: **COMMISSIONERS:**

ATTEST:

JENNA LUNA, Deputy City Clerk

APPROVED:

MOHAMMAD HABIB, Chair

Date: _____

EXHIBIT "A" STANDARD CONDITIONS

APPLICATION NO: SD2019-0007: JUAN HERNANDEZ – MH MEDICAL PROPERTIES (LILLIAN COMMONS)

THE FOLLOWING APPROVAL REQUIREMENTS AND ANY SPECIAL CONDITIONS SHALL BE APPLIED THROUGH THE DEVELOPMENT APPROVAL PROCESS.

Legend

MHMC= Morgan Hill Municipal Code
MHARH= Morgan Hill Architectural Review Handbook
CMH= City of Morgan Hill
CFC= California Fire Code

I. PROJECT DESCRIPTION

The project includes a Tentative Parcel Map to subdivide the project site into four parcels.

The project shall comply with all requirements of related project approvals granted by the City, including all of the following:

- A. Initial Study/Mitigated Negative Declaration – June 2020 (EA2019-0023)

II. PROJECT MITIGATION MEASURES

The applicant shall be subject to compliance with the mitigation measures of the project's adopted Mitigation Monitoring and Reporting Program. The following mitigation measures shall be included with all building permit, grading, or improvement plans.

- A. **MM AIR-3.1:** The following mitigation measure shall be implemented during all phases of construction to minimize emissions:
 - The project applicant shall develop a plan demonstrating that the off-road equipment used onsite to construct the project would achieve a fleet-wide average 70-percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:
 - All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall meet U.S. EPA Tier 4 particulate matter emissions standards. Alternatively, diesel-powered equipment that meets U.S.EPA Tier 2 or 3 engines and include CARB-certified Level 3 Diesel Particulate Filters (or equivalent) would meet this requirement, as would the use of equipment that is electrically powered or uses non-diesel fuels.

- B. **MM-BIO-1.1:** Construction shall be scheduled to avoid the nesting season to the extent feasible. If construction can be scheduled to occur between September 1st and January 31st (inclusive) to avoid the raptor nesting season, no impacts will be expected. If construction will take place between February 1st and August 31st, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. Surveys shall be completed within 30 days of the on-set of site clearing or construction activities. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings) onsite trees as well as all trees within 250 feet of the site for nests.
- C. **MM-BIO-1.2:** If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist shall determine the extent of a disturbance-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) that shall remain off limits to construction until the nesting season is over, to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Wildlife Code will be disturbed during project implementation. A report indicating the result of the survey and any designated buffer zones shall be submitted to the satisfaction of the Development Services Director prior to issuance of a grading perm.
- D. **MM-BIO-5.1:** To the extent feasible, activities shall avoid impacts to any protected trees. Avoidance is considered to be completely avoiding any work or staging under the dripline of trees. The boundary of the designated avoidance buffer shall be flagged or fenced prior to initial ground disturbance. If complete avoidance is not feasible, BIO MM-5.2 shall be implemented.
- E. **MM-BIO-5.2:** The project proponent shall comply with local ordinances and submit permit applications for removal, trimming, damage, or relocation of all trees covered by the City ordinance. The replacement trees shall be planted on site to the extent feasible and the project proponent shall comply with all other replacement requirements imposed by the City.
- F. **MM-NOI-1.1:** Develop a noise construction control plan including but not limited to the following construction best management control:
- Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds);
 - Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to

- avoid noise associated with compressed air exhaust from pneumatically powered tools; and
- Stationary noise sources shall be located as far from noise-sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.
 - Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.
 - Unnecessary idling of internal combustion engines shall be strictly prohibited.
 - Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
 - Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
 - Where feasible, temporary power service from local utility companies should be used instead of portable generators.
 - Locate cranes as far from noise-sensitive receptors as possible.
 - During final grading, substitute graders for bulldozers, where feasible. Wheeled heavy equipment are quieter than track equipment and should be used where feasible.
 - Substitute nail guns for manual hammering, where feasible.
 - Avoid the use of circular saws, miter/chop saws, and radial arm saws near the adjoining noise-sensitive receptors. Where feasible, shield saws with a solid screen with material having a minimum surface density of two pounds per square foot (e.g., such as 0.75-inch plywood).
 - Maintain smooth vehicle pathways for trucks and equipment accessing the site, and avoid local residential neighborhoods as much as possible.
 - During interior construction, the exterior windows facing noise-sensitive receptors should be closed.
 - During interior construction, locate noise-generating equipment within the building to break the line-of-sight to the adjoining receptors.

- The contractor shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
 - Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.
- G. **MM-NOI-2.1:** A qualified acoustical consultant shall be retained to review mechanical equipment systems during final design of the proposed project. The consultant shall review selected equipment and determine specific noise reduction measures necessary to reduce noise to comply with the City's noise level requirements. Prior to the issuance of building permits for the project, the emergency generator must be selected and approved by the City planning department. The generator shall include adequate noise suppressing features to reduce impacts on surrounding uses to meet the City's exterior and interior noise level requirements of 60 dBA.
- H. **MM-TRN-1.1:** Improvements to mitigate the impact at this intersection consist of the implementation of a traffic signal. However, the decision to install a traffic signal is not be based solely on satisfying one traffic signal warrant. Instead, intersections that meet the peak-hour signal warrant shall be subject to further analysis before determining that a traffic signal is necessary. Thus, the project impact at this intersection shall be mitigated with payment of the traffic impact fee, as determined by City staff.

III. PROJECT CONDITIONS OF APPROVAL

This Tentative Parcel Map approval is limited to the plan set dated October 30, 2019 on file (File Number SD2019-0007) with the Development Services Department. These documents, as amended by Design Review approval, show the location and sizes of all lots in this development, the location and dimensions of all vehicle and pedestrian circulation ways (ingress/egress), common areas, and other easement areas.

The Final Map shall be in substantial compliance with the approved Tentative Map as determined by the City Engineer and Development Services Director.

PLANNING DIVISION

DEFENSE AND INDEMNITY

- A. As part of, and in connection, with this application to the City of Morgan Hill, Applicant agrees to defend, indemnify, and hold harmless the City of Morgan Hill, its officers, agents, employees, officials and representatives (Indemnitees) from and against any and all claims, actions, or proceedings arising from any suit for damages or for equitable or injunctive relief which is filed against City to attack, set aside, void or annul its approval of this application or any related decision, or the adoption of any environmental documents which relates to said approval. The City shall promptly notify the Applicant of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. In the event that Applicant is required to defend Indemnitees in connection with the proceeding, Indemnitees shall retain the right to approve (a) the counsel to so defend Indemnitees; (b) all significant decisions concerning the manner in which the defense is conducted; and (c) any and all settlements, which approval shall not be unreasonably withheld. This indemnification shall include, but is not limited to, (a) 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; (b) reasonable internal City administrative costs, including but not limited to staff time and expense spent on the litigation, after tender is accepted; and (c) all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision. City may, in its sole discretion, participate in the defense of such action; but such participation shall not relieve Applicant of its obligations under this condition. The undersigned hereby represents that they are the Applicant or are fully empowered by the Applicant as their agent to agree to provide the indemnification, defense and hold harmless obligations, and the signature below represents the unconditional agreement by Applicant to be bound by such conditions.

TIME LIMITS

- A. **Term:** The Tentative Parcel Map approval granted pursuant to this Resolution shall remain in effect for two years to _____. Failure to apply for Final Map approval with the City Engineer within this term shall result in expiration of approval unless an extension of time is granted by the Development Services Department/Planning Commission prior to the expiration date. **(MHMC 17.20.170; 17.24.110)**

SITE DEVELOPMENT

- A. **Street Names:** Street names, private or otherwise, used to identify building locations shall be submitted to the Planning Division for approval. Proposed street names shall comply with the Street Naming Policy approved by City Council (Resolution No. 4601) and CP 94-13.
- B. **Standard Condition AIR-1:** The following measures shall be implemented during all phases of construction to control dust and exhaust at the project site:
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Replant vegetation in disturbed areas as soon as possible after completion of construction.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- C. **Condition of Approval AIR-1:**
- Install air filtration in residential and medical buildings. Air filtration devices shall be rated MERV16 or higher for portions of the site that have annual PM2.5 exposure above 1.1 micrograms per cubic meter and MERV13 or higher for all other portions of the site. To ensure adequate health protection to sensitive receptors (i.e. residents), this ventilation system, whether mechanical or passive, all fresh air circulation into the dwelling units shall be filtered.

- As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be required.
 - Ensure that the use agreement and other property documents:
 - Require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks;
 - Include assurance that new owners or tenants are provided information on the ventilation system; and
 - Include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacement of the filters, as needed.
- D. **Condition of Approval AIR-2:** Provide electrical power at truck loading docks to avoid use of truck refrigeration units.
- E. **Condition of Approval AIR-3:** Designate truck circulation routes that avoid residential areas to the greatest extent reasonable.
- F. **Standard Condition GEO-1:** To avoid or minimize potential damage from seismic shaking, the proposed development shall be built using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The structural designs for the proposed development will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved by the City of Morgan Hill Building Division prior to issuance of a building permit. The buildings shall be required to meet the requirements of applicable Building and Fire Codes, including the 2019 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. The project shall be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.
- G. **Standard Condition GEO-2 (Storm Drain System):** Prior to final map approval or issuance of a grading permit the applicant shall complete the following to the satisfaction of the Director of Public Works.
 1. Plan describing how material excavated during construction will be controlled to prevent this material from entering the storm drain system.
 2. Water Pollution Control Drawings for Sediment and Erosion Control.
- H. **Standard Condition GEO-3 (NPDES Permit Conformance):** As required by the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, construction activity resulting in a land disturbance of one acre or more of soil, or whose projects are part of a larger common plan of development that in total

disturbs more than one (1) acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with Section A, B, and C of the General Permit prior to the commencement of soil disturbing activities. A NOI Receipt Letter assigning a Waste Discharger Identification number to the construction site will be issued after the State Water Resource Control Board (SWRCB) receives a complete NOI package (original signed NOI application, vicinity map, and permit fee); copies of the NOI Receipt Letter and SWPPP shall be forwarded to the Building and Public Works Department review. The SWPPP shall be made a part of the improvement plans (SWRCB NPDES General Permit CA000002).

- I. **Standard Condition HYD-1:** In accordance with the City of Morgan Hill Standard Conditions of Approval and the Construction General Permit, the following measures are included in the project to reduce construction-related water quality impacts to a less than significant level:

The following BMPs shall be implemented during project construction:

- Burlap bags filled with drain rock will be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities will be suspended during periods of high winds.
- All exposed or disturbed soil surfaces will be watered at least twice daily to control dust.
- Stockpiles of soil or other materials that can be blown by the wind will be watered or covered.
- All trucks hauling soil, sand, and other loose materials will be covered and all trucks will be required to maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction site will be swept daily (with water sweepers).
- Vegetation in disturbed areas will be replanted as quickly as possible.

- J. **Standard Condition HYD-2:** In accordance with the City of Morgan Hill Standard Conditions of Approval and the Construction General Permit, the following measures shall be included in the project to reduce construction-related water quality impacts to a less than significant level:

- As required by the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, construction activity resulting in a land disturbance of one acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one (1) acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General

Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with Section A, B, and C of the General Permit prior to the commencement of soil disturbing activities. A NOI Receipt Letter assigning a Waste Discharger Identification number to the construction site will be issued after the State Water Resource Control Board (SWRCB) receives a complete NOI package (original signed NOI application, vicinity map, and permit fee); copies of the NOI Receipt Letter and SWPPP shall be forwarded to the Building and Land Development Engineering Divisions review. The SWPPP shall be made a part of the improvement plans. (SWRCB NPDES General Permit CA000002).

- K. **Standard Condition HYD-3:** The Project Engineer shall provide a hydrology report demonstrating that post-development stormwater runoff peak flows discharged from the site do not exceed pre-project peak flows for the two (2) through 10-year storm events. Peak flow controls must also meet the flood control standards established by the Santa Clara County Drainage Manual.

HABITAT PLAN

- A. **Fees:** The approved project is covered pursuant to the Santa Clara Valley Habitat Plan (Habitat Plan) and subject to fees and conditions contained in the Habitat Plan.
- B. **Application Package:** Prior to issuance of a grading permit, the project shall complete and submit a Habitat Plan Application Package. All fees shall be paid prior to issuance of a grading permit. **(MHMC 18.132)**
- C. **Conditions:** Any additional conditions or mitigations required by the Habitat Plan shall be clearly stated on all plans that involve any ground disturbing activity (i.e. grading plans, improvement plans, paving plans, demolition plans or other plans for site clearing or temporary stockpile of dirt). **(MHMC 18.132)**

CULTURAL RESOURCES

- A. **Significant historic or archaeological materials:** This project has been determined not to be in a site identified as archaeologically sensitive by the City's adopted archaeological sensitivity map, but nonetheless could adversely impact undocumented human remains or unintentionally discover significant historic or archaeological materials. The following policies and procedures for treatment and disposition of inadvertently discovered human remains or archaeological materials

shall apply and should be provided as standard conditions on the building permit, grading permit, or improvement plans. If human remains are discovered, it is probable they are the remains of Native Americans.

1. If human remains are encountered, they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern. Information about such a discovery shall be held in confidence by all project personnel on a need to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld. Remains should not be held by human hands. Surgical gloves should be worn if remains need to be handled. Surgical mask should also be worn to prevent exposure to pathogens that may be associated with the remains.
2. In the event that known or suspected Native American remains are encountered, or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Examples of significant historic or archaeological materials include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, groundstone mortars and pestles), culturally altered ash-stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials, and historic structure remains such as stone-lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the discovery locale.
3. An “exclusion zone” where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols, or if on-site at the time of discovery, by the Monitoring Archaeologist (typically 25-50ft for single burial or archaeological find).
4. The discovery locale shall be secured (e.g., 24-hour surveillance) as directed by the City or County if considered prudent to avoid further disturbances.
5. The Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition:

- The City of Morgan Hill Development Services Director (408) 779-7247
 - The Contractor's Point(s) of Contact
 - The Coroner of the County of Santa Clara (if human remains found) (408) 793-1900
 - The Native American Heritage Commission (NAHC) in Sacramento (916) 653-4082
 - The Amah Mutsun Tribal Band (916) 481-5785 (H) or (916) 743-5833 (C)
6. The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American the Coroner has 24 hours to notify the NAHC.
 7. The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) from the Amah Mutsun Tribal Band. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
 8. Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose.
 9. Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's Development Services Director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the Amah Mutsun Tribal Band may be considered and carried out.
 10. If the MLD recommendation is rejected by the City of Morgan Hill the parties will attempt to mediate the disagreement with the NAHC. If mediation fails, then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.

GENERAL

- A. **Recordation of Map:** The recordation of the final map shall not be completed until approval of the Design Review Permit is completed.
- B. **Signed copies of Approval Certificate:** Submit two (2) signed copies of the Approval Certificate to the Planning Division prior to issuance of a building permit.

ENGINEERING DIVISION

PROJECT SPECIFIC ENGINEERING CONDITIONS

A. Site Access

1. Barrett Avenue Driveways: The project is proposing two full access driveways along Barrett Avenue, across Barrett Elementary School. These new driveways are designated in the project's Traffic Impact Analysis, dated June 19, 2020, as Driveway 3 (closest to Juan Hernandez Drive) & Driveway 4. The City Engineer has determined that allowing these two driveways to be full access will create unsafe conditions for vehicle, pedestrian and bicycle traffic in the vicinity of Barrett Elementary School especially during the school's drop-off and pick-up periods.
 - a. At Design Review stage, revise Driveways 3 & 4 to provide emergency vehicle access only.
2. Juan Hernandez Driveways:
 - a. The project is also proposing two full access driveways along Juan Hernandez Drive. These driveways are designated in the project's Traffic Impact Analysis as Driveway 1 (existing, southern driveway at New Private Street B) & Driveway 2 (new main driveway located in the middle of the project site) per the project's Traffic Impact Analysis. The City Engineer has determined that allowing Driveway 1 (existing, southern driveway) to remain at its current location will create conflicting vehicle turn movements. The project's Traffic Impact Analysis stated that "the close proximity of Driveway 1 to the Juan Hernandez Drive/St. James Drive intersection (approximately 100 feet to the south), in addition to the increase in traffic volumes at the site driveway, could potentially create conflicts between southbound left-turning traffic accessing Driveway 1 and northbound left-turning traffic at St. James Drive."
 - i) At Design Review stage, relocate Driveway 1 (southern driveway) to the north and align with St. James Drive (existing public street) to form the east leg of the intersection.
 - b. Third New Driveway at Juan Hernandez Drive: The applicant has requested City staff to consider a third new driveway along Juan Hernandez Drive (north of the new main driveway – Driveway 2) if the two proposed driveways along Barrett Avenue will be restricted to emergency vehicle access only. This third driveway is not reflected on the plans submitted by the applicant.
 - i) At Design Review stage, the project shall submit an analysis of the suitability of a third new driveway at Juan Hernandez Drive

and adequacy of the driveway operations for review and approval by the City Engineer.

- B. **Barrett Avenue Improvements:** The applicant requested input from the Morgan Hill Unified School District (MHUSD) on the project's site plan. The applicant agrees with the following MHUSD recommendations: (1) provide a school drop-off/pick-up area for the school within the project site, adjacent to Barrett Avenue; (2) widen the proposed sidewalk to a minimum width of 6', along the project frontage, on the south side of Barrett Avenue to allow for both bicyclists and pedestrians; and (3) provide a mid-block crosswalk at Barrett Avenue. Engineering staff discussed the above recommendations with MHUSD staff on September 4, 2020.

1. At Design Review stage, the project shall submit an analysis of the proposed school drop-off/pick-up area and any conflicts with the two existing school driveways at Barrett Avenue. A drop-off/pick-up area located closer to the intersection of Barrett Avenue and Juan Hernandez Drive is preferred as this will allow students and other pedestrians to use the existing crosswalk at the intersection. This will eliminate the need for a mid-block crosswalk at Barrett Avenue.

C. **Tentative Map**

1. At Design Review stage, address the following:
 - a. Add a Public Service Easement over the location of the public water main and water meters within the project site, as determined by the City Engineer.
 - b. Show additional Stormwater/Storm Drainage Easements over stormwater control measures and associated storm drainage pipes if one or more parcels will drain to a stormwater control measure located on an adjacent parcel.
 - c. Show private water, private storm drainage, and private sanitary sewer easements over these utilities over any of these utilities if these are proposed to cross over parcels.
2. The width of the right-of-way dedication on the south side of Barrett Avenue will be finalized at Design Review stage.

- D. **Grading:** At Design Review stage, submit a Preliminary Drainage Report.

- E. **Stormwater Management:** This project shall comply with the California Regional Water Quality Control Board Central Coast Region Resolution No. R3-2013-0032 as documented by the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements. At Design Review stage, the project shall address the following:

1. Submit a revised Stormwater Control Plan that includes all the items listed in Appendix B (Stormwater Control Plan Checklist) of the Guidance Manual.

2. Size each Drainage Management Area (DMA) based on proposed grading and each DMA boundary clearly identified. Note: Multiple DMAs may drain to one stormwater control measure, but one DMA may not drain to multiple stormwater control measures.
3. Submit the Project's Geotechnical Report that includes site-specific soil infiltration rates for each area of the site where infiltration facilities are proposed, and information about any surface or subsurface soil contamination at the site.
4. Infiltration facilities that allow runoff to be filtered through surface or imported soils (indirect infiltration method), such as bioretention areas, shall be used unless a combination of indirect and direct infiltration systems are necessary to increase detention and/or retention.
5. Revise the plans to show the following:
 - a. Each stormwater basin located within the limits of a parcel
 - b. Sanitary sewer connections from all trash enclosures
 - c. Site-specific cross-sections for the proposed stormwater basins. Include top and bottom elevations.
 - d. Stormwater basin details
 - e. If the project proposes bioretention areas, provide details identifying elevations for all structure components associated with the facilities (top of media, top of gravel pack, subdrain invert, etc.).

F. Utilities

1. At Design Review stage, revise the plans to address the following:
 - a. On Parcel C, provide separate sewer laterals for the Office building and Apartment building located to the southeast of the Office building.
 - b. Show the size of the water lines.
 - c. Provide a sanitary sewer test manhole behind the property line for the non-residential portion of the project for pretreatment to measure flows and for samples to be readily obtained therefrom by the City.

G. **Reimbursement:** The applicant/property owner shall reimburse the Morgan Hill Unified School District (MHUSD) in the amount of \$23,120 for the traffic signal improvements completed at the intersection of Juan Hernandez Drive and Tennant Avenue by MHUSD in 2007. The reimbursement amount was calculated based on the estimated share of peak hour trips contributed to the intersection by each anticipated new development in the vicinity of the intersection.

H. **Parkland Dedication and Parkland Fee In-Lieu Exemption:** The residential portion of the project is proposed as rental housing. This type of project is exempt from the Parkland Dedication and Parkland Fee In-Lieu requirements (Morgan Hill Municipal Code Chapter 17.28). However, if the residential type changes, the

project may be subject to the payment of parkland in-lieu fees to meet the parkland obligation.

STANDARD ENGINEERING CONDITIONS

A. GENERAL

1. The applicant shall cause the construction of all public and private improvements in accordance with the latest City Standard Drawings and Specifications. **(MHMC 12.02.090 A; 17.32.010 A)**
2. The applicant shall have a Final Map prepared by a registered engineer (licensed prior to 01/01/1982: registration number 33,965 or lower) or licensed land surveyor delineating all parcels and easements created. There shall be concurrence in writing by PG & E, Telephone, Cable TV and any other affected agencies to all improvements and easements which are applicable to them. The number and locations of monuments shall be set as required by the City Engineer. **(MHMC 17.20.200 A; 17.20.290; 17.24.010)**
3. The applicant shall submit as part of the improvement drawings for the project, profiles of all improvements and typical cross-sections of all streets and details of curbs, gutters, and sidewalks, to be accomplished to the satisfaction of the City Engineer prior to submittal of Final Map. **(MHMC Sec 17.32.060 B; 17.32.070; 17.32.080 A)**
4. Obtain necessary encroachment permits from the City of Morgan Hill and provide guarantee covering off-site improvements. **(MHMC 12.08.040 A; 12.08.090)**
5. Improvement plans are to show water lines, sanitary sewer, storm drain system, pavement widths, curve radius, and existing utilities.
6. Enter into a Subdivision Improvement Agreement (SIA) with the City of Morgan Hill to cover required improvements. **(MHMC 12.02.150; 17.32.010 B; 17.32.160)**
7. Reciprocal access easements and maintenance agreements ensuring access to all parcels and joint maintenance of all common roads, drives or parking areas shall be provided by CC&R's and by deed and shall be recorded concurrent with the map, or prior to issuance of building permit where no map is involved. **(MHMC 17.20.350 H)**
8. **IMPACT FEE INCREASE** - The City of Morgan Hill, pursuant to City Code Chapter 3.56 has established impact fees to finance the cost of improvements

required by new development. City Code Chapter 3.56.050 provides for automatic annual (July 1st) adjustment of those fees in existence utilizing the Engineering News Record Index for the preceding twelve months. The City maintains historical records on the Engineering News Record Index. These records are available for inspection during normal business hours. **(MHMC 3.56.010; 3.56.030; 3.56.050)**

B. STREET IMPROVEMENTS

1. The applicant shall cause the design and construction of all new public and private streets serving the project. The design of all new public and private streets shall be consistent with the General Plan Land Use and Circulation Element as well as the Street Standard Details as contained within the Public Works Standards Details. The construction of the streets shall be undertaken to the lines and grades and in a manner satisfactory to the City Engineer. All street improvements shall be constructed to the satisfaction of the City Engineer. The timing of the improvements will be determined by the City. **(MHMC 12.02.010; 12.02.090; 17.32.060 B; CMH General Plan; CMH Design Standards and Standard Details for Construction)**
2. The project shall install and dedicate street improvements including, but not limited to, curb and gutter, sidewalk, compaction, street paving, oiling, storm drainage facilities, sewer and water, fire protection, undergrounding of utilities and street lighting in conformance with City of Morgan Hill requirements. **(MHMC 12.02.010; 12.02.50; 12.02.080; 12.02.100; 17.28.010; 17.32.060)**
3. Dedication of the required corner cutoff at the intersection of Juan Hernandez Drive and Barrett Avenue. **(MHMC 12.02.010; 12.02.50; 12.02.080; 12.02.100; 17.28.010)**
4. Underground existing utilities: All existing overhead utilities adjacent to any site boundary or along any street frontage of the site shall be placed underground in accordance with City standards and affected utility company guidelines. **(MHMC 12.02.090 B; 17.32.020 E.1)**

C. SANITARY SEWER SYSTEM

1. The applicant shall cause to be undertaken the design and construction of sanitary sewer improvements including, but not limited to installation of sewer line extension on the private street(s)/drive aisle(s). The sanitary collection system shall include, but not be limited to manholes with manhole frames and covers, cleanouts, wye-branches and laterals, and separate sewer taps to each lot. These are to be installed by the developer. **(MHMC 13.20.355; 17.32.020 C; CMH Sewer System Master Plan; CMH Design Standards and Standard Details for Construction)**

2. All existing and future sewer lines shall be tied into the City's system and existing septic systems shall be abandoned in accordance with City requirements. **(MHMC 13.24.060; 17.32.20 C)**

D. STORM DRAIN SYSTEM

1. A complete storm drainage study of the proposed development must be submitted showing amount of run-off, and existing and proposed drainage structure capacities. This study shall be subject to review and approval by the City Engineer. All needed improvements will be made by the applicant. No overloading of the existing system will be permitted. **(MHMC 17.32.020 B; 17.32.090; CMH Design Standards and Standard Details for Construction)**
2. The applicant shall cause the design and construction to be undertaken for a storm drainage collection system shown on the Tentative Map plans. All storm drain improvements shall be constructed to the satisfaction of the City Engineer. **(MHMC 17.32.020 A & B)**
3. Collection system shall be designed to be capable of handling a 10-year storm without local flooding. On-site detention facilities shall be designed to a 25-year storm capacity. Streets shall be designed to carry a 100-year storm. Items of construction shall include, but not be limited to installation of surface and subsurface storm drain facilities, manholes with manhole frames and covers, catch basins and laterals. Note: the project may be required to **retain** stormwater runoff as part of resolution R3-2013-0032 prior to releasing discharge rates at pre-development flows. **(MHMC 17.32.020 B; 18.74.440; CMH Design Standards and Standard Details for Construction; CMH Storm Drainage System Master Plan)**
4. Prior to final map approval or issuance of a grading permit the applicant shall complete the following to the satisfaction of the City Engineer.
 - a. Storm drain calculations to determine detention/retention pond sizing and operations.
 - b. Plan describing how material excavated during construction will be controlled to prevent this material from entering the storm drain system.
 - c. Water Pollution Control Drawings (WPCD) for Sediment and Erosion Control.**(CMH Design Standards and Standard Details for Construction)**
5. As required by the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ, construction activity resulting in a land disturbance of one (1) acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one (1) acre, are required to obtain

coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) ONLINE at: <http://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp> and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with the General Permit. The SWPPP Manual shall follow the CASQA SWPPP template/format at <https://www.casqa.org/store/products/tabid/154/p-167-construction-handbookportal-initial-subscription.aspx> and shall be approved by Land Development Engineering. A Waste Discharger Identification (WDID) number will be issued to the construction site after the SWRCB receives and verifies the submitted ONLINE NOI information. The WIDI number and approved SWPPP Manual shall be provided to Land Development Engineering Division and the Building Division prior to any approval of grading activities (SWRCB NPDES General Permit CA000002).

6. NPDES GENERAL PERMIT SITE SWPPP INSPECTIONS AND COMPLIANCE:

- a. ALL project onsite and offsite construction activity shall have the site inspected by a qualified third party SWPPP Inspector (QSD or QSP or RCE) or the project shall be charged for SWPPP inspections performed by a City Inspector. This will be determined at improvement plan stage.
- b. SWPPP Inspections shall occur weekly during the rainy season (September 15th thru May 1st).
- c. SWPPP Inspections shall occur bi-weekly during the non-rainy season.
- d. 48 hours prior to and following a forecasted rain event, SWPPP Inspections shall occur in addition to those of items 2 or 3 above.
- e. Per each of the inspection conditions 2, 3, or 4, the NPDES SWPPP Inspector shall certify in writing to the Building Division and Land Development Engineering Division if the site is in compliance or non-compliance with the NPDES General Permit for Stormwater, site SWPPP Manual, and Water Pollution Control Drawings (per the CMH-SWPPP Inspection Check List to be provided by Land Development Engineering). QSD/QSP SWPPP Inspectors shall forward onsite and offsite information/certification to the Building (on-site private property issues) and Public Works (public right-of-way issues) inspectors respectively.
- f. Prior to rain events, BMPs not in compliance will need to be corrected immediately.

- g. Illicit discharges per the NPDES General Permit, non-compliance of tracking control, and inlet protection within the public right of way shall be address immediately.
- h. Other non-compliance issues need to be addressed within a 24-hour period.
- i. Non-compliance issues which have been corrected shall be verified by NPDES SWPPP Inspector by a follow up inspection.
- j. BMPs maintenance/inspections shall include tree protection if applicable.

E. WATER SYSTEM

- 1. The applicant shall cause the design and construction to be undertaken of a domestic water system to the satisfaction of the City Engineer. The water system improvements shall be constructed within public easements or street rights-of-way to the satisfaction of the City Engineer and dedicated to the City. **(MHMC 17.32.020 A & D; CMH Design Standards and Standard Details for Construction; CMH Water System Master Plan)**
- 2. Abandonment of any existing water well shall be in conformance with Santa Clara Valley Water District (SCVWD) Ordinance 90-1. Location and disposition to be shown on the plan. Well(s) shall be properly registered with the SCVWD and either be maintained or abandoned in accordance with SCVWD standards.
- 3. Installation of water line extension on the proposed private streets. **(MHMC 17.32.020 A & D; CMH Water System Master Plan)**
- 4. Provide separate water services and meters for each parcel. These are to be installed by developer. **(MHMC 17.32.020 D)**

F. OTHER CONDITIONS

- 1. The owner shall dedicate all necessary utility easements. **(MHMC 12.02.080 D; 17.28.010 A)**
- 2. The applicant shall cause the design and construction required to underground all electric, gas, Cable TV and communication lines within the development. Such design and construction shall be to the satisfaction of the affected utilities and the City Engineer. **(MHMC 17.32.020 E.1)**
- 3. The final map for a minor subdivision (4 lots or less) shall be signed by the City Engineer and the Planning Commission Secretary prior to issuance of a grading permit. **(MHMC 17.20.390; 17.24.210)**
- 4. Final landscape plans shall be submitted with and included as part of the improvement plans for the project. **(MHMC 17.08.090)**

5. Prior to the approval of any Building Permit for grading activity, the developer shall schedule a pre-construction meeting with the Public Works Inspection Division with the following project team members:
 - a. Civil Engineer of record
 - b. Geotechnical Engineer of record
 - c. Third Party QSD/QSP SWPPP Inspector
 - d. General Contractor
 - e. Subcontractors

G. NPDES WATER QUALITY STORMWATER MANAGEMENT DEVELOPMENT STANDARDS

1. State Water Resources Control Board Post Construction Requirements (PCRs): Project shall comply with the California Regional Water Quality Control Board Central Coast Region Resolution No. R3-2013-0032 as documented by the **Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements** (developed from Resolution No. R-2013-0032 Attachment 1 and 2 at: http://www.waterboards.ca.gov/centralcoast/water_issues/programs/stormwater/docs/lid/lid_hydromod_charette_index.shtml). A copy of the guidance manual can be obtained through the Land Development Engineering's website. Project shall meet the applicable requirements of the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements:
 - a. Performance Requirement 1: Site Design and Runoff Reduction
 - b. Performance Requirement 2: Water Quality Treatment
 - c. Performance Requirement 3: Runoff Retention
 - d. Performance Requirement 4: Peak Management
2. **Properly Design Trash Enclosure Areas:** All trash enclosure areas must meet the following Structural or Treatment Control BMP requirements:
 - a. Roof Required: Trash enclosure areas shall have an all-weather noncombustible solid roof to prevent rainwater from mixing with the enclosure's contents.
 - b. Walls Required: Trash enclosure shall have structural walls to prevent unauthorized off-site transport of trash.
 - c. Doors: Trash enclosure shall have door(s) which can be secured when closed.
 - d. Grades: The pad for the enclosure shall be designed to not drain outward, and the grade surrounding the enclosure shall be designed to not drain into the enclosure.

- e. Drain Inlet: Within the enclosure, an area drain with an approved (Zurn) vandal- proof drain shall be installed and shall be plumbed to the sanitary sewer system with grease trap. Grease trap shall be located within the trash enclosure footprint.
- 3. **Design Standards for Structural or Treatment Control BMPs:** The post-construction treatment control BMPs shall incorporate, at a minimum, either a volumetric or flow- based treatment control design standard, or both, as identified below to mitigate (infiltrate, filter or treat) storm water runoff:
 - a. Volumetric Treatment Control BMP
 - i) The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
 - ii) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/ Commercial, (2003); or
 - iii) The volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for “treatment” that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event.
 - b. Flow Based Treatment Control BMP
 - i) The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the area; or
 - ii) The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above.
- 4. **Stormwater Runoff Management Plan (SWRMP) required:** The stormwater runoff management plan shall include sufficient information to evaluate the environmental characteristics of affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of measures (post-construction BMPs) proposed for managing stormwater runoff.
- 5. **Stormwater BMP operation, maintenance, and replacement responsibility**

- a. All on-site stormwater management facilities shall be operated and maintained in good condition and promptly repaired/replaced by the property owner(s) or other legal entity approved by the city.
 - b. Any repairs or restoration/replacement and maintenance shall be in accordance with city-approved plans.
 - c. The property owner(s) shall develop a maintenance schedule for the life of any stormwater management facility and shall describe the maintenance to be completed, the time period for completion, and who shall perform the maintenance. This maintenance schedule shall be included with the approved stormwater runoff management plan.
6. **Stormwater BMP operation and Maintenance Agreement (SWBOMA):**
Prior to the issuance of any building permits requiring stormwater management BMPs, the owner(s) of the site shall enter into a formal written stormwater BMP operation and maintenance agreement with the city. The city shall record this agreement, against the property or properties involved, with the County of Santa Clara and it shall be binding on all subsequent owners of land served by the storm water management treatment BMPs (City standard STORMWATER BMP OPERATION AND MAINTENANCE AGREEMENT to be provided by Land Development Engineering).
7. **Stormwater BMP inspection responsibility**
 - a. The property owner(s) shall be responsible for having all stormwater management facilities inspected for condition and function by a Register Civil Engineer (RCE).
 - b. Unless otherwise required by the City engineer or designee, stormwater facility inspections shall be done at least twice per year (April 15th and September 15th) by the RCE. Written records shall be kept of all inspections and shall include, at minimum, the following information:
 - i) Site address;
 - ii) Date and time of inspection;
 - iii) Name of the person conducting the inspection;
 - iv) List of stormwater facilities inspected;
 - v) Condition of each stormwater facility inspected;
 - vi) Description of any needed maintenance or repairs; and
 - vii) As applicable, the need for site re-inspection.
 - c. Upon completion of each inspection, an inspection report shall be submitted to Land Development Engineering.

8. **Records of maintenance and inspection activities:** On or before April 15th and September 15th of each year, the party responsible for the operation and maintenance of on-site stormwater management facilities under the BMP operation and maintenance agreement shall provide the City engineer or designee with records of all inspections, maintenance and repairs.
9. **Annual Certification of SWRMP:** On or before September 30th of each year, a Registered Civil Engineer (RCE) shall provide written certification that the developments stormwater quality design standards are properly maintained and functioning as required by the SWRMP.

POLICE DEPARTMENT

- A. **Safety and Security Plan.** The Police Department shall review and approve a safety and security plan for the facility including a security camera plan prior to the issuance of a building permit or site development permit, whichever one is issued first.
- B. **Camera Access.** The Police department will require access to camera feed and camera recordings to be able to view real time and recorded footage if/when required.

HOUSING DIVISION

- A. **Inclusionary Housing Agreement:** The developer shall execute and record an Inclusionary Affordable Housing Agreement with the City prior to issuance of a building permit. **(MHMC 14.04.050)**
- B. **BMR Standards:** The Below Market Rate (BMR) units shall comply with the BMR standards.

BMR standards:

1. Location. BMR units shall be distributed evenly throughout the project.
2. Lot Size. Lot size shall be at least the same size as the smallest lot of a market rate unit within the project;
3. Bedroom Count. Average bedroom count shall be the same as the average bedroom count in the market rate units in the project;
4. Exterior. Exterior trim entry door hardware, and finish to the same standard as the Market Rate
5. Minimum standards for equipment, fixtures, appliances and finishes have been established for the BMR units. All items installed by the developer shall be of good quality and in new condition. Good quality shall be deemed

as entry level but generally not the lowest level of product offered for that application. All products shall offer durability, reliability and maintain a quality appearance and function that is standard to most other median priced homes in the area. The below listed items must be installed as a basic feature of each BMR home.

6. Minimum Interior standard finishes will be as follows:
 - a. All closets shall have doors
 - b. Interior doors to be raised panel type or same as market rate
 - c. Door hardware to be brass finish or equivalent
 - d. Appliances shall be major brand name
 - e. Microwave with an exhaust vent shall be installed over the range
 - f. Kitchen counters shall be white ceramic tile
 - g. Kitchen cabinets shall be stained wood with white melamine interiors
 - h. Units will be roughed in for AC including electrical and line set
 - i. Basic alarm system to secure all accessible openings to the home
 - j. Carpet in bedrooms, hallways, family rooms
 - k. Linoleum or tile entry, bathroom kitchens
 - l. Laminate flooring may substitute for carpet or linoleum
 - m. Electric garage door opener

7. Timing of Construction. BMR units shall be constructed in proportion to the BMR ownership housing requirement applicable to the project. For example, for a project with 389 units and an 20% BMR rental housing commitment, at least one BMR unit shall be constructed before or concurrently with every 5th market rate unit constructed. The last market rate unit to be completed in the project may not receive a certificate of occupancy until the last BMR unit has received a certificate of occupancy. The Director may approve a modified schedule if the timing requirement will create unreasonable delays in the issuance of certificates of occupancy for market rate units.