

**ORDINANCE NO. 2318, New Series**

**AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING 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)**

**THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES ORDAIN 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.** The request was considered by the Planning Commission at its regular meeting of September 29, 2020 and October 13, 2020, at which time the Planning Commission recommended 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” dated October 30, 2019, and revised on March 13, 2020, and further revised by applicant on October 6, 2020, and by this reference incorporated herein. The City Council accepts the recommendation of the Planning Commission.

**THE FOREGOING ORDINANCE WAS INTRODUCED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 4<sup>th</sup> DAY OF NOVEMBER 2020, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 18<sup>th</sup> DAY OF NOVEMBER 2020, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:**

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

**APPROVED:**

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

**ATTEST:**

DocuSigned by:  
  
\_\_\_\_\_  
**IRMA PEREZ, City Clerk**


City of Morgan Hill  
Ordinance No. 2318, New Series  
Page 4 of 88

**⌘ CERTIFICATE OF THE CITY CLERK ⌘**

**I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA**, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2318, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 18<sup>th</sup> day of November 2020.

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

DATE: 12/1/2020

DocuSigned by:  
  
\_\_\_\_\_  
**IRMA TORREZ**, City Clerk



## EXHIBIT A

**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

**Introduced November 4, 2020**



**Prepared by  
EMC Planning Group**

City of Morgan Hill

Ordinance No. 2318, New Series

Page 6 of 88

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

**Lillian Commons/Morgan Hill Medical Campus  
A Mixed Use Development**

**Prepared for**

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March 13, 2020

City of Morgan Hill

Ordinance No. 2318, New Series

Page 8 of 88

## TABLE OF CONTENTS

1.0	Introduction .....	1-1
2.0	Planning Objectives .....	2-1
3.0	Community Benefits and General Plan Amendment Justification.....	3-1
3.1	Planned Development Community Benefits.....	3-1
3.2	General Plan Amendment Justification .....	3-1
4.0	Property and Development Descriptions .....	4-1
4.1	Property Description.....	4-1
4.2	PD Master Plan Description .....	4-2
4.3	Implementing Approvals.....	4-9
4.4	Ownership and Ongoing Obligations .....	4-10
4.5	Maps and Diagrams .....	4-10
5.0	Land Uses .....	5-1
6.0	Development Standards .....	6-1
7.0	Consistency with 2035 General Plan .....	7-1
7.1	General Plan Land Use Designations .....	7-1
7.2	General Plan Goals and Policies.....	7-2
8.0	PD Master Plan and Zoning Findings .....	8-1
8.1	PD Master Plan Findings.....	8-1
8.2	Zoning Amendment Findings .....	8-5
9.0	Legal Descriptions .....	9-1

FIGURES

Figure 1           Regional Location .....4-11

Figure 2           Property Vicinity .....4-13

Figure 3           Assessor’s Parcel Map.....4-15

Figure 4           Existing Conditions Map .....4-17

Figure 5           Existing City General Plan Land Use Diagram .....4-19

Figure 6           Existing City Zoning Map.....4-21

Figure 7           Existing and Proposed General Plan Designation.....4-23

Figure 8           Zoning Plat.....4-25

Figure 9           Tentative Parcel Map .....4-27

Figure 10          Site Plan.....4-29

Figure 11          Pedestrian Circulation / Open Space Plan .....4-31

Figure 12          Illustrative Site Plan .....4-33

Figure 13          Conceptual Site and Utility Plan .....4-35

Figure 14          Conceptual Grading Plan .....4-37

Figure 15          Illustrative Building Elevations.....4-39

Building Elevations and Landscape Plans (attached)

TABLES

Table 1           PD Master Plan Allowed and Conditional Uses .....5-1

Table 2           PD Master Plan Development Standards.....6-1

Table 3           General Plan 2035 - City and Neighborhood Form  
Goals and Policies .....7-2

Table 4           General Plan 2035 - Housing Goals and Policies.....7-5

Table 5           General Plan 2035 - Economic Development Goals  
and Policies .....7-5

Table 6           General Plan 2035 - Healthy Community Goals  
and Policies .....7-6

Table 7           General Plan 2035- Transportation Goals and Policies  
.....7-6

Table 8           General Plan 2035 - Natural Resources and  
Environment Goals and Policies.....7-8

Table 9           General Plan 2035- Safety, Services, and  
Infrastructure Goals and Policies ..... 7-8

## 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.

City of Morgan Hill

Ordinance No. 2318, New Series

Page 12 of 88

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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.

City of Morgan Hill

Ordinance No. 2318, New Series

Page 14 of 88

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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<sup>1</sup> 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<sup>2</sup>, 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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<sup>1</sup> All references to apartments instead refer to townhomes and single-family detached dwellings as revised by the new site plan revised on October 6, 2020.

<sup>2</sup> All references to apartments instead refer to townhomes and single-family detached dwellings as revised by the new site plan revised on October 6, 2020.

City of Morgan Hill

Ordinance No. 2318, New Series

Page 18 of 88

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## 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](#).

City of Morgan Hill  
Ordinance No. 2318, New Series  
Page 20 of 88

## 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](#)



City of Morgan Hill  
Ordinance No. 2318, New Series  
Page 21 of 88

**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 150 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
- 150-unit multifamily residential development.

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 150 multifamily residential units. Additional vehicle parking will be available through a shared parking agreement with the developer of Parcel A.. 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 (OSHPD) 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 150 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)<sup>3</sup>

**Floor Area:** 175,500 square feet – apartments; 3,000 square feet – club house<sup>4</sup>

**Building Height:** Varies by building: Three story (35-foot maximum)

---

<sup>3</sup> All references to apartments instead refer to townhomes and single-family detached dwellings as revised by the new site plan revised on October 6, 2020.

<sup>4</sup> All references to apartments instead refer to townhomes and single-family detached dwellings as revised by the new site plan revised on October 6, 2020.

City of Morgan Hill

Ordinance No. 2318, New Series

Page 26 of 88

**Dwelling Units: 150 Units**

City of Morgan Hill

Ordinance No. 2318, New Series

Page 27 of 88

**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 Conditions Prior to Residential Construction**

Prior to the issuance of building permits for residential construction on Parcel C, the Development Services Director shall confirm that Developer Lillian Commons L.L.C. has satisfied of the following criteria:

- (1) Obtained building permits for and commenced construction of:
  - a. expansion of the parking lot on Parcel D from 45 spots to at least 60 spots, in order to support medical campus needs; and



City of Morgan Hill

Ordinance No. 2318, New Series

Page 29 of 88

- b. Street A or B (as designated on the Conceptual Site Plan), with utility infrastructure suitable for a medical campus or hospital.

-or-

- (2) Developer and healthcare provider have filed application with OSHPD, paid application fee and submitted construction documents and specifications to a warm shell standard.

## 4.5 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.

City of Morgan Hill

Ordinance No. 2318, New Series

Page 30 of 88

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.

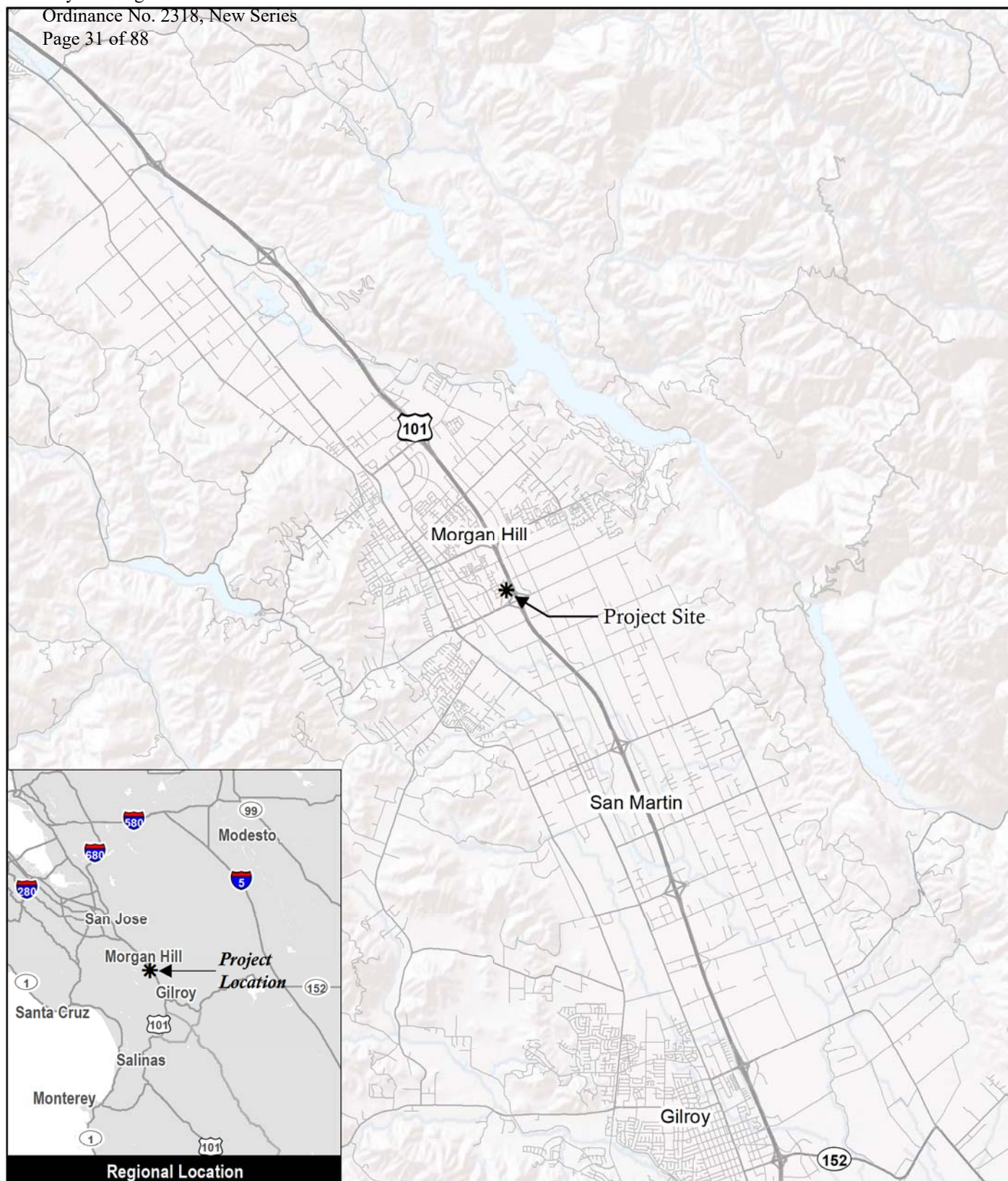
## 4.6 Maps and Diagrams

Maps and Diagrams are presented on the following pages.

City of Morgan Hill

Ordinance No. 2318, New Series

Page 31 of 88



Source: ESRI 2019

Figure 1

## Regional Location Map

Lillian Commons/Morgan Hill Medical Campus



City of Morgan Hill

Ordinance No. 2318, New Series

Page 32 of 88

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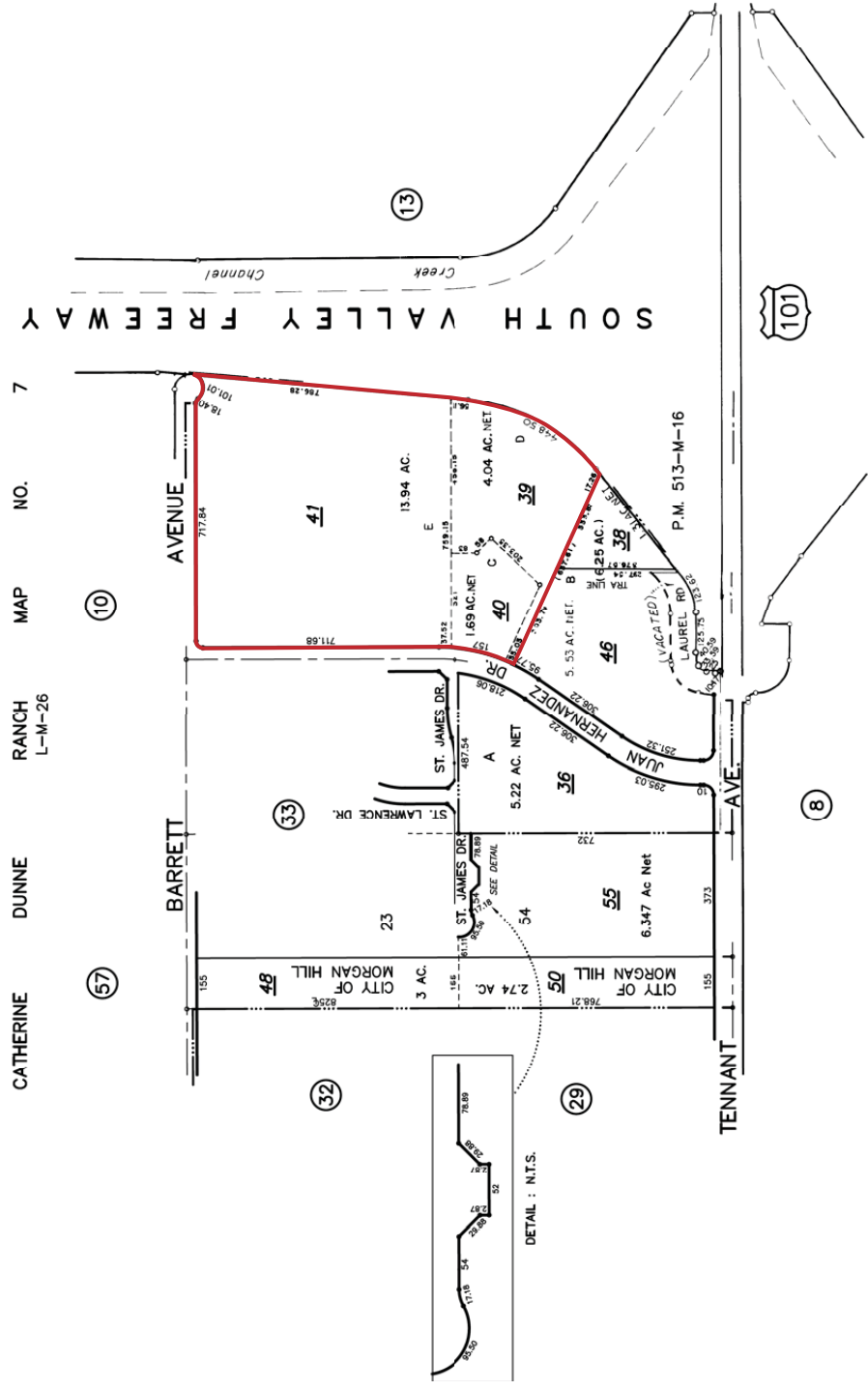


City of Morgan Hill

Ordinance No. 2318, New Series

Page 34 of 88

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

Figure 3  
Assessor's Parcel Map  
Lillian Commons/Morgan Hill Medical Campus

E M C

City of Morgan Hill

Ordinance No. 2318, New Series

Page 36 of 88

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Ordinance No. 2318, New Series  
Page 37 of 88

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.

LOCAL BENCHMARK TAKEN AS 2-INCH BRASS DISC.  
ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH  
AMERICAN VERTICAL DATUM OF 1988 (NAV88). ELEVATIONS  
WERE DETERMINED THROUGH STATIC GPS OBSERVATIONS AND  
THE USE OF THE NATIONAL GEODETIC SURVEY'S ONLINE  
POSITIONING USER SERVICE (OPUS). A NAV88 ELEVATION OF  
343.77 FEET FOR THE BRASS DISC WAS ESTABLISHED FOR  
THE LOCAL SITE BENCHMARK DESIGNATED POINT NUMBER 600,  
SHOWN HEREON.

	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)

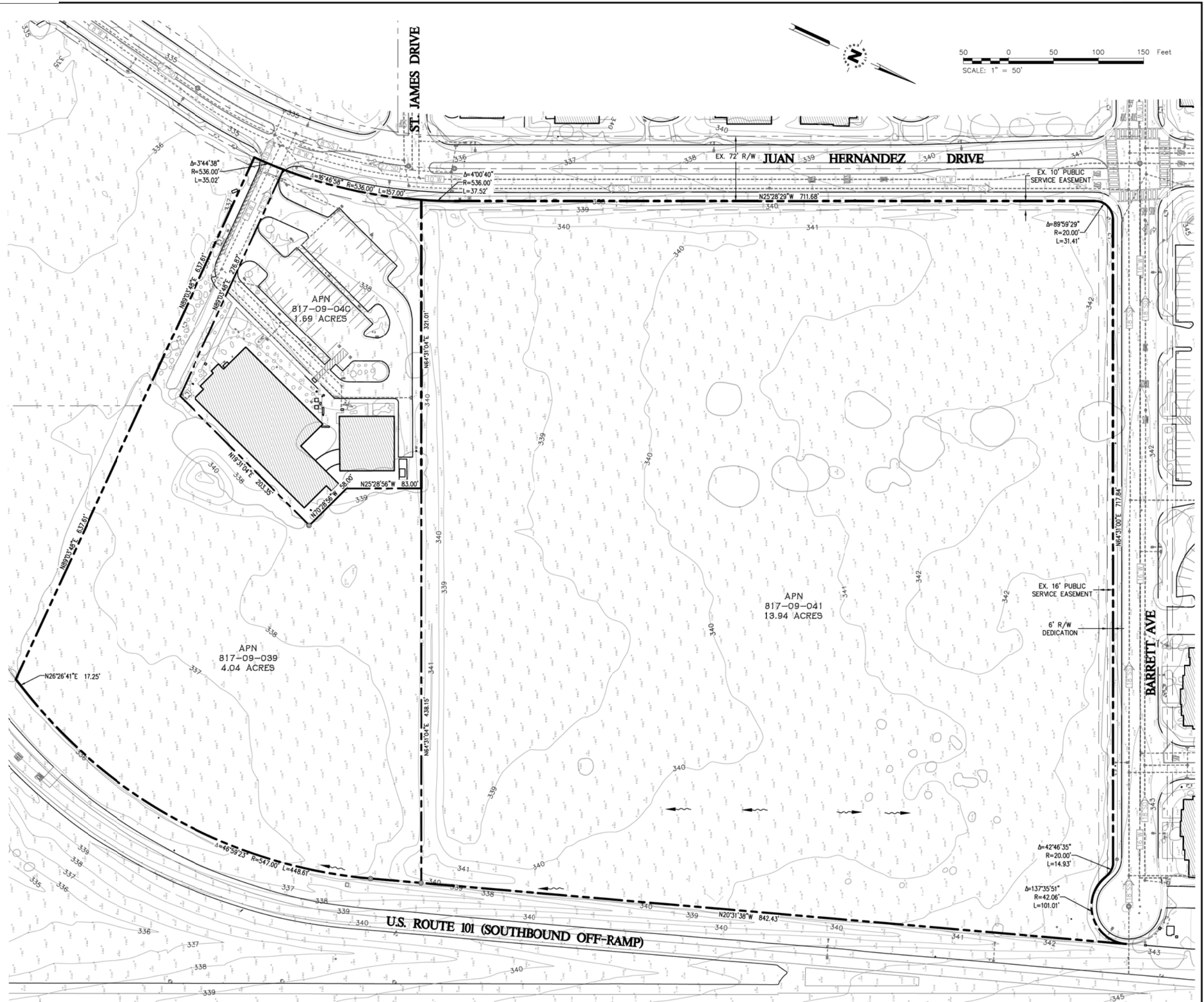
AC	ACRE
BW	BACK OF WALK
CB	CATCH BASIN
CH--LNK	CHAIN LINK
CONC	CONCRETE
EP	EDGE OF PAVEMENT
FL	FLOWLINE
GR	GRATE
HP	HIGH POINT
NV	INVERT
JP	JOINT POLE
LP	LOW POINT
MH	MANHOLE
OH	OVERHEAD
PL	PROPERTY LINE
SD	STORM DRAIN
SS	SANITARY SEWER
TC	TOP OF CURB
	TRAFFIC SIGNAL
WV	WATER VALVE
WM	WATER METER
x271.19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

WHITSON ENGINEERS  
6 HARRIS COURT  
MONTEREY, CA 93940

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

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

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



WITHOUT  
SIGNATURE

[illegible]

**ELOPMENT**  
Morgan Hill, California

AFN 017-07-037, -040, -041

LILLIAN COMMONS / MORGAN HILL  
MEDICAL CAMPUS - A MIXED USE DEVELOPMENT

### EXISTING CONDITIONS MAP

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

EET

C1.0

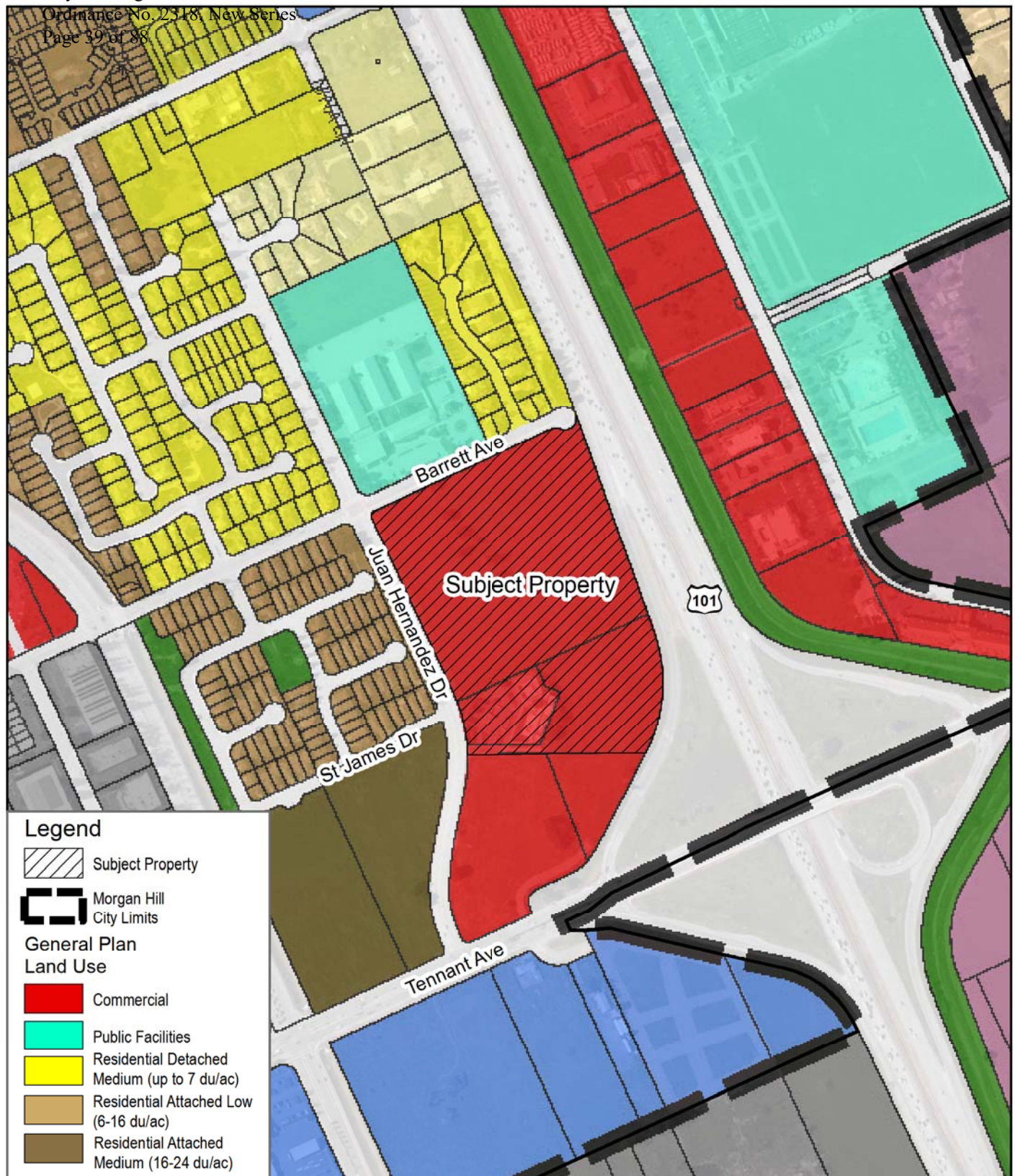
Figure 4

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City of Morgan Hill

Ordinance No. 2318, New Series  
Page 39 of 88



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



City of Morgan Hill

Ordinance No. 2318, New Series

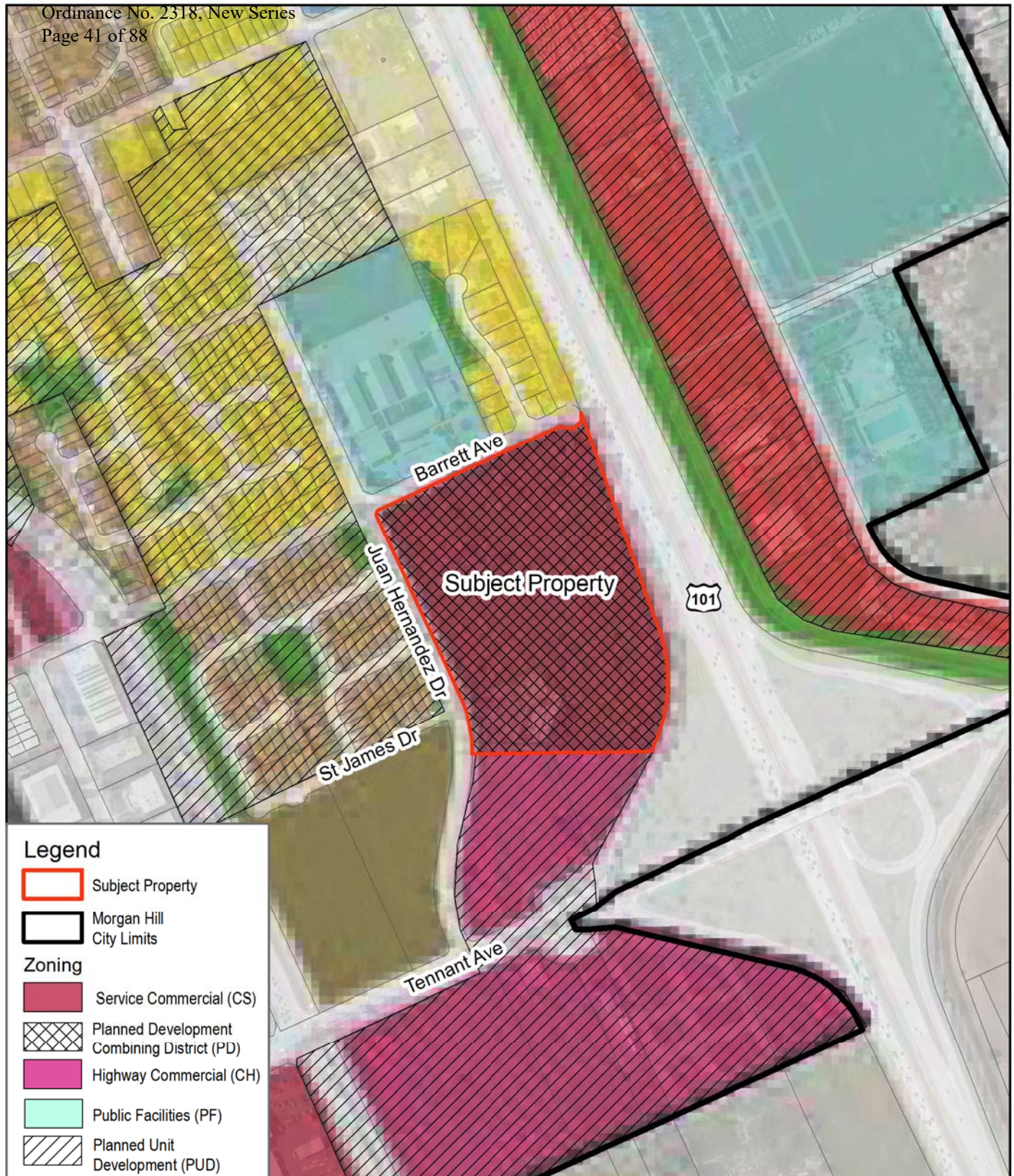
Page 40 of 88

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City of Morgan Hill

Ordinance No. 2318, New Series  
Page 41 of 88



0 300 feet

Source: ESRI 2019, Santa Clara County 2017

Figure 6

## Existing City Zoning Map

Lillian Commons/Morgan Hill Medical Campus



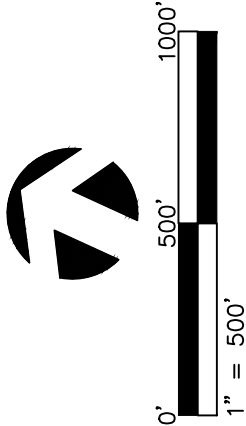
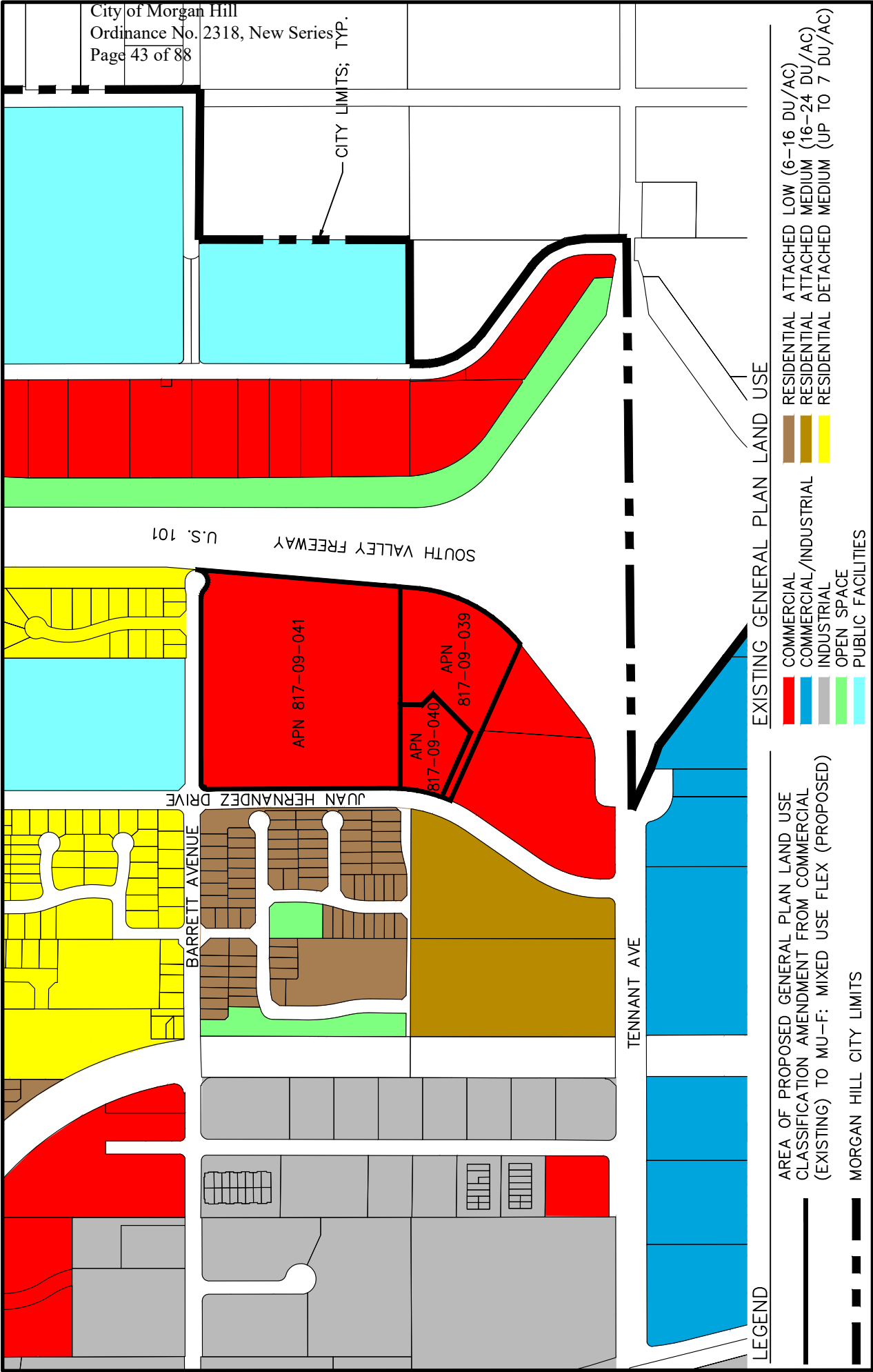
City of Morgan Hill

Ordinance No. 2318, New Series

Page 42 of 88

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

PREPARED BY:  
WHITSON ENGINEERS  
6 HARRIS COURT  
MONTEREY, CA 93940  
(831) 649-5225

OCTOBER 17, 2019

City of Morgan Hill

Ordinance No. 2318, New Series

Page 44 of 88

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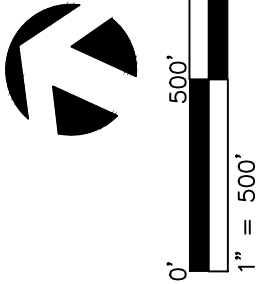
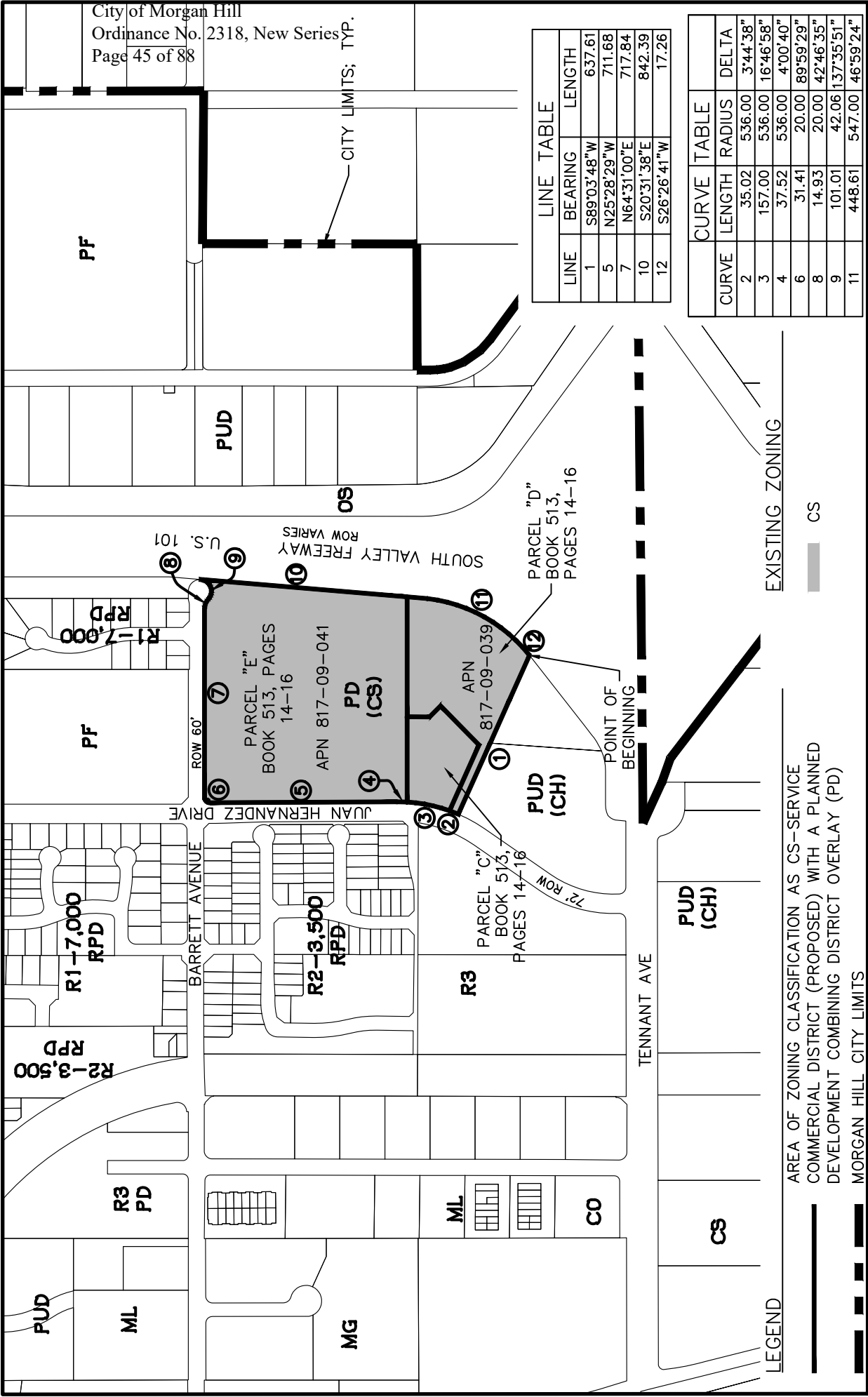


FIGURE 8 - MAP SHOWING  
ZONING LANDS OF  
0 JUAN HERNANDEZ DRIVE,  
MORGAN HILL, BEING A PART  
OF ORDINANCE No. \_\_\_\_\_,  
NEW SERIES

PREPARED BY:  
WHITSON ENGINEERS  
6 HARRIS COURT  
MONTEREY, CA 93940  
(831) 649-5225

OCTOBER 17, 2019

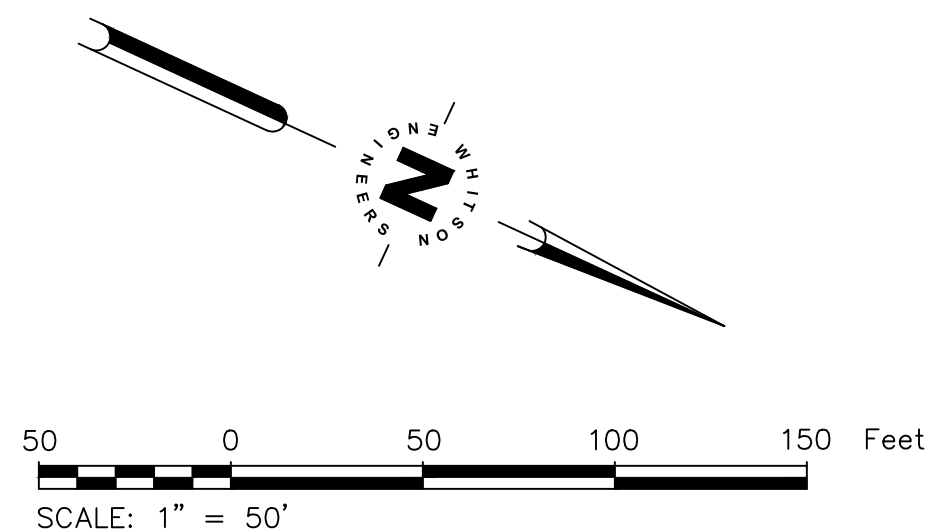
City of Morgan Hill

Ordinance No. 2318, New Series

Page 46 of 88

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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



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

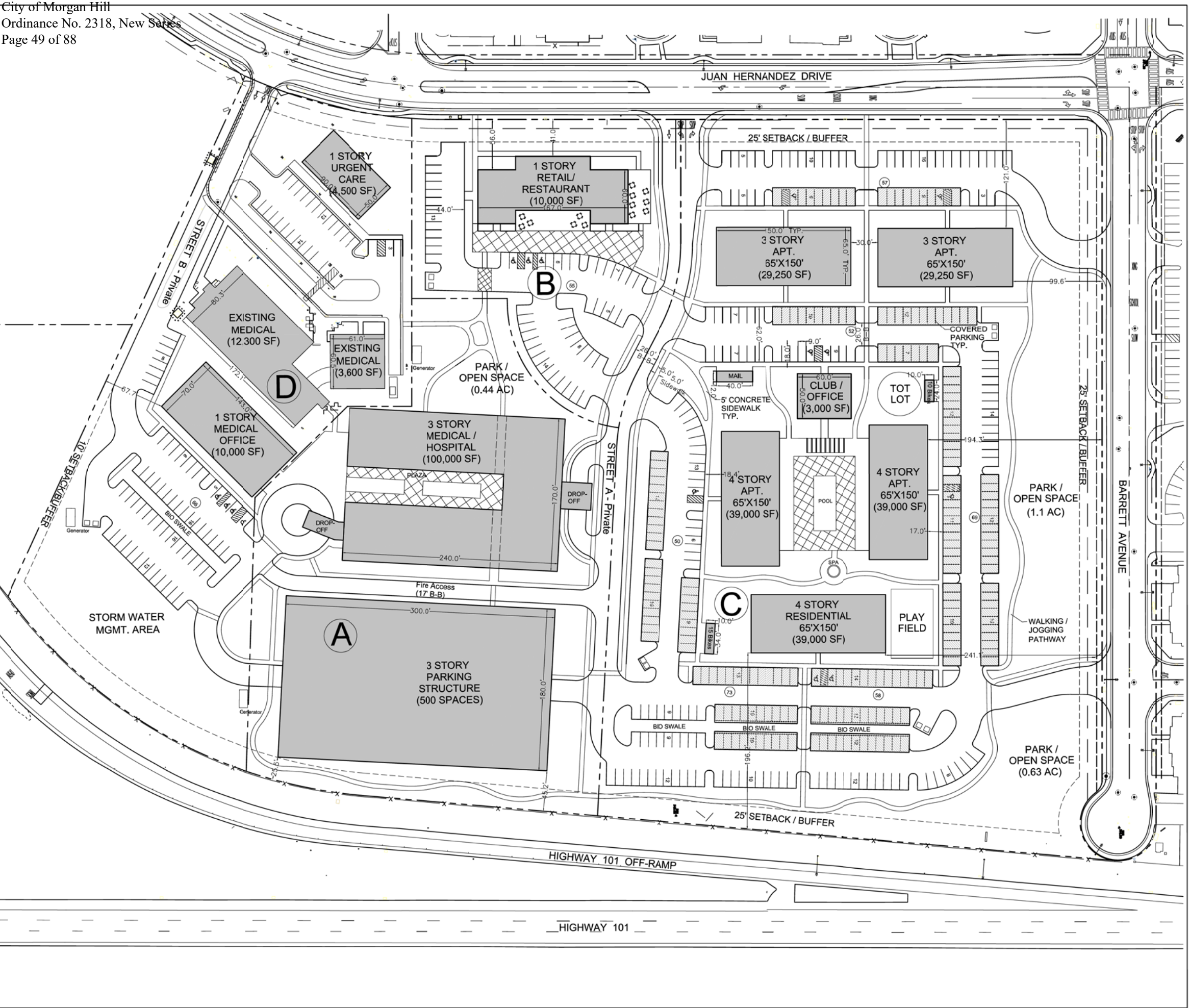


City of Morgan Hill

Ordinance No. 2318, New Series

Page 48 of 88

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**Lillian Commons /  
Morgan Hill  
Medical Campus**

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

--- Site Boundary  
(Whitson Engineering)

Structures on Site

Parking Carports

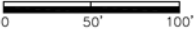


Figure 10  
SITE PLAN

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](http://www.emcplanning.com)

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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  
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

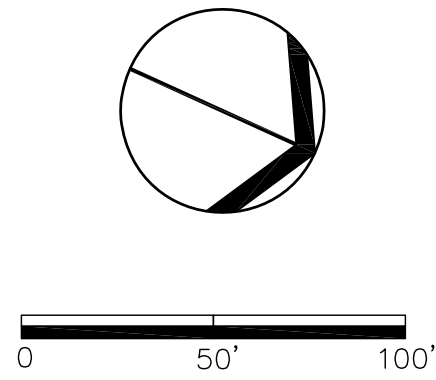
**EMC PLANNING GROUP INC.**  
A LAND USE PLANNING & DESIGN FIRM  
Monterey, CA 831.649.1799 www.emcplanning.com





# 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](http://www.emcplanning.com)

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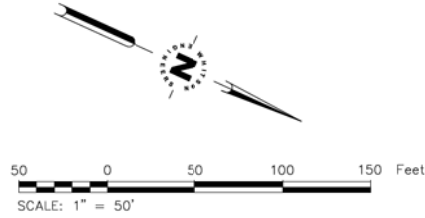


PROJECT DATA

Ordinance No. 2218, New Series

Page 56 of 88

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'

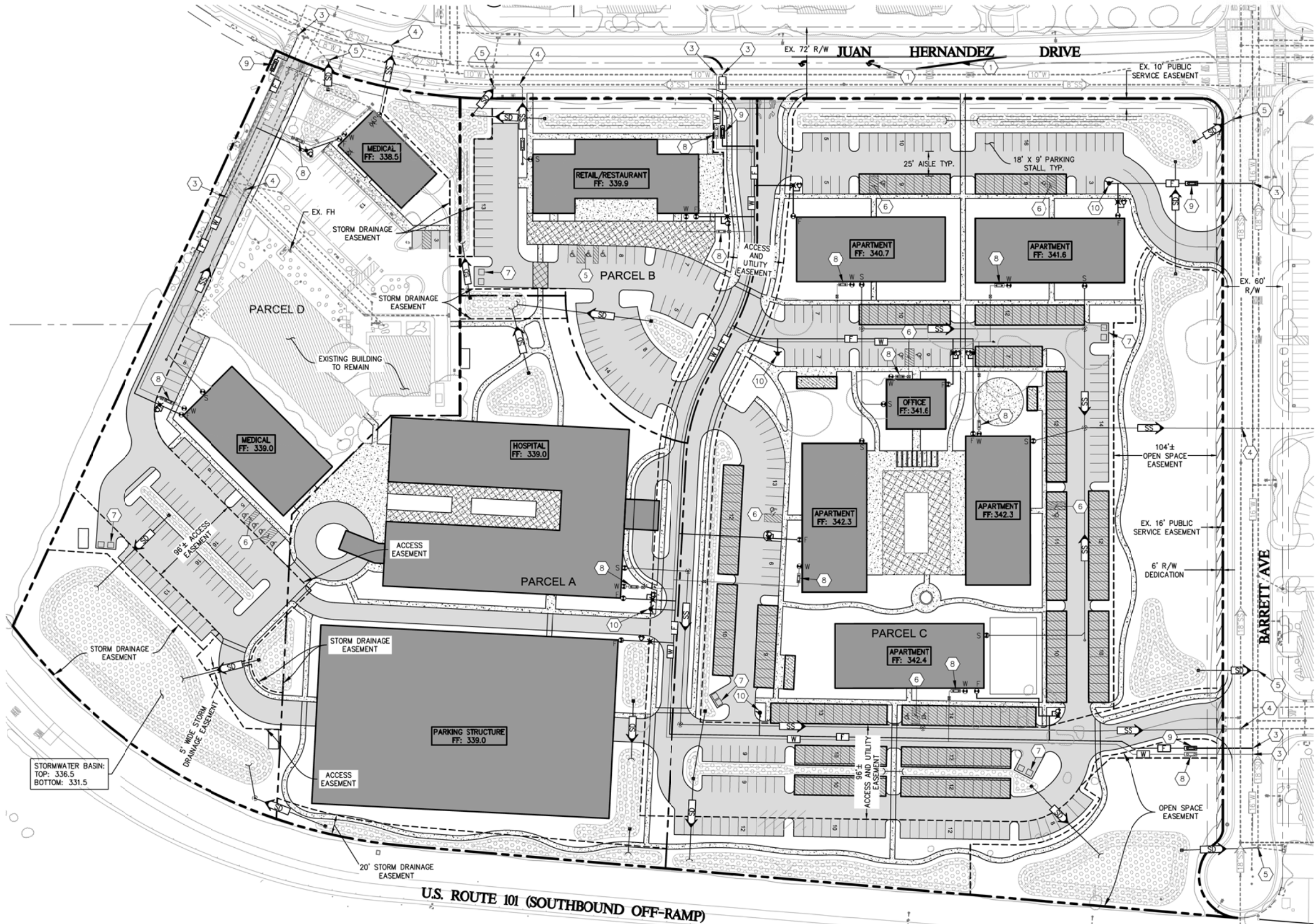


CONSTRUCTION KEYNOTES:

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
  - STORMWATER BIORETENTION OR BIOSWALE
  - PROPOSED CARPORT/SHADE STRUCTURE
  - RIGHT OF WAY DEDICATION
  - PROPERTY LINE (EXISTING)
  - PROPOSED PROPERTY LINE
  - SEWER BUILDING POINT OF CONNECTION
  - WATER BUILDING POINT OF CONNECTION
  - FIRE BUILDING POINT OF CONNECTION
  - FIRE DEPARTMENT CONNECTION AND POST INDICATOR VALVE
  - UTILITY MANHOLE
  - CLEANOUT



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

**Whitson**  
ENGINEERS

NOT VALID  
WITHOUT  
SIGNATURE

SUBMITTAL / REVISION

LILLIAN COMMONS / MORGAN HILL  
MEDICAL CAMPUS - A MIXED USE DEVELOPMENT

Morgan Hill, California

CONCEPTUAL SITE AND UTILITY PLAN

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

SCALE: 1"=50'  
DRAWN: GK  
JOB No.: 2690.01  
SHEET  
**C2.0**

NOT FOR CONSTRUCTION

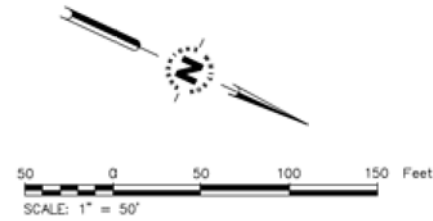
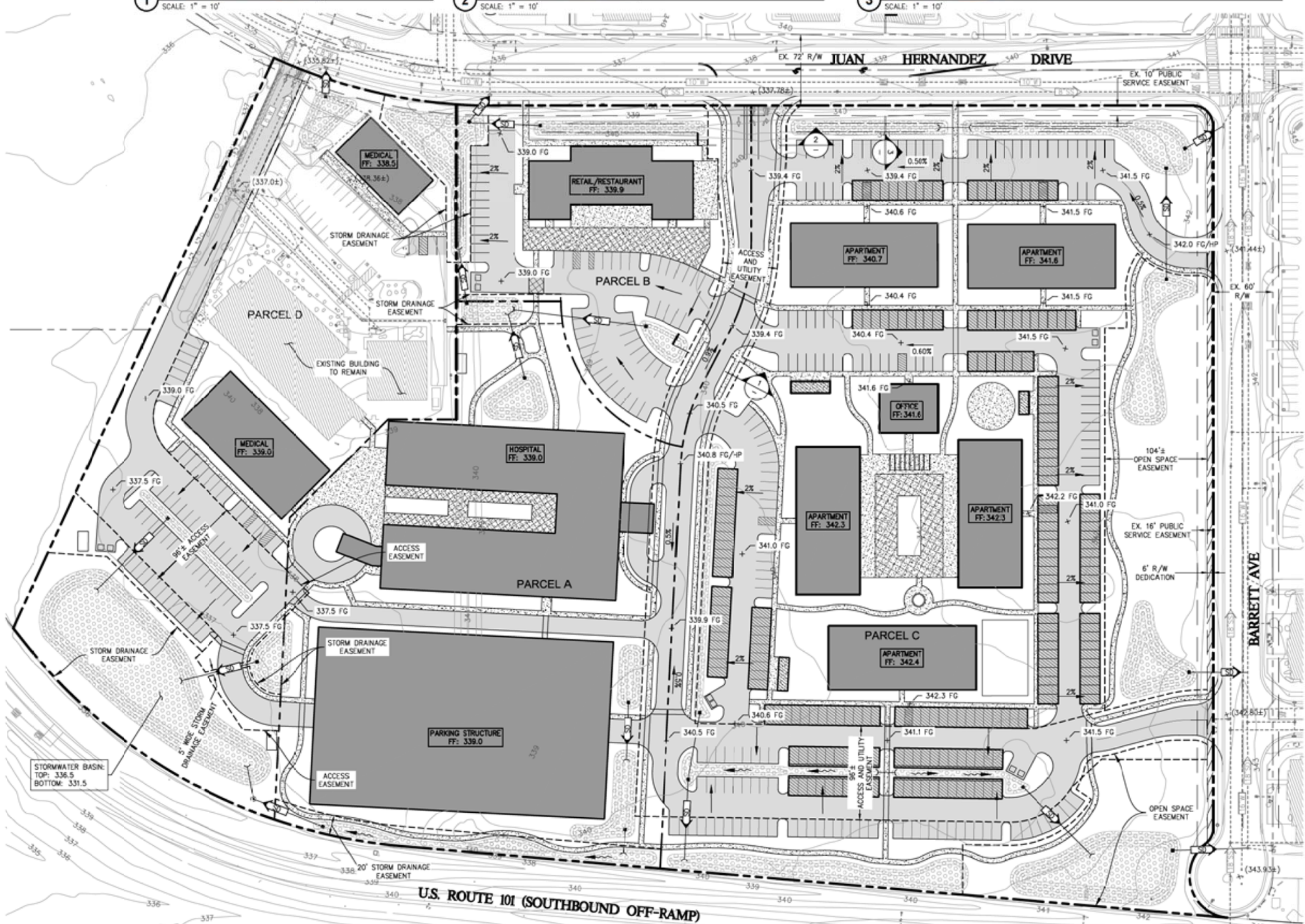
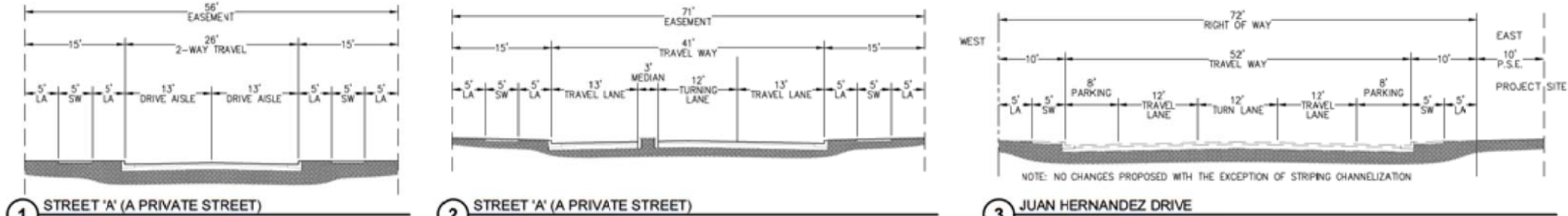
Figure 13

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CIPROLOG DATA  
Ordinance No. 2318, New Series  
Page 58 of 68

ESTIMATED PRELIMINARY EARTHWORK:  
FILL: 430,000 CY  
NET BALANCE



Civil Engineering  
Land Surveying  
4 Hours Credit  
Morgan Hill, California  
301 East 20th  
Whitson Engineers

NOT VALID  
WITHOUT  
SIGNATURE

SUBMITAL / REVISION

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**

NOT FOR CONSTRUCTION

Figure 14

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City of Morgan Hill  
Ordinance No. 2318, New Series  
Page 60 of 88



3 RETAIL/ RESTAURANT



1 HOSPITAL

Figure 15

**evoco**  
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

**A-8.2**

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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 1-1 Parcel C PD Master Plan Allowed and Conditional Uses

Use	Planned Development (PD)
Hospitals	P
Medical Offices and Clinics	P
Mixed Use Residential	P

**Table 1-2 Parcels A, B, and D PD Master Plan Allowed and Conditional Uses\***

Use	Planned Development (PD)
Banks and Financial Institutions	P
Business Support Services	P
<b>College and Trade Schools</b>	<b>C</b>
Convenience Market	C
Commercial Recreation, Indoor <15,000 square feet	P
<b>Community Assembly</b>	<b>C</b>
Cultural Institutions	P
Day Care Center	C
Drive-Through and Drive-in Facilities	C

Use	Planned Development (PD)
<b>Emergency Shelters</b>	<b>C</b>
<b>Farmers Markets</b>	<b>C</b>
General Retail	P
<b>Hospitals</b>	<b>P</b>
Hotel and Motels	C
Instructional Services	P
Medical Offices and Clinics	P
<b>Parking Lots and Structures</b>	<b>P</b>
<b>Parks and Recreational Facilities</b>	<b>P</b>
Personal Services	P
Professional Offices	P
<b>Residential Care Facilities</b>	<b>C</b>
<b>Residential Care Facilities, Small</b>	<b>C</b>
Restaurant- Fast Food, Sit Down	C
<b>School, Public and Private</b>	<b>C</b>
Social Services	C
Accessory Uses	(per Section 18.44)
Temporary Uses	(per Section 18.92.150)

- **Non-medical uses must be in conjunction with a Hospital or other medical uses.**

## 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, <b>0</b> , 0, 15 feet (respectively)
Maximum height (exceptions 18.56.020)	Residential/Office – <b>3 stories or 35 feet</b> Hospital – <b>4 stories or 55 feet</b>
Floor Area Ratio	<b>0.5 w/ Mixed Use Flex (MU-F)</b>
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 <b>2 bedroom unit – 1 covered and 1 uncovered per unit</b>
Guest Parking	1 per 3 units ( <b>shared with Medical Office use</b> )
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.

City of Morgan Hill

Ordinance No. 2318, New Series

Page 66 of 88

**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
<b>Floor Area Ratio</b>	0.5 w/ Mixed Use Flex (MU-F)
Minimum Setbacks (front, rear, interior side, street side)	<b>5 or N/A, 5 or N/A, 0 [1] or 3, 5 feet (respectively)</b>
Maximum Height	3 stories or <b>35 feet</b> [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) Guest Parking	Per Section 18.72 [3] <b>2 spaces - 1 covered space for each housing unit</b> <b>1 per housing unit [4] (shared with Medical Office use)</b>

## 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<sup>5</sup>, 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.

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<sup>5</sup> All references to apartments instead refer to townhomes and single-family detached dwellings as revised by the new site plan revised on October 6, 2020.

## 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
<b>Residential Neighborhoods-GOAL CNF-10 A</b> variety of housing types and densities available to all residents.	<b>Consistent:</b> 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. <sup>6</sup>
<b>Policy CNF-10.3</b> 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 150 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.
<b>Policy CNF-10.6</b> Density Near Infrastructure. Encourage higher residential densities at locations where convenient access and adequate infrastructure is readily available.	<b>Consistent:</b> 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.
<b>New Subdivisions-GOAL CNF-11</b> High quality, aesthetically pleasing, livable, sustainable, well-planned residential neighborhoods, well-connected to neighborhood services.	<b>Consistent:</b> 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.

<sup>6</sup> All references to apartments instead refer to townhomes and single-family detached dwellings as revised by the new site plan revised on October 6, 2020.



<p><b>Policy CNF-11.5</b> Outside Connections. Require new subdivisions to provide multiple connections to the surrounding community.</p> <p>Methods to achieve this may include:</p> <ul style="list-style-type: none"><li>▪ Providing multiple points of entry into the project for motorists, bicyclists and pedestrians.</li><li>▪ 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.</li><li>▪ Installing landscaping and street improvements at the edge of subdivisions that appear as common amenities shared with adjacent neighborhoods.</li></ul>	<p><b>Consistent:</b> 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</p>
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General Plan City and Neighborhood Form Goals and Policies	Consistency Analysis
<ul style="list-style-type: none"> <li>Minimizing the use of gates, fences, and walls that separate the subdivision from the surrounding community.</li> <li>Planning for future connections to adjacent undeveloped property.</li> </ul>	<p>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.</p>
<p><b>Policy CNF-11.10</b> 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.</p>	<p>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.</p>
<p><b>Policy CNF-12.1</b> 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.</p>	<p><b>Consistent:</b> 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.</p>
<p><b>Policy CNF-12.4</b> Neighborhood Center Requirements. Require future neighborhood centers to meet the following requirements:</p> <ul style="list-style-type: none"> <li>The design of neighborhood centers should provide a sense of place, promote casual interaction, and enhance overall well-being.</li> <li>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.</li> </ul>	<p><b>Consistent:</b> 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 area 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.</p>

General Plan City and Neighborhood Form Goals and Policies	Consistency Analysis
<p><b>Mixed Use Flex-GOAL CNF-13</b> Mixed use flex developments that include a variety of uses and forms to foster a dynamic urban environment.</p> <p><b>Policy CNF-13.1</b> 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.</p>	<p><b>Consistent:</b> 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.</p>
<p><b>Commercial and Office- GOAL CNF-15</b> Sufficient, sustainable, and concentrated commercial and office uses.</p> <p><b>Policy CNF-15.3</b> Retail Uses at Major Intersections. Encourage retail sales use at major intersections as the focus of clustered commercial development.</p>	<p><b>Consistent:</b> The PD Master Plan provides for clustered commercial, medical, and retail uses near a major intersection at the south side of Morgan Hill.</p>
<p><b>Policy CNF-15.5</b> Office Development. Encourage new regional and local-serving office development at appropriate locations.</p>	<p><b>Consistent:</b> The PD Master Plan allows for medical offices / hospital uses to create a campus of medical offices to serve the community and region.</p>
<p><b>Commercial / Industrial-GOAL CNF-18</b> Integrated job-generating centers that offer workers and businesses a range of services to meet their daily needs.</p> <p><b>Policy CNF-18.1</b> 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.</p>	<p><b>Consistent:</b> 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.</p>

## Housing

**Table 4 General Plan 2035 - Housing Goals and Policies**

General Plan Housing Goals and Policies	Consistency Analysis
<p><b>Goal HE-4</b> 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.</p>	<p><b>Consistent:</b> 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.</p>
<p><b>Policy HE-4u:</b> Mix of Housing Near Services. Encourage a mix of housing types in each neighborhood located convenient to shopping, services, recreation, and transit routes.</p>	<p>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.</p>

## Economic Development

**Table 5 General Plan 2035 - Economic Development Goals and Policies**

General Plan Economic Development Goals and Policies	Consistency Analysis
<p><b>Policy ED-7.4</b> 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:</p> <ul style="list-style-type: none"> <li>a. Health services and fitness facilities.</li> <li>b. Childcare.</li> <li>c. Housing, including affordable and senior housing.</li> <li>d. Religious facilities.</li> <li>e. Education/training facilities.</li> <li>f. Parks/community facilities/public gathering places.</li> </ul>	<p><b>Consistent:</b> 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.</p>
<p><b>GOAL ED-8</b> Office and industrial areas that provide high-quality work locations for existing and new businesses.</p> <p><b>Policy ED-8.1</b> 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.</p>	<p><b>Consistent:</b> 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.</p>

## Healthy Community

**Table 6 General Plan 2035 - Healthy Community Goals and Policies**

General Plan Healthy Community Goals and Policies	Consistency Analysis
<p><b>Parks, Recreation, and Trails- GOAL HC-3</b> 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.</p>	<p><b>Consistent:</b> 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.</p>
<p><b>Policy HC-3.8</b> Private Open Space. Encourage new development to permit public access to private open space and parks where feasible and appropriate.</p>	<p><b>Consistent:</b> The PD Master Plan identifies open space areas that will be available to residents and patrons of the medical and retail facilities.</p>

General Plan Healthy Community Goals and Policies	Consistency Analysis
<p><b>Access to Health Care- GOAL HC-7</b> Access for all residents to health care facilities and other important community health amenities.</p> <p><b>Policy HC-7.2</b> Professional Education. Encourage increased education and professional development resources to support students and employees in the health care field.</p>	<p><b>Consistent:</b> 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.</p>

## Transportation

**Table 7 General Plan 2035- Transportation Goals and Policies**

General Plan Transportation Goals and Policies	Consistency Analysis
<p><b>GOAL TR-3</b> A coordinated, continuous network of streets and roads.</p> <p><b>Policy TR-3.16</b> 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.</p>	<p><b>Consistent:</b> The property is not accessed directly from an arterial. Tennant Avenue and Butterfield Boulevard are the nearest arterials to the property. The property is accessed from Juan Hernandez Drive and Barrett Avenue, which connect to these arterials.</p>
<p><b>Policy TR-3.17</b> 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.</p>	<p><b>Consistent:</b> 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.</p>
<p><b>Parking-GOAL TR-5</b> Adequate off-street parking.</p> <p><b>Policy TE-5.1</b> Adequate Parking Supply. Ensure that all developments provide adequate and convenient parking...</p>	<p><b>Consistent:</b> 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.</p> <p>Parking is conveniently located within walking distance to the various uses, and can be easily facilitated through a shared parking arrangement.</p>

<p><b>Policy TR-5.3</b> 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.</p>	<p><b>Consistent:</b> As shown in the PD Master Plan conceptual Site Plan, parking lots are cross-connected where practical.</p>
<p><b>Bikeways-GOAL TR-8</b> A useable and comprehensive bikeway system that safely connects neighborhoods with workplaces and community destinations.</p> <p><b>Policy TR-8.12</b> 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 workplaces based on the recommendations and standards in the Bikeways Master Plan.</p>	<p><b>Consistent:</b> 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.</p>
<p><b>Pedestrian Network- GOAL TR-9</b> Expanded pedestrian opportunities.</p> <p><b>Policy TR9.7</b> Concurrent Implementation. Where feasible, implement the trails and pedestrian system concurrent with adjacent developments.</p>	<p><b>Consistent:</b> 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.</p>
<p><b>Policy TR 10.3 and TR-10.4</b> 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.</p>	<p><b>Consistent:</b> 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.</p>

## 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
<p>Water Quality and Conservation - GOAL NRE-7 Conservation of water resources.</p> <p><b>Policy NRE-7.1</b> 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.</p>	<p><b>Consistent:</b> 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.</p>

<b>Policy NRE-7.3</b> Water Efficiency and Landscaping. Promote water conservation and efficient water use in all public and private landscaping plans.	<b>Consistent:</b> Drought tolerant and area-suitable landscape materials will be utilized on the development project to promote water conservation.
<b>Energy Efficiency-GOAL NRE-16</b> Conservation of energy resources.  <b>Policy NRE-16.1</b> Energy Standards for New Development. New development, including public buildings, should be designed to exceed State standards for the use of energy.	<b>Consistent:</b> New development will be designed consistent with energy standards that meet and exceed the City and State standards for use of energy.
<b>Policy NRE-16.7</b> Renewable Energy. Encourage new and existing development to incorporate renewable energy generating features, like solar panels and solar hot water heaters.	<b>Consistent:</b> 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
<p><b>Noise GOAL SSI-8</b> Prevention of noise from interfering with human activities or causing health problems.</p> <p>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:</p> <ul style="list-style-type: none"> <li>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.</li> <li>Indoor noise levels should not exceed an Ldn of 45 dBA in new residential housing units.</li> </ul>	<p><b>Consistent:</b> 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.</p>



<ul style="list-style-type: none"> <li>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.</li> </ul>	
<p><b>Policy SSI-8.4</b> 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).</p>	<p><b>Consistent:</b> 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.</p>
<p><b>Policy SSI-8.9</b> 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.</p>	<p><b>Consistent:</b> 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.</p>

City of Morgan Hill

Ordinance No. 2318, New Series

Page 77 of 88

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## 8.0

# 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<sup>7</sup> 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.***

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<sup>7</sup> All references to apartments instead refer to townhomes and single-family detached dwellings as revised by the new site plan revised on October 6, 2020.

City of Morgan Hill

Ordinance No. 2318, New Series

Page 80 of 88

*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

City of Morgan Hill  
Ordinance No. 2318, New Series  
Page 82 of 88

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.*

City of Morgan Hill  
Ordinance No. 2318, New Series  
Page 84 of 88

### **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 150 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.

## 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

City of Morgan Hill

Ordinance No. 2318, New Series

Page 88 of 88

- 13) Along a tangent reverse circular curve, concave northwest, with a radius 42.06 feet, through a central angle  $137^{\circ} 35' 51''$ , an arc length 101.01 feet; thence
- 14) South  $20^{\circ} 31' 38''$  East, 842.39 feet; thence
- 15) Along a non-tangent circular curve, concave west, the center of which bears South  $69^{\circ} 29' 06''$  West, with a radius 547.00 feet, through a central angle  $46^{\circ} 59' 24''$ , an arc length 448.61 feet; thence
- 16) South  $26^{\circ} 26' 41''$  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.