

**MIXED USE PROJECT**  
**COCHRANE ROAD AND HIGHWAY 101**  
**A DINAPOLI, BROWMAN, GUGLIELMO DEVELOPMENT**

**PD GUIDELINES**

**MORGAN HILL, CA**

**December \_\_, 2021**

Location

Cochrane Commons is located at the northeast quadrant of the Cochrane Road overpass at Highway 101.

Introduction and Intent

The intent of this narrative is to describe the architectural theme and site development plans which will guide the future development of this site relative to architectural compatibility, site design, landscape features, and signage concepts. These development standards are designed to provide flexibility to allow creative freedom and diversity, which is necessary for maintaining and attracting national retail tenants and future residents to the Cochrane Commons mixed use project. This document outlines the guidelines under which all businesses and residents can synergistically coexist in a competitive market and in close proximity to Cochrane Commons Shopping Center. Except as otherwise modified and amended herein the existing and approved PUD shall remain in full force and effect, including without limitation the permitted and conditionally permitted uses as well as the original site plan.

Development Guideline Format

These PD guidelines are organized as follows:

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

**SECTION 1: ALLOWABLE USES**

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

Permitted Uses:

- Small, medium and big box Retail, (including, but not limited to General Retail, Convenience Markets, Home Improvement Centers, Grocery stores, Liquor Stores, Drug Stores, and/or Large Commodity Retail)
- Residential Land Uses (approximately 8-24 dwelling units per acre), rentals or for sale (including, but not limited to, Duplexes, Triplexes, Group Housing, Live/Work Units, Mixed Use Residential, Multi-Family Dwellings, Single-Family Dwellings, Single-Family Attached Dwellings, and/or Single Family Detached Dwellings)
- Lodging Facilities
- Nursing Homes, Long-Term Care, Residential Care Facilities, and/or Residential Care Facilities, Small
- Day Care Centers and/or Home Day Care
- Colleges and Trade Schools, Community Assembly, Cultural Institutions, Instructional Services, Schools
- Eating and Drinking Uses (including, but not limited to, Restaurants, Fast Food Restaurants, Sit-Down, quick service, fast casual, café, market hall, cafeteria style, drive in and full service)
- Up to five (5) Drive-Through Facilities. Drive-Through Facilities in addition to those permitted above, shall be permitted within the shopping center with the approval of a conditional use permit.
- Commercial Recreation (including indoor health clubs and group fitness facilities), Cinemas and Theaters, Parks and Recreational Facilities, Bars and Nightclubs, Tasting Rooms, Plant Nurseries, Breweries, Beer Gardens
- Pop-up shops, food trucks and/or temporary food kiosks (day or night)
- Farmers Market
- Animal Boarding
- Professional Offices, Medical Offices and Clinics, Banks and Financial Institutions, Veterinarian Clinics and Hospitals, Government Offices, Service Commercial Uses, Business Support Services, and/or co-working spaces
- Personal Services, Social Services, and/or Public Safety Facilities
- Fuel and Service Stations, Vehicle Rentals, Vehicle Sales and Leasing, Vehicle Washing
- Parking Lots and Structures
- Recycling Facilities
- Light Fleet-Based Services
- Vehicle Repair and Maintenance, Minor (such as a tire shop, oil changer, car audio shop, or other similar auto oriented uses)
- Wireless Communication Facilities
- Urban Agriculture
- Wholesaling
- Warehousing, storage, and distribution, curbside and in store pick-up services, return and delivery services, Ecommerce Fulfillment Services
- as part of a retail or other allowable use;

- Any other use that is supportive of Retail
- Any other use listed as a permitted use in the original Project PUD approvals, in the GC, General Commercial District in the Morgan Hill Municipal Code, or Mixed Use Flex designation in the General Plan

Conditional:

- Any Drive-Through and Drive-In Facilities that is proposed beyond the five (5) that are permitted above shall require a conditional use permit.
- A maximum of one (1) of each: Fuel and Service Stations, Vehicle Washing, and Convenience Markets, unless such use is a part of a Retail tenant located or to be located in the Shopping Center in which case more than one of each of the foregoing shall be permitted.
- Mini-Storage
- Vehicle Repair and Maintenance, Major
- Except as permitted above, Warehousing and Distribution

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

1. The mixed use site development plan consists of multiple retail areas and residential areas, with vehicular roadways bisecting the site N/S from Cochrane Road at De Paul Drive and E/W from Mission View Drive.
2. Building setbacks along Cochrane Road shall be an average of 25 ft; along Mission View an average of 10 feet,(with all setback distances measured from the property line); however, encroachments into the setback area are permissible to accommodate the architectural and functional needs of the development as long as the overall average is maintained. Building setbacks along rear or side yard property lines adjacent to property not a part of the PD shall be an average of 10’. For all property within the Project that is subject to the PD there shall be no minimum building setback requirements required between buildings or other improvements, uses, or properties within the Project boundaries.
3. The First PD site plan, and the Site Plan and elevations submitted with the PD Application (\_\_\_\_\_) shall not require further review or approval. A Site Plan inconsistent with those contained in the First PD or this application or otherwise inconsistent with the intent of this section or elevations inconsistent with the elevations provided with this PD application or as otherwise described herein shall require Staff Review for substantial conformance or otherwise Design Review for the elements that diverge from the design theme submitted.

**SECTION 3: LANDSCAPE AND LIGHTING CONCEPTS AND GUIDELINES**

Landscape

4. Project landscaping shall be substantially consistent with the Project Landscape Plan submitted as part of the Amended PD. All street trees and trees planted within the front setback areas shall be a minimum 15 gallon size. Except as permitted under the approved PD Amendment or

otherwise shown on approved Project landscape drawings, and except for landscaping adjacent to buildings, all landscape areas shall comply with city code.

5. The general characteristics of the plant palette for the Project shall be a combination of year-round color and textural interest. Plants shall be selected on the basis of color combinations complementary to the existing architectural theme, growing patterns, low maintenance and water conservation characteristics.
6. An average 20 foot wide landscape strip (excluding sections of hardscape elements such as driveways or sidewalks) shall be provided along Cochrane road, and an average 10 foot wide landscape strip (excluding sections of hardscape elements such as driveways or sidewalks) shall be provided along Mission View Drive. Encroachments into all landscape setbacks shall be permissible to accommodate the architectural and functional needs of the development as long as the remaining landscaped areas maintains the overall average or a substantial portion of the landscape strip equals or exceeds 10 foot requirement. Acceptable mitigation for such encroachments shall include, without limitation: additional landscape planting, an earthen berm, or screen walls. Berms shall be an average height of 3 feet with a minimum height of 1.5 feet, and shall undulate where possible to be aesthetically pleasing. Except as provided herein, the design of the landscaping strip referred to above shall substantially conform to the Landscape Plan submitted as part of the PD Master Plan.
7. Canopy-providing trees shall be planted in the parking lot planter islands to produce shade.
8. The main project entrance at DePaul Drive shall be well landscaped and serve as a focal point, and may include attractive landscape walls, project signage, and other features.
9. Shrubs or vine planting shall be provided to screen utilities and trash enclosures.
10. The main parking field and/or any parking structure shall be screened from view of public streets by use of berming and/or bushes of a minimum of 3 feet effective height (18 months after planting), as measured from the top of the nearest street curb.
11. Where possible, landscaping shall be used to soften the appearance of fences and walls and front elevations of large scale retail buildings which lack fenestration or other architectural detailing.
12. All service areas fronting on public streets shall be screened by landscaping, berms, screens, and/or walls, substantially consistent with the colors and materials shown in the 'colors and materials pallet' packet on file in the Development Services Center.
13. Special paving or materials such as integral color concrete or asphalt, pavers, and/or scored concrete paving shall be provided at key on-site intersections. Pedestrian walkways shall be provided connecting groupings of retail structures to other retail areas, mixed use areas, and/or residential areas, and to parking areas. Walkways which cross traffic lanes shall have special markings such as integral colored concrete, scored or raised concrete, colored paving, special striping, and/or paving stones.

#### Lighting

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

15. The design of the exterior retail building lighting shall be compatible with the existing architectural style of the project. The design of the exterior residential and/or mixed use building lighting shall be complementary with the existing architectural style of the project, and/or provide an architectural transition to the adjacent residential projects.
16. The main parking lot lighting fixtures shall be consistent throughout the project, provided, however the mixed use and/or residential portions of the project shall complement the other portions of the project and will help identify neighborhoods within the project. The maximum pole height (including the base) shall be 33 feet except that lighting poles along Mission View project edge and the Cochrane Road project edge shall be limited to a maximum height (excluding the base) of 15 feet. Further conditions regarding residentially zoned properties are imposed under guideline #18 below.
17. All lighting shall be shielded and directed in such a manner so as not to directly cast light on neighboring residentially zoned properties outside the Project. The Applicant shall pay special attention to ensure that there is no unacceptable spillage of light outside the applicable boundaries of the project. Prior to issuance of site construction permits, Applicant shall provide a photometric plan evidencing conformance of the lighting plan to these guidelines.

#### **SECTION 4: PARKING AND LOADING/CIRCULATION**

18. The main parking field shall be screened from public view on Cochrane Road primarily through constructed buildings, the use of berming and/or hedge row plantings, shrubs, trees or any combination thereof, in a manner substantially consistent with the project Landscape Plan.
19. 90 degree parking, angled parking, compact parking, RV parking, parallel parking, one-way drive aisles, and roundabouts shall be permitted.
20. Parking areas shall be designed to include provision for pedestrian walkways for access to building entrances. Walkways which cross traffic lanes shall have special markings such as integral color concrete, scored or raised concrete, colored paving, special striping and/or paving stones. Walkway strips shall be intermittently provided through landscaped areas to protect landscaping from foot traffic damage.
21. In order to facilitate on-site traffic flow and vehicle and pedestrian safety, parking stalls shall not be located directly adjacent to the front of a retail anchor tenant occupying a ground floor area that is 100,000 square feet or larger (i.e. Major 1 (Target) as shown on the PD Master Plan).
22. Reciprocal access and shared parking between properties shall be permitted and used, whenever possible, and for purposes of calculating parking ratios residential portions of the project shall be allowed to share parking stalls from the retail portion of the project in meeting the guest stall parking requirements. Given the benefits of the walkable and mixed use nature of the project the Residential portion of the Project shall be permitted to receive an overall reduction in its parking requirements by up to 15% off the total parking required for the residential portion of the Project.
23. Cross access easements shall be provided throughout the project.
24. Shared access easements and driveways shall be provided.
25. Drive aisles shall allow for circulation within the project, with sufficient width for emergency vehicles.
26. Provisions for connecting driveways and walkways between adjacent properties within the project are encouraged.

27. Emergency vehicle access shall be provided throughout the project.
28. Loading areas and docks shall be screened from view along Mission View Drive by landscaping or a screening structure. Screen walls or other screening structures shall be architecturally treated, and may be constructed with metal, concrete, concrete block, wood or a combination thereof (see attached exhibit for an example of acceptable screening). Alternatively, screening along the northern property may be compromised of dense evergreen plantings, or other similar screenings.
29. All truck deliveries between the hours of 10pm to 6am shall enter and exit through the DePaul Drive project driveway (main vehicular entry from Cochrane Road).
30. Parking required for the development shall meet the requirements set forth in this PD Amendment. The project shall benefit from and received credit for shared parking throughout the project and among a mix of uses.

## **SECTION 5: ARCHITECTURAL CONCEPTS AND GUIDELINES**

31. The architectural concept shall create a campus of mixed use residential and commercial structures which vary in character, massing, materials, and colors but remaining complementary to the existing theme of the PD Master Plan. Each structure shall be complementary to the existing architectural theme or most directly adjacent structure, but may maintain its own uniqueness prioritizing thoughtful transitions from differing styles within the project and the context of the neighborhood. Building facades may contain design features and variances in scale to create interest in character. The design of entertainment uses may be enhanced by featured elements which may include some or all of the following: neon, tower, marquee, theater lights and statement lobby glazing. The development shall include tower and/or entry features, bold cornices, and varying facades, and a variety of materials, colors and storefronts. Awnings, light sconces, site lighting, and/or street furniture shall be situated at appropriate locations as determined by Applicant to enhance the pedestrian and/or human scale feel of the project.
32. No building shall exceed 68 feet in height to the top of the parapet except that tower and accent features of buildings may exceed such height limitations as long as (i) the scale and design of such features are complementary to the existing architectural design of the project; (ii) such exceptions affects no more than 25% of the applicable building; (iii) such features shall not exceed 75 feet at the highest point. Notwithstanding the above, no building sharing a frontage with Mission View shall exceed 3 stories in height, excluding roof decks or other outdoor space which in this case shall not be included in the total number of building stories.
33. Rooflines may be flat and/or provide variation in height, cascading rooflines, or a combination of the above, which shall be complementary to the existing architectural theme established for the development.
34. Large, continuous structures shall incorporate breaks in horizontal planes by varying architectural features and designs and recessing windows and entrances, to provide substance and scale.
35. Windows shall be enhanced by use of various sizes and shapes, and highlighted by the use of accent trim (e.g. molding, pop-out or wood trim). The design shall be complementary to the architectural style of the project.
36. Architectural treatment shall be applied to the front façade of all building elevations complementary to the building elevations dated \_\_\_\_\_ on file at the Community Development

Department; complementary architectural treatment shall also be applied to other areas of any building clearly visible from any public street.

37. Building design shall be compatible with the immediate adjacent building and provide harmonious transition between various uses.
38. Gutters and downspouts shall be made of quality materials and treated to blend into the façade to which it is attached, unless as a design element, in which case the color shall be consistent with the color schemes of the building.
39. No mechanical equipment shall be exposed on the wall surface of any building.
40. All roof-mounted mechanical equipment or ductwork which project vertically above the roof or parapet shall be screened consistently with the building design.
41. Any outdoor storage of goods, materials or equipment (e.g. garden center, lumber yard) shall be located within an enclosed area. The fencing and/or screening enclosing such area shall be complementary to the existing architectural theme of the PD Master Plan and designed in a manner complementary to the building design and site layout. Chain link fencing with wood inserts is not an acceptable manner of screening.
42. Fences and walls shall be designed to be compatible with the surrounding landscape and architectural style of the PD.
43. Trash enclosures shall be constructed of solid material, and shall be a minimum of six feet in height, with solid view obstructing gates. Reasonable efforts shall be made to screen trash enclosures or locate them in inconspicuous locations.

## **SECTION 6: SIGN DESIGN GUIDELINES**

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

## **SECTION 7: UTILITIES AND APPURTENANT USES / DEVICES**

47. Easements for the installation and maintenance of utilities, walkways, roads, shared driveways, parking and drainage facilities shall be recorded as part of any subdivision map or lot line adjustment.
48. Detention ponds and/or bioswales may be located within any setback area or outside a setback area.
49. Utility equipment may be located with landscaped or setback areas provided they are located as far from the street frontage as feasibly possible, and adequately screened and/or landscaped to limit the visibility of such equipment.
50. Uses within the PD that utilize shopping carts shall provide indoor or outdoor screened storage of the carts and shall provide for architecturally treated collection areas throughout the parking lots.
51. Vending machines, bike and/or scooter racks, rideshare pick up areas, solar panel installations, newspaper racks, coin operated devices, electric vehicle parking and/or charging stations or other similar devices may be placed on the exterior and/or walkway and/or parking lot or garage adjacent to proposed buildings, provided the area in which the device is located is neat, attractive, attractive or otherwise architecturally treated or landscaped. Once installed, such devices and locations shall be maintained in a high quality manner.