

RESOLUTION NO. 16-\_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL TO AMEND THE ZONING FROM D R-3 TO D-R-2/PD AND ADOPT A PRECISE DEVELOPMENT PLAN FOR A PROJECT CONSISTING OF EIGHT TOWNHOUSE UNITS, TWO SINGLE FAMILY ATTACHED UNITS, THREE SINGLE FAMILY DETACHED UNITS AND THE RETENTION OF AN EXISTING SINGLE FAMILY HOME ON A 1.41 ACRE SITE. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBER(S) 767-08-035, 036, 037, 038 ARE LOCATED ON THE NORTH SIDE OF WEST DUNNE AVENUE APPROXIMATELY 115 FEET WEST OF MONTEREY ROAD.**

**WHEREAS**, such request was considered by the Planning Commission at its regular meeting of March 8 and September 2016, at which time the Planning Commission recommended approval of zoning amendment application, ZA-13-07: W. Dunne-Gera; and

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

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

**SECTION 1.** The proposed zoning amendment is consistent with the Zoning Ordinance and the General Plan.

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

**SECTION 3.** The Planning Commission of the City of Morgan Hill hereby finds that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis, and that the Mitigated Negative Declaration was adopted prior to action taken to adopt the Resolution. The custodian of the documents or other material which constitute the record shall be the Community Development Department.

**SECTION 4.** The Planning Commission finds that the proposed PD Overlay District is consistent with the criteria specified in Chapter 18.30 of the Morgan Hill Municipal Code and the PD Overlay District provisions contained in the Downtown Specific Plan.

**SECTION 5.** The Planning Commission hereby recommends approval of a precise

development plan as contained in that certain series of revised documents date stamped September 9, 2016, on file at the Community Development Department, entitled "Henken Oak" prepared by D&Z Design Associates. These documents show the location and sizes of all lots in this development and the location and dimensions of all proposed buildings, vehicle and pedestrian circulation ways, recreational amenities, parking areas, landscape areas and any other purposeful uses of the project.

**SECTION 6.** The Planning Commission hereby recommends amendment to the official zoning map of the City of Morgan Hill as shown in the map attached hereto and made a part of this resolution, a zoning map entitled "Exhibit A – Map Showing Rezoning Lands of “Henken Development LLC”.

**SECTION 7.** The boundary of the PD designation is shown on the attached Exhibit A.

**SECTION 8.** The Planning Commission hereby recommends approval of a zoning amendment to establish a PD Overlay Zoning District for the 14 unit residential project based on the following findings:

- a. The project creates furthers the concept of a Downtown village through intensifying residential density but also preserves the small scale residential feel.
- b. The project helps preserve water quality, biological habitat and reduced flooding by providing a 50 buffer along West Little Llagas Creek; and
- c. The project strengthens Downtown’s identity and scale with new design that relates to the existing downtown character; and
- d. The project is preserving two locally significant historic structures and heritage size oaks.

**SECTION 9.** With the exception of the variations approved as part of the PD Overlay Zoning and precise development plan, the project shall comply with the site development standards of the underlying D R-2 Zoning District.

**PASSED AND ADOPTED THIS 27th DAY OF SEPTEMBER 2016, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:**

**AYES:**           **COMMISSIONERS:**  
**NOES:**          **COMMISSIONERS:**  
**ABSTAIN:**      **COMMISSIONERS:**  
**ABSENT:**       **COMMISSIONERS:**

**ATTEST:**

**APPROVED:**

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**JENNA LUNA, Deputy City Clerk**

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**WAYNE TANDA, Chair**

**Supplement Agenda Item #3**  
**Zoning Amendment Resolution**



