



# City of Morgan Hill

## Legislation Details (With Text)

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**Title:** RECEIVE REPORT FOR SCHOOL USE ON THE PROPERTY LOCATED ON THE EAST SIDE OF JUAN HERNANDEZ DRIVE, SOUTH OF BARRETT AVENUE (APNS 817-09-039, 040, AND 141) WITHIN THE SERVICE COMMERCIAL-PLANNED DEVELOPMENT (CS-PD) ZONING DISTRICT

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Plannig Commission Staff Report, 2. Letter to City of Morgan Hill (Gina Paolini) re Use Determination (10485275xD701E) (1) (1) (1) (1) (1) (1).pdf, 3. Voices Project Description - Juan Hernandez Drive (10485278xD701E) (1) (1).pdf, 4. 14 Supplement 1.pdf, 5. 14 Supplement 2.pdf

Date	Ver.	Action By	Action	Result
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## CITY COUNCIL STAFF REPORT

### MEETING DATE: DECEMBER 14, 2016

PREPARED BY: Gina Paolini, Principal Planner/Community Development  
 APPROVED BY: City Manager

### RECEIVE REPORT FOR SCHOOL USE ON THE PROPERTY LOCATED ON THE EAST SIDE OF JUAN HERNANDEZ DRIVE, SOUTH OF BARRETT AVENUE (APNS 817-09-039, 040, AND 141) WITHIN THE SERVICE COMMERCIAL-PLANNED DEVELOPMENT (CS-PD) ZONING DISTRICT

#### RECOMMENDATION(S)

1. Receive report on Planning Commission's determination on the establishment of a school use at a site located at Juan Hernandez Drive; and
2. Direct staff to prepare an amendment to the Planned Development Ordinance for future City Council consideration.

#### COUNCIL PRIORITIES, GOALS & STRATEGIES:

##### Ongoing Priorities

Supporting youth

##### 2016 Focus Areas

Planning Our Community

Developing Our Community

**REPORT NARRATIVE:**

**Site Description**

The Health Trust site is located on the east side of Juan Hernandez Drive, south of Barrett Avenue. Surrounding land uses include residential to the west, Barrett Elementary School to the north, and office use to the south.

**Project Description**

The Health Trust and Voices College-Bound Academy requested determination as to whether a school could locate on 3 acres of a larger 18 acre site located within the Service Commercial-Planned Development (CS-PD) zoning district. The project would require site acquisition, project design, planning entitlement processing, including environmental review; therefore, policy direction was requested on whether a Conditional Use Permit would be required or rezoning of the property. A letter from The Health Trust and project description from the Voices College-Bound Academy have been provided.

**Planning Commission Discussion**

When deliberating, the Planning Commission considered the City Council's prior action and the surrounding uses, in addition to the zone district requirements.

City Council Ordinance No. 2022, adopted on December 7, 2011, amended the zoning of the site from Campus Industrial (MC) to Service Commercial (CS) with a Planned Development Overlay for the 18 acre site. The rezoning of the site required the following:

1. A Development Plan to be prepared for the overall approximate 20-acre area;
2. A Development Plan to address the transition from the adjacent school and residential uses to the proposed commercial development; and
3. All uses proposed as part of the Planned Development shall be reviewed and approved at the discretion of the City Council.

The Planning Commission recommended that due to the proximity to Barrett Elementary and surrounding uses, it would be appropriate to process a Conditional Use Permit for the school use. Although the Health Trust and Voices had not determined the exact 3-acre school site, it was recommended that the site be located to the north side of the property, close to Barrett Elementary. Although Ordinance No. 2022 requires a Development Plan for the overall site, the Planning Commission recommended that the overall plan would be required for the second user or development to move forward on the site. It was recommended that a Development Plan be submitted for the 3-acre school project, which would include a Conditional Use Permit.

**COMMUNITY ENGAGEMENT:      Involve**

As part of the Planning Commission hearing, the applicant, property owner, and Morgan Hill Community were invited to engage with the Planning Commission on the establishing of a school at the proposed site.

**ALTERNATIVE ACTIONS:**

N/A

**PRIOR CITY COUNCIL AND COMMISSION ACTIONS:**

The City Council adopted Ordinance No. 2022 on December 7, 2011, amending the site zoning from Campus Industrial (MC) to Service Commercial (CS).

On November 22, 2016, the Planning Commission reviewed the requested Use Determination and recommended that a Development Plan be submitted for the 3-acre school project, with a Conditional Use Permit.

**FISCAL AND RESOURCE IMPACT:**

The City administers land use entitlement processes on a cost-recovery basis with fees collected from applicants to cover the cost of services. These fees will be collected upon submittal of a land use entitlement for the project site.

**CEQA (California Environmental Quality Act):**

Not a Project

This is not a project subject to CEQA. A land use entitlement is not being requested with the use determination request.

**LINKS/ATTACHMENTS:**

1. Planning Commission Staff Report- November 22, 2016
2. Health Trust Letter
3. Voices Project Description