



City of Morgan Hill

Legislation Text

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PLANNING COMMISSION STAFF REPORT

MEETING DATE: NOVEMBER 22, 2016

PREPARED BY: Gina Paolini, Principal Planner/Community Development Department
APPROVED BY: Leslie Little, Asst. City Manager/Community Development Department

USE DETERMINATION FOR SCHOOL USE WITHIN THE SERVICE COMMERCIAL - PLANNED DEVELOPMENT (CS-PD) ZONING DISTRICT

RECOMMENDATION(S):

Provide direction on the establishing of a school use on the subject site.

PROJECT SUMMARY:

Health Trust/Voices College-Bound Academy Request

The Health Trust and Voices College-Bound Academy are requesting Planning Commission determination as to whether a school use could locate on 3 acres of a larger 18 acre site located within the Service Commercial-Planned Development (CS-PD) zoning district. The property 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.

Voices College-Bound Academy proposes to construct a public, tuition free elementary charter school at the site that would initially serve approximately 250 students in grades TK-4. The school would eventually serve 505 students in grades TK-8. At full enrollment there would be approximately 52 staff members and 10-15 parent volunteers. Because this project would require site acquisition, project design, planning entitlement processing, including environmental review, prior to submitting an application, staff is requesting policy direction from the Planning Commission whether a school use could be established at the Juan Hernandez site with a Conditional Use Permit or whether rezoning of the site would be necessary. A letter from The Health Trust and project description from the Voices College-Bound Academy have been provided (Attachments 1 and 2).

Background

City Council Ordinance No. 2022 was adopted on December 7, 2011, which 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 shall be prepared for the overall approximate 20-acre area;
2. A Development Plan shall 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 ordinance has been attached for reference (Attachment 3).

Zoning and General Plan Analysis

The CS zoning district is intended to create and maintain areas accommodating citywide and regional 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. All permitted and conditionally allowed uses within the General Commercial (CG) zoning district are conditionally allowed within the CS zoning district, including day care centers and nursery schools.

A school use may be allowed in accordance with Section 18.32.030.M of the Morgan Hill Zoning Code, provided that the Planning Commission finds the use to be similar in nature to permitted uses and conditional uses specified within the CS zoning district. The Planning Commission could approve the school use for the site with a Conditional Use Permit.

Alternatively, if the Planning Commission does not believe the use is similar in nature to other uses that are permitted or conditionally allowed within the CS or CG zoning districts, a 3-acre portion of the site could be rezoned to Public Facilities, which would allow the proposed school use with the issuance of a Conditional Use Permit. To do this, the General Plan would need to be amended to Public Facilities for land use consistency. Another alternative is for the PD zoning to be amended to either allow for public and/or private school use by right or with a Conditional Use Permit.

The General Plan Land Use designation of the site is Commercial. Policies have been developed within the Morgan Hill 2035 General Plan to ensure the City collaborates to efficiently coordinate schools, housing development, and recreation facilities to share resources and plan for future growth. The policies also support safe, convenient opportunities for residents to reach these amenities on foot or by bicycle. Although the site has a Commercial land use designation, the proposed school site location is conveniently located to housing developments and other community resources and is consistent with the school related goals and policies in the Healthy Community Element of the Morgan Hill 2035 General Plan.

The Morgan Hill Unified School District supports the future school facility at the subject site for the Voices College-Bound Academy.

Staff supports a determination by the Planning Commission that the proposed school use in the subject CS-PD zoning district could be processed through a Conditional Use Permit.