

**First Amendment/
Final Environmental Impact Report**

**Condit – Evergreen
General Plan Amendment
and Rezoning Project**

**GPA-13-01/ZA-14-16
State Clearinghouse #2014062078**



November 2014

PREFACE

This document, together with the Draft Environmental Impact Report (DEIR), constitutes the Final Environmental Impact Report (FEIR) for the Condit-Evergreen General Plan Amendment and Rezoning Project. The DEIR was circulated to affected public agencies and interested parties for a 45-day review period from August 26, 2014 to October 9, 2014. This volume consists of comments received by the Lead Agency on the DEIR during the public review period, responses to those comments, and revisions to the text of the DEIR, where necessary.

In conformance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the FEIR provides objective information regarding the environmental consequences of the proposed project. The FEIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The FEIR is intended to be used by the City and any Responsible Agencies in making decisions regarding the project. The CEQA Guidelines advise that, while the information in the FEIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the DEIR by making written findings for each of those significant effects.

According to the State Public Resources Code (Section 21081), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

- (a) The public agency makes one or more of the following findings with respect to each significant effect:
 - (1) Changes or alterations have been required in, or incorporated into, the project which will mitigate or avoid the significant effect on the environment.
 - (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities of highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
- (b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

This FEIR contains written responses to all comments made on the DEIR received during the advertised 45-day review period. Copies of this FEIR have been supplied to all persons and agencies that submitted comments.

Table of Contents

PREFACEi

1.0 LIST OF AGENCIES AND ORGANIZATIONS TO WHOM THE DEIR WAS SENT 1

2.0 LIST OF COMMENT LETTERS RECEIVED ON THE DEIR..... 3

3.0 RESPONSES TO COMMENTS RECEIVED ON THE DEIR4

4.0 REVISIONS TO THE TEXT OF THE DEIR..... 12

5.0 COPIES OF THE COMMENT LETTERS RECEIVED ON THE DEIR..... 31

1.0 LIST OF AGENCIES AND ORGANIZATIONS TO WHOM THE DEIR WAS SENT

The following is a list of agencies, businesses, community organizations, and individuals who received a copy of the Condit – Evergreen General Plan Amendment and Rezoning Project DEIR.

National Agencies

United States Fish and Wildlife Service – Endangered Species

State Agencies

California Natural Resources Conservation Service State Office

Regional Agencies

Association of Bay Area Governments

County of Santa Clara Department of Environmental Health

County of Santa Clara Division of Agriculture

Metropolitan Transportation Commission

Santa Clara County Roads and Airports – Planning Division

Santa Clara Valley Water District – Community Projects Review

City Agencies

City of Gilroy Planning Department

City of San Jose Planning Department

City of Morgan Hill Public Library

City of Morgan Hill Chamber of Commerce

Community Organizations

Committee for Green Foothills

Greenbelt Alliance

Northern California Carpenters Regional Council

Businesses

Recology South Valley

Pacific Gas and Electric

Thrive! Morgan Hill

Individuals

Joseph & Cardozo

Gordon Jacoby

Patrick Scheufler

Mike Muller

Eric Carruthers

Jim Sergi

726 25 030 1960 The Alameda

The following is a list of businesses, community organizations, and individuals who received a Notice of Availability for the Condit – Evergreen General Plan Amendment and Rezoning Project DEIR.

Community Organizations

Advent Lutheran Church of Morgan Hill

Businesses

PM & Sons Inc.

China Bay Company Inc.

JJS/G Ltd

Ryder falcon point LLC

Individuals

Donald Ensich

Mary Terras

Peter & Anne Peretto

Scott & Linda Zimmer

Russell Hansen

2.0 LIST OF COMMENT LETTERS RECEIVED ON THE DEIR

Shown below is a list of agencies, organizations, and individuals who commented on the DEIR. The table below also identifies the dates of the letters received. Comments that raise questions regarding the adequacy of the EIR or analyses in the EIR require substantive responses. Comments that contain only opinions regarding the proposed project do not require substantive responses in the FEIR. Complete copies of all the letters received are included in Section 5.0 of this FEIR.

Regional Agencies

- | | | |
|----|--|-----------------|
| A. | County of Santa Clara Department of Environmental Health | August 29, 2014 |
| B. | Santa Clara Valley Water District | October 9, 2010 |
| C. | Santa Clara Valley Transportation Authority | October 9, 2014 |

3.0 RESPONSES TO COMMENTS RECEIVED ON THE DEIR

The following section includes all the comments on the DEIR that were received by the City in letters and e-mails during the 45-day review period. The comments are organized under headings containing the source of the letter and the date submitted. The specific comments from each of the letters or emails are presented as “Comment” with each response to that specific comment directly following. Each of the letters and emails submitted to the City of Morgan Hill are attached in their entirety (with any enclosed materials) in Section 5.0 of this document.

A. RESPONSE TO COMMENTS FROM THE COUNTY OF SANTA CLARA DEPARTMENT OF ENVIRONMENTAL HEALTH, AUGUST 29, 2014

Comment A-1: I have reviewed the hazardous materials portion of the EIR posted on your website. You do have mitigation measures listed for the septic system and elevated lead in soil. The lead concentrations listed were significant and we concur with the plan to remove impacted soil.

Response A-1: This comment confirms the DEIR analysis of soil conditions at the site, and the approach taken to address hazardous materials related to the septic system and lead in soils.

Comment A-2: Due to potential unknown conditions, such as condition under soil piles, we recommend a Soil Management Plan be prepared and implemented during site grading activities.

Response A-2: The properties of native soils on the project site have been well established. Soil samples were taken from 14 areas of the site in 2010, prior to placement of soil stockpiles on the site. Five samples were collected from areas adjacent to building foundations, one sample was taken from an area near the former water well, and seven samples were taken from former agricultural/orchard areas including two soil samples in the area where soil stockpiles have been observed on-site in 2014. As described on page 137 of the DEIR, the site does not appear to have been significantly impacted by past agricultural activities. Organochlorine pesticide concentrations at the site do not exceed their respective California Human Health Screening Levels (CHHSLs) for residential use, and lead, arsenic, and mercury concentrations at the site are typical of natural background concentrations.

The project is a Land Use designation change and does not include any specific development project. Mitigation measures HAZ-2 and HAZ-3 require that at the time a specific development project is proposed, soil sampling be completed for the soil stockpiles on-site to determine whether contaminants are present. If the soil stockpiles do contain contaminants, then a Soil Management Plan will be required, as suggested. As described in the EIR, soils will be over-excavated and appropriately disposed of in accordance with State and local policies. A text revision has been added to MM HAZ-2 as shown in Section 4.0 of this FEIR, to include a Soil Management Plan.

B. RESPONSE TO COMMENTS FROM THE VALLEY TRANSPORTATION AUTHORITY, OCTOBER 9, 2014

Comment B-1: Santa Clara Valley Transportation Authority (VTA) staff have reviewed the DEIR for up to 381 residential units at the northeast corner of San Pedro Avenue and Condit Road. We have the following comments.

Freeway Analysis and Mitigation Measures

The TIA and DEIR find a Significant and Unavoidable impact according to CMP criteria on SB US 101 from Burnett Avenue (lane drop) to Cochrane Road in the PM peak period. The DEIR notes that, "The VTA has identified plans to widen US 101 to four lanes through the extension of the southbound and northbound HOV lanes from north of Cochrane Road, south through Morgan Hill to Gilroy. This includes removal of the lane drop on the impacted freeway segment and carrying the HOV lane south. The future improvements will remove the current merge and poor operating conditions, however, there is currently no program in place to fund the improvement envisioned by VTA." (DEIR, pg. 45)

VTA disagrees with the final statement that there is "no program in place to fund the improvement." VTA notes that certain Cities in Santa Clara County have included commitments to provide voluntary contributions to regional transportation improvements as mitigation measures in CEQA documents. In addition, VTA notes these voluntary contributions will be executed via ad hoc funding agreements between the City and VTA, triggered when the project applies for a building permit or other approval milestones. VTA requests that the City include a mitigation measure in the DEIR for the project to commit to voluntary contributions to regional transportation improvements in VTP 2040/Plan Bay Area on the impacted freeway or parallel corridors, such as the US 101 Express Lanes Project.

Response B-1: Under CEQA Guidelines Section 15126.4(4)(A) and (B), there must be an essential nexus (i.e. both a connection and rough proportionality) between a mitigation measure and a project impact. Mitigation measures must be feasible, fully enforceable, and it must be reasonably foreseeable that a mitigation measure will directly resolve an identified impact within a timeframe that is relevant to the project (thus creating a nexus). Under CEQA Guidelines Section 15364, 'feasible' is defined as 'capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, legal, social, and technological factors.'

For the City to require a contribution by the project to the VTA, there would need to be documentation in the record showing that the contribution would go directly to solving the congestion issues at the impacted US 101 segment, within a timeframe that is meaningful to the future specific development project. Neither the timing of the future specific project nor the freeway widening project are currently known. The planned freeway widening is not within the jurisdiction and control of the City, rather the improvement would happen under the jurisdiction of Caltrans and the VTA. Currently, there are no formal funding agreements or other mechanisms between the City and the aforementioned transportation agencies that would guarantee that the project's payment of impact fees would result in widening of the

impacted US 101 segment within the same general timeframe as project implementation. There is no nexus study that has been completed to determine fair-share contributions to the highway widening planned on US 101 in southern Santa Clara County. Additionally, freeway widening projects can take years to be approved due to the complexities of funding, completion of required studies, property acquisition, etc. To the City's knowledge, the planned freeway widening has not yet completed necessary CEQA environmental review, therefore, Caltrans and the VTA are not yet able to commit to its implementation, as opposed to only conducting planning and feasibility studies, which are exempt under CEQA. For these reasons, until such time as the freeway improvement has undergone environmental review and a fair share funding program exists, a payment of fees by the future specific development project would not satisfy the requirements of CEQA related to mitigation, i.e. the City could not make a finding that the project's impact to the identified freeway segment had in fact been reduced to a less than significant level.

The EIR accurately states that there is currently no formal, adopted impact fee program in place to help fund widening of US 101 in southern Santa Clara County. The ad hoc voluntary agreements mentioned in the comment reached in other jurisdictions do not constitute a formal program the City could rely upon in making findings under CEQA Guidelines Section 15091 for purposes of the current subject project. The City cannot, therefore, at the present time definitively conclude that a contribution by the project proponent (whether imposed or voluntary) to the VTA would resolve the identified project impact on southbound US 101 from Burnett Avenue to Cochrane Road in the PM peak period, within a timeframe that is relevant to the project. The City will reconsider this situation at the time a specific development is proposed on the site. The future specific project proponent, in the absence of a formal fair share program compliant with CEQA, could consider making a voluntary contribution to the VTA, however, this is not legally enforceable by the City, would not guarantee any physical improvement to the US 101 segment affected by the project, and cannot, therefore, currently be written into the DEIR as a mitigation measure.

Comment B-2: Transportation Demand Management/Trip Reduction

The project is not located in a transit-rich area, with no transit service available within one mile of the project site. Given the project's location, the City should work with the applicant to identify effective Transportation Demand Management measures to reduce auto trips and greenhouse gas emissions associated with the project, such as public-private partnerships or developer contributions to provide improved transit service in the area (for example, shuttles to Caltrain or VTA Express Bus stops).

Response B-2: As described in Section 2.5.2.2 of the DEIR, the project will result in less than significant greenhouse gas emission impacts. To encourage the use of transit including Caltrain, the City of Morgan Hill will condition the project to include feasible TDM measures when specific development is proposed for the project site. TDM measures could include shuttles to Caltrain or VTA Express bus stops, a contribution to support expansion of VTA service to serve the project site, etc.

Comment B-3: Pedestrian and Bicycle Accommodations and Site Design

Given the project's location away from existing transit services, site design elements that encourage walking and bicycling will be important in the project's overall strategy to reduce automobile trips. VTA recommends that the project provide wide sidewalks with a buffer strip between pedestrians and automobiles with landscaping elements such as closely planted trees, shrubs, or light posts. Resources on pedestrian quality of service, such as the Highway Capacity Manual 2010 Pedestrian Level of Service methodology, indicate that such accommodations (which are sometimes called a 'continuous barrier') improve pedestrian perceptions of comfort and safety on a roadway.

In addition, VTA recommends that the project's site design be optimized to encourage walking and bicycling for daily tasks. VTA encourages the provision of a well-connected street network to minimize distances for pedestrian and bicycle trips to and from the site.

Response B-3: The City has policies in place to enhance pedestrian accommodations and design. Per the City Municipal Code, Section 12.02.090, future development on the site will include sidewalks along its frontage to improve pedestrian access to adjacent land uses, including sidewalks along the project site frontages of Condit Road and Murphy Avenue. As described on page 26 of the DEIR, Murphy Avenue is planned as a 2-lane multi-modal arterial. Per the requirements of the City's *Architectural Review Handbook*, a minimum five-foot wide planted parkway should be provided on arterial streets between the street and sidewalk. The parkway should be planted with shade trees to provide a pleasant pedestrian environment and contribute to streetscape continuity. Additionally, street trees should be planted in the landscaped area between the sidewalk and any adjacent wall or fence

A Development Agreement is anticipated between the City and the project proponent which will require future development on the site to include street improvements along San Pedro Avenue. The *Architectural Review Handbook* for Multi-Family Residential Development stipulates that screening should minimize views of parking lots while allowing public and police surveillance for safety.

Based on the City 2008 Bikeways Master Plan Update, Class II bike lanes are proposed for Condit Road and Murphy Avenue for future implementation. Per Section 18.78.250(3) of the City's Municipal Code, projects are required to provide a minimum of one quarter mile of Class II bike lane improvements per ten dwelling units. When a future specific development project is proposed for the site, bike lanes will be designed in accordance with City requirements.

Details pertaining to pedestrian and bicycle facilities on-site and along existing roadways in the project area will be determined when a specific development project is proposed for the site. Pedestrian and bicycle facilities will be designed and provided in accordance with City requirements and policies, which will ensure adequate accommodation and design for connectivity.

C. RESPONSE TO COMMENTS FROM THE SANTA CLARA VALLEY WATER DISTRICT, OCTOBER 10, 2014

Comment C-1: The Santa Clara Valley Water District (District) has reviewed the Environmental Impact Report (EIR) for the subject project. Our concerns related to increases in runoff to downstream receiving streams, as outlined in our letter (see attached) responding to the Notice of Preparation, were not addressed in the EIR.

Response C-1: The letter prepared by the SCVWD was received by the City and was included in the DEIR as part of Appendix A. Responses to the issues raised in the NOP comment letter are provided below.

Comment C-2: The City's storm detention guidelines do not address increases in storm runoff up to a 100-year event.

Response C-2: This comment is correct. As described in Section 2.10.2.2 *Drainage and Flooding Impacts*, on page 132 of the DEIR, the City of Morgan Hill has a land development drainage standard that requires new development to minimally detain water from a 25-year storm with 25 percent freeboard.

Comment C-3: The District utilizes the 100-year event for design of its channel improvements in part to be consistent with the Federal Emergency Management Agency use of the 100-year flood event for flood hazard mapping. Increases in runoff, without mitigation, may cause increased flooding downstream and increased erosion in downstream channels during more frequent events. The District reiterates our recommendation to include mitigation for increased runoff for varying flood events up to a 100-year event.

Response C-3: As described in Section 2.10.1.1 under *Flooding*, on page 126 of the DEIR, the project site is designated as Zone D by the Federal Emergency Management Agency (FEMA) which is an area of undetermined, but possible, flood hazards. A 2009 FEMA map designated properties to the north and west of the site as Zone X which is defined as areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood." It is likely that much of the project site would be designated as Zone X if the FIRM were updated to include the project site.

As described on page 126 of the DEIR, the site is located within the Madrone Channel drainage area. Section 2.10.2.2 *Flooding and Drainage Impacts*, on page 131 of the DEIR, recognizes that under existing conditions the site is almost entirely pervious, and development of the site would add impervious surfaces which would increase stormwater runoff from the site.

The proposed project is a program-level GPA and rezoning, and does not include specific project-level design plans. Information pertaining to volumes of runoff from site development and its impacts to the drainage system, including the District's Madrone

Channel, cannot yet be determined. In the absence of project-level information, the program-level DEIR defers to City policies to address environmental issues. As described in the DEIR, the City has several policies in place that will address concerns expressed by the District when project-level development is proposed for the site, including the following:

Flood Control Policy 4b - Prohibit development in floodways and regulate in floodplains to minimize flood damage and be consistent with the federal flood insurance program and Santa Clara Valley Water District regulations. (SCJAP 15.05)

Flood Control Policy 4h - Areas which are developed or planned for development should be protected by the construction of flood control facilities. Development should be managed through advanced planning and design standards to minimize off-site flooding and drainage problems. (SCJAP 12.00)

Flood Control Policy 4k - Require developers whose proposed projects would induce downstream flooding to provide mitigation to eliminate the flood-inducing impacts of their projects. (SCJAP 12.03)

Flood Control Policy 4o - Require all local development to provide appropriate mitigation of off-site flooding impacts, including limiting runoff to pre-development levels and/or complete solutions to flooding and local drainage problems in the vicinity of the development, using such methods as detention or retention. (SCJAP 12.08)

Flood Control Policy 4p - Require careful consideration of the cumulative effects of development which would drain into the upper reaches of Llagas Creek and other creeks, in order to avoid the need for channelization and consequent destruction of its riparian vegetation and natural habitat. (SCJAP 12.09)

City policies will be implemented when project-level development is proposed for the site. If project-level site plans do not propose adequate drainage and retention of stormwater runoff to comply with City storm drainage policies and the District's flood control requirements, then mitigation measures will be included as part of the environmental review document at that time, as needed.

Comment C-4: The Santa Clara Valley Water District (District) has reviewed the Notice of Preparation of an Environmental Impact Report (EIR) for the subject project to convert 18.18 acres of land zoned General Commercial to a zoning of R-3 Medium Density Residential District, received on June 20, 2014. The District recommends the following issues be included in the EIR:

The Hydrology and Water Quality section should discuss how the project will mitigate for increased storm runoff from various storm events up to a 100-year event since downstream receiving creeks do

not have 100-year capacity. A hydrology report should be included that quantifies the mitigation needs and assesses whether the development will provide sufficient space to accommodate any necessary mitigation for increased storm runoff in addition to any mitigation required for post-construction storm water quality measures. Water Quality mitigation measures and discussion should specify Low Impact Development measures that are feasible for use on the site.

Response C-4: The proposed project is a program-level GPA and rezoning, and does not include specific project-level design plans. Information pertaining to volumes of runoff from site development and its impacts to the drainage system cannot yet be determined. At the time of future development, the City will consult with the District concurrently with the project-level environmental analysis to include a Hydrology Report to address District concerns regarding impacts to the drainage system.

Comment C-5: Storm water runoff from the site should be directed to an existing City storm drain system. The District has previously communicated that the Condit Road corridor must have an area-wide storm drain system which limits the number of storm outfalls into Madrone Channel.

Response C-5: As described on page 131 of the DEIR, the project site is not adjacent to a gutter or storm drainage system because the site is mostly undeveloped and runoff from the site is minimal. Based on the City of Morgan Hill's land development drainage standard, future development on the project site will be required to minimally detain water from a 25-year storm with 25 percent freeboard. General Plan Policy 22b will require future development of the site to include local drainage facilities, therefore, stormwater runoff from the site will be directed into the City stormdrain system. Currently, there are no project-level design plans. It is unknown whether future development on the site will propose or require a new storm outfall into Madrone Channel. In such an event, the City will consult with the District as part of the environmental review for that specific project.

Comment C-6: The Public Services section should include a Water Supply assessment and highlight measures that will be included in the development to reduce water demand from the proposed housing units. Measures might include limits on turf installation and increased use of drought tolerant landscaping.

Response C-6: CEQA requires that a Water Supply Assessment be prepared pursuant to and in compliance with sections 10910 to 10915 of the State Water Code when certain thresholds and criteria are met. Per Section 10912(a)(2) of the State Water Code, a Water Supply Assessment is required for projects that propose 500 residential units, or more (i.e. projects defined as a "water demand project"). The proposed project would allow future development of the site with a maximum of 381 residential units, and is therefore not a water demand project for the purposes of CEQA. A Water Supply Assessment is not required.

The project's water supply impacts are discussed in Section 2.12.2.2 *Water Service and Supply Impacts*, on page 145 of the DEIR. Water supply impacts were found to be less than significant in that the future project would undergo project-level environmental review and would be subject to the City's Residential Development Control System (RDCS) process

which serves as a long-term utilities and service system infrastructure planning tool. Future development on the project site would not, therefore, exceed the planned water supply in the City.

Comment C-7: The District appreciates the opportunity to provide input on the Notice of Preparation. Please provide us a copy of the draft EIR when it becomes available.

Response C-7: The DEIR for the Condit – Evergreen General Plan Amendment and Rezoning Project was provided to the SCVWD during the 45-day public review period.

4.0 REVISIONS TO THE TEXT OF THE DEIR

The following section contains revisions/additions to the text of the *Draft Environmental Impact Report, Condit – Evergreen General Plan Amendment and Rezoning Project* dated August, 2014. Revised or new language is underlined. All deletions are shown ~~with a line through the text~~.

Page xv *Summary*. Revise mitigation measure MM HAZ-2, as follows:

Based on the ~~s~~Soils ~~r~~Report, a Soil Management Plan shall be prepared if contaminated soils are found. ~~Impacted~~ soils at the site shall be over-excavated. Confirmation soil samples shall be collected to document that all impacted soil has been removed and that concentrations of contaminants in soils at the project site have been restored to concentration levels that do not exceed the residential CHHSLs. ~~This report~~ documentation and the Soil Management Plan shall be submitted to the City.

Page 140 *Section 2.11 Hazards and Hazardous Materials; 2.11.3 Mitigation Measures; 2.11.3.2 Lead Based Paint*. Revise the text in the third paragraph as follows:

Based on the ~~s~~Soils ~~r~~Report, a Soil Management Plan shall be prepared if contaminated soils are found. ~~Impacted~~ soils at the site shall be over-excavated. Confirmation soil samples shall be collected to document that all impacted soil has been removed and that concentrations of contaminants in soils at the project site have been restored to concentration levels that do not exceed the residential CHHSLs. ~~This report~~ documentation and the Soil Management Plan shall be submitted to the City.

Page 164 *Section 4.2 List of Cumulative Impacts*. Remove the existing Table 14 and replace it with the revised Table 14 which includes changes to the names and descriptions of select cumulative projects as follows:

Table 14: Cumulative Projects		
Project Name and File #	Location	Description
Pending Projects		
Condit- Evergreen GPA GPA-13-0201 *Project evaluated in this EIR	18.18-acre site located 750 feet south of E. Dunne Avenue between Condit Road and Murphy Avenue, 580 feet east of US 101.	Change the land use designation from <i>Commercial</i> to <i>Multi-family Medium (14-21 du/ac)</i> to allow development of up to 381 residential dwelling units on the site.
Edmundson – Oak Meadow GPA GPA-11-04/ZA-11-13	20-acre site is located off West Edmundson	Change the land use designation from <i>Single-Family Low (1-3 du/ac)/Rural County</i> to <i>Single Family Low/Open Space</i> to allow development of

Table 14: Cumulative Projects

Project Name and File #	Location	Description
	Avenue approximately 0.38 miles west of Monterey Road.	the site with up to 54 single-family dwelling units.
Laurel – DeRose GPA GPA-13-02/ZA-13-09/EA-13-11	6.81 - <u>6.82</u> acre site located on Laurel Road approximately 260 feet north of E. Dunne Avenue.	Change the land use designation from <i>Multi-family Low (5-14 du/ac)</i> (4.54 <u>4.55</u> acres)/ <i>Commercial</i> (2.27 acres) to all <i>Multi-family Low (5-14 du/ac)</i> (6.81 <u>6.82</u> acres) to allow development of the site with up to 31 residential units beyond the current 63 residential unit capacity at the site. The overall 6.81 <u>6.82</u> -acre site would be developed with up to 95 residential dwelling units.
Laurel – Honda GPA GPA-14-01/ ZA-14-08 /EA-14-01	4.84-acre site located on Laurel Road approximately 260 feet north of E. Dunne Avenue.	Change the land use designation from <i>Multi-family Low (5-14 du/ac)</i> (2.32 acres)/ <i>Commercial</i> (2.32 acres) to all <i>Commercial</i> (4.84 acres) to allow development of the site with approximately 35,370 sf of commercial space beyond the 35,370 sf of commercial development currently anticipated for the site (based on a 0.35 floor area ratio).
Butterfield – Keenan <u>MWest</u> (formerly <u>Keenan</u>) GPA GPA-14-04/EA-14-04	19.49-acre site located on the west side of Butterfield Boulevard, south of Jarvis Drive.	Change the land use designation from <i>Industrial</i> to <i>Multi-family Medium (14-21 du/ac)</i> to allow development of the site with up to 409 dwelling units.
Lightpost – Riverpark Hospitality GPA GPA-14-05/EA-14-05	3.39-acre site located at the southeast corner of Lightpost Way and Madrone Parkway.	Change the land use designation from <i>Industrial</i> to <i>Commercial</i> to allow development of the site with a 180-unit hotel totaling approximately 140,000 sf.
Butterfield – Community Development Partners/Morgan Hill Retirement GPA GPA-14-06/ZA-14-01/EA-14-06	12.54-acre site located on Butterfield Boulevard at the intersection of Barrett Avenue.	Change the land use designation from <i>Industrial</i> (6.32 acres) to <i>Commercial</i> to allow development of the site with a congregate care facility totaling 100,000 sf (including up to 181 dwelling units). Change the land use designation from <i>Medium Multi-family Medium (14-21 du/ac)</i> (5.65 acres) to <i>Commercial</i> for an existing developed property and change the land use designation from <i>Industrial</i> (0.57 acres) to <i>Commercial</i> for a vacant property for a potential 10,890 sf building (including 7,500 sf of retail space).
Ciolino – City of Morgan Hill/EAH GPA-14-07/ZA-14- 02 <u>4</u> /EA-14-07	0.25-acre site located at the southwest corner of Ciolino Avenue	Change the land use designation from <i>Commercial</i> to <i>Multi-family Medium (14-21 du/ac)</i> , to allow development of the site with up to five residential dwelling units.

Table 14: Cumulative Projects

Project Name and File #	Location	Description
	and Monterey Road.	
Monterey – UCP KB Home (formerly UCP) GPA-14-03	4.37-acre site, located on the east side of Monterey Road immediately north of Central High School.	Change the land use designation from <i>Non-Retail Commercial</i> to <i>Multi-Family Medium</i> (Low (5-14 du/ac)) to allow development of the site with up to 59 residential dwelling units.
Southeast Quadrant	1,290- acre site bounded by Condit Road and Highway 101 to the west, San Pedro Avenue to the north, Carey Avenue to the east, and Maple Avenue to the south.	The project will change the land use designation on 1,290 acres from <i>Open Space</i> (97 acres) and <i>Rural County</i> (1,193 acres) to <i>Public Facilities</i> (38 acres), <i>Residential Estate</i> (76 acres), <i>Sports-Recreation Leisure</i> (251 acres), and <i>Open Space</i> (445 acres). 480 acres of the plan area will remain designated as <i>Rural County</i> .

Page 168 Section 4.3.1 Cumulative Land Use; 4.3.1.1 Cumulative Land Use Impacts; Cumulative Population and Housing. Revise the text in the first paragraph as follows:

The cumulative projects will result in up to ~~4,043~~ 1,010 housing units, and up to ~~3,265~~ 3,161 residents assuming 3.13 residents per unit.

Page 174 Section 4.3.3 Cumulative Noise Impacts; 4.3.3.1 Cumulative Traffic Noise Impacts. Revise the second paragraph as follows:

The Monterey-~~UCP~~(KB Home)-(formerly UCP), Ciolino-City of Morgan Hill, Edmundson-Oak Meadow, and Butterfield-Community Development Partners/Morgan Hill Retirement GPA projects have locations within the City (see Figure 13) that are distant from other cumulative projects and/or will generate negligible volumes of traffic on the City roadways.

Section 4.3.3 Cumulative Noise Impacts; 4.3.3.1 Cumulative Traffic Noise Impacts; Arterial Roadways. Revise the second paragraph as follows:

The projects which will generate larger volumes of trips on the shared arterial roadway segments include Laurel-Honda GPA, Laurel-DeRose GPA, Butterfield-~~Keenan~~ MWest (formerly Keenan) GPA, Lightpost-Rivermark GPA, and Condit-Evergreen GPA (the proposed project).

Page 178 *Section 4.3.3 Cumulative Noise; 4.3.3.1 Cumulative Traffic Noise Impacts; Local Roadways.* Revise the fourth paragraph as follows:

Under existing conditions Murphy Avenue has 1,289 ADT. When combined, the 760 ADT from the proposed project, 22 ADT from the Butterfield-~~Keenan~~ MWest (formerly Keenan) GPA Project, and 992 ADT¹ from the Southeast Quadrant high school could contribute up to 1,752 new trips to Murphy Avenue adjacent to the project site.

Section 4.3.3 Cumulative Noise; 4.3.3.1 Cumulative Traffic Noise Impacts; Local Roadways. Revise the sixth paragraph as follows:

The Condit-Evergreen GPA and Butterfield-~~Keenan~~ MWest (formerly Keenan) GPA projects will contribute approximately 88 combined ADT to these segments of Murphy Avenue.

Page 179 *Section 4.3.3 Cumulative Noise; 4.3.3.3 Conclusion.* Revise the first paragraph as follows:

As described, the percentage of trips added to Murphy Avenue adjacent to the project site from the proposed project, Butterfield-~~Keenan~~ MWest (formerly Keenan) GPA project, and from the high school will be negligible compared to the ADT which will exist along Murphy Avenue once the roadway is expanded.

Page 181 *Section 4.3.5 Cumulative Biological Resources; Land Cover Loss.* Remove the existing Table 17 and replace it with the revised Table 17 which includes changes to the names of select cumulative projects as follows:

Table 17: Land Cover	
Project Sites	Land Cover Types
Condit- Evergreen GPA GPA-13-012 Site Size: 18.2 acres	1. Non-native annual grassland (approx. 7 acres) a. Dominant grass and forb species such as wild oat, yellow star thistle, Italian ryegrass, foxtail, and rip gut brome. 2. Fallow Orchards (approx. 11.2 acres)
Butterfield – Keenan MWest (formerly Keenan) GPA GPA-14-04/EA-14-04 Site Size: 19.5-acres	1. Non-native and ruderal annual grassland vegetation. (approx. 19.5 acres)

¹ This analysis conservatively assumes that all roadway trips accessing the high school via local roadways will use Murphy Avenue.

Table 17: Land Cover

Project Sites	Land Cover Types
<p>Edmundson – Oak Meadow GPA; GPA-11-04/ZA-11-13</p> <p>Site Size: 20 acres</p>	<ol style="list-style-type: none"> 1. Annual Grassland (approx. 15 acres) <ol style="list-style-type: none"> a. Dominated by non-native grasses and forbs (approx. 15 acres) b. Two potential wetland swales 2. Oak Woodland (approx. 3 acres) <ol style="list-style-type: none"> a. dominated by mature coast live oak 3. Evaporation Basin/Drainages (approx. 0.3 acre) <ol style="list-style-type: none"> a. vegetation mostly characteristic of the surrounding vegetation found in the grassland habitat b. Basin consists of sparse hydrophytic plants 4. Developed (Residential)/Ruderal (approx. 2 acres) <ol style="list-style-type: none"> a. One single house, with associated barn, trailers, corrals, and out-buildings b. Land cover supports primarily non-native landscaped vegetation and ruderal annual grassland vegetation.
<p>Laurel – DeRose GPA GPA 13-02/ZA-13-09/EA-13-11</p> <p>Site Size: 6.8 acres</p>	<ol style="list-style-type: none"> 1. Non-native annual grassland (approx. 6.5 acres) 2. Graveled/graded area (approx. 0.3 acres)
<p>Laurel – Honda GPA GPA-14-01/ZA-14-08/EA-14-01</p> <p>Site Size: 4.8 acres</p>	<ol style="list-style-type: none"> 1. Non-native annual grassland (approx. 4.8 acres)
<p>Lightpost/Riverpark Hospitality GPA GPA-14-05/EA-14-05</p> <p>Site Size: 3.4 acres</p>	<ol style="list-style-type: none"> 1. Non-native annual grassland (approx.. 2.3 acres) 2. Landscaping/trees (approx. 1.1 acre)
<p>Butterfield Community Development Partners/Morgan Hill Retirement GPA GPA-14-06/ZA-14-01/EA-14-06</p> <p>Site Size: 12.5 acres</p>	<ol style="list-style-type: none"> 1. Multi-family Residential Development with landscaping (approx. 5.6 acres)* [currently developed; proposed project would not change the land cover type] 2. Non-native grassland (approx. 6.3 acres) 3. Graded area (approx. 0.6 acre)
<p>Ciolino – City of Morgan Hill/EAH GPA-14-07/ZA-14-024/EA-14-07</p> <p>Site Size: 0.25 acres</p>	<ol style="list-style-type: none"> 1. Non-native grassland (approx. 0.25 acres)

Table 17: Land Cover	
Project Sites	Land Cover Types
Monterey-UCP KB Home (formerly UCP) GPA-14-03 Site Size: 4.4 acres	1. Non-native grassland (approx. 3 acres) a. trees and shrubs along the perimeter of the western property boundary 2. Graded area (approx. 1.0 acre) 3. Concrete/pavement (approx. 0.4)
Southeast Quadrant Site Size: 1,290- acre site	1. Agricultural/Row Crops (approx. 976 acres) 3. Grassland (approx. 12 acres) 4. Orchard (approx. 10 acres) 5. Riparian (approx. 18 acres) 6. Vineyard (approx. 10 acres) 7. Orchard/Residential (approx. 76 acres) 8. Residential (approx. 188 acres)
Total Approximate Potential Land Cover Acreage Loss Due to Development	1. Concrete/Pavement: 0.4 acres 2. Evaporation Basin/Drainages: 0.3 acres 3. Grassland: 65 acres 4. Graveled/Graded Areas: 2 acres 5. Landscaping/Trees: 1 acre 6. Orchards: 11 acres 7. Oak Woodland: 3 acres 8. Residential with Landscaping: 2 acres 9. Southeast Quadrant: 759 acres (includes agricultural/row crops, rural residences, grassland, farms and orchards)
<p>*Not included in total acreage loss. The proposed project would not redevelop the multi-family residential development property; only a change in land use designation is proposed. Therefore the land cover type for the multi-family development would not change.</p>	

Page 185 *Section 4.3.5 Cumulative Biological Resources; Indirect Impacts to Sensitive Serpentine Habitats.* Revise the sixth paragraph as follows:

Mitigation Measures: In compliance with the Santa Clara Valley Habitat Plan, future development on the project site shall implement the following mitigation measure to reduce indirect impacts to sensitive serpentine habitat to a less than significant level:

Section 4.3.5 Cumulative Biological Resources; 4.3.5.2 Conclusion. Revise the conclusion statement as follows:

Impact C-BIO-1: The pollutant emissions from project-generated trips will contribute to the significant cumulative indirect nitrogen deposition impact to sensitive serpentine habitats. The project shall comply with the Santa Clara Valley Habitat Plan and pay the applicable nitrogen deposition fee to reduce the project’s

contribution to a less than considerable level. **(Less Than Significant Cumulative Impact with Mitigation)**

Page 186 *Section 4.3.6 Cumulative Hydrology and Water Quality; 4.3.6.1 Drainage.* Remove the existing Table 18 and replace it with the revised Table 18 which includes changes to the names and details of select cumulative projects as follows:

Table 18: Cumulative Impervious Surfaces			
Project	Site Size (acres)	Drainage Basin¹	Estimated Impervious Surfaces (acres)²
Condit-Evergreen GPA	18.18	Madrone Channel	14.54
Edmundson-Oak Meadow GPA	20	West Little Llagas Creek	16
Laurel-DeRose GPA	6.81 6.82	Butterfield Channel	5.45
Laurel-Honda GPA	4.84	Butterfield Channel	3.87
Butterfield-MWest (formerly Keenan) GPA	19.49	Butterfield Channel	15.59
Lightpost/Riverpark GPA	3.39	Fisher Creek ³	2.71
Butterfield Community Development Partners/Morgan Hill Retirement GPA	12.54	Butterfield Channel	8.58
Ciolino GPA	0.25	West Little Llagas Creek	0.20
Monterey-UCP (KB Home) (formerly UCP) GPA	4.37	Butterfield Channel	3.50
Total	89.87	---	70.45

¹ Source: City of Morgan Hill. *Storm Drainage System Master Plan*. January 2002. Figure 4.1. And: Sowers, J.M. et al. *Creek & Watershed Map of Morgan Hill & Gilroy*. 2009.

² Based on City open space requirements and stormwater treatment sizing criteria, this assumes that 80 percent of the proposed projects will contain impervious surfaces.

Page 188 *Section 4.3.6 Cumulative Hydrology and Water Quality; 4.3.6.4 Groundwater.* Revise the first paragraph as follows:

All of the cumulative sites except for the Lightpost/Riverpark GPA project site are located above the Llagas Subbasin; the Lightpost/Riverpark GPA project is located above the Coyote Subbasin.

Page 190 *Section 4.3.7 Cumulative Utilities and Service Systems; 4.3.7.1 Cumulative Impacts to Potable Water Facilities; Water Supply and Demand.* Revise the second and third paragraphs as follows:

If approved, the cumulative projects will result in changes in the General Plan land use designations of the sites, which will allow approximately ~~1,043~~ 1,010 residential units, 7,500 sf of commercial space, 8,400 sf of restaurant space, 270 hotel rooms, and a 181-unit congregate care facility. In addition to this foreseeable development, the Southeast Quadrant project will change the scale and type of development allowed on 1,290 acres of land within the City's SOI, and will also include a 1,600 student high school. Table 19, below, shows the anticipated development capacities of the cumulative project sites based on their current General Plan designations and the proposed General Plan designations. Using these estimates, Tables 20 and 21 estimate the water demand associated with both the existing and proposed land use designations, respectively. Currently, all of the cumulative project sites are vacant and do not account for any potable water demand. The Southeast Quadrant currently consists of 1,290 acres of agricultural land, which assuming approximately 1.7 acre feet/year, consumes roughly 2,193 acre feet of irrigation annually of non-potable water. Based on Table 21, the cumulative projects will increase potable water demand by ~~2,463~~ 2,450 acre-feet/year over the existing condition. The 2010 UWMP found that the City's water supply exceeds the demand expected by the year 2030, which assumes development on the cumulative sites consistent with their current General Plan land use designations.

Compared to the development assumed for the sites in the Water System Master Plan and the Urban Water Management Plan, the cumulative projects will result in a decrease in water demand by approximately ~~286~~ 297 acre-feet per year (see Tables 20 and 21).

Page 191 *Section 4.3.7 Cumulative Utilities and Service Systems; 4.3.7.1 Cumulative Impacts to Potable Water Facilities; Water Supply and Demand.* Remove the existing Table 19 and replace it with the revised Table 19 which includes changes to the names and details of select cumulative projects as follows:

Table 19: Estimated Maximum Development Capacities

Project Name/Site	Site Size (acres)	Current GP Designation	Current Development Capacity^a	Proposed GP Designation	Proposed Development
Edmunson-Oak Meadow GPA	20	<i>Single Family Low (1-3 du/ac)/Rural</i>	60 residential units	<i>Single Family Low(1-3 du/ac)//Open Space</i>	60 residential units
Laurel-DeRose GPA	6.81 <u>6.82</u>	4.54 <u>4.55</u> ac: <i>Multi-Family Low (5-14 du/ac)</i> 2.27 ac: <i>Commercial</i>	63 residential units 34,608 sf commercial	<i>Multi-Family Low (5-14 du/ac)</i>	95 residential units
Laurel-Honda GPA	4.84	2.32 ac: <i>Multi-Family Low (5-14 du/ac)</i> 2.32 ac: <i>Commercial</i>	32 residential units 35,370 sf commercial	<i>Commercial</i>	90 room hotel 5,150 sf high turnover sit-down restaurant 3,253 sf drive-through fast food restaurant
Butterfield-MWest (formerly Keenan) GPA	19.49	<i>Industrial</i>	212,246 sf industrial	<i>Multi-Family Medium (14-21 du/ac)</i>	409 residential units
Lightpost-Riverpark GPA	3.39	<i>Industrial</i>	36,917 sf industrial	<i>Commercial</i>	180 room hotel
Butterfield Community Development Partners GPA	12.54	7.24 ac: <i>Industrial</i> 5.30 ac: <i>Multi-Family Medium (14-21 du/ac)</i>	78,844 sf industrial 111 residential units	<i>Commercial</i>	181-unit congregate care facility 7,500 sf commercial
Ciolino GPA	0.25	<i>Commercial</i>	3,811 sf commercial	<i>Multi-Family Medium (14-21 du/ac)</i>	Five residential units

Table 19: Estimated Maximum Development Capacities

Project Name/Site	Site Size (acres)	Current GP Designation	Current Development Capacity^a	Proposed GP Designation	Proposed Development
Monterey-UCP KB Home (formerly UCP) GPA	4.37	<i>Non-Retail Commercial</i>	66,625 sf non-retail commercial	<i>Multi-Family Medium (14-21 du/ac)</i>	92 59 residential units
Condit-Evergreen GPA (Proposed Project)	18.18	<i>Commercial</i>	277,172 sf commercial	<i>Multi-Family Medium</i>	381 residential units
Southeast Quadrant	1,290	<i>97 ac: Open Space 1,193 ac: Rural County</i>	1,290 acres agricultural	<i>Public Facilities Residential Estate Sports-Recreation- Leisure Open Space Rural County</i>	1,600-student high school – and – <i>38 ac: Public Facilities 76 ac: Residential Estate 251 ac: Sports-Recreation- Leisure 445 ac: Open Space 480 ac: Rural County</i>
TOTALS	1,380 (rounded)	<ul style="list-style-type: none"> • 267 residential units • 417,586 sf commercial • 308,296 sf industrial • 1,290 acres agricultural 		<ul style="list-style-type: none"> • 1,043 1,010 residential units • 270 hotel rooms • 7,500 sf commercial • 5,150 sf high turnover sit-down restaurant • 3,253 sf drive-through fast food restaurant • 181-unit congregate care facility • 1,600 student high school 	
^a For all sites designated <i>Commercial</i> , a floor-area ratio of 0.35 is assumed in order to calculate the allowable density of commercial development on a given site. For sites designated <i>Industrial</i> , a floor-area ratio of 0.25 is assumed.					

Page 193 *Section 4.3.7 Cumulative Utilities and Service Systems; 4.3.7.1 Cumulative Impacts to Potable Water Facilities; Water Supply and Demand.* Remove the existing Table 21 and replace it with the revised Table 21 which includes changes to the total water demand of the cumulative projects as follows:

Table 21: Cumulative Annual Water Demand		
Proposed Development Entitlement	Water Demand Factors	Total Water Demand
4,043 1,010 residential units	65,154 gal/unit/yr <i>indoor</i> ^a 41,075 gal/unit/yr <i>outdoor</i>	110,796,847 <u>107,291,290</u> gal/yr
270 hotel rooms	25,367 gal/room/yr <i>indoor</i> ^a 2,819 gal/room/yr <i>outdoor</i>	7,610,220 gal/yr
7,500 sf commercial	177,734 gal/ksf/yr <i>indoor</i> ^a 108,934 gal/ksf/yr <i>outdoor</i>	2,150,010 gal/yr
5,150 sf high turnover sit-down restaurant	303,534 gal/ksf/yr <i>indoor</i> ^a 19,374 gal/ksf/yr <i>outdoor</i>	1,662,976 gal/yr
3,253 sf drive-through fast food restaurant	303,534 gal/ksf/yr <i>indoor</i> ^a 19,374 gal/ksf/yr <i>outdoor</i>	1,049,451 gal/yr
181-unit congregate care facility	65,154 gal/unit/yr <i>indoor</i> ^a 41,075 gal/unit/yr <i>outdoor</i>	19,227,449 gal/yr
Southeast Quadrant (public facilities, residential estate, open space, rural county)	--	659,197,441 gal/yr ^b
TOTAL		801,694,394 <u>798,188,837</u> gal/yr – or – 2,461 <u>2,450</u> acre-feet/year
^a Source: California Air Pollution Control Officers Association (CAPCOA). <i>California Emissions Estimator Model User's Guide, Version 2013.2.</i> July 2013. Appendix D, Table 9.1. ^b Source: City of Morgan Hill. <i>Citywide Agriculture Preservation Program and Southeast Quadrant Land Use Plan Draft EIR.</i> December 20, 2013. Table 3.14-8.		

Page 194 *Section 4.3.7 Cumulative Utilities and Service Systems; 4.3.7.1 Cumulative Impacts to Potable Water Facilities; Water Infrastructure.* Revise the second paragraph as follows:

Aside from the Southeast Quadrant, the Butterfield-MWest (formerly Keenan), Lightpost/_Riverpark, and Butterfield Community Development Partners GPA projects will generate demand for more water than planned for those sites in the most recent General Plan, Water System Master Plan, and Urban Water Management Plan.

Page 195 *Section 4.3.7 Cumulative Utilities and Service Systems; 4.3.7.2 Cumulative Impacts to Sanitary Sewer/Wastewater Treatment Facilities; Wastewater Treatment Plant.* Revise the fourth paragraph as follows:

Based on Tables 22 and 23, the cumulative projects will increase the daily sewage generation in the City by ~~0.668~~ 0.663 mgd over the existing condition, and ~~0.39~~ 0.386 mgd compared to development that could occur on the subject sites under the existing General Plan designations. The bulk of this increase will result from development in the Southeast Quadrant which is projected to increase wastewater effluent by 0.457 mgd. Therefore, absent the Southeast Quadrant project, daily wastewater discharge from the cumulative projects will actually be expected to decrease by approximately ~~0.065~~ 0.071 mgd compared to a scenario in which the cumulative project sites are developed under their current General Plan designations.

Page 196

Section 4.3.7 Cumulative Utilities and Service Systems; Cumulative Impacts to Sanitary Sewer/Wastewater Treatment Facilities; Sanitary Sewer System.
Remove the existing Table 22 and replace it with the revised Table 22 which includes changes to select names of the cumulative projects as follows:

Project Name/Site	Development Capacity Under Current GP Designation	Estimated Indoor Water Demand^a	Estimated Wastewater Generation Potential
Edmundson-Oak Meadow GPA	60 residential units	3,909,240 gal/yr	3,322,854 gal/yr
Laurel-DeRose GPA	63 residential units 34,608 sf commercial	10,254,298 gal/yr	8,716,154 gal/yr
Laurel-Honda GPA	32 residential units 35,370 sf commercial	8,376,712 gal/yr	7,120,205 gal/yr
Butterfield-MWest (formerly Keenan) GPA	212,246 sf industrial or 19.49 acres	18,424,872 gal/yr	14,661,141 gal/yr
Lightpost/Riverpark GPA	36,917 sf industrial or 3.39 acres	3,204,737 gal/yr	2,724,027 gal/yr
Butterfield Community Development Partners GPA	78,844 sf industrial or 7.24 acres, and 111 residential units	14,076,428 gal/yr	11,964,964 gal/yr
Ciolino GPA	3,811 sf commercial	675,389 gal/yr	574,081 gal/yr
Monterey-UCP (KB Home (formerly UCP) GPA	66,625 sf non-retail commercial	11,837,084 gal/yr	10,061,522 gal/yr
Condit-Evergreen GPA	277,172 sf commercial	49,267,865 gal/yr	41,877,685 gal/yr
Southeast Quadrant GPA	1,290 acres agricultural	Negligible	Negligible
TOTAL			101,022,263 gal/yr or approx. 0.277 mgd

^a See Table 21 above for indoor water demand factors.

Section 4.3.7 Cumulative Utilities and Service Systems; Cumulative Impacts to Sanitary Sewer/Wastewater Treatment Facilities; Sanitary Sewer System.

Remove the existing Table 23 and replace it with the revised Table 23 which includes changes to select names, details, and wastewater generation of the cumulative projects as follows:

Table 23: Anticipated Wastewater Generation Based on Proposed General Plan Designation			
Project Name/Site	Development Capacity Under Proposed GP Designation	Estimated Indoor Water Demand^a	Estimated Wastewater Generation Potential
Edmundson-Oak Meadow GPA	60 residential units	3,909,240 gal/yr	3,322,854 gal/yr
Laurel-DeRose GPA	95 residential units	6,189,630 gal/yr	5,261,186 gal/yr
Laurel-Honda GPA	90 room hotel 5,150 sf high turnover sit-down restaurant 3,253 sf drive-through fast food restaurant	4,832,716 gal/yr	4,107,808 gal/yr
Butterfield-MWest (formerly Keenan) GPA	409 residential units	26,713,140 gal/yr	22,706,169 gal/yr
Lightpost/Riverpark	180 room hotel	4,566,060 gal/yr	3,881,151 gal/yr
Butterfield Community Development Partners GPA	181-unit congregate care facility 7,5000 sf commercial	13,125,879 gal/yr	11,156,998 gal/yr
Ciolino GPA	Five residential units	325,770 gal/yr	276,905 gal/yr
Monterey-UCP (KB Home (formerly UCP) GPA	92 59 residential units	5,994,168 3,844,086 gal/yr	5,095,043 3,267,473 gal/yr
Condit-Evergreen GPA	381 residential units	24,823,674 gal/yr	21,100,123 gal/yr
Southeast Quadrant GPA	1,600-student high school – and – 38 ac: <i>Public Facilities</i> 76 ac: <i>Residential Estate</i> 251 ac: <i>Sports-Recreation-Leisure</i> 445 ac: <i>Open Space</i> 480 ac: <i>Rural County</i>	Total projected water demand = 659,197,441 gal/yr	166,805,000 gal/yr ^b
TOTAL			243,713,236 241,855,667 gal/yr – or – 0.668 0.663 mgd
<p>^a See Table 21 above for indoor water demand factors.</p> <p>^b Source: City of Morgan Hill. <i>Citywide Agriculture Preservation Program and Southeast Quadrant Land Use Plan Draft EIR</i>. December 20, 2013. Page 3.14-40.</p>			

Page 198 *Section 4.3.7 Cumulative Utilities and Service Systems; Cumulative Impacts to Sanitary Sewer/Wastewater Treatment Facilities; Sanitary Sewer System.* Revise paragraph five as follows:

Aside from the Southeast Quadrant, which includes necessary infrastructure improvements to accommodate development on the scale envisioned in the Southeast Quadrant Plan, the Butterfield-MWest (formerly Keenan), Lightpost-Riverpark, and Butterfield - Community Development Partners/Morgan Hill Retirement GPA projects will all generate more wastewater than assumed for those sites in the most recent General Plan and Sewer System Master Plan.

Page 201 *Section 4.3.9 Cumulative Public Services; 4.3.9.1 Cumulative Public Services Impacts; Schools.* Revise the first paragraph as follows:

Cumulative development under the Condit-Evergreen GPA, Edmundson-Oak Meadow GPA, Laurel-DeRose GPA, Butterfield-MWest (formerly Keenan) GPA, Ciolino – City of Morgan Hill/EAH GPA, Monterey – UCP KB Home (formerly UCP), and Southeast Quadrant Area Project, will include new residences that will generate new students at schools in the MHUSD. The Laurel Honda GPA and Lightpost-Riverpark GPA involve commercial uses and will not generate residents or students.

Page 201 *Section 4.3.9 Cumulative Public Services; 4.3.9.1 Cumulative Public Services Impacts; Schools.* Remove the existing Table 24 and replace it with the revised Table 24 which includes changes to student generation as follows:

Table 24: Student Generation at MHUSD Schools			
Project Assigned to MHUSD School District	Number of students generated from project(s)	Number of Students Enrolled (2013-2014)	Enrollment Capacity
Jackson Academy Elementary	95 103 total	593	648
Condit- Evergreen GPA GPA-13-012 Project would change the land use designation from <i>Commercial</i> to <i>Multi-family Medium (14-21 du/ac)</i> to allow development of up to 381 residential dwelling units on the site. <i>*Project evaluated in this EIR</i>	86-94	N/A	N/A

Table 24: Student Generation at MHUSD Schools

Project Assigned to MHUSD School District	Number of students generated from project(s)	Number of Students Enrolled (2013-2014)	Enrollment Capacity
<p>Southeast Quadrant GPA</p> <p>Project would change the land use designation on 1,290 acres from <i>Open Space</i> (97 acres) and <i>Rural County</i> (1,193 acres) to <i>Public Facilities</i> (38 acres), <i>Residential Estate</i> (76 acres), <i>Sports-Recreation Leisure</i> (251 acres), and <i>Open Space</i> (445 acres). 480 acres of the plan area will remain designated as <i>Rural County</i>.</p> <p><i>Up to 38 new single-family residences under the proposed Open Space (Planned Development) General Plan land use designation could be developed.</i></p>	9	N/A	N/A
Walsh Elementary	93 <u>116</u> total	580	886
<p>Butterfield – MWest (formerly Keenan) GPA GPA-14-04/EA-14-04</p> <p>Project would change the land use designation from <i>Industrial</i> to <i>Multi-family Medium (14-21 du/ac)</i> to allow development of the site with up to 410 dwelling units.</p> <p><i>*Project evaluated in this EIR</i></p>	93- <u>101</u>	N/A	N/A

Table 24: Student Generation at MHUSD Schools

Project Assigned to MHUSD School District	Number of students generated from project(s)	Number of Students Enrolled (2013-2014)	Enrollment Capacity
<p><u>Monterey-KB Home (formerly UCP)</u> GPA-14-03</p> <p>Project would change the land use designation from <i>Non-Retail Commercial</i> to <i>Multi-Family Low (5-14 du/ac)</i> to allow development of the site with up to 59 residential dwelling units.</p> <p><i>*Project evaluated in this IS</i></p>	15	N/A	N/A
Britton Middle School	34 37	648	841
<p>Condit- Evergreen GPA GPA-13-012</p> <p><i>*Project evaluated in this EIR</i></p>	23 26	N/A	N/A
<p>Edmundson – Oak Meadow GPA; GPA-11-04/ZA-11-13</p> <p>Project would change the land use designation from <i>Single-Family Low (1-3 du/ac)/Rural County</i> to <i>Single Family/Open Space</i> to allow development of the site with up to 54 single-family dwelling units.</p>	4	N/A	N/A
<p>Monterey-UCP (KB Home) (formerly UCP) GPA GPA-14-03</p> <p>Project would change the land use designation from <i>Non-Retail Commercial</i> to <i>Multi-Family Low Medium (5-14-21 du/ac)</i> to allow development of the site with up to 59 residential dwelling units.</p>	4	N/A	N/A

Table 24: Student Generation at MHUSD Schools

Project Assigned to MHUSD School District	Number of students generated from project(s)	Number of Students Enrolled (2013-2014)	Enrollment Capacity
<p>Ciolino – City of Morgan Hill/EAH GPA GPA-14-07/ZA-14-01/EA-14-07</p> <p>Project would change the land use designation from <i>Commercial</i> to <i>Multi-family Medium (14-21 du/ac)</i>, to allow development of the site with up to five (5) residential dwelling units.</p>	0- 3 <u>1</u>	N/A	N/A
Southeast Quadrant GPA	3	N/A	N/A
Martin Murphy Middle School	31 <u>33</u>	510	928
<p>Butterfield – MWest (formerly Keenan) GPA GPA-14-04/EA-14-04</p> <p><i>*Project evaluated in this EIR</i></p>	25 <u>27</u>	N/A	N/A
<p>Laurel – DeRose GPA GPA 13-02/ZA-13-09/EA-13-11</p> <p>Project would change the land use designation from <i>Multi-family Low (5-14 du/ac)</i> (4.54 <u>4.55</u> acres)/<i>Commercial</i> (2.27 acres) to all <i>Multi-family Low (5-14 du/ac)</i> (6.81 <u>6.82</u> acres) to allow development of the site with up to up to 95 residential dwelling units.</p>	6	N/A	N/A
Live Oak High School	54 <u>65</u>	1,117	1,556
<p>Condit- Evergreen GPA GPA-13-02<u>1</u></p> <p><i>*Project evaluated in this EIR</i></p>	47 <u>58</u>	N/A	N/A

Table 24: Student Generation at MHUSD Schools			
Project Assigned to MHUSD School District	Number of students generated from project(s)	Number of Students Enrolled (2013-2014)	Enrollment Capacity
Ciolino – City of Morgan Hill/EAH GPA GPA-14-07/ZA-14-01/EA-14-07	1	N/A	N/A
Southeast Quadrant	6	N/A	N/A
Ann Sobrato High School	78 93	1,425	1,537
Butterfield –MWest (formerly Keenan) GPA GPA-14-04/EA-14-04 <i>*Project evaluated in this EIR</i>	50 62	N/A	N/A
Edmundson – Oak Meadow GPA; GPA-11-04/ZA-11-13	9 8	N/A	N/A
Laurel – DeRose GPA GPA 13-02/ZA-13-09/EA-13-11	12 14	N/A	N/A
Monterey-UCP (KB Home) GPA GPA-14-03	7 9	N/A	N/A
Student generation Rates: 0.465 students per unit. Single family detached units –0.4732; Multi family detached units –0.4102 Morgan Hill Unified School District. Residential Development School Fee Justification Study 2013-2014. February 2014. Pp. 11. –January 2010. Student school assignments: Morgan Hill Unified School District. <i>School Locator</i> . Available at: < http://www.mhu.k12.ca.us/About-MHUSD/School-Locator/ >. Enrollment data: California Department of Education. <i>DataQuest</i> . Available at: < http://data1.cde.ca.gov/dataquest/ >.			

Section 4.3.9 Cumulative Public Services; 4.3.9.1 Cumulative Public Services Impacts; Cumulative Park Impacts. Revise the first paragraph as follows:

The cumulative projects will result in approximately ~~1,043~~ 1,010 housing units, and ~~3,265~~ 3,161 residents assuming 3.13 residents per unit. This equates to approximately ~~16.33~~ 15.80 acres of new parkland according to the City’s goal of five acres of parkland per 1,000 residents.

Section 6.2 Local Plans and Policies; 6.2.1.4 Noise and Vibration Policies.
Revise the sixth paragraph as follows:

As discussed in Section 2.3, *Noise* of this EIR, the project will contribute 2,534 trips to the local roadways. Measurements taken near Murphy Avenue show the noise level to be 63 dBA L_{dn} near the roadway. ~~If the future project design includes driveways on Murphy Avenue then trips on the roadway could double, resulting in a 3dBA noise increase at existing single family houses located on the east side of the road.~~ According to available data, in 2009 Condit Road carried an ADT of 5,200 vehicles and Murphy Avenue carried an ADT of 1,289 vehicles. Based on the existing roadway network and anticipated trip distribution patterns, most people accessing the site will use Condit Road because it is located west of the site, closer to the US 101 interchange and other areas of the City located west of the freeway. It is estimated using distribution patterns that approximately 760 of the daily traffic trips will use Murphy Avenue (30 percent), and 1,774 of the daily traffic trips will use Condit Road (70 percent).² Traffic generated by the project will not cause a significant noise impact at the residential houses along Murphy Avenue. Implementation of mitigation described in this EIR for future development on the site will avoid this impact to make † The project is consistent with this policy.

² Hexagon Transportation Consultants. *Re: Condit Follow-Up Question*. August 1, 2013.

5.0 COPIES OF THE COMMENT LETTERS RECEIVED ON THE DEIR

The original comment letters received on the Draft EIR are provided on the following pages.

Comment Letter A
County of Santa Clara Department of Environmental Health
August 29, 2014

Tanya Carothers

From: Sheldon Ah Sing <sheldon@mplanninggroup.com>
Sent: Friday, August 29, 2014 11:27 AM
To: Tanya Carothers
Subject: FW: Condit-Evergreen (GPA1302/ZA-14-13)

From: Lee, Lani [mailto:Lani.Lee@deh.sccgov.org]
Sent: Friday, August 29, 2014 11:18 AM
To: Sheldon Ah Sing
Subject: Condit-Evergreen (GPA1302/ZA-14-13)

Sheldon –

I have reviewed the hazardous materials portion of the EIR posted on your website. You do have mitigation measures listed for the septic system and elevated lead in soil. The lead concentrations listed were significant and we concur with the plan to remove impacted soil.

Due to potential unknown conditions, such as condition under soil piles, we recommend a Soil Management Plan be prepared and implemented during site grading activities.

Lani Lee
Acting Hazardous Materials Program Manager
Site Mitigation Program

County of Santa Clara
Department of Environmental Health
1555 Berger Drive Suite #300
San Jose, CA 95112
(408) 918-1977 – Phone
(408) 280-6479 – Fax
www.ehinfo.org

My normal office hours are 7-3:30.

NOTICE: This email message and/or its attachments may contain information that is confidential or restricted. It is intended only for the individuals named as recipients in the message. If you are NOT an authorized recipient, you are prohibited from using, delivering, distributing, printing, copying, or disclosing the message or content to others and must delete the message from your computer. If you have received this message in error, please notify the sender by return email.

Comment Letter B
Santa Clara Valley Water District
October 9, 2014

Tanya Carothers

From: Sheldon Ah Sing <sheldon@mplanninggroup.com>
Sent: Friday, October 10, 2014 9:23 AM
To: Tanya Carothers
Cc: Andrew Crabtree
Subject: Fw: Condit-Evergreen General Plan Amendment
Attachments: Condit-Evergreen GPA NOP.pdf

Another comment for Condit-Evergreen.

From: Yvonne Arroyo <yarroyo@valleywater.org>
Sent: Thursday, October 9, 2014 5:28 PM
To: Sheldon Ah Sing
Subject: Condit-Evergreen General Plan Amendment

Sheldon,

The Santa Clara Valley Water District (District) has reviewed the Environmental Impact Report (EIR) for the subject project. Our concerns related to increases in runoff to downstream receiving streams, as outlined in our letter (see attached) responding to the Notice of Preparation, were not addressed in the EIR. The City's storm detention guidelines do not address increases in storm runoff up to a 100-year event. The District utilizes the 100-year event for design of its channel improvements in part to be consistent with the Federal Emergency Management Agency use of the 100-year flood event for flood hazard mapping. Increases in runoff, without mitigation, may cause increased flooding downstream and increased erosion in downstream channels during more frequent events. The District reiterates our recommendation to include mitigation for increased runoff for varying flood events up to a 100-year event.

Please let me know if you have any questions. I may be reached via e-mail or at (408) 630-2319.

Sincerely,
Yvonne Arroyo
Associate Engineer
Community Projects Review Unit
Santa Clara Valley Water District

File: 22381
Madrone Channel

July 17, 2014

City of Morgan Hill
Attn: Sheldon Ah Sing, Contract Planner
17575 Peak Avenue
Morgan Hill, CA 95037

Subject: Condit-Evergreen General Plan Amendment and Rezoning

Dear Mr. Sing:

The Santa Clara Valley Water District (District) has reviewed the Notice of Preparation of an Environmental Impact Report (EIR) for the subject project to convert 18.18 acres of land zoned General Commercial to a zoning of R-3 Medium Density Residential District, received on June 20, 2014. The District recommends the following issues be included in the EIR:

The Hydrology and Water Quality section should discuss how the project will mitigate for increased storm runoff from various storm events up to a 100-year event since downstream receiving creeks do not have 100-year capacity. A hydrology report should be included that quantifies the mitigation needs and assesses whether the development will provide sufficient space to accommodate any necessary mitigation for increased storm runoff in addition to any mitigation required for post-construction storm water quality measures. Water Quality mitigation measures and discussion should specify Low Impact Development measures that are feasible for use on the site.

Storm water runoff from the site should be directed to an existing City storm drain system. The District has previously communicated that the Condit Road corridor must have an area-wide storm drain system which limits the number of storm outfalls into Madrone Channel.

The Public Services section should include a Water Supply assessment and highlight measures that will be included in the development to reduce water demand from the proposed housing units. Measures might include limits on turf installation and increased use of drought tolerant landscaping.

The District appreciates the opportunity to provide input on the Notice of Preparation. Please provide us a copy of the draft EIR when it becomes available. If you have any questions, you



Mr. Sheldon Ah Sing

Page 2

July 17, 2014

may reach me via e-mail at yarroyo@valleywater.org or via phone at (408) 630-2319.

Sincerely,



Yvonne Arroyo
Associate Engineer
Community Projects Review Unit

Cc: S. Tippets, Y. Arroyo, S. Katric, File

22381_56937ya07-14

Comment Letter C
Santa Clara Valley Transportation Authority
October 9, 2014



October 9, 2014

City of Morgan Hill
Community Development Department
17555 Peak Avenue
Morgan Hill, CA 95037-4128

Attention: Sheldon Ah Sing

Subject: Condit Evergreen GPA and Rezoning

Dear Mr. Sing:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for up to 381 residential units at the northeast corner of San Pedro Avenue and Condit Road. We have the following comments.

Freeway Analysis and Mitigation Measures

The TIA and DEIR find a Significant and Unavoidable impact according to CMP criteria on SB US 101 from Burnett Avenue (lane drop) to Cochrane Road in the PM peak period. The DEIR notes that, "The VTA has identified plans to widen US 101 to four lanes through the extension of the southbound and northbound HOV lanes from north of Cochrane Road, south through Morgan Hill to Gilroy. This includes removal of the lane drop on the impacted freeway segment and carrying the HOV lane south. The future improvements will remove the current merge and poor operating conditions, however, there is currently no program in place to fund the improvement envisioned by VTA." (DEIR, pg. 45)

VTA disagrees with the final statement that there is "no program in place to fund the improvement." VTA notes that certain Cities in Santa Clara County have included commitments to provide voluntary contributions to regional transportation improvements as mitigation measures in CEQA documents. In addition, VTA notes these voluntary contributions will be executed via ad hoc funding agreements between the City and VTA, triggered when the project applies for a building permit or other approval milestones. VTA requests that the City include a mitigation measure in the DEIR for the project to commit to voluntary contributions to regional transportation improvements in VTP 2040/Plan Bay Area on the impacted freeway or parallel corridors, such as the US 101 Express Lanes Project.

Transportation Demand Management/Trip Reduction

The project is not located in a transit-rich area, with no transit service available within one mile of the project site. Given the project's location, the City should work with the applicant to identify effective Transportation Demand Management measures to reduce auto trips and

City of Morgan Hill
October 9, 2014
Page 2

greenhouse gas emissions associated with the project, such as public-private partnerships or developer contributions to provide improved transit service in the area (for example, shuttles to Caltrain or VTA Express Bus stops).

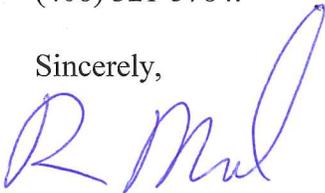
Pedestrian and Bicycle Accommodations and Site Design

Given the project's location away from existing transit services, site design elements that encourage walking and bicycling will be important in the project's overall strategy to reduce automobile trips. VTA recommends that the project provide wide sidewalks with a buffer strip between pedestrians and automobiles with landscaping elements such as closely planted trees, shrubs, or light posts. Resources on pedestrian quality of service, such as the Highway Capacity Manual 2010 Pedestrian Level of Service methodology, indicate that such accommodations (which are sometimes called a 'continuous barrier') improve pedestrian perceptions of comfort and safety on a roadway.

In addition, VTA recommends that the project's site design be optimized to encourage walking and bicycling for daily tasks. VTA encourages the provision of a well-connected street network to minimize distances for pedestrian and bicycle trips to and from the site.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed
Senior Environmental Planner

cc: Erik Alm, Caltrans
Brian Brandert, Caltrans

MH1005