



## **NOTICE OF PREPARATION of a Draft Subsequent Environmental Impact Report**

**Date:** August 25, 2023

**To:** Agencies and Interested Parties

**From:** Joey Dinh, Associate Planner, Morgan Hill Development Services

**Subject:** Notice of Preparation of a Draft Subsequent Environmental Impact Report for the Rosewood/Morgan Hill Medical Campus Project (formerly known as the Lillian Commons Medical Campus Project)

**Review Period:** August 25, 2023 to September 25, 2023

The City of Morgan Hill (City) will be the Lead Agency and will prepare a Subsequent Environmental Impact Report (SEIR) for the Rosewood/Morgan Hill Medical Campus Project (project or proposed project) in the City of Morgan Hill. This Notice of Preparation (NOP) initiates the environmental scoping process in accordance with the California Environmental Quality Act (14 California Code of Regulations [CCR] Section 15082). The purpose of an NOP is to provide sufficient information about the proposed project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the SEIR, including mitigation measures and alternatives that should be considered in the SEIR (CEQA Guidelines 14 CCR Section 15082[b]). The project description and location are described below.

### **Public Scoping Meetings and Comment Submittal**

A scoping meeting, open to agencies, organizations, and individual members of the public will be held to receive public comments and suggestions on the scope of environmental issues to be studied in the SEIR. The scoping meeting will be open to the public and held as follows:

A virtual scoping meeting will be held:

**Date:** Tuesday, September 19, 2023  
**Time:** 6:00 PM  
**Link:** <https://bit.ly/RosewoodNOPScopingMeeting>  
**Meeting ID:** 879 6339 7454

The City is soliciting comments from public agencies, private organizations, and individuals regarding the scope and content of the environmental documentation. Because of time limits mandated by State law, **comments should be provided no later than 5:00 PM on September 25, 2023**. Please send all comments to:

Joey Dinh, Associate Planner Morgan Hill Development Services  
17575 Peak Avenue  
Morgan Hill, CA 95037  
Phone: (408) 778-6480  
Email: [Joey.Dinh@MorganHill.CA.gov](mailto:Joey.Dinh@MorganHill.CA.gov)

Agencies that will need to use the SEIR when considering permits or other approvals for the proposed project should provide the name of a contact person, phone number, and email address in their comment. Comments provided by email should include "Rosewood/Morgan Hill Medical Campus Project NOP Comment" in the subject line, and the name and physical address of the commenter in the body of the email.

### **Project Background**

On November 4, 2020, the Morgan Hill City Council reviewed and approved the Lillian Commons Medical Campus Project (Lillian Commons Project), a mixed-use development project proposed for a 19.67-acre site southeast of the Juan Hernandez Drive/Barrett Avenue intersection in the City of Morgan Hill, California. The site is composed of three parcels, identified by Assessor's Parcel Numbers (APNs) 817-09-039, -040, and -041. The Lillian Commons Project, for which an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and adopted (State Clearinghouse No. 2020060601), originally proposed to construct a 4,500-square-foot (sf) urgent care facility, a 10,000-sf medical building, a 100,000-sf medical office/hospital with 55 beds, a three-story parking structure with 500 spaces, a 10,000-sf commercial retail/restaurant building, and a 200-unit multi-family residential complex.<sup>1</sup> The project applicant, Brookfield Properties (BFH CM LLC), requested City approval of the following entitlements:

- A General Plan Amendment (GPA) to redesignate the site from Commercial to Mixed-Use Flex;
- A Zoning Amendment to amend the site's zoning from Service Commercial with a Planned Development (PD) Combining District overlay to MU-F with a PD Combining District overlay;
- A Planned Development (PD) Master Plan to allow for flexibility in the permitted land uses within the project site; and
- A Tentative Parcel Map to subdivide the site into four parcels: Parcels A, B, C, and D.

The Lillian Commons Project IS/MND ultimately concluded that although potentially significant impacts could occur through development of the project, with incorporation of the mitigation measures set forth therein, all potential impacts would be reduced to a less-than-significant level. After reviewing the applicant's request to amend the site's land use designation from Commercial to MU-F and to create a PD zoning district and associated Master Plan, the City Council voted to approve the Lillian Commons Project, while incorporating Morgan Hill Planning Commission recommendations of limiting housing to only the northern portion of the site (Parcel C), reducing the number of new multi-family residential units that could be developed by the project from 200 units to 150 units, and requiring that, for the remainder of the site, any allowed uses in the PD are tied to a medical campus (Resolution Nos. 20-058, 20-059, and 20-060 and Ordinance No. 2318).

The applicant is proceeding with development of the residential component of the City-approved Lillian Commons Project on Parcel C (10.06 acres), now known as "Rosewood". The approved vesting tentative map consists of 120 units (34 duet units and 86 townhome units), rather than the 150 units previously approved by the City Council. The remaining Parcels A, B, and D comprise approximately 9.61 acres and represent the area within the PD Master Plan approved for medical and commercial uses. Parcels A and B are currently undeveloped, while Parcel D contains 15,900 sf of existing medical office space. The applicant

---

<sup>1</sup> City of Morgan Hill. *Lillian Commons Medical Campus Initial Study*. June 2020.

is proposing certain modifications to the 9.61-acre area, thus, necessitating an Amendment to the PD Master Plan. The 9.61-acre site is the subject of this SEIR and is considered the project site for the purposes of CEQA. In general, the modifications consist of increasing the allowable medical office square footage and maximum building height, as well as a General Plan text amendment to amend the Mixed Use Flex designation to exempt medical uses, including hospitals, from floor area ratio requirements with an approved Planned Development (PD) Combining District and PD Master Plan. Additional project details are provided below.

In situations when a lead agency has certified an EIR or adopted a Negative Declaration for a project, and then the project is modified and subject to additional discretionary approvals, the lead agency must consider the need for subsequent environmental review. In the case of an adopted Negative Declaration, depending on the nature of the project modifications, a lead agency may prepare an Addendum to the Negative Declaration, a Subsequent Negative Declaration, or an SEIR. According to CEQA Guidelines Section 15164, a lead agency can prepare an Addendum to a previously adopted Negative Declaration if some changes or additions are necessary, but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of an SEIR have occurred.

While the environmental analysis for the proposed project has not yet been completed, the City of Morgan Hill has decided to take a conservative approach for the Rosewood/Morgan Hill Medical Campus Project and assume the project may result in new significant impacts not previously identified or a substantial increase in the severity of significant impact(s) previously identified in the 2020 Lillian Commons IS/MND.

In cases where an approved project has already undergone environmental review, and the environmental document has been adopted by the lead agency, the lead agency can restrict the current review to the incremental effects of the modified project, rather than having to reconsider the overall impacts of the project. In such cases, as the project under review constitutes only a modification of a previously approved project, the “baseline” for the purposes of CEQA is adjusted such that the originally approved project is assumed to exist.<sup>2</sup> Thus, the environmental baseline for the SEIR is appropriately considered to be the approved Lillian Commons Project, the PD Master Plan for which allocated 124,500 sf of medical/commercial uses for the 9.61-acre project site. While the City could legitimately use this baseline for evaluation of all CEQA topics in the SEIR, the City has conservatively chosen to use the existing site conditions as the baseline for the vehicle miles traveled (VMT) analysis, given that the adopted 2020 Lillian Commons IS/MND only included a qualitative analysis of VMT. In other words, with the exception of the existing 15,900 sf of medical office space currently located in the southernmost portion of the project site, other VMT-generating uses previously approved for the Lillian Commons Project IS/MND are not assumed in the environmental baseline.

## **Project Location**

The project site consists of two parcels (APNs 817-09-039 through -041) totaling 9.61 acres located to the southeast of the Juan Hernandez Drive/Barrett Avenue intersection in the City of Morgan Hill (see Figure 1). The City of Morgan Hill General Plan designates the project site MU-F, and the site is zoned MU-F with a PD Combining District overlay.

Pursuant to the City of Morgan Hill General Plan, the Mixed Use Flex designation allows for a mix of residential, commercial, and office uses applied either vertically (i.e., one structure with multiple uses) or horizontally (i.e., structures with different land uses located adjacent to one another), a density of seven to 24 dwelling units per acre (du/ac), and a maximum FAR of 0.5. As established by the approved Lillian Commons PD Master Plan, the project site’s permitted uses include, but are not limited to, the following: banks and financial institutions, business support services, commercial recreation, cultural institutions, day

---

<sup>2</sup> See Michael H. Remy et al. *Guide to CEQA, 11th Edition*. Point Arena: Solano Press Books (2007), pg. 207; Stephen L. Kostka and Michael H. Zischke. *Practice Under the Environmental Quality Act, Second Edition* (Vol. 1). Oakland: Continuing Education of the Bar (2018), pgs. 12-32; *Benton v. Board of Supervisors* (1st Dist. 1991) 226 Cal. App. 3d 1467.

care centers, general retail, hospitals, medical offices and clinics, parking lots and structures, and professional offices.

### **Site Characteristics**

The majority of the project site is currently undeveloped and contains ruderal (non-native) grasses. Two medical office buildings totaling 15,900 sf, as well as a paved surface parking lot and landscaping trees, occur on a 1.69-acre portion of the project site. The site is bounded to the west by Juan Hernandez Drive and to the east by US-101.

### **Surrounding Land Uses**

The 10.06-acre Parcel C, which is currently being developed with a 120-unit multi-family Rosewood residential community facilitated by the previously approved Lillian Commons Project, is to the north of the project site, across the approved Street A. Barrett Elementary School and single-family residences are located further to the north, across Barrett Avenue. To the east of US-101 are various commercial uses, including Microtel Inn & Suites, Comfort Inn & Suites, Patioworld, and House of Thunder Harley-Davidson. To the south is undeveloped land designated for Commercial uses. To the west are single-family residences and undeveloped land designated Residential Attached Medium, across Juan Hernandez Drive.

### **Project Description**

The proposed project would require approval of a General Plan Text Amendment and Planned Development Master Plan Amendment, which are discussed in further detail below.

#### General Plan Text Amendment

According to the Morgan Hill General Plan, the Mixed Use Flex designation allows for a mix of residential, commercial, and office uses applied either vertically or horizontally with a maximum FAR of 0.5. As part of the proposed General Plan Text Amendment, the Mixed Use Flex designation would be amended to exempt medical uses, including hospitals, from floor area ratio requirements with an approved Planned Development (PD) Combining District and PD master plan.

#### Planned Development Master Plan Amendment

The PD Master Plan Amendment would allow for an increase in medical office square footage within the 9.61-acre project site. The project applicant has prepared two site plans for the project site, one of which identifies the probable medical square footage for the project site, and the other represents the potential maximum medical square footage. For CEQA analysis purposes, the City has chosen to focus the environmental analysis within the SEIR on the maximum square footage so that the full envelope of potential environmental impacts is assessed and mitigated, as required. The PD Master Plan Amendment sets the maximum medical square footage at 275,000 sf. The probable medical square footage site plan includes a total footprint of 225,000 sf of medical office uses and will be included as a Reduced Project alternative in the Alternatives Analysis chapter of the SEIR.

The proposed project would consist of three medical office buildings and a parking structure (see Figure 2) and would result in the following building footprints:

- Building 1: A 75,000-sf, three-story medical office building immediately east of Juan Hernandez Drive;
- Building 2: A 100,000-sf, four-story medical office/hospital/urgent care/pharmacy/retail/restaurant building south of Rosewood Lane, generally within the center of the project site;
- Building 3: A 100,000-sf, four-story medical office building immediately west of US-101; and
- A 54,000-sf, six-story parking structure, comprised of 965 parking spaces, located to the south of the proposed medical buildings.



Through approval of the PD Master Plan Amendment, the proposed project would result in a net increase of 150,500 sf of medical/commercial uses relative to the originally approved project (275,000 sf – 124,500 sf = 150,500 sf). After accounting for the existing 15,900 sf of medical office use that would be demolished as part of the proposed project, the total net increase would be 133,600 sf. The three medical office buildings would each be located to the south of Rosewood Lane. The maximum building height for the medical office buildings would be increased as part of the PD Master Plan Amendment, from 55 feet to 65 feet.

With respect to the parking structure, the originally approved project included construction of a three-story, 32-foot-tall parking structure, whereas the proposed project is proposing development of a six-story, 65-foot-tall structure. Thus, the proposed project modifications would result in a net increase of three floors and 33 feet.

In addition, whereas the originally approved project sited the parking structure immediately south of Rosewood Lane and adjacent to the east of US-101, the proposed project would place the parking structure within the southern portion of the project site, generally equidistant from US-101 and Juan Hernandez Drive. The proposed project would also include demolition of the existing 15,900 sf of medical office buildings within Parcel D, which would be replaced with a paved surface parking lot.

#### Access, Circulation, and Parking

Access to the project site would be provided by St. James Drive, which would include connections to Juan Hernandez Drive to the east of the site and the previously approved Rosewood Lane to the north of the site. St. James Drive would consist of a 36-foot-wide right-of-way (ROW) along the majority of the street, comprised of two 13-foot-wide vehicle lanes, a five-foot-wide landscape strip, and a five-foot-wide sidewalk. Near the entrance from Juan Hernandez Drive, St. James Drive would feature a 51-foot-wide ROW, comprised of a 13-foot-wide right-turn lane, two vehicle lanes, a five-foot-wide landscape strip, and a five-foot-wide sidewalk. Additionally, emergency vehicle access to Barrett Avenue would be available through the Rosewood subdivision that is currently under construction north of the project site.

With respect to parking, the parking structure would include 965 parking spaces across six floors, including 30 spaces designed in compliance with the Americans with Disabilities Act (ADA). In addition, the proposed project would include 269 surface parking spaces, which would be located between the three medical office buildings, as well as to the east and west of the parking structure. In addition, the project would be required to provide 165 total bicycle parking spaces (55 covered spaces, 110 uncovered spaces).

In regard to pedestrian access, new sidewalks would be provided along all internal drive aisles within the project site. The new sidewalks would ultimately provide access to the existing sidewalks along Juan Hernandez Drive. In addition, an internal jogging/walking trail would be constructed to extend through the project site from the southern site boundary to along the eastern perimeter. The proposed internal jogging/walking trail would connect to similar trails within the Rosewood residential community under construction to the north, which would ultimately connect to Barrett Avenue further to the north.

#### Utilities

Water and sewer service for the proposed project would be provided by the City of Morgan Hill through connections to existing infrastructure located in the project vicinity. From the existing 10-inch water line in Juan Hernandez Drive, new 8- and 10-inch water lines would be extended into the site within St. James Drive, to which the proposed medical office buildings would connect by way of new laterals. Fire flow would be provided to all proposed structures through the proposed pipe network. Similarly, from the existing 8-inch sewer line in Juan Hernandez Drive, new 6- and 8-inch sewer lines would be extended into the site within St. James Drive, to which the proposed medical office buildings would connect by way of new laterals.

With respect to storm drainage facilities, runoff from new impervious surfaces within the developed project site would be directed to inlets located throughout the project site, as well as new bioretention basins sited in various locations, which would provide preliminary treatment and temporary storage of runoff during peak rainfall. From the inlets and bioretention basins, flows would be conveyed by way of new 15- and 18-inch

storm drain lines to the water treatment basin located to the southeast of the parking structure, where flows would ultimately be piped to the existing storm drain infrastructure in Juan Hernandez Drive.

Finally, electricity would be provided to the proposed project by Pacific Gas & Electric Co. (PG&E) through the existing underground utility lines along Juan Hernandez Drive. The project would not include natural gas, as natural gas has been prohibited in all new construction since March 1, 2020, pursuant to City Ordinance No. 2306.

### Landscaping

New landscaping would be provided throughout the project site, adjacent to the proposed structures, internal drive aisles, and site perimeters. Plant selection would be consistent with the landscaping planted as part of the previously approved Rosewood multi-family residential community to the north. In addition, new vegetation would be selected in accordance with Morgan Hill Municipal Code Section 18.64.060, which requires that all plants and trees shall be categorized as low or very low water use.

### **Requested Entitlements**

As the lead agency under CEQA, the City of Morgan Hill is responsible for considering and determining the adequacy of the SEIR and determining if the proposed project should be approved. The City of Morgan Hill City Council is responsible for certifying the CEQA document and approving the following discretionary actions:

- PD Master Plan Amendment to increase the maximally allowed medical office square footage within the project site to 275,000 and maximum building height to 65 feet; and
- General Plan Text Amendment to amend the Mixed Use Flex designation to exempt medical uses, including hospitals, from floor area ratio requirements with an approved Planned Development (PD) Combining District and PD Master Plan.

### **Environmental Effects and Scope of the SEIR**

An Initial Study was prepared for the proposed project (see Attachment to this NOP), which determined that the content of the SEIR shall focus on the following areas of potential significant impacts:

- Air Quality and Greenhouse Gas Emissions (including Energy);
- Noise; and
- Transportation.

In addition, statutorily required sections and discussion of project alternatives will be included. Some refinement to the aforementioned issues may be required based on comments received during the NOP scoping process. The following section describes each of the technical chapters of the SEIR in further detail.

Information will be drawn from the City of Morgan Hill General Plan and General Plan EIR, 2020 Lillian Commons Medical Campus IS/MND, technical studies prepared for the proposed project, and any other information pertinent to the project area. Consistent with CEQA and the requirements of the City of Morgan Hill, each environmental chapter will include an introduction, environmental setting, regulatory context, and impacts and mitigation measures.

### Air Quality and Greenhouse Gas Emissions (including Energy)

#### *Air Quality*

The Air Quality and Greenhouse Gas (GHG) Emissions (including Energy) chapter of the SEIR will summarize the regional air quality setting, including climate and topography, existing ambient air quality, regulatory setting, and presence of any sensitive receptors near the project site. The air quality impact

analysis will include a quantitative assessment of short-term (i.e., construction) and long-term (i.e., operational) increases of criteria air pollutant emissions of primary concern (i.e., ROG, NO<sub>x</sub>, and PM<sub>10</sub>) resulting from the incremental growth proposed with the PD Master Plan Amendment. The analysis will additionally address toxic air contaminant (TAC) emissions using the California Air Resources Board (CARB) “Air Quality and Land Use Handbook: A Community Health Perspective.” Consistent with California court rulings, the CEQA air quality impact analysis will focus solely on the proposed project’s effects to the surrounding environment and will not include an analysis of the surrounding environment’s effects, such as emissions from US 101, on future site patrons. The significance of air quality impacts will be determined in comparison to the Bay Area Air Quality Management District’s (BAAQMD’s) significance thresholds. Mitigation measures will be incorporated to reduce any significant air quality impacts, and anticipated reductions in emissions associated with proposed mitigation measures will be quantified.

### *Greenhouse Gas Emissions*

The BAAQMD has recently adopted new thresholds of significance for GHG emissions. Pursuant to the new BAAQMD thresholds of significance for GHG emissions, new land use development projects need to implement specific design elements (i.e., no natural gas, electric vehicle charging, reduce VMT by 15 percent) or show consistency with a local GHG reduction strategy in order to do its “fair share” of implementing the goal of carbon neutrality by 2045. If the project can implement the specific design elements, it can reasonably be determined that the proposed project will not make a cumulatively considerable contribution to global climate change. Though not required by CEQA, for information disclosure purposes, the GHG section of the chapter will include a quantitative estimation of the proposed project’s GHG emissions resulting from incremental growth proposed as part of the PD Master Plan Amendment. Mitigation measures would be identified, as appropriate, in coordination with the City and BAAQMD to identify feasible mitigations for GHG emissions.

### *Energy*

An analysis will be included as to whether the proposed project could result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The discussion will also evaluate whether the proposed project would conflict with or obstruct a state or local plan for renewable energy.

### Noise

The Noise chapter of the SEIR will be based on a Noise Study prepared under contract with the City and will include a description of the existing noise level environment associated with the project site. As previously noted, the approved Lillian Commons Project will be used as the environmental baseline for the noise analysis of the proposed project; thus, the noise analysis will focus on the net increase in noise and vibration associated with the new modified project.

As part of the Noise Study, project-generated noise that could affect existing noise-sensitive receptors will be calculated, as well as traffic noise increases, noise from the project’s mechanical systems, and other features of the project. Noise generated by project construction, as well as vibration levels expected from demolition and construction, will be estimated at nearby uses. Noise and vibration impacts will be assessed pursuant to CEQA guidelines, as well as in comparison to applicable State and local City noise thresholds to identify any potential noise impacts at sensitive receptors in the area resulting from the proposed project. New mitigation measures and mitigation measures included in the original noise study will be identified to mitigate any new significant noise or vibration impacts.

### Transportation

The Transportation chapter of the SEIR will be based on a project-specific Traffic Impact Analysis (TIA) to be prepared under contract with the City. Since July 1, 2020, the metric of analysis to determine whether a project’s transportation impact(s) would be significant under CEQA is VMT. According to CEQA Guidelines Section 15064.3, VMT is the most appropriate measure of transportation impacts. VMT refers to the amount

and distance of automobile travel attributable to a project. The project-specific TIA will evaluate VMT, the project's effect on transit services, bicycle, and pedestrian services in the area, and will review site circulation and access from a safety perspective to determine the adequacy of the proposed site plan in accordance with the generally accepted traffic engineering standards.

The project's VMT will be estimated and compared to applicable thresholds. Based on the results of the VMT evaluation, the TIA will identify and describe any impacts due to the site-generated VMT and provide recommendations that identify the locations and potential improvements or modifications necessary to mitigate impacts, to the extent feasible, which could include but not be limited to improvements to the transit, bicycle, and pedestrian infrastructure and Travel Demand Management (TDM) measures that promote multi-modal travel and reduce the use of single-occupant automobile travel for the purpose of reducing VMT.

### Statutorily Required Sections

Pursuant to CEQA Guidelines Section 21100(B)(5), the Statutorily Required Sections chapter of the SEIR will address the potential for growth-inducing impacts of the proposed project, focusing on whether removal of any impediments to growth would occur with the proposed project. A summary of the significant and unavoidable impacts identified within the SEIR will be included in this chapter, if applicable, as well as a discussion of significant irreversible impacts. The chapter will generally describe the cumulative setting for the proposed project; however, a detailed description of the subject-specific cumulative setting, as well as analysis of the cumulative impacts, will be included in each technical chapter of the SEIR.

### Alternatives Analysis

In accordance with Section 15126.6(a) of the CEQA Guidelines, the SEIR will include an analysis of a range of alternatives, including a No Project Alternative, which is anticipated to assume implementation of the approved 2020 Lillian Commons Project. In addition, as discussed above, the project applicant has prepared two site plans for the project site, one of which identifies the probable medical square footage for the project site, and the other represents the potential maximum medical square footage. The probable medical square footage site plan includes a total footprint of 225,000 sf of medical office uses and will be included as a Reduced Project alternative. Any additional project alternatives will be selected when more information related to project impacts is available in order to be designed to reduce significant project impacts. The chapter will also include a section of alternatives considered but dismissed, if necessary. The Alternatives Analysis chapter will describe the alternatives and identify the environmentally superior alternative. The alternatives will be analyzed at a level of detail less than that of the proposed project; however, the analyses will include sufficient detail to allow a meaningful comparison of the impacts. Such detail may include conceptual site plans for each alternative, basic quantitative traffic information (e.g., trip generation), as well as a table that will compare the features and the impacts of each alternative.



**Figure 1  
Project Site Boundaries**





**Figure 2  
Conceptual Site Plan**



**SITE INFORMATION**  
**ADDRESS**  
 • 16130 JUAN HERNANDEZ DRIVE  
 (EXISTING MEDICAL BUILDINGS)  
 817-09-040  
 • LAND ONLY  
 817-09-039, 041

**PROJECT INFORMATION**  
**PARCEL A** MEDICAL OFFICE (9.61 AC)  
 75,000 SQFT 3-STORY BUILDING  
 100,000 SQFT 4-STORY BUILDING  
 100,000 SQFT 4-STORY BUILDING  
 6-STORY PARKING STRUCTURE  
**PARCEL C** SINGLE AND MULTI-FAMILY RES.  
 34 DUET HOMES  
 86 TOWN HOMES  
 ACTIVE AND PASSIVE OPEN SPACE

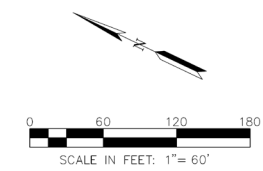
**GENERAL PLAN LAND USE DESIGNATION:**  
 MIXED-USE FLEX

**ZONING:**  
 MUF (PD)

**DEVELOPMENT STANDARDS (AREA A)**  
**SETBACKS**  
 FRONT 25-FEET  
 REAR 0-FEET  
 SIDE 0-FEET  
**HEIGHT-MEDICAL\*** 4-STORIES/65-FEET  
**HEIGHT-GARAGE\*** 6-STORIES/65-FEET  
**BUILDING COVERAGE** 0.60  
**FAR** 0.66  
 \*EXCEPTIONS PER MHMC 18.56

**PARKING-REQUIRED (BASED ON PROPOSED PARKING RATIO)**  
 MEDICAL OFFICE 4 SPACES/1,000 SQFT  
**PROPOSED MEDICAL** 275,000 SQFT (GROSS)  
 275,000/250 = 1,100 SPACES

**PARKING PROVIDED**  
 SURFACE 269  
 PARKING GARAGE 965  
 1,234  
 1 SPACE/223 SQFT OR 4.5 SPACES/1,000 SQFT  
**RESIDENTIAL** N/A



**Attachment**

**Initial Study**

City of Morgan Hill  
Development Services Department



**Rosewood/Morgan Hill Medical Campus  
Project**

**Initial Study**

**August 2023**

Prepared by



1501 Sports Drive, Suite A, Sacramento, CA 95834



**TABLE OF CONTENTS**

**A. BACKGROUND .....1**

**B. INTRODUCTION .....2**

**C. PROJECT DESCRIPTION .....5**

**D. SOURCES .....13**

**E. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED .....14**

**F. DETERMINATION.....15**

**G. ENVIRONMENTAL CHECKLIST .....16**

    I. AESTHETICS ..... 18

    II. AGRICULTURE AND FORESTRY RESOURCES ..... 27

    III. AIR QUALITY ..... 29

    IV. BIOLOGICAL RESOURCES ..... 32

    V. CULTURAL RESOURCES ..... 36

    VI. ENERGY ..... 40

    VII. GEOLOGY AND SOILS ..... 41

    VIII. GREENHOUSE GAS EMISSIONS ..... 45

    IX. HAZARDS AND HAZARDOUS MATERIALS ..... 47

    X. HYDROLOGY AND WATER QUALITY ..... 51

    XI. LAND USE AND PLANNING ..... 55

    XII. MINERAL RESOURCES ..... 57

    XIII. NOISE ..... 58

    XIV. POPULATION AND HOUSING ..... 60

    XV. PUBLIC SERVICES ..... 62

    XVI. RECREATION ..... 65

    XVII. TRANSPORTATION ..... 66

    XVIII. TRIBAL CULTURAL RESOURCES ..... 70

    XIX. UTILITIES AND SERVICE SYSTEMS ..... 72

    XX. WILDFIRE ..... 76

    XXI. MANDATORY FINDINGS OF SIGNIFICANCE ..... 78

**FIGURES**

Figure 1 Regional Project Location ..... 6

Figure 2 Project Site Boundaries Map ..... 7

Figure 3 Conceptual Site Plan ..... 9

Figure 4 Conceptual Grading Plan ..... 11

Figure 5 Utility Plan ..... 12

Figure 6 Existing View from Juan Hernandez Drive ..... 21

Figure 7 Existing View from Southbound US-101 ..... 22

Figure 8 Existing View from Northbound US-101 ..... 22

Figure 9 Post-Construction View from Juan Hernandez Drive ..... 23

Figure 10 Post-Construction View from Southbound US-101 ..... 25

Figure 11 Post-Construction View from Northbound US-101 ..... 25

**TABLES**

Table 1 Surrounding Land Use and Zoning Designations ..... 5

**INITIAL STUDY**  
**AUGUST 2023**

**A. BACKGROUND**

1. Project Title: Rosewood/Morgan Hill Medical Campus Project
2. Lead Agency Name and Address: City of Morgan Hill  
Development Services Department  
Morgan Hill, CA  
17575 Peak Avenue  
Morgan Hill, CA 95037
3. Contact Person and Phone Number: Joey Dinh  
Associate Planner  
(408) 778-6480
4. Project Location: South of the Juan Hernandez Drive/  
Barrett Avenue Intersection  
Morgan Hill, CA, 95037  
APNs: 817-09-039 through -041
5. Project Sponsor's Name and Address: Brookfield Properties (BFH CM LLC)  
12657 Alcosta Blvd, Suite 250  
San Ramon, CA 94583
6. Existing General Plan Designation: Mixed Use Flex
7. Existing Zoning Designation: Mixed-Use Flex (MU-F) with a  
Planned Development (PD) Combining District overlay
8. Required Approvals from Other Public Agencies: None Anticipated
9. Surrounding Land Uses and Setting:

The approximately 9.61-acre project site (identified by Assessor's Parcel Numbers [APNs] 817-09-039 through -041) is located to the southeast of the Juan Hernandez Drive/Barrett Avenue intersection in the City of Morgan Hill. The majority of the project site is currently undeveloped and contains ruderal (non-native) grasses. Two medical office buildings totaling 15,900 square feet (sf), as well as a paved surface parking lot and landscaping trees, occur on a 1.69-acre portion of the project site. A 10.06-acre parcel north of the project site, across the approved Street A, is currently being developed with the 120-unit multi-family Rosewood residential community. Barrett Elementary School and single-family residences are located further to the north, across Barrett Avenue. To the east of U.S. Highway 101 (US-101) are various commercial uses, including Microtel Inn & Suites, Comfort Inn & Suites, Patioworld, and House of Thunder Harley-Davidson. To the south is undeveloped land designated for Commercial uses. To the west are single-family residences and undeveloped land designated Residential Attached Medium, across Juan Hernandez Drive. The City of Morgan Hill General Plan designates the project site Mixed

Use Flex, and the site is zoned Mixed-Use Flex (MU-F) with a Planned Development (PD) Combining District overlay.

10. Project Description Summary:

The Rosewood/Morgan Hill Medical Campus Project (proposed project) consists of a request to amend an adopted Planned Development Master Plan to allow an increase in medical office square footage within the 9.61-acre project site. Through approval of the PD Master Plan Amendment, the proposed project would result in a net increase of 150,500 sf of medical/commercial uses relative to the originally approved project (275,000 sf – 124,500 sf = 150,500 sf). After accounting for the existing 15,900 sf of medical office use that would be demolished as part of the proposed project, the total net increase would be 133,600 sf. The development would generally include three new medical office buildings, a six-story, 65-foot-tall parking structure with 965 parking spaces, additional surface parking, and installation of utilities. The proposed project would also require the approval of a General Plan Text Amendment to amend the Mixed Use Flex designation to exempt medical uses, including hospitals, from floor area ratio requirements with an approved Planned Development (PD) Combining District and PD Master Plan.

## **B. INTRODUCTION**

This Initial Study identifies and analyzes the potential environmental impacts of the proposed project. The information and analysis presented in this document is organized in accordance with the order of the California Environmental Quality Act (CEQA) checklist in Appendix G of the CEQA Guidelines.

On November 4, 2020, the Morgan Hill City Council reviewed and approved the Lillian Commons Medical Campus Project (Lillian Commons Project), a mixed-use development project proposed for a 19.67-acre site southeast of the Juan Hernandez Drive/Barrett Avenue intersection in the City of Morgan Hill, California. The site is composed of three parcels, identified by Assessor's Parcel Numbers (APNs) 817-09-039, -040, and -041. The Lillian Commons Project, for which an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and adopted (State Clearinghouse No. 2020060601), originally proposed to construct a 4,500-sf urgent care facility, a 10,000-sf medical building, a 100,000-sf medical office/hospital with 55 beds, a three-story parking structure with 500 spaces, a 10,000-sf commercial retail/restaurant building, and a 200-unit multi-family residential complex.<sup>1</sup> The project applicant, Lillian Commons, LLC, requested City approval of the following entitlements:

- A General Plan Amendment (GPA) to redesignate the site from Commercial to Mixed Use Flex;
- A Zoning Amendment to amend the site's zoning from Service Commercial with a PD Combining District overlay to MU-F with a PD Combining District overlay;
- A PD Master Plan to allow for flexibility in the permitted land uses within the project site; and
- A Tentative Parcel Map to subdivide the site into four parcels: Parcels A, B, C, and D.

The Lillian Commons Project IS/MND ultimately concluded that although potentially significant impacts could occur through development of the project, with incorporation of the mitigation measures set forth therein, all potential impacts would be reduced to a less-than-significant level. After reviewing the applicant's request to amend the site's land use designation from Commercial

---

<sup>1</sup> City of Morgan Hill. *Lillian Commons Medical Campus Initial Study*. June 2020.

to MU-F and to create a PD zoning district and associated Master Plan, the City Council voted to approve the Lillian Commons Project, while incorporating Morgan Hill Planning Commission recommendations of limiting housing to only the northern portion of the site (Parcel C), reducing the number of new multi-family residential units that could be developed by the project from 200 units to 150 units, and requiring that, for the remainder of the site, any allowed uses in the PD are tied to a medical campus (Resolution Nos. 20-058, 20-059, and 20-060 and Ordinance No. 2318).

The applicant is proceeding with development of the residential component of the City-approved Lillian Commons Project on Parcel C (10.06 acres), now known as “Rosewood”. The approved vesting tentative map consists of 120 units (34 duet units and 86 townhome units), rather than the 150 units previously approved by the City Council. The remaining Parcels A, B, and D comprise approximately 9.61 acres and represent the area within the PD Master Plan approved for medical and commercial uses. Parcels A and B are currently undeveloped, while Parcel D contains 15,900 sf of existing medical office space. The applicant is proposing certain modifications to the 9.61-acre area, thus, necessitating an Amendment to the PD Master Plan. The 9.61-acre site is the subject of this Initial Study and is considered the project site for the purposes of CEQA. In general, the modifications consist of increasing the allowable medical office square footage and maximum building height, as well as a General Plan Text Amendment to amend the Mixed Use Flex designation to exempt medical uses including hospitals from floor area ratio requirements with an approved Planned Development (PD) Combining District and PD master plan. Additional project details are provided within the Project Description section below.

In the case of a project proposal requiring discretionary approval by the City for which the City has adopted an EIR or IS/MND for the overall project, the City must determine whether a subsequent EIR is required. The CEQA Guidelines provide guidance in this process by requiring an examination of whether, since the certification of the EIR or IS/MND, changes in the approved project or circumstances under which the approved project would be undertaken have occurred to such an extent that the proposal may result in a new significant impact (not previously identified in the certified EIR or IS/MND) or substantial increase in the severity of a previously identified significant impact. If so, the City would be required to prepare a subsequent EIR.

Based on the analysis contained in this Initial Study, the City of Morgan Hill finds that the Rosewood/Morgan Hill Medical Campus Project may result in new significant impacts not previously identified or a substantial increase in the severity of significant impact(s) previously identified in the 2020 Lillian Commons Project IS/MND. Thus, the City will prepare a SEIR focused on the topics identified in this Initial Study as potentially having significant effects.

In cases where an approved project has already undergone environmental review, and the environmental document has been adopted by the lead agency, the lead agency can restrict the current review to the incremental effects of the modified project, rather than having to reconsider the overall impacts of the project. In such cases, as the project under review constitutes only a modification of a previously approved project, the “baseline” for the purposes of CEQA is adjusted such that the originally approved project is assumed to exist.<sup>2</sup> Thus, the environmental baseline for this Initial Study is appropriately considered to be the approved 2020 Lillian Commons Project, the PD Master Plan for which allocated 124,500 sf of medical/commercial uses for the 9.61-acre project site. While the City could legitimately use this baseline for evaluation of all CEQA topics in this Initial Study, the City has conservatively chosen to use the existing site conditions as the

---

<sup>2</sup> See Michael H. Remy et al. *Guide to CEQA, 11th Edition*. Point Arena: Solano Press Books (2007), pg. 207; Stephen L. Kostka and Michael H. Zischke. *Practice Under the Environmental Quality Act, Second Edition* (Vol. 1). Oakland: Continuing Education of the Bar (2018), pgs. 12-32; *Benton v. Board of Supervisors* (1st Dist. 1991) 226 Cal. App. 3d 1467.

baseline for the vehicle miles traveled (VMT) analysis, given that the adopted 2020 Lillian Commons Project IS/MND only included a qualitative analysis of VMT. In other words, with the exception of the existing 15,900 sf of medical office space currently located in the southernmost portion of the project site, other VMT-generating uses previously approved for the Lillian Commons Project IS/MND are not assumed in the environmental baseline.

The examination of impacts is the first step taken by the City in reviewing the CEQA treatment of the project. The following review proceeds with the requirements of CEQA Guidelines Section 15162 as discussed in detail below.

For the purposes of this Initial Study, the checklist to document evaluation of the proposed project will be based, generally, on the Appendix G format. Modifications have been made to the checklist sections, generally consisting of additional questions related to CEQA Guidelines Section 15162. Per CEQA Guidelines Section 15064, an addendum to an adopted EIR or IS/MND may be prepared if only minor technical changes or additions are required, and none of the conditions identified in CEQA Guidelines Section 15162 are present. The following identifies the standards set forth in Section 15162(a):

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR or IS/MND was certified as complete or the negative declaration was adopted, shows any of the following:
  - a) The project will have one or more significant effects not discussed in the previous EIR or IS/MND;
  - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR [or IS/MND];
  - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or IS/MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The following discussion confirms that the proposed project modifications have been evaluated for significant impacts pursuant to CEQA. The determination in this Initial Study evaluation is that the proposed modifications to the approved project could be reasonably anticipated to result in one or more new significant environmental impacts not previously identified in the adopted 2020 Lillian Commons Project IS/MND and/or a substantial increase in the severity of one or more significant impacts previously identified. The discussion concludes that the conditions set forth in

Section 15162 are reasonably anticipated to be triggered by the modified project. As such, a subsequent EIR is the appropriate environmental document for the proposed project, pursuant to CEQA Guidelines Section 15162.

### C. PROJECT DESCRIPTION

The following provides a description of the project site's current location and setting, as well as the proposed project components.

#### **Project Location and Setting**

The approximately 9.61-acre project site (identified by APNs 817-09-039 through -041) is located to the southeast of the Juan Hernandez Drive/Barrett Avenue intersection in the City of Morgan Hill (see Figure 1 and Figure 2).

The majority of the project site is currently undeveloped and contains ruderal (non-native) grasses. Two medical office buildings totaling 15,900 sf, as well as a paved surface parking lot and landscaping trees, occur on a 1.69-acre portion of the project site.

A 10.06-acre parcel north of the project site, across the approved Street A, is currently being developed with the 120-unit multi-family Rosewood residential community. Barrett Elementary School and single-family residences are located further to the north, across Barrett Avenue. To the east of US-101 are various commercial uses, including Microtel Inn & Suites, Comfort Inn & Suites, Patioworld, and House of Thunder Harley-Davidson. To the south is undeveloped land designated for Commercial uses. To the west are single-family residences and undeveloped land designated Residential Attached Medium, across Juan Hernandez Drive. Table 1 describes the land use and zoning designations of the parcels surrounding the project site.

<b>Parcel Location</b>	<b>Land Use</b>	<b>Zoning</b>
North of the Project Site	Mixed Use Flex	MU-F with a PD Combining District overlay
East of the Project Site	US-101, Commercial	General Commercial with a Planned Unit Development overlay
South of the Project Site	Commercial	Highway Commercial with Planned Unit Development overlay
West of the Project Site	Juan Hernandez Drive, Residential Attached Low and Residential Attached Medium	Residential Attached Low Density with a Residential Planned Development overlay and Residential Attached Medium Density

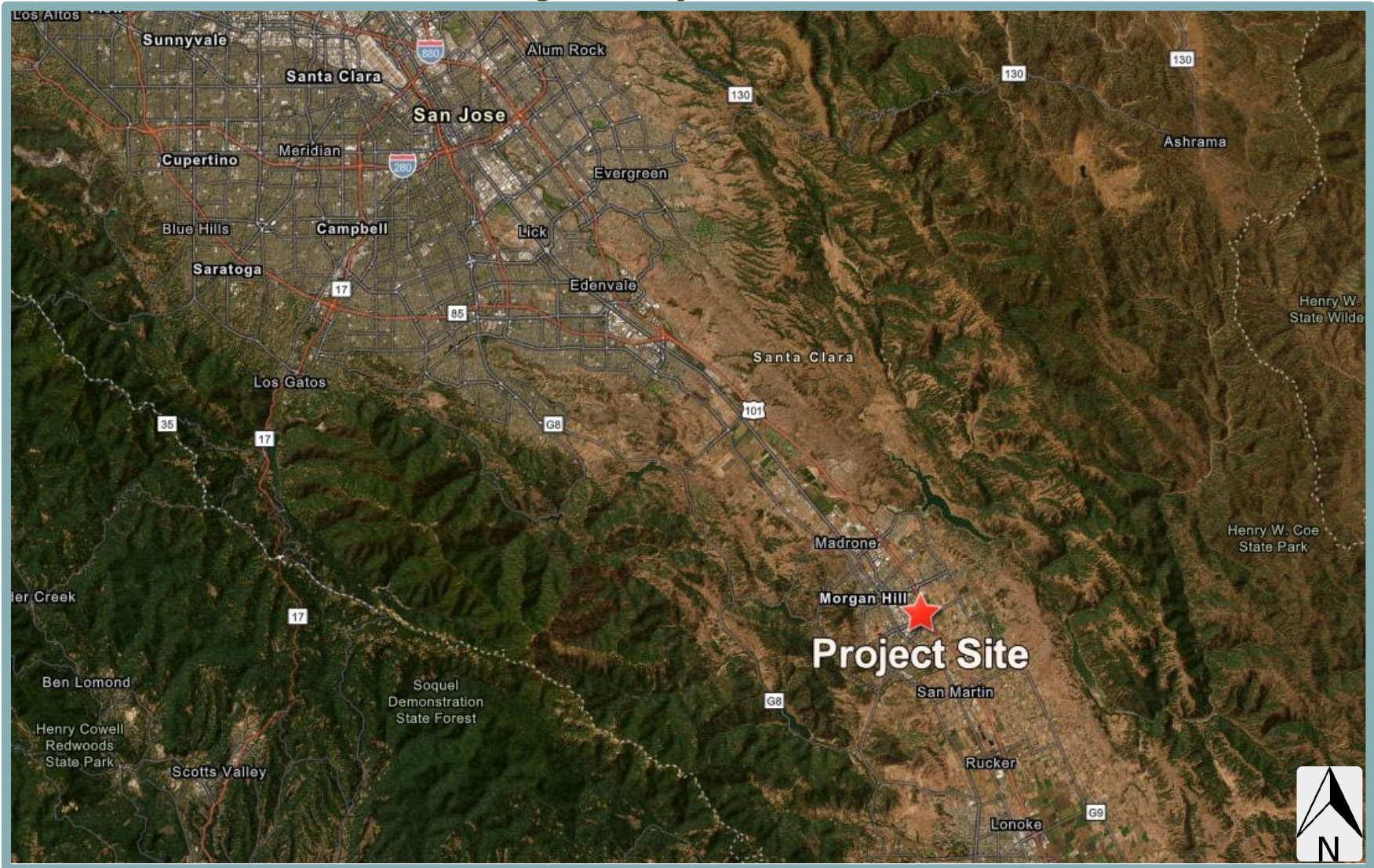
The City of Morgan Hill General Plan designates the project site Mixed Use Flex, and the site is zoned MU-F with a PD Combining District overlay.

#### **Project Components**

The proposed project would consist of three medical office buildings and a parking structure and would require the approval of a General Plan Text Amendment and Planned Development Master Plan Amendment. The proposed project components are discussed further below.



**Figure 1**  
**Regional Project Location**





**Figure 2**  
**Project Site Boundaries Map**





## General Plan Text Amendment

According to the Morgan Hill General Plan, the Mixed Use Flex designation allows for a mix of residential, commercial, and office uses applied either vertically or horizontally with a maximum FAR of 0.5. As part of the proposed General Plan Text Amendment, the Mixed Use Flex designation would be amended to exempt medical uses, including hospitals, from floor area ratio requirements with an approved Planned Development (PD) Combining District and PD master plan.

## Planned Development Master Plan Amendment

The PD Master Plan Amendment would allow for an increase in medical office square footage within the 9.61-acre project site. The project applicant has prepared two site plans for the project site, one of which identifies the probable medical square footage for the project site, and the other represents the potential maximum medical square footage. For CEQA analysis purposes, the City has chosen to focus the environmental analysis within this Initial Study on the maximum square footage so that the full envelope of potential environmental impacts is assessed and mitigated, as required. The PD Master Plan Amendment sets the maximum medical square footage at 275,000 sf.

The proposed project would consist of three medical office buildings and a parking structure (see Figure 3) and would result in the following building footprints:

- Building 1: A 75,000-sf, three-story medical office building immediately east of Juan Hernandez Drive;
- Building 2: A 100,000-sf, four-story medical office/hospital/urgent care/pharmacy/retail/restaurant building south of Rosewood Lane, generally within the center of the project site;
- Building 3: A 100,000-sf, four-story medical office building immediately west of US-101; and
- A 54,000-sf, six-story parking structure, comprised of 965 parking spaces, located to the south of the proposed medical buildings.

Through approval of the PD Master Plan Amendment, the proposed project would result in a net increase of 150,500 sf of medical/commercial uses relative to the originally approved project (275,000 sf – 124,500 sf = 150,500 sf). After accounting for the existing 15,900 sf of medical office use that would be demolished as part of the proposed project, the total net increase would be 133,600 sf. The three medical office buildings would each be located to the south of Rosewood Lane. The maximum building height for the medical office buildings would be increased as part of the PD Master Plan Amendment, from 55 feet to 65 feet.

With respect to the parking structure, the originally approved project included construction of a three-story, 32-foot-tall parking structure, whereas the proposed project is proposing development of a six-story, 65-foot-tall structure. Thus, the proposed project modifications would result in a net increase of three floors and 33 feet.

In addition, whereas the originally approved project sited the parking structure immediately south of Rosewood Lane and adjacent to the east of US-101, the proposed project would place the parking structure within the southern portion of the project site, generally equidistant from US-101 and Juan Hernandez Drive. The proposed project would also include demolition of the existing 15,900 sf of medical office buildings within Parcel D, which would be replaced with a paved surface parking lot.

**Figure 3  
Conceptual Site Plan**



**SITE INFORMATION**  
ADDRESS  
• 16130 JUAN HERNANDEZ DRIVE  
(EXISTING MEDICAL BUILDINGS)  
817-09-040

• LAND ONLY  
817-09-039, 041

**PROJECT INFORMATION**  
PARCEL A MEDICAL OFFICE (9.61 AC)  
75,000 SQFT 3-STORY BUILDING  
100,000 SQFT 4-STORY BUILDING  
100,000 SQFT 4-STORY BUILDING  
6-STORY PARKING STRUCTURE

PARCEL C SINGLE AND MULTI-FAMILY RES.  
34 DUET HOMES  
86 TOWN HOMES  
ACTIVE AND PASSIVE OPEN SPACE

GENERAL PLAN LAND USE DESIGNATION:  
MIXED-USE FLEX

ZONING:  
MUF (PD)

**DEVELOPMENT STANDARDS (AREA A)**  
SETBACKS  
FRONT 25-FEET  
REAR 0-FEET  
SIDE 0-FEET

HEIGHT-MEDICAL\* 4-STORIES/65-FEET  
HEIGHT-GARAGE\* 6-STORIES/65-FEET

BUILDING COVERAGE 0.60  
FAR 0.66

\*EXCEPTIONS PER MHMC 18.56

**PARKING-REQUIRED (BASED ON PROPOSED PARKING RATIO)**  
MEDICAL OFFICE 4 SPACES/1,000 SQFT

PROPOSED MEDICAL 275,000 SQFT (GROSS)  
275,000/250 = 1,100 SPACES

**PARKING PROVIDED**  
SURFACE 269  
PARKING GARAGE 965  
1,234

1 SPACE/223 SQFT OR 4.5 SPACES/1,000 SQFT

RESIDENTIAL N/A

## **Access, Circulation, and Parking**

Access to the project site would be provided by St. James Drive, which would include connections to Juan Hernandez Drive to the east of the site and the previously approved Rosewood Lane to the north of the site. St. James Drive would consist of a 36-foot-wide right-of-way (ROW) along the majority of the street, comprised of two 13-foot-wide vehicle lanes, a five-foot-wide landscape strip, and a five-foot-wide sidewalk. Near the entrance from Juan Hernandez Drive, St. James Drive would feature a 51-foot-wide ROW, comprised of a 13-foot-wide right-turn lane, two vehicle lanes, a five-foot-wide landscape strip, and a five-foot-wide sidewalk.

Additionally, emergency vehicle access to Barrett Avenue would be available through the Rosewood subdivision that is currently under construction north of the project site. With respect to parking, the parking structure would include 965 parking spaces across six floors, including 30 spaces designed in compliance with the Americans with Disabilities Act (ADA). In addition, the proposed project would include 269 surface parking spaces, which would be located between the three medical office buildings, as well as to the east and west of the parking structure. In addition, the project would be required to provide 165 total bicycle parking spaces (55 covered spaces, 110 uncovered spaces).

In regard to pedestrian access, new sidewalks would be provided along all internal drive aisles within the project site. The new sidewalks would ultimately provide access to the existing sidewalks along Juan Hernandez Drive. In addition, an internal jogging/walking trail would be constructed to extend through the project site from the southern site boundary to along the eastern perimeter. The proposed internal jogging/walking trail would connect to similar trails within the Rosewood residential community under construction to the north, which would ultimately connect to Barrett Avenue further to the north.

## **Grading and Earthwork**

As shown in Figure 4, the earthwork volume on the project site would be balanced by lowering the proposed parking structure, thickening the building foundations, or a combination of the two.

## **Utilities**

Water and sewer service for the proposed project would be provided by the City of Morgan Hill through connections to existing infrastructure located in the project vicinity. From the existing 10-inch water line in Juan Hernandez Drive, new 8- and 10-inch water lines would be extended into the site within St. James Drive, to which the proposed medical office buildings would connect by way of new laterals (see Figure 5). Fire flow would be provided to all proposed structures through the proposed pipe network. Similarly, from the existing 8-inch sewer line in Juan Hernandez Drive, new 6- and 8-inch sewer lines would be extended into the site within St. James Drive, to which the proposed medical office buildings would connect by way of new laterals.

With respect to storm drainage facilities, runoff from new impervious surfaces within the developed project site would be directed to inlets located throughout the project site, as well as new bioretention basins sited in various locations, which would provide preliminary treatment and temporary storage of runoff during peak rainfall. From the inlets and bioretention basins, flows would be conveyed by way of new 15- and 18-inch storm drain lines to the water treatment basin located to the southeast of the parking structure, where flows would ultimately be piped to the existing storm drain infrastructure in Juan Hernandez Drive.



**Figure 4**  
**Conceptual Grading Plan**



**Figure 5  
Utility Plan**





Finally, electricity would be provided to the proposed project by Pacific Gas & Electric Co. (PG&E) through the existing underground utility lines along Juan Hernandez Drive. The project would not include natural gas, as natural gas has been prohibited in all new construction since March 1, 2020, pursuant to City Ordinance No. 2306.

### **Landscaping**

New landscaping would be provided throughout the project site, adjacent to the proposed structures, internal drive aisles, and site perimeters. Plant selection would be consistent with the landscaping planted as part of the previously approved Rosewood multi-family residential community to the north. In addition, new vegetation would be selected in accordance with Morgan Hill Municipal Code Section 18.64.060, which requires that all plants and trees shall be categorized as low or very low water use.

### **Requested Entitlements**

The proposed project would require approval of the following entitlements by the City of Morgan Hill:

- PD Master Plan Amendment to increase the maximally allowed medical office square footage within the project site to 275,000 and maximum building height to 65 feet; and
- General Plan Text Amendment to amend the Mixed Use Flex designation to exempt medical uses, including hospitals, from floor area ratio requirements with an approved Planned Development (PD) Combining District and PD master plan.

### **D. SOURCES**

Previously completed technical studies for the 2020 Lillian Commons Project IS/MND are available on the City's website at: <https://www.morganhill.ca.gov/2037/Lillian-Commons>.

The following documents are referenced information sources used for the purpose of this Initial Study:

1. Andi Borowski, Environmental Services Assistant, Morgan Hill Environmental Services Department. Personal communication [email] with Jesse Fahrney, Associate, Raney Planning and Management, Inc. July 26, 2022.
2. CAL FIRE. *FHSZ Viewer*. Available at: <https://egis.fire.ca.gov/FHSZ/>. Accessed July 2023.
3. California Department of Conservation. *California Important Farmland Finder*. Available at: <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed July 2023.
4. California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: Monterey Peninsula Landfill (27-AA-0010)*. Available at: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2642?siteID=1976>. Accessed July 2023.
5. California Department of Transportation. *California State Scenic Highway System Map*. Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. Accessed July 2023.
6. City of Morgan Hill. *Lillian Commons Medical Campus Initial Study*. June 2020.
7. City of Morgan Hill. *Water System Master Plan Updated*. December 2021.
8. Department of Toxic Substances Control. *Hazardous Waste and Substances Site List (Cortese)*. Available at: <https://www.envirostor.dtsc.ca.gov/public/>. Accessed July 2023.

9. Dwight Good, Assistant Chief Cooperative Fire Protection, Morgan Hill Fire Department. Personal communication [phone] with Nick Pappani, Vice President, Raney Planning and Management, Inc. June 1, 2021.
10. EMC Planning Group, Inc. *Geologic Impact Analysis: Lillian Commons/Morgan Hill Medical Campus*. October 16, 2019.
11. Governor's Office of Planning and Research. *Technical Advisory on Evaluation Transportation Impacts in CEQA*. December 2018.
12. Santa Clara Valley Habitat Agency. *Habitat Agency Geobrowser*. Available at: <http://www.hcpmaps.com/habitat/>. Accessed July 2023.
13. See <https://morganhilltimes.com/expansion-to-increase-south-county-recycled-water-capacity/>; accessed July 13, 2023.
14. See Michael H. Remy et al. *Guide to CEQA, 11th Edition*. Point Arena: Solano Press Books (2007), pg. 207; Stephen L. Kostka and Michael H. Zischke. *Practice Under the Environmental Quality Act, Second Edition* (Vol. 1). Oakland: Continuing Education of the Bar (2018), pgs. 12-32; *Benton v. Board of Supervisors* (1st Dist. 1991) 226 Cal. App. 3d 1467.
15. WRA Environmental Consultants, Inc. *Lillian Commons/Morgan Hill Medical Campus Biological Resources Assessment*. March 2020.

## **E. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

On the basis of the following Initial Study, the City has determined that the proposed modifications to the approved project could result in new significant impacts not previously identified in the adopted 2020 Lillian Commons Project IS/MND and/or a substantial increase in the severity of significant impacts previously identified. The environmental factors indicated below require further analysis in an SEIR.

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture and Forest Resources    | <input checked="" type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                  | <input checked="" type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology and Soils             | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials               |
| <input type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning               | <input type="checkbox"/> Mineral Resources                             |
| <input checked="" type="checkbox"/> Noise              | <input type="checkbox"/> Population and Housing              | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                    | <input checked="" type="checkbox"/> Transportation           | <input type="checkbox"/> Tribal Cultural Resources                     |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire                            | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

**F. DETERMINATION**

---

On the basis of this Initial Study:

- × As demonstrated in this Initial Study Checklist, the City has determined that the proposed modified project presents a legal or evidentiary basis for the preparation of a Supplemental or Subsequent EIR pursuant to State CEQA Guidelines Section 15162 and that a Subsequent EIR, pursuant to State CEQA Guidelines Section 15162, is the appropriate environmental document for the proposed project.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Jennifer Carman,  
Development Services Director  
\_\_\_\_\_  
Printed Name

City of Morgan Hill  
\_\_\_\_\_  
For



## G. ENVIRONMENTAL CHECKLIST

The purpose of the comparison is to evaluate the categories in terms of any “changes” or “new information” that may result in a changed environmental impact evaluation. A “no” answer does not necessarily mean that potential impacts do not exist relative to the environmental category, but that a relevant change would not occur in the condition or status of the impact due to its insignificance or its treatment in a previous environmental document. The following impact evaluation categories will be used to evaluate the proposed project as compared to the adopted 2020 Lillian Commons Project IS/MND:

Where Impact Was Analyzed in the Previous CEQA Documents: This column provides a reference to the page(s) of the Lillian Commons Project IS/MND where information and analysis may be found relative to the environmental issue listed under each topic.

Do Proposed Changes Involve New or More Severe Impacts? Pursuant to Section 15162(a)(1) of the CEQA Guidelines, this column indicates whether the changes represented by the current project will result in new significant impacts that have not already been considered and mitigated by a previous EIR or IS/MND or that substantially increase the severity of a previously identified significant impact. If a “yes” answer is given and more severe impacts are specified, additional mitigations will be specified in the discussion section including a statement of impact status after mitigation.

Any New Circumstances Involving New or More Severe Impacts? Pursuant to Section 15162(a)(2) of the CEQA Guidelines, this column indicates whether there have been changes to the project site or the vicinity (environmental setting) that have occurred subsequent to the certification of an EIR or IS/MND, which would result in the current project having significant impacts that were not considered or mitigated by that EIR or IS/MND or which substantially increase the severity of a previously identified significant impact.

Any New Information Requiring New Analysis or Verification? Pursuant to Section 15162(a)(3)(A-D) of the CEQA Guidelines, this column indicates whether new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental documents were certified as complete is available, requiring an update to the analysis of the previous environmental documents to verify that the environmental conclusions and mitigation measures remain valid. If the new information shows that: (A) the project will have one or more significant effects not discussed in the prior environmental documents; or (B) that significant effects previously examined will be substantially more severe than shown in the prior environmental documents; or (C) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects on the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) that mitigation measures or alternatives which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative, the question would be answered ‘Yes’ requiring the preparation of a subsequent EIR or supplement to the EIR or IS/MND. However, if the additional analysis completed as part of this Environmental Checklist Review finds that the conclusions of the prior environmental documents remain the same and no new significant impacts are identified, or identified significant environmental impacts are not found to be substantially more severe, the

question would be answered 'No' and no additional EIR documentation (supplement to the EIR or IS/MND or subsequent EIR) would be required.

The 2020 Lillian Commons Project IS/MND includes both standard conditions and mitigation measures for certain CEQA topics. Standard conditions are distinguished from mitigation measures by being standard conditions of approval for development projects and are not necessarily required to mitigate a significant environmental impact.

<b>I. AESTHETICS.</b> <i>Would the project:</i>	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Have a substantial adverse effect on a scenic vista?	Pg. 18	No	No	No
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	Pg. 19	No	No	No
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Pg. 19	No	No	No
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Pg. 20	No	No	No

**Discussion**

a. The Lillian Commons Project IS/MND analyzed the Lillian Commons Project’s potential impacts to scenic vistas and concluded that scenic corridors, highways, or vistas are not present in Morgan Hill that are designated by the State or the City. However, The City of Morgan Hill General Plan EIR identified El Toro as one of the most prominent visual landmarks in the City. El Toro is located to the west and is visible from US-101, along Monterey Road, and along Cochrane Avenue, Main Avenue, Dunne Avenue, and Tennant Avenue. Broader views of the Diablo Range to the east and the Santa Cruz Mountains to the west are visible from US-101 and from many points within the City. The Lillian Commons Project IS/MND determined that although views of mountains are visible to the northeast and south from the residences west of the project site, and although the new buildings would be taller than the surrounding buildings, the mountains would still be intermittently visible between buildings. Thus, the impact was identified as less than significant.

The currently proposed project would be built within the area of impact previously analyzed by the Lillian Commons Project IS/MND. The proposed project would involve the same number of buildings constructed, but with an increase in square footage, FAR, and height, as further described in Question ‘c’ below. As such, the project would generally result in a greater concentration of development than what was previously analyzed. However, mountains would still be intermittently visible between buildings. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts related to scenic vistas than were previously analyzed in the Lillian Commons Project IS/MND, and the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

b. The Lillian Commons Project IS/MND concluded that the Project would not substantially damage scenic resources, including, but not limited to rock outcroppings, and historic buildings within a State scenic highway. As noted within the Lillian Commons Project

IS/MND, rock outcroppings are not present on-site, and the project site is not located within or adjacent to a state-designated scenic highway. The Lillian Commons Project IS/MND states that the nearest state-designated scenic highway is located 26.5 miles northwest of the project site. The Lillian Commons Project IS/MND did determine that although the project would remove trees, including coast live oak, Monterey pine, and Peruvian pepper, the project would offset the aesthetic effects of tree removal by replacing trees in accordance with the City's requirements. As such, the Lillian Commons Project IS/MND determined that a less-than-significant impact would occur.

According to the California Department of Transportation's (Caltrans) Scenic Highway System Lists,<sup>3</sup> additional State scenic highways have not been designated in the project area since the Lillian Commons Project IS/MND was adopted. In addition, the baseline for this environmental analysis constitutes the approved project and additional tree removal is not anticipated as a result of the proposed project modifications. Removal of on-site trees has already been adequately addressed in the Lillian Commons Project IS/MND. As such, the currently proposed project would not substantially damage scenic resources, including, but not limited to rock outcroppings, and historic buildings within a State scenic highway. Thus, the proposed project would not result in new significant impacts or substantially more severe significant impacts than were previously analyzed in the Lillian Commons Project IS/MND, and the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

- c. The Lillian Commons Project IS/MND assessed the project's potential to substantially degrade the existing visual character or quality of the site and its surroundings or conflict with applicable zoning and other regulations governing scenic quality. It is noted that because the project site is within an urbanized area of the City, the IS/MND could have appropriately focused the discussion on whether the project would conflict with applicable zoning and other regulations governing scenic quality. Nevertheless, because the IS/MND addressed both non-urbanized (substantial degradation of visual character or quality) and urbanized criteria (conflict with applicable scenic quality regulations), this Initial Study will do the same.

The 2020 IS/MND determined that development of the residential and medical buildings, as well as installation of a parking structure and landscaping, would change the existing visual character of the site. However, the Lillian Commons Project IS/MND determined that because all development would be subject to review and approval by the City of Morgan Hill Design Permit process, the project would be required to meet local design and aesthetic standards, and, thus, the project would not constitute a significant adverse change to the aesthetic environment. Therefore, the Lillian Commons Project IS/MND determined that a less-than-significant impact would occur.

With respect to the applicable zoning and other regulations governing scenic quality, the project site is zoned MU-F with a Planned Development Combining District overlay. A PD Master Plan was adopted along with the PD zoning. Thus, the applicable development standards for the project site are set forth in the site-specific PD Master Plan. The current PD Master Plan (Table 2) identifies a maximum building height of four stories or 55 feet for Hospital use. The project requests an amendment to the PD Master Plan to increase the maximum height of medical uses to 65 feet, a net increase of 10 feet. With respect to the parking structure, the approved project identified a 3-story, 32-foot-tall structure,

---

<sup>3</sup> California Department of Transportation. *California State Scenic Highway System Map*. Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. Accessed July 2023.

whereas the proposed amendments to the PD Master Plan specifies a maximum height of six stories or 65 feet.

The currently proposed project would involve the same development footprint that was analyzed in the Lillian Commons Project IS/MND; however, the proposed medical office buildings and the parking structure will be taller than what was previously analyzed. As such, photo-simulations of the proposed project were prepared to assess the proposed project's potential to substantially degrade the existing visual character or quality of public views of the site and its surroundings. Prominent public views of the project site are afforded from Juan Hernandez Drive and US-101. Changes to the aforementioned public views due to development of the proposed project are discussed separately in further detail below. Existing views from Juan Hernandez Drive looking east, as well as from the southbound and northbound lanes of US-101 are shown in Figure 6, Figure 7, and Figure 8, respectively.

### **Views From Juan Hernandez Drive**

Currently, the view of the project site from Juan Hernandez Drive consists of the roadway and signage associated with the existing medical office in the foreground. The midground features the existing medical office building, as well as grassy vegetation and trees. The background consists of residential development and distant views of mountains. A rendering of the existing public view from Juan Hernandez Drive looking east, towards the project site, with the addition of the proposed project is included in Figure 9.

The currently proposed project would result in an increase in FAR and building height from what was anticipated in the Lillian Commons Project IS/MND. While this would result in the on-site structures being more prominent and readily visible from Juan Hernandez Drive, similar to the concept of the original layout, the shortest building would be located closest to Juan Hernandez Drive behind which would be located the taller buildings, in an effort to provide some level of transition in building heights from Juan Hernandez Drive towards US-101. And while the medical office buildings could be up to 10 feet taller from this viewpoint, as compared to the original conceptual site plan layout, this would not necessarily be considered a substantial degradation of the existing visual character or quality of the site and its surroundings. For example, the originally proposed structures would have similarly blocked views of the distant foothills, similar to post-construction conditions of the currently proposed project, as shown in Figure 9. In addition, prior to construction, each structure will be required to obtain a design review permit. Each design review permit will be approved by resolution of the Planning Commission.

Such alterations to the project design, while noticeable, would not be considered a substantial degradation of the visual character or quality of the site and its surroundings beyond what was previously analyzed in the Lillian Commons Project IS/MND. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. As such, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.



**Figure 6**  
**Existing View from Juan Hernandez Drive**



**Figure 7**  
**Existing View from Southbound US-101**



**Figure 8**  
**Existing View from Northbound US-101**





**Figure 9  
Post-Construction View from Juan Hernandez Drive**





## **Views From US-101**

Public views of the project site looking west are available from both the southbound and northbound lanes of US-101. Current views from the southbound lane of US-101 toward the project site consist of the roadway, a grassy median, and the Tennant Avenue off-ramp in the foreground. Current views from the northbound lane of US-101 toward the project site are generally the same as from the southbound lane, with the addition of the southbound lane and a guardrail in the immediate foreground. For both southbound and northbound lanes of US-101, the midground features the mostly vacant project site and scattered vegetation, while the background features existing residential and commercial development, with distant views of the mountains.

A rendering of existing public views from the southbound and northbound lanes of US-101, with the addition of the proposed project, are included in Figure 10 and Figure 11, respectively. As shown therein, development of the currently proposed project would obscure views of mountains from US-101. However, as discussed above, the Lillian Commons Project IS/MND already addressed impacts related to developing the project site with medical office and parking structure uses. The original conceptual site plan layout included a three-story, 32-foot-tall parking structure adjacent to US-101, behind which would be located a three-story, 52-foot maximum height medical building (plus mechanical equipment), whereas the proposed modified conceptual site plan layout includes a four-story, 65-foot-tall medical office building adjacent to US-101 and a more centrally located six-story, 65-foot parking structure at the south end of the project site. By relocating the parking structure further from US-101, the massing and height of the structure would be less imposing. Such alterations to the project design, while noticeable, would not necessarily be considered a substantial degradation of the visual character or quality of the site and its surroundings beyond what was previously analyzed in the Lillian Commons Project IS/MND. While partially obstructed, intermittent views of the hills, looking west from US-101, would still be visible as a driver passes by the project site. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. As such, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

## **Conclusion**

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

- d. The Lillian Commons Project IS/MND analyzed the project's potential to create a new source of substantial light and glare which would adversely affect day or nighttime views in the area. The Lillian Commons Project IS/MND determined that although the project would incrementally increase light and glare in the project area, all development would be subject to review by the City of Morgan Hill Design Permit process for conformance to City standards, and all lighting and signage plans would be required to comply with the City of Morgan Hill Municipal Code. As such, the Lillian Commons Project IS/MND determined that a less-than-significant impact would occur.

**Figure 10**  
**Post-Construction View from Southbound US-101**



**Figure 11**  
**Post-Construction View from Northbound US-101**



As discussed above, the proposed project would consist of the development of medical office buildings and a parking structure at a greater height and density than what was previously analyzed in the Lillian Commons Project IS/MND, which could result in increased light and glare on the project site. However, similar to the approved project, and as identified in Table 2 of the PD Master Plan, all on-site lighting would be required to comply with Section 18.72.060.G of the Morgan Hill Municipal Code. As specified therein, all parking space area lighting shall be energy efficient and designed so that any glare or spillage is directed away from residential properties, and all fixtures shall be hooded and downward facing.

Based on the above, the proposed project would not result in new significant impacts or substantially more severe significant impacts than were previously analyzed in the Lillian Commons Project IS/MND, and the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

**II. AGRICULTURE AND FORESTRY RESOURCES.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?	Pg. 23	No	No	No
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Pg. 23	No	No	No
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	Pg. 23	No	No	No
d. Result in the loss of forest land or conversion of forest land to non-forest use?	Pg. 23	No	No	No
e. Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	Pg. 23	No	No	No

**Discussion**

a-e. The Lillian Commons Project IS/MND determined that the project site is designated by the California Resources Agency Farmland Mapping and Monitoring Program as “Urban and Built-Up Land” and “Other Land,” and, therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. Similarly, the project site is not zoned for agricultural use or as forest land or timberland, and is not subject to a Williamson Act contract. Therefore, the Lillian Commons Project IS/MND determined that no impact would occur related to conflicting with the existing zoning designation or resulting in the loss of or conversion of Farmland or timberland.

With respect to the currently proposed project, according to the California Department of Conservation’s California Important Farmland Finder tool, the project site is still designated as “Urban and Built-Up Land” and “Other Land.”<sup>4</sup> In addition, the project site is still zoned and designated for urban uses, does not contain forest land or timberland, and is not subject to a Williamson Act contract.

Based on the above, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously

---

<sup>4</sup> California Department of Conservation. *California Important Farmland Finder*. Available at: <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed July 2023.



analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

**III. AIR QUALITY.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Conflict with or obstruct implementation of the applicable air quality plan?	Pg. 30	Yes	Yes	Yes
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Pgs. 31 and 32	Yes	Yes	Yes
c. Expose sensitive receptors to substantial pollutant concentrations?	Pgs. 33 to 38	Yes	No	No
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Pg.38	No	No	No

**Discussion**

a,b. The City of Morgan Hill is located in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The Lillian Commons Project IS/MND assessed the project’s compliance with the 2017 BAAQMD CEQA Air Quality Guidelines to determine consistency with the 2017 Clean Air Plan. As shown in Table 4.3-3 and Table 4.3-4 of the Lillian Commons Project IS/MND, construction and operational emissions associated with the Lillian Commons Project, respectively, were determined to be below BAAQMD thresholds. As such, the Lillian Commons Project IS/MND concluded that the project would not conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, and a less-than-significant impact would occur.

The analysis presented in the Lillian Commons Project IS/MND is based on compliance with the 2017 BAAQMD CEQA Air Quality Guidelines; however, BAAQMD adopted new Guidelines in April 2023. As such, further analysis is required to assess the currently proposed project’s compliance with the current guidelines. In addition, compared to the approved project, the proposed project could result in the development of up to 133,600 sf (net) of additional medical/commercial uses. This increased development potential would result in the generation of more vehicle trips and associated criteria pollutant emissions compared to what was analyzed in the Lillian Commons Project IS/MND. Therefore, the proposed project modifications have the potential to involve new or more severe significant air quality impacts than what was analyzed in the Lillian Commons Project IS/MND.

*Further analysis of the above potential impact will be discussed in the Air Quality and Greenhouse Gas Emissions (including Energy) chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

c. Based on the analysis presented therein, the Lillian Commons Project IS/MND determined that the project would not result in the exposure of sensitive receptors, such as the Barrett Elementary School located north of the project site and the single-family residences located to the west, to concentrations of toxic air contaminant (TAC) emissions and localized carbon monoxide (CO) emissions during project operations such that a significant impact would occur. However, the Lillian Commons Project IS/MND determined

that implementation of Mitigation Measure AIR-3.1 would be required to reduce construction emissions of diesel particulate matter (DPM) to a less-than-significant level. Mitigation Measure AIR-3.1 requires the project applicant to develop a plan demonstrating that off-road equipment used on-site would achieve an adequate reduction in emissions. Given compliance with Mitigation Measure AIR-3.1, the Lillian Commons Project IS/MND determined that a less-than-significant impact would occur related to the exposure of sensitive receptors to substantial pollutant concentrations.

Although the currently proposed project would have the same development footprint as the Lillian Commons Project, the level of on-site construction would be more intensive due to the increased development potential resulting from the requested entitlements. This increased level of construction activity has the potential to result in an increase in construction period emissions compared to the level of construction emissions identified in the Lillian Commons IS/MND. Additional analysis is required to assess whether Mitigation Measure AIR-3.1 would be sufficient to reduce impacts of the proposed project to a less-than-significant level. Therefore, the proposed project has the potential to involve new or more severe significant impacts than what was analyzed in the Lillian Commons Project IS/MND.

*Further analysis of the above potential impact will be discussed in the Air Quality and Greenhouse Gas Emissions (including Energy) chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

- d. The Lillian Commons Project IS/MND analyzed the potential for the project to create objectionable odors affecting a substantial number of people and determined that the project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. According to the Lillian Commons Project IS/MND, such emissions may be noticeable from time to time by adjacent receptors, but the odors would be localized and temporary and would not affect people off-site. As such, the Lillian Commons Project IS/MND concluded that the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and a less-than-significant impact would occur.

As discussed above, the proposed project would involve a greater amount of development than was analyzed in the Lillian Commons Project IS/MND, which has the potential to result in an increase in emissions, including those leading to odors. However, similar to the Lillian Commons Project, construction activities associated with the currently proposed project would be temporary, and operation of construction equipment would be regulated and intermittent. Project construction would also be required to comply with all applicable BAAQMD rules and regulations, particularly associated with permitting of air pollutant sources. The aforementioned regulations would help to minimize air pollutant emissions, as well as any associated odors. Accordingly, substantial objectionable odors would not occur during construction activities or affect a substantial number of people.

In addition, the BAAQMD rules and regulations would act to reduce construction related dust, which would ensure that construction of the proposed project does not result in substantial emissions of dust. Following project construction, the project site would not include any exposed topsoil. Thus, project operations would not include any substantial sources of dust. As such, the proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the

Lillian Commons Project IS/MND. Therefore, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

The analysis that will be included in the SEIR will determine whether Mitigation Measure AIR-3.1 from the Lillian Commons IS/MND (e.g., reduction of DPM through fleet-wide modifications) is still applicable, requires modification(s), or should be substituted for equally effective mitigation.

**New Mitigation Measures**

To be determined in the SEIR.



**IV. BIOLOGICAL RESOURCES.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Pgs. 45 and 46	No	No	No
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Pg. 46	No	No	No
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Pg. 46	No	No	No
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	Pg. 47	No	No	No
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Pgs. 47 and 48	No	No	No
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	Pgs. 48 and 49	No	No	No

**Discussion**

- a. The Lillian Commons Project IS/MND analyzed the potential for buildout of the project to substantially impact a candidate, sensitive, or special-status plant or wildlife species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). The Lillian Commons Project IS/MND states that the project site is not located in an area containing any of the sensitive natural communities or special-status species identified in the City’s General Plan EIR. However, according to the Biological Resources Assessment (BRA)<sup>5</sup> prepared by WRA Environmental Consultants, Inc. for the Lillian Commons Project IS/MND, three species of special-status birds have the potential to occur on-site, including white-tailed kite, loggerhead shrike, and grasshopper sparrow. In addition, the Lillian Commons Project

<sup>5</sup> WRA Environmental Consultants, Inc. *Lillian Commons/Morgan Hill Medical Campus Biological Resources Assessment*. March 2020.

IS/MND determined that because the project would include the removal of 16 trees, the project could result in the removal of nesting or foraging habitat for nesting raptors and migratory birds. As such, the Lillian Commons Project IS/MND determined that impacts upon special-status species could be significant. Therefore, Mitigation Measures BIO-1.1 and BIO-1.2 were included in the Lillian Commons Project IS/MND to ensure that impacts to special-status bird species would be less than significant. The foregoing mitigation measures require pre-construction surveys for on-site nesting bird species, as well as the imposition of buffer zones should such species be discovered.

Because the proposed project would be within the same disturbance footprint evaluated in the Lillian Commons Project IS/MND, the proposed project would be subject to all applicable mitigation measures therein, including Mitigation Measures BIO-1.1 and BIO-1.2. Although the proposed project would involve a greater intensity of development than was analyzed in the Lillian Commons Project IS/MND, as well as greater building heights, the proposed project would not result in the removal of a greater number of trees or the disturbance of a larger area than was previously analyzed. As such, the proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. Therefore, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

- b,c According to the Lillian Commons Project IS/MND, the project site is located within a mixed urban and rural area of the City, and the site does not contain riparian habitat or other sensitive natural communities, or any protected wetlands. As such, the Lillian Commons Project IS/MND determined that the project would not result in any adverse impacts to any of the aforementioned resources, and no impact would occur.

The currently proposed project's area of impact is within the previously analyzed area of impact of the Lillian Commons Project IS/MND. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

- d. According to the Lillian Commons Project IS/MND, the project area is an open field bordered by roads and other developments. The BRA reviewed the California essential connectivity project, which showed that the project site is not located within a connectivity area, core reserve or corridor, landscape block or general wildlife corridors. In addition, as discussed above, the Lillian Commons Project IS/MND determined that riparian or wetland habitats do not occur on-site. As such, the Lillian Commons Project IS/MND concluded that implementation of the project would result in a less-than-significant impact to wildlife movement within the project area.

As discussed above, the currently proposed project would be implemented within the previously analyzed footprint of the Lillian Commons Project IS/MND. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

- e. According to the Lillian Commons Project IS/MND, the project site contains multiple trees that qualify for protection under the City of Morgan Hill Municipal Code, including 14 coast live oaks, one Peruvian pepper, and one Monterey pine, all of which would be removed for project construction. The Lillian Commons Project IS/MND concluded a less-than-significant impact would occur with implementation of Mitigation Measures BIO-5.1 and BIO-5.2. Mitigation Measure BIO-5.1 requires the avoidance of on-site trees to the maximum extent feasible, and Mitigation Measure BIO-5.2 requires compliance with Chapter 12.32 of the City's Municipal Code, which requires the project applicant to apply for a tree removal permit, and to plant replacement trees for those removed.

The currently proposed project's area of impact is the same as the previously analyzed area of impact of the Lillian Commons Project IS/MND. The proposed project would be subject to Mitigation Measures BIO-5.1 and BIO-5.2 from the Lillian Commons Project IS/MND, which would ensure that the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

- f. According to the Lillian Commons Project IS/MND, the project site is covered under the Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (SCVHP) and is designated as "Urban Development Equal to or Greater than 2 Acres Covered." The land cover of the Lillian Commons Project site, which encompasses the currently proposed project site, is comprised of approximately 17 acres of "Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed" and approximately three acres of "Urban-Suburban." A total of approximately 17 acres of the site is located within Fee Zone B (Agricultural and Valley Floor Lands). The City of Morgan Hill has adopted an ordinance that implements the measures and conditions set forth in the SCVHP; as such, the Lillian Commons Project IS/MND determined that all applicable impact fees and relevant conditions would be imposed on the project. The Lillian Commons Project IS/MND concluded that compliance with SCVHP requirements, as implemented through the City ordinance, would ensure that the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan, and a less-than-significant impact would occur.

According to the Santa Clara Valley Habitat Agency's Habitat Agency Geobrowser,<sup>6</sup> the currently proposed project site's land cover consists almost entirely of "Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed" land, and is located within Fee Zone B (Agricultural and Valley Floor Lands). The portion of the project site developed with an existing medical office is designated "Urban-Suburban." Because the proposed project has the same development footprint as the Lillian Commons Project, impacts related to compliance with the SCVHP related to the proposed project would be the same as those anticipated in the Lillian Commons Project IS/MND. As such, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. Therefore, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

---

<sup>6</sup> Santa Clara Valley Habitat Agency. *Habitat Agency Geobrowser*. Available at: <http://www.hcpmaps.com/habitat/>. Accessed July 2023.

### **Prior Mitigation Measures**

The following mitigation measure(s) from the Lillian Commons Project IS/MND would apply to the proposed project:

- BIO-1.1 Construction shall be scheduled to avoid the nesting season to the extent feasible. If construction can be scheduled to occur between September 1<sup>st</sup> and January 31<sup>st</sup> (inclusive) to avoid the raptor nesting season, no impacts will be expected. If construction will take place between February 1<sup>st</sup> and August 31<sup>st</sup>, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. Surveys shall be completed within 30 days of the on-set of site clearing or construction activities. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings) on-site trees as well as all trees within 250 feet of the site for nests.*
- BIO-1.2 If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist shall determine the extent of a disturbance-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) that shall remain off limits to construction until the nesting season is over, to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Wildlife Code will be disturbed during project implementation. A report indicating the result of the survey and any designated buffer zones shall be submitted to the satisfaction of the Development Services Director prior to issuance of a grading permit.*
- BIO-5.1 To the extent feasible, activities shall avoid impacts to any protected trees. Avoidance is considered to be completely avoiding any work or staging under the dripline of trees. The boundary of the designated avoidance buffer shall be flagged or fenced prior to initial ground disturbance. If complete avoidance is not feasible, BIO-5.2 shall be implemented.*
- BIO-5.2 The project proponent shall comply with local ordinances and submit permit applications for removal, trimming, damage, or relocation of all trees covered by the City ordinance. Any trees to be removed shall require replacement at a two-to-one ratio on a comparable ratio of size. The replacement trees shall be planted on-site to the extent feasible and the project proponent shall comply with all other replacement requirements imposed by the City.*

### **New Mitigation Measures**

None Required.



<b>V. CULTURAL RESOURCES.</b>	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
<i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	Pg. 52	No	No	No
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	Pgs.52 to 54	No	No	No
c. Disturb any human remains, including those interred outside of dedicated cemeteries.	Pg. 54	No	No	No

**Discussion**

a-c. According to the Lillian Commons Project IS/MND, historic structures are not located on or near the project site, and the nearest historic property to the site is the Newbold House, which is located 1.3 miles to the northeast. Given the distance between the site and the nearest historic property, the Lillian Commons Project IS/MND concluded that no impact would occur upon historic resources. Similarly, the Lillian Commons Project IS/MND determined that the project site is not located in a known archeologically sensitive area of the City, according to the City’s Archeological Sensitivity Map. As such, the Lillian Commons Project IS/MND concluded that implementation of Standard Condition CUL-1 would be sufficient to reduce potential impacts to unique archeological resources and human remains to a less-than-significant level.

The currently proposed project would be implemented within the previously analyzed footprint of the Lillian Commons Project IS/MND, and thus, would not be anticipated to result in a greater potential to adversely affect archaeological resources, as compared to the approved project. Standard Condition CUL-1, as presented in the Lillian Commons Project IS/MND, was the City’s then-current standard protection measure for cultural resources. The protection measures have been modified over time, and have been replaced with following City standard Condition of Approval related to the protection of historical and archaeological resources, consistent with Section 18.60.090 of the Morgan Hill Municipal Code:

- A. The developer shall enter into written contracts with an archaeologist and the Tamien Nation Tribe, and pay all fees associated with the activities required by this condition. The following policies and procedures for treatment and disposition of inadvertently discovered human remains or archaeological materials shall apply:
  - 1. Prior to start of grading or earthmoving activity (includes demolition and moving of heavy equipment on site) on the “first day of construction”, the archaeologist and Tamien Nation Tribal Monitor shall hold a preconstruction meeting for the purposes of "cultural sensitivity training" with the general contractor and subcontractors.
  - 2. An archaeologist and a Tamien Nation Tribal Monitor shall be present on-site to monitor all ground disturbing activities and an archaeologist shall be on-call. Where historical or archaeological artifacts are found,

work in areas where remains or artifacts are found will be restricted or stopped until proper protocols are met, as described below:

- a) Work at the location of the find will halt immediately within fifty feet of the find. If an archaeologist is not present at the time of the discovery, the applicant shall contact an archaeologist for evaluation of the find to determine whether it qualifies as a unique archaeological resource as defined by this chapter.
  - b) If the find is determined not to be a Unique Archaeological Resource, construction can continue. The archaeologist will prepare a brief informal memo/letter in collaboration with a tribal representative that describes and assesses the significance of the resource, including a discussion of the methods used to determine significance for the find;
  - c) If the find appears significant and to qualify as a unique archaeological resource, the archaeologist will determine if the resource can be avoided and will detail avoidance procedures in a formal memo/letter; and
  - d) If the resource cannot be avoided, the archaeologist in collaboration with a tribal representative shall develop within forty-eight hours an action plan to avoid or minimize impacts. The field crew shall not proceed until the action plan is approved by the Development Services Director. The action plan shall be in conformance with California Public Resources Code 21083.2.
3. The following policies and procedures for treatment and disposition of inadvertently discovered human remains or archaeological materials shall apply. If human remains are discovered, it is probable they are the remains of Native Americans,
- a) If human remains are encountered, they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern. Information about such a discovery shall be held in confidence by all project personnel on a need-to-know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.
  - b) Remains should not be held by human hands. Surgical gloves should be worn if remains need to be handled.
  - c) Surgical mask should also be worn to prevent exposure to pathogens that may be associated with the remains.
4. In the event that known or suspected Native American remains are encountered, or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Examples of significant historic or archaeological materials include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow

points, ground stone mortars and pestles), culturally altered ash stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials and historic structure remains such as stone lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the exclusion zone as defined below.

5. An "exclusion zone" where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the contractor foreman or authorized representative, or party who made the discovery and initiated these protocols, or if on-site at the time of discovery, by the monitoring archaeologist and tribal representative (typically twenty-five to fifty feet for single burial or archaeological find).
6. The discovery locale shall be secured (e.g., 24-hour surveillance) as directed by the City or County if considered prudent to avoid further disturbances.
7. The Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition:
  - The City of Morgan Hill Development Services Director (408) 779-7247
  - The Contractor's Point(s) of Contact
  - The Coroner of the County of Santa Clara (if human remains found) (408) 793-1900
  - The Native American Heritage Commission (NAHC) in Sacramento (916) 653-4082
  - The Amah Mutsun Tribal Band (916) 481-5785 (H) or (916) 743-5833 (C)
  - The Tamien Nation (707) 295-4011 (office) and (925) 336-5359 (THPO)
8. The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American the Coroner has 24 hours to notify the NAHC.
9. The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD). (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
10. Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose.

11. Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's Development Services Director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the appropriate tribe may be considered and carried out.
12. If the MLD recommendation is rejected by the City of Morgan Hill the parties will attempt to mediate the disagreement with the NAHC. If mediation fails then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.

Compliance with the foregoing Condition of Approval would ensure that the proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As a result, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.



**VI. ENERGY.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Pgs. 59 and 60	Yes	No	Yes
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Pg. 60	Yes	No	Yes

**Discussion**

a,b. According to the Lillian Commons Project IS/MND, electrical services would be provided to the project site by PG&E; consistent with the City’s natural gas ordinance, natural gas infrastructure would not be provided in the proposed buildings. In addition, the Lillian Commons Project IS/MND concluded that given compliance with 2019 Building Energy Efficiency Standards, as well as the 2019 California Green Building Standards Code (CALGreen) standards, the project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and a less-than-significant impact would occur.

Compared to the approved project, the proposed project could result in the development of up to 133,600 sf (net) of additional medical/commercial uses. This increased development potential would result in greater energy consumption. Further analysis is required to determine whether the proposed project’s net increase in energy demand would be considered significant. This analysis will also consider the more recent energy efficiency requirements adopted by the State of California since the adoption of the Lillian Commons Project IS/MND in 2020. Therefore, the proposed project has the potential to involve new or more severe significant impacts than what was analyzed in the Lillian Commons Project IS/MND.

*Further analysis of the above potential significant impact will be discussed in the Air Quality and Greenhouse Gas Emissions (including Energy) chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

To be determined in the SEIR.

**VII. GEOLOGY AND SOILS.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Pg. 67	No	No	No
ii. Strong seismic ground shaking?				
iii. Seismic-related ground failure, including liquefaction?				
iv. Landslides?				
b. Result in substantial soil erosion or the loss of topsoil?	Pg. 68	No	No	No
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Pg. 68	No	No	No
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Pg. 69	No	No	No
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Pg. 69	No	No	No
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Pg. 69	No	No	No

**Discussion**

ai.-aiv. According to the Geologic Impact Analysis prepared by EMC Planning Group, Inc.<sup>7</sup> for the Lillian Commons Project IS/MND, the project site is located within the seismically active San Francisco Bay Area, which has a 72 percent probability of experiencing at least one magnitude 6.7 earthquake in the next 30 years; in the event of a large earthquake, the project site would experience intense ground shaking. Because known faults do not occur beneath the project site, and because the project site is not located within an earthquake fault zone on an Alquist-Priolo Earthquake Fault Zoning Map, the Lillian Commons Project IS/MND determined that the potential for fault rupture at the project site is low. In addition, the Lillian Commons Project IS/MND determined that there is a low potential for liquefaction, lateral spreading, and/or landslides to occur on-site. Therefore, the Lillian

<sup>7</sup> EMC Planning Group, Inc. *Geologic Impact Analysis: Lillian Commons/Morgan Hill Medical Campus*. October 16, 2019.

Commons Project IS/MND concluded that given compliance with Standard Condition GEO-1, which is described below, the Lillian Commons Project would not expose people or structures to substantial adverse effects, and a less-than-significant impact would occur.

Implementation of Standard Condition GEO-1 would consist of the following: To avoid or minimize potential damage from seismic shaking, the proposed development shall be built using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The structural designs for the proposed development will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved by the City of Morgan Hill Building Division prior to issuance of a building permit. The buildings shall be required to meet the requirements of applicable Building and Fire Codes, including the 2019 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. The project shall be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

The currently proposed project's area of impact is within the area of impact previously analyzed in the Lillian Commons Project IS/MND. In addition, the proposed project would be subject to the same standards and requirements established in Standard Condition GEO-1. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

- b. According to the Lillian Commons Project IS/MND, grading, trenching, and construction of the project would result in ground disturbance at the site, which would expose soils and increase the potential for wind- or water-related erosion and sedimentation at the site until construction is complete. The Lillian Commons Project IS/MND determined that compliance with Standard Conditions GEO-2 and GEO-3, as defined below, would ensure that the Lillian Commons Project would not result in substantial soil erosion or the loss of topsoil, and a less-than-significant impact would occur.

Implementation of Standard Condition GEO-2 would consist of the following: Prior to final map approval or issuance of a grading permit the applicant shall complete the following to the satisfaction of the City Engineer:

1. Plan describing how material excavated during construction will be controlled to prevent this material from entering the storm drain system.
2. Water Pollution Control Drawings for Sediment and Erosion Control.

Implementation of Standard Condition GEO-3 would consist of the following: As required by the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, construction activity resulting in a land disturbance of one acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with Section A, B, and C of the General Permit prior to the commencement of

soil disturbing activities. A NOI Receipt Letter assigning a Waste Discharger Identification number to the construction site will be issued after the State Water Resources Control Board (SWRCB) receives a complete NOI package (original signed NOI application, vicinity map, and permit fee); copies of the NOI Receipt Letter and SWPPP shall be forwarded to the Building and Land Development Engineering Divisions for review. The SWPPP shall be made a part of the improvement plans (SWRCB NPDES General Permit CA000002).

The currently proposed project's area of impact would be within the footprint of the previously analyzed Lillian Commons Project and the proposed modifications to the project would not result in substantial additional earthwork. The proposed project would be subject to Standard Conditions GEO-2 and GEO-3 and all applicable State and local regulations related to erosion control. Such measures would ensure the proposed project is designed in accordance with the necessary specifications to reduce impacts associated with substantial soil erosion and loss of topsoil.

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. Therefore, the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

- c,d. As discussed above, the Lillian Commons Project IS/MND determined that the project site and area are not subject to landslides and have a low potential for liquefaction, lateral spreading, and/or soil expansion. As such, the Lillian Commons Project IS/MND concluded that implementation of Standard Condition GEO-1, as defined above, would ensure that impacts related to unstable soils and being located on expansive soil would be reduced to a less-than-significant level.

The currently proposed project's area of impact is within the area of impact previously analyzed in the Lillian Commons Project IS/MND. In addition, the proposed project would be subject to the same standards and requirements established in Standard Condition GEO-1. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

- e. Because the Lillian Commons Project would obtain wastewater treatment and sewer services from the City of Morgan Hill, and septic systems would not be developed as part of the project, the Lillian Commons Project IS/MND determined that the project would have no impact related to septic systems.

The currently proposed project would not include installation of septic tanks or construction of alternative wastewater systems. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

- f. According to the Lillian Commons Project IS/MND, paleontological resources have not been identified in the City of Morgan Hill. In addition, the Lillian Commons Project IS/MND determined that because the project would excavate to a maximum depth of approximately six feet below ground surface to install utilities, and, thus, would not contact bedrock,



paleontological resources would not be discovered during construction. Thus, the Lillian Commons Project IS/MND concluded that the project would have a less-than-significant impact related to paleontological resources.

As discussed above, the currently proposed project's area of impact is within the area of impact previously analyzed in the Lillian Commons Project IS/MND. In addition, the proposed project would not require substantial excavation activities beyond those anticipated and analyzed within the Lillian Commons Project IS/MND. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

**VIII. GREENHOUSE GAS EMISSIONS.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Pgs. 73 to 75	Yes	Yes	Yes
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	Pg. 75	Yes	Yes	Yes

**Discussion**

a,b. According to the Lillian Commons Project IS/MND, implementation of the project would contribute to an increase in emissions of GHGs that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO<sub>2</sub>) and other GHGs, such as methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O), from mobile sources and utility usage. As shown in Table 4.8-1 of the Lillian Commons Project IS/MND, the Lillian Commons Project would have the potential to generate GHGs that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. However, the Lillian Commons Project IS/MND concluded that implementation of Mitigation Measure GHG-1.1 would reduce such impacts to a less-than-significant level.

Compared to the approved project, the proposed project could result in the development of up to 133,600 sf (net) of additional medical/commercial uses. This increased development potential would result in the generation of more vehicle trips and associated mobile source GHG emissions compared to the approved project. Similarly, the increased development would result in greater energy and utility demands (e.g., water and sewer) which are considered indirect sources of GHGs.

Since preparation of the 2020 IS/MND, BAAQMD has adopted new GHG thresholds of significance for GHG emissions. Pursuant to the new BAAQMD thresholds of significance for GHG emissions, new land use development projects need to implement specific design elements (i.e., no natural gas, electric vehicle charging, reduce VMT by 15 percent) or show consistency with a local GHG reduction strategy in order to do its “fair share” of implementing the goal of carbon neutrality by 2045. If the project can implement the specific design elements, it can reasonably be determined that the proposed project will not make a cumulatively considerable contribution to global climate change.

Therefore, the proposed project has the potential to involve new or more severe significant impacts than what was analyzed in the Lillian Commons Project IS/MND.

*Further analysis of the above potential significant impact will be discussed in the Air Quality and Greenhouse Gas Emissions (including Energy) chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

**Prior Mitigation Measures**

The analysis that will be included in the SEIR will determine whether Mitigation Measure GHG-1.1 from the Lillian Commons IS/MND (e.g., GHG reduction plan) is still applicable, requires modification(s), or should be substituted for equally effective mitigation.

**New Mitigation Measures**

To be determined in the SEIR.

**IX. HAZARDS AND HAZARDOUS MATERIALS.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Pg. 79	No	No	No
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	Pg. 79	No	No	No
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Pg. 80	No	No	No
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Pg. 80	No	No	No
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Pg. 80	No	No	No
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Pg. 80	No	No	No
g. Expose people or structures, either directly or indirectly, to the risk of loss, injury or death involving wildland fires?	Pg. 81	No	No	No

**Discussion**

a,b. According to the Lillian Commons Project IS/MND, construction of the project may involve the use and transport of hazardous materials, such as fuels, oils, mechanical fluids, and other chemicals used during construction. The residential and retail components of the Lillian Commons Project would involve only minimal transport, use, and disposal of hazardous materials. In contrast, the medical offices component of the project may routinely transport hazardous materials. However, the Lillian Commons Project IS/MND determined that construction and operation of the project would be regulated by the Santa Clara County Department of Environmental Health Hazardous Materials Compliance Division (SCCDEH). The Lillian Commons Project IS/MND concluded that compliance with applicable federal, State, and local regulations would ensure that the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, as well as ensure that the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset



and accident conditions involving the release of hazardous materials into the environment, and a less-than-significant impact would occur.

The proposed project would include the operation of the same land types within the same footprint that was already analyzed in the Lillian Commons Project IS/MND. As such, construction and operation of the proposed project would not differ from the Lillian Commons Project, and would be required to comply with the same applicable federal, State, and local regulations which would ensure that the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

- c. The Lillian Commons Project IS/MND determined that although the Barrett Elementary School is located less than 0.25-mile north of the project site, compliance with applicable local, State, and federal regulations would ensure that the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes within one-quarter mile of an existing or proposed school, and a less-than-significant impact would occur. The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project site. In addition, since the Lillian Commons Project IS/MND has been prepared, additional schools have not been constructed within 0.25-mile of the project site. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.
- d. The Lillian Commons Project IS/MND reviewed the Department of Toxic Substances Control (DTSC) Cortese list, which includes a database of hazardous materials sites compiled pursuant to Government Code Section 65962.5. According to the Lillian Commons Project IS/MND, the Lillian Commons Project site was not included on the DTSC Cortese list. Other components of the Cortese List include the list of leaking underground storage tank sites from the SWRCB's GeoTracker database, the list of solid waste disposal sites identified by the SWRCB, and the list of active Cease and Desist Orders (CDO) and Cleanup and Abatement Orders (CAO) from the SWRCB. The project site is not located on the Cortese List.<sup>8</sup> The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND, and the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.
- e. According to the Lillian Commons Project IS/MND, the project site is not located within an airport land use plan within two miles of a public airport, or near a private landing strip. Therefore, the Lillian Commons Project IS/MND concluded that the project would not result in a safety hazard or excessive noise for people residing or working in the project area, and no impact would occur.

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project, and, thus, would not be located within any airport land use plan, or in the vicinity of a public airport or public use airport. Therefore, the currently

---

<sup>8</sup> Department of Toxic Substances Control. *Hazardous Waste and Substances Site List (Cortese)*. Available at: <https://www.envirostor.dtsc.ca.gov/public/>. Accessed July 2023.

proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

- f. The Lillian Commons Project IS/MND determined that the project would be constructed in accordance with current building and fire codes to ensure structural stability and safety. In addition, according to the Lillian Commons Project IS/MND, the Morgan Hill Fire Department would review the site development plans to ensure that fire protection design features are incorporated and adequate emergency access is provided. Based on the foregoing information, the Lillian Commons Project IS/MND concluded that the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and no impact would occur.

Implementation of the proposed project would not result in any substantial modifications to the existing roadway system. Additionally, the project would include lanes and drive aisles sized to accommodate emergency vehicle access to the site. Because the project would not involve physical changes that would significantly alter the existing roadway network in a manner that would interfere with circulation, the proposed project would not be anticipated to interfere with any emergency response or evacuation plan. Furthermore, the currently proposed project, which would be constructed within the footprint of the previously analyzed Lillian Commons Project, would be designed and implemented in accordance with all applicable federal, State, or local plans adopted for emergency response and evacuation. Therefore, the proposed project would not interfere with the emergency operations plan or other federal, State, or local plans adopted for emergency response and evacuation.

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

- g. The Lillian Commons Project IS/MND analyzed the project's potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires. As noted therein, the project site is not designated by the California Department of Forestry and Fire Protection (CAL FIRE) as a Very High Fire Hazard Severity Zone (FHSZ). As such, the Lillian Commons Project IS/MND concluded that the project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, and no impact would occur. Since the Lillian Commons Project IS/MND was drafted, CAL FIRE has released updated FHSZ maps. According to the most recent CAL FIRE data, the project site is still not located within a FHSZ.<sup>9</sup>

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project. As discussed above, according to the most recent CAL FIRE data, the project site is not located within a FHSZ. In addition, the proposed project would be required to adhere to all standards included in the California Building Code and the California Fire Code. Therefore, the proposed project would not expose people or structures to risk of loss, injury or death involving wildland fires.

---

<sup>9</sup> CAL FIRE. *FHSZ Viewer*. Available at: <https://egis.fire.ca.gov/FHSZ/>. Accessed July 2023.

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

<b>X. HYDROLOGY AND WATER QUALITY.</b>	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
<i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Pgs. 86 and 87	No	No	No
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Pgs. 87 and 88	No	No	No
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	Pgs. 88 and 89	No	No	No
i. Result in substantial erosion or siltation on- or off-site;				
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv. Impede or redirect flood flows?				
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Pg. 89	No	No	No
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Pg. 89	No	No	No

**Discussion**

- a. According to the Lillian Commons Project IS/MND, construction of the project would have the potential to result in water quality impacts. Since construction of the project would disturb more than one acre of soil, the project would be required to comply with the NPDES General Permit for Construction Activities, as well as Standard Condition GEO-3, as defined in Section VII, Geology and Soils, of this Initial Study, and Standard Conditions HYD-1 and HYD-2, which are defined below. The Lillian Commons Project IS/MND concluded that compliance with the foregoing regulations would reduce construction water quality impacts to a less-than-significant level. With respect to post-construction water quality impacts, the Lillian Commons Project IS/MND determined that conformance with the City’s Stormwater Management Guidance Manual for Low Impact Development (LID) and Post-Construction Requirements for implementing pollutant source controls and LID-based treatment controls would reduce impacts to a less-than-significant level.



Implementation of Standard Condition HYD-1 would consist of the following: In accordance with the City of Morgan Hill Standard Conditions of Approval and the Construction General Permit, the following measures shall be included in the project to ensure compliance with applicable water quality standards. The following best management practices (BMPs) shall be implemented during project construction:

- Burlap bags filled with drain rock will be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities will be suspended during periods of high winds.
- All exposed or disturbed soil surfaces will be watered at least twice daily to control dust.
- Stockpiles of soil or other materials that can be blown by the wind will be watered or covered.
- All trucks hauling soil, sand, and other loose materials will be covered and all trucks will be required to maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction site will be swept daily (with water sweepers).
- Vegetation in disturbed areas will be replanted as quickly as possible.

Implementation of Standard Condition HYD-2 would consist of the following: In accordance with the City of Morgan Hill Standard Conditions of Approval and the Construction General Permit, the following measures shall be included in the project to ensure construction-related water quality impacts are less than significant:

- As required by the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, construction activity resulting in a land disturbance of one acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with Section A, B, and C of the General Permit prior to the commencement of soil disturbing activities. A NOI Receipt Letter assigning a Waste Discharger Identification number to the construction site will be issued after the State Water Resource Control Board (SWRCB) receives a complete NOI package (original signed NOI application, vicinity map, and permit fee); copies of the NOI Receipt Letter and SWPPP shall be forwarded to the Building and Land Development Engineering Divisions review. The SWPPP shall be made a part of the improvement plans. (SWRCB NPDES General Permit CA000002).

The currently proposed project, which would be constructed within the footprint of the previously analyzed Lillian Commons Project, would be subject to the same federal, State, and local regulations regarding water quality, specified in the Lillian Commons Project IS/MND, as well as the aforementioned Standard Conditions. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

- b. The Lillian Commons Project IS/MND determined that although the site is currently mostly undeveloped, and that the increase in impervious surfaces associated with the proposed development could impact groundwater recharge, the Lillian Commons Project would be required to implement site design measures, LID, and BMPs which would contribute to groundwater recharge and minimize stormwater runoff. In addition, according to the Lillian Commons Project IS/MND, the highest depth to groundwater expected at the project site is 20 feet below the ground surface; the maximum depth of excavation associated with the project would be six feet below the ground surface. As such, the Lillian Commons Project IS/MND determined that the groundwater is deep enough such that ground disturbance during construction would not interfere with groundwater flow or expose any aquifers. Furthermore, because the project site is not an aquifer recharge facility, the Lillian Commons Project IS/MND determined that the project would not substantially interfere with aquifer recharge. Overall, the Lillian Commons Project IS/MND concluded that the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin, and a less-than-significant impact would occur.

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project. While the proposed project would include the development of more square footage than was anticipated in the Lillian Commons Project IS/MND, the currently proposed project would not include the development of more impervious surfaces than previously anticipated. In addition, as discussed above, the implementation of site design measures, LID, and BMPs would be appropriately sized for the amount of proposed development and would contribute to groundwater recharge and minimize stormwater runoff. As such, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. Therefore, the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

- c.i-iii. The Lillian Commons Project IS/MND states that because the project would create or replace 22,500 sf or more of impervious surfaces, pursuant to the City's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements, the project would be required to implement LID treatment systems designed to retain stormwater runoff generated by the 85<sup>th</sup> percentile 24-hour storm event. The Lillian Commons Project IS/MND determined that implementation of Standard Condition HYD-3, as defined below, as well as Standard Conditions GEO-3, HYD-1, and HYD-2, would ensure that that the Lillian Commons Project would not result in substantial erosion during construction. Furthermore, the Lillian Commons Project IS/MND concluded that in addition to the foregoing requirements, because the final drainage system design for the project would be subject to review and approval by the City of Morgan Hill Land Development Engineering Division, which confirms that the proposed drainage system for the project would be consistent with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval, impacts related to altering the existing drainage pattern of the site would be reduced to a less-than-significant level.

Implementation of Standard Condition HYD-3 would consist of the following: The Project Engineer shall provide a hydrology report demonstrating that post-development stormwater runoff peak flows discharged from the site do not exceed pre-project peak flows for the two- through 10-year storm events. Peak flow controls must also meet the flood control standards established by the Santa Clara County Drainage Manual.

While the proposed project would include the development of more square footage than was anticipated in the Lillian Commons Project IS/MND, the currently proposed project would not result in an increase of impervious surfaces or urban runoff than previously anticipated. In addition, the currently proposed project would direct stormwater runoff to inlets located throughout the project site, as well as new bioretention basins sited in various locations, which would be appropriately-sized, based on the total amount of proposed impervious surfaces, to provide preliminary treatment and temporary storage of runoff during peak rainfall. From the inlets and bioretention basins, flows would be conveyed by way of new 15- and 18-inch storm drain lines to the water treatment basin located to the southeast of the parking structure, where flows would ultimately be piped to the existing storm drain infrastructure in Juan Hernandez Drive.

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. Therefore, the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

- c.iv,d. According to the Lillian Commons Project IS/MND, because the project site is identified by FEMA as being located in Zone X (outside of the 100-year floodplain), the Lillian Commons Project IS/MND concluded that no impact would occur related to the risk of flooding, including flooding risk from rising sea levels associated with climate change, or of risk of inundation by mudflow, seiche, or tsunami.

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project, and, therefore, would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

- e. The Lillian Commons Project IS/MND concluded that through compliance with the Central Coast RWQCB requirements and the City's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements, the project would not impact groundwater recharge and would not conflict with the SCVWD's Groundwater Management Plan, and a less-than-significant impact would occur. The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project, and would be required to comply with the same requirements. Therefore, the proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

### **Prior Mitigation Measures**

None Required.

### **New Mitigation Measures**

None Required.

<b>XI. LAND USE AND PLANNING.</b>		Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
<i>Would the project:</i>					
a. Physically divide an established community?		Pg. 91	No	No	No
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?		Pg. 91	No	No	No

**Discussion**

- a. Because the Lillian Commons Project would include the construction of multi-family residential, hospital, medical office, and retail/restaurant buildings, the Lillian Commons Project IS/MND determined that the mix of uses would provide convenient services to the surrounding existing residential community, as well as to the proposed residential uses and medical offices/hospital uses. As such, the Lillian Commons Project IS/MND concluded that the project would not physically divide an established community, and a less-than-significant impact would occur. The currently proposed project would be built within the footprint of the previously analyzed Lillian Commons Project. In addition, the currently proposed project does not include any linear features, such as roads, walls, railroad lines, that would physically divide an established community. Therefore, the proposed project would not divide an established community.

Based on the above, the proposed project would not result in new significant impacts or substantially more severe significant impacts than were analyzed in the Lillian Commons Project IS/MND and would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

- b. The Lillian Commons Project included a General Plan and Zoning Amendment to redesignate the site from a Service Commercial designation to a Mixed Use Flex designation to allow for residential, commercial, and medical office uses. The Lillian Commons Project IS/MND concluded that given approval of the foregoing amendments, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation, and a less-than-significant impact would occur.

The proposed project consists of an expansion of the approved medical/commercial uses evaluated in the Lillian Commons Project IS/MND. As such, the proposed use would be consistent with the General Plan and zoning designations for the site. The currently proposed project requires the approval of a GPA to amend the Mixed Use Flex designation to exempt medical uses, including hospitals, from floor area ratio requirements with an approved Planned Development (PD) Combining District and PD master plan, as well as a PD Master Plan Amendment to set the maximum medical square footage at 275,000 sf and to increase the maximum allowable building height. The environmental effects of the requested amendments to the maximum allowable heights for the project site and maximum floor area ratio established by the site-specific PD Master Plan and General Plan Mixed Use Flex land use designation, respectively, are considered and evaluated throughout the other sections of this Initial Study, and with respect to criteria pollutant and GHG emissions, noise, and transportation, will be evaluated in the SEIR. Following approval of the foregoing modifications, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than were previously analyzed in the Lillian Commons Project IS/MND. Therefore, the proposed



project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

**XII. MINERAL RESOURCES.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Pg. 93	No	No	No
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Pg. 93	No	No	No

**Discussion**

a,b. According to the Lillian Commons Project IS/MND, based on the United States Geological Survey (USGS) map of mines and mineral resources, the project site is not comprised of known mineral resources or mineral resource production areas. In addition, the Lillian Commons Project IS/MND determined that the City’s General Plan does not identify the project site or area as a mineral resource recovery site. As such, the Lillian Commons Project IS/MND concluded that the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan, and no impact would occur.

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project, and, therefore, would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As such, the proposed project would be consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

**XIII. NOISE.**

*Would the project result in:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Pgs. 100 to 111	Yes	No	No
b. Generation of excessive groundborne vibration or groundborne noise levels?	Pgs. 111 to 112	Yes	No	No
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Pg. 112	No	No	No

**Discussion**

- a. The Lillian Commons Project IS/MND analyzed the project’s potential to generate a substantial temporary increase in ambient noise levels at residential uses in the vicinity of the project in excess of standards established by the City of Morgan Hill and concluded that implementation of Mitigation Measure NOI-1.1 would be required to ensure that impacts related to temporary short-term exposure to construction generated noise would be less than significant. In addition, the Lillian Commons Project IS/MND determined that while sources of permanent noise increases associated with the Lillian Commons Project, such as traffic noise, on-site vehicle circulation, and truck deliveries, would not expose nearby sensitive receptors to noise levels above the City’s thresholds of significance, operation of on-site mechanical equipment would have the potential to exceed the noise level thresholds established in the City’s Municipal Code. However, the Lillian Commons Project IS/MND concluded that implementation of Mitigation Measure NOI-2.1 would ensure that the project would not generate a permanent increase in ambient noise levels in excess of standards established by the City, and a less-than-significant impact would occur.

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project, and, thus, would have the potential to result in impacts upon the same sensitive noise receptors evaluated in the Lillian Commons Project IS/MND. Because the proposed project consists of the intensification of the previously approved land uses evaluated in the Lillian Commons Project IS/MND, implementation of Mitigation Measures NOI-1.1 and NOI-2.1 is anticipated to be required for the proposed project. However, the proposed project would require a greater amount of construction activity than was evaluated in the Lillian Commons Project IS/MND. In addition, the currently proposed project would result in increased on-site activity; for example, a greater number of parking spaces available on-site would result in increased on-site circulation, and the expanded medical/commercial uses would allow for more employees and patrons. Therefore, additional analysis is required to assess whether Mitigation Measures NOI-1.1 and NOI-2.1 would be sufficient to reduce noise impacts of the proposed project to a less-than-significant level. As such, the proposed project has the potential to involve new or

more severe significant impacts than what was analyzed in the Lillian Commons Project IS/MND.

*Further analysis of the above potential significant impact will be discussed in the Noise chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

- b. The Lillian Commons Project IS/MND analyzed the project's potential to result in the generation of excessive groundborne vibration or groundborne noise levels and concluded buildout of the project would result in a less-than-significant impact. Although the currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project, the proposed project would consist of a greater amount of development than was anticipated and analyzed in the Lillian Commons Project IS/MND. Therefore, additional analysis is required to assess whether the currently proposed project would result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND.

*Further analysis of the above potential significant impact will be discussed in the Noise chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

- c. According to the Lillian Commons Project IS/MND, the Reid-Hillview Airport and Mineta San Jose International Airport are located approximately 18 miles and 23 miles northwest of the project site, respectively. In addition, the San Martin Airport is located approximately 2.8 miles southeast of the project site. The Lillian Commons Project IS/MND determined that because the project site is located outside of each airport's planning boundary and 60 decibel (dBA) Community Noise Equivalent Level (CNEL) noise contour, noise levels resulting from aircraft would be insignificant at the site and would be compatible with the proposed land uses. Therefore, the Lillian Commons Project IS/MND concluded that impacts would be less than significant.

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project, and new airport land uses have not been built in the project vicinity since the adoption of the Lillian Commons Project IS/MND. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND, and the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

### **Prior Mitigation Measures**

The analysis that will be included in the SEIR will determine whether Mitigation Measure NOI-1.1 (e.g., implement noise control BMPs during construction) and NOI-1.2 (e.g., implement noise reduction measures, as necessary, for on-site operational mechanical equipment) from the Lillian Commons IS/MND are still applicable, require modification(s), or should be substituted for equally effective mitigation.

### **New Mitigation Measures**

To be determined in the SEIR.



**XIV. POPULATION AND HOUSING.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	Pg. 116	No	No	No
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Pgs. 116 and 117	No	No	No

**Discussion**

a. The Lillian Commons Project IS/MND determined that although the project would include the construction of 200 multi-family residential units, which would lead to a net increase in the local population by approximately 1,102 residents, such an increase in population would not be considered substantial unplanned population growth. In addition, according to the Lillian Commons Project IS/MND, housing is considered a critical need in the Bay Area, and the proposed residential units would provide a housing option for employees of the proposed retail or hospital uses. As such, the Lillian Commons Project IS/MND concluded that the project would not induce substantial unplanned population growth in an area, either directly or indirectly, and a less-than-significant impact would occur.

The currently proposed project consists of an increase in density and square footage of the proposed medical/commercial uses, and, thus, would not result in the creation of additional housing which would directly induce population growth. In addition, while the increase in medical/commercial uses may result in the project generating a greater number of employees than what was analyzed and anticipated in the Lillian Commons Project IS/MND, such an increase would not indirectly induce substantial unplanned population growth in the area beyond what was assumed in the Lillian Commons Project IS/MND. Therefore, the currently proposed would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

b. Because the project site does not contain existing residences, the existing medical offices do not support residents, and the approved project would include the development of housing, the Lillian Commons Project IS/MND concluded that the Lillian Commons Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, and no impact would occur. The currently proposed project would be built within the footprint of the previously analyzed Lillian Commons Project and would not include the demolition of existing residential buildings. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

**XV. PUBLIC SERVICES.**

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Fire protection?	Pgs. 120 to 122	No	No	No
b. Police protection?		No	No	No
c. Schools?		No	No	No
d. Parks?		No	No	No
e. Other Public Facilities?		No	No	No

**Discussion**

a-e. The Lillian Commons Project IS/MND analyzed the potential for buildout of the project to result in substantial adverse physical impacts related to fire protection, police protection, schools, parks, and other public facilities and concluded that a less-than-significant impact would occur.

With respect to fire protection, the Lillian Commons Project IS/MND determined that although the residential portion of the project would create an increase in population, which would result in an incremental increase in demand on the Morgan Hill Fire Department, such an increase would not lead to a substantial lowering of response times due to the project site’s location in an urban area of Morgan Hill. In addition, according to the Lillian Commons Project IS/MND, the development proposed therein would be reviewed by the Morgan Hill Fire Department/CAL FIRE to ensure appropriate safety features to reduce fire hazards are incorporated into the project. Given that the Lillian Commons Project is surrounded by existing development, the Lillian Commons Project IS/MND concluded that the project would not substantially increase the demand for fire protection, or otherwise require construction or expansion of fire facilities, and a less-than-significant impact would occur.

Similarly, although the approved project would result in an increase in population, the Lillian Commons Project IS/MND determined that a substantial increase in the need for police and protection services would not occur. In addition, according to the Lillian Commons Project IS/MND, the Morgan Hill Police Department (MHPD) would review the development plans to ensure that safety features to reduce the risk of criminal activity are incorporated into the project design. Therefore, the Lillian Commons Project IS/MND concluded that the project would not result in a significant increase in demand for police services or require the expansion or construction of police facilities, and a less-than-significant impact would occur.

With respect to schools, the Lillian Commons Project IS/MND determined that the residential component of the project would likely increase the need for school capacity. According to the Lillian Commons Project IS/MND, school impact fees would be paid to the affected school districts prior to the issuance of a building permit by the City. The Lillian

Commons Project IS/MND concluded that payment of such fees would be adequate mitigation from development of the Lillian Commons Project, and that a less-than-significant impact would occur.

According to the Lillian Commons Project IS/MND, the existing parks in the project area, as well as the open space, passive park, and recreational areas proposed as part of the Lillian Commons Project would be sufficient to serve the residents of the project. In addition, the Lillian Commons Project IS/MND concluded that through the payment of in-lieu fees, the project would not result in the substantial physical deterioration of existing and recreational facilities or require the expansion or construction of new facilities, and a less-than-significant impact would occur.

According to the Lillian Commons Project IS/MND, although residents of the project would be likely to utilize nearby libraries and community centers, demand for such facilities would not necessitate the construction of new facilities or the expansion of existing facilities. As such, the Lillian Commons Project IS/MND concluded that a less-than-significant impact would occur.

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project. In addition, the proposed project would not result in the development of more residences than what was assessed in the Lillian Commons Project IS/MND. As such, the proposed project would not result in an increase in the number of residents assumed for the Lillian Commons Project, and the proposed project would not require the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, particularly schools, parks, and other public facilities.

However, police and fire protection services have the potential to be affected by the intensified medical/commercial uses included in the proposed project. The nearest MHPD facility to the project site is located at 16200 Vineyard Boulevard, approximately one mile west of the project site. As noted in the General Plan EIR, the MHPD's goal is to respond to calls within five to eight minutes.

Currently, the closest fire station to the project site is the CAL FIRE headquarters station located at 15670 Monterey Road, approximately 0.95-mile southwest of the project site. However, since the adoption of the Lillian Commons Project IS/MND, the City has authorized funds to construct the new Butterfield Boulevard Station, which will be located at 17285 Butterfield Boulevard, approximately 1.2 miles from the project site. A relatively direct travel route will be available from the Butterfield Boulevard Station down Butterfield Boulevard, to Barret Avenue, and to the project site. Construction of the Butterfield Boulevard Station is anticipated to be completed by July 2024. Although the City has not adopted response time standards or goals related to fire suppression, CAL FIRE is held to a seven minute, 59 second response time standard based on the 911 Emergency Medical Services Provider Agreement between the City of Morgan Hill and the County of Santa Clara Emergency Medical Services Agency.<sup>10</sup> Due to the close proximity to existing and proposed fire and police stations, response times to the project site will be met.

---

<sup>10</sup> Dwight Good, Assistant Chief Cooperative Fire Protection, Morgan Hill Fire Department. Personal communication [phone] with Nick Pappani, Vice President, Raney Planning and Management, Inc. June 1, 2021.

As previously discussed, the maximum building height for the medical office buildings would be increased as part of the PD Master Plan Amendment, from 55 feet to 65 feet. With respect to the parking structure, the originally approved project included construction of a three-story, 32-foot-tall parking structure, whereas the proposed project is proposing development of a six-story, 65-foot-tall structure. Thus, the proposed project modifications would result in a net increase of three floors and 33 feet. The Morgan Hill Fire Department/CAL FIRE is equipped with a ladder truck that can reach 105 feet; thus, it will be able to reach the 65-foot building heights if placed in the proper position.

Overall, as required under CEQA, the incremental increase in demand for fire and police protection associated with the proposed project would not necessitate new or physically altered fire or police protection facilities, the construction of which could cause significant environmental impacts. Analysis of issues related to new equipment or personnel being needed is not required under CEQA; rather, such issues are related to funding.

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.



**XVI. RECREATION.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Pg. 124	No	No	No
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Pg. 124	No	No	No

**Discussion**

a,b. According to the Lillian Commons Project IS/MND, the existing parks in the project area, as well as the open space, passive park, and recreational areas proposed as part of the Lillian Commons Project would be sufficient to serve the residents of the project. In addition, the Lillian Commons Project IS/MND concluded that through the payment of in-lieu fees, the project would result in a less-than-significant impact with regard to recreational resources.

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project. In addition, the proposed project would not result in the development of more residences than what was assessed in the Lillian Commons Project IS/MND. As such, the proposed project would not result in an increase in the number of residents assumed for the Lillian Commons Project, and the proposed project would not result in adverse impacts related to recreational resources.

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

**XVII. TRANSPORTATION.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Pgs. 131 to 136	Yes	No	No
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Pg. 136	Yes	No	Yes
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Pg. 137	Yes	No	No
d. Result in inadequate emergency access?	Pg. 137	Yes	No	No

**Discussion**

a. The Lillian Commons Project IS/MND performed a level of service (LOS) analysis for several roadway segments and intersections within the project vicinity. Since the release of the Lillian Commons Project IS/MND, the law has changed with respect to how transportation-related impacts may be addressed under CEQA. Traditionally, lead agencies used LOS to assess the significance of such impacts, with greater levels of congestion considered to be more significant than lesser levels. Mitigation measures typically took the form of capacity-increasing improvements, which often had their own environmental impacts (e.g., to biological resources). Depending on circumstances, and an agency’s tolerance for congestion (e.g., as reflected in its general plan), LOS D, E, or F often represented significant environmental effects. In 2013, however, the Legislature passed legislation with the intention of ultimately removing LOS in most instances as a basis for environmental analysis under CEQA. Enacted as part of SB 743 (2013), PRC Section 21099, subdivision (b)(1), directed the Governor’s OPR to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed CEQA Guidelines addressing “criteria for determining the significance of transportation impacts of projects within transit priority areas. Those criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. In developing the criteria, [OPR] shall recommend potential metrics to measure transportation impacts that may include, but are not limited to, vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated. The office may also establish criteria for models used to analyze transportation impacts to ensure the models are accurate, reliable, and consistent with the intent of this section.”

Subdivision (b)(2) of Section 21099 further provides that “[u]pon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to [CEQA], except in locations specifically identified in the guidelines, if any.”

Pursuant to SB 743, the Natural Resources Agency promulgated CEQA Guidelines Section 15064.3 in late 2018. It became effective in early 2019. Subdivision (a) of that section provides that “[g]enerally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, ‘vehicle miles traveled’ refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project’s effect on automobile delay shall not constitute a significant environmental impact.”

Please refer to Question ‘b’ for a discussion of VMT.

Existing roadways in the project vicinity include the following:

- US-101 is a north-south freeway extending northward to San Francisco and southward through Gilroy. US-101 is an eight-lane freeway consisting of three mixed-flow lanes and one high-occupancy vehicle (HOV) lane in each direction north of Cochrane Road. South of Cochrane Road, US-101 is a six-lane freeway without HOV lanes. Access to and from the project area is provided by a full interchange at Tennant Avenue.
- Tennant Avenue is a four to six lane major arterial road. Tennant Avenue extends from Monterey Road eastward to the east foothills, terminating at a T-intersection with Carey Avenue. West of Monterey Road, Tennant Avenue changes designation to Edmunson Avenue. Tennant Avenue provides regional access to the project site via its full interchange with US-101.
- Barrett Avenue is an east-west two-lane undivided roadway that extends from Railroad Avenue eastward to just west of US-101. East of US-101, Barrett Avenue continues eastward from west of Murphy Avenue to Trail Drive, in the east foothills, where it terminates. The posted speed limit on Barrett Avenue is 30 miles per hour (mph) and reduces to 25 mph in the vicinity of the Barrett Elementary School when children are present. Sidewalks on both sides of the street are found along Barrett Avenue, west of US-101, with the exception of two short segments along two undeveloped parcels located just east of Railroad Avenue. Sidewalks are not found along Barrett Avenue, east of US-101. Barrett Avenue is just north of the project site and provides direct access to the Rosewood subdivision currently under construction north of the project site.
- Juan Hernandez Drive is a two-lane north-south undivided roadway that begins at Tennant Avenue and extends northward to north of San Vicente Drive where it currently terminates. Juan Hernandez Drive is planned to be extended northward from the current terminus point to connect to San Pedro Avenue. The posted speed limit on Juan Hernandez is 35 mph and reduces to 25 mph in the vicinity of Barrett Elementary School when children are present. Juan Hernandez Drive has sidewalks on both sides of the street, with the exception of the west side of the street between Tennant Avenue and St. James Drive. Being the western project site boundary, Juan Hernandez Drive would provide direct access to the project site via two driveways.

The Lillian Commons Project IS/MND evaluated impacts upon pedestrian, bicycle, and transit facilities in the project vicinity. According to the Lillian Commons Project IS/MND, existing pedestrian facilities in the area consist of sidewalks and crosswalks. Although crosswalks with pedestrian signal heads and ADA-compliant ramps are located at all

nearby signalized intersections, and sidewalks are available in the residential neighborhoods located north and west of the site, continuous sidewalks are not available along the undeveloped parcels south of the project site. The only existing bicycle facility in the project vicinity is a Class II Bike Lane on Tennant Avenue, south of the project site. Transit service within the City of Morgan Hill is provided by the Santa Clara Valley Transportation Authority (SCVTA). According to the Lillian Commons Project IS/MND, bus routes do not currently exist that provide direct service between the project site and other pedestrian destinations in Morgan Hill. The nearest bus stop, Route 87, is located approximately 1.5 miles northwest of the project site. The Lillian Commons Project IS/MND concluded that the project would not require the development of additional pedestrian, bicycle, or transit facilities, and a less-than-significant impact would occur.

Due to the proposed intensification of medical/commercial uses on the project site, the currently proposed project would result in additional use of pedestrian, bicycle, and transit facilities in the project vicinity. Additional analysis is required to evaluate the currently proposed project's connectivity to the existing network in the project vicinity and whether the incremental increase in project use and ridership of alternative transportation networks would conflict with the level of anticipated use for such systems. Similarly, additional analysis is required to assess how additional ridership associated with the proposed project would impact transit services based on available capacity.

Based on the above, additional analysis is required to assess whether the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND.

*Further analysis of the above potential significant impact will be discussed in the Transportation chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

- b. At the time that the Lillian Commons Project IS/MND was approved, the City of Morgan Hill had not yet adopted a standard approach or guidelines to evaluate a project's VMT impact. Therefore, the Lillian Commons Project IS/MND concluded that the project would not conflict with CEQA Guidelines Section 15064.3, Subdivision (b), and no impact would occur.

Pursuant to Section 15064.3(b)(3), a lead agency may analyze a project's VMT qualitatively based on the availability of transit, proximity to destinations, etc. The City of Morgan Hill is undertaking a process of updating its General Plan policies to incorporate VMT methodologies and significance thresholds to be consistent with SB 743 and has released draft VMT thresholds. These draft city-wide VMT thresholds have been recommended by the Planning Commission for City Council approval. Compared to the approved project, the proposed project could result in the development of up to 133,600 sf (net) of additional medical/commercial uses. This increased development potential would result in the generation of more vehicle trips and increased VMT than the approved project. In addition, given that the 2020 IS/MND did not quantitatively evaluate VMT, the City has conservatively chosen to use the existing site conditions as the baseline for the VMT analysis. In other words, with the exception of the existing 15,900 sf of medical office space currently located in the southernmost portion of the project site, other VMT-generating uses previously approved for the Lillian Commons Project IS/MND are not assumed in the environmental baseline.

Based on the above, the currently proposed project would have the potential to generate a new significant impact related to VMT and further analysis is required.

*Further analysis of the above potential significant impact will be discussed in the Transportation chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

- c,d. According to the Lillian Commons Project IS/MND, the proposed development would be accessed by two driveways along Juan Hernandez Drive. The Lillian Commons Project IS/MND determined that because the project would comply with the City's design standards, the project driveways would provide adequate width for site access and would not result in hazards. As such, the Lillian Commons Project IS/MND concluded that the project would not substantially increase hazards due to a geometric feature or incompatible use, and a less-than-significant impact would occur. Similarly, the Lillian Commons Project IS/MND concluded that by adhering to the City of Morgan Hill's standards and requirements for emergency access, the project would not result in inadequate emergency access, and no impact would occur.

The foregoing conclusions from the Lillian Commons Project IS/MND are based on the development of the project site with 124,500 sf of medical uses. The currently proposed project consists of an expansion of the approved medical/commercial uses evaluated in the Lillian Commons Project IS/MND. Specifically, the proposed project could result in a total net increase of 133,600 sf of medical/commercial uses. Because the additional development was not analyzed in the Lillian Commons Project IS/MND, the proposed project has the potential to result in increased hazards due to a geometric feature or incompatible use, requiring further analysis in the SEIR. Therefore, the proposed project has the potential to involve new or more severe significant impacts than what was analyzed in the Lillian Commons Project IS/MND.

*Further analysis of the above potential significant impact will be discussed in the Transportation chapter of the Rosewood/Morgan Hill Medical Campus Project SEIR.*

### **Prior Mitigation Measures**

None Required

### **New Mitigation Measures**

To be determined in the SEIR.



**XVIII. TRIBAL CULTURAL RESOURCES.**

*Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).	Pg. 140	No	No	No
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Pg. 140	No	No	No

**Discussion**

a,b. According to the Lillian Commons Project IS/MND, tribes did not request notice under Assembly Bill (AB) 52, and known tribal cultural resources are not present on-site. In addition, the City of Morgan Hill initiated the Senate Bill (SB) 18 consultation process for the Lillian Commons Project on January 29, 2020; the City did not receive any responses or requests for consultation. The Lillian Commons Project IS/MND concluded that implementation of the measures listed under Standard Condition CUL-1 would be sufficient to reduce any potential impacts upon tribal cultural resources to a less-than-significant level.

As discussed in Section V, Cultural Resources, of this Initial Study, the currently proposed project would be implemented within the previously analyzed footprint of the Lillian Commons Project IS/MND. Standard Condition CUL-1, as presented in the Lillian Commons Project IS/MND, was the City’s then-current standard protection measure for cultural resources. The protection measures have been modified over time and have been replaced with the City standard Condition of Approval related to the protection of historical and archaeological resources, consistent with Section 18.60.090 of the Morgan Hill Municipal Code (see Section V of this Initial Study). Given compliance with the foregoing Condition of Approval, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts than what were previously analyzed in the Lillian Commons Project IS/MND. As a result, the proposed project would remain consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

**New Mitigation Measures**

None Required.

**XIX. UTILITIES AND SERVICE SYSTEMS.**

*Would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Pgs. 144 and 145	No	No	No
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	Pgs. 145 and 146	No	No	No
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Pg. 146	No	No	No
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Pgs. 146 and 147	No	No	No
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Pg. 147	No	No	No

**Discussion**

- a. The Lillian Commons Project IS/MND assessed the potential for buildout of the project to result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects and concluded that impacts would be less than significant.

According to the Lillian Commons Project IS/MND, the Lillian Commons Project would install new water lines, sanitary sewer lines, and storm drains that would connect to the existing utility lines on Juan Hernandez Drive and Barrett Avenue. The on-site storm drains would connect the existing storm drain on Juan Hernandez Drive, and the Lillian Commons Project would include a stormwater management area on the southwest corner of the project site. The Lillian Commons Project IS/MND determined that because the on-site retention would be designed to convey a 10-year storm event, and because the City's existing storm drainage system would have the capacity to serve the site, the project would not require expansion of the City's existing storm drainage system. In addition, the Lillian Commons Project IS/MND determined that the project would utilize the existing utility connections to connect to the electric power and telecommunication facilities. In compliance with City Ordinance No. 2306, natural gas infrastructure would not be developed in the new buildings. As such, the Lillian Commons Project IS/MND concluded that the project would not require or result in the relocation of new or expanded utilities infrastructure, and a less-than-significant impact would occur.

As discussed throughout this Initial Study, the currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project. As such, the same existing utilities systems within adjacent roadways would be available to serve the currently proposed project. In addition, the project engineer, in consultation with the City of Morgan Hill, have confirmed that no off-site infrastructure improvements are necessary to accommodate the increased demand associated with the 133,600 sf of additionally proposed medical/commercial uses. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the IS/MND.

- b. According to the Lillian Commons Project IS/MND, the City's Urban Water Management Plan (UWMP) determined that sufficient water supply was available to accommodate buildout of the project site with commercial development, as anticipated in the City's General Plan. The Lillian Commons Project IS/MND determined that the proposed uses, including multi-family residences, hospital and medical offices, and restaurant/commercial uses, would not significantly increase water demand compared to the water demand of the originally anticipated commercial development. As such, the Lillian Commons Project IS/MND concluded that sufficient water supplies would be available to serve the project, and a less-than-significant impact would occur.

The currently proposed project consists of the expansion of the medical uses analyzed in the Lillian Commons Project IS/MND by up to 133,600 sf. According to the City's Water System Master Plan, among non-residential uses, commercial uses have the highest water unit factor.<sup>11</sup> Thus, the currently proposed project would not result in greater water consumption than what was anticipated for the site in the General Plan and City UWMP. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

- c. The Lillian Commons Project IS/MND estimated that the Lillian Commons Project would generate approximately 75,520 gallons of wastewater per day. According to the Lillian Commons Project IS/MND, the City's General Plan EIR determined that wastewater generated at buildout of the General Plan would exceed the current design of permitted treatment capacity. However, at the time that the Lillian Commons Project IS/MND was approved, the South County Regional Wastewater Authority (SCRWA) Wastewater Treatment Facility (WWTF) was planned for expansion by 2025. The Lillian Commons Project IS/MND concluded that after expansion of the WWTF, the project would not adversely affect the functionality or the capacity of the existing wastewater treatment system, and a less-than-significant impact would occur.

Currently, the expansion project is underway at the SCRWA WWTF and is expected to be complete in 2024.<sup>12</sup> The plant expansion will increase the facility's wastewater treatment capacity from 8.5 to 11 million gallons per day (mgd). The General Plan EIR determined that, after expansion of the treatment plant, wastewater generated by General Plan buildout, including the project site, would not exceed the expanded permitted treatment

---

<sup>11</sup> City of Morgan Hill. *Water System Master Plan Updated*. December 2021.

<sup>12</sup> See <https://morganhilltimes.com/expansion-to-increase-south-county-recycled-water-capacity/>; accessed July 13, 2023.

capacity of the SCRWA WWTF facility. Thus, although the currently proposed project would incrementally increase wastewater demand beyond what was anticipated for the site in the Lillian Commons Project IS/MND, the conclusions of the Lillian Commons Project IS/MND would not be altered such that wastewater generated by the proposed project would have a new significant impact.

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

- d,e. The Lillian Commons Project IS/MND used the California Emissions Estimator Model (CalEEMod) to estimate that the project's solid waste generation would total to approximately 1,338 tons per year, or 7,330 pounds per day. At the time when the Lillian Commons Project IS/MND was approved, the City of Morgan Hill contracted with Recology South Valley to dispose of solid waste from the City at the Johnson Canyon Sanitary Landfill, which would have adequate capacity for the solid waste associated with the Lillian Commons Project. As such, the Lillian Commons Project IS/MND concluded that the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals and would comply with federal, State, and local management and reduction statutes and regulations related to solid waste, and a less-than-significant impact would occur.

Since the approval of the Lillian Commons Project IS/MND, Recology South Valley has contracted with the Monterey Regional Waste Management District to provide solid waste disposal services at the Monterey Peninsula Landfill and Materials Recovery Facility for the waste collected by Recology.<sup>13</sup> Pursuant to the Landfill's current Solid Waste Facility Permit, the Landfill has a maximum permitted tonnage limit of 3,500 tons per day and a design capacity of 49,700,000 cubic yards, with remaining capacity of 48,560,000 cubic yards.<sup>14</sup>

The currently proposed project consists of the expansion of the previously approved medical uses; as such, construction and operation of the proposed project would result in an increase in solid waste beyond what was anticipated in the Lillian Commons Project IS/MND. However, such an increase would not exceed the available capacity of the Monterey Peninsula Landfill and Materials Recovery Facility. Therefore, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

### **Prior Mitigation Measures**

None Required.

---

<sup>13</sup> Andi Borowski, Environmental Services Assistant, Morgan Hill Environmental Services Department. Personal communication [email] with Jesse Fahrney, Associate, Raney Planning and Management, Inc. July 26, 2022.

<sup>14</sup> California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: Monterey Peninsula Landfill (27-AA-0010)*. Available at: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2642?siteID=1976>. Accessed July 2023.



**New Mitigation Measures**

None Required.

**XX. WILDFIRE.**

*If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	Pg. 148	No	No	No
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Pg. 148	No	No	No
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Pg. 148	No	No	No
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Pg. 148	No	No	No

**Discussion**

a-d. As previously discussed in Section IX, Hazards and Hazardous Materials, of this Initial Study, the Lillian Commons Project IS/MND analyzed the project’s potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires. As noted therein, the project site is not designated by CAL FIRE as a Very High FHSZ. As such, the Lillian Commons Project IS/MND concluded that the project would not result in wildfire impacts, and no impact would occur. Since the Lillian Commons Project IS/MND was drafted, CAL FIRE has released updated FHSZ maps. According to the most recent CAL FIRE data, the project site is still not located within a FHSZ.<sup>15</sup>

The currently proposed project would be constructed within the footprint of the previously analyzed Lillian Commons Project. As discussed above, according to the most recent CAL FIRE data, the project site is not located within a FHSZ. In addition, the proposed project would be required to adhere to all standards included in the California Building Code and the California Fire Code. Therefore, the proposed project would not result in wildfire impacts.

Based on the above information, the currently proposed project would not result in new significant impacts or substantially more severe significant impacts beyond what were analyzed in the Lillian Commons Project IS/MND. Thus, the proposed project is consistent with the conclusions of the Lillian Commons Project IS/MND.

**Prior Mitigation Measures**

None Required.

<sup>15</sup> CAL FIRE. *FHSZ Viewer*. Available at: <https://egis.fire.ca.gov/FHSZ/>. Accessed July 2023.

**New Mitigation Measures**

None Required.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE.**

	Where Impact Was Analyzed in Previous CEQA Document(s)?	Do Proposed Changes Involve New or More Severe Impacts?	Any New Circumstances Involving New or More Severe Impacts?	Any New Information Requiring New Analysis or Verification?
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Pg. 149	No	No	No
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Pgs. 149 to 154	Yes	Yes	Yes
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Pg. 155	Yes	Yes	Yes

**Discussion**

a. As discussed in Section IV, Biological Resources, of this Initial Study, the project site, which has been heavily disturbed, would not include special-status plant species, based on the conclusion of the Lillian Commons Project IS/MND. Through preconstruction surveys and any additional protective measures specified by Mitigation Measures BIO-1.1 and BIO-1.2, all potential adverse effects to such species would be minimized. Additionally, because the project site could contain unidentified historic or prehistoric resources beneath the ground surface, the proposed project would be implemented in accordance with Section 18.60.090 of the Morgan Hill Municipal Code, and impacts related to unidentified historic or prehistoric resources within the project site would be minimized during construction activities, consistent with the requirements of CEQA.

Considering the above, the proposed project would not: 1) degrade the quality of the environment; 2) substantially reduce or impact the habitat of fish or wildlife species; 3) cause fish or wildlife populations to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory. Impacts associated with such resources have been adequately addressed and would not change from what was identified in the Lillian Commons Project IS/MND, and the criteria for requiring further CEQA review are not met.

- b. In addition to evaluating the environmental impacts of the Lillian Commons Project, the Lillian Commons Project IS/MND also considered other past, pending, and probable future projects whose impacts could combine to produce cumulative impacts. The Lillian Commons Project IS/MND concluded that the project would have a less than significant cumulative impact for most resource topics, including cultural resources, geology impacts, hydrology, utilities, and hazards and hazardous materials. With respect to cumulative air quality and GHG impacts, the Lillian Commons Project IS/MND concluded that the project would result in a less than cumulatively considerable contribution to a significant cumulative impact, and a less than significant cumulative impact with mitigation incorporated, respectively. Similarly, the Lillian Commons Project IS/MND concluded that the project would result in a less than significant cumulative impact with mitigation incorporated with respect to noise impacts.

For the majority of resource topics assessed in the Lillian Commons Project IS/MND, the additional medical square footage would not significantly contribute to a cumulative impact beyond what was analyzed in the Lillian Commons Project IS/MND. For example, the geographic area for cumulative impacts to biological resources would be Santa Clara County and the project's potential disturbance to biological resources within the cumulative geographic setting would not be incrementally greater than the approved project. Other foreseeable projects subject to environmental review would similarly be required to mitigate their potential impacts to biological resources. With respect to cultural resources, the geographic area for cumulative impacts upon such resources are areas within approximately 1,000 feet of the project site; not only would the currently proposed project not result in incrementally greater impacts to cultural resources beyond what was anticipated in the Lillian Commons Project IS/MND, but any proposed project would be required to implement standard permit conditions to reduce impacts to cultural resources during construction to less-than-significant levels. Therefore, the currently proposed project, in combination with the approved Lillian Commons Project and other projects in the geographic area for cumulative impacts, would not result in a significant cumulative impact upon cultural resources.

However, as discussed throughout this Initial Study, the additional square footage associated with the currently proposed project has the potential to result in significant environmental impacts beyond what was anticipated in the Lillian Commons Project IS/MND for the following environmental resource areas: air quality, GHGs, energy, noise, and transportation. Therefore, potential cumulative impacts associated with each of the foregoing topics will be assessed in their respective chapters of the Rosewood/Morgan Hill Medical Campus Project SEIR.

- c. According to the Lillian Commons Project IS/MND, while changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. The Lillian Commons Project IS/MND concluded that implementation of the best management practices, standard permit conditions, mitigation measures, and adherence to General Plan, City Code, and state and federal regulations described in these sections of the report, would avoid significant impacts.

As described in this Initial Study, the currently proposed project has the potential to cause substantial effects to human beings, including effects related to exposure to air pollutants, GHGs, excessive noise, and transportation impacts, beyond those effects previously analyzed as part of the Lillian Commons Project IS/MND. Therefore, further analysis is required.