



**CITY OF MORGAN HILL**

**Development Services Center – Planning Division**

**17575 Peak Avenue Morgan Hill CA 95037**

**APPROVAL CERTIFICATE NO. 22-001**

**APPLICATION NUMBER:** Design Review SR2021-0011/EA2021-0009  
Cochrane-Toll Brothers (Borello Ranch)

**LOCATION:** West of Cochrane Road and north of Half Road  
APN 728-34-030

**SITE AREA:** 122-acres

**GENERAL PLAN:** Residential Detached Low

**ZONING:** RDL-20,000 (PD)

**DESCRIPTION:** The project includes Design Permit approval for Phases 3 and 4 of the 122-acre Borello Ranch Estates project. Phases 3 and 4 includes 114 lots, with landscape improvements, boundary wall and other civil engineering components.

**RECITALS**

1. On July 13, 2021, the Development Services Department received an application for Design Permit approval for Phase 3 and 4 of the 122-acre Borello Ranch project. Pursuant to Municipal Code Section 18.108.040.C.1 (Design Permit), projects with three or more residential units must receive Design Permit approval prior to development.
2. The project was reviewed by the Design Review Committed and comments were received from the various departments and agencies. The application was deemed complete for processing on December 8, 2021.
3. Comments received from the public and from the applicant, along with exhibits and drawings and other materials have been considered in the review process.
4. On January 4, 2022, the Development Services Department considered all comments on the application after a duly noticed 10-day public comment period. A hearing was scheduled and held on the Design Permit on January 24, 2022, after receiving requests for community participation.
5. Pursuant to the authority set forth pursuant to Section 18.108.040 (Design Permit) of the Morgan Hill Municipal Code, the Development Services Director hereby approves the project application subject to the conditions contained within this approval certificate.

## **FINDINGS**

### **SECTION 1. Design Permit Findings**

The following findings have been made in approving the Design Permit in accordance with Section 18.108.040 (J) of the Morgan Hill Municipal Code:

1. The proposed project is consistent with the General Plan and any applicable specific plan, area plan, or other design policies and regulations adopted by the City Council.

The development of the site for single-family residential housing is consistent with the General Plan Policies, development standards and design guidelines.

2. The proposed project complies with all applicable provisions of the zoning code and municipal code.

The proposal is consistent with all provisions in the Zoning Code and Municipal Code.

3. The proposed project substantially complies with all applicable design standards and guidelines contained in the design review handbook.

The project is consistent with the Design Review Handbook and the design criteria specified in the adopted Development Agreement for the project.

4. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

An Environmental Impact Report (EIR) for the Cochrane-Borello Residential Development Project (January 2013) was prepared for the project (State Clearinghouse #201111082039). The EIR, Mitigation Monitoring and Reporting Program (MMRP) and Statements of Overriding Consideration were adopted by City Council Resolution February 27, 2013. Because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the prior EIR to the greatest extent feasible, including mitigation measures that are imposed upon the proposed project, nothing further is required. The design is consistent with the project as previously analyzed pursuant to CEQA. The custodian of the documents or other material which constitute the record shall be the Development Services Department.

5. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

The project EIR determined that with the adoption of a MMRP, the proposed development would not have a detrimental impact on public health, safety, or welfare or be material injurious to the properties or improvements in the vicinity. The project is in compliance with the adopted MMRP.

6. The proposed project complies with all applicable Design Review Criteria in 18.108.040 (H.).

The project has been designed to be compatible with the neighborhood and supports a walkable/pedestrian environment.

7. The project complies with the commitments made through the residential development control system (RDCS).

The project has been designed to comply with all public benefit commitments within the Development Agreement.

**SECTION 2.** The proposed project will not result in a violation of the requirements established by the Regional Water Quality Control Board.

**SECTION 3.** The approved project shall be subject to all conditions contained within Exhibit A, incorporated herein by reference.

**APPROVED THIS 24<sup>th</sup> DAY OF JANUARY, 2022.**

  
Jennifer Carman  
Development Services Director

A F F I D A V I T

I, Steve Savage hereby agree to accept and abide by the terms and conditions specified in this approval certificate.

Steve Savage  
Steve Savage (Feb 7, 2022 07:06 PST)

Steve Savage

Feb 7, 2022

Date