Toll Brothers
America's Luxury Home Builder™

October 19, 2016

City of Morgan Hill Planning Commission
c/o Ms. Gina Paolini – Interim Principal Planner
17575 Peak Avenue
Morgan Hill, CA 95037

RE: RDCS20016-0015: Cochrane - Borello

Dear Planning Commissioners:

In response to the project scoring provided by City staff on the above referenced RDCS application, Toll Brothers, Inc. requests that the Planning Commission consider the following comments in its evaluation the of the Project's score. For ease of reference we have included both the applicant and staff comments from the Narrative, as well as the addenda referenced herein.

Please note that Cochrane – Borello's "baseline" score is 176.5, as reflected in the project Narrative. The Exhibit B – Part "2" Scores sheet that was transmitted by e-mail on Friday, October 14th was not updated to reflect an additional Staff-awarded point in the Open Space category.

Request 1. 2016-RDCS Narrative Public Schools - Criteria B.3.a. and b., Page 10 of 80

	Applicant's Answers		Staff Comments	
3	Comment	Pts	Comment	Pts
a.	Project is within 3/4-mile lineal walking distance of a MHUSD-Board approved planned elementary school site. Students will not be required to cross a street designated in the General Plan as a collector or arterial. Addendum C illustrates pedestrian connections from the... (see cell below for continuation)	1	**The project is not within 3/4 miles of an elemetnary school as specified on the published MHUSD list as of May 1, 2016.**	**0**
b.	(see cell above for introduction)...project to St. Katherine Drive within the Alicante subdivision. Alicante's street network includes continuous sidewalks to the future school site. See Anessa Espinosa (MHUSD) email confirming the future school site dated 07.28.2016.	1	**See 3a.**	**0**

From: Anessa Espinosa [mailto:espinosaa@mhusd.org]
Sent: Thursday, July 28, 2016 10:08 AM
To: Loraine Hall <LHall@rja-gps.com>
Cc: Ross Doyle <RDoyle@rja-gps.com>
Subject: Re: Measure C 2016

Yes the Peet Road site is a planned elementary school. Our Web site has a link for the boundaries of the existing schools.

After communicating with the MHUSD and confirming that the Project lies within the prescribed distance of a "planned" school (see excerpt directly above, and attached RDCS Narrative Addendum C), MHUSD offered that the project is not point-eligible because the school district does not own the Peet Road site. Applicant submits that the criterion specifically references a "planned" school, and that parcel ownership is not a condition of a point award.

Toll Brothers, Inc. respectfully requests ***2 points*** (1 point for 3a and 1 point for 3b).

Request 2. 2016-RDCS Narrative Orderly and Contiguous Development - Criteria B.3., Pages 18 and 19 of 80

Adjacency Determination Table					
Applicant's Answer			Staff Comments		
	Total	Developed		Total	Developed
North	2634	1666	North	2634	750
South	2884	1224	South	2884	1224
East	1337	0	East	1337	0
West	3333	3333	West	3333	3333
Total	10188	6223	Total	10188	5307
%	61%		%	52%	

	Applicant's Answers		Staff Comments	
	Comment	Pts	Comment	Pts
3.	Recent Final Map approvals (San Sebastian Phase 1a and 1b, Tracts 10176 and 10330, respectively) have increased the "developed" adjacent area. Calculation above reflects the length of the entire master-planned project boundary, and the adjacent "developed" lands as shown on the exhibit entitled "Orderly Growth & Urban Infill" included in the RDCS submittal package (Addendum F1 and F2).	4	**The County land across Coyote Road,Half Road and parts of Cochrane Road cannot be considered developed because they are located outside the City's Urban Growth Boundary. The scoring criteria states, "Adjacent development is defined as contiguous property located within MH's city limits, urban service area, or urban growth boundary (UGB)..."**	3
Sub total	Maximum points: 5	4	Maximum points: 5	3

The Applicant understands that entitled portions of projects have been acknowledged as "developed" in past competitions. This is in keeping with the criterion, which states that "for scoring purposes, undeveloped property which by September 15th of the fiscal year the competition is held has received either Final Map approval or Tentative Map and Development Agreement approval for projects which previously completed phase(s)... shall be considered to be developed property". The project's recently-approved Development Agreement Amendment (Ordinance 2201, May 18, 2016) includes the 55 residential lots that are delineated on Tracts 10330 and 10176.

The Applicant submitted Addendums F1 and F2 (attached) with the RDCS Narrative. Each Addendum calculated the "developed" area by applying the description provided in the criterion. Addendum F2 delineates the next phase of San Sebastian's development, relative to adjacent "developed" areas. The entire perimeter of the future phase (4,900 lineal feet) is "developed", based on the disposition of off-site adjacencies and San Sebastian's Tract Map approvals. In this scenario, the project should be awarded 5 points for 100% adjacency.

Alternatively, Addendum F1 calculated the adjacency, based on the entire 120-acre +/- project perimeter. Staff disqualified portions of the project boundary because they are adjacent to the City's Urban Growth Boundary. However, the criterion states that, "Where previously allocated phases of the same project have been developed or have received final map approval and are immediately adjacent to an otherwise undeveloped external boundary, that portion of the project's perimeter shall then be considered

developed...". The Applicant submits that those portions of the overall project boundary included in the approved Final Maps qualify as "developed", per the RDCS excerpt above. This interpretation would increase the adjacency to 61%, and result in a 4-point award.

Request 3. **2016 RDCS** **Narrative, Circulation B.2.b, page 57 of 80**

a.				
b.	The approved Tract Maps 10176 and 10330 has committed to short cul-de-sacs (54 lots). The Project is commiting to short cul-de-sacs within the next phase of development. See Addendum J.	2	**The project will create multiple cul-de-sacs including two that are greater than 400 feet in length.**	0

Prior to RDCS application submittal, the Applicant recognized that the project will not receive enough allocations in the 2016 RDCS competition to achieve full buildout. As such, the Applicant requested an allocation of up to 30 units, and submitted Addendum J (attached) to identify street improvements that would be associated with a 30-unit allocation award. Cul-de-sacs within the limits of this 30-unit application area do not exceed 400-feet in length.

Toll Brothers, Inc. respectfully requests ***1 point*** for avoiding cul-de-sacs greater than 400-feet within this phase.

	Applicant's Answers		Staff Comments	
	Comment	Pts	Comment	Pts
1.	In 2008, a majority of the Planning Commission determined this project was a Superior project by a vote of 3-1. Since then the project has been redesigned to achieve a super majority vote from the Planning Commission (2-point award). Comments recieved from the November 11, 2010 Planning Commission Meeting have been specifically incorporated to obtain the super majority vote for a superior project. Staff awarded 2 points in Lot Layout in the 2011 Prescore Application and deemed the project Superior. Staff awarded 2 Points for a Superior Project in 2013. In 2014 Staff awarded the project as the only Superior Project in the competition.	2	**Planning Commission awards this point.**	
Sub total	Maximum points: 2	2	Maximum points: 2	0

Applicant requests Superior Project consideration as described in the "Applicant's Answers" above. A super majority of Planning Commissioners recognized this project as superior in the 2013 - 2015 competitions.

Toll Brothers, Inc. respectfully requests ***2 points***.

Thank you for your consideration and attention to our requests.

Sincerely,

Todd Callahan
Vice President
Toll Brothers Northern California

Attachments

ADDENDUM C

From: Anessa Espinosa
To: Ross Doyle
Cc: Loraine Hall
Subject: Re: FW: FW: Measure C 2016 - 18.78.210 Public Schools, Numbers 3a and 3b
Date: Friday, August 19, 2016 3:43:29 PM

Technically the land isn't currently owned by the district so it's not an official school site this year.

On Thu, Aug 18, 2016 at 12:43 PM, Ross Doyle <RDoyle@rja-gps.com> wrote:

> Hi Anessa,
>
> Loraine from our office shared your e-mail correspondence with me. We're looking for confirmation that the future elementary school site on Peet Road is a "planned school", and that the Applicant's parcel would be within the attendance area of the new school. It appears that your responded affirmatively to Loraine's original inquiry on July 28. Can you please confirm again?
>
> Thank you,
>
> Ross Doyle
>
> Planning Project Manager
>
> **RUGGERI-JENSEN-AZAR**
>
> ENGINEERS - PLANNERS - SURVEYORS
>
> 8055 Camino Arroyo
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> Gilroy, CA 95020
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> T: (408) 848-0300 x334
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> F: (408) 848-0302
>
> RDoyle@rja-gps.com

From: Anessa Espinosa [mailto:espinosaa@mhusd.org]
Sent: Tuesday, August 16, 2016 9:35 AM
To: Loraine Hall <LHall@rja-gps.com>
Subject: Re: FW: Measure C 2016 - 18.78.210 Public Schools, Numbers 3a and 3b

Unfortunately at this time you wouldn't be able to get any points for the proposed new school site on Peet and Mission Avenida. The district hasn't taken ownership yet so it technically is not an approved site.

On Mon, Aug 15, 2016 at 4:10 PM, Loraine Hall <LHall@rja-gps.com> wrote:

> Good afternoon Anessa,
>
> I was wondering if you have had a chance to review the following question highlighted below?
>
> Thank you.
>
> **Loraine Hall**
>
> Associate Planner
>
> **RUGGERI-JENSEN-AZAR**
>
> ENGINEERS - PLANNERS - SURVEYORS
>
> 8055 Camino Arroyo
>
> Gilroy, CA 95020

T: (408) 848-0300 x(322)

F: (408) 848-0302

(lhall@rja-gps.com)

From: Loraine Hall
Sent: Friday, August 12, 2016 10:09 AM
To: 'Anessa Espinosa' <espinosaa@mhusd.org>
Cc: Ross Doyle (RDoyle@rja-gps.com) <RDoyle@rja-gps.com>
Subject: RE: Measure C 2016 - 18.78.210 Public Schools, Numbers 3a and 3b

Good morning Anessa,

I apologize for not giving you that very important information in my first email. This is for Cochrane-Borello. Assessor Parcel Numbers: 728-34-028, -029 & -030.

Please let me know if you need any further information.

Thank you.

Loraine Hall

Associate Planner

RUGGERI-JENSEN-AZAR

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(lhall@rja-gps.com)

From: Anessa Espinosa [mailto:espinosaa@mhusd.org]
Sent: Friday, August 12, 2016 9:04 AM
To: Loraine Hall <LHall@rja-gps.com>
Cc: Ross Doyle <RDoyle@rja-gps.com>
Subject: Re: Measure C 2016 - 18.78.210 Public Schools, Numbers 3a and 3b

I need the exact location to answer. Can you send me the parcel number?

On Thu, Aug 11, 2016 at 2:07 PM, Loraine Hall <LHall@rja-gps.com> wrote:

> Good afternoon Anessa,
>
> Thank you for confirming that the Peet Road site is a planned elementary school that is on the MHUSD's planned school list. I have another Measure C 2016 RDCS narrative question that I am hoping you can answer. This question is in regards to section 18.78.210 Public Schools, numbers 3a and 3b. Can we anticipate a point for each of the following:
>
> • 3a. The project is within ¾ of a mile lineal walking distance of an elementary school serving grades TK through 3 and the students are not required to cross railroad tracks, or a street that is designated within the General Plan as a collector or arterial. (1 point)

- 3b. The project is within ¾ of a mile lineal walking distance of an elementary school serving grades 4 through 8 and the students are not required to cross railroad tracks, or a street that is designated within the General Plan as a collector or arterial. (1 point)

Thank you.

Loraine Hall

Associate Planner

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(lhall@rja-gps.com)

From: Anessa Espinosa [mailto:espinosaa@mhusd.org]
Sent: Thursday, July 28, 2016 10:08 AM
To: Loraine Hall <LHall@rja-gps.com>
Cc: Ross Doyle <RDoyle@rja-gps.com>
Subject: Re: Measure C 2016

Yes the Peet Road site is a planned elementary school. Our Web site has a link for the boundaries of the existing schools.

On Jul 28, 2016 8:49 AM, "Loraine Hall" <LHall@rja-gps.com> wrote:

> Good morning Anessa,
>
> As part of the Measure C Residential Development Control System competition for allocations, the Narrative under that category of Public Schools (18.78.210) states in a note, "For scoring purposes, the anticipated attendance area for an existing or planned school shall be as determined the Board of Education and published by MHUSD prior to May 1 on the calendar year for each completion."
>
> Is the planned school located on Peet Road currently on the planned school list? Is there a map that illustrates the existing and planned school sites, besides the General Plan Land Use Map?
>
> Any help would be greatly appreciated.
>
> Sincerely,
>
> **Loraine Hall**
>
> Associate Planner
>
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> (lhall@rja-gps.com)

From: Anessa Espinosa [mailto:espinosaa@mhusd.org]
Sent: Tuesday, July 26, 2016 1:52 PM
To: Loraine Hall <LHall@rja-gps.com>
Subject: justification study

This is the latest justification study that we've done.

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Anessa Espinosa

Morgan Hill Unified School District

15600 Concord Circle

Morgan Hill, CA 95037

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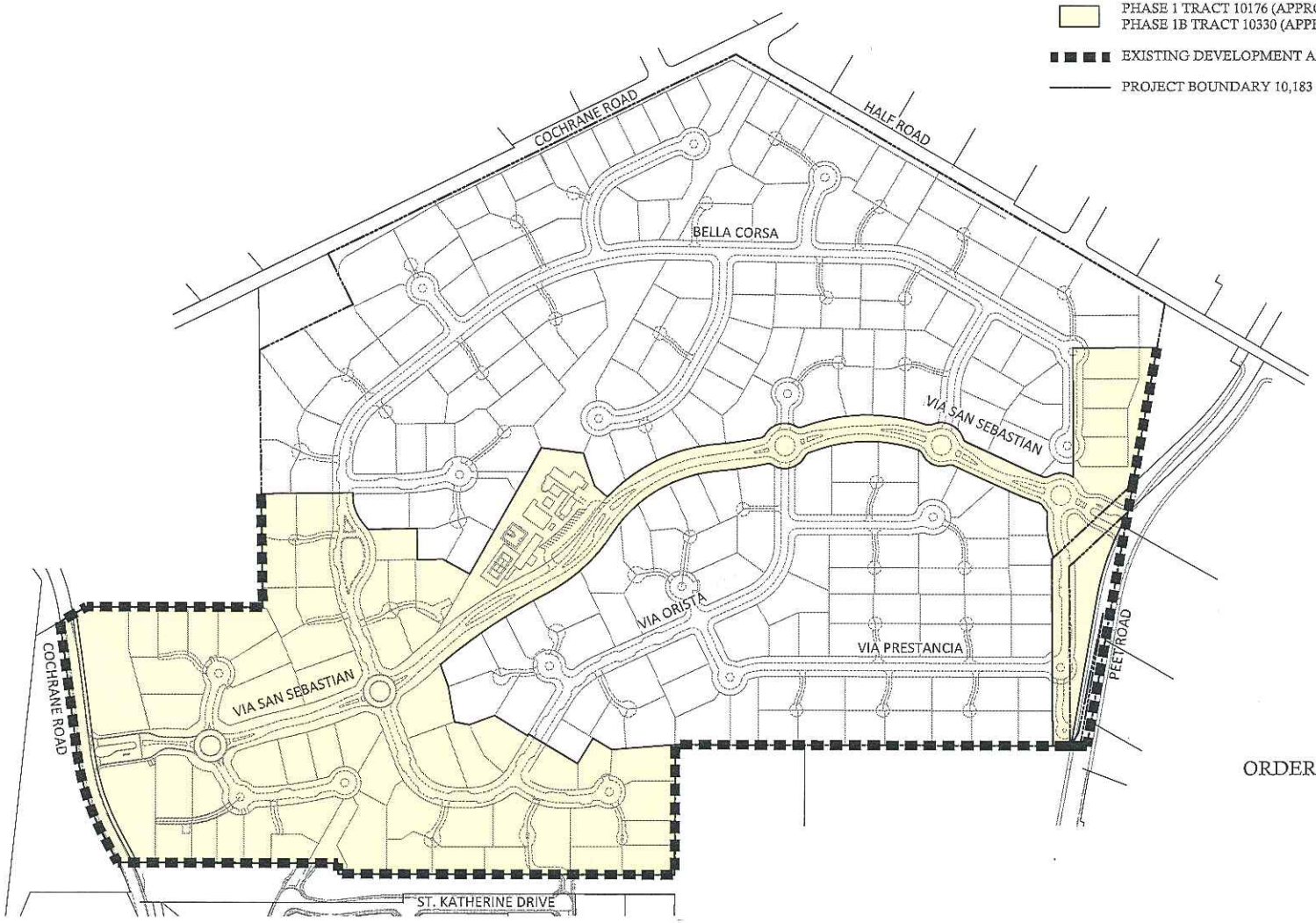

LEGEND

PHASE 1 TRACT 10176 (APPROVED JULY 27, 2016)
PHASE 1B TRACT 10330 (APPROVED AUGUST 24, 2016)

EXISTING DEVELOPMENT ADJACENT TO PROJECT 6,223 +/- LINEAL FEET

PROJECT BOUNDARY 10,183 ± LINEAL FEET

0 150 300 450
SCALE IN FEET: 1"= 150'

THE ESTATES AT SAN SEBASTIAN
ADDENDUM F1
ORDERLY GROWTH & URBAN IN-FILL
MORGAN HILL, CALIFORNIA

FOR: Toll Brothers
America's Luxury Home Builder

SEPTEMBER 1, 2016
JOB NO. 092030

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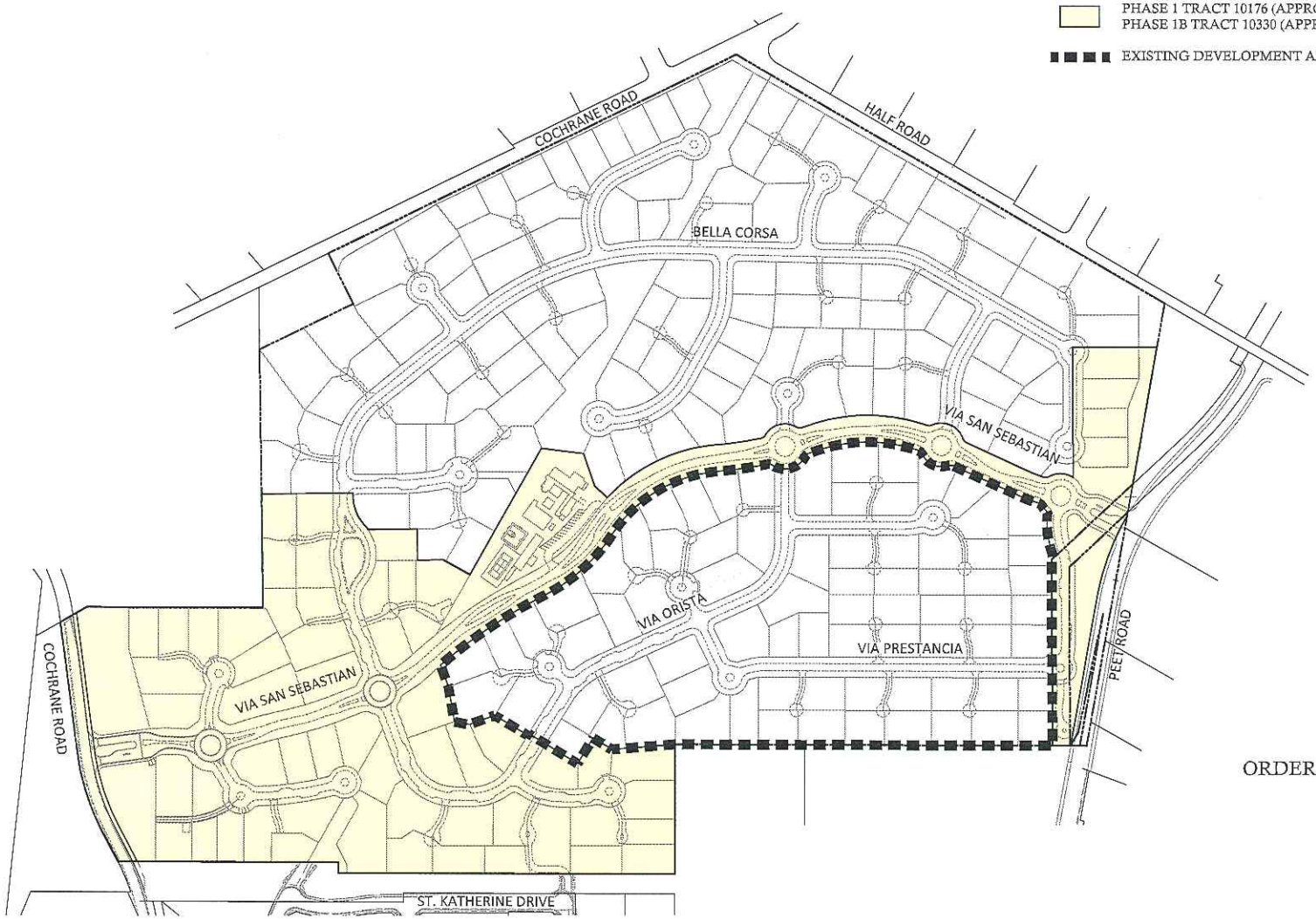
LEGEND

PHASE 1 TRACT 10176 (APPROVED JULY 27, 2016)
PHASE 1B TRACT 10330 (APPROVED AUGUST 24, 2016)

EXISTING DEVELOPMENT ADJACENT TO PROJECT 4,900 +/- LINEAL FEET



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SCALE IN FEET: 1" = 150'

THE ESTATES AT SAN SEBASTIAN
ADDENDUM F2
ORDERLY GROWTH & URBAN IN-FILL
MORGAN HILL, CALIFORNIA

FOR: Toll Brothers
America's Luxury Home Builder®

SEPTEMBER 1, 2016
JOB NO. 092030

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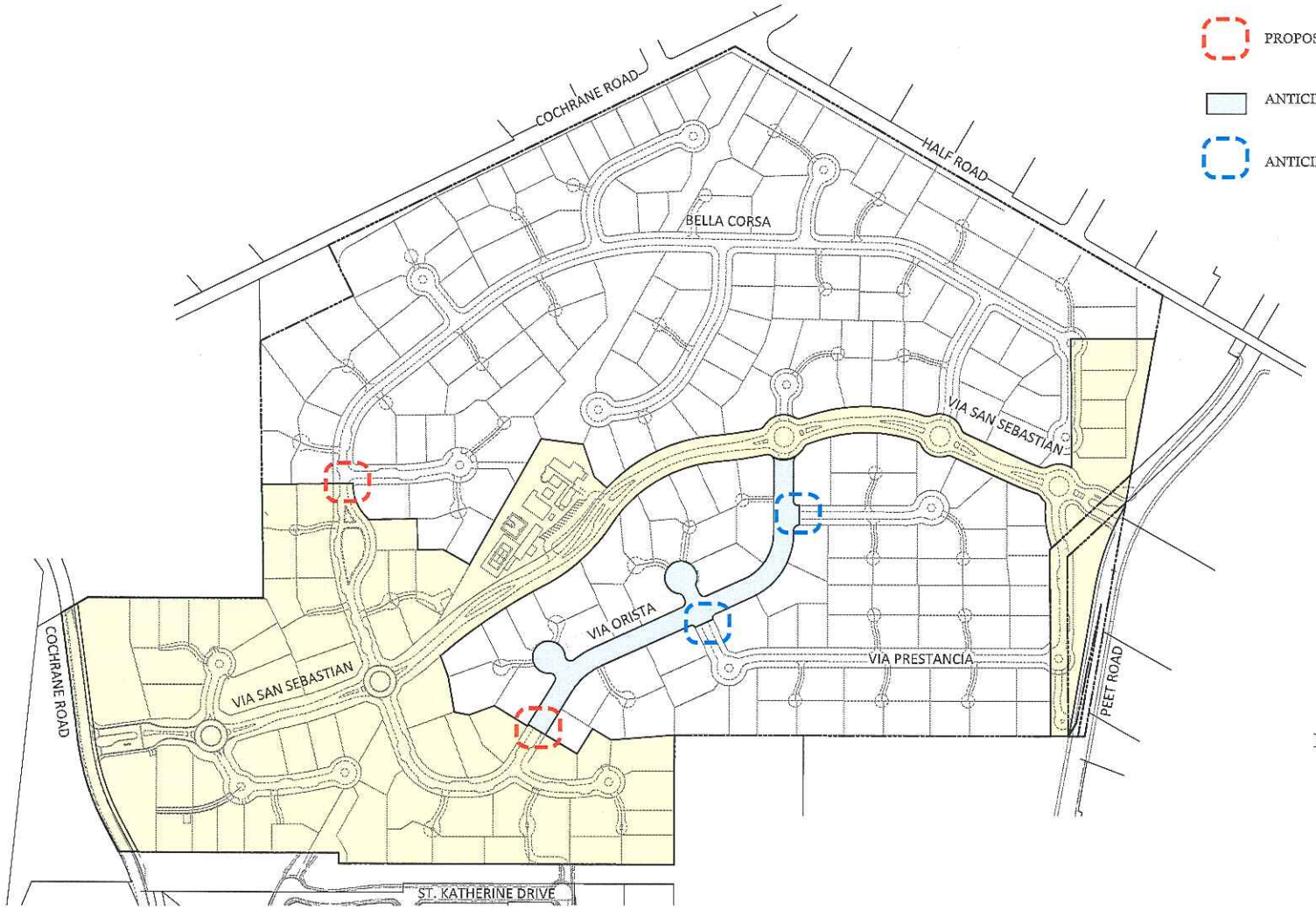

LEGEND

- PHASE 1 TRACT 10176 (APPROVED JULY 27, 2016)
  PHASE 1B TRACT 10330 (APPROVED AUGUST 24, 2016)
- PROPOSED STUB FOR FUTURE DEVELOPMENT
- ANTICIPATED STREET IMPROVEMENTS
- ANTICIPATED STREET STUB

0 150 300 450
SCALE IN FEET: 1"= 150'

THE ESTATES AT SAN SEBASTIAN
ADDENDUM J

PROPOSED STUBS FOR FUTURE DEVELOPMENT

MORGAN HILL, CALIFORNIA

FOR: Toll Brothers
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SEPTEMBER 1, 2016
JOB NO. 092030

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