



**Regular Meeting Agenda
Planning Commission**

MOHAMMAD HABIB - CHAIR
PAUL LAKE - VICE-CHAIR
JOSEPH MUELLER - PLANNING COMMISSIONER
DAVID LOVATO - PLANNING COMMISSIONER
LIAM DOWNEY - PLANNING COMMISSIONER
STEPHEN ADAMO - PLANNING COMMISSIONER
JAMES WILSON - PLANNING COMMISSIONER

**Tuesday, August 11, 2026
7:00 PM**

**Council Chamber Building
17555 Peak Avenue, Morgan Hill, CA 95037**

Morgan Hill Planning Commission meetings are held in person, with the option for the public to attend in person or participate by teleconference/video conference. Information on how the public may observe and participate in the meeting is below.

MEETING PARTICIPATION

Language Interpretation / Interpretación de idiomas

Live Digital Language Interpretation is available. To access the interpretation during the meeting, go to:

<https://live.pocketalk.com/guest/S71BBUiWwiqXh3sPBf9Bfs2Ey4OYY9zgv8vZB5>

or scan the QR code below:

Tenemos Interpretación digital en vivo. Para usar la interpretación durante la reunión, visite: <https://live.pocketalk.com/guest/S71BBUiWwiqXh3sPBf9Bfs2Ey4OYY9zgv8vZB5> o escanee el código QR a continuación:



You can use a headset on your phone for audio or read the transcript on your device. Tablets and disposable headphones will be provided in person during the meeting to those who do not have their own devices.

Puede usar audífonos en su celular para escuchar el audio o leer la transcripción. Durante la reunión, se prestarán tabletas y audífonos desechables para las personas que no tengan su propio aparato.

Remote Participation

Morgan Hill Planning Commission meetings are held in person. The community may attend in person or via Zoom (video/teleconference). The meetings are also live-streamed on the City's website and Facebook page.

As a courtesy, and technology permitting, members of the public may attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

Those wishing to participate in the meetings remotely must register in advance at <https://bit.ly/PlanningCommissionMtg>. Additionally, Zoom participants must be running the latest version or will be required to update to it before joining the meeting remotely.

Remote participation is also available by calling (669) 900-9128 and entering webinar ID: 862 0324 6251#. Dial *9 to raise your hand and be called upon to speak for up to 3 minutes. Dial *6 to unmute.

PUBLIC COMMENT

Public comment may be offered verbally at the meeting or in writing before the meeting.

Those attending remotely may only offer public comment for items on the agenda in any of these three categories:

- Consent Calendar
- Other Business
- Public Hearings

Public comment will be heard from those attending in person first with the submission of a speaker card. Once that is complete, we will move to those on Zoom that have their

hand raised. Following public comment from Zoom, we will close the public comment period for that item.

Remote public comment for items not on the agenda will not be accepted.

Written public comment may be submitted to the Planning Office:

- In person at the Planning Commission Meeting;
- Via email to pcpubliccomment@morganhill.ca.gov; or
- Hand delivered or mailed to the Planning Division at 17575 Peak Avenue, Morgan Hill, CA 95037

Please email your comments to the Planning Office no later than 3:00 p.m. on Monday (the day before the Planning Commission meeting) so that your comments can be submitted to the members of the Planning Commission with sufficient time to review them. You may continue to provide written comments up to noon on Tuesday (the day of the meeting), although Planning Commissioners may not have sufficient time to review them before the meeting. Public comments submitted to the Planning Division after noon (12:00 p.m.) the day of the meeting will be provided to the Planning Commission as time allows.

Written comments WILL NOT be read aloud during the Planning Commission Meeting. Please note that written comments are posted on the City's website. It is recommended that you do not include any personal information that you do not want to be posted on the web. Please be advised that communications directed to the Planning Commission are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law. Communications will NOT be edited for redactions and will be printed/posted as submitted.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the Planning Office at (408) 310-4709 or by email at planning@morganhill.ca.gov. Requests must be made as early as possible and at least two full business days before the start of the meeting.

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING

Pursuant to Government Code Section 54954.2

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Members of the public are entitled to address the Planning Commission concerning any item within the Morgan Hill Planning Commission's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the Commission is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

ORDERS OF THE DAY

MINUTES APPROVAL

1. JULY 14 MEETING MINUTES

Recommendation:

1. Accept the July 14, 2026, Meeting Minutes.

PUBLIC HEARINGS

2. REQUEST FOR A TENTATIVE SUBDIVISION MAP (SD2025-0006: HILL – MORGAN HILL DEVCO (NEW HORIZONS)) FOR 320 RESIDENTIAL LOTS ON A 69.4-ACRE SITE LOCATED ON THE NORTHWEST QUADRANT OF HILL ROAD AND BARRETT AVENUE (ASSESSOR'S PARCEL NUMBER 817-20-031).

Recommendation:

1. Open/Close the public hearing; and
2. Adopt a Resolution approving the Tentative Subdivision Map for the future development of 320 new residential lots with associated on- and off-site improvements.

DIRECTOR'S REPORT/ANNOUNCEMENTS

ADJOURNMENT

NOTICE

Any documents produced by the City and distributed to the majority of the Planning Commission less than 72 hours prior to an open meeting, will be made available for public inspection at the front counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main

Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the Planning Commission concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Planning Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Planning Commission, but it is very helpful. When you are called, proceed to the podium and the Chair will recognize you. If you wish to address the Planning Commission on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the Planning Commission.

Persons interested in proposing an item for the Planning Commission agenda should contact a member of the Commission who may plan an item on the agenda for a future Commission meeting. Should your comments require Planning's action, your request may be placed on the next appropriate agenda. Planning Commission discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the Commission, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of Commission Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email cityclerk@morganhill.ca.gov.



Planning Commission

Meeting Minutes

James Wilson - *Chair*
Mohammad Habib - *Vice Chair*
Paul Lake - *Planning Commissioner*
David Lovato - *Planning Commissioner*
Joseph Mueller - *Planning Commissioner*
Liam Downey - *Planning Commissioner*
Stephen Adomo - *Planning Commissioner*

Tuesday, July 14, 2026
7:00 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

Chair Wilson called the meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Luna called the attendance at 7:00 p.m.

PRESENT	James Wilson, Paul Lake, Joseph Mueller, David Lovato, Liam Downey, Stephen Adamo
REMOTE	Mohammad Habib
ABSENT	None

DECLARATION OF POSTING

Minutes Clerk Luna declared the posting of the agenda at 7:01 p.m.

PLEDGE OF ALLEGIANCE

Planning Commission Lake led the Pledge of Allegiance at 7:01 p.m.

PUBLIC COMMENT

Chair Wilson opened the Public Comment Period at 7:02 p.m. Hearing no requests to speak, the Public Comment Period was closed.

ORDERS OF THE DAY

There were no changes made.

PUBLIC HEARINGS

None.

MINUTES APPROVAL

1. MAY 26, 2026 MEETING MINUTES

Recommendation:

1. Accept Meeting Minutes.

MOTION:

Accept the May 26, 2026, Meeting Minutes.

RESULT:	Passed
MOVER:	Planning Commissioner Mueller
SECONDER:	Planning Commissioner Lake
AYES:	Chair Wilson, Vice Chair Habib, Planning Commissioner Lake, Planning Commissioner Mueller, Planning Commissioner Lovato, Planning Commissioner Downey, Planning Commissioner Adamo
NAYS:	None
ABSTAIN:	None
ABSENT:	None

WORKSHOP

2. GREATER DOWNTOWN SPECIFIC PLAN

Recommendation:

1. Accept Staff presentation on the Greater Downtown Specific Plan.

Planning Manager Adam Paszkowski gave the presentation at 7:05 p.m.

Chair Wilson opened the Public Comment Period at 8:24 p.m. The following individuals addressed the Planning Commission:

- Assistant City Manager for Community Development Edith Ramierz

Hearing no further requests to speak, the Public Comment Period was closed at 8:33 p.m.

No action Taken. The Planning Commission reviewed, discussed, and provided feedback to staff regarding the Greater Downtown Specific Plan.

OTHER BUSINESS

3. SELECTION OF PLANNING COMMISSION CHAIRPERSON AND VICE CHAIR

Recommendation:

1. Planning Commission to select a Chairperson and Vice Chair.

Planning Manager Adam Paszkowski presented the item at 8:33 p.m.

MOTION:

Appoint Vice Chair Habib as Chair and Planning Commissioner Lake as Vice Chair.

RESULT:	Passed
MOVER:	Planning Commissioner Mueller
SECONDER:	Planning Commissioner Adamo
AYES:	Chair Wilson, Vice Chair Habib, Planning Commissioner Lake, Planning Commissioner Mueller, Planning Commissioner Lovato, Planning Commissioner Downey, Planning Commissioner Adamo
NAYS:	None
ABSTAIN:	None
ABSENT:	None

DIRECTOR'S REPORT/ANNOUNCEMENTS

Planning Manager Adam Paszkowski gave a Director's Report at 8:40 p.m.

Assistant City Manager for Community Development made an announcement at 8:43 p.m.

Development Services Director Jennifer Carman made an announcement at 8:47 p.m.

ADJOURNMENT

There being no further business to discuss, Chair Wilson adjourned the meeting at 8:52 p.m.

MINUTES PREPARED BY:
Jenna Luna, Minutes Clerk

PLANNING COMMISSION STAFF REPORT

MEETING DATE: August 11, 2026

PREPARED BY:
Tiffany Brown, Senior Planner
APPROVED BY: Jennifer Carman

REQUEST FOR A TENTATIVE SUBDIVISION MAP (SD2025-0006: HILL – MORGAN HILL DEVCO (NEW HORIZONS)) FOR 320 RESIDENTIAL LOTS ON A 69.4-ACRE SITE LOCATED ON THE NORTHWEST QUADRANT OF HILL ROAD AND BARRETT AVENUE (ASSESSOR'S PARCEL NUMBER 817-20-031).

RECOMMENDATION(S)

1. Open/Close the public hearing; and
2. Adopt a Resolution approving the Tentative Subdivision Map for the future development of 320 new residential lots with associated on- and off-site improvements.

LOCATION MAP/PROJECT INFORMATION:



1. Location: Northeast Quadrant of Hill Road and Barrett Avenue (APN: 817-20-031)
2. Site Area: 69.4-Acres
3. General Plan: Residential Detached Medium
4. Zoning: Residential Detached Medium (RDM, 7,000) with Planned Development and Precise Master Plan

BACKGROUND:

On November 20, 2024, the City Council reviewed and adopted a Resolution for an Environmental Impact Report (EIR) and an Ordinance for a Zoning Amendment that created a Planned Development with Precise Master Plan for a 69.4-acre site located on the north-east corner of Barrett Avenue and Hill Road. The Precise Development Plan allows for the subdivision of 320 residential lots with associated on- and off-site improvements such as parkland, trails, and roadways. The proposed action is the approval of a Tentative Subdivision Map for the 320 new residential lots with associated on- and off-site improvements. The next steps in the entitlement process will include a Tentative Subdivision Map and a Design Permit.

The Planned Development with Master Plan is included in [Ordinance No. 2358, Exhibit A: Standards and Master Plan \(PDF\)](#). Project consistency with these standards is summarized under the Analysis portion of this report. The project's public park and trail improvements and substantial public benefit requirements are listed below:

Substantial Public Benefits:

- Dedication of approximately 4 acres of common open space.
- Construction of a round-a-bout at the intersection of Hill Road and Barrett Avenue. If the City Civil Engineer concludes it is infeasible, then an in-lieu payment will be required.

Public Park and Trail Improvements:

- Dedication of 1.76 acres to the existing Jackson Park.
- Construction of a Public Trail connecting Jackson Park through the project to the trail network with a public access easement.

PROJECT DESCRIPTION:

The application request is for a Tentative Map to subdivide the site into 320 residential lots with 5.3 acres of common open space, a centrally located 0.67-acre lot for a community center with a pool, a 1.6-acre Public Park dedication to Jackson Park, and a public trail easement that connects the community and adjacent properties to a trail system and to Jackson Park. The lots vary in size and are dispersed throughout the site. The table below provides a summary of the different types of lots and the attached plans provide the location of the proposed lot types.

Table 1.1: Proposed Tentative Map Residential Lots and Sizes

Residential Lot Size	Number of Proposed Lots
7,000 sq. ft. minimum	63
5,000 sq. ft. minimum	166
3,500 sq. ft. minimum	21

3,000 sq. ft. minimum	36
1,800 sq. ft. minimum	34
Total Lots	320

Site Description

The majority of the 69.4-acre site is undeveloped and previously used for agricultural purposes. On the west portion of the site there are four vacant structures totaling approximately 25,000 square feet. A PG&E easement for two existing gas lines runs north to south along the east side of the project site. Tennant Creek bisects the western portion of the project site, traversing north to south.

Table 1.2 Surrounding Uses

	General Plan Land Use	Zoning	Existing Use
North	Residential Detached Medium	RDM 7,000	Housing
South	Pre-land Use Designation, Residential Detached Medium (outside City limits)	Unincorporated County	Agricultural land and rural residences
East	Residential Detached Medium, and Residential Detached Low	RDM 7,000 and Residential Planned Development	Housing, Jackson School, and Jackson Park
West	Pre-land use Designation Rural County and Open Space (outside City limits)	Unincorporated County	Rural Residences

PROJECT ANALYSIS AND FINDINGS:

ANALYSIS

The proposed project was analyzed with respect to conformance with: 1) Morgan Hill 2035 General Plan; 2) Planned Development and Precise Master Plan; 3) Subdivision Ordinance; and 4) California Environmental Quality Act:

1. General Plan Land Use Consistency

The General Plan designates the site as Residential Detached Medium, which allows for detached

homes on smaller lots, including courtyard homes, manufactured homes, and small-lot single-family homes. The land use designation supports up to 7 dwelling units per acre.

The proposed project provides a density of 4.6 units per acre, which is consistent with the General Plan land use designation. The project provides a variety of lot sizes and unit types, such as single-family detached homes, duets, and courtyard-style homes, and includes approximately 5 acres of common open space with a connecting pedestrian trail/pathway to Jackson Park and a public park dedication.

The proposed project is consistent with the following General Plan Policies:

Policy CNF-6.4 Public Facilities Updates. Evaluate the need for improvements to existing public facilities based on such factors as the location and extent of new residential, commercial and industrial development, residential densities, and neighborhood development patterns.

The project proposes to dedicate 1.6 acres to Jackson Park. Improvements to the park will be reviewed by the Parks and Recreation Commission with a recommendation to City Council.

Action CNF-6.A Level of Service Standards. Identify and adopt a set of level of service standards for major public facilities and services (roads, police, fire, sewer, water, drainage) that identify accepted service standards for development in Morgan Hill.

A Transportation Impact Report was prepared and analyzed as part of the approvals for the Planned Development with Precise Master Plan. The Planned Development outlines the roadway improvements, including a substantial public benefit of a round-a-bout at the intersection of Hill Road and Barrett Avenue. This Tentative Map is consistent with the required roadway standards, improvements, and indicates the future location of the round-a-bout.

Policy CNF-8.7 Design Sensitivity. Ensure that new development is sensitive to the character of adjacent structures and the immediate neighborhood.

The proposed lots along the perimeter of the property will complement the existing adjacent neighborhood as they are similar in size and meet the intent of the Residential Detached Medium designation.

Policy CNF-8.11 Pedestrian Spaces. Encourage the design of attractive outdoor pedestrian spaces that encourage impromptu public gathering places with features such as plazas, interior walkways and paseos, ornamental gates, trellises, lighting, trees and landscaping, seating and fountains.

The Master Plan includes a landscaped public trail that connects the development with the adjacent community, neighborhood parks, and clubhouse.

Policy CNF-9.1 Density Feathering from High to Low Densities. Encourage feathering from higher urban densities to lower rural densities to occur within the City limits. Feathering should begin as development nears the Urban Growth Boundary.

The land use designation for the project site is Residential Detached Medium – up to 7 units to the acre. The adjacent neighborhoods to the north and east are also designated as Residential Detached Medium. The properties to the west (across Hill Road) and south (across Barrett Avenue) is within the County jurisdiction and identified as Rural County and Residential. The proposed project meets the allowed density per the General Plan and utilizes feathering techniques by placing larger lots around the perimeter of the project site.

Policy CNF-10.4 Single-Family Housing Supply. Supports actions to maintain an adequate supply of single-family housing throughout the community, including provision of affordable single-family housing to those persons who work within the community.

The proposed project plans to comply with the City's Inclusionary Housing Ordinance by providing an in lieu fee.

Policy CNF-11.5 Outside Connections. *Require new subdivisions to provide multiple connections to the surrounding community.*

The proposed project connects to the surrounding neighborhoods by two access points from Barrett Road, a connection to the existing Fountain Avenue roadway, and by completing the missing segment of Sorrel Way and Fountain Avenue. The project also provides pedestrian connectivity, which includes sidewalks with landscaping planter strips and a public trail/pathway that connects to adjacent neighborhoods and public parks.

Policy HC-3.14 Streamside Trails. *Work in partnership with the Santa Clara Valley Water District to establish easements and develop trails and linear parks along creeks and drainage channels, connecting parks, regional trails, schools, libraries, and other community facilities and ensuring that natural resources are protected and restored.*

This project proposes a trail network along the existing daylighted Tennant Creek Culvert and a pedestrian bridge that connects the project to existing neighborhoods, Jackson Park and Jackson school.

2. Zoning Ordinance Consistency

The Planned Development with Precise Master Plan includes Development Standards for lot types and sizes and limits the site to 320 residential lots as part of this subdivision. The table below summarizes the number of lot types and the consistency with the development standards.

Table 1.3 Lot Size Consistency Summary

Lot Type	Planned Development # of Lots	Proposed Development # of Lots	Lot depth, square foot consistency
7,000 sq. ft. or more	64	63	Substantial
5,000 sq. ft. or more	159	166	Substantial
3,500 sq. ft. or more	21	21	Consistent
3,000 sq. ft. or more	42	36	Substantial
1,800 sq. ft. or more	34	34	Consistent
Total	320	320	Consistent

The size of lots on the proposed Tentative Map has changed slightly from the Planned Development

Precise Master Plan mainly due to stormwater requirements. The proposed Tentative Map remains in substantial conformance with the Planned Development.

Common Open Space:

As a substantial public benefit, the Planned Development requires 4 acres of common open space. The proposed project provides approximately 5.4 acres (consisting of lots: D, F, Q, R, S, H, M, L, K).

Public Park Dedication:

The Precise Master Plan shows a 1.76 Public Park dedication. However, the project proposes to dedicate 1.6-acres to Jackson Park. The City finds the dedication to be in substantial conformance with the Precise Master Plan. The project will pay in-lieu fees for the remaining Quimby Fee requirements.

Trail Easements:

The tentative map shows the trail connection from Hill Road through the project to connect to Jackson Park, consistent with the Planned Development Standards and the General Plan.

Roadway Standards and Improvements:

The tentative map street widths are designed as a complete street and are consistent with the Planned Development Standards. The project will pay for the fair share of improvements consistent with the adopted EIR Mitigation Measures and Planned Development Standards. The Tentative Map indicates the round-a-bout at the Hill and Barrett intersection will be constructed, consistent with the Substantial Public Benefits listed in the Planned Development, and the in-lieu payment is not proposed.

3. Subdivision Ordinance Consistency

The purpose of the Subdivision Ordinance is to ensure consistency with the Subdivision Map Act, the Morgan Hill General Plan, and Morgan Hill Zoning Standards. In approving or conditionally approving a Tentative Subdivision Map, the Planning Commission shall find the following:

- *That the proposed subdivision, together with its provisions for its design and improvements, is consistent with applicable general or specific plans adopted by the city.*

The Subdivision as proposed is consistent with the General Plan and meets all development standards for the zoning designation. The General Plan anticipated this type of growth at this location and shows that the city has adequate infrastructure to support the new development.

CONCLUSION:

The Tentative Subdivision Map was reviewed for consistency with the General Plan, Subdivision Ordinance, and Planned Development and has been found to be consistent. The project site was previously anticipated for the development of residential homes, and the water demand, wastewater generation, and stormwater drainage associated with the project, as conditioned, will be adequately accommodated by the existing facilities and will not require major expansion or extension of existing water, wastewater, electrical, or telecommunication facilities in the project area.

CEQA (California Environmental Quality Act):

On November 20, 2024, the Morgan Hill City Council adopted Resolution No. 24-043 certifying an Environmental Impact Report (EIR) and a related Mitigation Monitoring and Reporting Program (MMRP) for the New Horizons (Hill - Morgan Hill Devco) project in compliance with the California Environmental Quality Act (CEQA), and the regulations and policies of the City of Morgan Hill, California.

The proposed Tentative Map is consistent with the New Horizons (Hill - Morgan Hill Devco) project and, as conditioned, will comply with the MMRP for the project. Therefore, no further environmental review is required.

COMMUNITY ENGAGEMENT:

The proposed project was publicly noticed (mailing to property owners within 600-feet of the project site and newspaper legal noticing) for the minimum 10-day period. The project webpage and a project site sign were updated per the Planning Division requirements.

ATTACHMENTS:

1. Subdivision Map Resolution
2. Exhibit A. Tentative Map
3. Exhibit B. Conditions of Approval
4. Public Comment #1
5. Public Comment #2

RESOLUTION NO. 26-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL APPROVING A 320-RESIDENTIAL LOT TENTATIVE SUBDIVISION MAP WITH ASSOCIATED ON-SITE IMPROVEMENTS FOR PARKS, TRAILS, AND ROADWAYS (FILE NO. SD2025-0006) ON A 69.4-ACRE SITE LOCATED ON THE NORTHEAST QUADRANT OF HILL ROAD AND BARRETT AVENUE FOR THE NEW HORIZONS (HILL – MORGAN HILL DEVCO, LLC.) PROJECT (APN 817-20-031)

WHEREAS, on November 3, 2025, the applicant submitted an application requesting approval for a 320-lot residential Tentative Subdivision Map for the New Horizons project; and

WHEREAS, such request was considered by the Planning Commission at their regular meeting of August 11, 2026; and

WHEREAS, the project was reviewed in compliance with the California Environmental Quality Act (CEQA), and an Environmental Impact Report (EIR) (SCH Number 2021060587) with Mitigation Monitoring Reporting Program (MMRP) was prepared and adopted at the City Council hearing on November 20, 2024 with the Planned Development and Precise Master Plan for this project. The Tentative Subdivision Map was reviewed for compliance with the Planned Development and Precise Master Plan and is found to be consistent, therefore no further environmental review is required; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission has considered the full record before it, which may include but not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided. Furthermore, the recitals set for above are found to be true and correct and are incorporated herein by reference.

SECTION 2. An Initial Study with EIR and MMRP was adopted on November 20, 2024, for the project in compliance with the CEQA Guidelines and is consistent with the State and Local Guidelines implementing CEQA.

SECTION 3. The Planning Commission finds the Tentative Subdivision Map, together with its provisions for its design and improvements, is consistent with the General Plan, Planned Development with Precise Master Plan and

Subdivision Map Ordinance.

SECTION 4. The Planning Commission approves the Tentative Subdivision Map Exhibit "A" and as conditioned incorporated herein as Exhibit "B".

PASSED AND ADOPTED THIS 11th DAY OF AUGUST 2026, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

JENNA LUNA, Deputy City Clerk

MOHAMMAD HABIB, Chair

OWNER:	LEWIS MORGAN HILL, LLC 5185 CHERRY AVE SAN JOSE, CA 95118
APPLICANT:	MORGAN HILL DEVCO, LLC 14500 SYCAMORE DRIVE MORGAN HILL, CA 95037 CONTACT: ROCKE GARCIA (408) 710-2953
CIVIL ENGINEER/PLANNER:	RUGGERI-JENSEN-AZAR & ASSOCIATES 8055 CAMINO ARROYO GILROY, CA 95020 ENGINEERING CONTACT: CHRIS PATTON, RCE 66271 PLANNER CONTACT: ROSS DOYLE (408) 848-0300
GEOTECHNICAL ENGINEER:	CORNERSTONE EARTH GROUP 1259 OAKMEAD PARKWAY SUNNYVALE, CA 94085 CONTACT: DANH T. TRAN (408) 245-4600

ASSESSOR PARCEL NUMBER: 817-20-031

2. PRESENT LAND USE: FALLOW AGRICULTURE

3. PROPOSED LAND USE: SINGLE-FAMILY DETACHED AND SINGLE FAMILY ATTACHED RESIDENTIAL WITH ASSOCIATED PARKS, TRAILS, AND OPEN SPACES.

4. EXISTING GENERAL PLAN LAND USE: RESIDENTIAL DETACHED MEDIUM (UP TO 7 DU/AC)

5. EXISTING ZONING: RESIDENTIAL DETACHED MEDIUM (RDM) RDM 7,000 AND RESIDENTIAL PLANNED DEVELOPMENT (RPD) OVERLAY

6. TOTAL BUILDABLE RESIDENTIAL LOTS: 320

7. AREA TABULATION:

EXISTING GROSS AREA	69.43± AC
EXISTING R/W TO BE ABANDONED	0.04± AC
SUBTOTAL (NEW GROSS AREA)	69.5± AC

8. UTILITIES:

WATER	CITY OF MORGAN HILL
SANITARY SEWER	CITY OF MORGAN HILL
STORM DRAIN	CITY OF MORGAN HILL
GAS & ELECTRIC	PACIFIC GAS & ELECTRIC
TELEPHONE	VERIZON

9. THE EXISTING TOPOGRAPHY AS SHOWN IS BASED ON AERIAL SURVEYS DATED FEBRUARY 12, 2020. THE SPOT ELEVATIONS SHOWN ON THIS PLAN REPRESENT GROUND ELEVATIONS AS DETERMINED AT THE TIME OF SAID SURVEY.

10. PROPOSED CONTOURS AND GRADES IN THIS PLAN SET ARE PRELIMINARY. FINISH GRADING IS SUBJECT TO FINAL DESIGN. SLOPES ARE 2:1 MAXIMUM, UNLESS APPROVED BY GEOTECHNICAL ENGINEER.

11. BENCHMARK: SANTA CLARA VALLEY WATER DISTRICT BENCHMARK "BM535", A BRASS DISK ON NORTHERLY SIDE OF TENNANT AVENUE, 230 FEET EASTERLY OF THE CENTERLINE INTERSECTION WITH HILL ROAD, ON TOP OF THE NORTHWESTERLY 10 INCH WIDE WING WALL FOR SMALL BRIDGE, 0.9 FEET EASTERLY OF THE WEST END OF THE WALL, ELEVATION(NAV D88) = 340.16 FEET.

12. MULTIPLE FINAL MAPS MAY BE FILED ON THE LANDS SHOWN ON THIS MAP IN ACCORDANCE WITH GOVERNMENT CODE SECTION 66456.2. THE PROJECT MAY BE PHASED.

13. LOT NUMBERS ARE FOR IDENTIFICATION PURPOSES ONLY AND ARE NOT INTENDED AS FINAL.

14. ALL GRADING WILL BE DONE IN CONFORMANCE WITH THE RECOMMENDATIONS AND CONDITIONS OF THE GEOTECHNICAL ENGINEER, THE CITY OF MORGAN HILL STANDARDS AND SPECIFICATIONS, AND APPLICABLE REPORTS REGARDING THIS PROJECT.

15. PROJECT SITE LIES WITHIN FLOOD ZONE X, AREAS WITH A 0.2% CHANCE OF ANNUAL FLOODING AND FLOOD ZONES AO AND AE, REGULATORY FLOODWAYS (FEMA FIRM MAP NUMBER 06085C04463H, DATED MAY 18, 2009).

16. PAD AND FINISH FLOOR ELEVATIONS SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.

17. THE UTILITY PIPE SIZES, SLOPES, LOCATIONS, AND CONNECTIONS SHOWN ON THIS MAP ARE PRELIMINARY AND ARE SUBJECT TO CHANGE.

18. THE PROJECT WILL COMPLY WITH THE CITY OF MORGAN HILL BROADBAND STANDARDS.

19. ARCHITECTURE, FLOOR PLAN MIX, AMENITIES, AND LANDSCAPE ARCHITECTURE WILL BE SHOWN IN A SEPARATE DESIGN REVIEW SET.

20. ALL EXISTING BUILDINGS TO BE REMOVED. APPROXIMATE BUILDING SQUARE FOOTAGES ARE SHOWN ON SHEET TM-2.

21. EXISTING TREE INFORMATION IS INCLUDED IN THE TREE INVENTORY MEMO. THE SITE SURVEY WAS CONDUCTED BY MICHAEL BENCH ON MAY 9, 2017.

22. A PORTION OF PARCEL L LIES WITHIN AN EXISTING STREET PARCEL. EXISTING R/W IS TO BE VACATED TO THE BACK OF WALK. ALL ABANDONMENTS WILL BE DONE WITH PROJECT FINAL MAPS, PER SECTION 66499.20% OF THE STATE SUBDIVISION MAP ACT.

23. APPLICANT IS PROPOSING A ROUNDABOUT AT HILL ROAD AND BARRETT AVENUE. AN INTERIM 4-WAY STOP MAY BE UTILIZED IF DELAYS TO ROUNDABOUT CONSTRUCTION, DESIGN, OR R/W ACQUISITION OCCUR.

24. BARRETT AVENUE RE-ALIGNMENT WILL INCLUDE UTILITY REPLACEMENT, OUTCUT/CLAIM OF EXISTING STREET ALIGNMENT, AND RIGHT-OF-WAY DEDICATION TO THE CITY OF MORGAN HILL.

25. PROPOSED STREETS ARE PUBLIC UNLESS OTHERWISE INDICATED.

26. ALL PROPOSED TRANSFORMERS TO BE ABOVE GROUND.

27. THIS SUBDIVISION WILL REQUIRE THE ACQUISITION AND CONSTRUCTION OF OFFSITE IMPROVEMENTS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 66462.5

The map is a technical plat map of a residential subdivision. It features 16 numbered parcels and 16 private drives, each labeled with a number and 'Pvt Drive'. The subdivision is bounded by Hill Road to the west, Barrett Avenue to the south, and Morgan Hill Road to the north. The map includes street names like Hill Road, Barrett Avenue, Morgan Hill Road, and various private drives. It also shows the locations of the City of Morgan Hill and Santa Clara County. The map is a technical drawing with precise lines and labels.

BOUNDARY	-----
LOT LINE	=====
FACE OF CURB	=====
SIDEWALK	=====
EDGE OF PAVEMENT	-----
CENTERLINE	=====
EASEMENT	=====
HANDICAP RAMP	=====
SPOT ELEVATION	
SLOPE	
OVERLAND DRAINAGE RELEASE	
STORM DRAIN	=====
SANITARY SEWER	=====
WATER	-----
GAS	=====
MANHOLE	○
INLET	□
FIRE HYDRANT	⦿
WATER MASTER METER & BACKFLOW	
WATER METER	
ELECTROLIER	⦿
CONTOUR	~~~~~
RETAINING WALL	
SECTION CALLOUT	
STREET NAME	HILL ROAD

RELEASE

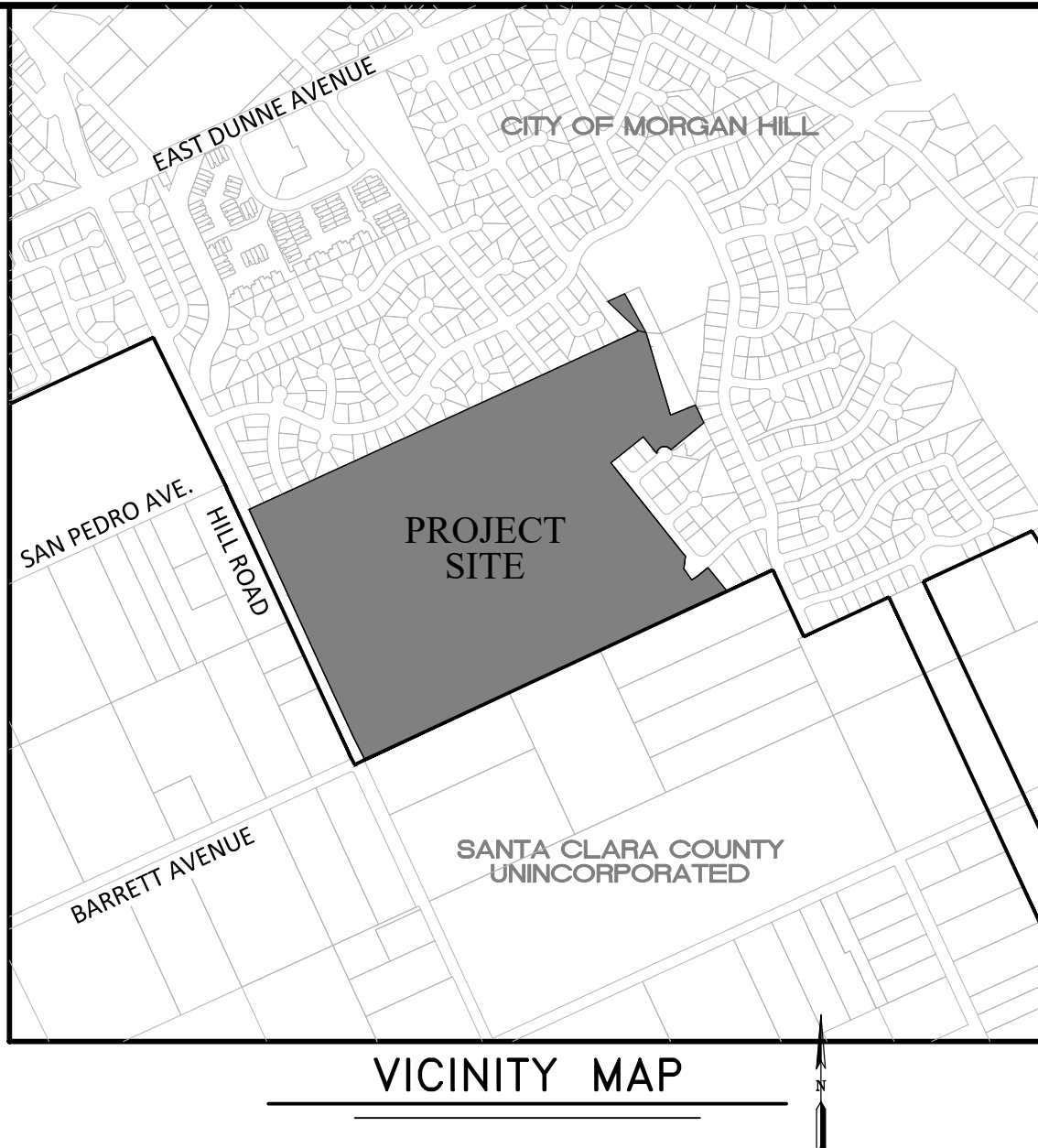
& BACKFLOW

HILL ROAD

AC	ACRES	NO.	NUMBER
APPROX	APPROXIMATE	OS	OPEN SPACE
AVE	AVENUE	PAE	PUBLIC ACCESS EASEMENT
BFE	BASE FLOOD ELEVATION	PCL	PARCEL
BL	BIKE LANE	PL	PROPERTY LINE
BMP	BEST MANAGEMENT PRACTICES	PRUE	PRIVATE UTILITY EASEMENT
BND	BOUNDARY	PSE	PUBLIC SERVICE EASEMENT
BOW	BACK OF WALK	PSDE	PRIVATE STORM DRAIN EASEMENT
BVC	BEGIN VERTICAL CURVE	PSSE	PUBLIC SANITARY SEWER EASEMENT
CL	CENTER LINE	PTE	PUBLIC TRAIL EASEMENT
C&G	CURB AND GUTTER	PVT	PRIVATE
DMA	DRAINAGE MANAGEMENT AREA	R	RADIUS
DR	DRIVE	RETENWALL	RETAINING WALL
DU	DWELLING UNITS	RPD	REGIONAL PLANNED DEVELOPMENT
DWG	DRAWING		OVERLAY DISTRICT
DWY	DRIVEWAY	R/W	RIGHT-OF-WAY
EG	EXISTING GROUND	S	SLOPE
ESMT	EASEMENT	SD	STORM DRAIN
EVA	EMERGENCY VEHICLE ACCESS	Sddb	STORM DRAIN DRAIN BASIN
EVC	END VERTICAL CURVE	SDMH	STORM DRAIN MANHOLE
EX	EXISTING	SF	SQUARE FEET
FC	FACE OF CURB	SS	SANITARY SEWER
FF	FINISH FLOOR	SSMH	SANITARY SEWER MANHOLE
GB	GRADE BREAK	STD	STANDARD
HP	HIGH POINT	SWK	SIDEWALK
INV	INVERT ELEVATION	TC	TOP OF CURB ELEVATION
LN	LOW POINT	TVC	TOP OF VERTICAL CURB
L	LANDSCAPE	TYP	TYPICAL
MAX	MAXIMUM	USBR	UNITED STATES BUREAU OF RECLAMATION
MIN	MINIMUM	W	WATER

TM1	TITLE SHEET
TM2	EXISTING CONDITIONS
TM3-TM4	STREET SECTIONS
TM5-TM8	LOTING PLAN
TM9	ALTERNATIVE LOTTING PLAN
TM10-TM13	PRELIMINARY GRADING PLAN
TM14	PRELIMINARY GRADING SECTIONS
TM15-TM18	PRELIMINARY UTILITIES PLAN
TM19	PRELIMINARY STORMWATER CONTROL PLAN
TM20	PRELIMINARY STORMWATER CONTROL DETAIL
TM21	PRELIMINARY FIRE ACCESS PLAN

Lot Summary Table				
Lot/Parcel	Area (AC)	Use	Proposed Ownership	Proposed Maintenance
Residential Lots				
Lots 1-57, 70-113, 116-122, 127-141, 144-150, 153-162, 167-172, 187-192, 234-278, 287-300, 303-320	32.5	Single-Family Detached	Private	Private
Lots 173-198, 193-199	2.1	Single-Family Detached Cottages	Private	Private
Lots 200-233	1.6	Single-Family Attached Duetts	Private	Private
Lots 69, 114-115, 123-126, 142-143, 151-152, 163-166, 279-286, 301-302	3.0	Single-Family Detached Courtyards	Private	Private
Subtotal	39.2			
Non-Residential Lots				
Parcel A	0.4	Potential MH/USD Dedication	MH/USD	MH/USD
Parcel B	1.2	Public Park	City of Morgan Hill	City of Morgan Hill
Parcel C	0.4	Potential Well Site	City of Morgan Hill	City of Morgan Hill
Parcels D, E, F, H, R, S	3.7	Public Park/Open Space	Private	CFD
Parcel G, I, J, P	0.8	Private Open Space	Private	HOA
Parcel K, L, M, Q	2.0	Open Space/ Stormwater Management	Private	CFD
Parcel N	4.7	Private Open Space	Private	HOA/CFD
Parcel O	0.1	Existing Non-Potable Well Site	Private	HOA
Parcel T	0.7	Sales/Community Center	Private	HOA
Subtotal	14.0			
Streets				
Private Streets	3.4	Private Street	Private	HOA
Public Streets	12.9	Public Street	City of Morgan Hill	City of Morgan Hill
Subtotal	16.3			
TOTAL	69.5			



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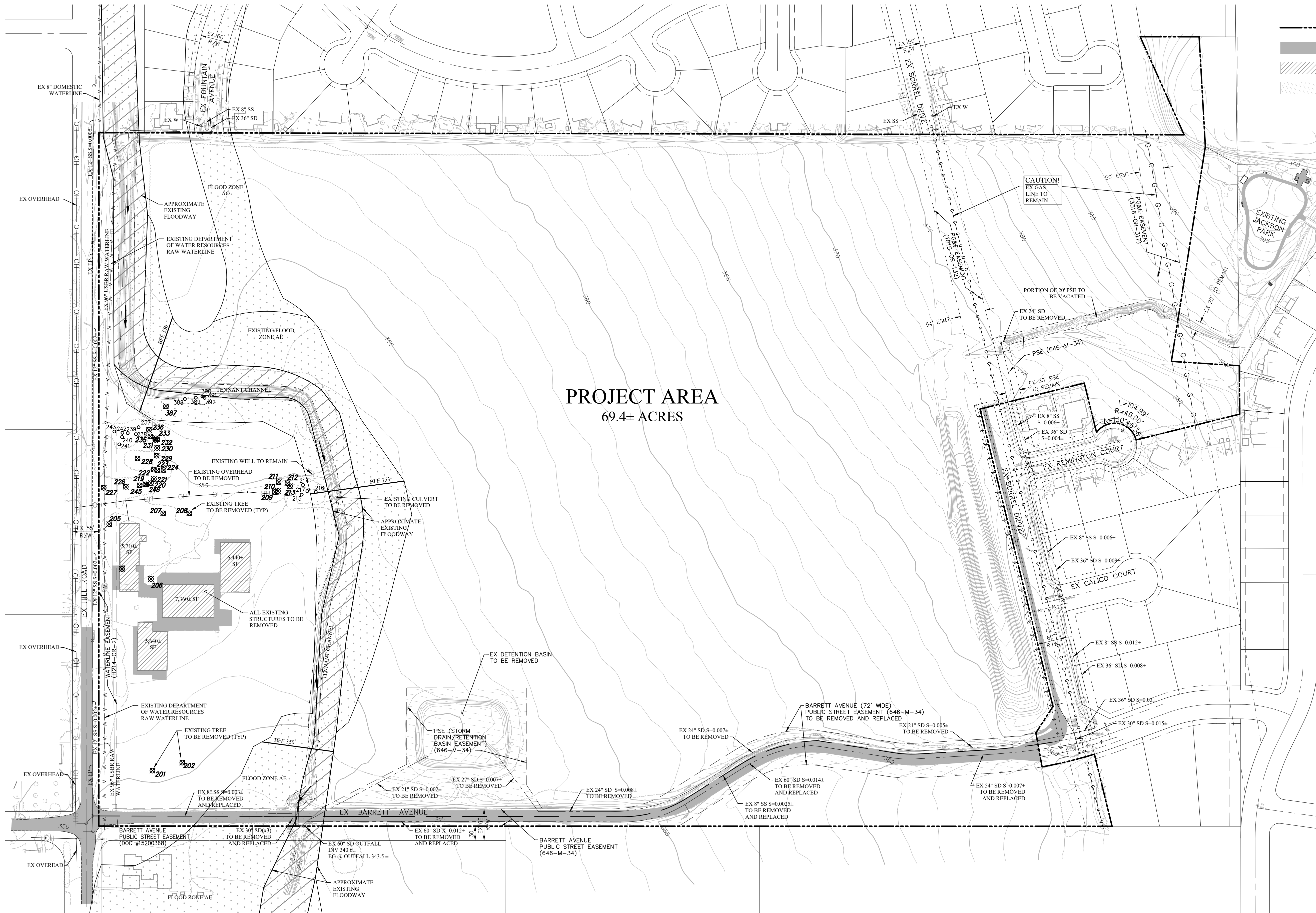
TENTATIVE MAP
TITLE SHEET
NEW HORIZONS
MORGAN HILL, CALIFORNIA

FOR: MORGAN HILL DEVCO, LLC

PLOT DATE: July 29, 2026
FILE PATH: W:\Jobs 20\202013 - New Horizons\Drawings\Prelim\Applications\Tentative Map\TM1 TITLE SHEET.dwg

PLOT DATE: July 29, 2026
FILE PATH: W:\Jobs 20\20

SHEET		DATE		REVISIONS		SCALE	
TM1		11-10-21 MK				AS SHOWN	
NOT FOR CONSTRUCTION							
5th Submittal							
July 29, 2026							
JULY 2026							
JOB NO.		202013					



LEGEND

- PROPERTY BOUNDARY
- EXISTING IMPERVIOUS TO BE REMOVED
- EXISTING BUILDING TO BE REMOVED
- EXISTING EASEMENT TO BE REMOVED

Tree #	Common Name	Trunk Diameter In Inches	Morgan Hill Tree
200	Italian Cypress	8 @ 6"	No
201	Red Ironbark	22	Yes
202	Red Ironbark	23	Yes
203	Hollywood Juniper	18	Yes
204	Hollywood Juniper	16 / 12	Yes
205	English Walnut	12	No
206	Japanese Privet	14	Yes
207	Red Ironbark	20	Yes
208	Red Ironbark	19	Yes
209	Black Walnut	17 / 10	Yes
210	Almond	8 / 7	No
211	Almond	20	Yes
212	Coast Live Oak	13 / 11	Yes
213	Coast Live Oak	8	Yes
214	Almond	6 / 5	No
215	Coast Live Oak	12 / 12	Yes
216	Coast Live Oak	14	Yes
217	Coast Live Oak	8	Yes
218	Valley Oak	11 / 8 / 8	Yes
219	Coast Live Oak	24	Yes
220	Coast Live Oak	12	Yes
221	Coast Live Oak	6	Yes
222	Coast Live Oak	7	Yes
223	Coast Live Oak	18 Below Fork	Yes
224	Coast Live Oak	20	Yes
225	Coast Live Oak	8	Yes
226	Coast Live Oak	30 - Below Fork	Yes
227	Italian Cypress	8 @ 6"	No
228	Evergreen Ash	25	Yes
229	Coast Live Oak	17 @ 24"	Yes
230	Coast Live Oak	12	Yes
231	Coast Live Oak	8	Yes
232	Coast Live Oak	17	Yes
233	Coast Live Oak	10	Yes
234	Phan	10	No
235	English Hawthorne	5 / 4	No
236	Coast Live Oak	17	Yes
237	Coast Live Oak	28	Yes
238	Coast Live Oak	8 / 7 / 7 / 6	Yes
239	Coast Live Oak	15	Yes
240	Coast Live Oak	24- Below Fork	Yes
241	Japanese Privet	10	Yes
242	Coast Live Oak	7	Yes
243	Monterey Pine	26- Below Fork	Yes
244	Fremont Cottonwood	22	Yes
245	Coast Live Oak	17	Yes
246	Coast Live Oak	20- Below Fork	Yes

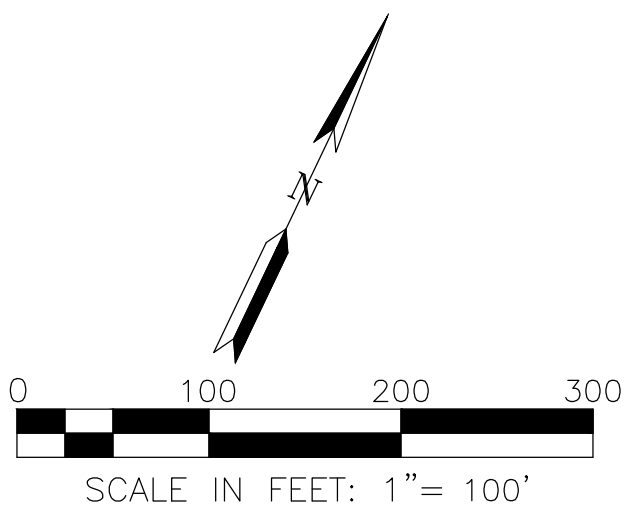
SOURCE:MICK BENCH, TREE INVENTORY, MAY 2017

TREE LEGEND

- 241 ○ TREE TO REMAIN (PROTECT IN PLACE)
- 226 ✕ TREE TO BE REMOVED

NOTES

- TREE NUMBERS ARE PER THE ARBORIST'S TREE INVENTORY MEMO FOR THIS PROJECT. REFER TO GENERAL NOTE 21 ON VESTING TENTATIVE MAP SHEET 1 FOR MORE INFORMATION.
- FEMA FLOOD ZONE SIZES AND LOCATIONS SHOWN ARE APPROXIMATE PER FEMA FLOOD MAP 06085C0463H, DATED MAY 18, 2009. BASE FLOOD ELEVATION LOCATIONS SHOWN ARE APPROXIMATE.
- LOCATION OF THE EXISTING DEPARTMENT OF WATER RESOURCES LINE SHOWN ALONG HILL ROAD IS APPROXIMATE AND IS BASED ON USA WATER MARKING SURVEYED FEBRUARY 11, 2020.
- PER FIGURE SS1-7 OF THE GENERAL PLAN, THE 60, 65, & 70 COMMUNITY NOISE EQUIVALENT LEVEL CONTOURS DO NOT EXIST ON THIS PROJECT SITE. PROPOSED SOUND WALLS ARE SHOWN ON SUBSEQUENT SHEETS.




66' STREET (PUBLIC)
 (PARKING BOTH SIDES)
 NO SCALE
 COURT A


26' STREET (PRIVATE)
 (NO PARKING)
 NO SCALE

PRIVATE DRIVES P & Q

24' STREET (PRIVATE)
(NO PARKING)
NO SCALE

PRIVATE DRIVE F


24' STREET (PRIVATE)
 (NO PARKING)
 NO SCALE

PRIVATE DRIVES B,C, D, E, N, O, R


26' STREET (PRIVATE)
 (NO PARKING)
 NO SCALE

PRIVATE DRIVES G, H, I


34' STREET (PRIVATE)
 (PARKING ONE SIDE)
 NO SCALE

PRIVATE DRIVE H


 24' STREET (PRIVATE)
 (NO PARKING)
 NO SCALE

PRIVATE DRIVE A


 24' STREET (PRIVATE)
 (NO PARKING)
 NO SCALE

PRIVATE DRIVE S



56' STREET
(PARKING BOTH SIDES)
NO SCALE

STREETS A, B, D, E, F, G, H (PUBLIC)
STREET J (PRIVATE)


 41' STREET (PRIVATE)
 (PARKING ONE SIDE)
 NO SCALE

PRIVATE STREET K
PRIVATE STREET L



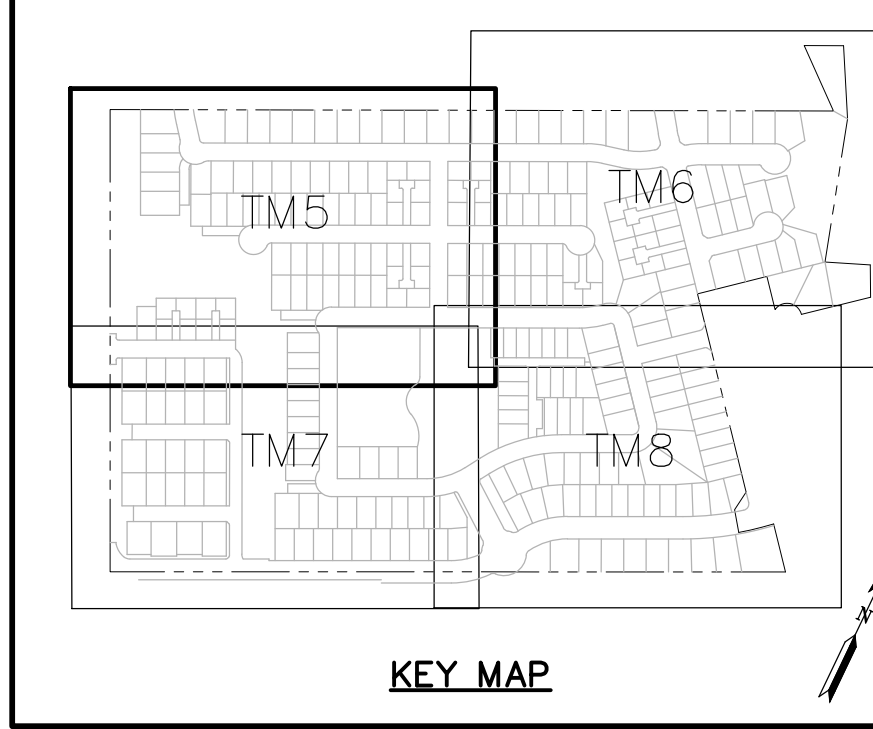
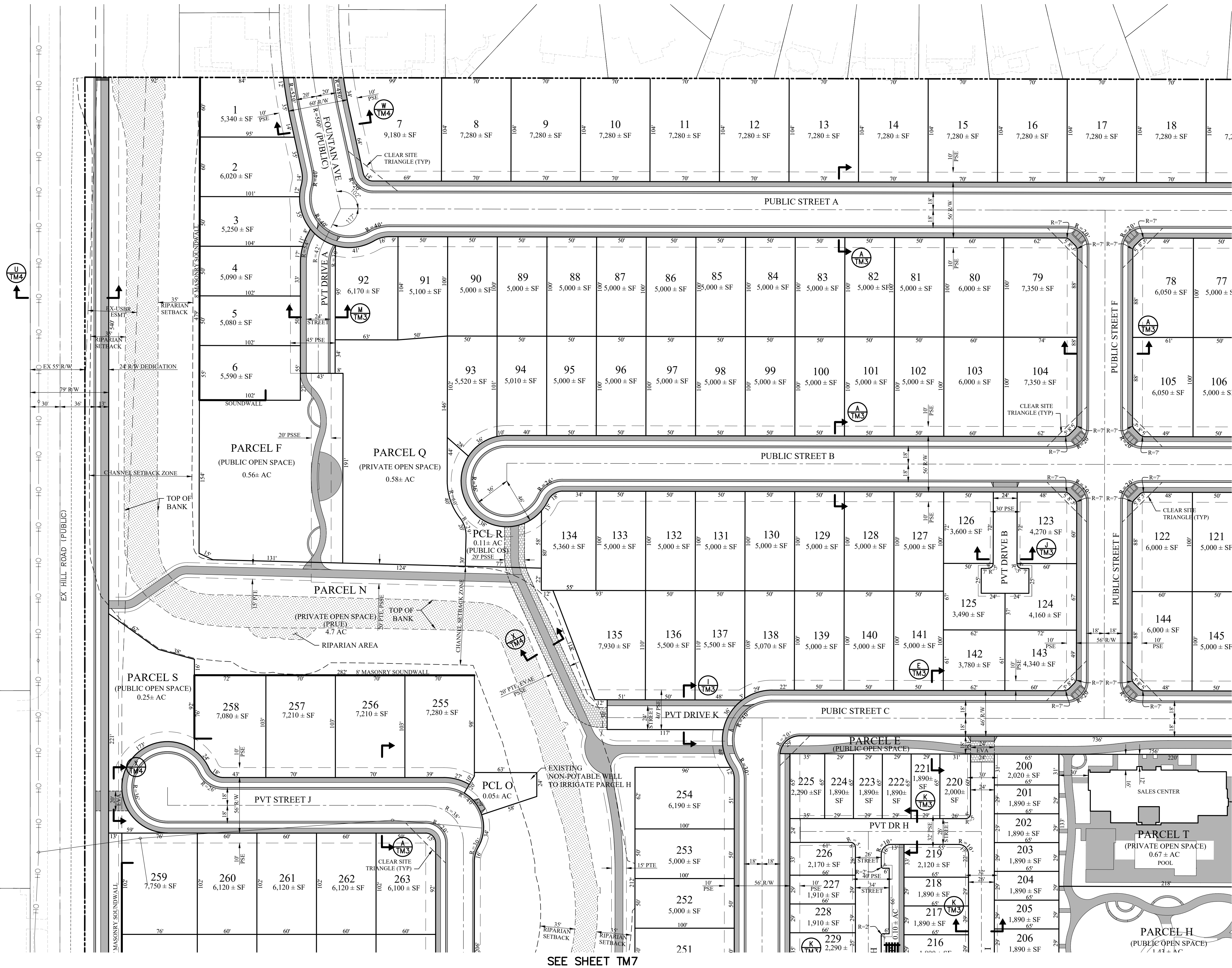

PRIVATE STREET M

46' STREET (PUBLIC)
(PARKING BOTH SIDES)
NO SCALE

STREET C

Traffic Index	AC (inches)	Class II' AB (inches)
4.5	3.0	10.0
5.0	3.0	12.0
5.5	3.0	14.0
6.0	4.0	13.5
7.0	4.0	17.0

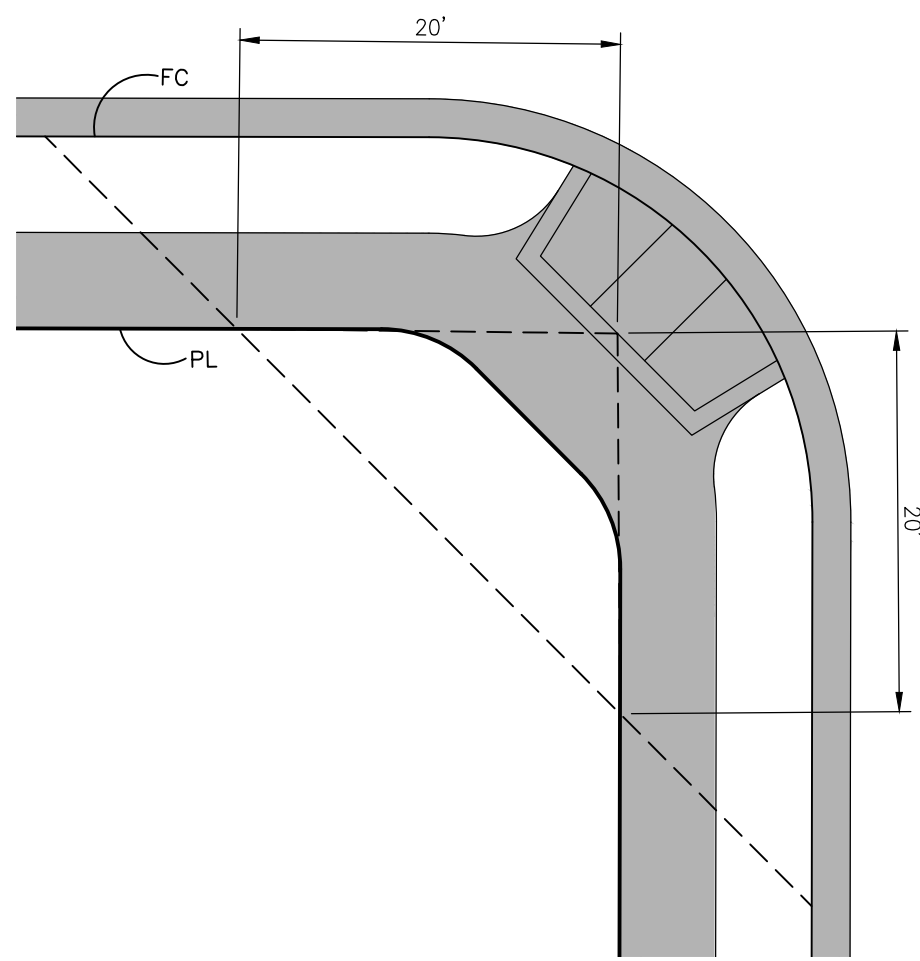
PAVEMENT SECTIONS ARE BASED OFF OF AN R VALUE OF 5 PER THE GEOTECHNICAL INVESTIGATION BY QUANTUM GEOTECHNICAL, INC., DATED MAY 15, 2020.



LOTTING NOTES

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- LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
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- CURB EXTENSIONS MAY BE UTILIZED IN FINAL DESIGN AT THE LOCATIONS WHERE THE PUBLIC TRAIL CROSSES STREETS, PER THE RECOMMENDATIONS IN THE CITY OF MORGAN HILL TRANSPORTATION MASTER PLAN, DATED DECEMBER 2024, FOR THE HEALTH AND SAFETY OF THE PEDESTRIANS.

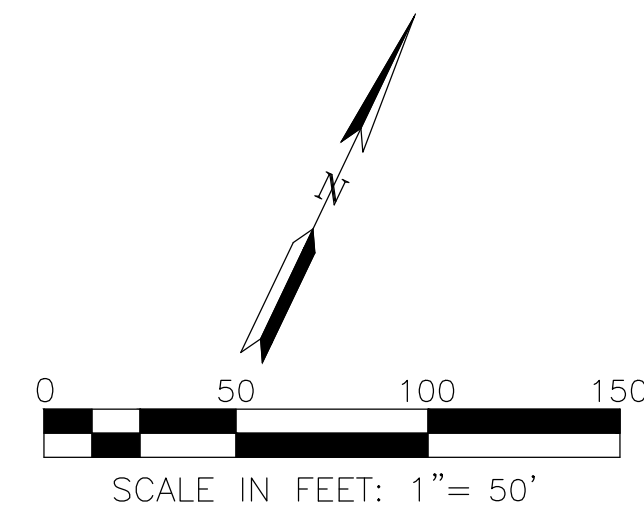
CLEAR SITE TRIANGLE DETAIL



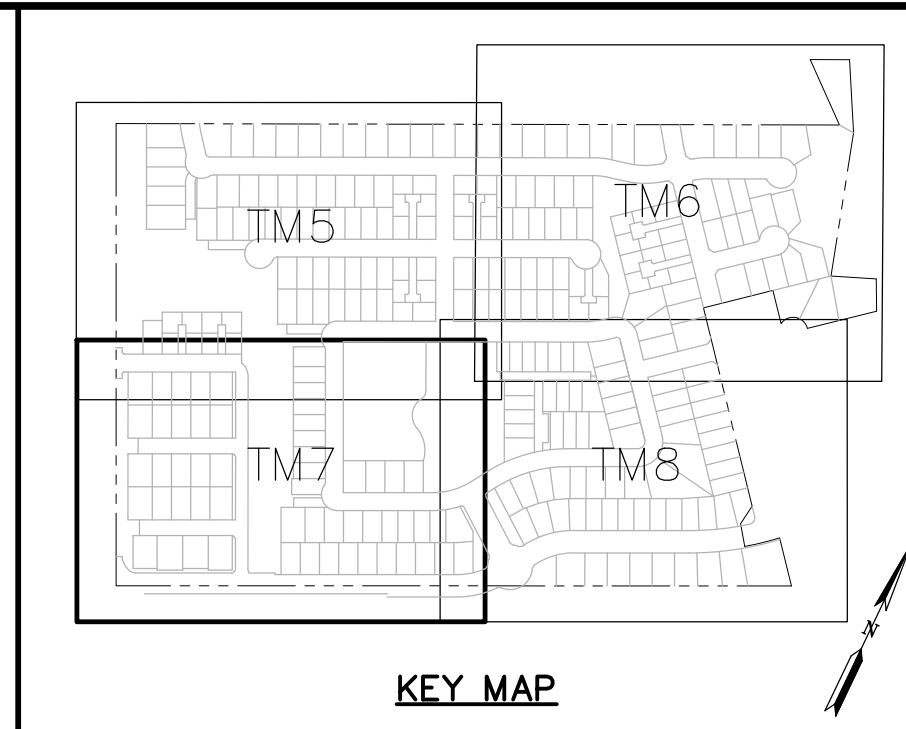
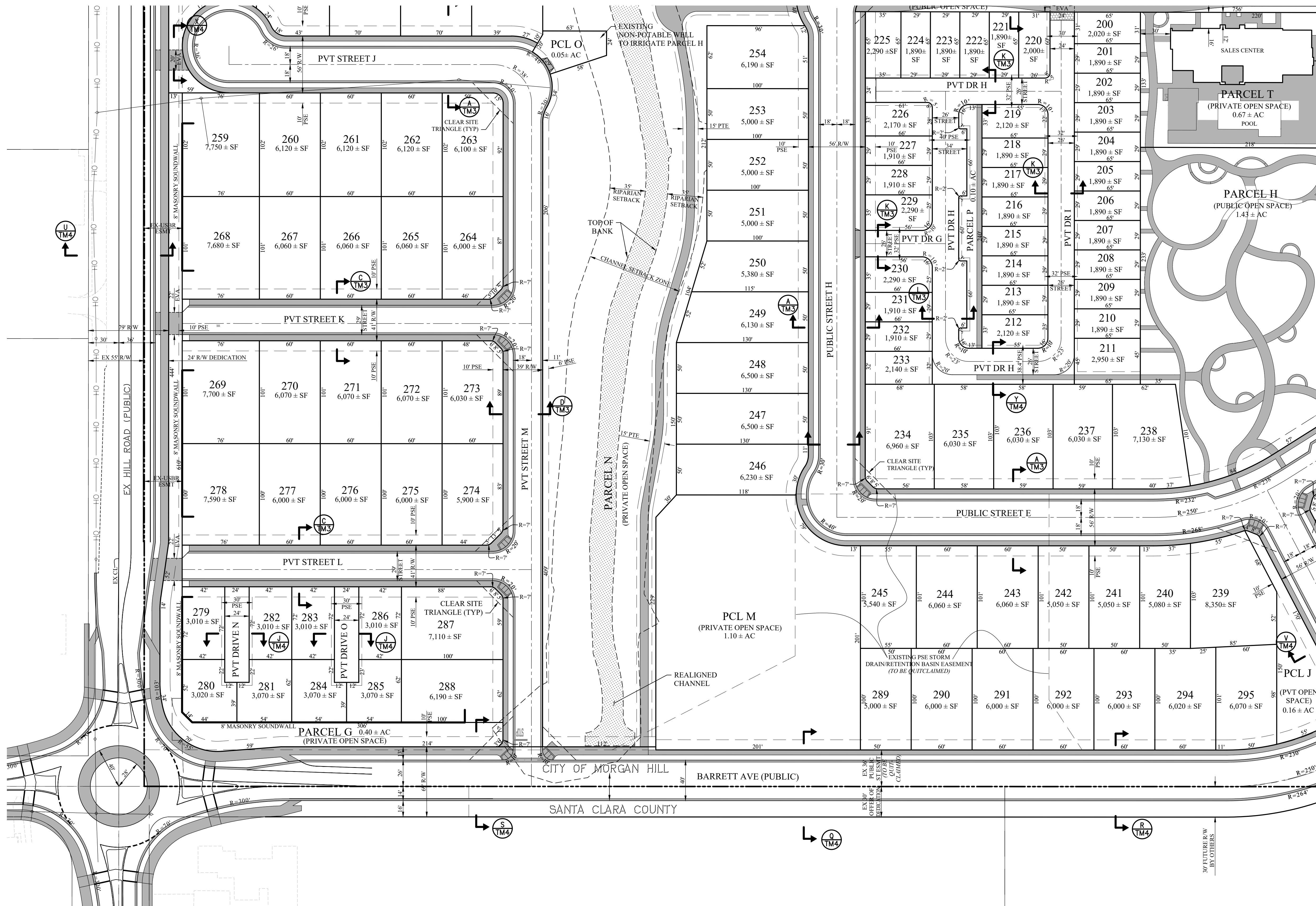
SEE SHEET TM6

SEE SHEET TM7

DATE	BY	SCALE	DATE
11-16-21	MK	1"=50'	JULY 2026
NOT FOR CONSTRUCTION			
5th Submittal			
July 29, 2026			
SHEET			
TM5			
OF 21 SHEETS			
JOB NO. 202013			



SEE SHEET TM5



LOTTING NOTES

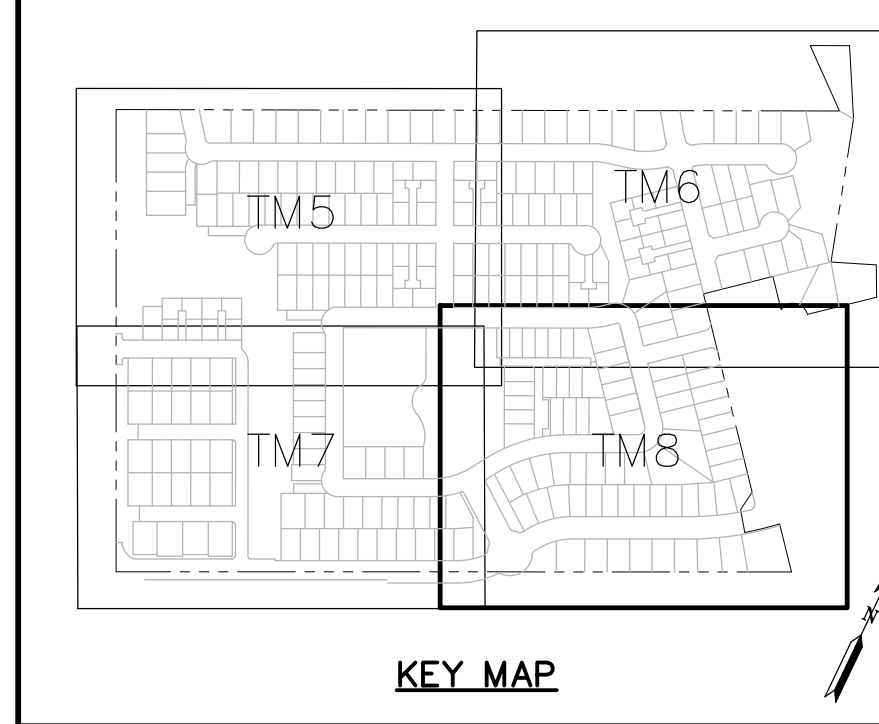
1. LOT NUMBERS ARE FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
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SEE SHEET TM8

DATE		DATE	DATE	DATE	DATE
11-15-21		11-15-21	11-15-21	11-15-21	11-15-21
MK		MK	MK	MK	MK
SHEET		SHEET	SHEET	SHEET	SHEET
OF 21		OF 21	OF 21	OF 21	OF 21
SHEETS		SHEETS	SHEETS	SHEETS	SHEETS
JOB NO.		202013			
SCALE		1"=50'			
DATE		JULY 2026			
REVISIONS		NOT FOR CONSTRUCTION			
SHEET		5th Submittal			
DATE		July 29, 2026			
JOB NO.		202013			
SCALE		1"=50'			
DATE		JULY 2026			

TENTATIVE MAP
 LOTTING PLAN
NEW HORIZONS
 MORGAN HILL, CALIF.

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GILROY, CA 95020
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FAX: (408) 848-0302



LOTTING NOTES

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DATE	BY	REVISIONS	SCALE	DATE
11-16-21	MK	REVISED	1"=50'	JULY 2026
NOT FOR CONSTRUCTION				
5th Submittal				
July 29, 2026				

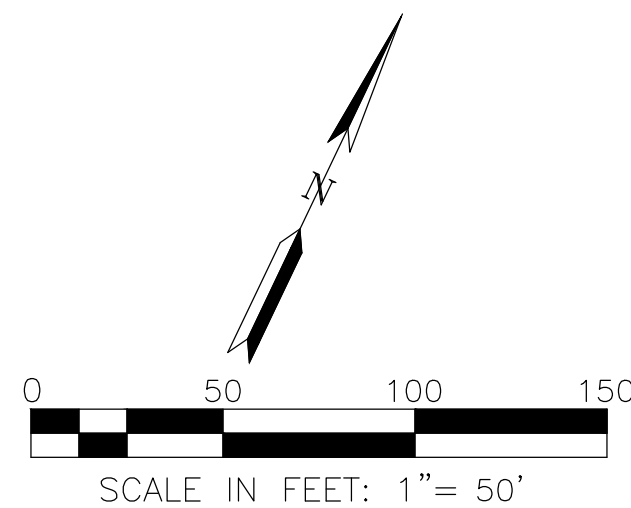
SHEET
TM8

OF 21 SHEETS
JOB NO.
202013

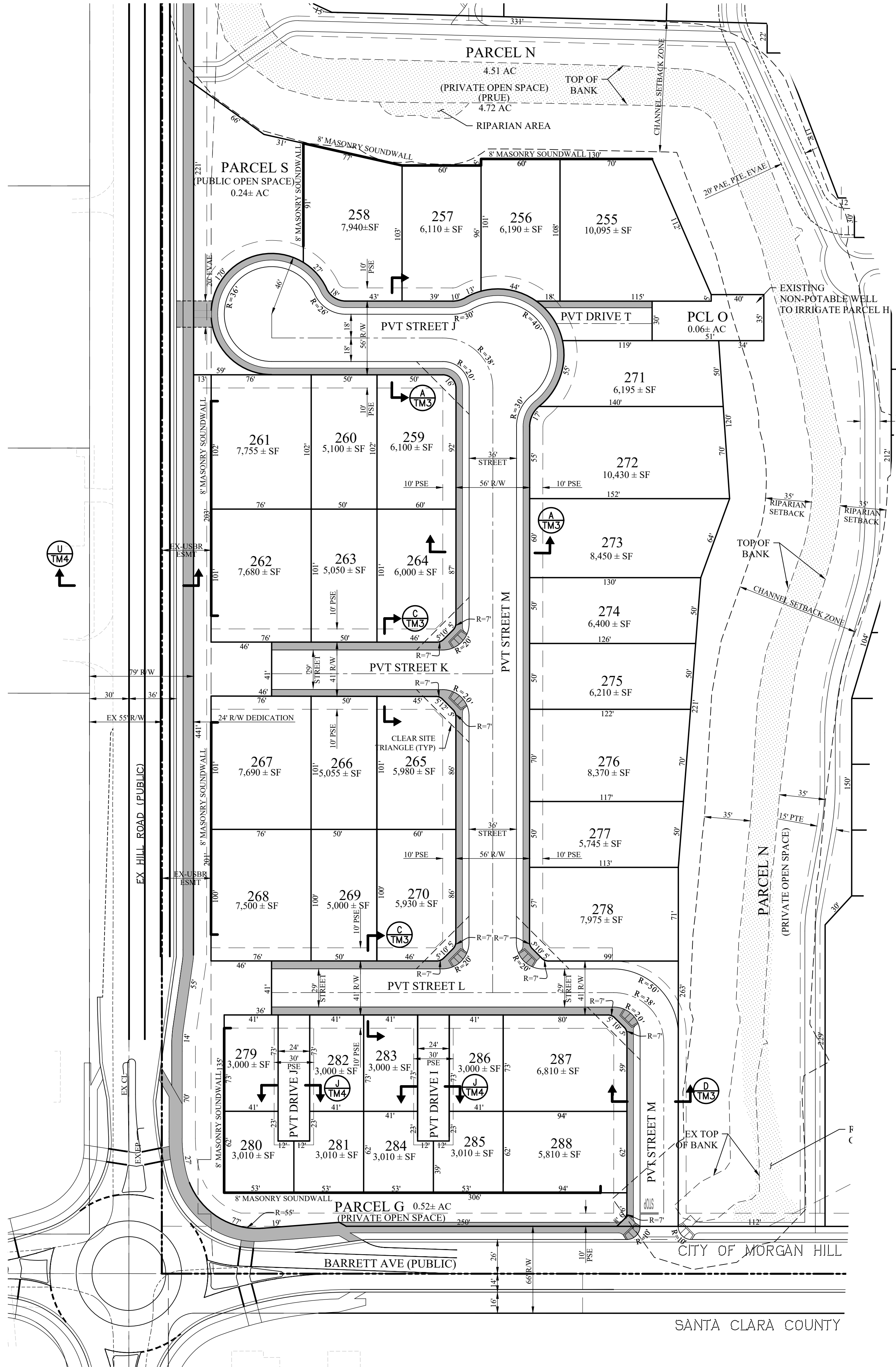
TENTATIVE MAP
LOTGING PLAN
NEW HORIZONS
MORGAN HILL,
CALIFORNIA

FOR: MORGAN HILL DEVCO, LLC

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10000 COUNTRY CLUB DRIVE, SUITE 200
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PLOT DATE: July 29, 2026
FILE PATH: W:\0002_20\0202013 - New Horizons\Drawings\Prelim\Applications\Tentative Map\TM9 ALTERNATIVE LOTTING PLAN.dwg



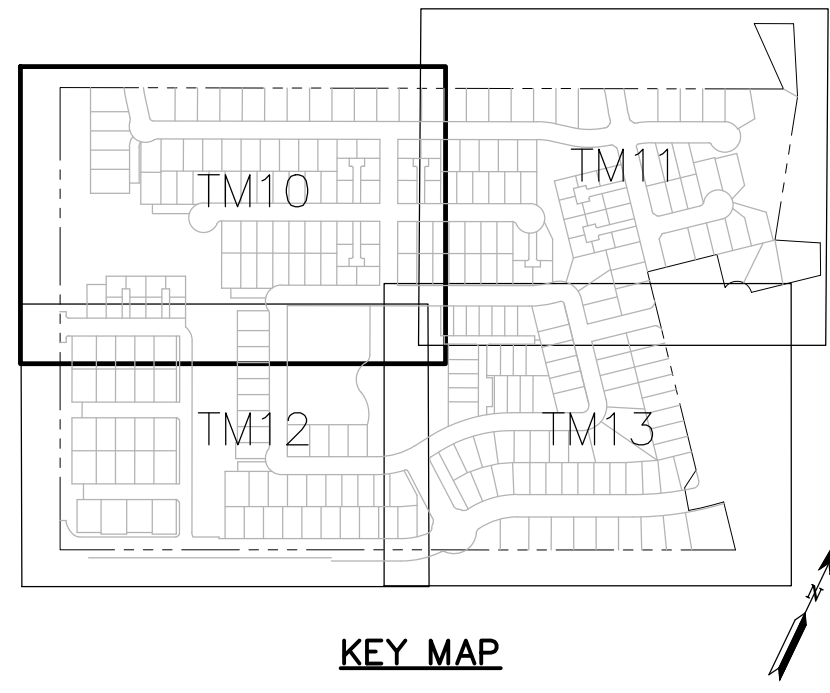
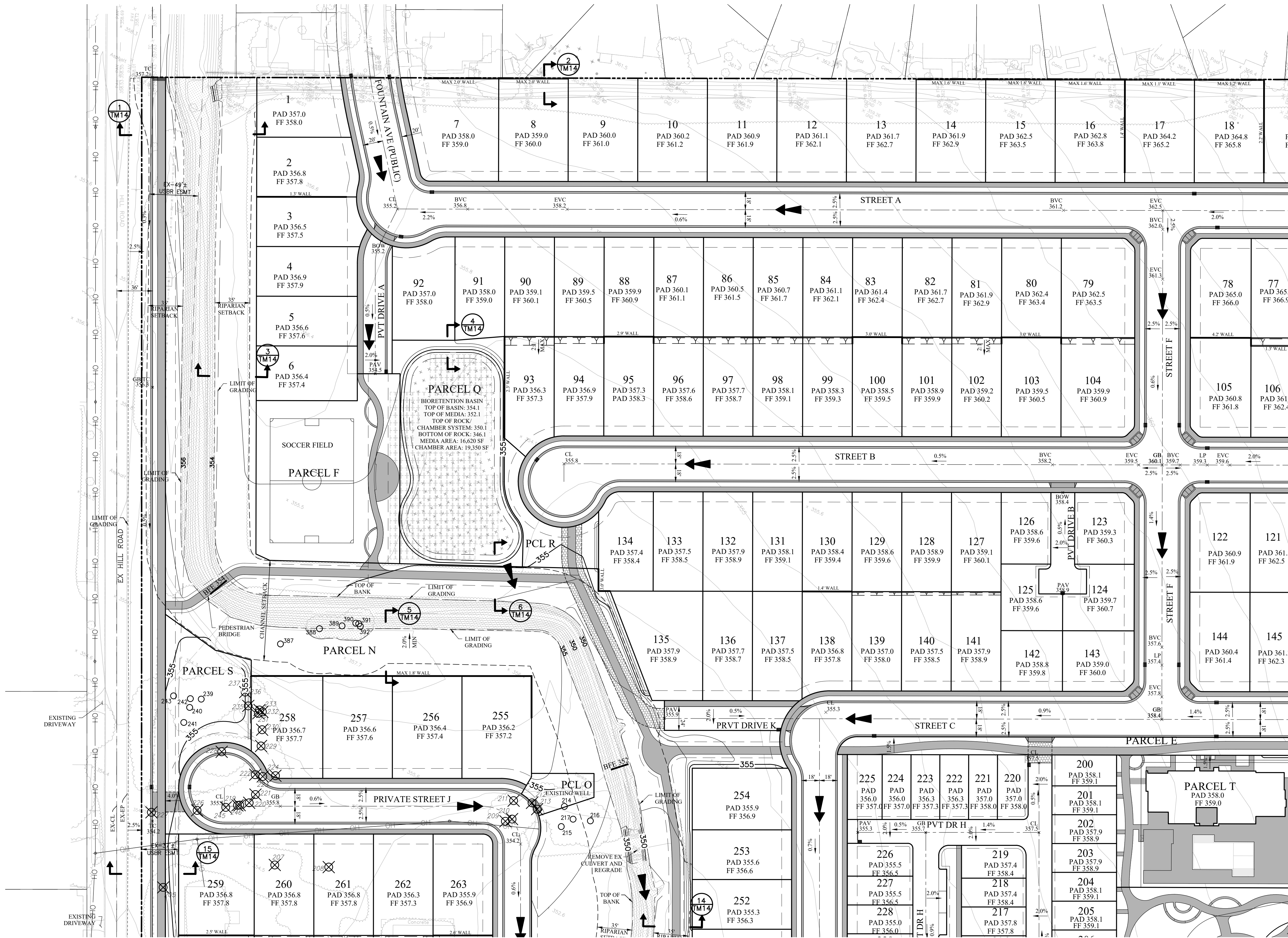
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TENTATIVE MAP
ALTERNATIVE LOTTING PLAN
NEW HORIZONS
MORGAN HILL, CALIFORNIA

DATE	REVISIONS	SCALE	DATE
11-16-21	REVISION 1	1"=50'	JULY 2026
NOT FOR CONSTRUCTION			
5th Submittal			
July 29, 2026			
SHEET			
TM9			
OF 21 SHEETS			
JOB NO. 202013			

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GRADING NOTES

- ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
- SEE SHEET TM14 FOR GRADING SECTIONS.
- TREE NUMBERS REFER TO THE ARBORIST'S REPORT FOR THIS PROJECT. SEE REPORT FOR MORE INFORMATION.
- FINISH FLOOR ELEVATIONS ASSUMED TO BE 1' ABOVE PAD ELEVATION. FINISH FLOOR ELEVATIONS ARE SUBJECT TO CHANGE BASED ON FINAL SITE DESIGN, GRADING, AND STRUCTURAL DESIGN.
- BASE FLOOD ELEVATIONS SHOWN ARE BASED ON THE POST DEVELOPMENT CONDITION FROM THE DRAINAGE REPORT BY SHAAF & WHEELER, DATED APRIL 4, 2025.

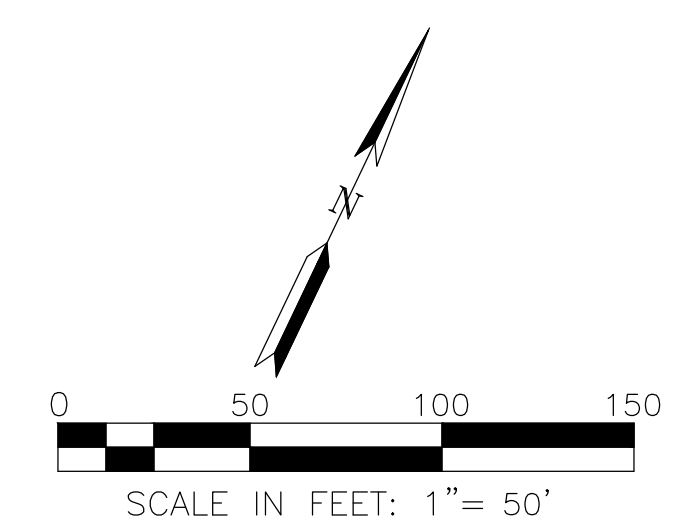
GRADING LEGEND

- P 357.8 APPROXIMATE PAD ELEVATION
- 352.6 APPROXIMATE SPOT ELEVATION
- SLOPE
- POTENTIAL RETAINING WALL
- 1.5% ANTICIPATED STREET SLOPE
- EMERGENCY OVERLAND RELEASE
- APPROXIMATE LIMITS OF MASS/ROUGH GRADING
- EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- 24' TREE TO SAVE (PROTECT IN PLACE)
- 228' TREE TO BE REMOVED
- BIORETENTION BASIN
- UNDERGROUND STORAGE CHAMBERS

EARTHWORK

CUT:	91,900±	CY
FILL:	124,900±	CY
NET:	33,000±	CY (IMPORT)

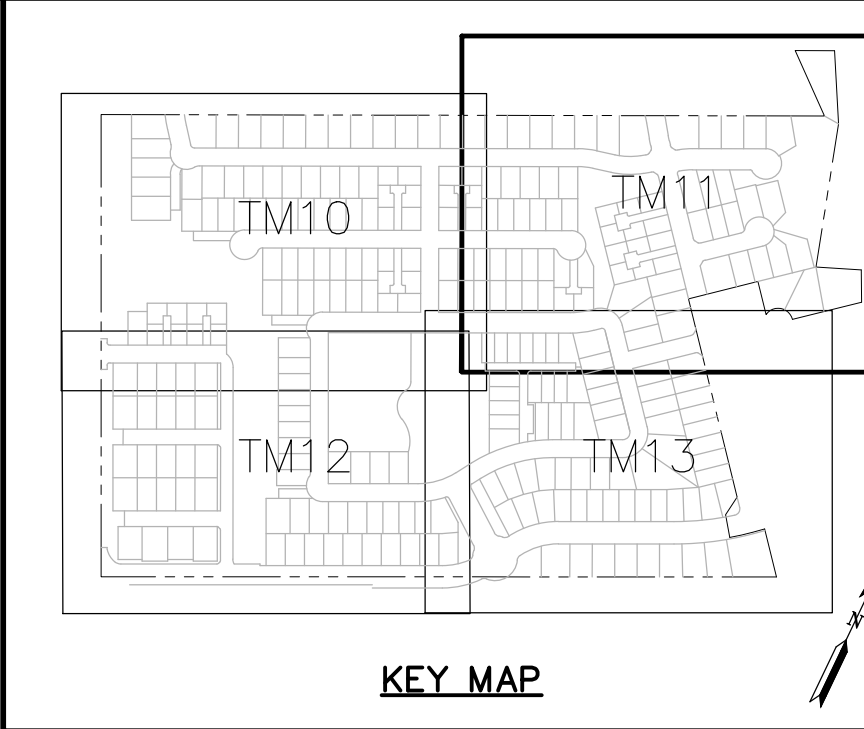
NOTE: EARTHWORK SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.



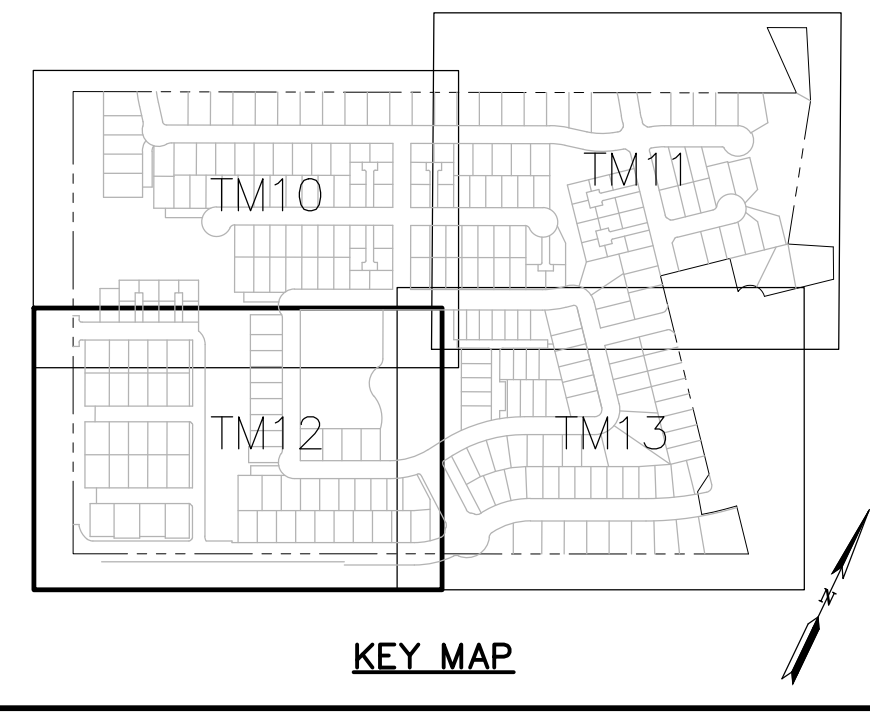
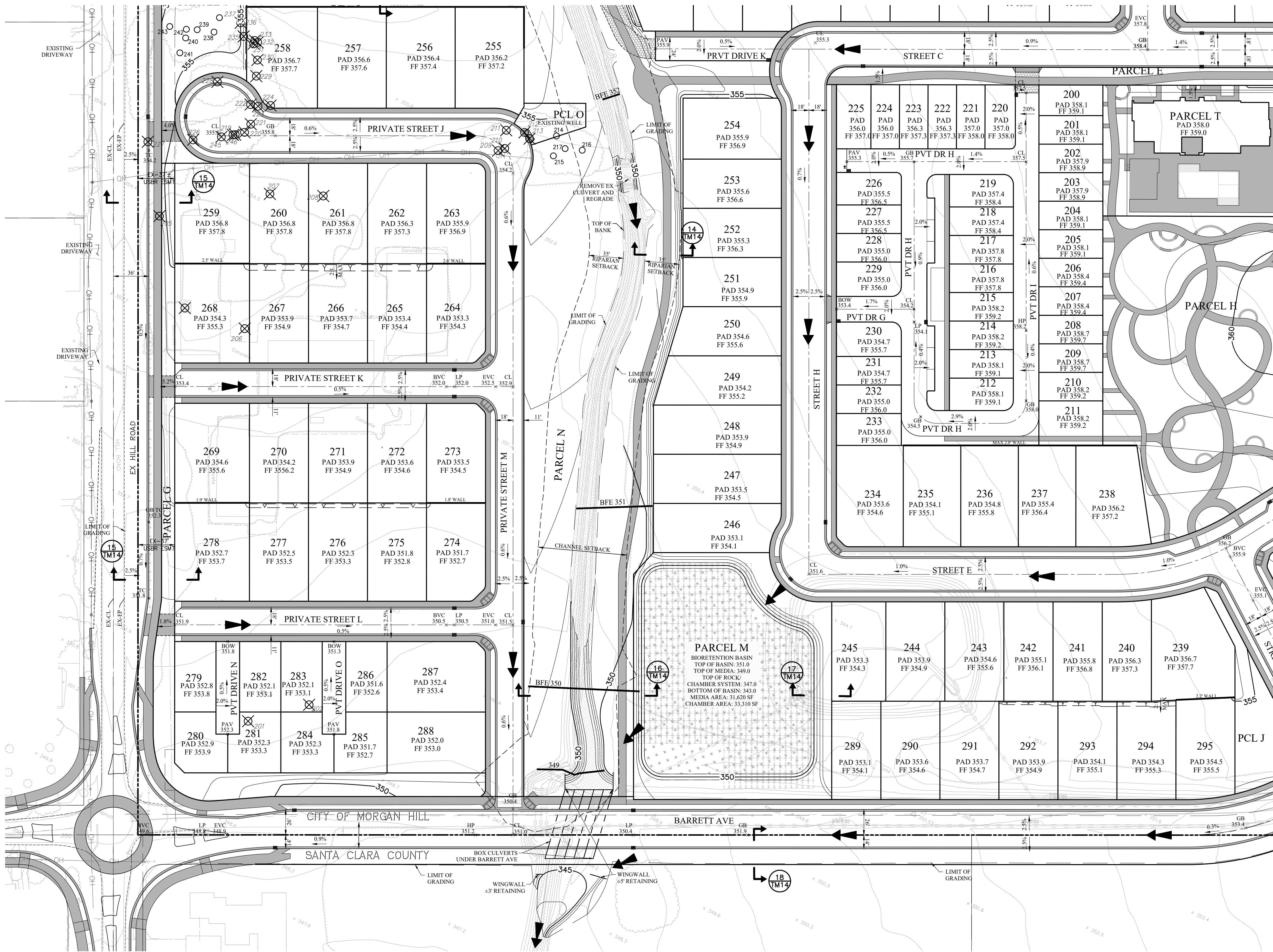
TENTATIVE MAP
PRELIMINARY GRADING PLAN
NEW HORIZONS
MORGAN HILL, CALIFORNIA

DATE	11-16-21	REVISION	1	DATE	11-16-21
NOT FOR CONSTRUCTION					
5th Submittal					
July 29, 2026					
SHEET					
TM10					
OF 21 SHEETS					
JOB NO. 202013					

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SEE SHEET TM10



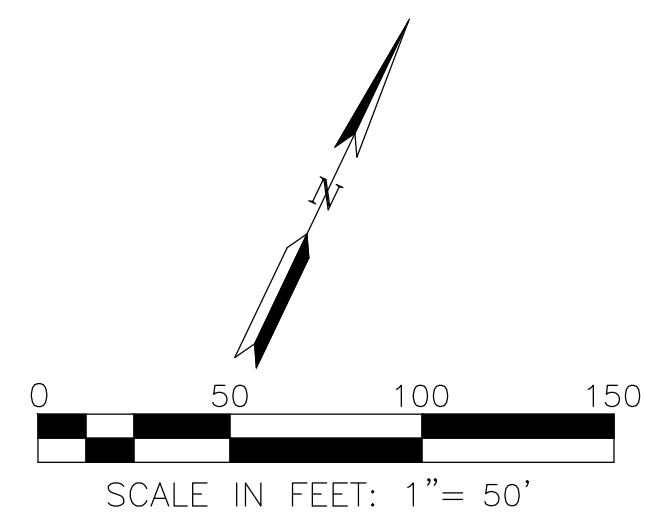
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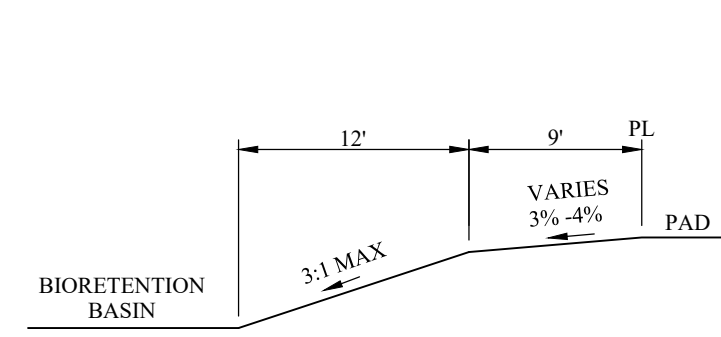
GRADING LEGEND

P 357.8	APPROXIMATE PAD ELEVATION
352.6	APPROXIMATE SPOT ELEVATION
	SLOPE
	POTENTIAL RETAINING WALL
1.5%	ANTICIPATED STREET SLOPE
	EMERGENCY OVERLAND RELEASE
	APPROXIMATE LIMITS OF MASS/ROUGH GRADING
350	EXISTING CONTOUR
355	PROPOSED MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
241	TREE TO SAVE (PROTECT IN PLACE)
228	TREE TO BE REMOVED
	BIORETENTION BASIN
	UNDERGROUND STORAGE CHAMBERS

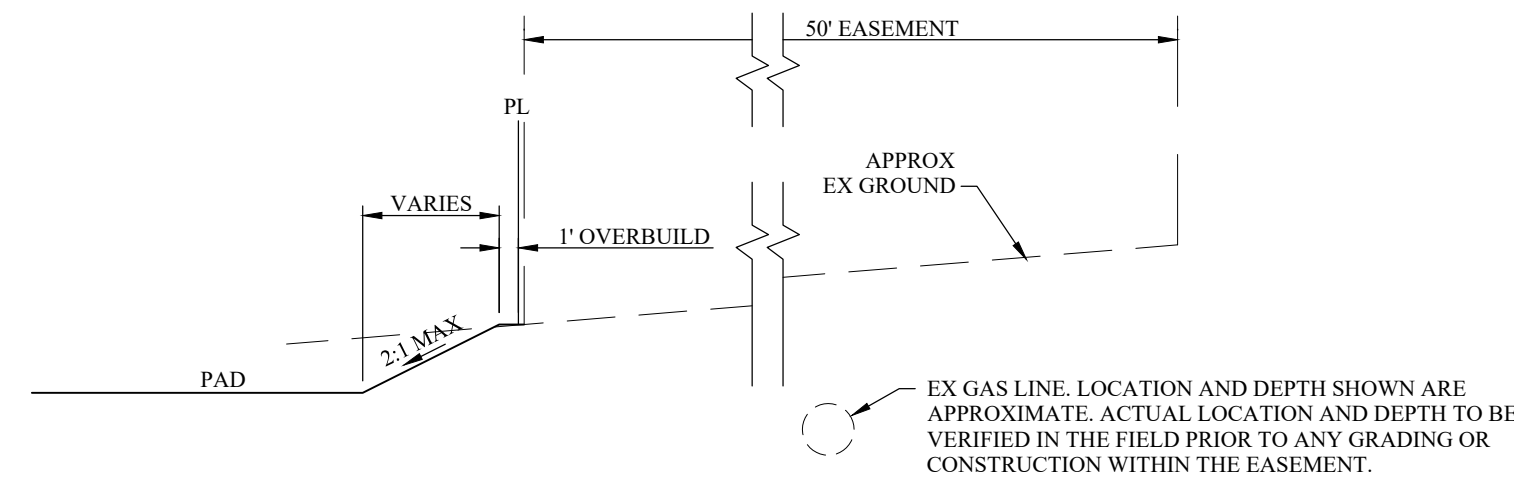
SEE SHEET TM13



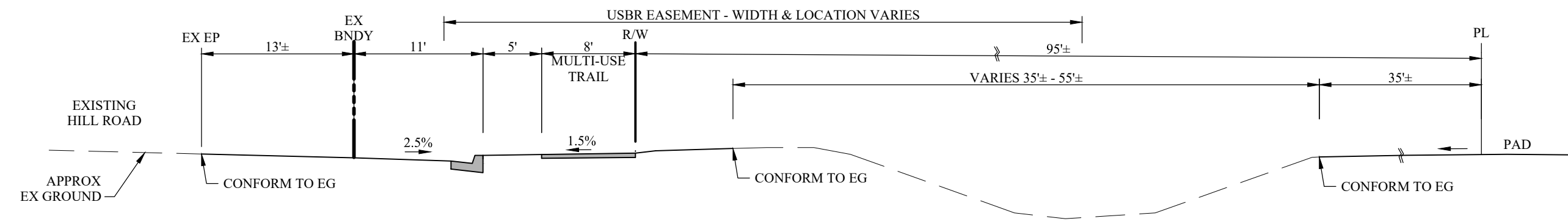
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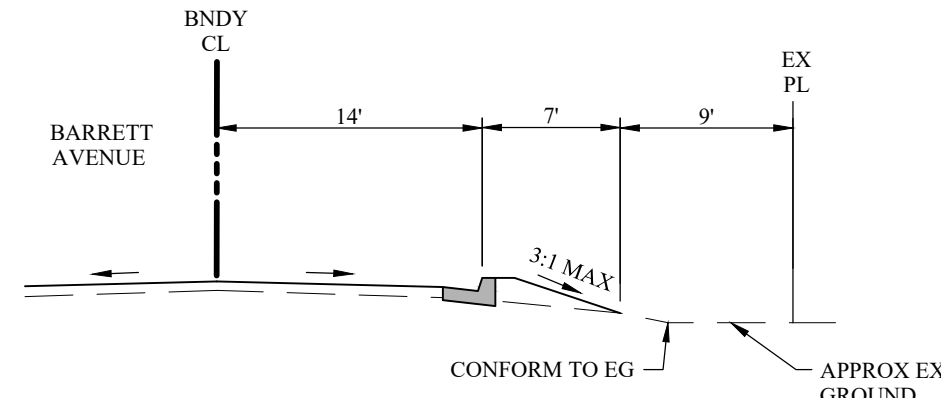
GRADING SECTION 17



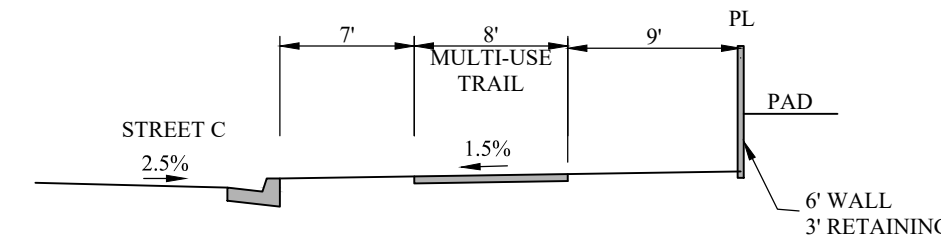
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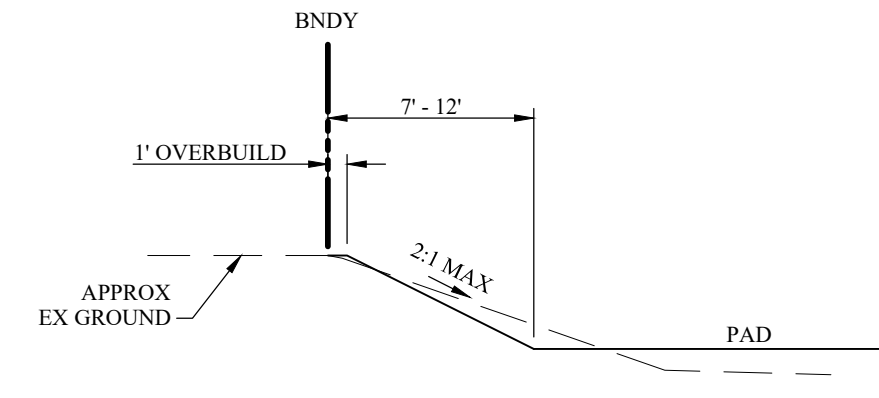
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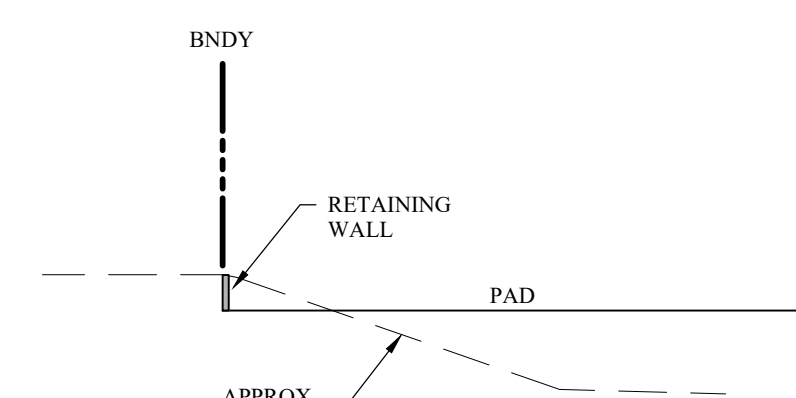
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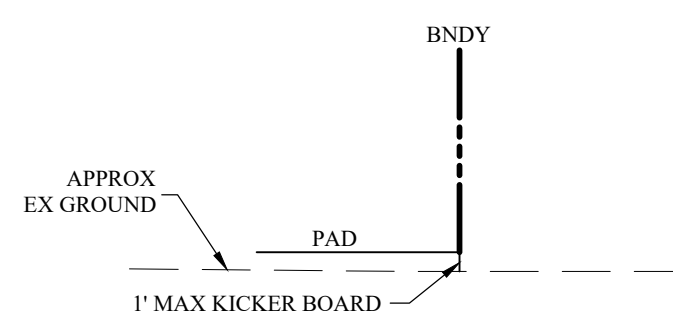
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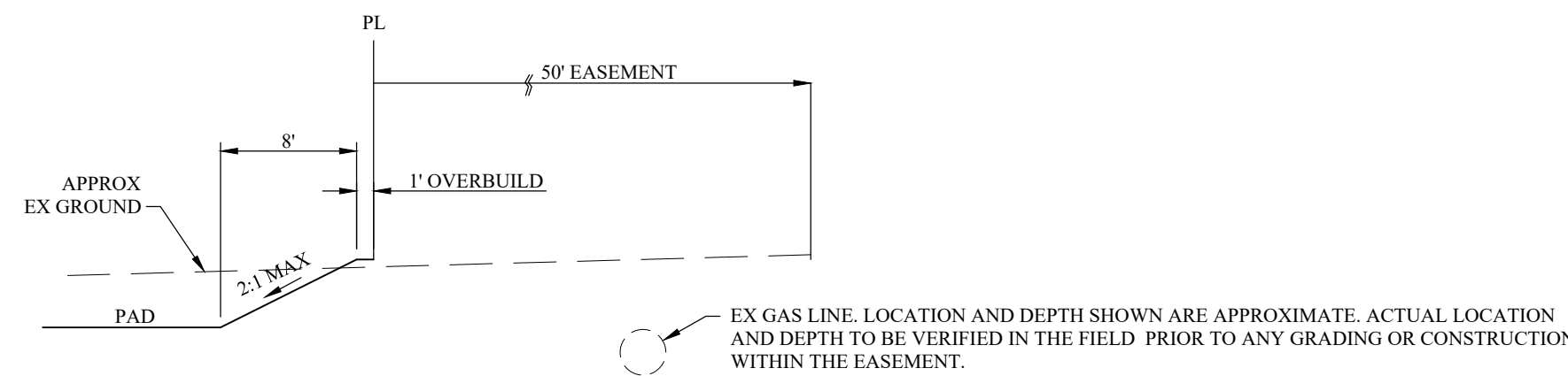
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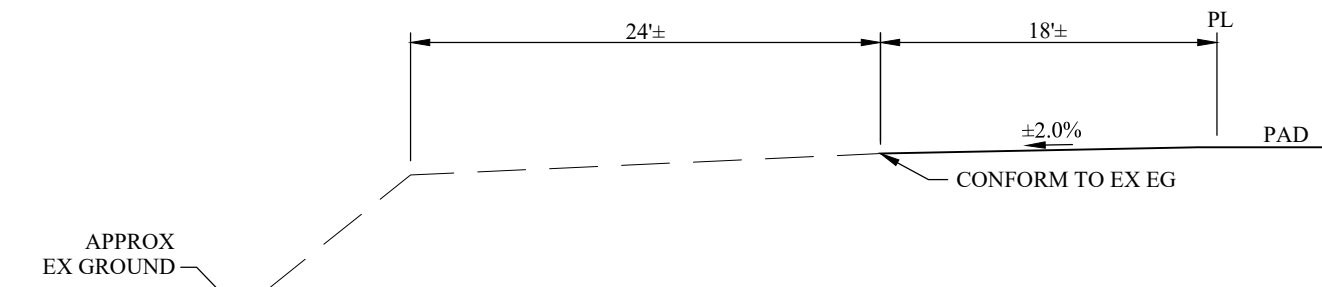
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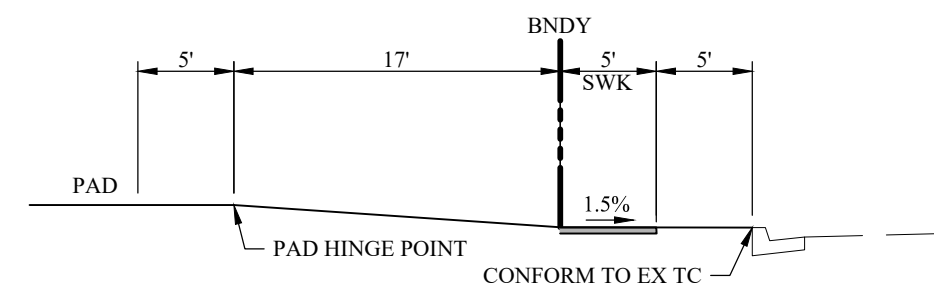
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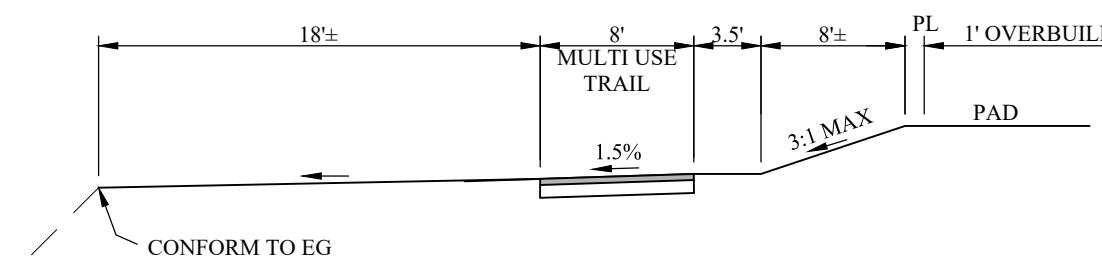
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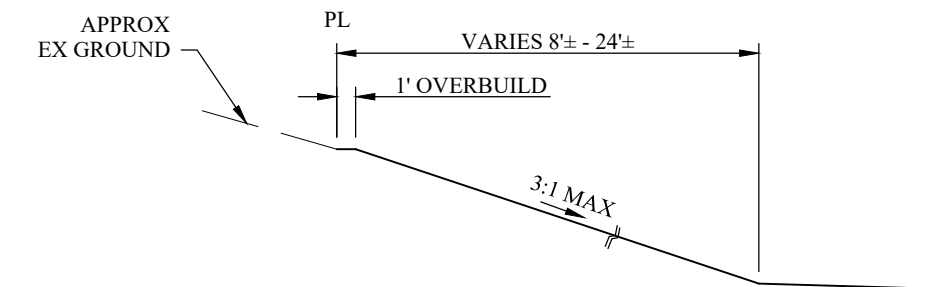
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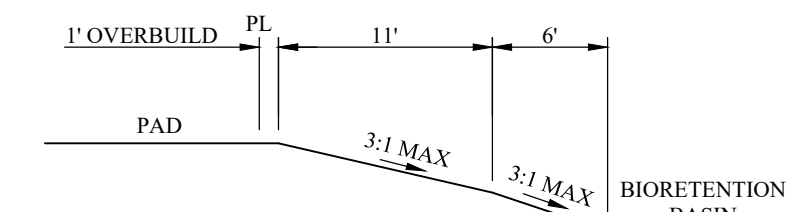
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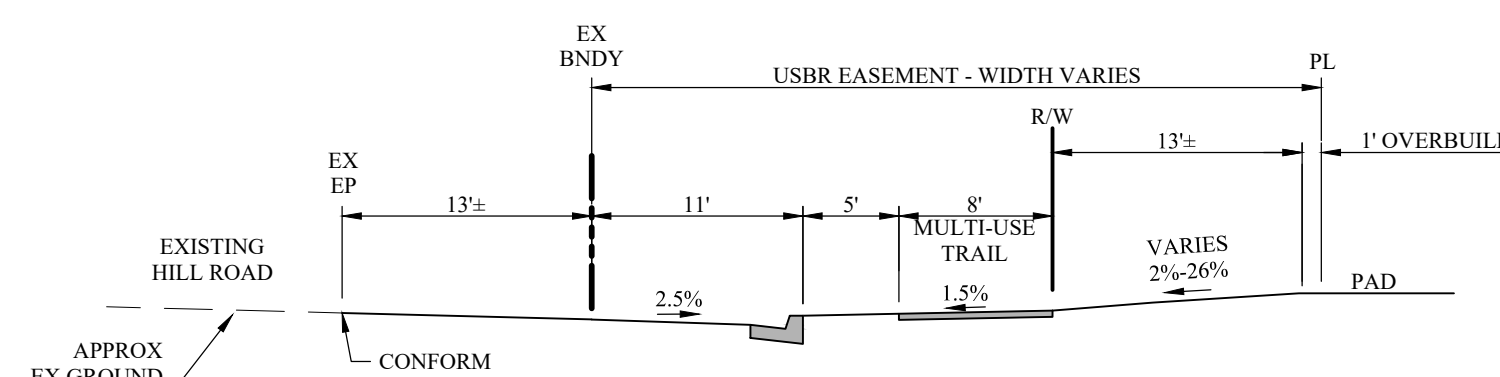
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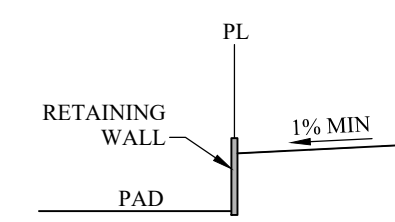
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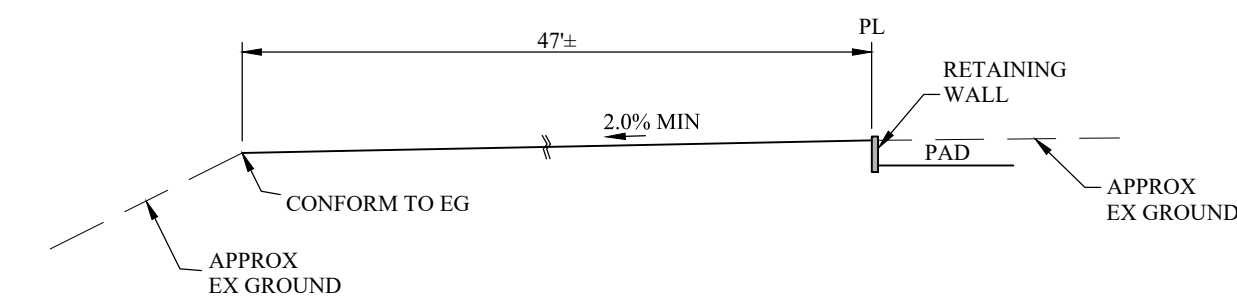
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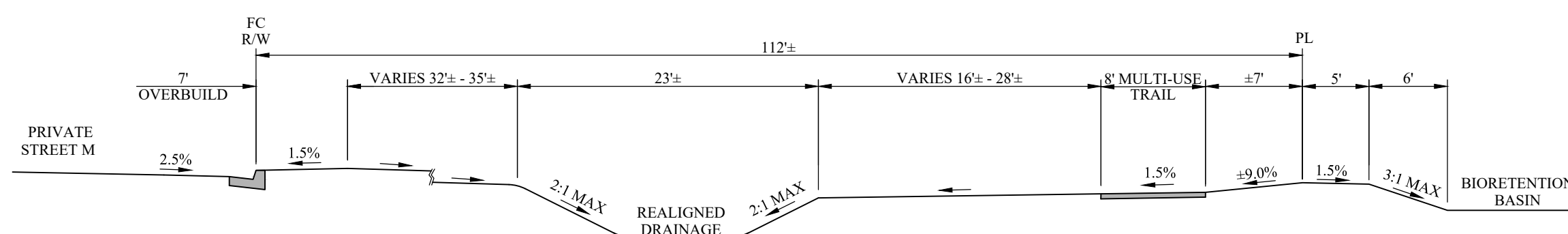
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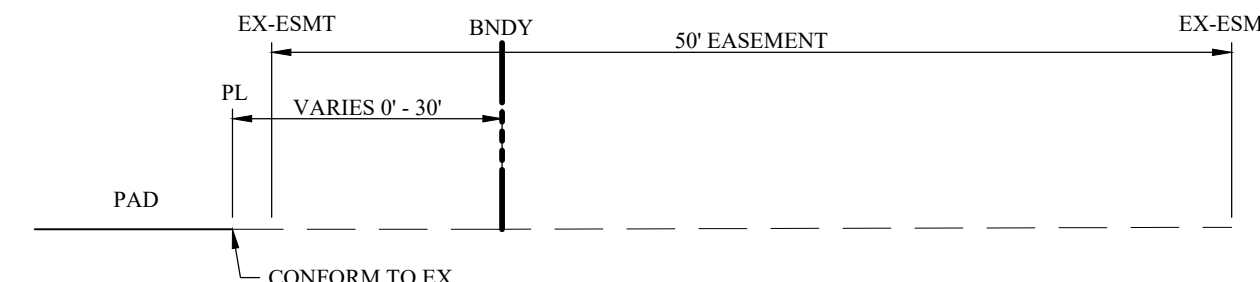
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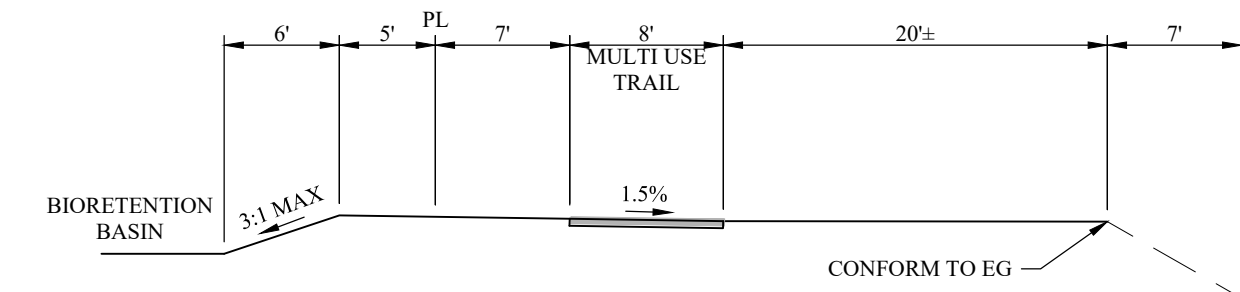
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GRADING SECTION 16



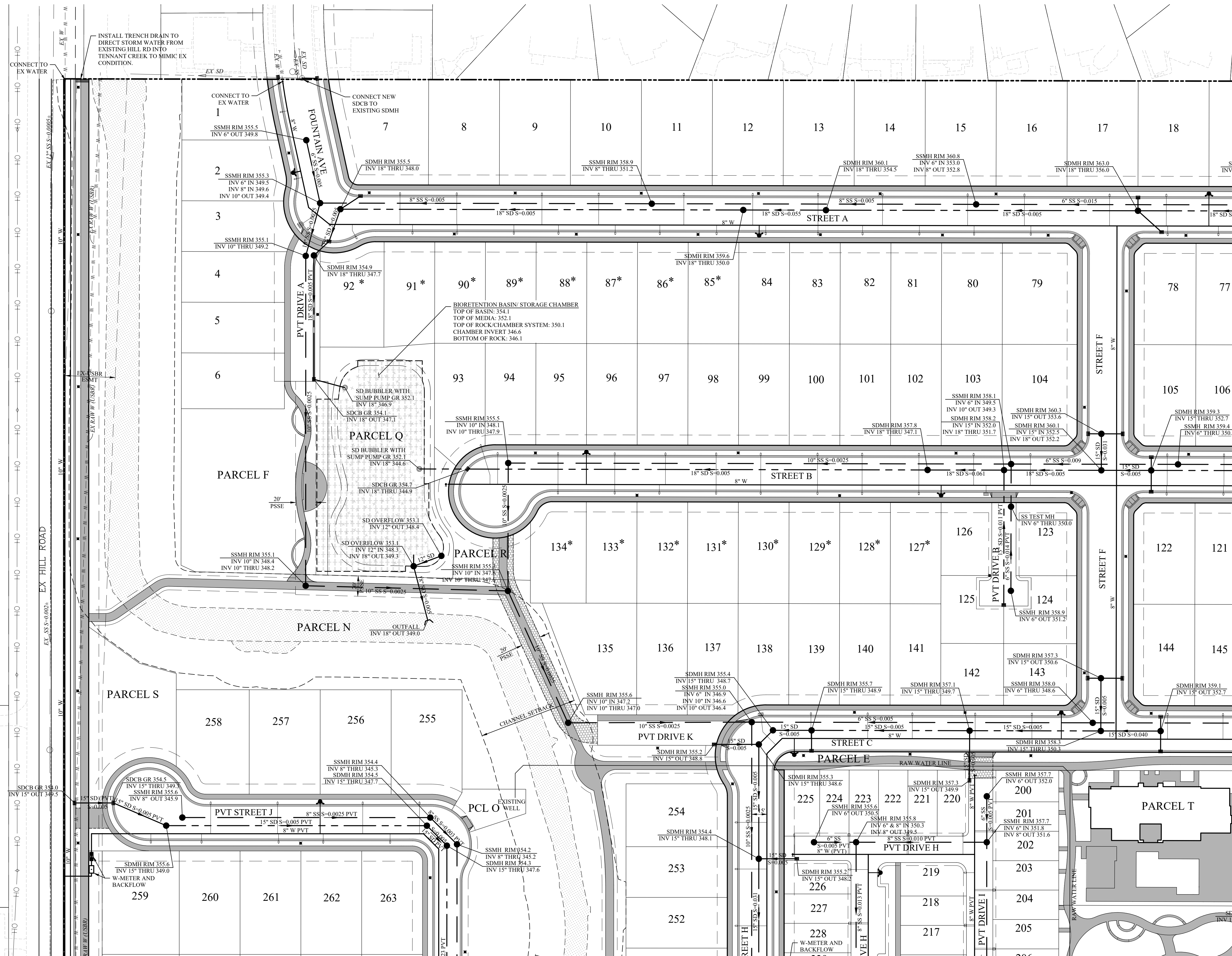
GRADING SECTION 11



GRADING SECTION 6

PRELIMINARY GRADING SECTIONS

NO SCALE

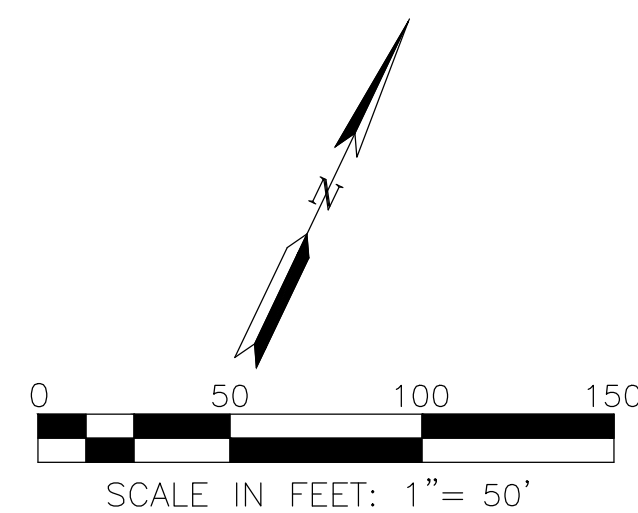


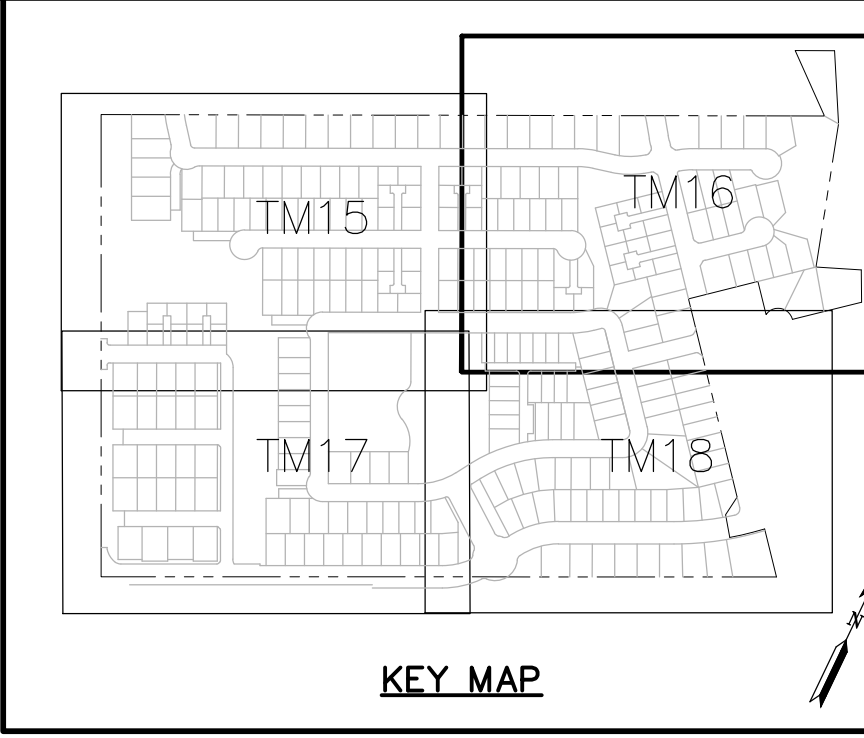
UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS ON THIS PRELIMINARY UTILITY PLAN ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
2. ALL DOMESTIC WATER, SANITARY SEWER, AND STORM DRAIN MAINS SHOWN ARE PROPOSED AS PUBLICLY OWNED AND MAINTAINED. ALL WET UTILITIES TO BE PUBLIC OTHERWISE TO BE NOTED.
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5. EXISTING NON POTABLE WELL (PARCEL O) TO BE USED FOR IRRIGATION OF PARCEL H.
6. BROADBAND CONNECTIVITY TO BE DESIGNED AND PROVIDED BY OTHERS AT TIME OF CONSTRUCTION DOCUMENT SUBMITTALS IN ACCORDANCE WITH THE CITY OF MORGAN HILL DEVELOPMENT AND DESIGN STANDARD 62, DATED DEC 2020.
7. DUE TO THE SHALLOW SEWER CONNECTION AT BARRETT AVENUE AND HILL ROAD AND THE NEED TO PROVIDE EMERGENCY OVERLAND STORMWATER RELEASE FROM EXISTING FOUNTAIN AVENUE, THE SANITARY SEWER MAIN REMAINS TOO SHALLOW FOR THE LATERALS TO PASS UNDER THE PROPOSED STORM DRAIN MAIN. LOTS WHERE THE STORM DRAIN MAIN WILL NEED TO PASS UNDER THE SEWER LATERALS ARE INDICATED WITH AN "R".

SEE SHEET TM16

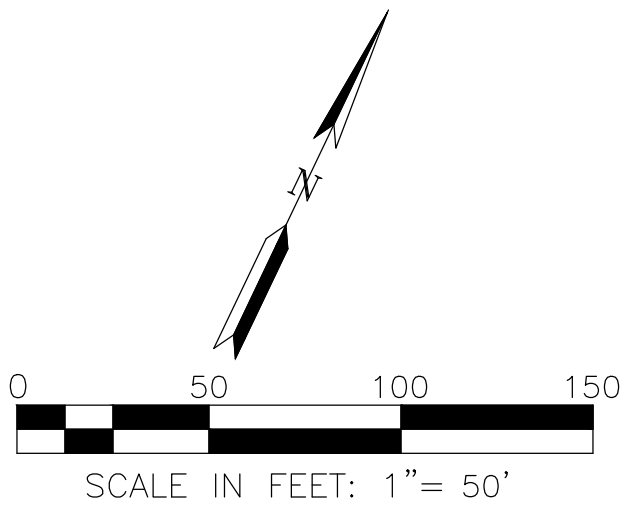
SEE SHEET TM17





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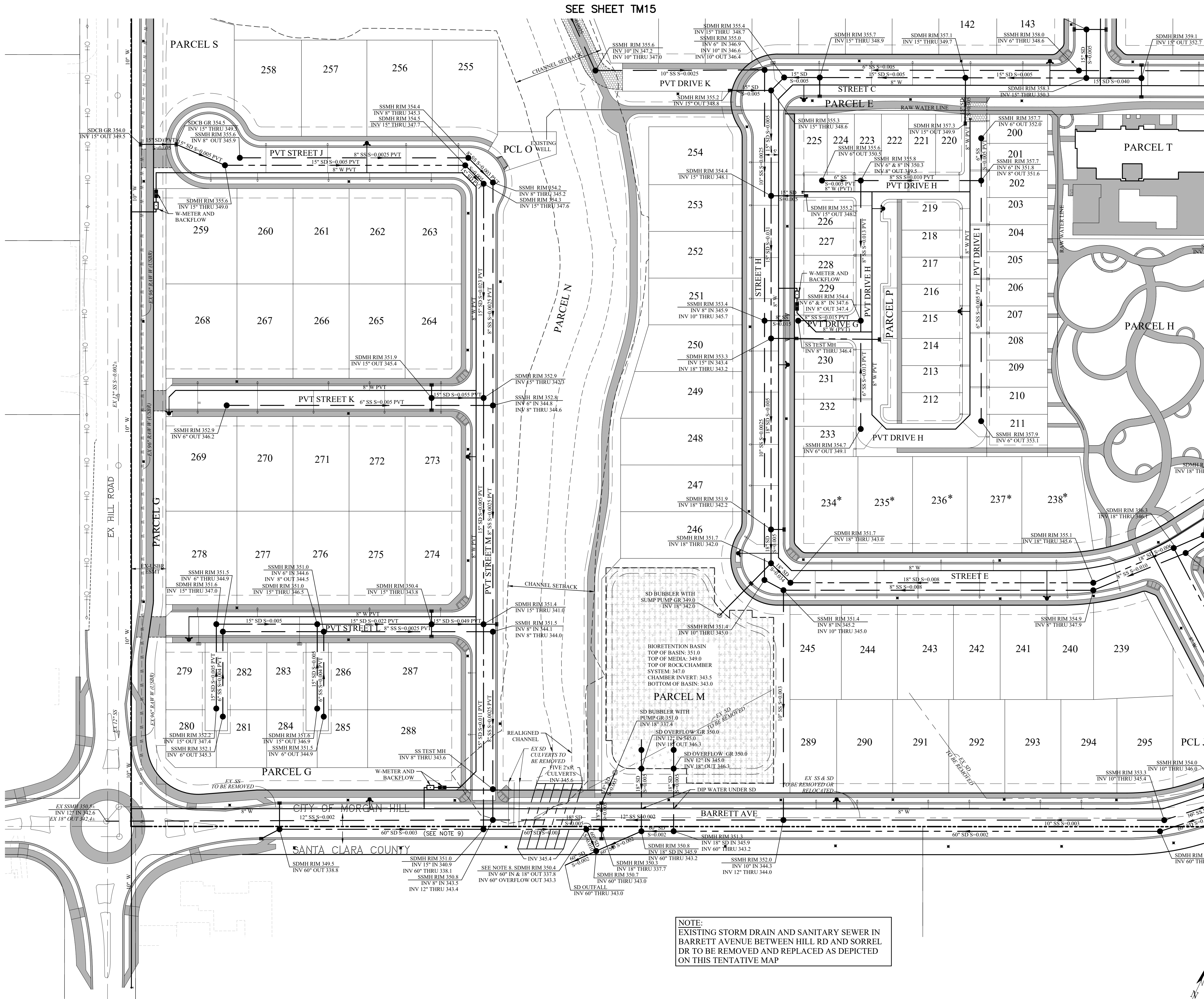
RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1000 S. GIGAWATT AVE. SUITE 200
MORGAN HILL, CA 95037
PHONE: (408) 846-0300 FAX: (408) 846-0302

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
NEW HORIZONS
CALIFORNIA
MORGAN HILL, DEVCO, LLC

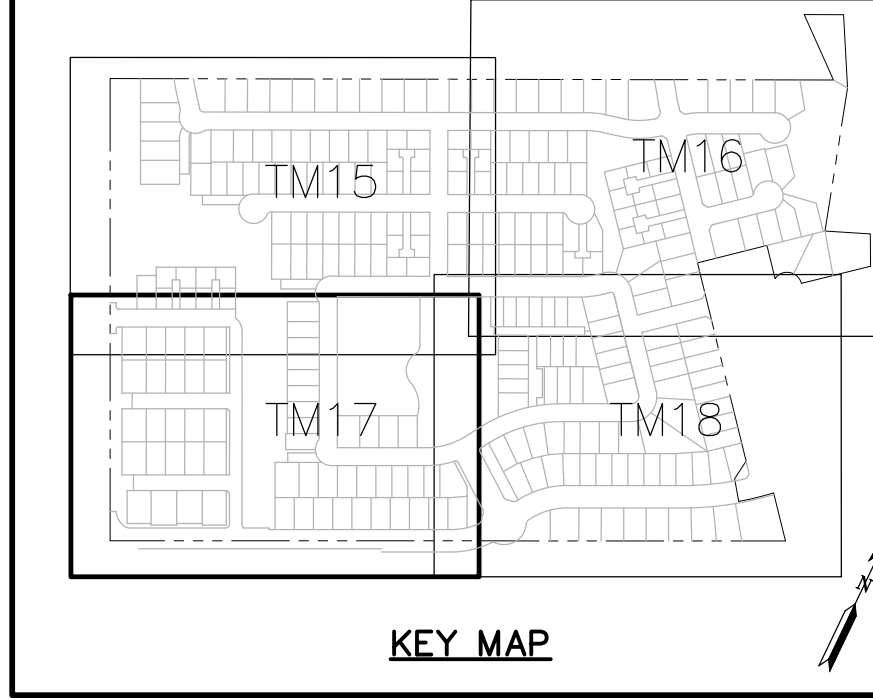
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DATE	11-15-21	SCALE	1"=50'

NOT FOR CONSTRUCTION
5th Submittal
July 29, 2026

SHEET
TM16
OF 21 SHEETS
JOB NO.
202013



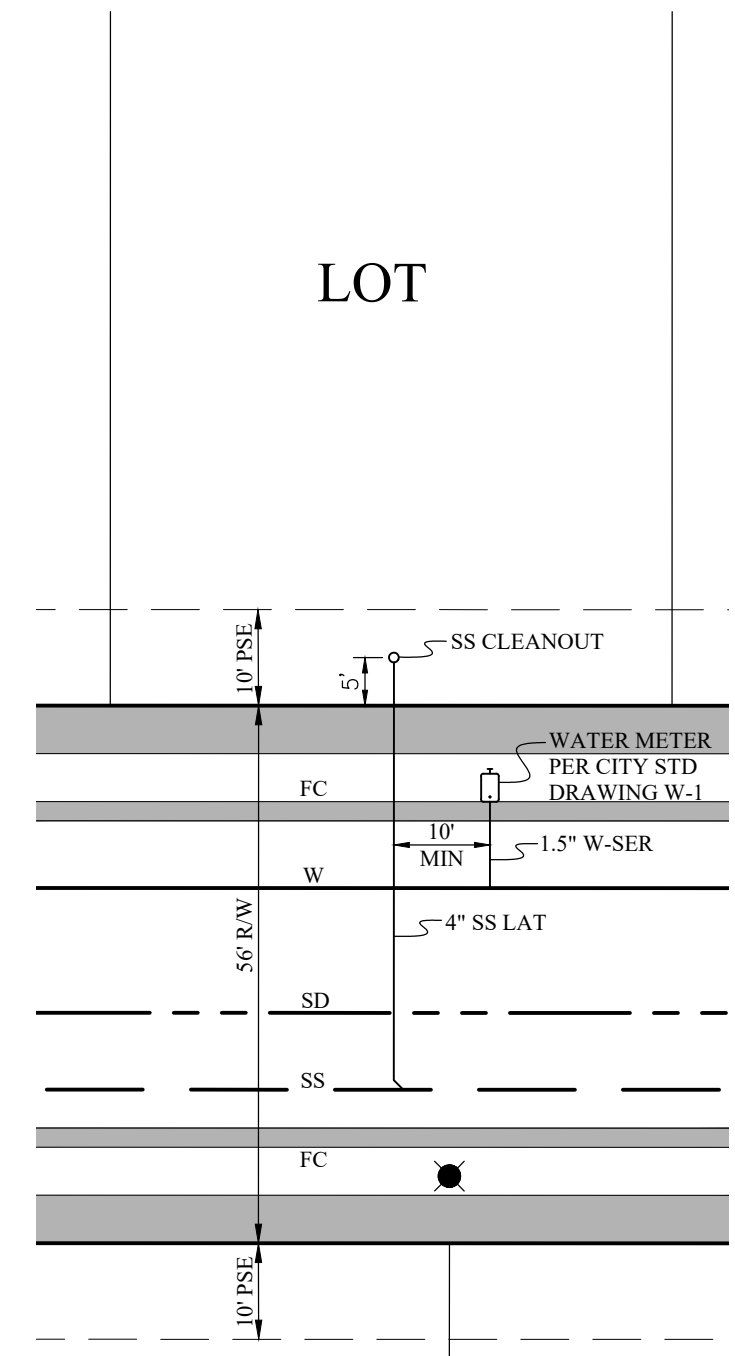
NOTE:
EXISTING STORM DRAIN AND SANITARY SEWER IN
BARRETT AVENUE BETWEEN HILL RD AND SORREL
DR TO BE REMOVED AND REPLACED AS DEPICTED
ON THIS TENTATIVE MAP



UTILITY NOTES

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9. OVERLAND RELEASE FROM HILL ROAD TO BE DIRECTED INTO THE 60" STORM DRAIN WITHIN BARRETT AVENUE, WEST OF THE TENNANT CREEK CULVERTS. THE 60" PIPE WILL BE DESIGNED TO ACT AS DETENTION AND STORAGE FOR THE 100-YEAR STORM FOR ITS APPLICABLE TRIBUTARY AREA. SMALLER STORMS WILL BE PUMPED INTO THE BIORETENTION BASIN FOR TREATMENT AND RETENTION WHILE LARGER FLOWS WILL OUTFLOW INTO THE CONNECTING 60" PIPE AND OUT TO TENNANT CREEK IN ORDER TO MAINTAIN THE EXISTING CONDITION DRAINAGE PATTERNS.

TYPICAL UTILITY SERVICE (PUBLIC STREETS)



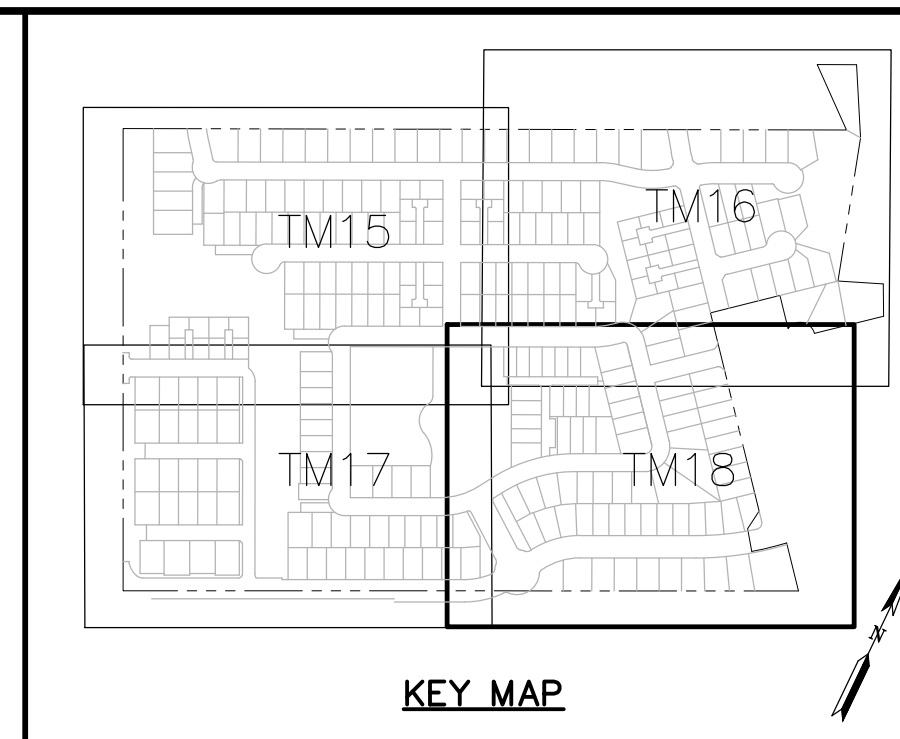
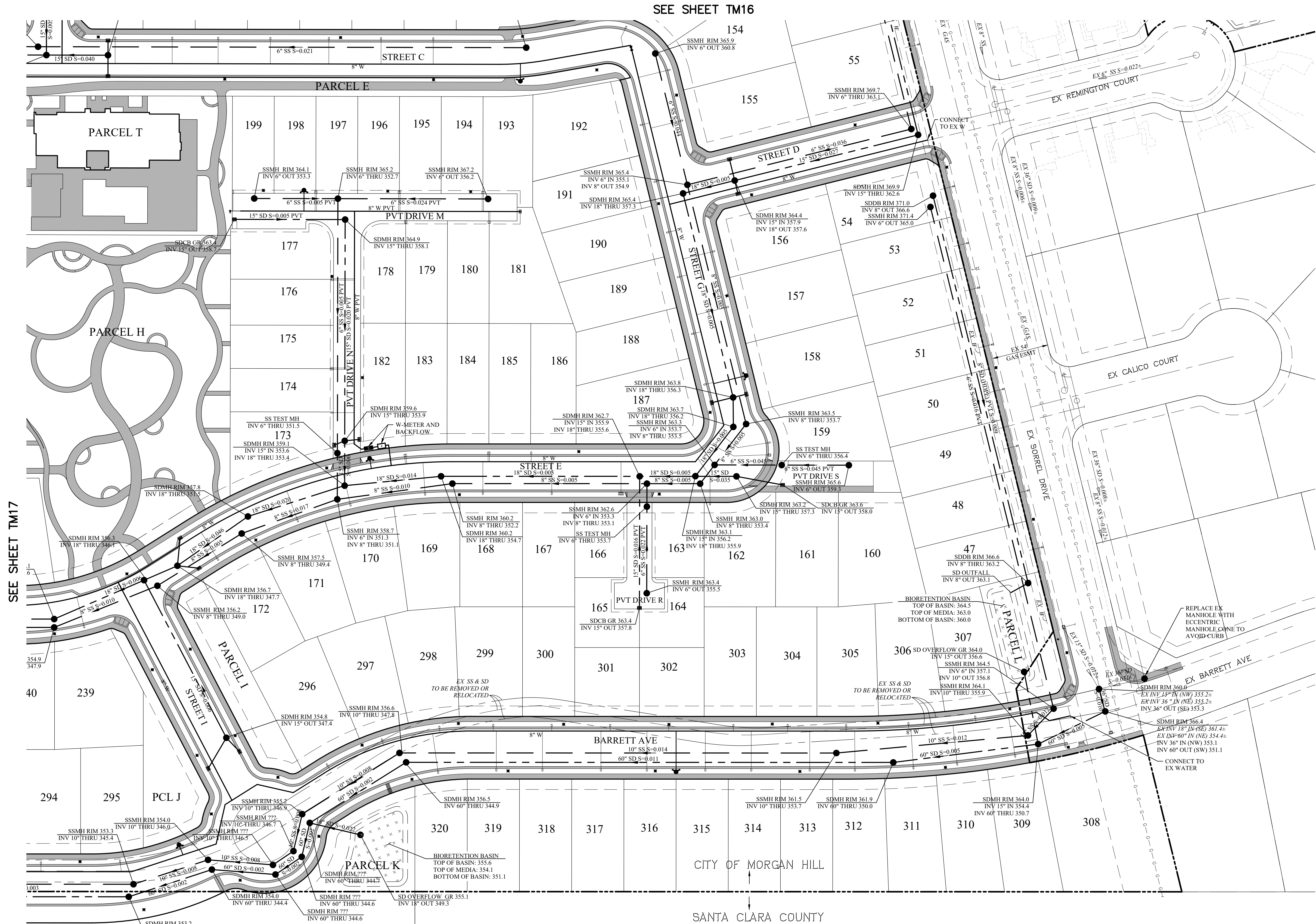
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07-29-26	2	1"=50'	07-29-26
07-29-26	3	1"=50'	07-29-26
07-29-26	4	1"=50'	07-29-26
07-29-26	5	1"=50'	07-29-26

NOT FOR CONSTRUCTION
5th Submittal
July 29, 2026

SHEET
TM17
OF 21 SHEETS
JOB NO.
202013

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
NEW HORIZONS
MORGAN HILL, CALIFORNIA
FOR: MORGAN HILL DEVCO, LLC

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1000 S. GILBERT AVE., SUITE 200
MORGAN HILL, CA 95037
PHONE: (408) 846-0300 FAX: (408) 846-0302



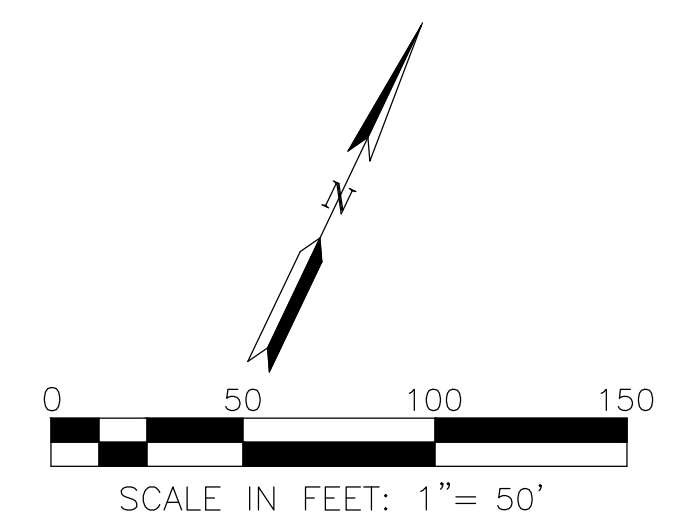
UTILITY NOTES

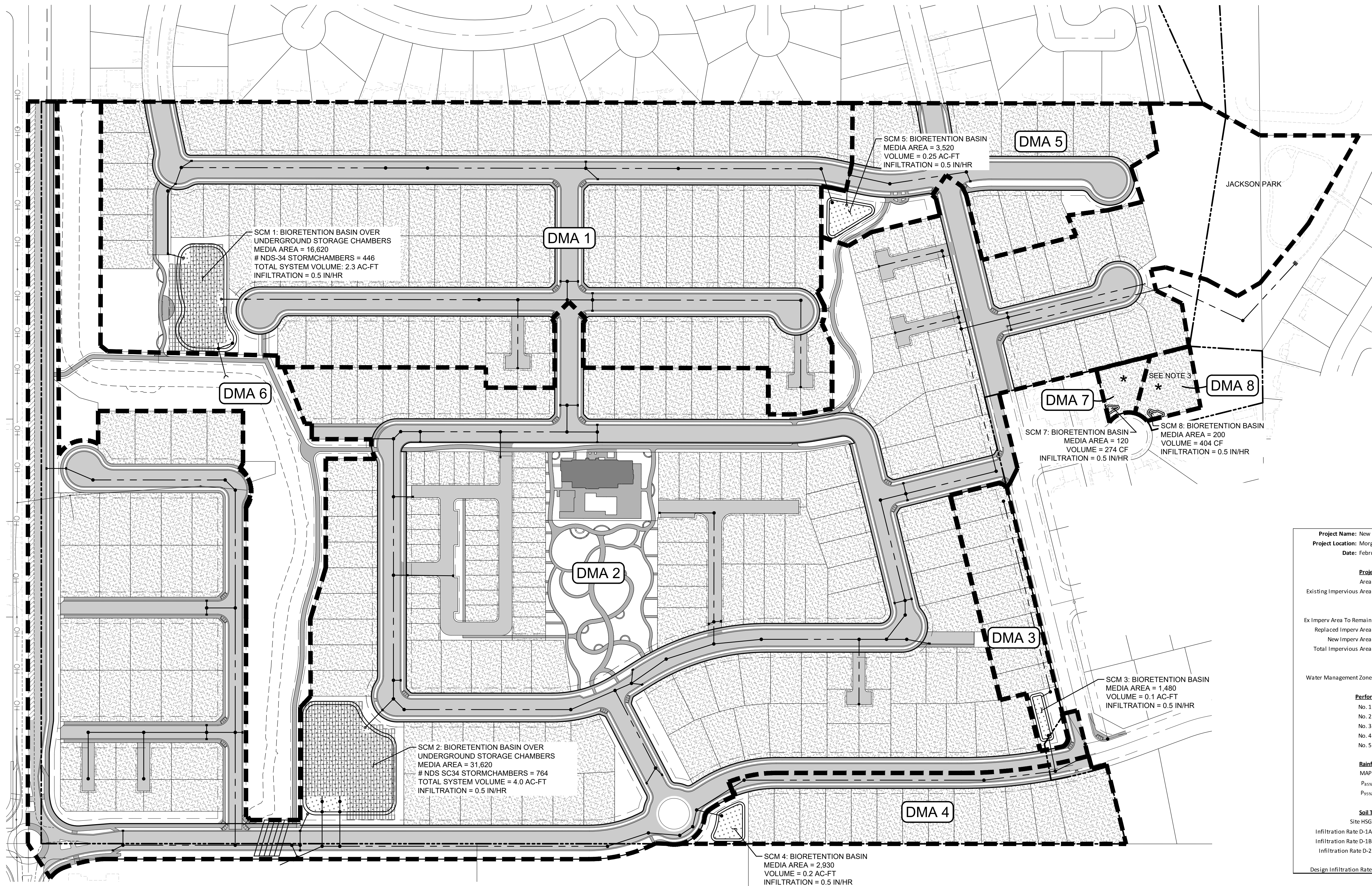
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TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
NEW HORIZONS
MORGAN HILL, CALIFORNIA

DATE	11-16-21	SCALE	1"=50'
REVISION			
NOT FOR CONSTRUCTION			
5th Submittal			
July 29, 2026			
SHEET			
TM18			
OF 21 SHEETS			
JOB NO. 202013			





LEGEND

- BOUNDARY
- DRAINAGE MANAGEMENT AREA (DMA)
- STORM DRAIN
- STORM DRAIN MANHOLE
- STORM DRAIN INLET
- UNDERGROUND STORM CHAMBER
- CONCRETE
- PAVEMENT
- LOT/BUILDING AREA
- EX IMPERVIOUS AREA
- BIORETENTION BASIN

NOTES

- ALL STORMWATER CALCULATIONS SHOWN HEREIN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN. THE LID MEASURES AND STORMWATER CONTROL FACILITIES (SCMs) MAY BE CHANGED OR MODIFIED DURING FINAL DESIGN AS LONG AS THE PROJECT CAN SHOW CONFORMANCE WITH THE CITY OF MORGAN HILL DESIGN AND DEVELOPMENT STANDARDS, THE SANTA CLARA COUNTY DRAINAGE MANUAL (2007), AND THE CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD (CCRWQCB) POST-CONSTRUCTION STORMWATER RESOLUTION R3-2013-0032 IN EFFECT AT THE TIME OF FIRST SUBMITTAL OF THE TENTATIVE MAP.
- THE FINAL LOCATION OF STORMWATER CONTROL MEASURES WILL BE DETERMINED AT FINAL DESIGN.
- LOT WILL HAVE INDIVIDUAL STORMWATER CONTROL MEASURE LOCATED ON THE PRIVATE LOT.
- SEE THE DRAINAGE REPORT FOR NEW HORIZONS BY SCHAAF & WHEELER, DATED 4/5/2024 FOR ADDITIONAL FLOOD CONTROL AND FEMA FLOODPLAIN STUDIES.
- THE SCMS ARE DESIGNED TO INFILTRATE THE 95% STORM AND DETAIN THE 2-YEAR, 10-YEAR, 25-YEAR, & 100-YEAR STORMS UTILIZING THE ROUTING METHOD, IN CONJUNCTION WITH *CIVILSTORM* BY BENTLEY INCORPORATED, AS DESCRIBED IN THE CCRWQCB POST-CONSTRUCTION STORMWATER MANAGEMENT REQUIREMENTS.
- JACKSON PARK ASSUMED TO BE 15% IMPERVIOUS.

Project Name: New Horizons	
Project Location: Morgan Hill, CA	
Date: February 2026	
Project Information	
Area = 3,129,018 ft ²	Total project area
Existing Impervious Area = 116,650 ft ²	Existing Percent Impervious area
4%	
Ex Imperv Area To Remain = 14,310 ft ²	Total existing impervious surface to remain
Replaced Imperv Area = 102,340 ft ²	Total existing impervious surface to be replaced as part of project
New Imperv Area = 1,578,932 ft ²	Total new impervious surface to be installed as part of project
Total Impervious Area = 1,681,272 ft ²	Total project impervious area
54%	Percent Impervious area
Water Management Zone = 1	
Performance Requirements	
No. 1 = Implement site design and runoff reduction strategies	
No. 2 = Provide water quality treatment for 85% storm event	
No. 3 = Prevent offsite discharge from events up to the 95th% storm event via optimizing infiltration	
No. 4 = Reduce peak flows to pre-project levels for 2-yr through 10-yr storm events	
No. 5 = N/A	
Rainfall Design Information	
MAP = 23.35 in	Mean Annual Precipitation
P _{95th%} = 1.05 in	85th% 24-hr rainfall depth
P _{95th%} = 1.6 in	95th% 24-hr rainfall depth
Soil Type Design Information	
Site HSG = C	NRCS Hydrologic Soil Group Classification
Infiltration Rate D-1A = 4 in/hr	
Infiltration Rate D-1B = 20 in/hr	Cornerstone Earth Group In-situ Infiltration testing dated October 14, 2022
Infiltration Rate D-2 = 3.6 in/hr	
Design Infiltration Rate = 0.5 in/hr	Design Infiltration rate recommended by Cornerstone Earth Group

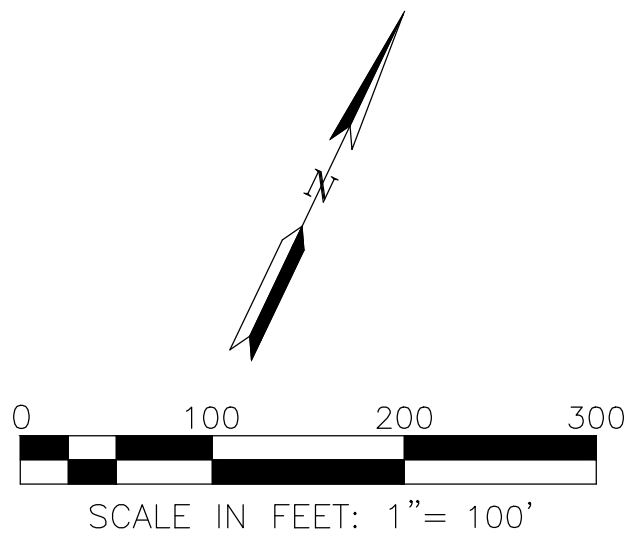
PEAK FLOW MANAGEMENT RESULTS

ID	Peak Flow (cfs)			
	2-Year	10-Year	25-Year	100-Year
Existing Condition	7.3	37.7	52.3	65.3
Existing Detention Basin	0.0	0.0	7.5	7.5
Total	7.3	37.7	59.8	72.8

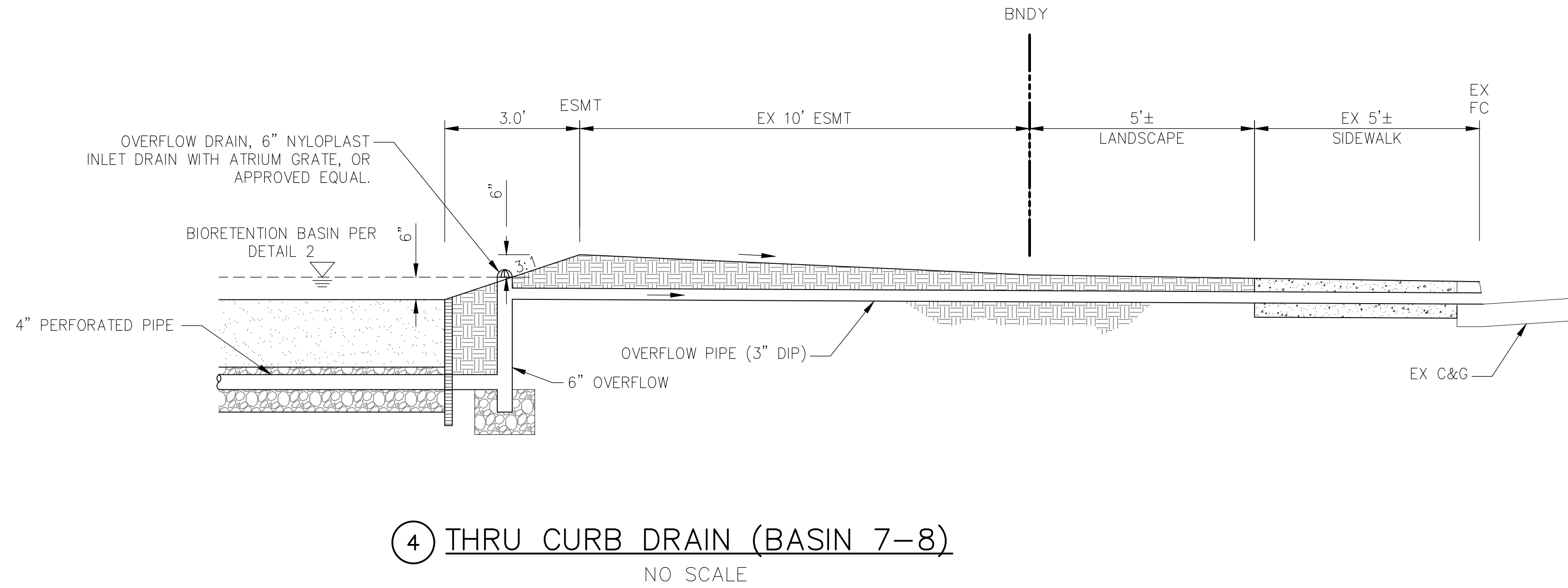
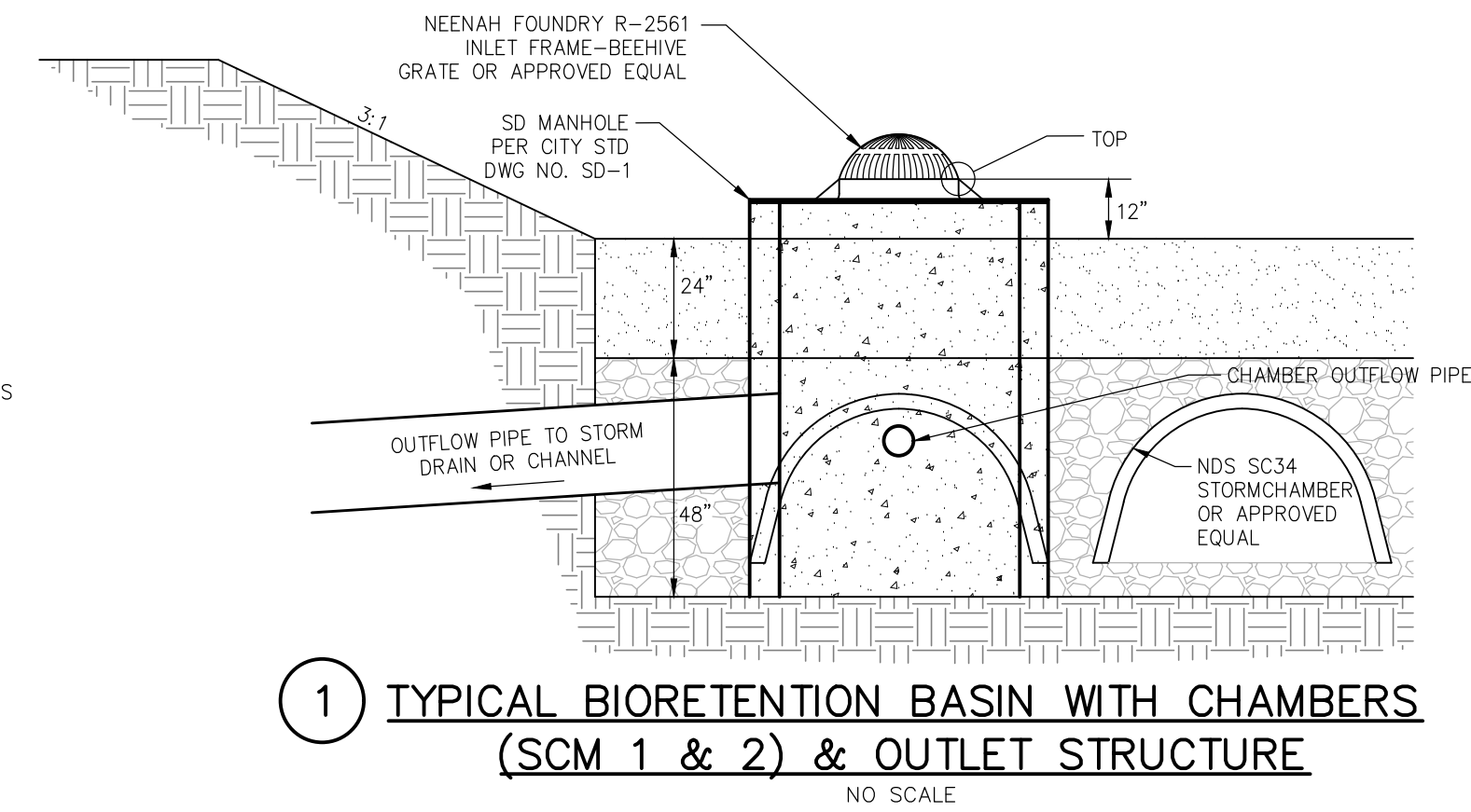
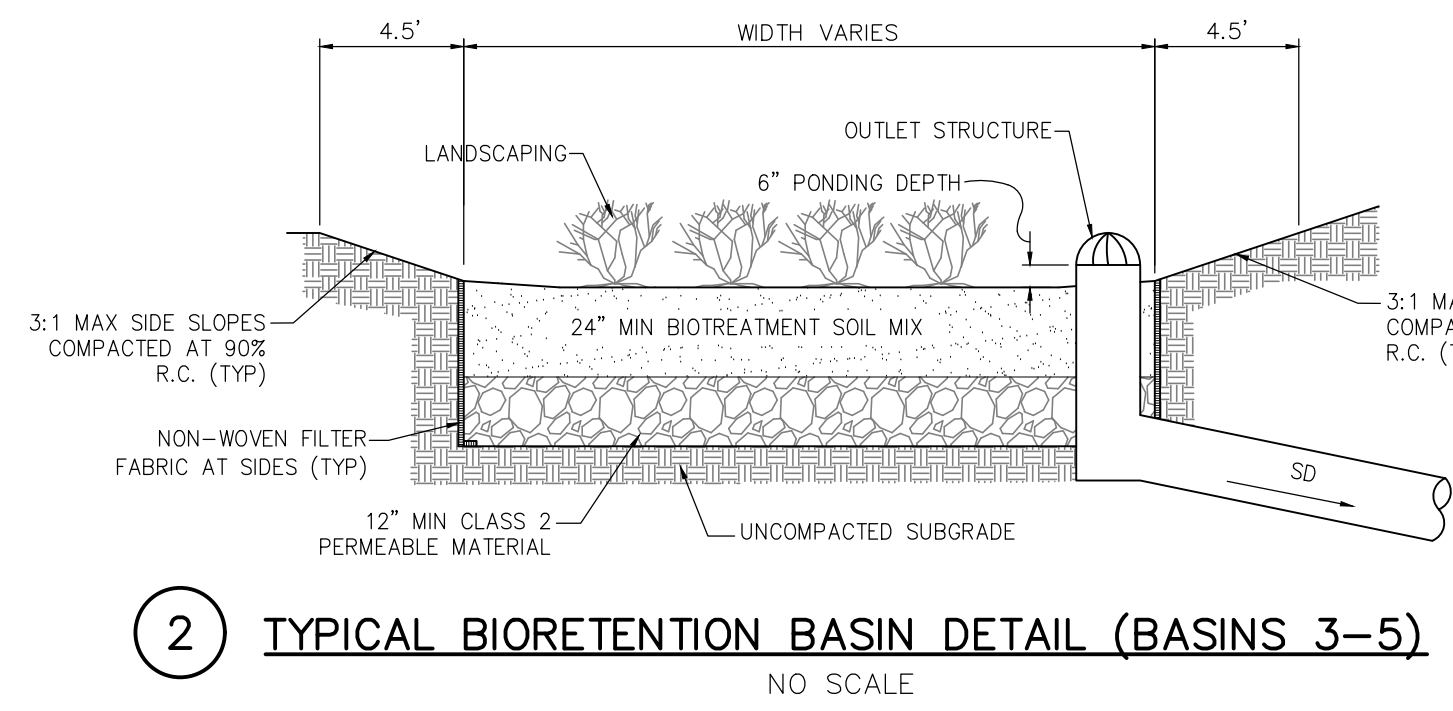
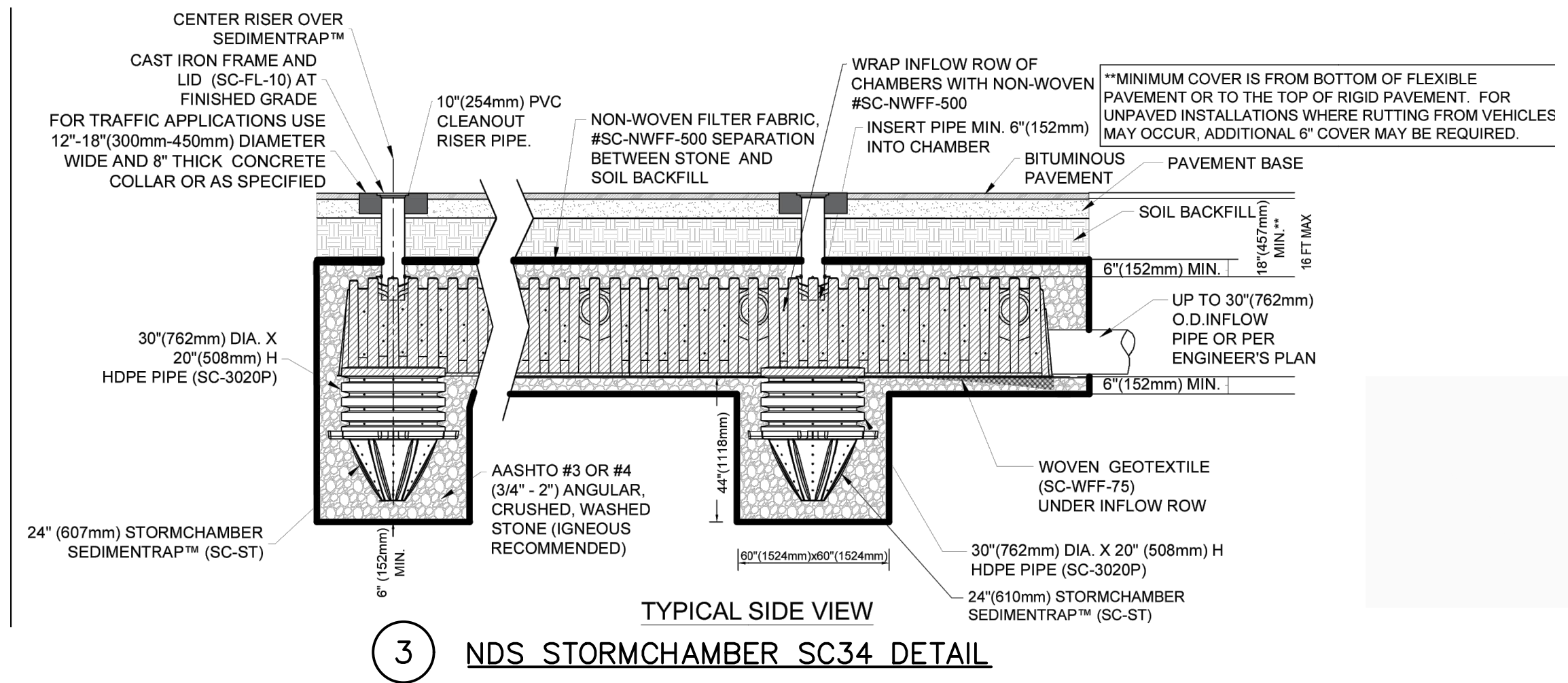
ID	Peak Flow (cfs)			
	2-Year	10-Year	25-Year	100-Year
Developed Condition	5.4	26.4	44.0	60.0

95% RAINFALL DEPTH RUNOFF RETENTION VOLUME

DMA	Area (SF)	Lot/Roof	Street/Parking Lot	Handscape	Total Impervious Surface	Total Pervious Surface	% Impervious	Runoff Coefficient	95th% Volume, V ₉₅ (ft3)	Ratio of Impervious to Pervious
1	735,000	298,435	114,780	31,700	444,915	290,085	61%	0.41	40,476	N/A
2	1,866,620	540,260	384,540	134,200	1,059,000	807,620	57%	0.38	95,754	N/A
3	51,800	25,440	0	0	25,440	26,360	49%	0.33	2,304	N/A
4	110,060	41,340	14,050	3,680	59,070	50,990	54%	0.36	5,332	N/A
5	141,340	37,555	26,450	9,570	73,575	67,765	52%	0.35	6,644	N/A
6	203,530	0	0	12,270	12,270	191,260	6%	0.08	N/A	0.1 : 1
7	7,896	2,092	0	789	2,881	5,015	36%	0.26	274	N/A
8	12,772	3,283	0	838	4,121	8,651	32%	0.24	404	N/A
Total	3,129,018	948,405	539,820	193,047	1,681,272	1,447,746	54%	0.36	151,190	N/A



PLOT DATE: July 29, 2026
FILE PATH: W:\0002_20\002013 - New Horizons\Drawings\Prelim\Applications\Tentative Map\TM20 PRELIMINARY STORMWATER CONTROL DETAIL.dwg



DATE	MK	SHEET REVISIONS	SCALE
11-16-21	MK	REVISIONS	1"=50'
NOT FOR CONSTRUCTION			
5th Submittal			
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DATE			JULY 2026

SHEET
TM20
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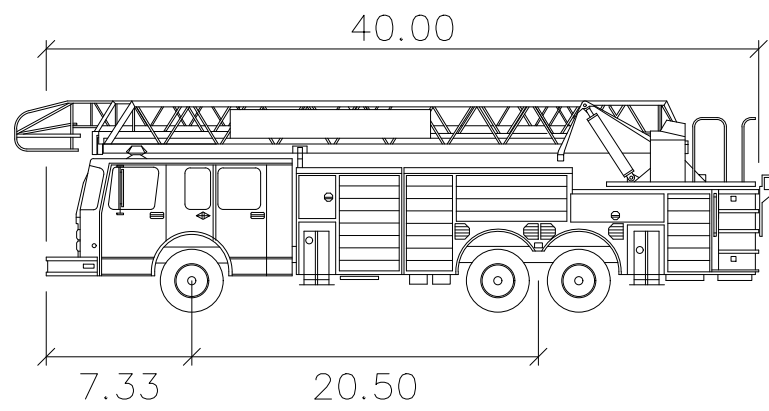
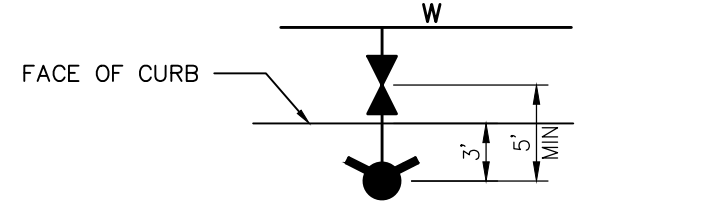
TENTATIVE MAP
PRELIMINARY STORMWATER CONTROL PLAN
NEW HORIZONS
MORGAN HILL, CALIFORNIA
FOR: MORGAN HILL DEVCO, LLC

RJA
RUGGERI-JENSEN-AZAR
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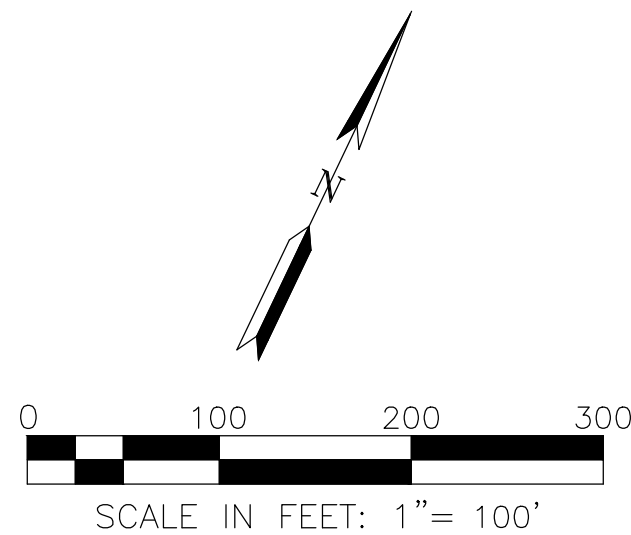
PLOT DATE: July 29, 2026
FILE PATH: W:\0002_20\0202013 - New Horizons\Drawings\Prelim\Applications\Tentative Map\TM21 PRELIMINARY FIRE ACCESS PLAN.dwg



- LEGEND**
- FIRE HYDRANT
 - EXISTING FIRE HYDRANT
 - FIRE TRUCK TURNING MOVEMENT
 - FIRE HYDRANT SPACING



Width : 8.50
Track : 7.69
Lock to Lock Time : 6.0
Steering Angle : 39.4



DATE	MK	SHEET REVISIONS	SCALE
11-16-21	MK	REVISIONS	1"=100'
NOT FOR CONSTRUCTION			
5th Submittal			
July 29, 2026			
DATE			
JULY 2026			

SHEET
TM21
OF 21 SHEETS
JOB NO.
202013

TENTATIVE MAP
PRELIMINARY FIRE ACCESS PLAN
NEW HORIZONS
MORGAN HILL, CALIFORNIA
FOR: MORGAN HILL DEVCO, LLC

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1000 S. GILBERT AVE. SUITE 200
MORGAN HILL, CA 95037
PHONE: (408) 848-0300 FAX: (408) 848-0302

EXHIBIT "B"
STANDARD CONDITIONS

**APPLICATION NO: SD2025-0006: NEW HORIZONS (HILL – MORGAN HILL
DEVCO, LLC.)**

**THE FOLLOWING APPROVAL REQUIREMENTS AND ANY SPECIAL CONDITIONS
SHALL BE APPLIED THROUGH THE DEVELOPMENT APPROVAL PROCESS.**

Legend

EIR = Environmental Impact Report
MMRP = Mitigation Monitoring Report Program
PD = Planned Development
MHMC= Morgan Hill Municipal Code
MHARH= Morgan Hill Architectural Review Handbook
CMH= City of Morgan Hill
CFC= California Fire Code

I. PROJECT DESCRIPTION

Request for a Tentative Subdivision Map to subdivide the site into 320 residential lots with 5.4-acres of common open space, a centrally located 0.67-acre lot for a community center with pool, a 1.6-acre Public Park dedication to Jackson Park, and a public trail easement that connects the community and adjacent properties to a trail system and Jackson Park. The lots vary in size and are dispersed throughout the site. The project shall comply with all requirements of related project approvals granted by the City, including all of the following:

- A. ZA2021-0001, PD with Precise Master Plan
- B. EA2018-0016, EIR with MMRP

II. PROJECT CONDITIONS OF APPROVAL

This Tentative Subdivision Map approval is limited to the plan set with approval date stamped on August 11, 2026 on file (File Number SD2025-0006) with the Development Services Department. The Final Map shall be in substantial conformance determined by the Development Services Director. These documents show the location and dimensions of all vehicle and pedestrian circulation ways (ingress/egress), common areas, and other easement areas.

It shall be the responsibility of the Owner to ensure that any changes or modifications to the Project are in compliance with the original City Conditions of Approval of the Project, the Planned Development with Precise Master Plan, and EIR with MMRP. The Conditions of Approval are hereby incorporated herein as set forth in full.

PLANNING DIVISION

DEFENSE AND INDEMNITY

1. As part of, and in connection, with this application to the City of Morgan Hill, Applicant agrees to defend, indemnify, and hold harmless the City of Morgan Hill, its officers, agents, employees, officials and representatives (Indemnitees) from and against any and all claims, actions, or proceedings arising from any suit for damages or for equitable or injunctive relief which is filed against City to attack, set aside, void or annul its approval of this application or any related decision, or the adoption of any environmental documents which relates to said approval. The City shall promptly notify the Applicant of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. In the event that Applicant is required to defend Indemnitees in connection with the proceeding, Indemnitees shall retain the right to approve (a) the counsel to so defend Indemnitees; (b) all significant decisions concerning the manner in which the defense is conducted; and (c) any and all settlements, which approval shall not be unreasonably withheld. This indemnification shall include, but is not limited to, (a) all pre-tender litigation costs incurred on behalf of the City, including City's attorney's fees and all other litigation costs and expenses, including expert witnesses, required to defend against any lawsuit brought as a result of City's approval or approvals; (b) reasonable internal City administrative costs, including but not limited to staff time and expense spent on the litigation, after tender is accepted; and (c) all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision. City may, in its sole discretion, participate in the defense of such action; but such participation shall not relieve Applicant of its obligations under this condition. The undersigned hereby represents that they are the Applicant or are fully empowered by the Applicant as their agent to agree to provide the indemnification, defense and hold harmless obligations, and the signature below represents the unconditional agreement by Applicant to be bound by such conditions.

TIME LIMITS

2. **Term:** The Tentative Subdivision Map approval granted pursuant to this Resolution shall remain in effect for two years from approval date. Failure to record Final Map within this term shall result in termination of approval unless an extension of time is granted with a showing of just cause prior to expiration date.

SITE DEVELOPMENT

3. Prior to development of the site, a Design Permit will be required in conformance with the PD and Precise Master Plan.

4. If Parcel A is not sold to the Unified School District or other third party, the parcel shall remain as part of the project and landscaped and maintained as part of the development Homeowners Association.

GENERAL

5. **Mitigation Fee Act:** Notice is hereby given that, pursuant to the Mitigation Fee Act, the City of Morgan Hill charges certain fees (as such term is defined in Government Code Section 66000) in connection with approval of this development project for the purpose of defraying all or a portion of the cost of public facilities related to this development project (Mitigation Fee Act Fees). MHMC Section 3.56.050 provides for automatic annual adjustment on January 15 of those fees in existence utilizing the Engineering News Record Index for the preceding twelve months. These fees do not include fees for processing applications for governmental regulatory actions or approvals. The Mitigation Fee Act Fees applying to this project are listed in the schedule of fees to be provided at building permit stage and are generally described below in the Engineering Divisions Conditions. Notice is also hereby given that the Developer has an opportunity to protest the imposition of the Mitigation Fee Act Fees within 90 days of the approval or conditional approval of this development project and that the 90-day protest period has begun.
6. **Covenants, Conditions and Restrictions:** The applicant shall provide a set of Covenants, Conditions and Restrictions (CC&R's), Bylaws and Articles of Incorporation, for review and approval by the Development Services Director prior to recordation of a final map. All such CC&Rs shall include the following:
 - A. The Owners recognize that the use, modification and proper maintenance of the Common Area and public right-of-way(s)* are for the benefit of all citizens of the City of Morgan Hill (City) and that the City is an intended third-party beneficiary of these covenants, conditions and restrictions and may, upon notice of hearing as set forth below, exercise the same powers of enforcement as the Association.

*Public right-of-way: Exclusive of streets dedicated to and accepted by the City of Morgan Hill.
 - B. The City may, by mail or personal delivery, give written notice of the breach of any maintenance obligation to the Association with a demand that such breach be remedied. If such breach is not remedied within thirty (30) days of the mailing or delivery of such notice, the City shall have standing and the right (but not the obligation) to bring a court action against the Association and Owners to enforce such provision. In addition, the City shall be entitled to recover reasonable attorneys' fees and costs incurred in such action.

- C. The Notice may also contain a date for a hearing on the matter before a City employee designated by the City (which hearing shall be held no sooner than fifteen (15) days after mailing of such notice), and if after such hearing the City determines that there has been inadequate maintenance, the City shall have the right (but not the obligation) to undertake the maintenance of the Common Area or public right-of-way in question. Any and all costs incurred by the City in so maintaining the Common Area or public right-of-way shall be a lien against all the properties included with the Project and shall be the personal responsibility of the Owners and the Association.
- D. The entire Project and all of the properties located thereon shall be subject to the conditions and restrictions of all subdivision and other Project approvals by the City, with respect to the Project. Any changes and/or modifications to the Project and/or any Unit, including but not limited to changes to the exterior of any Unit, may be subject to review and approval of the City of Morgan Hill as may be determined by review of the Project approvals by the City of Morgan Hill.
- E. This section may not be amended without the prior written consent of the Development Services Director for the City. Nothing contained in this section shall limit any other right or remedy which the City may have under its ordinances or state law.
- F. For the purposes of this section, the question of whether there has been a breach of a maintenance obligation or adequate maintenance shall be determined by the provisions of the original Declaration as first recorded with the County Recorder for Santa Clara County and by any amendment thereto, but only to the extent that such maintenance obligation or duty of maintenance is increased by such amendment.

LAND DEVELOPMENT ENGINEERING – PROJECT-SPECIFIC CONDITIONS

General

1. Impact Fees and Engineering Review Fees: Prior to building permit issuance, the Developer shall pay all applicable impact fees and other engineering review fees. The total estimated amount of impact fee and engineering review fees for this project is **\$18,476,715**.
 - A. Quimby/Parkland In-Lieu Fee: The above total estimated amount does not include any applicable Quimby/Parkland In-Lieu Fee due from the project. The Quimby/Parkland In-Lieu Fee and applicable credits will be determined at Design Review stage.

- B. Note that impact fees and engineering review fees do not include building permit fees and any other fees that are due from other City Departments.
- 2. Public Art: The project is subject to the Public Art requirements. At Design Review stage, the Developer shall inform the City if public art will be installed by the project or if Developer will pay a public art in-lieu contribution.
 - A. If public art will be installed, provide the design of the public art at Design Review stage.
 - B. If paying the public art in-lieu contribution, provide an initial construction valuation for the proposed residential buildings at Design Review stage to estimate the public art in-lieu contribution. The public art in-lieu contribution shall have a minimum amount of 1% of building development construction valuation and shall be paid prior to issuance of the first Building Permit.

Public Trail

- 3. At Design Review stage, the Developer shall provide the design for the interpretive panel to be installed along the proposed public trail as required by the project's PD Master Plan Conditions of Approval. The interpretive panel shall be reviewed and approved by the Tamien Nation.
- 4. At Design Review stage, the Developer shall provide Landscape Plans showing proposed landscaping and amenities within the public open space and public trail for review by the City and Parks and Recreation Commission.

Transportation

- 5. Prior to Building Occupancy of each unit, the Developer shall pay all applicable in-lieu fair share fees for the following improvements identified in the project's Environmental Impact Report and Planning Commission Resolution 24-13:
 - A. Condit Road and Main Avenue: Exclusive southbound right-turn on Condit Road, required signal modifications, and lane striping on the southbound approach.
 - B. Condit Road and Tennant Avenue: New traffic signal with protected phasing on all four approaches of the intersection.
 - C. Murphy Avenue and Tennant Avenue: New traffic signal at the intersection with protected phasing on Condit Road.

- D. Condit Road and Diana Avenue: New traffic signal at the intersection with protected phasing on Condit Road.

The above fair share contributions shall be determined at Improvement Plan stage. Fair share contributions shall be paid on a pro-rata basis for each unit at Building Occupancy.

6. At Improvement Plan stage, the Developer shall submit Offsite Improvement Plans to implement a separate westbound left-turn lane on Fountain Oaks Drive. The Developer shall cover the full cost of this improvement.
7. The project's Conditions of Approval for the PD Master Plan identified roundabout improvements at the intersection of Hill Road and Barrett Avenue as a substantial public benefit, if desired. The City's Public Works Department desires the roundabout to be constructed at this intersection.
 - A. At Design Review stage, the project shall provide revised plans for the proposed roundabout that show a different location of the roundabout's center point that minimizes the impact to existing improvements on the unincorporated County property at 2050 Barrett Avenue (APN 817-17-013).
 - B. Prior to approval of the Final Map, the project shall obtain all the necessary public right-of-way in fee to fully construct the roundabout.
 - C. The Developer shall be responsible for all costs to fully construct the roundabout, including public right-of-way acquisition in fee.
8. The project shall construct Barrett Avenue to a minimum two-thirds street standard.
 - A. A Builder's Remedy application has been submitted to the County of Santa Clara for the adjacent parcels on the south side of Barrett Avenue (APNs 817-20-037, 817-20-040, 817-20-041, 817-20-043, 817-20-044, 817-20-045, 817-20-046, and 817-20-047). The Developer shall coordinate with the developer of the proposed County application for the construction of Barrett Avenue improvements along the Project's frontage.
 - B. Prior to approval of the Final Map, the project shall obtain all the necessary public right-of-way in fee to construct the Barrett Avenue improvements.
 - C. The Developer shall be responsible for all costs associated with the construction of the two-thirds street configuration, including public right-of-way acquisition in fee.

9. At Improvement Plan stage, the Developer shall submit Offsite Improvement Plans to implement a four-way stop control at the intersection of Sorrel Way and Fountain Oaks Drive. The Developer shall cover the full cost of this improvement.

Street Improvements

10. At Design Review stage, the Developer shall provide landscape plans that show the proposed landscape within the center islands and raised medians/splitter islands at the intersection of Hill Road and Barrett Avenue and Barrett Avenue and project entrance (Public Street I).
11. At Improvement Plan stage, the Developer shall determine if the Alternative Lotting Plan shown on the Tentative Map (Sheet TM9) will be pursued. In the event this lot configuration is used, the Barrett Avenue right-of-way shall be revised such that the multi-use trail along Barrett Avenue is located fully within the street right-of-way as shown on Tentative Map Sheet TM7.

Water

12. At Design Review stage, the Developer shall provide utility plans that show the primary water source for Parcel H being the public water main proposed on site and the existing on-site well being removed in conformance with the Project's Final Environmental Impact Report Master Response 2. All existing on-site wells shall be destroyed in conformance with Valley Water requirements.
13. The Developer shall upsize the existing eight-inch (8") water main in Hill Road to a ten-inch (10") water main beginning at San Pedro Avenue as identified in the City of Morgan Hill's Water System Master Plan. The proposed water main extension shall extend to the southerly portion of the proposed roundabout at the intersection of Hill Road and Barrett Avenue. At Design Review stage, provide updated Utility Plans showing the required upsize to San Pedro Avenue.

Sanitary Sewer

14. A Sanitary Sewer Capacity Study was conducted by the City's Sanitary Sewer Master Plan Consultant, and the Final Study did not identify any required off-site sanitary sewer improvements triggered by this project.

Storm Drain

15. At Design Permit stage, the Developer shall revise the proposed Stormwater Facilities within Parcel M to accommodate the necessary detention volume from Hill Road and not utilize the publicly-maintained storm drain within Barrett

Avenue for the necessary detention volume.

16. At Design Permit stage, provide an updated Stormwater Control Plan demonstrating compliance with Central Coast Regional Water Quality Control Board post-construction requirements, City of Morgan Hill flood control requirements, and Valley Water peak-flow mitigation requirements. The City and Valley Water are in discussions regarding peak-flow mitigation requirements. The design of the stormwater control facilities require modification to comply with the initial comments given on the Project's Environmental Impact Report, Flood Study, and Tentative Map to mitigate increased stormwater runoff volume. In the event these modifications significantly impact the proposed lots as shown, an amendment to the Tentative Map will be required.

Flood Study

17. At Design Permit stage, the Developer shall submit a revised Flood Study addressing comments from Valley Water on the submitted Flood Study. Acceptance of the project's Flood Study by Valley Water is required prior to approval of the Design Permit.
18. At Design Permit stage, the Developer shall submit a revised Drainage Study that addresses the following:
 - A. Total precipitation depths consistent with the 2018 City of Morgan Hill Storm Drainage Master Plan Table 2-1.
 - B. Updates to reflect the current location of the stormwater control facilities.
 - C. Necessary sizing of the stormwater control facilities to mitigate the increased runoff generated by the Jackson Glen development that was previously mitigated by the existing detention basin that is to be removed by the project.
19. Proposed finish floor elevations will be reviewed during Design Permit stage when the updated Flood Study has been reviewed and accepted by Valley Water. Proposed residential units shall have a finish floor elevation with a minimum of one foot above the base flood elevation (BFE) determined by the project's Flood Study.
20. The proposed realignment of a portion of Tennant Creek requires a Condition Letter of Map Revision (CLOMR) application submitted to the Federal Emergency Management Agency (FEMA). The CLOMR issued by FEMA is required prior to approval of the Design Permit.

- A. Prior to submittal of the CLOMR application to FEMA, the City is required to sign the “Community Acknowledgement Form” from the CLOMR application forms. Once the CLOMR application has been finalized, submit a copy to the City for review.
21. At Design Permit stage, provide an anticipated construction sequencing exhibit to determine the deadline for the project obtaining FEMA’s Letter of Map Revision approval.

Improvements Within and Near Tennant Creek

22. The project shall be in substantial conformance with the City’s adopted Guidelines and Standards for Land Use Near Streams (“Guidelines”). A copy of the Guidelines can be found at <https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-for-working-on-district-land-or-easement/guidelines-and-standards-for-land-use-near-streams>. Refer to the Riparian Corridor Protection of the Guidelines regarding the use of locally native planting species adjacent to Tennant Creek. At Design Permit stage, provide Landscape Plans that demonstrate compliance with the Guidelines.

Community Facilities District (CFD)

23. The Developer has indicated an intent to form a CFD for the future maintenance of the public trail through the project. At Design Review stage, the Developer shall continue to meet with the City regarding the formation of the CFD.

LAND DEVELOPMENT ENGINEERING - STANDARD CONDITIONS

I. GENERAL

24. Final Map: The applicant shall have a Final Map prepared by a registered engineer (licensed prior to 01/01/1982: registration number 33,965 or lower) or licensed land surveyor delineating all parcels and easements created. There shall be concurrence in writing by PG & E, Telephone, Cable TV and any other affected agencies to all improvements and easements which are applicable to them. The number and locations of monuments shall be set as required by the City Engineer. **(MHMC 17.20.200 A; 17.20.290; 17.24.010)**
25. Subdivision Improvements Agreement: Enter into a Subdivision Improvements Agreement with the City of Morgan Hill to cover required improvements. **(MHMC 12.02.150; 17.32.010 B; 17.32.160)**

II. OTHER CONDITIONS

25. Easement Dedications: The owner shall dedicate all necessary utility easements. **(MHMC 12.02.080 D; 17.28.010 A)**

III. NPDES STORMWATER MANAGEMENT DEVELOPMENT STANDARDS

26. Stormwater Post-Construction Requirements (PCRs): Project shall comply with the California Regional Water Quality Control Board Central Coast Region Resolution No. R3-2013-0032 as documented by the **Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements** (developed from Resolution No. R-2013-0032 Attachment 1 and 2 at: http://www.waterboards.ca.gov/centralcoast/water_issues/programs/stormwater/docs/lid/lid_hydromod_charette_index.shtml). A copy of the Guidance Manual can be obtained from the City's Land Development Engineering webpage. Project shall provide Stormwater Runoff Management Plan, Stormwater Control Plan and Checklist, and applicable calculations per the Guidance Manual. Project shall meet the applicable Post-Construction Requirements:
- A. Performance Requirement 1: Site Design and Runoff Reduction
 - B. Performance Requirement 2: Water Quality Treatment
 - C. Performance Requirement 3: Runoff Retention
 - D. Performance Requirement 4: Peak Management
27. Peak Storm Water Runoff Discharge Rates: Post-development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate and volume for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion. Note: the project may be required to **retain** stormwater runoff as part of resolution R3-2013-0032 prior to releasing discharge rates at pre-development flows.
28. Design Standards for Structural or Treatment Control BMPs: The post-construction treatment control BMPs shall incorporate, at a minimum, either a volumetric or flow-based treatment control design standard, or both, as identified below to mitigate (infiltrate, filter or treat) storm water runoff:
- A. Volumetric Treatment Control BMP
 - a. The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
 - b. The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/ Commercial, (2003); or
 - c. The volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for “treatment” that achieves approximately the

same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event.

- B. Flow Based Treatment Control BMP
 - a. The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the area; or
 - b. The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above.
29. Stormwater Runoff Management Plan (SWRMP): The Stormwater Runoff Management Plan shall include sufficient information to evaluate the environmental characteristics of affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of measures (post construction BMPs) proposed for managing stormwater runoff.
- A. The Stormwater Runoff Management Plan shall be prepared under the direction of a professional civil engineer registered in the State of California. The responsible professional civil engineer shall stamp and sign the approved Stormwater Runoff Management Plan.
 - B. The developer shall provide a signed certification from the civil engineer responsible for preparing the Stormwater Runoff Management Plan that all stormwater best management practices have been designed to meet the requirements.
30. Stormwater BMP Operation and Maintenance Agreement (SWBOMA): Prior to the issuance of any Building Permit requiring stormwater management BMPs, the owner(s) of the site shall enter into a formal written Stormwater BMP Operation and Maintenance Agreement with the City. The City shall record this agreement, against the property or properties involved, with the County of Santa Clara and it shall be binding on all subsequent owners of land served by the storm water management BMPs. The City standard Stormwater BMP Operation and Maintenance Agreement will be provided by Land Development Engineering at Building Permit/Improvement Plan stage.

HOUSING DIVISION

- 1. **Inclusionary Housing Agreement:** The developer shall execute and record an Inclusionary Affordable Housing Agreement with the City prior to prior recordation of Final Map.

PUBLIC ART

1. The project shall construct/complete the required public art onsite or pay the in-lieu fee consistent with the Public Art Ordinance. If the project proposes to construct public artwork onsite, the proposal shall be reviewed by the Library, Culture, and Arts Commission (LCAC) and post installation artwork shall be inspected by the Planning Division prior to building permit final. If the project proposes to pay the in-lieu fee, payment shall be received prior to building permit final.

From: [Kimberly Leiser](#)
To: [Jenna Luna](#)
Subject: Re: [EXTERNAL] SD2025-0006: Hill-Morgan Hill Devco, LLC (New Horizons)
Date: Friday, August 7, 2026 10:55:41 AM

Thank you Jenna

Good wishes,
Kimberly

On Aug 7, 2026, at 7:06 AM, Jenna Luna <Jenna.Luna@morganhill.ca.gov> wrote:

Thank you Kimberly. I will forward your email to the project manager for this item to have them include it as part of the record for this project.

Kind regards,

Jenna Luna
Municipal Services Assistant

City of Morgan Hill
City Hall – Planning Division
17575 Peak Avenue, Morgan Hill, CA 95037

P: 408.310.4709 **F:** 408.779-7236
Jenna.luna@morganhill.ca.gov
morganhill.ca.gov | [facebook](#) | [twitter](#)

From: Kimberly Leiser <leiserkimberly@gmail.com>
Sent: Thursday, August 6, 2026 5:45 PM
To: Jenna Luna <Jenna.Luna@morganhill.ca.gov>
Subject: Re: [EXTERNAL] SD2025-0006: Hill-Morgan Hill Devco, LLC (New Horizons)

Thank you, Jenna. I have very strong concerns about safety. I have lived at my address since September of 1996. The way the development is laid out. In my opinion is not very safe. I've witnessed several accidents and a few fatalities on Barrett since we've lived here.

I don't know how long police records are tied to property. It's my hope that they're doing a soil study where the barn is.... Many years ago there was a chop shop doing illegal burning, and there was also a merh lab on the location of the old barn on the property scheduled to be built. After arrests

were made, the building that was located on the corner of Barrett and Hill was torn down as well. Hopefully that soil will be tested as well.

It is my hope that traffic studies are done so that no new owners have any contaminated soil. It is also my hope that the city of Morgan Hill thinks about the traffic flow that will be increased to our neighborhood and the importance of keeping Barrett open to Hill during construction and re-figuring the development so that there is a separate entrance directly into the development off of Hill, especially for emergency vehicles

Good wishes,
Kimberly

On Aug 6, 2026, at 2:31 PM, Jenna Luna
<Jenna.Luna@morganhill.ca.gov> wrote:

Hi Kimberly,

Thank you for your comment. It will be placed as part of the public record for the project.

Kind regards,

Jenna Luna
Municipal Services Assistant

City of Morgan Hill
City Hall - Planning Division
17575 Peak Avenue, Morgan Hill, CA 95037

P: 408.310.4709 F: 408.779-7236
Jenna.luna@morganhill.ca.gov
morganhill.ca.gov | [facebook](https://www.facebook.com/morganhillca) | [twitter](https://twitter.com/morganhillca)

-----Original Message-----

From: Kimberly Leiser <leiserkimberly@gmail.com>
Sent: Thursday, August 6, 2026 2:10 PM

To: Planning <planning@morganhill.ca.gov>
Subject: [EXTERNAL] SD2025-0006: Hill-Morgan Hill Devco, LLC (New Horizons)

Hello Planning Department,

Please forward this email to the Morgan Hill Planning Commission.

Our home is located on the corner of Barrett and Trail Drive. We have strong concerns that Barrett Avenue should not be closed while this development is going on. We also believe that is it irresponsible of the City to not require additional ingress and egress to this development off of Hill Road. Barrett is a street used for many in our neighborhood and for emergency vehicles.

The water pipe that the developer is using as an excuse for not adding access off of Hill currently runs under multiple other roads.

Please consider the safety of modifying this development plan by adding in access directly off of Hill Road.

Thank you,
Kimberly and David Leiser
2684 Barrett Avenue, Morgan Hill

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Disclaimer

From: [Joshua Safran](#)
To: [PC Public Comment](#); [Planning](#)
Cc: [Tiffany Brown](#); [City Attorney](#); [CityClerk](#); [permits@rda.sccgov.org](#); [admin@CountyRoads.org](#); [Roads@CountyRoads.org](#); [Infrastructure@CountyRoads.org](#); [Rocke Garcia](#); [Scordelis, Stephen](#)
Subject: [EXTERNAL] August 11, 2026 Planning Commission Hearing - Written Objections to and Request for Property-Protection Conditions for SD2025-0006: Hill - Morgan Hill Devco, LLC (New Horizons) Tentative Subdivision Map for APN 817-20-031
Date: Friday, August 7, 2026 2:06:30 PM
Attachments: [image001.png](#)
[Objections to Tentative Map for New Horizons Project \(8.7.26\).pdf](#)

Dear Chair and Members of the Planning Commission,

Please find attached our formal written comments and objections for the August 11, 2026 Planning Commission hearing on SD2025-0006. We request that this letter be provided to each Planning Commissioner before the hearing and included in full in the administrative record.

All the best,

Joshua

STRATEGYLAW LLP

Joshua Safran

One Almaden Boulevard, Suite 700

San Jose, California 95113

Phone: 510.384.7627

Email: jsafran@strategylaw.com

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STRATEGY LAW, LLP

One Almaden Boulevard, Suite 700 • San Jose, CA 95113
P: (408) 478-4100 • F: (408) 295-4100 • www.strategylaw.com

August 7, 2026

JOSHUA SAFRAN, ESQ.
jjsafran@strategylaw.com

Chair and Members of the Planning
Commission
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Via Email (pcpubliccomment@morganhill.ca.gov; planning@morganhill.ca.gov)

August 11, 2026 Planning Commission Hearing

Written Objections to and Request for Property-Protection Conditions for SD2025-0006: Hill - Morgan Hill Devco, LLC (New Horizons) Tentative Subdivision Map for APN 817-20-031

Dear Chair and Members of the Planning Commission:

Our firm represents the Sanchez family, owners and occupants of the real property located at 2050 Barrett Avenue, Morgan Hill, California, APN 817-17-013 (the "Sanchez Property"). The Sanchez Property is located at or near the Hill Road / Barrett Avenue intersection, across from or adjacent to the New Horizons development project.

Please accept this letter as the Sanchezes' formal written comments and objections for the August 11, 2026 Planning Commission hearing on SD2025-0006. We request that this letter be provided to each Planning Commissioner before the hearing and included in full in the administrative record.

The Sanchezes strongly object to any approval, condition, improvement plan, construction plan, traffic-control plan, grading plan, permit, right-of-way action, or other City action that would infringe upon, burden, encroach upon, take, impair, or interfere with their property rights or their reasonable use and enjoyment of the Sanchez Property. This includes, without limitation, any action that would block, narrow, relocate, impair, or make less safe their driveway access; interfere with ingress and egress; require use of their property for road, roundabout, traffic circle, utility, drainage, grading, slope, staging, or construction purposes; alter drainage or runoff; impact fencing, landscaping, parking, turning movements, deliveries, trash service, mail service, or emergency access; or authorize any entry onto the Sanchez Property.

For the reasons below, the Sanchezes object to approval of the Tentative Subdivision Map unless the City either (1) confirms, on the record and based on survey-grade right-of-way and improvement exhibits, that the proposed project and all associated offsite improvements will not affect the Sanchez Property, or (2) adds express, enforceable conditions protecting the Sanchez Property and preserving the Sanchezes' rights. If the City cannot do so before the hearing, the Planning Commission should continue the hearing or deny the Tentative Map without prejudice

until the property-rights, access, right-of-way, and construction-impact issues are resolved.

I. Background

The public hearing notice identifies the pending application as a request by Hill - Morgan Hill Devco, LLC / Morgan Hill Devco, LLC for a Tentative Subdivision Map for the New Horizons project on the 69.4-acre site at the northeast quadrant of Hill Road and Barrett Avenue. The notice describes associated on-site and off-site improvements.

The current tentative map and related City review materials raise serious unresolved concerns regarding the Hill Road / Barrett Avenue intersection, Barrett Avenue improvements, right-of-way acquisition, and potential impacts to adjacent or nearby properties.

Among other things, the tentative map materials state or show that:

1. The applicant is proposing a roundabout at Hill Road and Barrett Avenue;
2. An interim 4-way stop may be utilized if delays to roundabout construction, design, or right-of-way acquisition occur;
3. Barrett Avenue realignment will include utility replacement, quitclaim of existing street alignment, and right-of-way dedication to the City of Morgan Hill;
4. The subdivision will require acquisition and construction of offsite improvements;
5. The plan sheets refer to existing and future right-of-way, including “FUTURE R/W BY OTHERS” and “FUTURE R/W DEDICATION BY OTHERS” along Barrett Avenue;
6. City engineering comments have identified encroachment issues and the need for right-of-way dedication documents or agreements with adjacent property owners before Final Map approval; and,
7. City engineering comments have identified that proposed grading on an adjacent parcel requires a slope easement or agreement from the adjacent property owner, and that at least one adjacent parcel is outside City limits and may require Santa Clara County approval.

These issues are directly relevant to the Sanchez Property. The Sanchezes have not agreed to dedicate, grant, convey, burden, or allow the use of any portion of their property for the New Horizons project, the proposed roundabout, Barrett Avenue realignment, road widening, construction staging, grading, drainage, utility work, traffic control, or any related improvement. Nor have they agreed to any temporary construction easement, permanent easement, slope easement, right of entry, access restriction, driveway modification, or other property burden.

The City and applicant may not treat “future right-of-way by others,” future dedication, offsite acquisition, or adjacent-property agreements as mere technicalities to be resolved later if approval

of the Tentative Map would effectively lock in a design that depends on the Sanchez Property or adversely affects the Sanchezes' access and property rights.

II. Failure to Produce Records under the Public Records Act

On June 1, 2026, our office submitted Public Records Act requests to the City of Morgan Hill and Santa Clara County seeking records concerning the New Horizons project, Hill Road, Barrett Avenue, the Hill Road / Barrett Avenue intersection, right-of-way, easements, dedications, access, driveway impacts, traffic control, construction impacts, grading, drainage, and records concerning 2050 Barrett Avenue / APN 817-17-013.

Those requests were necessary because the Sanchezes had received informal information suggesting that the Hill Road / Barrett Avenue intersection would be reconstructed with a roundabout or other traffic improvements and that the work could affect their property. The records reviewed to date have heightened, not resolved, those concerns.

As of this letter, the Sanchezes have not received a clear, survey-grade exhibit confirming that the proposed roundabout, Barrett Avenue realignment, traffic control, grading, drainage, utility, and offsite improvements will avoid their property and preserve their current driveway access and reasonable use of the Sanchez Property.

The Planning Commission should not approve a tentative map that leaves these issues unresolved.

III. Requested Action

The Sanchezes request that the Planning Commission take one of the following actions:

1. Continue the hearing until the City, County, applicant, and affected property owners have resolved the right-of-way, access, grading, drainage, and construction-impact issues; or
2. Deny the Tentative Map without prejudice until those issues are resolved; or
3. If the Planning Commission approves the Tentative Map over the Sanchezes' objection, impose express conditions of approval protecting the Sanchez Property, as set forth below.

IV. Requested Conditions of Approval

If the Planning Commission elects to ignore the Sanchez family's objections and approve the Tentative Map, the Sanchezes request that the following conditions be included in any approval:

1. No Authorization to Use Sanchez Property. Approval of the Tentative Map shall not authorize, approve, imply, or constitute any right to enter, occupy, grade, drain onto, stage on, construct on, encroach upon, burden, acquire, condemn, or otherwise use any portion of 2050 Barrett Avenue / APN 817-17-013.

2. No Waiver or Consent. Approval of the Tentative Map shall not be deemed consent by the Sanchezes to any dedication, easement, right of entry, temporary construction easement, permanent easement, slope easement, drainage easement, access restriction, driveway modification, or other burden on the Sanchez Property.

3. Right-of-Way and Impact Exhibit Required Before Final Map or Improvement Plans. Before approval of any final map, improvement plan, grading permit, encroachment permit, traffic-control plan, or construction authorization affecting Hill Road, Barrett Avenue, the Hill Road / Barrett Avenue intersection, or the Sanchez Property, the applicant shall prepare and provide to the City and the Sanchezes a survey-grade exhibit showing, at minimum:

- a. existing property lines;
- b. existing City and County right-of-way;
- c. all claimed easements, dedications, offers of dedication, street rights, and public rights;
- d. the existing Sanchez driveways and access points;
- e. all proposed road, roundabout, traffic circle, traffic-control, utility, drainage, grading, slope, sidewalk, trail, curb, gutter, and construction-staging improvements;
- f. all temporary and permanent property rights required for construction and operation of the improvements;
- g. whether any portion of the proposed work affects the Sanchez Property or its access.

4. Property Rights Must Be Respected. No final map, improvement plan, grading plan, encroachment permit, traffic-control plan, or construction work may proceed if it requires or assumes the use of the Sanchez Property.

5. “Future R/W by Others” Cannot Be Imposed on Sanchezes. Any notation, condition, plan sheet, or approval referring to “future right-of-way by others,” “future R/W dedication,” or similar language shall not apply to the Sanchezes or the Sanchez Property.

6. Continuous Access Required. The applicant shall maintain safe, reasonable, and continuous vehicular, pedestrian, emergency, delivery, mail, garbage-service, and resident access to and from the Sanchez Property at all times during construction and after completion of the project. No construction staging, equipment, fencing, materials, lane closure, detour, signage, grading, trenching, utility work, or traffic-control device shall block or materially impair access to the Sanchez Property.

7. Driveway Protection. No existing driveway or access point serving the Sanchez Property may be blocked, narrowed, removed, relocated, regraded, reconfigured, or otherwise impaired without the Sanchezes’ prior written consent or lawful acquisition of any required property rights and

compensation.

8. No Entry Without Consent. Neither the applicant, City, County, nor any employee, contractor, subcontractor, surveyor, engineer, consultant, inspector, or agent may enter onto the Sanchez Property for survey, staking, potholing, inspection, testing, grading, construction, drainage, utility, or other purposes without the Sanchezes' prior written consent or lawful authority.

9. Drainage and Grading Protection. The project shall not alter drainage, concentrate runoff, change grades, create ponding, require conform grading, require a slope easement, or otherwise create drainage, grading, erosion, flooding, or maintenance impacts on the Sanchez Property without prior written agreement or lawful acquisition of necessary rights.

10. Construction Notice and Traffic-Control Plan. Before any work occurs at or near Hill Road, Barrett Avenue, the Hill Road / Barrett Avenue intersection, or any driveway serving the Sanchez Property, the applicant shall provide the Sanchezes with advance written notice, the construction schedule, traffic-control plan, detour plan, staging plan, emergency contact information, and a written access-protection plan. Notice shall be provided sufficiently in advance to allow meaningful review and objection.

11. Coordination Meeting Required. Before approval of improvement plans or commencement of work affecting Hill Road, Barrett Avenue, or the Hill Road / Barrett Avenue intersection, the City shall require an on-site coordination meeting with the Sanchezes, their counsel, the applicant, the project civil engineer, City engineering staff, County Roads and Airports if applicable, and any contractor responsible for traffic control or construction access.

12. Restoration, Indemnity, and Damage Responsibility. The applicant shall be responsible for restoring, repairing, and compensating the Sanchezes for any damage to the Sanchez Property, driveway approaches, fencing, landscaping, drainage facilities, utilities, access, or other improvements caused by the project or project-related construction. The applicant shall defend, indemnify, and hold the Sanchezes harmless from any claims, damages, costs, or losses arising from project-related work affecting the Sanchez Property.

These conditions would not limit the Sanchezes' rights to object to, appeal, challenge, seek compensation for, or pursue remedies concerning any future final map, improvement plan, grading permit, encroachment permit, acquisition, condemnation, inverse condemnation, trespass, nuisance, construction damage, access impairment, drainage impact, or other injury.

V. Request for Findings and Written Response

Before approving the Tentative Map, the Planning Commission should require staff and the applicant to state on the record:

1. Whether any portion of the proposed roundabout, traffic circle, Barrett Avenue realignment, right-of-way dedication, utility work, drainage work, grading, traffic control,

construction staging, or offsite improvement will affect the Sanchez Property;

2. Whether the applicant contends that any existing right-of-way, easement, dedication, offer of dedication, or public right authorizes work on or affecting the Sanchez Property;

3. Whether any new property right, easement, right of entry, temporary construction easement, slope easement, drainage easement, or acquisition will be sought from the Sanchezes;

4. Whether driveway access to the Sanchez Property will be preserved at all times during construction and after completion;

5. Whether Santa Clara County approval is required for any work affecting the Sanchez Property or any unincorporated-area roadway or right-of-way.

If the City cannot answer those questions based on the current record, approval is premature and should be continued or denied without prejudice.

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The Sanchezes expressly reserve all rights and remedies, including without limitation rights relating to due process, the Subdivision Map Act, CEQA, the California Public Records Act, trespass, nuisance, negligence, inverse condemnation, eminent domain, just compensation, declaratory relief, injunctive relief, and writ relief.

The Sanchezes further reserve the right to supplement these comments after receiving additional public records, staff reports, conditions of approval, plan revisions, right-of-way exhibits, engineering materials, County records, and any materials presented before or at the August 11, 2026 hearing.

Please confirm receipt of this letter and that it will be included in the administrative record and provided to the Planning Commission before the August 11, 2026 hearing.

Please add my office to the notice list for this project and direct all future public notices, hearing notices, staff reports, agenda materials, plan revisions, and other project-related communications concerning New Horizons / SD2025-0006 / SR2025-0013 / ZA2021-0001 to Joshua Safran, Strategy Law, LLP, at jsafran@strategylaw.com and One Almaden Boulevard, Suite 700, San Jose, CA 95113.

Very truly yours,

STRATEGY LAW, LLP



Joshua Safran, Esq.

cc: Tiffany Brown, Senior Planner (tiffany.brown@morganhill.ca.gov)
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