



**Meeting Minutes  
Planning Commission**

*Liam Downey* - *Chairman*  
*Yvonne Martinez Beltran* - *Vice Chair*  
*Mohammad Habib* - *Planning Commissioner*  
*Juan Miguel Munoz Morris* - *Planning Commissioner*  
*Joseph Mueller* - *Planning Commissioner*  
*Wayne Tanda* - *Planning Commissioner*  
*John McKay* - *Planning Commissioner*

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**Tuesday, October 9, 2018 7:00 pm**

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

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**CALL TO ORDER**

Chair Downey called the meeting to order.

**ROLL CALL ATTENDANCE**

| Attendee Name            | Title                 | Status  | Arrived |
|--------------------------|-----------------------|---------|---------|
| Liam Downey              | Chairman              | Present |         |
| Yvonne Martinez Beltran  | Vice Chair            | Present |         |
| Mohammad Habib           | Planning Commissioner | Present |         |
| Juan Miguel Munoz Morris | Planning Commissioner | Present |         |
| Joseph Mueller           | Planning Commissioner | Present |         |
| Wayne Tanda              | Planning Commissioner | Present |         |
| John McKay               | Planning Commissioner | Present |         |

**DECLARATION OF POSTING AGENDA**

Minutes Clerk Luna declared the posting of the Agenda.

## **PLEDGE OF ALLEGIANCE**

Commissioner Munoz-Morris led the Pledge of Allegiance.

## **OPEN PUBLIC COMMENT PERIOD**

Chair Downey 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**

No changes made.

## **CONSENT AGENDA**

|                  |                                                                      |
|------------------|----------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                          |
| <b>MOVER:</b>    | Joseph Mueller, Planning Commissioner                                |
| <b>SECONDER:</b> | Yvonne Martinez Beltran, Vice Chair                                  |
| <b>AYES:</b>     | Downey, Martinez Beltran, Habib, Munoz Morris, Mueller, Tanda, McKay |

1. **AAE2018-0013 (DAA 09-05): COCHRANE – TOLL BROTHERS DEVELOPMENT AGREEMENT AMENDMENT TO INCORPORATE 25, FISCAL YEAR 2019/2020 RESIDENTIAL BUILDING ALLOTMENTS AWARDED FROM THE 2017 RESIDENTIAL DEVELOPMENT CONTROL SYSTEM FOR THE COCHRANE-BORELLO PROJECT (ALSO KNOWN AS BORELLO RANCH BY TOLL BROTHERS).**

Recommendation:

Adopt a Resolution approving an amendment to a Development Agreement (DA 09-05) to incorporate 25 residential building allotments for Fiscal Year 2019/2020.

2. **APPROVE THE APRIL 11, 2017 MEETING MINTUES**

Recommendation:

Approve Minutes.

3. **APPROVE THE APRIL 25, 2017 MEETING MINUTES**

Recommendation:

Approve Minutes.

This item was pulled from the Consent Agenda. See action below.

4. **APPROVE THE SEPTEMBER 25, 2018 MEETING MINUTES**

Recommendation:

Approve Minutes.

## **ITEMS PULLED FOR DISCUSSION**

### **APPROVE THE APRIL 25, 2017 MEETING MINUTES**

Recommendation:

Approve Minutes.

Commissioner Martinez-Beltran asked staff to take a look at her time of arrival as there may be a discrepancy between her time of arrival and the vote results.

|                  |                                                                      |                                 |
|------------------|----------------------------------------------------------------------|---------------------------------|
| <b>RESULT:</b>   | <b>CONTINUED [UNANIMOUS]</b>                                         | <b>Next: 10/23/2018 7:00 PM</b> |
| <b>MOVER:</b>    | Yvonne Martinez Beltran, Vice Chair                                  |                                 |
| <b>SECONDER:</b> | Joseph Mueller, Planning Commissioner                                |                                 |
| <b>AYES:</b>     | Downey, Martinez Beltran, Habib, Munoz Morris, Mueller, Tanda, McKay |                                 |

## **OTHER BUSINESS**

### **5. MORGAN HILL 2018 ELECTION AND BALLOT MEASURE OVERVIEW**

Recommendation:

No action necessary.

Interim Deputy City Manager Chris Ghione presented the Staff Report.  
No action was taken.

## **PUBLIC HEARINGS**

### **6. ZA2018-0005: CITY OF MORGAN HILL - AN AMENDMENT TO TITLE 18, DIVISION I ZONING CODE, PART 2 ZONING DISTRICTS, CHAPTER 18.28 - OPEN SPACE, PUBLIC, AND RECREATION ZONING DISTRICTS TO MODIFY THE USES ALLOWED IN THE SRL-B - SPORTS RECREATION AND LEISURE SUB-ZONE B ZONING DISTRICT, OF THE MORGAN HILL MUNICIPAL CODE**

Recommendation:

1. Open/close the public hearing; and,
2. Adopt a Resolution recommending City Council approval of ZA2018-0005: City of Morgan Hill

Interim Principal Planner John Baty presented the Staff Report.

Chair Downey opened the Public Hearing at 7:54 p.m. Hearing no requests to speak, the Public Hearing was closed.

### **MOTION**

Martinez-Beltran recommended City Council adopt a Resolution to deny the amendment to Title 18.  
Motion failed due to a lack of a seconder.

|                |                         |
|----------------|-------------------------|
| <b>RESULT:</b> | <b>LACK OF SECONDER</b> |
|----------------|-------------------------|

## **MOTION**

Chair Downey motioned to adopt a Resolution recommending City Council approve an amendment to Chapter 18.28 that would modify the uses for the three lots. All the uses from the SRL- B district should be removed except for health and fitness clubs, indoor recreation centers, indoor swimming pools, and restaurants as an Ancillary Use.

Commissioner Munoz-Morris Second.

Chair Downey withdrew his motion.

|                |                  |
|----------------|------------------|
| <b>RESULT:</b> | <b>WITHDRAWN</b> |
|----------------|------------------|

## **MOTION**

Adopt a Resolution recommending City Council approve an amendment to Chapter 18.28 that would modify the uses allowed in the SRL- B District; with a modification to remove all uses from this zoning district except for health and fitness clubs, indoor recreation centers, indoor swimming pools, and restaurants as an Ancillary Use.

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>DEFEATED [2 TO 5]</b>                        |
| <b>MOVER:</b>    | Juan Miguel Munoz Morris, Planning Commissioner |
| <b>SECONDER:</b> | John McKay, Planning Commissioner               |
| <b>AYES:</b>     | Munoz Morris, McKay                             |
| <b>NAYS:</b>     | Downey, Martinez Beltran, Habib, Mueller, Tanda |

## **DIRECTOR'S REPORT/ANNOUNCEMENTS**

Interim Principal Planner Gina Paolini provided the Planning Commission with an update on the Hale Lumber project and City Councils decision to approve the item. RDCS (Residential Development Control System) is kicking off on October 22, 2018 with an orientation.

## **ADJOURNMENT**

Chair Downey adjourned the meeting at 9:09 p.m.