



## **Meeting Minutes Planning Commission**

|                                 |   |                              |
|---------------------------------|---|------------------------------|
| <i>Juan Miguel Munoz-Morris</i> | - | <i>Chairman</i>              |
| <i>Mohammad Habib</i>           | - | <i>Vice Chairman</i>         |
| <i>Joseph Mueller</i>           | - | <i>Planning Commissioner</i> |
| <i>Wayne Tanda</i>              | - | <i>Planning Commissioner</i> |
| <i>Laura Gonzalez-Escoto</i>    | - | <i>Planning Commissioner</i> |
| <i>Malisha Kumar</i>            | - | <i>Planning Commissioner</i> |
| <i>Liam Downey</i>              | - | <i>Planning Commissioner</i> |

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**Tuesday, August 11, 2020 7:00 pm**

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

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## **MEETING GUIDELINES**

### **Meeting Guidelines**

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

Members of the public may NOT physically attend meetings at the Morgan Hill City Council Chamber.

The Planning Commission meeting will be live-streamed on Channel 17 and on the City's website. Those members of the public wishing to participate remotely may do so via the electronic meeting at: <https://bit.ly/081120PlanningCommissionmtg> or by calling in to: (669) 900-9128, then enter the meeting id: 843 4032 4822.

Public comment for Planning Commission meetings will be accepted via email to [pcpubliccomment@morganhill.ca.gov](mailto:pcpubliccomment@morganhill.ca.gov). Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

## **CALL TO ORDER**

Chair Munoz-Morris called the meeting to order at 7:00 p.m.

## **ROLL CALL ATTENDANCE**

| Attendee Name            | Title                 | Status  | Arrived |
|--------------------------|-----------------------|---------|---------|
| Juan Miguel Munoz-Morris | Chairman              | Present |         |
| Mohammad Habib           | Vice Chairman         | Present |         |
| Joseph Mueller           | Planning Commissioner | Present |         |
| Wayne Tanda              | Planning Commissioner | Present |         |
| Laura Gonzalez-Escoto    | Planning Commissioner | Present |         |
| Malisha Kumar            | Planning Commissioner | Present |         |
| Liam Downey              | Planning Commissioner | Present |         |

## **DECLARATION OF POSTING AGENDA**

Minutes Clerk Luna Declared the Posting of the Agenda

## **PLEDGE OF ALLEGIANCE**

Planning Commissioner Downey led the Pledge of Allegiance at 7:01 p.m.

## **OPEN PUBLIC COMMENT PERIOD**

Chair Munoz-Morris opened the Public Comment Period at 7:04 p.m. The following individuals addressed the Planning Commission:

- Joe Baranowski

Hearing no further request to speak, the Public Comment Period was closed.

## **ORDERS OF THE DAY**

Community Development Director, Jennifer Carman, requested Item 1 be moved to the end of the agenda. The Planning Commission agreed to change the order.

## **CHAIR SELECTION**

This item was moved to the end of the agenda.

Community Development Director, Jennifer Carman, requested the Planning Commission make a motion to extend the meeting past 11:00 p.m. The Planning Commission agreed and continued the meeting.

### **1. SELECTION OF PLANNING COMMISSION CHAIR AND VICE-CHAIR**

Recommendation:

Select members to serve as Chair and Vice-Chair of the Planning Commission for a one-year term.

Community Development Director, Jennifer Carman, presented the staff report.

### **MOTION:**

The Planning Commission appointed Planning Commissioner Habib as Chair and Planning Commissioner Kumar as Vice-Chair.

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

## **MINUTES APPROVAL**

## **2. APPROVE THE JUNE 23, 2020 MEETING MINUTES**

Recommendation:

Approve Minutes.

|                  |                                                                     |
|------------------|---------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                                         |
| <b>MOVER:</b>    | Juan Miguel Munoz-Morris, Chairman                                  |
| <b>SECONDER:</b> | Malisha Kumar, Planning Commissioner                                |
| <b>AYES:</b>     | Munoz-Morris, Habib, Mueller, Tanda, Gonzalez-Escoto, Kumar, Downey |

## **PUBLIC HEARINGS**

### **3. DAA09-05 D (AAE2020-0002): COCHRANE – BORELLO RANCH (TOLL BROTHERS): AMENDMENT TO A DEVELOPMENT AGREEMENT FOR THE 244-UNIT BORELLO RANCH PROJECT TO ADD THE FINAL 123 BUILDING ALLOTMENTS INTO THE DEVELOPMENT AGREEMENT. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBER(S) 728-34-029, -030 AND 728-60-056 ARE LOCATED ON THE NORTHSIDE OF HALF ROAD, WEST OF COCHRANE ROAD AND EAST OF PEET ROAD (TOLL BROTHERS, OWNER).**

Recommendation:

1. Open/Close public hearing; and,
2. Approve Resolution incorporating 123 building allotments into project Development Agreement.

Senior Planner, Terry Linder, presented the Staff Report.

Chair Munoz-Morris opened the Public Hearing at 7:23 p.m. The Following individuals addressed the Planning Commission:

- Joe Baranowski

Hearing no further requests to speak, the Public Hearing was closed.

Chair Munoz-Morris reopened the Public Hearing to allow comments from the applicant:

- Daniel Raia, Applicant

Hearing no further requests to speak, the Public Hearing was closed.

|                  |                                                                     |
|------------------|---------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                          |
| <b>MOVER:</b>    | Juan Miguel Munoz-Morris, Chairman                                  |
| <b>SECONDER:</b> | Mohammad Habib, Vice Chairman                                       |
| <b>AYES:</b>     | Munoz-Morris, Habib, Mueller, Tanda, Gonzalez-Escoto, Kumar, Downey |

## **OTHER BUSINESS**

### **4. SENATE BILL 743 (SB 743) LEVEL-OF-SERVICE (LOS) TO VEHICLE-MILES-TRAVELED (VMT) UPDATE**

Recommendation:

Accept presentation by Staff and Nelson\Nygaard Consulting Associates, Inc. and provide recommendation/direction on adopting Screening Criteria and Thresholds of Significance regarding the City's implementation of State Senate Bill 743 (SB 743) transition from Level-of-Service (LOS) to Vehicle-Miles-Traveled (VMT) metric for transportation analysis under the California Environmental Quality Act (CEQA) for development projects.

Principal Planner, Adam Paszkowski, introduced Meaghan Weir and Brian Manford from Nelson\Nygaard Consulting Associates, Inc. who gave a presentation.

The Planning Commission meeting recessed at 9:06 p.m.  
The Planning Commission meeting reconvened at 9:11 p.m.

Chair Munoz-Morris opened the Public Comment Period. The Following individuals addressed the Planning Commission:

- Joe Baranowski

Hearing no further requests to speak, the Public Comment Period was closed.

**MOTION:**

Recommend City Council approve the proposed Screens as presented and revisit the Screens within an 18-month time frame when a local model can be developed that provides the substantial evidence required by the State to deviate from the Screens presented.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>FAILED [3 TO 3]</b>                |
| <b>MOVER:</b>    | Joseph Mueller, Planning Commissioner |
| <b>SECONDER:</b> | Juan Miguel Munoz-Morris, Chairman    |
| <b>AYES:</b>     | Munoz-Morris, Mueller, Kumar          |
| <b>NAYS:</b>     | Habib, Tanda, Downey                  |
| <b>ABSENT:</b>   | Gonzalez-Escoto                       |

Planning Commissioner Gonzalez-Escoto rejoined the meeting and provided her comments on the above motion for the proposed Screens. Planning Commissioner Gonzalez-Escoto stated that she listened to the discussion, but was unable to present her views due to technical difficulties. She expressed her support of the motion, resulting in the revised vote below.

|                |                                               |
|----------------|-----------------------------------------------|
| <b>RESULT:</b> | <b>PASSED [4 TO 3]</b>                        |
| <b>AYES:</b>   | Munoz-Morris, Mueller, Gonzalez-Escoto, Kumar |
| <b>NAYS:</b>   | Habib, Tanda, Downey                          |

**MOTION:**

Recommend City Council approve the proposed Thresholds as presented and revisit the Thresholds within an 18-month time frame when a local model can be developed that provides the substantial evidence required by the State to deviate from the Thresholds presented.

Chair Munoz-Morris opened the Public Comment Period. The following individual addressed the Planning Commission:

- Joe Baranowski

Hearing no further requests to speak, the Public Comment Period was closed.

|                  |                                        |
|------------------|----------------------------------------|
| <b>RESULT:</b>   | <b>FAILED [3 TO 4]</b>                 |
| <b>MOVER:</b>    | Joseph Mueller, Planning Commissioner  |
| <b>SECONDER:</b> | Juan Miguel Munoz-Morris, Chairman     |
| <b>AYES:</b>     | Munoz-Morris, Mueller, Gonzalez-Escoto |
| <b>NAYS:</b>     | Habib, Tanda, Kumar, Downey            |

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

Community Development Director, Jennifer Carman, made an announcement.

## **ADJOURNMENT**

There being no further business, Chair Munoz-Morris adjourned the meeting at 11:19 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk