



**Regular Meeting Agenda
Planning Commission**

*JOSEPH MUELLER - CHAIR
WAYNE TANDA - VICE-CHAIR
LIAM DOWNEY - PLANNING COMMISSIONER
MOHAMMAD HABIB - PLANNING COMMISSIONER
PAUL LAKE - PLANNING COMMISSIONER
MALISHA KUMAR - PLANNING COMMISSIONER
JAMES WILSON PLANNING COMMISSIONER*

Tuesday, December 13, 2022 7:00 PM

**Hybrid Meeting
17555 Peak Avenue, Morgan Hill, CA 95037 and Virtual (Link to join the meeting
can be found below)**

AMENDED AGENDA

This agenda was amended to include a Legal Brief (Supplemental Agenda Item 4)

Morgan Hill Planning Commission meetings will be held as “hybrid” meetings with the option to attend by teleconference/video conference or in person. To maximize public safety while still maintaining transparency and public access, members of the public can choose to participate remotely or attend in person. Information on how the public may observe and participate in the meeting is located below. Santa Clara County strongly encourages masks and social distancing if attending in person.

MEETING GUIDELINES AND PUBLIC COMMENT

Planning Commission meetings will be live-streamed on Channel 17, on the City’s website, and on the City’s Facebook page. Those members of the community that would like to participate in the meetings remotely may do so by joining the virtual meeting at:

<https://bit.ly/PlanningCommissionMtg> or by calling: (669) 900-9128, then enter the webinar ID#: 862 0324 6251#. Public comment may be provided in the following ways:

- Provide public comment in-person
- Join the virtual Planning Commission meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes (YOU

MUST BE RUNNING THE MOST CURRENT VERSION OF ZOOM TO BE UNMUTED)

- Join the virtual meeting by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to 3 minutes
- Send public comments in writing to the Minutes Clerk at pcpubliccomment@morganhill.ca.gov

* Please note that comments made on Facebook are not considered public comment.

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

CONSENT AGENDA

1. OCTOBER 11, 2022 MEETING MINUTES

Recommendation:

1. Accept Minutes

2. NOVEMBER 8, 2022 MEETING MINUTES

Recommendation:

1. Accept Meeting Minutes.

PUBLIC HEARINGS

3. **MONTEREY – CITY VENTURES (THE GATES): REQUEST FOR A GENERAL PLAN AMENDMENT FROM COMMERCIAL TO MIXED USE FLEX AND A ZONING AMENDMENT FROM GENERAL COMMERCIAL AND THE PLANNED DEVELOPMENT COMBINING DISTRICT TO MIXED USE FLEX TO ALLOW FOR THE FUTURE DEVELOPMENT OF A MIXED-USE PROJECT. THE 3.82-ACRE SITE IS LOCATED ON THE SOUTHWEST QUADRANT OF MONTEREY ROAD AND COCHRANE ROAD WITH ACCESS OFF SOUTHBOUND MONTEREY ROAD AND VIA THE INTERSECTION OF MONTEREY ROAD AND COCHRANE ROAD. THE PROPOSED CEQA ACTION IS AN ADOPTION OF A MIGRATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM. (ZA2021-0006/GPA2021-0005/EA2021-0015)**

Recommendation:

1. Open/close the public hearing;
2. Adopt a Resolution recommending the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project; and
3. Adopt a Resolution recommending the City Council approve amendments to the General Plan land use designation and the Zoning Map.

LEGAL BRIEFING

4. **Brown Act Presentation**

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.

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 City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.