



Meeting Minutes
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, March 28, 2023 7:00 PM

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

CALL TO ORDER

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

ROLL CALL ATTENDANCE

Minutes Clerk Jenna Luna called the roll at 07:00 p.m.

STATUS	ATTENDEE
PRESENT	Joseph Mueller, Wayne Tanda, Mohammad Habib, Paul Lake, James Wilson
EXCUSED	Liam Downey, Malisha Kumar

DECLARATION OF POSTING

Minutes Clerk Luna Declared the posting of the Agenda at 7:00 p.m.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

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

ORDERS OF THE DAY

There were no changes made.

MINUTES APPROVAL

1. MARCH 14, 2023 MEETING MINUTES

Recommendation:

1. Accept Minutes

MOTION:

Accept Minutes.

RESULT:	Passed
MOVER:	Planning Commissioner Habib
SECONDER:	Planning Commissioner Wilson
AYES:	Mueller, Tanda, Habib, Lake, Wilson
NAYS:	None
ABSTAIN:	None
EXCUSED:	Downey, Kumar

PUBLIC HEARINGS

2. UP2021-0002/EA2021-0001: REQUEST FOR A CONDITIONAL USE PERMIT TO DEMOLISH AND REDEVELOP THE EXISTING GAS STATION AND CONVENIENCE STORE LOCATED AT 16720 MONTEREY ROAD. PROPOSED CEQA ACTION IS THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM. (World Oil)

Recommendation:

1. Open/close public hearing; and
2. Adopt the Resolution approving a mitigated negative declaration, adopting a mitigation and monitoring reporting program, and approving a Conditional Use Permit for a Gas Station Remodel.

Senior Planner Tiffany Brown presented the Staff Report at 7:05 p.m.

Chair Mueller opened the Public Hearing at 7:21 p.m. The following individuals were called to speak:

- John Hundley - Applicant
- Alex Irshaid - Ramcam Engineering Group
- Dough Muirhead
- CC (Zoom)
- Javier Vega
- Ray Lemos
- Will (Zoom)
- Maura Do (Zoom)
- Liz

Hearing no further requests to speak, the Public Hearing was closed at 7:51 p.m.

Chair Mueller re-opened the Public Hearing at 8:06 p.m. The following individuals were called to speak:

- John Hundley - Applicant
- Christopher Pham
- Will
- Ray Lemos

Chair Mueller closed the Public Hearing at 8:16 p.m.

MOTION:

Continue the item to the April 11, 2023 Planning Commission meeting.

RESULT:	Passed
MOVER:	Planning Commissioner Wilson
SECONDER:	Planning Commissioner Lake
AYES:	Mueller, Tanda, Habib, Lake, Wilson
NAYS:	None
ABSTAIN:	None
EXCUSED:	Downey, Kumar

The Planning Commission meeting recessed at 8:41 p.m.
The Planning Commission meeting reconvened at 8:46 p.m.

3. **AAE2019-0001/EA2019-0007: REQUEST FOR A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR THE DEMOLITION AND REDEVELOPMENT OF AN EXISTING GAS STATION WITH CONVENIENCE STORE LOCATED AT 810 EAST DUNNE AVENUE. PROPOSED CEQA ACTION IS THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM. (AU Energy)**

Recommendation:

1. Open/close public hearing; and
2. Adopt the Resolution approving a mitigated negative declaration, adopting a mitigation and monitoring reporting program, and approving a Conditional Use Permit amendment for a Gas Station Remodel.

Senior Planner Tiffany Brown presented the Staff Report at 8:27 p.m.

Chair Mueller opened the Public Hearing at 8:55 p.m. The following individual was called to speak:

- Sunny Goyal - Applicant (Zoom)

Hearing no further requests to speak, the Public Hearing was closed at 9:04 p.m.

Chair Mueller re-opened the Public Hearing at 9:08 p.m. to allow the applicant to address the Planning Commissioners' questions.

- Sunny Goyal - Applicant (Zoom)

Hearing no further requests to speak, the Public Hearing was closed at 9:09 p.m.

MOTION:

Adopt a resolution approving the Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program, and the Conditional Use Permit with a modification to Section 3 of the resolution to rearrange the wording so that the environmental documents are adopted prior to the action on the Conditional Use Permit.

RESULT:	Passed
MOVER:	Planning Commissioner Lake
SECONDER:	Planning Commissioner Wilson
AYES:	Mueller, Tanda, Habib, Lake, Wilson
NAYS:	None
ABSTAIN:	None

EXCUSED:	Downey, Kumar
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OTHER BUSINESS

4. CITY COUNCIL POLICY CP18-04 - RULES FOR THE CONDUCT OF PLANNING COMMISSION MEETINGS

Recommendation:

Discuss and consider whether to change the Planning Commission's regular meetings start time to 6:00 p.m.

MOTION:

Continue item to the April 11, 2023 Planning Commission Meeting.

RESULT:	Passed
MOVER:	Planning Commissioner Habib
SECONDER:	Planning Commissioner Wilson
AYES:	Mueller, Tanda, Habib, Lake, Wilson
NAYS:	None
ABSTAIN:	None
EXCUSED:	Downey, Kumar

DIRECTOR'S REPORT/ANNOUNCEMENTS

Community Development Director Jennifer Carman made an announcement at 9:16 p.m.

ADJOURNMENT

There being no further business to discuss, Chair Mueller adjourned the meeting at 9:20 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk