



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, July 25, 2023 7:00 PM

Council Chambers
17575 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 Luna called the attendance at 7:00 p.m.

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

DECLARATION OF POSTING

Minutes Clerk Luna declared the posting of the agenda at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Planning Commissioner Lake led the Pledge of Allegiance at 7:00 p.m.

PUBLIC COMMENT

Chair Mueller opened the Public Comment Period at 7:01 p.m. Hearing no requests to speak, the Public Comment Period was closed.

ORDERS OF THE DAY

There were no changes made.

CONSENT AGENDA

MOTION:

Approve Consent Agenda Items 1 and 2.

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

1. June 27, 2023 Meeting Minutes

Recommendation:

1. Accept Minutes

2. July 11, 2023 Meeting Minutes

Recommendation:

1. Accept Minutes

CONTINUED PUBLIC HEARINGS

3. MONTEREY CORRIDOR FORM-BASED CODE RECOMMENDATION

Recommendation:

1. Open/close public hearing; and
2. Adopt Resolution recommending the City Council adopt the Monterey Corridor Form-Based Code.

Principal Planner Adam Paszkowski presented the Staff Report at 7:04 p.m.

Chair Mueller opened the Public Hearing at 7:45 p.m. The following individuals were called to speak:

- Rocke Garcia
- Sam McClain
- Jim Huston

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

Chair Mueller re-opened Public Hearing at 8:22 p.m. The following individual addressed the Planning Commission:

- Sam McClain

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

MOTION:

Adopt the resolution recommending City Council adopt the Monterey Corridor Form - Base Code with the following modifications: 1. Remove the word "typically" throughout the draft ordinance. 2. Allow "Porch, Engaged" and "Porch Projecting" as permitted frontage types within the Corridor Form-Based Zoning District. 3. Add minimum and maximum height requirements to the first floor within the Urban General Form-Based Zoning District.

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

The Planning Commission meeting recessed at 8:57 p.m.

The Planning Commission meeting reconvened at 9:02 p.m.

PUBLIC HEARINGS

4. **UP2020-0009/EA2020-0018: PEAK-AMAS: REQUEST FOR A CONDITIONAL USE PERMIT TO CONTINUE AND SLIGHTLY EXPAND THE USE OF THE EXISTING VILA MONTE SENIOR CARE FACILITY AND FURTHER EXPAND SERVICES INTO A NEW 18,700 SQUARE FOOT TWO-STORY BUILDING CONSISTING OF 54 BEDROOMS (108 BEDS) WITH ANCILLARY COMMUNAL SPACE. THE PROPERTY IS LOCATED AT 17090 PEAK**

AVENUE NEAR DUNNE AVENUE (APN 767-03-017).

Recommendation:

1. Open/close public hearing; and
2. Adopt a Resolution approving a Conditional Use Permit for current use and expansion of the senior care facility.

Chair Mueller opened the Public Hearing at 9:15 p.m. The following individuals were called to speak:

- Nelly amas
- K. Diefenbach
- Nicolas I. - Zoom attendee
- Danielle Araujo - Zoom Attendee

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

MOTION:

Differ this item back to the applicant to work with the adjacent property owner.

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

MOTION:

Adopt the resolution approving the Conditional Use Permit as presented.

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

Chair Mueller re-opened the Public Hearing at 10:05 p.m. to allow the applicant to address the Planning Commission. The following individuals addressed the Planning Commission:

- Jim Huston
- Nelly Amas

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

MOTION:

Extend the meeting to 10:30 p.m.

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

MOTION:

Adopt the resolution approving the Conditional Use Permit as presented with an added condition that the City shall work with the applicant to address privacy concerns including but not limited to setbacks during the Design Review process.

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

DIRECTOR'S REPORT/ANNOUNCEMENTS

Development Services Director Jennifer Carman made an announcement at 10:16 p.m.

ADJOURNMENT

There being no further business to discuss, Chair Mueller adjourned the meeting at 10:18 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk