



Meeting Minutes
Planning Commission

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

Tuesday, September 26, 2023 7:00 PM

Council Chambers
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

Chair Tanda 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	Wayne Tanda, Joseph Mueller, Mohammad Habib, Liam Downey, Malisha Kumar, James Wilson
ABSENT	Paul Lake

DECLARATION OF POSTING

Minutes Clerk Luna declared the posting of the agenda at 7:01 p.m.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Chair Tanda opened the Public Comment period at 7:02 p.m.

ORDERS OF THE DAY

There were no changes made.

CONSENT AGENDA

MOTION:

Accept the Consent Agenda Items 1-3.

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

1. **July 25, 2023 Meeting Minutes**

Recommendation:

1. Accept Meeting Minutes

2. **August 8, 2023 Meeting Minutes**

Recommendation:

1. Accept Meeting Minutes

3. **August 22, 2023 Meeting Minutes**

Recommendation:

1. Accept Meeting Minutes

CONTINUED PUBLIC HEARINGS

4. **UP2022-0007/SR2022-0024 SUTTER-CHICK-FIL-A CONDITIONAL USE PERMIT AND DESIGN PERMIT FOR AN APPROXIMATELY 5,000 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH ON A 1.82 ACRE SITE.**

Recommendation:

1. Open/close public hearing;
2. Adopt a Resolution approving a Conditional Use Permit for an approximately 5,000 square foot restaurant with a drive-through; and
3. Adopt a Resolution approving a Design Permit for an approximately 5,000 square foot restaurant with a drive-through

Development Director Jennifer Carman presented the staff report at 7:05 p.m.

Chair Tanda opened the Public Hearing at 7: 31 p.m. The following individuals addressed the Planning Commission:

- Nathan Loveland, Applicant
- Robert Del Rio, Hexagon Traffic Consultant

The Planning Commission meeting recessed at 7:57 p.m.
The Planning Commission Meeting reconvened at 8:03 p.m.

Chair Tanda continued the Public Hearing and the following individuals addressed the Planning Commission:

- Scott Creer, Deputy Director for Engineering
- Joanne Conca, Neighbor
- Nathan Loveland, Applicant
- Bill Shiber, Representative of Applicant

Hearing no further request to speak, the Public Hearing was closed at 8:32 p.m.

Chair Tanda re-opened the Public Hearing at 8:49 p.m. to allow the applicant to speak:

- Jennifer Kirby, Kimly-Horn Civil Engineer

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

MOTION:

Adopt a resolution approving the Conditional Use Permit.

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

ABSENT:	Lake
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MOTION:

Adopt a resolution approving the Design Permit.

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

PUBLIC HEARINGS

None

DIRECTOR'S REPORT/ANNOUNCEMENTS

Development Director Jennifer Carman made an announcement at 9:13 p.m.

ADJOURNMENT

9:23 Meeting Adjournment

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk