



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, April 23, 2024 7:00 PM

Council Chambers
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

Vice Chair Downey called the meeting to order at 7:01 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Luna called the attendance at 7:01 p.m.

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

DECLARATION OF POSTING

Minutes Clerk Luna declared the posting of the agenda at 7:02 p.m.

PLEDGE OF ALLEGIANCE

Planning Commissioner Kumar led the Pledge of Allegiance at 7:03 p.m.

PUBLIC COMMENT

Vice Chair Downey opened the Public Comment Period at 7:03 p.m. The following individuals addressed the Planning Commission:

- Eli Robles

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

ORDERS OF THE DAY

There were no changes made.

CONSENT AGENDA

MOTION:

Accept the March 26, 2024, meeting minutes.

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

1. MARCH 26, 2024 MEETING MINUTES

Recommendation:

1. Accept Meeting Minutes

PUBLIC HEARINGS

2. UP2023-0002/SR2023-0009: COCHRANE - RAISING CANE'S

Recommendation:

1. Open/close public hearing,
2. Adopt a Resolution approving a Conditional Use Permit for an

- approximately 3,000-square-foot restaurant with a drive-through; and
3. Adopt a Resolution approving a Design Permit for an approximately 3,000-square-foot restaurant with a drive-through.

Associate Planner Joey Dinh presented the Staff Report at 7:09 p.m.

Planning Commission Mueller announced at 7:22 p.m. he had an ex-parte communication with the applicant before the hearing.

Vice Chair Downey opened the Public Hearing at 7:26 p.m. The following individuals addressed the Planning Commission:

- Jay Higgins
- Kristen Roberts
- Daniel Crawl
- Landon Sabol

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

The Planning Commission meeting recessed at 8:01 p.m.

The Planning Commission meeting reconvened at 8:05 p.m.

Vice Chair Downey re-opened the Public Hearing at 8:08 p.m. The following individual addressed the Planning Commission:

- Zach Lauterbach

Hearing no further requests to speak, Vice Chair Downey closed the Public Hearing.

MOTION:

Adopt a resolution approving the Conditional Use Permit with the added condition that delivery trucks shall not use compressing breaking when making deliveries.

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

MOTION:

Adopt a resolution approving the Design Permit with one added condition that gives the City a role in the approval of the mural that is installed onto the building.

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

3. UP2024-0001: CONDIT-FIFTH ELEMENT FITNESS

Recommendation:

1. Open/close public hearing; and
2. Adopt a Resolution approving a Conditional Use Permit for an approximately 10,000-square-foot indoor commercial recreation facility.

Senior Planner Rich Buikema presented the Staff Report at 8:32 p.m.

Vice Chair Downey opened the Public Hearing at 8:39 p.m. The following individuals addressed the Planning Commission:

- Jeff Layne – Applicant

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

MOTION:

Adopt a resolution approving a Conditional Use Permit with an added option for the applicant to provide a Parking Management Plan as a condition of approval in lieu of a Parking Demand Study and or providing a letter from the adjacent landowner.

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

ABSTAIN:	None
ABSENT:	Tanda

DIRECTOR'S REPORT/ANNOUNCEMENTS

Development Services Director Jennifer Carman made an announcement at 8:50 p.m.

ADJOURNMENT

With no further business to discuss, Vice Chair Downey adjourned the meeting at 8:58 p.m.

MINUTES PREPARED BY:
Jenna Luna, Minutes Clerk