



Meeting Minutes
Planning Commission

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

Tuesday, September 24, 2024 7:00 PM

Council Chambers
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

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

DECLARATION OF POSTING

Minutes clerk Luna declared the posting of the Agenda 7:00 p.m.

PLEDGE OF ALLEGIANCE

Planning Commissioner Kumar led the Pledge of Allegiance at 7:02 p.m.

PUBLIC COMMENT

Chair Downey opened the public comment period at 7:02 p.m. Hearing no requests to speak, the public comment period was closed.

ORDERS OF THE DAY

There were no changes made.

PUBLIC HEARINGS

1. **ZA2021-0001/EA2018-0016: New Horizons (Hill-Morgan Hill Devco): Request for a Planned Development and Master Plan for 320 new residential lots of varying sizes on a 69.4-acre site located on the northwest quadrant of Hill Road and Barrett Avenue identified by APN 817-20-031. CEQA: Environmental Impact Report.**

Recommendation:

1. Open/close the public hearing;
2. Adopt a Resolution recommending the City Council certify the Environmental Impact Report (EIR), approve the Mitigation Monitoring and Reporting Program prepared for the project, and adopt Findings of Fact and Statement of Overriding Considerations; and
3. Adopt a Resolution recommending approval of the Planned Development with Standards for IHO consistency and approve a zoning amendment to create a Planned Development Combining District with Master Plan; or
4. Adopt a Resolution recommending denial of the proposed zoning amendment for a Planned Development and associated Master Plan.

Senior Planner, Tiffany Brown presented the Staff Report at 7:03 p.m.

Planning Commissioner Mueller and Chair Downey noted they had ex parte communications with the Applicant prior to the meeting at 7:28 p.m.

Assistant City Manager for Community Development, Edith Ramirez, addressed the Planning Commission's questions at 7:29 p.m.

Chair Downey opened the Public Hearing at 7:48 p.m. The following individuals addressed the Planning Commission:

- Rocke and Glenda Garcia, Applicants
- Ross Doyle
- Darcy Foster
- Francis "Frank" Columbus
- Oleksii Tymoshenko
- Keith Kraten
- Abbie Serrano

- Liz Panetta Melone
- Marc Trouard-Riolle
- Kelvin Thomas
- Brian C

Hearing no further requests to speak, the public hearing was closed.

The Planning Commission meeting recessed at 8:26 p.m.

The Planning Commission meeting reconvened at 8:35 p.m.

Chair Downey re-opened the Public Hearing to allow the applicant to address comments at 8:36 p.m.

- Glenda and Rocke Garcia

Chair Downey closed the Public Hearing at 8:39 p.m.

Environmental Consultant, Akoni Danielson, with David J. Powers, addressed the Planning Commission's questions at 8:49 p.m.

Deputy Director for Engineering, Scott Creer, addressed the Planning Commission's questions at 8:52 p.m.

Environmental Consultant, Akoni Danielson, with David J. Powers, addressed the Planning Commission's questions at 8:57 p.m.

MOTION:

Adopt a Resolution recommending the City Council certify the Environmental Impact Report (EIR), approve the Mitigation Monitoring and Reporting Program (MMRP), and adopt Findings of Fact and Statement of Overriding Considerations.

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

MOTION:

Adopt a Resolution recommending approval of the Planned Development with Standards for IHO consistency and approve the zoning amendment to create a

Planned Development with a modification to Exhibit A, Section 3, omit the sentence: "In response to the City's Housing Element's recognition of this area as a Racially Concentrated Area of Affluence (RCAA), the project will be required to construct the entirety of the BMR obligation and there will not be a 'fee out' option."

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

The Planning Commission meeting recessed at 9:44 p.m.

The Planning Commission meeting reconvened at 9:50 p.m.

2. SR2024-0003/EA2024-0001: Tennant - Ten South Acquisitions, Request for a Design Permit to allow for the construction of a rental project that consists of 259 multi-family attached residential units on an 11.26-acre site. The property, identified by Assessors Parcel Number 817-08-032, is located on the southeast corner of Butterfield Boulevard and Tennant Avenue at 740 Tennant Avenue.

Recommendation:

1. Open/Close the public hearing; and
2. Adopt a Resolution approving a Design Permit for a new residential project.

Development Services Director, Jennifer Carman presented the Staff Report at 9:51 p.m.

Chair Downey opened the Public Hearing at 10:01 p.m. The following individuals addressed the Planning Commission:

- Scott Canel, Applicant

MOTION:

Extend the meeting to 10:45 p.m.

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

The Public Hearing Continued at 10:14 p.m. The following individuals addressed the Planning Commission:

- Ruben Galvan
- Shawn Hobbs
- Scott Canel

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

MOTION:

Adopt a Resolution approving a Design Permit for a new residential project.

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

3. MISC2024-0004: CONSIDER AN ORDINANCE TO AMEND THE CITY OF MORGAN HILL SPECIFIC PLAN DELETING THE CONDITIONAL USE PERMIT REQUIREMENT FOR BARS ASSOCIATED WITH A RESTAURANT

Recommendation:

1. Open/close public hearing; and
2. Adopt resolution recommending City Council approval of the amendment to the Specific Plan.

Assistant City Attorney, Cynthia Hasson, presented the Staff Report at 10:26 p.m.

Chair Downey opened the Public Hearing at 10:28 p.m. Hearing no requests to speak, the Public Hearing was closed.

MOTION:

Adopt a Resolution recommending City Council approval of the amendment to the Specific Plan

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

DIRECTOR'S REPORT/ANNOUNCEMENTS

Development Services Director Jennifer Carman announced at 10:29 p.m. Assistant City Manager to Community Development Edith Ramirez made an announcement at 10:30 p.m.

ADJOURNMENT

There being no further business to discuss, Chair Downey adjourned the meeting at 10:36 p.m.

MINUTES PREPARED BY:
Jenna Luna, Minutes Clerk