



CITY OF MORGAN HILL

**Regular Meeting Agenda**

**Planning Commission**

*Chair Wayne Tanda*

*Commissioner John K. McKay*

*Commissioner Michael Orosco*

*Commissioner Patricia Toombs*

*Commissioner Joseph Mueller*

*Commissioner Liam Downey*

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**Tuesday, January 24, 2017  
7:00 PM**

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

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**CALL TO ORDER**

**DECLARATION OF POSTING OF AGENDA**

Pursuant to Government Code Section 54954.2

**OPEN PUBLIC COMMENT**

*Members of the public are entitled to address the Planning Commission concerning any item within the Morgan Hill Planning Commission's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the Planning Commission is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)*

**ORDERS OF THE DAY**

**PUBLIC HEARINGS:**

Item Report #

1 [17-020](#)

**USE PERMIT, UP2016-0018: 4TH STREET NAVARRO:** Request for a Conditional Use Permit to allow a bar (wine and beer) and the retail sale of wine and beer within an existing 3,150 square foot commercial building with an adjoining 5,700 square foot outdoor recreation/bar area. The properties, identified by Assessor Parcel Numbers 726-13-029 and 726-13-030 are located on the southwesterly corner of East Fourth Street and Depot Street (Patrick Eilert, Owner). CEQA: Categorically exempt pursuant to Section 15301 of the State CEQA Guidelines. (Minor alteration of an existing structure).

**Recommendation:** Approval subject to the Findings and Conditions contained in the attached Resolution.

Item Report #

2 [17-033](#)

**DISPOSITION AND DEVELOPMENT AGREEMENT, DA2017-0001: BROOKFIELD BAY AREA HOLDINGS/CITY OF MORGAN HILL:** Request for a Disposition and Development Agreement with Brookfield Bay Area Holdings, LLC for the development of a 61 unit residential development, the realignment of Depot Street to connect to Church Street and replacement parking for the Community and Cultural Center. The properties, identified by Assessor Parcel Numbers 726-13-047, 049, and 052, are located on both sides of Depot Street northerly of East Dunne Avenue (City of Morgan Hill, Robert V. Hammond, Linda Hammond, Robert V. Hammond Jr. And Robert M. Traurig, Owners).

**Recommendation:**

1. Adopt a Resolution confirming conformance with the General Plan.
2. Review and provide feedback on the proposed Term Sheet for the Disposition and Development Agreement.

**Estimated Time:** 1 hour

**TENTATIVE AGENDA:**

February 14, 2017  
 ZA2016-0009/ SD2016-0004/DA2016-0003/EA2016-0004: Butterfield - Murray

**ANNOUNCEMENTS**

**ADJOURNMENT**

**SPEAKER CARD**

If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers, and deliver it to the Deputy City Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. As you are called, please walk to the podium to be recognized by the Chairperson. Please speak directly into the microphone while making your comments. Please limit your remarks to three (3) minutes.

**AMERICANS WITH DISABILITY ACT (ADA)**

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17575 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

**NOTICE**

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

**NOTICE**

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

**NOTICE**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)