



CITY OF MORGAN HILL

Regular Meeting Agenda

Planning Commission

Chair Wayne Tanda

Commissioner Rene A. Spring

Commissioner John K. McKay

Commissioner Michael Orosco

Commissioner Patricia Toombs

Commissioner Joseph Mueller

Commissioner Liam Downey

Tuesday, September 27, 2016

7:00 PM

Council Chamber

17555 Peak Avenue

Morgan Hill, CA 95037

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**CONSENT:**

These are items of a routine or generally uncontested nature. Any member of the Planning Commission or member of the public may request to have an item pulled from the Consent Calendar and acted on individually by the Planning Commission. Items pulled will be discussed after action is taken on the balance of the Consent Calendar and before moving on to the public hearings.

Item Report #

- 1 [16-650](#) **FINDING OF GENERAL PLAN CONSISTENCY** - Successor Agency Sale of an 11,000 square foot remnant parcel, site 7- El Capri/Gateway, Assessor's Parcel Number 764-10- 006, to Mohammad Habib, consistent with the November 2013 Long Range Property Management Plan (LRPMP)

Recommendation: Adopt a Resolution finding that the Disposition of site 7- El Capri/Gateway, as identified in the Long Range Property Management Plan, is consistent with the Morgan Hill General Plan.

Estimated Time: 5 Minutes

OTHER BUSINESS:**Item Report #**

- 2 [16-659](#) **MORGAN HILL 2035 SCHEDULE**

Recommendation: Planning Commission to discuss Competition Manual and Zoning Code Update Workshop Schedule.

Estimated Time: 5 Minutes

PUBLIC HEARINGS:**Item Report #****3 [16-648](#)****ZONING AMENDMENT, ZA-13-07/SUBDIVISION,****SD-13-08/DEVELOPMENT AGREEMENT, DA-13-05: W. DUNNE -**

GERA: Request for a Precise Development Plan, Development Agreement and a 14-lot Subdivision Map on a 1.41 acre site. The property, identified by Assessor Parcel Number(s) 767-08-035 through 767-08-038, are located on the north side of West Dunne Avenue, 115 feet west of the Monterey Road and Dunne avenue intersection (Michael Soares, owner). Mitigated Negative Declaration Prepared.

Recommendation:

1. Adopt Resolution approving a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
2. Adopt Resolution recommending City Council approval of a Zoning Amendment (ZA-13-07);
3. Adopt Resolution approving a 16 lot Tentative Subdivision Map (14 residential lots plus 2 open space parcels) (SD-13-080; and,
4. Adopt Resolution recommending Council approval of Development Agreement (DA-13-05).

Estimated Time: 30**Item Report #****4 [16-655](#)****USE PERMIT, UP2016-0014, SITE REVIEW,**

SR2016-0013:MONTEREY-MCCRANIE: Request for a Use Permit to allow a wine bar, restaurant with live entertainment, amplified sound, and ancillary full service bars. Site Review Permit for a three story, 10,000 square foot building with outdoor seating and landscaping. The property, identified by Assessor Parcel Number 767-07-047 is located on the southwest corner of 2nd Street and Monterey Road (Dan McCranie, Owner). CEQA: Adopted Downtown Specific Plan Master Environmental Impact Report.

Recommendation:

1. Adopt a Resolution approving a Conditional Use Permit for a wine bar and restaurant with ancillary full service bars and live entertainment/amplified sound.
2. Adopt Resolution approving a Site Review Permit for a 10,000 square foot, three story structure with roof deck.

Estimated Time: 30 Minutes

Item Report #**5 [16-653](#)****USE PERMIT, UP-16-02: COCHRANE - BROWMAN DEVELOPMENT:**

Request for a Use Permit to allow for the operation of a fuel station, car wash, and convenience market, with an associated fast food use and two drive-thru's. The property, identified by Assessor Parcel Number 728-37-024, is located on the northeast corner of Cochrane Road and Depaul Drive (Morgan Hill Retail Ventures L.P., Owner). CEQA: Environmental Impact Report completed.

Recommendation: Adopt a resolution approving a Conditional Use Permit to operate a fuel station, car wash, and convenience market at the requested site.

Estimated Time: 60 Minutes

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)