CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSIONERS

John Moniz, Chair
Robert Benich, Vice Chair
Joseph Mueller, Commissioner
Jerry Dommer, Commissioner
Wayne Tanda, Commissioner
John McKay, Commissioner
Susan Koepp-Baker, Commissioner

PLANNING COMMISSION MEETING

SEPTEMBER 27, 2011

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

REGULAR MEETING - 7:00 P.M.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

ORDERS OF THE DAY

MINUTES: **The September 13, 2011 minutes will be included in the October 11, 2011 agenda packet.**

WORKSHOP:

1) **60 Minutes** **SANTA CLARA VALLEY HABITAT CONSERVATION PLAN:** The City is participating in the development of the Santa Clara Valley Habitat Conservation Plan (Habitat Plan) to protect local endangered species from impacts arising from private development and public projects while streamlining state and federal Endangered Species Act permit requirements. A Draft Habitat Plan has been prepared under direction of Local Partners, which along with the City includes the cities of San Jose and Gilroy; County of Santa Clara, the Santa Clara Valley Water District and the Valley Transportation Authority (VTA).

Recommendation: It is requested that the Planning Commission conduct a workshop to review the staff report and attachments, take public input and provide comments to City Staff for incorporation into a recommendation to the City Council at the September 28, 2011 City Council meeting.

PUBLIC HEARINGS:

2) **10 Minutes** **SUBDIVISION, SD-11-05: DIANA-KB HOME:** A request for approval of a 31-lot subdivision representing phase two of the 117 unit Sherimar Ranch project located on the south side of Diana Ave, east of Murphy Ave. and west of Ringel Dr. (APN's 728-19-001 & 002, 728-18-012)

Recommendation: Open public hearing and adopt resolution.

3) **20 Minutes** **USE PERMIT, UP-11-04: JARVIS-AMEND:** A request for approval of a conditional use permit to establish a college preparatory public charter school serving grades 6-12. The proposed school will be located in an existing 36,995 square foot office building at 610 Jarvis Drive in the Light Industrial Planned Unit Development (PUD) zoning district. The school's regular days of operation will be Monday through Friday from 7:30 a.m. to 6:00 p.m. Instructional times for

students are approximately 7:45 a.m. to 3:00 p.m. The school will have approximately 250-500 students for the first two years of operation and 500-600 students at full size in year 3. The project is categorically exempt under Section 15301 of the State CEQA Guidelines.

Recommendation: Open public hearing and adopt resolution.

TENTATIVE AGENDA FOR THE OCTOBER 11, 2011 MEETING:

- UP-11-02/ZAA-98-11C/EA-11-12: Laurel-AT & T
- UP-11-03: Rolling Hills-AT & T

ANNOUNCEMENTS

CITY COUNCIL REPORTS

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.

NOTICE
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, 17555 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 17555 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)