



PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, August 1, 2024 | 6:00 PM

CITY COUNCIL CHAMBERS, CITY HALL
7351 ROSANNA STREET, GILROY, CA 95020

Chair: Manny Bhandal:
manny.bhandal@cityofgilroy.org

Vice Chair: Annedore Kushner:
annedore.kushner@cityofgilroy.org

Commissioners:

Stefanie Elle:
stefanie.elle@cityofgilroy.org
Joan Lewis:
joan.lewis@cityofgilroy.org

Adriana Leongardt:
adriana.leongardt@cityofgilroy.org
Kelly Ramirez:
kelly.ramirez@cityofgilroy.org

Monica Valdez:
monica.valdez@cityofgilroy.org

Staff Liaison: Sharon Goei, Community Development Director | sharon.goei@cityofgilroy.org

Written comments can be submitted by email to planningdivision@cityofgilroy.org. Please note that written comments will not be read out loud, but will be part of the written record.

Comments by the public will be taken on any agenda item before action is taken by the Planning Commission. Persons speaking on any matter are asked to state their name and address for the record. Public testimony is subject to reasonable regulations, including but not limited to time restrictions on particular issues and for each individual speaker. A minimum of 12 copies of materials should be provided to the Clerk for distribution to the Commission and Staff. Public comments are limited to no more than three-minutes, at the Chair's discretion.

Comments on any agenda item may be emailed to the Planning Division at planningdivision@cityofgilroy.org or mailed to the City of Gilroy, Community Development Department at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the Planning Division by 1:00 pm on the day of a Planning Commission meeting will be distributed to the Planning Commissioners prior to or at the meeting and are available for public inspection at the Planning Division counter at City Hall, 7351 Rosanna Street. Any correspondence received will be incorporated into the meeting record. Items received after the 1:00 pm deadline will be provided to the Planning Commission as soon as practicable.

In compliance with the American Disabilities Act (ADA), the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (408) 846-0491. A sound enhancement system is available in the City Council Chambers.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

Persons who wish to speak on matters set for Public Hearing will be heard when the presiding officer calls for comments from those persons who are in support of or in opposition thereto. After persons have spoken, the hearing is closed and brought to the Planning Commission level for discussion and action. There is no further comment permitted from the audience unless requested by the Planning Commission.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9(b)(1) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of Administration at City Hall, 7351 Rosanna Street during normal business hours. These materials are also available with the agenda packet on the City website at www.cityofgilroy.org

KNOW YOUR RIGHTS UNDER THE GILROY OPEN GOVERNMENT ORDINANCE.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, task forces, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE, TO RECEIVE A FREE COPY OF THE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION STAFF AT (408) 846-0204 or by email at cityclerk@cityofgilroy.org.

- 1. OPENING**
- 2. PLEDGE OF ALLEGIANCE**
- 3. REPORT ON POSTING THE AGENDA AND ROLL CALL**
- 4. PUBLIC COMMENTS**

(Three-minute time limit). This portion of the meeting is reserved for persons desiring to address the Planning Commission on matters not on the agenda. The law does not permit the Planning Commission action or extended discussion of any item not on the agenda except under special circumstances. Comments on any agenda item may be emailed to the Planning Division at planningdivision@cityofgilroy.org or mailed to Community Development Department at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the Planning Division by 1:00pm on the day of a Planning Commission meeting will be distributed to the Planning Commission prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Planning Division at City Hall, 7351 Rosanna Street prior to the meeting. Any correspondences received will be incorporated into the meeting

record. Items received after 1:00pm deadline will be provided to the Planning Commission as soon as practicable. All statements that require a response will be referred to staff for reply in writing.

PUBLIC HEARINGS FOR RELATED PROJECT APPLICATIONS WILL BE HEARD CONCURRENTLY AND ACTION WILL BE TAKEN INDIVIDUALLY. COMPANION PROJECTS UNDER NEW BUSINESS WILL BE TAKEN UP FOR ACTION PRIOR TO, OR IMMEDIATELY FOLLOWING THE RELATED PUBLIC HEARING. THIS REQUIRES DEVIATION IN THE ORDER OF BUSINESS AS NOTED WITHIN THE AGENDA.

5. CONSENT AGENDA

5.1. July 11, 2024 Planning Commission Meeting Minutes

6. PUBLIC HEARINGS

6.1. No items.

7. NEW BUSINESS

7.1. Planning Commission Review of a Resolution of the City Council of the City of Gilroy Requesting the Allocation of Fiscal Year 2025 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding from the Metropolitan Transportation Commission

1. Staff Report: Heba El-Guindy, Public Works Director
2. Public Comment:
3. Possible Action:

Receive a report, provide feedback, and recommend City Council adopt a resolution to approve the Transportation Development Act Article 3 grant funding request from the Metropolitan Transportation Commission for Fiscal Year 2025.

7.2. Planning Commissioner Training – Complete Streets (presentation will be provided at the meeting).

8. INFORMATIONAL ITEMS

8.1. Planning Division Staff Approvals

9. PLANNING DIVISION REPORT

10. ASSISTANT CITY ATTORNEY REPORT

11. ADJOURNMENT To the Next Meeting of September 5, 2024 at 6:00 PM

**City of Gilroy
Planning Commission
Regular Meeting Minutes
Thursday, July 11, 2024 | 6:00 PM**

1. OPENING

Tonight's meeting was called to order by Vice Chair Kushner at 6:02 pm.

2. PLEDGE OF ALLEGIANCE

Vice Chair Kushner led the pledge of allegiance.

3. REPORT ON POSTING THE AGENDA AND ROLL CALL

The agenda was posted on Wednesday, July 3, 2024 at 8:00 pm.

Attendance	Attendee Name
Present	Stefanie Elle, Commissioner Adriana Leongardt, Commissioner Joan Lewis, Commissioner Kelly Ramirez, Commissioner Monica Valdez, Commissioner Annedore Kushner, Vice Chair
Absent	Manny Bhandal, Chair

4. PUBLIC COMMENTS

Vice Chair Kushner opened public comment for items not on the agenda.

There being no speakers, Vice Chair Kushner closed public comment for items not on the agenda.

5. CONSENT AGENDA

5.1. June 6, 2024 Planning Commission Meeting Minutes

A motion was made by Commissioner Lewis; seconded by Commissioner Elle to approve the consent agenda.

RESULT: Pass [6 – 0]

MOVER: Commissioner Lewis

SECONDER: Commissioner Elle

AYES: Commissioner Elle, Leongardt, Lewis, Ramirez, Valdez, and Vice Chair Kushner

ABSENT: Chair Bhandal

6. PUBLIC HEARINGS

No Items.

7. UNFINISHED BUSINESS

7.1 Planning Commissioner Training – An overview of major local and state law concepts that govern the City’s planning and development projects (presentation will be provided at the meeting)

Assistant City Attorney, Jolie Houston, provided the Commission with an overview of major local stand law concepts that govern the City’s planning and development projects including the Gilroy zoning code and general plan.

8. NEW BUSINESS

No Items.

9. INFORMATIONAL ITEMS

8.1. Planning Division Staff Approvals

There were no Planning Division approvals since the last report provided to the Planning Commission at its June 6, 2024 regular meeting.

10. PLANNING DIVISION REPORT

No report.

11. ASSISTANT CITY ATTORNEY REPORT

No report.

12. ADJOURNMENT To the Next Meeting of August 01, 2024 at 6:00 PM

Ariana Fabian

Ariana Fabian, Planning Technician



Community Development Department

Sharon Goei
DIRECTOR

7351 Rosanna Street, Gilroy, CA 95020-6197
Telephone: (408) 846-0451 | Fax: (408) 846-0429
cityofgilroy.org | planningdivision@cityofgilroy.org

DATE: August 1, 2024
TO: Planning Commission
FROM: Heba El-Guindy, Public Works Director
SUBJECT: Planning Commission Review of a Resolution of the City Council of the City of Gilroy Requesting the Allocation of Fiscal Year 2025 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding from the Metropolitan Transportation Commission

RECOMMENDATION:

Receive a report, provide feedback, and recommend City Council adopt a resolution to approve the Transportation Development Act Article 3 grant funding request from the Metropolitan Transportation Commission for Fiscal Year 2025.

BACKGROUND:

The Transportation Development Act Article 3 (TDA 3) provides funding annually for bicycle and pedestrian projects. The Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, awards TDA 3 grant funding for cities to use for pedestrian and bicycle projects. MTC allows each county to determine how to use the TDA 3 funds.

MTC sets forth policies and procedures for TDA 3 funds. All projects must be reviewed and recommended to the City Council by the City's bicycle and pedestrian advisory body, and the City Council must approve the funding request. MTC reviews the applications and allocates the funds to eligible projects.

TDA funds are eligible for the following types of projects:

1. Construction and/or engineering of a bicycle or pedestrian capital project.
2. Maintenance of a multi-purpose/Class I path that is closed to auto traffic.
3. Bicycle safety education program (not to exceed 5% of the total collected countywide).
4. Development of comprehensive bicycle or pedestrian facilities plans (allocations to a claimant for this purpose may not be made more than once every five years).
5. Restriping Class II bicycle lanes.

The TDA Article 3 project must be ready to implement within one year of the application cycle, which closes August 30, 2024.

ANALYSIS:

Staff selected a total of 24 curb ramp locations to be included in the FY25 Annual Citywide Curb Ramp Project to be funded by TDA 3 funds. The City will prioritize the installation of curb ramps at locations where currently no ramps exist. It should also be noted that additional deficient or missing curb ramps will be upgraded or constructed to meet ADA compliance as part of the FY25 Annual Sidewalk/Curb Ramp Project funded by the Community Development Block Grants (CDBG) Program.

Staff has identified this curb ramps project for TDA 3 grant funding as a pedestrian capital improvement project. The TDA 3 grant requires the City's bicycle and pedestrian advisory body to review and recommend the project to the City Council.

The attached resolution is required to be adopted by the City Council in order to apply for and receive the TDA 3 grant funds. Staff recommends the Planning Commission, in its role as the City's bicycle and pedestrian advisory body, recommend the City Council to adopt the resolution.

FISCAL IMPACT/FUNDING SOURCE:

The total cost of the FY25 Annual Citywide Curb Ramp Project is estimated to be \$240,000, which will be funded by the TDA 3 grant. Any unused funds will be available for future eligible projects.

NEXT STEPS:

Staff will recommend the adoption of this resolution by City Council on August 5, 2024.

ATTACHMENTS:

1. Draft Resolution
2. Attachment A - Resolution Findings
3. Attachment B - TDA 3 Fund Grant Application
4. Curb Ramp Locations

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY REQUESTING THE ALLOCATION OF FISCAL YEAR 2025 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING FROM THE METROPOLITAN TRANSPORTATION COMMISSION

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 4108, Revised, entitled “Transportation Development Act, Article 3, Pedestrian/Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of “TDA Article 3” funding; and

WHEREAS, MTC Resolution No. 4108, Revised, requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the City of Gilroy desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Gilroy declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

RESOLVED that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the City of Gilroy to carry out the project; and furthermore, be it

RESOLVED that the City of Gilroy attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it

RESOLVED that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Santa Clara County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

PASSED AND ADOPTED this 5th day of August 2024 by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

Marie Blankley, Mayor

ATTEST:

Beth Minor, Interim City Clerk

CERTIFICATE OF THE CLERK

I, **BETH MINOR**, Interim City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2025-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said Council held on **Monday, August 5, 2024**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Monday, August 5, 2024**.

Beth Minor
Interim City Clerk of the City of Gilroy

(Seal)

Resolution No. 2025-XX

Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2025 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

Page 1 of 2

1. That the City of Gilroy is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the City of Gilroy legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the City of Gilroy has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or final design and engineering or quick build project; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic and/or Class IV separated bikeway; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the City of Gilroy within the prior five fiscal years.
8. That the project(s) described in Attachment B which are bicycle projects have been included in a detailed bicycle circulation element included in an adopted general plan, or included in an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.) or responds to an immediate community need, such as a quick-build project.
9. That any project described in Attachment B bicycle project meets the mandatory minimum safety design criteria published in the California Highway Design Manual or is in a National

Association of City and Transportation Officials (NACTO) guidance or similar best practices document.

10. That the project(s) described in Attachment B will be completed in the allocated time (fiscal year of allocation plus two additional fiscal years).
11. That the City of Gilroy agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

Attachment B**TDA Article 3 Project Application Form**

1. Agency	City of Gilroy		
2. Primary Contact	Susana Ramirez, Public Works Engineer		
3. Mailing Address	7351 Rosanna St, Gilroy, CA 95020		
4. Email Address	Susana.Ramirez@cityofgilroy.org	5. Phone Number	408-846-0212
6. Secondary Contact (in the event primary is not available)	Julie Oates, Public Works Engineer		
7. Mailing address (if different) N/A ☒			
8. Email Address	Julie.oates@cityofgilroy.org	9. Phone Number	408-846-0413
10. Send allocation instructions to (if different from above):			
11. Project Title	FY25 Citywide Curb Ramp Project		
12. Amount requested	\$240,000	13. Fiscal Year of Claim	2025

14. Description of Overall Project:

This project will upgrade ADA curb ramps at various locations throughout the City to improve pedestrian facilities. Staff will prioritize locations where there are no existing curb ramps.

15. Project Scope Proposed for Funding: (Project level environmental, preliminary planning, and ROW are ineligible uses of TDA funds.)

Allocated funds will be used for the construction of the project.

16. Project Location: A map of the project location is attached or a link to an online map of the project location is provided below:

See attached.

Project Relation to Regional Policies (for information only)

17. Is the project in an Equity Priority Community? Yes ☐ No ☒

18. Is this project in a Priority Development Area or a Transit-Oriented Community? Yes ☐ No ☒

19. Project Budget and Schedule

Project Phase	TDA 3	Other Funds	Total Cost	Estimated Completion (month/year)
Bike/Ped Plan				
ENV				
PA&ED				
PS&E				
ROW				
CON	\$ 240,000		\$ 240,000	June 2025
Total Cost	\$ 240,000.00		\$ 240,000.00	

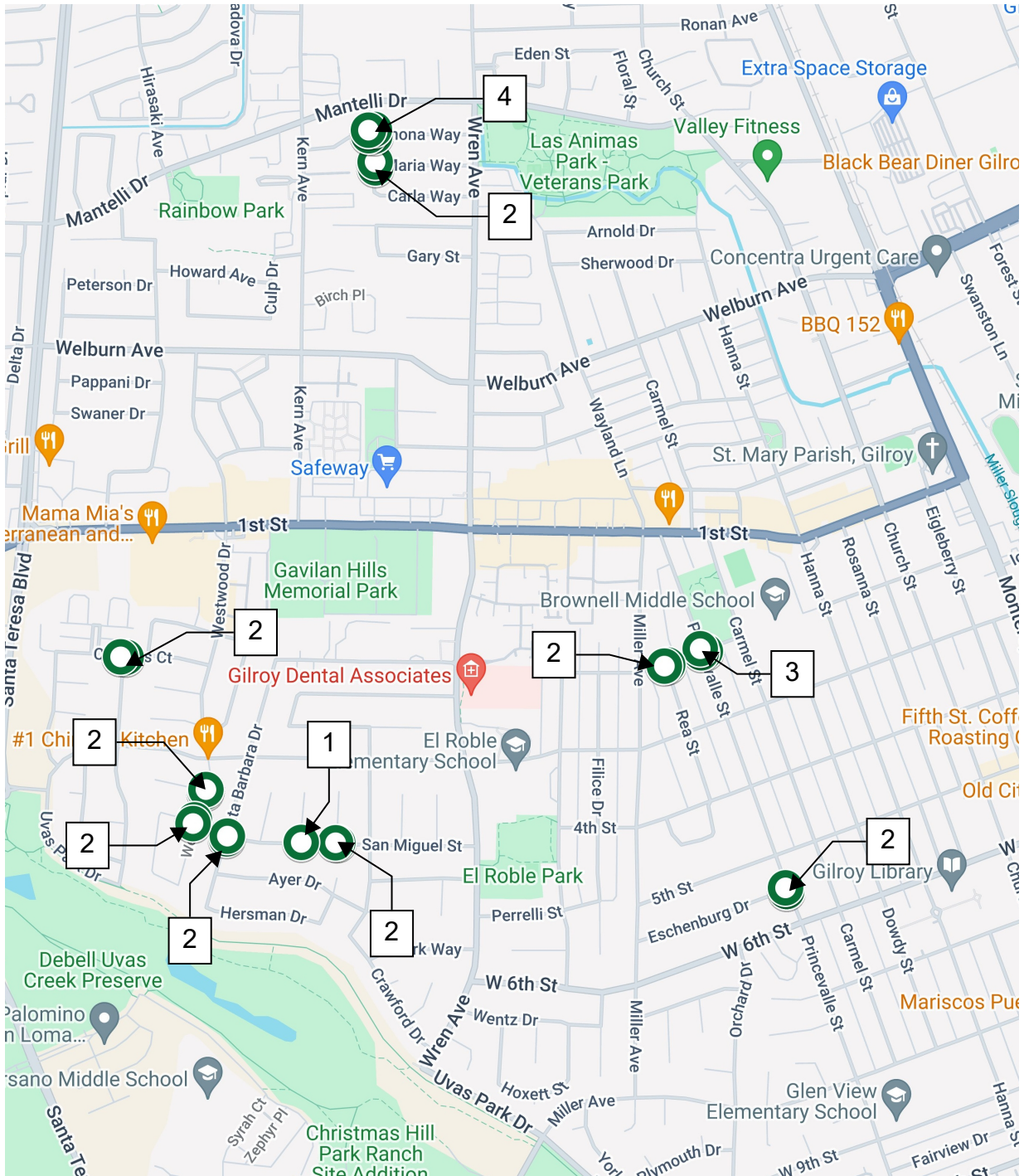
Project Eligibility

- A.** Has the project been reviewed by the Bicycle and Pedestrian Advisory Committee? Yes ☐ No ☒
 If "YES," identify the date and provide a copy or link to the agenda.
 If "NO," provide an explanation. Expected date: 8/1/24
- B.** Has the project been approved by the claimant's governing body? Yes ☐ No ☒
 If "NO," provide expected date: 8/5/24
- C.** Has this project previously received TDA Article 3 funding? Yes ☐ No ☒
 (If "YES," provide an explanation on a separate page)
- D.** For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to [Chapter 1000 of the California Highway Design Manual](#)? Yes ☐ No ☐
 N/A ☒
- E. 1.** Is the project categorically exempt from CEQA, pursuant to CCR Section 15301(c), Existing Facility? Yes ☒ No ☐
2. If "NO" above, is the project is exempt from CEQA for another reason? Yes ☐ No ☐
 Cite the basis for the exemption. _____
 If the project is not exempt, please check "NO," and provide environmental documentation, as appropriate. N/A ☒
- F.** Estimated Completion Date of project (month and year): June 2025
- G.** Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility, please identify below and provide the agreement. Yes ☒ No ☐
- H.** Is a Complete Streets Checklist required for this project ? Yes ☐ No ☒
 If the amount requested is over \$250,000 or if the total project phase or construction phase is over \$250,000, a Complete Streets checklist is likely required. Please attach the Complete Streets checklist or record of review, as applicable. More information and the form may be found here: <https://mtc.ca.gov/planning/transportation/complete-streets>

FY25 Citywide Curb Ramp Project

Staff has identified 24 locations with missing curb ramps as potential sites for the installation of new ADA compliant curb ramps.

The locations are subject to change and the number of curb ramps to be upgraded will depend on the low bid amount received during the formal bidding process.





Community Development Department

7351 Rosanna Street, Gilroy, California 95020-6197
Telephone: (408) 846-0451 Fax: (408) 846-0429
<http://www.cityofgilroy.org>

TO: Planning Commission
FROM: Sharon Goei, Community Development Director
Ariana Fabian, Planning Technician
DATE: July 11, 2024
SUBJECT: Planning Division Staff Approvals

In conformance with Gilroy Municipal Code Sections 30.50.20(b) and 30.50.46, the following table lists all Minor Deviation approvals and all Architectural and Site approval/denial actions taken by the Planning Division since the last report was provided to the Planning Commission at its June 6, 2024 meeting.ⁱ

APPROVED	PROJECT #	LOCATION	PROJECT NAME & DESCRIPTION
None			

DENIED	PROJECT #	LOCATION	PROJECT NAME & DESCRIPTION
None			

AS = Architectural and Site Review
VMD = Minor Deviation

The current status of other planning projects is available online at:
<https://www.cityofgilroy.org/298/Development-Activity-Projects>

ⁱ Submitted in conformance with Gilroy Municipal Code Sections 30.50.20(b) and 30.50.46