



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 08/26/2020

ITEM NO: 3

DATE: August 20, 2020  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider Approval of a Request for Modification to an Existing Architecture and Site Application (S-13-090) to Remove Underground Parking for Construction of a Commercial Building (Market Hall) in the North 40 Specific Plan Area. APN 424-56-017. Architecture and Site Application S-20-012. Property Owner/Applicant: Summerhill N40, LLC. Project Planner: Jocelyn Shoopman.

**RECOMMENDATION:**

Consider approval of a request for a modification to an existing Architecture and Site Application (S-13-090) to remove underground parking for construction of a commercial building (Market Hall) in the North 40 Specific Plan Area.

**PROJECT DATA:**

General Plan Designation: North 40 Specific Plan  
Zoning Designation: North 40 Specific Plan  
Applicable Plans & Standards: General Plan; North 40 Specific Plan  
Parcel Size: 1.77 acres  
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Agriculture, Commercial, and Residential	North 40 Specific Plan (N40 SP)	N40 SP
East	Commercial and Residential	Mixed Use Commercial	CH and R-1:8
South	Commercial and Residential	N40 SP	N40 SP
West	Commercial and Residential	N40 SP	N40 SP

**PREPARED BY:** JOCELYN SHOOPMAN  
Associate Planner

Reviewed by: Planning Manager and Community Development Director

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SUBJECT: 14225 Walker Street/S-20-012

DATE: August 20, 2020

CEQA:

An Environmental Impact Report (EIR) was prepared and certified for the North 40 Specific Plan on January 5, 2015. No further environmental analysis is required.

FINDINGS:

- That the project is consistent with the North 40 Specific Plan.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

On June 17, 2015, the Town Council adopted the North 40 Specific Plan, providing more detailed land use and development guidance for the area than occurs in the General Plan. The approval of the North 40 Specific Plan also amended the zoning of the property to North 40 Specific Plan.

On August 1, 2017, the Town Council adopted a resolution to approve the Phase I Architecture and Site application S-13-090 and Vesting Tentative Map application M-13-014 for the construction of a new multi-use, multi-story mixed use development, which includes residential units, a market hall, and on-site and off-site improvements on 20.7 acres of the North 40 Specific Plan Area.

On September 4, 2018, the Town Council adopted a resolution to approve amendments to the North 40 Specific Plan.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject parcel is approximately 1.77 acres, located within the North 40 Specific Plan Area east of Los Gatos Boulevard, and is currently vacant (Exhibit 1).

PROJECT DESCRIPTION (continued):

B. Project Summary

Architecture and Site application S-13-090 included approval of a multi-story, mixed use building (Market Hall) with 50 affordable apartments for seniors, 20,700 square feet of retail space, a 2,722-square foot community room, and a four-story parking garage with 303 parking spaces. The approved parking garage consisted of three above grade levels and one below grade level. The applicant is proposing to remove the below grade level, eliminating 127 parking spaces.

C. Zoning Compliance

The multi-story, mixed use building (Market Hall) is a permitted use within the Transition District in the North 40 Specific Plan.

DISCUSSION:

A. Architecture and Site Analysis

Architecture and Site application S-13-090 included approval of a multi-story, mixed use building with 50 affordable apartments for seniors, 20,700 square feet of retail space, a 2,722-square foot community room, and a four-story parking garage with 303 parking spaces. The parking garage consisted of three above grade levels and one below grade level. The applicant is proposing to remove the below grade level, eliminating 127 parking spaces. No exterior modifications to the existing Market Hall building are proposed with the modification as detailed in Sheets A7.0 through A10.0 of Exhibit 6.

B. Parking

Architecture and Site application S-13-090 included approval of a four-story garage with three above grade levels and one below grade level. A total of 303 parking spaces were proposed, with 129 parking spaces in the below grade level. Based on the proposed uses within the Market Hall, the North 40 Specific Plan development regulations require 124 parking spaces. The approved application provided 179 parking spaces in excess of the requirements contained in the North 40 Specific Plan (Attachment 4). With the elimination of the below grade level, the applicant is proposing to modify the remaining three, above grade levels, resulting in a total of 176 parking spaces, 52 parking spaces in excess of the requirements for the Market Hall building (Attachment 5). Sheet A.11 of Attachment 6 details the required parking for the Transition District. With the proposed modification, the proposal would result in 45 parking spaces in excess of the requirements for the proposed uses in the Transition District.

DISCUSSION (continued):

<b>Parking</b>			
<b>Approved Number of Parking Spaces</b>		<b>Proposed Number of Parking Spaces</b>	
Level 0	129	Level 0	N/A
Level 1	63	Level 1	59
Level 2	69	Level 2	70
Level 3	42	Level 3	47
<b>Total</b>	<b>303</b>	<b>Total</b>	<b>176</b>
Required Number of Parking Spaces	124	Required Number of Parking Spaces	124

C. Grading

By removing the below grade level of the parking structure, the applicant states that the project will reduce excavation impacts related to the off hauling of soil, as well as reduce the construction time required to construct the below grade parking level (Attachment 5). In addition, the applicant states that by reducing the number of excess parking spaces, it will limit impacts related to automobile use and encourage the utilization of public transit, bikes, and other environmentally sustainable transportation methods for accessing the Market Hall.

D. CEQA Determination

An Environmental Impact Report (EIR) was prepared and certified for the North 40 Specific Plan on January 5, 2015. No further environmental analysis is required.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants located within 300 feet of the subject property. Public comments received by 11:00 a.m., Friday, August 21, 2020 are included as Exhibit 7.

CONCLUSION:A. Summary

The applicant is requesting approval of an Architecture and Site application to modify Architecture and Site application S-13-090 for parking requirements for construction of a commercial building (Market Hall) in the North 40 Specific Plan Area.

CONCLUSION (continued):

B. Recommendation

Based on the analysis above, staff recommends approval of the Architecture and Site application subject to the recommended conditions of approval (Exhibit 3). If the Planning Commission finds merit with the proposed project, it should:

1. Make the finding that no further environmental analysis is required (Exhibit 2);
2. Make the finding that the project complies with the North 40 Specific Plan (Exhibit 2);
3. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
4. Approve Architecture and Site Application S-20-012 with the conditions contained in Exhibit 3 and the development plans in Exhibit 6.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description
5. Letter of Justification
6. Development Plans, received May 18, 2020
7. Public comments received by 11:00 a.m., Friday, August 21, 2020

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