



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 02/24/2021

ITEM NO: 4

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DATE: February 19, 2021  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider a Request for Approval for a Zone Change from R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) to C-2:LHP (Central Business District with a Landmark and Historic Preservation Overlay) and a General Plan Amendment to Change the Land Use Designation from Medium Density Residential to Central Business District, for Property Located at **4 Tait Avenue**. APN: 510-44-054. Zone Change Application Z-20-002 and General Plan Amendment Application GP-20-001. Property Owner: Town of Los Gatos. Applicant: Jim Foley

**RECOMMENDATION:**

Consider a request for approval for a zone change from R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) to C-2:LHP (Central Business District with a Landmark and Historic Preservation Overlay) and a General Plan amendment to change the Land Use designation from Medium Density Residential to Central Business District, for property located at 4 Tait Avenue.

**CEQA:**

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the proposed amendments to the General Plan and Town Code will have a significant effect on the environment, because the project does not include any modification that would affect the historical significance of the building.

**PREPARED BY:** JENNIFER ARMER, AICP  
Senior Planner

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Reviewed by: Planning Manager and Community Development Director

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FINDINGS:

- That there is no possibility that this project will have a significant impact on the environment; therefore, the project is not subject to the California Environmental Quality Act, Section 15061 (b)(3).
- That the General Plan amendment is internally consistent with the existing goals and policies of the General Plan and its corresponding Elements.
- That the proposed zone change is consistent with the General Plan and its Elements in that the proposed zoning is consistent with the proposed General Plan Land Use designation.

BACKGROUND:

The subject parcel is located at the northeast corner of Tait Avenue and West Main Street in the Broadway Historic District. The building on the property was constructed in 1927. The property was originally built to be the Town's Fire House with an associated dwelling unit for the driver of the new fire truck, and previously served as the home of the Los Gatos Museum.

The subject parcel is surrounded by parcels with a Medium Density Residential General Plan Land Use designation and R-1D:LHP zoning designation to the north, south, and west (Exhibit 1). The parcel to the east has a Central Business District Land Use designation and C-2 zoning designation.

The applicant is requesting approval of a zone change from R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) to C-2:LHP (Central Business District with a Landmark and Historic Preservation Overlay) and a General Plan amendment to change the Land Use designation from Medium Density Residential to Central Business District to allow the applicant to lease the existing building for commercial uses (Exhibit 5). The Landmark and Historic Preservation Overlay Zone (LHP) would remain if the applications were approved. At this time, no modifications to the building are proposed.

DISCUSSION:

A. General Plan Committee

At its January 13, 2021 meeting, the General Plan Committee (GPC) reviewed the application and recommended approval of the General Plan amendment to the Planning Commission and Town Council. The motion by the GPC included consideration of comments by members discouraging restaurant and personal service uses in this location.

B. General Plan Land Use Designations

The applicant is proposing a General Plan amendment to change the Land Use designation from Medium Density Residential to Central Business District.

DISCUSSION (continued):

The Central Business District Land Use designation applies exclusively to the downtown and accomplishes the following:

- Encourages a mixture of community-oriented commercial goods, services, and lodging unique in its accommodation of small-town style merchants and maintenance of small-town character;
- Maintains and expands landscaped open spaces and mature tree growth without increasing setbacks; and
- Integrates new construction with existing structures of historical or architectural significance and emphasizes the importance of the pedestrian.

The Medium Density Residential Land Use designation (5 -12 dwelling units per acre) provides for multiple-family residential, duplex, and/or single-family homes.

The subject parcel is bound by parcels with a Medium Density Residential General Plan Land Use designation to the north, south, and west. The parcel to the east has a Central Business District General Plan Land Use designation.

C. General Plan Goals/Policies/Strategies

Applicable General Plan goals and policies that should be used to evaluate the proposed General Plan amendment and zone change applications for this site include, but are not limited to:

**Land Use Goals**

- LU-1 To preserve, promote, and protect the existing small-town character and quality of life within Los Gatos.
- LU-6 To preserve and enhance the existing character and sense of place in residential neighborhoods.

**Land Use Policies**

- LU-1.4 Infill projects shall be designed in context with the neighborhood and surrounding zoning with respect to the existing scale and character of surrounding structures, and should blend rather than compete with the established character of the area.
- LU-1.8 Commercial development of any type (office, retail, research and development, etc.) shall be designed in keeping with the small-town character of Los Gatos.

DISCUSSION (continued):

- LU-6.1 Protect existing residential areas from the impacts of nonresidential development.
- LU-6.2 Allow non-residential activity in residential areas only when the character and quality of the neighborhood can be maintained.
- LU-6.3 Protect existing residential areas from adjacent nonresidential uses by assuring that buffers are developed and maintained.
- LU-6.4 Prohibit uses that may lead to the deterioration of residential neighborhoods, or adversely impact the public safety or the residential character of a residential neighborhood.
- LU-6.5 The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood.

**Community Design Goals**

- CD-6 To promote and protect the physical and other distinctive qualities of residential neighborhoods.
- CD-10 To maintain the historic character of the Downtown.
- CD-12 To preserve significant historic and architectural features within the Town.
- CD-13 To support and encourage thoughtful rehabilitation or reuse of historic structures.

**Community Design Policies**

- CD-6.1 Reduce the visual impact of new construction and/or remodels on the Town and its neighborhoods.
- CD-10.1 Encourage the preservation, restoration, rehabilitation, reuse, and maintenance of existing buildings Downtown.
- CD-12.1 Avoid demolishing historic buildings, unless the Planning Commission finds, based on substantial evidence, that there is no feasible means to ensure the preservation of the structure.
- CD-12.2 Encourage the preservation, maintenance, and adaptive reuse of existing residential, commercial, or public buildings.

D. Zoning

The applicant is proposing a zone change from R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) to C-2:LHP (Central Business District with a Landmark and Historic Preservation Overlay). The proposed zoning would be consistent with the General Plan Land Use designation if the proposed General Plan amendment is approved. Permitted uses in the C-2 zone are those involving the conduct of commerce and general business and the sale of commodities necessary for the needs of

DISCUSSION (continued):

residents and visitors of the Town including, retailing, office, limited manufacturing, and wholesaling without warehousing. The commercial uses proposed by the applicant (Exhibit 5) would not be allowed in the current residential zone.

The subject parcel is bound by parcels with a R-1D:LHP zoning designation to the north, south, and west (Exhibit 1). The parcel to the east has a C-2 zoning designation.

PUBLIC COMMENTS:

The applicant reached out to surrounding neighbors during the review process and provided a copy of their letter as well as a summary of the comments received (Exhibit 6).

At the time of this report's preparation, the Town has not received any public comment.

CONCLUSION:

A. Summary

The proposed General Plan amendment and zone change would be consistent with the existing pattern of land uses and zones adjacent to downtown (Exhibit 1). Additionally, reuse of the existing historic structure is supported by the General Plan goals and policies.

B. Recommendation

Based on the analysis above, staff recommends that the Planning Commission consider the existing and proposed General Plan Land Use designations and zoning and forward a recommendation for approval of the amendments to the Town Council. If the Planning Commission finds merit with the proposed amendments, it should:

1. Make the required finding that there is no possibility that this project will have a significant impact on the environment; therefore, the project is not subject to the California Environmental Quality Act, Section 15061 (b)(3) (Exhibit 2);
2. Make the required finding that the General Plan amendment is internally consistent with the existing goals and policies of the General Plan and its Elements (Exhibit 2);
3. Make the required finding that the proposed zone change is consistent with the General Plan and its Elements in that the proposed zoning is consistent with the proposed General Plan Land Use designation (Exhibit 2); and
4. Forward a recommendation of approval of General Plan Amendment Application GP-20-001 and Zone Change Application Z-20-002 to the Town Council.

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CONCLUSION (continued):

C. Alternatives

Alternatively, the Planning Commission can:

1. Continue the matter to a date certain with specific direction;
2. Provide a recommendation for approval with modifications to the Town Council; or
3. Provide a recommendation for denial to the Town Council providing findings for denial.

EXHIBITS:

1. Location Maps (showing existing General Plan Land Use Designations and Zoning)
2. Draft Findings
3. Draft Resolution for the General Plan Amendment, with Exhibit A
4. Draft Ordinance for the Zone Change, with Exhibit A
5. Letter from the Applicant
6. Summary of Outreach
7. Property Plans

Distribution:

Jim Foley, via email