

Draft Resolution to be modified by Town Council deliberations and direction.

RESOLUTION 2020-__

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
GRANTING AN APPEAL OF THE DECISION OF THE PLANNING COMMISSION DENYING 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 (S-20-012) ON A PROPERTY ZONED NORTH 40 SPECIFIC PLAN
AND REMANDING THE MATTER TO THE PLANNING COMMISSION FOR
FURTHER CONSIDERATION.**

**APN 424-07-114
ARCHITECTURE AND SITE APPLICATION: S-20-012
PROPERTY LOCATION: 14225 WALKER STREET
APPELLANT/APPLICANT/PROPERTY OWNER: SUMMERHILL N40, LLC**

WHEREAS, on August 26, 2020, September 9, 2020, September 23, 2020, and September 28, 2020, the Planning Commission held public hearings and considered 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 (S-20-012) on a property zoned North 40 Specific Plan. The Planning Commission denied the Architecture and Site application on September 28, 2020; and

WHEREAS, on October 1, 2020, the appellant filed an appeal of the decision of the Planning Commission denying the 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 (S-20-012) on a property zoned North 40 Specific Plan; and

WHEREAS, this matter came before the Town Council for public hearing on October 20, 2020, and was regularly noticed in conformance with State and Town law; and

WHEREAS, the Town Council received testimony and documentary evidence from the appellant and all interested persons who wished to testify or submit documents. Town Council considered all testimony and materials submitted, including the record of the Planning Commission proceedings and the packet of material contained in the Council Agenda Report for

their meeting on October 20, 2020, along with any and all subsequent reports and materials prepared concerning this application.

NOW, THEREFORE, BE IT RESOLVED:

1. The appeal of the decision of the Planning Commission denying 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 (S-20-012) on a property zoned North 40 Specific Plan is granted and the application is remanded to the Planning Commission for further consideration; and

2. The decision does not constitute a final administrative decision and the application will be returned to Planning Commission for further consideration.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 20th day of October, 2020, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____