

PLANNING COMMISSION – August 27, 2025

REQUIRED FINDINGS FOR:

31 University Avenue

Planned Development Modification Application PD-25-001

Architecture Site Application S-25-004

Conditional Use Permit Application U-25-001

Consider a Request for Approval for Modification of Planned Development Ordinance 2025 to Allow Modifications to Building E, an Architecture and Site Application for Exterior Modifications to an Existing Commercial Building in the University/Edelen Historic District, and a Conditional Permit for Formula Retail over 10,000 square feet and for a Restaurant with Alcohol Service on a Property Zoned C-2:LHP:PD. APN 529-02-044. Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities.

Property Owner: SRI Old Town, LLC

Applicant: Rick Nelson, MBH Architects

Project Planner: Erin Walters

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

Required Findings for Amending a Planned Development:

- As required by Section 29.80.095 of the Town Code for granting a Planned Development Overlay Zone, the proposed amendment:
 1. The proposed PD amendment is consistent with Chapter 29, Article VIII, Division 2 of the Town Code in that it meets the purpose and intent of a Planned Development Overlay Zone;
 2. The proposed PD amendment is in conformance with the goals, policies, and applicable land use designations and standards of the Town's General Plan, including but not limited to Policy LU-1.4;
 3. The proposed PD amendment is in conformance with all other applicable provisions of the Town Code, including Town Council adopted guidelines, except as otherwise modified through the Planned Development process; and
 4. The proposed amendment includes development standards or uses that deviate from the underlying zoning in a way that results in innovative site planning and provides public benefit to the citizens of the Town by providing additional dining opportunities, availability of goods and services, and tax revenue.

- That the amendment to the Planned Development Overlay is consistent with the General Plan and its Elements, including but not limited to Policy LU-1.4; and that the amendment to the Planned Development Overlay zoning is consistent with the existing General Plan designation.

Required Findings for a Conditional Use Permit:

- As required by Section 29.20.190(a) of the Town Code for granting a Conditional Use Permit:
 1. The proposed uses of the property are essential or desirable to the public convenience or welfare in that it provides a bespoke dining and shopping experience which will be desirable to both residents and visitors as a destination within Los Gatos;
 2. The proposed uses will not impair the integrity and character of the zone since it is a commercial use located in a commercial zone. Further, the Proposed Project is consistent with the Commercial Design Guidelines for C-2A zones and as a non-contributing structure within a historic preservation district. The proposed project maintains the existing building's massing and density, reimagines the existing façade variation, and maintains the pedestrian pass-through along the southern wall;
 3. The proposed uses would not be detrimental to public health, safety or general welfare the proposed uses, formula retail use and restaurant use with the selling of alcoholic beverages for consumption on-premises, represent no change from the current uses of the most recent tenants at the existing building (Gap and Steamer's), and would not be detrimental to public health, safety, and general welfare; and
 4. The proposed uses of the property are in harmony with the various elements or objectives of the general plan and the purposes of this chapter as they contribute to the variety of commercial uses in the Central Business District and meet the goals and policies of the 2040 General Plan (2020 Land Use and Community Development Elements).

Required Findings for a Conditional Use Permit for a Formal Retail Business Greater than Ten Thousand (10,000) Square Feet:

- As required by Section 29.20.190 (b) of the Town Code the deciding body on the basis of evidence submitted at the hearing, may deny a Conditional Use Permit formal retail business greater than ten thousand (10,000) square feet of any of the following findings are made: **None of the findings can be made to deny the application.**
Instead, the Planning Commission makes the following affirmative findings:
 1. The proposed use of the property is in harmony with specific provisions or objectives of the general plan and the purposes of this chapter;
 2. The proposed use will not detract from the existing balance and diversity of business in the commercial district in which the use is proposed to be located;
 3. The proposed use would not create an over-concentration of similar types of businesses, or
 4. The proposed use will not detract from the existing land use mix and high urban design standards including uses that promote continuous pedestrian circulation and economic vitality.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).

Required Findings for Approving Applications in Historic Districts:

- As required by Section 29.80.290(2) of the Town Code in evaluating applications in historic districts, the deciding body shall consider the architectural style, design, arrangement, textures, materials and color, and any other pertinent factors. Applications shall not be granted unless the following findings can be made:

In historic districts, the proposed work will neither adversely affect the exterior architectural characteristics of other features of the property, which is the subject of the application, nor adversely affect its relationship, in terms of harmony and appropriateness, with its surroundings, including neighboring structures, nor adversely affect the character, or the historical, architectural or aesthetic interest or value of the district.

Commercial Design Guidelines:

- The proposed building modifications are consistent with applicable provisions of the Commercial Design Guidelines.

CONSIDERATIONS

Considerations in review of Architecture and Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

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