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A P P E A R A N C E S:

Los Gatos Planning Commissioners:  
Kathryn Janoff, Chair  
Kendra Burch, Vice Chair  
Jeffrey Barnett  
Melanie Hanssen  
Jeffrey Suzuki  
Reza Tavana  
Emily Thomas

Town Manager: Laurel Prevetti

Community Development Director: Joel Paulson

Town Attorney: Robert Schultz

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P R O C E E D I N G S:

CHAIR JANOFF: We now move on to Public Hearing Item 2. This item is to consider a request for approval for a zone change from Office with a Landmark and Historic Presentation Overlay to Single-Family Residential Downtown with a Landmark and Historic Presentation Overlay. The property is located at 246 Almendra Avenue. APN 510-14-019, Zone Change Application Z-20-001. Property owner is Gary Filizetti. Applicant is Brett Brenkwitz.

May I see a show of hands from Commissioners who have visited the site? Thank you. Are there any disclosures? I don't see any hands raised.

I understand Mr. Safty will be giving us the Staff Report for this item.

RYAN SAFTY: Yes, thank you. Good evening, Commissioners.

Before you tonight is a request for a zone change from Office to Single-Family Residential Downtown at 246 Almendra Avenue. The Landmark and Historic Presentation Overlay would remain.

The proposed zone change is consistent with the existing Medium-Density Residential General Plan land use

1 designation and is compatible with the pattern of land use  
2 and zoning on this block of Almendra Avenue.

3           The site is currently vacant from structures and  
4 is developed as an overflow parking lot for the restaurant  
5 to the north. Approval of the restaurant use was not  
6 predicated on these overflow parking spaces and the  
7 restaurant would continue to meet current parking  
8 requirements onsite once the parking lot is removed. No  
9 construction is proposed at this time.

10           The Applicant has provided a justification for  
11 the zone change, included as Exhibit 4 in the Staff Report.  
12 Based on the discussion provided in the Staff Report Staff  
13 recommends that the Planning Commission make the required  
14 findings in Exhibit 2 and forward a recommendation of  
15 approval to the Town Council of the draft ordinance in  
16 Exhibit 3.

17           This concludes Staff's presentation and we are  
18 happy to answer any questions.

19           CHAIR JANOFF: Thank you for that, Mr. Safty.  
20 Commissioners, do you have any questions for Mr. Safty or  
21 Staff? Commissioner Hanssen.

22           COMMISSIONER HANSSSEN: I just had one question  
23 and it was about the parking, I mean since it is a parking  
24 lot. It said that they have more than enough parking  
25

1 spaces, but since it's downtown I wanted to check. They  
2 have more than enough parking spaces based on actual  
3 parking spaces that are there at the diner, or does it rely  
4 on the Parking Assessment District spaces?

5 RYAN SAFTY: It would have enough parking spaces  
6 onsite to meet the current parking demand for the  
7 restaurant.

8 COMMISSIONER HANSSEN: Thank you.

9 CHAIR JANOFF: Any other questions? I have one  
10 for Staff as a matter of clarification. Would you please  
11 clarify for the benefit of the record why this matter is  
12 coming to the Planning Commission without first being heard  
13 by the General Plan Committee?  
14

15 RYAN SAFTY: There's no amendment to the General  
16 Plan as proposed; it's just a zone change amendment.

17 CHAIR JANOFF: Okay, thank you for that. Now we  
18 will open up the public hearing to the Applicant who will  
19 be given five minutes to address the Commission. Director  
20 Paulson, who will be speaking for the Applicant?

21 DIRECTOR PAULSON: Mr. Brenkwitz will be  
22 speaking. I'm going to allow him to speak.

23 BRETT BRENKWITZ: Good evening, Commissioners.  
24 Can you hear me okay?  
25

CHAIR JANOFF: We can, thank you. Go ahead.

1           BRETT BRENKWITZ: This is Brett Brenkwitz; I'm  
2 the architect/applicant for the project. I think this is a  
3 pretty straightforward proposal. We ultimately would like  
4 to pursue building a single-family dwelling, possibly a  
5 detached garage in the back of the lot with a possibility  
6 of any ADU over that.

7           As Staff has said, the parking that is there now  
8 is not being counted or needed for the adjacent structures,  
9 including the diner, so we think this is a good fit to  
10 change the zoning and introduce a new single-family  
11 dwelling in this neighborhood. It's fairly eclectic; there  
12 is a lot of—as you know—commercial and residential in the  
13 area and I think it would be a good fit. It would provide  
14 some housing for the Town, and it would get rid of what  
15 some may see as somewhat of a not aesthetic parking lot.

16           That basically concludes my brief presentation.  
17 I'm available for any questions that you may have of me.  
18 Thank you very much.

19           CHAIR JANOFF: Thank you for that, Mr. Brenkwitz.  
20 Do any Commissioners have questions for the Applicant? I  
21 see two hands raised. Commissioner Barnett and then  
22 Commissioner Hanssen.

23           COMMISSIONER BARNETT: Yes, is Mr. Filizetti the  
24 owner of the diner property?  
25

1           BRETT BRENKWITZ: Yes, Mr. Barnett, he is.

2           COMMISSIONER BARNETT: Thank you.

3           CHAIR JANOFF: Commissioner Hanssen.

4           COMMISSIONER HANSSEN: I just had a question  
5 about your intent. I understand the request. Is it the  
6 intent of the diner to sell the property for someone else  
7 to make a residence or will you be hiring a developer to  
8 make the residence?

9           BRETT BRENKWITZ: I'm not exactly sure what the  
10 owner's intent is ultimately in that regard; I have not  
11 really discussed that with him and we have not really  
12 developed any designs yet for the lot. We obviously wanted  
13 to get through this particular process before we started  
14 going there.

15           COMMISSIONER HANSSEN: Sure, that's fine. Thank  
16 you.

17           CHAIR JANOFF: Any other questions for the  
18 Applicant? I don't see any hands raised. At this time we  
19 will move to public comments. Members of the public may  
20 choose to state your name and/or address or speak  
21 anonymously, but please understand that this meeting is  
22 being recorded for the public record.

23           Do we have any members of the public who would  
24 like to speak on this item, Director Paulson?  
25

1           DIRECTOR PAULSON: I don't see any hands raised  
2 but let's give it a second. We do now have one. Mr. Pratt.

3           JEFF PRATT: Can you hear me? I just unmuted.

4           CHAIR JANOFF: We can. Go ahead, thank you.

5           BRETT BRENKWITZ: My name is Jeff Pratt; I live  
6 at 242 Almendra. I am the next-door neighbor to this  
7 parking lot. I have lived at this location for about three  
8 years and I just wanted to call in support of the project.  
9 I think it would be very good for the neighborhood and I  
10 think it would look much better than the parking lot that  
11 is there. That's all that I have to say.  
12

13           CHAIR JANOFF: Thank you very much for your  
14 comments, Mr. Pratt. Do any Commissioners have questions  
15 for the speaker? I don't see any hands raised.

16           BRETT BRENKWITZ: Thank you.

17           CHAIR JANOFF: Thank you. At this time the  
18 Applicant has up to three minutes to add any further  
19 comment. Does the Applicant wish to speak, Director  
20 Paulson?

21           DIRECTOR PAULSON: If the Applicant wishes to  
22 speak, or there's one more attendee on the call, they would  
23 like to speak, use the raised hand feature. Otherwise we  
24 will go back to the Applicant. So, I will allow Mr.  
25

1 Brenkwitz to speak again and see if he has any additional  
2 comments.

3           BRETT BRENKWITZ: No, I really don't have any  
4 additional comments, but as Mr. Pratt mentioned I think a  
5 house would be preferable aesthetically compared to the  
6 parking lot. In terms of the streetscape I think it's an  
7 improvement, so we seek your approval in that regard. Thank  
8 you very much.

9           CHAIR JANOFF: Thank you very much. Any further  
10 questions for the Applicant from Commissioners? I don't see  
11 any hands raised, so we will close the public portion of  
12 the hearing and ask if the Commissioners have any questions  
13 of Staff, wish to comment on the application, or introduce  
14 a motion for consideration? Commissioner Hanssen.

15           COMMISSIONER HANSSEN: I was going to comment,  
16 and if you would like I can make a motion, but I want to  
17 comment that the application is perfectly reasonable,  
18 especially in light of our need for additional housing in  
19 town, and it also brings the zoning in line with the  
20 General Plan designation, which is already Residential, so  
21 I see no problems with this application and I would support  
22 forwarding a recommendation to Town Council.

23           CHAIR JANOFF: I see heads nodding from fellow  
24 commissioners.  
25



1           VICE CHAIR BURCH: I was thinking it sounds a lot  
2 like the start of a motion?

3           COMMISSIONER HANSSEN: Would you like me to make  
4 a motion?

5           CHAIR JANOFF: I would, thank you.

6           COMMISSIONER HANSSEN: Okay. I would like to make  
7 a motion to forward a recommendation for approval of Zone  
8 Change Application Z-20-001 for APN 510-14-019 at 246  
9 Almendra, and I can make the finding that the project has  
10 no impact on the environment under CEQA, and I can also  
11 make the required finding that the proposed zone change is  
12 consistent with the General Plan and all of its elements  
13 and it brings it into consistency between the General Plan  
14 and the zoning. That's my motion.

15           CHAIR JANOFF: Thank you for that. Do I have a  
16 second? Vice Chair Burch.

17           VICE CHAIR BURCH: I'll second.

18           CHAIR JANOFF: Thank you. Any comments from  
19 Commissioners? Commissioner Barnett.

20           COMMISSIONER BARNETT: It seems appropriate to  
21 include in the motion that we're forwarding a  
22 recommendation for the zone change application to the Town  
23 Council.  
24  
25

1                   COMMISSIONER HANSSEN: I thought I said it at the  
2 beginning but if I didn't, you are correct, this is not an  
3 approval, it is forwarding a recommendation for approval.

4                   COMMISSIONER BARNETT: Thank you.

5                   CHAIR JANOFF: Thank you for that. And if it is  
6 not part of the motion then the Maker of the Motion has  
7 agreed to include it if it was not part of the original  
8 motion.

9                   So, without any other comments, I'll call the  
10 roll. Commissioner Hanssen.

11                   COMMISSIONER HANSSEN: Yes.

12                   CHAIR JANOFF: Commissioner Tavana.

13                   COMMISSIONER TAVANA: Yes.

14                   CHAIR JANOFF: Commissioner Barnett.

15                   COMMISSIONER BARNETT: Yes.

16                   CHAIR JANOFF: Commissioner Thomas.

17                   COMMISSIONER THOMAS: Yes.

18                   CHAIR JANOFF: Commissioner Suzuki.

19                   COMMISSIONER SUZUKI: Yes.

20                   CHAIR JANOFF: Vice Chair Burch.

21                   VICE CHAIR BURCH: Yes.

22                   CHAIR JANOFF: And I vote yes as well, so motion  
23 passes 7-0. Director Paulson, are there appeal rights on  
24 this action?  
25

1                   DIRECTOR PAULSON: There are not appeal rights  
2 because this is a recommendation. You're forwarding a  
3 recommendation to the Town Council, so there are no appeal  
4 rights for this application.

5                   CHAIR JANOFF: All right, thank you for that.  
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