



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/20/2021

ITEM NO: 12

DATE: April 14, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Consider a Request for Approval for a Zone Change from O:LHP (Office with a Landmark and Historic Preservation Overlay) to R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) for Property Located at **246 Almendra Avenue**. APN: 510-14-019. Zone Change Application Z-20-001. Property Owner: Gary Filizetti. Applicant: Brett Brenkwitz.

RECOMMENDATION:

Consider a request for approval for a zone change from O:LHP (Office with a Landmark and Historic Preservation Overlay) to R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) for property located at 246 Almendra Avenue.

BACKGROUND:

The subject parcel is located on the northern side of Almendra Avenue, one property east of the Almendra Avenue and Tait Avenue intersection (Attachment 1, Exhibit 1). The parcel is located within the Almond Grove Historic District, but is not listed as a contributor to the Almond Grove Historic District as there are no buildings on the parcel. The parcel is currently developed as a parking lot serving as overflow parking for the restaurant at 235 Los Gatos-Saratoga Road to the north.

The applicant is requesting approval of a zone change from O:LHP to R-1D:LHP to allow for the future construction of a new single-family residence (Attachment 1, Exhibit 4). The Landmark and Historic Preservation Overlay Zone (LHP) would remain if the application is approved. No construction is proposed at this time.

PREPARED BY: Ryan Safty
Associate Planner

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

DISCUSSION:

A. Planning Commission

At its March 10, 2021 meeting, the Planning Commission reviewed the application and recommended approval of the zone change to the Town Council (Attachments 1-2).

B. Zone Change

The applicant is proposing a zone change from O:LHP to R-1D:LHP. The proposed zoning would be consistent with the existing General Plan Land Use designation (as discussed below). Any future development proposed on the parcel would require approval of an Architecture and Site Application with review by the Historic Preservation Committee. The 7,000-square foot parcel complies with the minimum lot size for a single-family dwelling in the R-1D Zone of 5,000 square feet, and a residential use is a principally permitted use within the R-1D Zone.

The subject parcel is currently developed as an overflow parking lot for the adjacent restaurant to the north, with 18 parking spaces. Approval of the restaurant use on the adjacent parcel was not predicated on these 18 parking spaces. A total of 11 parking spaces will be maintained on the adjacent parcel (Attachment 1, Exhibit 5), which exceeds the current parking requirement of nine spaces for the 2,660-square foot restaurant.

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

C. General Plan

The proposed R-1D:LHP zoning would conform with the existing General Plan Land Use designation of Medium Density Residential. Pursuant to the General Plan, "The Medium Density Residential designation provides for multiple-family residential, duplex, and/or small single-family homes."

The subject parcel is surrounded by parcels with a Medium Density Residential General Plan Land Use designation to the south, west, and east (Attachment 1, Exhibit 1). The restaurant to the north has a Central Business District Land Use designation.

PUBLIC COMMENTS:

Written notice of the Town Council hearing was sent to property owners and tenants within 300 feet of the subject property. At the time of this report's preparation, the Town has not received any public comment.

CONCLUSION:

A. Summary

The proposed zone change would be consistent with the existing General Plan Land Use designation and the existing pattern of land uses and zones surrounding the parcel (Attachment 1, Exhibit 1).

B. Recommendation

Based on the analysis above and the recommendation of the Planning Commission, staff recommends that the Town Council consider the existing General Plan Land Use designations and existing zoning designations surrounding the subject parcel and approve the zone change. If the Town Council finds merit with the proposed amendment, 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) (Attachment 3);
2. 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 existing General Plan Land Use designation (Attachment 3); and
3. Introduce an Ordinance of the Town of Los Gatos effecting a zone change from O:LHP (Office with a Landmark and Historic Preservation Overlay) to R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) for the property located at 246 Alameda Avenue (Attachment 4), by title only, with any specific changes identified and agreed upon by the majority of the Town Council.

C. Alternatives

Alternatively, the Town Council could:

1. Continue the matter to a date certain with specific direction;
2. Remand the application to the Planning Commission with specific direction; or
3. Deny the application.

COORDINATION:

The Community Development Department coordinated with the Parks and Public Works Department, the Santa Clara County Fire Department, and the Town Attorney's Office in the review of the proposed project.

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ENVIRONMENTAL ASSESSMENT:

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 amendment to the Town Code will have a significant effect on the environment.

Attachments:

1. March 10, 2021 Planning Commission Staff Report with Exhibits 1-5
2. March 10, 2021 Planning Commission Verbatim Minutes
3. Draft Findings
4. Draft Ordinance for the Zone Change, with Exhibit A