



**TOWN OF LOS GATOS  
COMMUNITY DEVELOPMENT DEPARTMENT  
110 E. Main Street  
Los Gatos, CA 95030**

**PAID**  
JUN 14 2019  
TOWN OF LOS GATOS

**APPEAL OF THE DECISION OF  
DIRECTOR OF COMMUNITY DEVELOPMENT  
OR  
DEVELOPMENT REVIEW COMMITTEE**

**PLEASE TYPE or PRINT NEATLY**

I, the undersigned, do hereby appeal a decision of the COMMUNITY DEVELOPMENT DEPARTMENT/DIRECTOR OF COMMUNITY DEVELOPMENT OR DEVELOPMENT REVIEW COMMITTEE as follows:

DATE OF DECISION: June 4, 2019  
PROJECT/APPLICATION: CUP Application U-19-006  
LOCATION: 66 E. Main Street  
Los Gatos, CA 95030

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED: See attached  
Addendum

(If more space is needed, attach additional sheets.)

- IMPORTANT:**
1. APPEAL MUST BE FILED WITHIN TEN (10) DAYS AFTER THE DATE OF MAILING OF WRITTEN NOTIFICATION OF THE DECISION.
  2. THE APPEAL SHALL BE SET FOR THE FIRST REGULAR MEETING OF THE PLANNING COMMISSION WHICH THE BUSINESS OF THE PLANNING COMMISSION WILL PERMIT, MORE THAN FIVE (5) DAYS AFTER THE DATE OF THE FILING OF THE APPEAL. THE PLANNING COMMISSION MAY HEAR THE MATTER ANEW AND RENDER A NEW DECISION IN THE MATTER.
  3. YOU WILL BE NOTIFIED, IN WRITING, OF THE APPEAL DATE.
  4. CONTACT THE PROJECT PLANNER TO DETERMINE WHAT MATERIAL IS REQUIRED TO BE SUBMITTED FOR THE PUBLIC HEARING.

**RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT**

PRINT NAME Thomas Spilburg SIGNATURE [Signature]  
DATE June 13, 2019 ADDRESS 66 E. Main Street  
PHONE 408.892.5212 Los Gatos, CA 95030

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**OFFICE USE ONLY**

DATE OF PLANNING COMMISSION HEARING: \_\_\_\_\_  
COMMISSION ACTION: 1. \_\_\_\_\_ DATE: \_\_\_\_\_  
2. \_\_\_\_\_ DATE: \_\_\_\_\_  
3. \_\_\_\_\_ DATE: \_\_\_\_\_

PLAPPEAL \$ 192.00 Residential  
PLAPPEAL \$ 767.00 Commercial X  
PLAPPEAL \$ 78.00 Tree Appeals

**ADDENDUM:**

**Application to Appeal of the Decision of the Development Review Committee**

File date: June 13, 2019

To: Town of Los Gatos, Community Development Department

Re: Conditional Use Permit Application U-19-006 for 66 E. Main Street

From: Thomas C. Spilsbury; Property Owner, 61 E. Main Street Los Gatos CA 95030

**List reasons why the appeal should be granted:**

As stated in the Los Gatos General Plan 2020, "Land use decisions encompass not only zoning, but circulation, design, open space and other factors." We respectfully request an appeal of the CDR Committee's decision to approve a conditional use permit for 66 E. Main Street on the basis of these and other factors.

Most commercial parcels in Los Gatos are located along the Santa Cruz Avenue or Los Gatos Boulevard corridors, according to the General Plan. By contrast, although zoned C-2, the 66 E. Main Street property sits within a much more diverse neighborhood at the heart of the Civic Center district.

Both the location and the building structure itself at 66 E. Main Street are inappropriate for the high-intensity use proposed. We believe this CUP would adversely affect the welfare the entire community within its radius, both commercial and non-commercial. Specifically, it contravenes the following General Code Policies:

- Policy LU-6.3 Protect existing residential areas from adjacent nonresidential uses by assuring that buffers are developed and maintained.
- Policy LU-6.5 - The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood.

**DEVELOPMENT REVIEW COMMITTEE – June 4, 2019**  
**REQUIRED FINDINGS FOR:**

**66 E Main Street**  
**Conditional Use Permit U-19-006**

**Requesting approval for group classes on property zoned C-2. APN 529-29-049.**  
**PROPERTY OWNER: Jane Thomas Living Trust**  
**APPLICANT: Alex Anderson**

**FINDINGS**

**Required finding for CEQA:**

- The project is Categorically Exempt pursuant to Section 15301 of the State Environmental Guidelines as adopted by the Town. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

**Required findings for a Conditional Use Permit:**

- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit:

The deciding body, on the basis of the evidence submitted at the hearing, may grant a conditional use permit when specifically authorized by the provisions of the Town Code if it finds that:

1. The proposed use is desirable to the public convenience because it provides a unique activity for visitors and residents in the downtown and surrounding areas; and
2. The proposed use would not impair the integrity of the zone, in that the proposed use is a commercial use and would be located in a commercial zone; and
3. The proposed use would not be detrimental to public health, safety or general welfare, as the conditions placed on the permit would maintain the welfare of the community; and
4. The proposed use is in conformance with the Town Code and General Plan.