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 APPROVING A REQUEST FOR A ZONING CONSISTENCY DETERMINATION AND A CONDITIONAL USE PERMIT FOR A BANK (CHARLES SCHWAB COMMUNITY BANKING AND INVESTMENT SERVICES) ON PROPERTY ZONED C-2:LHP:PD AND REMANDING THE MATTER TO THE PLANNING COMMISSION FOR FURTHER CONSIDERATION.

APN 529-02-044
ARCHITECTURE AND SITE APPLICATION: U-20-009
PROPERTY LOCATION: 35 UNIVERSITY AVENUE
APPELLANT: LOS GATOS CHAMBER OF COMMERCE
APPLICANT: AMBER DEMAGLIO
PROPERTY OWNER: SRI OLD TOWN, LLC

WHEREAS, on November 11, 2020, the Planning Commission held a public hearing and considered a request for a zoning consistency determination and a Conditional Use Permit (CUP) for a bank (Charles Schwab Community Banking and Investment Services) on property zoned C-2:LHP:PD. The Planning Commission determined that the proposed use is a bank and approved a CUP subject to conditions of approval.

WHEREAS, on November 19, 2020, the appellant filed an appeal of the decision of the Planning Commission approving the zoning consistency determination and a CUP for a bank (Charles Schwab Community Banking and Investment Services) on property zoned C-2:LHP:PD.

WHEREAS, this matter came before the Town Council for public hearing on December 15, 2020, and was regularly noticed in conformance with State and Town law.

WHEREAS, the Town Council received testimony and documentary evidence from the appellant and all interested persons who wished to testify or submit documents. The 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 December 15, 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 approving a request for a zoning consistency determination and a CUP for a bank (Charles Schwab Community Banking and Investment Services) on property zoned C-2:LHP:PD is granted and the application is remanded to the Planning Commission for further consideration.

2. The decision does not constitute a final administrative decision and the applications 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 15th day of December 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: _____