



**CITY OF LOS ALTOS  
CITY COUNCIL MEETING  
August 25, 2015**

**CONSENT CALENDAR**

**Agenda Item # 2**

**SUBJECT:** Adopt Ordinance No. 2015-411, amending Chapter 14.88 of Title 14 pertaining to rezoning 366 First Street from CD/R3 to CRS

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**BACKGROUND**

At the July 28, 2015 City Council meeting, as part of the approval of the Draeger's Market renovation and expansion, the Council introduced an ordinance to rezone the property at 366 First Street from CD/R3 to CRS.

**EXISTING POLICY**

None

**PREVIOUS COUNCIL CONSIDERATION**

July 28, 2015

**DISCUSSION**

This is the second reading and adoption of this ordinance amendment to Chapter 14.88. The new ordinance will go into effect on the thirty-first day following its adoption.

**PUBLIC CONTACT**

A public notice billboard with color renderings of the project was posted on the property, a public hearing notice was published in the *Town Crier*, posted on the billboard and mailed to all property owners and commercial tenants within 500 feet of the property for the May 21, 2015 Planning and Transportation Commission hearing. The mailed notice included 93 property owners and 125 commercial tenants.

A public hearing notice was published in the *Town Crier*, posted on the billboard and mailed to all property owners and commercial tenants within 500 feet of the property for the July 28, 2015 City Council public hearing. The mailed notice included 93 property owners and 125 commercial tenants.

Posting of the meeting agenda serves as notice to the general public.

**FISCAL/RESOURCE IMPACT**

None

**ENVIRONMENTAL REVIEW**

Categorically Exempt per CEQA Section 15301 (addition to an existing building).

**RECOMMENDATION**

Adopt Ordinance No. 2015-411, amending Chapter 14.88 of Title 14 pertaining to rezoning 366 First Street from CD/R3 to CRS

**ALTERNATIVES**

1. Modify the proposed ordinance and reintroduce it
2. Reject the proposed ordinance

Prepared by: Zachary Dahl, Senior Planner

**ATTACHMENT:**

1. Ordinance No. 2015-411

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*Adopt Ordinance No. 2015-411, amending Chapter 14.88 of Title 14 pertaining to rezoning 366 First Street from CD/R3 to CRS*

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**ORDINANCE NO. 2015-411**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
AMENDING CHAPTER 14.88 OF THE LOS ALTOS MUNICIPAL CODE  
PERTAINING TO REZONING 366 FIRST STREET FROM CD/R3 TO CRS**

**WHEREAS**, the owners of the properties at 342 and 366 First Street, Draeger's Supermarkets, Inc., initiated an application (14-Z-01) to amend the Zoning Designation on the property at 366 First Street from the Commercial Downtown/Multiple-Family (CD/R3) District to the Commercial Retail Sales (CRS) District, referred herein as the "Z"; and

**WHEREAS**, said Z is in the best interest for the protection or promotion of the public health, safety, comfort, convenience, prosperity, and welfare, and is consistent with the adopted General Plan of the City; and

**WHEREAS**, said Z is categorically exempt from environmental review per Section 15301 of the California Environmental Quality Act of 1970 as amended ("CEQA"); and

**WHEREAS**, required public notices and public hearings were duly given and duly held according to law; and

**WHEREAS**, the Planning and Transportation Commission held a duly noticed public hearing on the Z on May 21, 2015 and the City Council held a duly noticed public hearing on the Z on July 28, 2015; and

**WHEREAS**, the Z was processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

**WHEREAS**, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council's decision is based in the Office of the City Clerk.

**NOW THEREFORE**, the City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** Section 14.88.690 entitled "Zoning map amended" is hereby added to Chapter 14.88 of Title 14 of the Los Altos Municipal Code to read as follows:

**Zoning map amended.**

The property generally referred to as 366 First Street (APN 167-41-051) as delineated on Rezoning Map No. 14-Z-01, attached hereto and incorporated herein by reference, are hereby included within the Commercial Retail Sales (CRS) zoning district.

**SECTION 2. FINDINGS.** The City Council finds in accordance with Chapter 14.86 of the Los Altos Municipal Code that the amendment is in the best interest of the City for the protection and/or promotion of the public health, safety, comfort, convenience, prosperity, and welfare; and that the amendment is in conformance with the City of Los Altos General Plan.

**SECTION 3. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 4. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on July 28, 2015 and was thereafter, at a regular meeting held on \_\_\_\_\_, 2015 passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

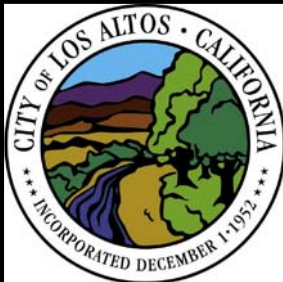
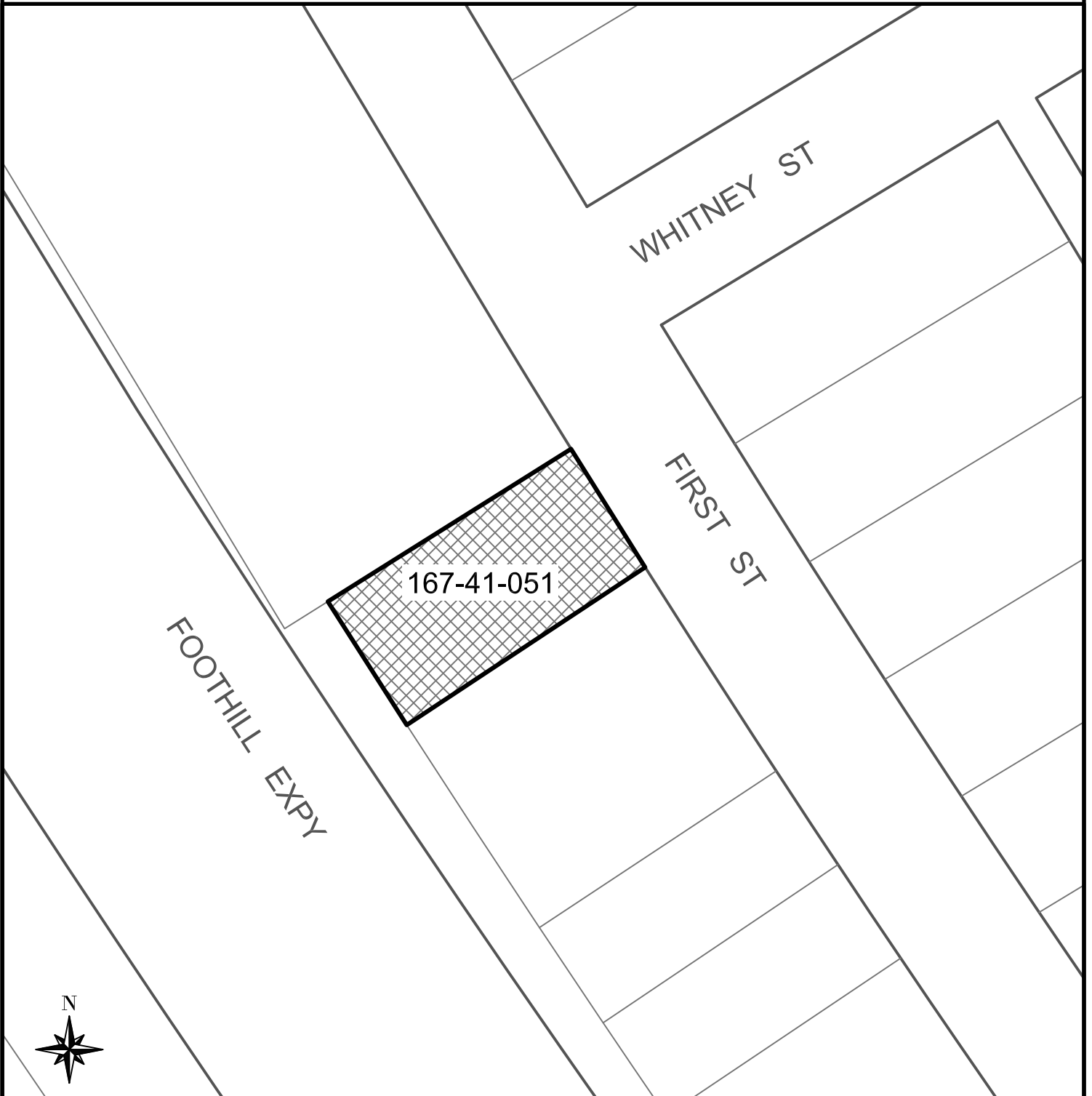
ABSTAIN:

\_\_\_\_\_  
Janis C. Pepper, MAYOR

Attest:

\_\_\_\_\_  
Jon Maginot, CMC, CITY CLERK

# Exhibit to Ordinance No. 2015-411



DRAWN	VW
CHECKED	ZD
APPROVED	ZD
DATE	7/7/2015
SCALE	1" = 50'
DWG NO.	14-Z-01

## PLANNING DIVISION

CITY OF LOS ALTOS

SANTA CLARA COUNTY, CALIFORNIA

**Rezoning Map No. 14-Z-01**  
**APN 167-41-051 - CD/R3 to CRS**