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To: Town of Los Gatos, Planning Department
110 E Main St
Los Gatos, CA 95030

Project: 25 W Main St.
Los Gatos, CA 95030

Owner: Steven Leonardis
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From: Gordon Wong

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TOWN OF LOS GATOS
PLANNING DIVISION

Letter of Justification

The development requests a variance to exceed the FAR requirements in a C-2 zone per Los Gatos Municipal Code. Per Sec. 29.60.345. under Los Gatos Municipal Code, C-2 zone allows up to 0.6 FAR. The existing historical building is already at 0.69 FAR and we are asking for a variance to add additional apartment units, which will increase the FAR to 1.38. Providing two additional apartment units that are affordable price in downtown Los Gatos will make the project more sustainable and efficient for both the Town of Los Gatos and the owner. We believe the development will be beneficial to the shortage of housing in the Bay Area. Supported by the general plan, the development will address these economic and social issues.

We also recognized that many of the existing buildings around the development exceed the required FAR (Diagram 1). From our research 11 out of 13 existing buildings around the development exceed the required FAR. While many of them are retail stores and may be a different type of use, the development has retail towards W Main St. on the first floor and the additional living area will be hidden behind the main unit.

The development will have 10 parking spaces in total; 3 on-site parking spaces and 7 from additional parking per parking assessment district (Per Sec. 29.10.150). under Los Gatos Municipal Code, the development will require 12 parking spaces in total. Considering that the development is in downtown Los Gatos and in an area where it is pedestrian friendly with 10 public transit stops within a half mile radius, we are kindly asking for a parking space exception (Diagram 2). The garage will serve the proposed apartment units to prevent the residents from experiencing parking problems in busy downtown area.

The development will have a 3-car garage for the residents to create a residential environment of sustainable desirability and stability. We heard the concern that the cars will be backing in and out directly from the street. In order to keep the drivers on Park Ave. safe, we are proposing exterior lights to be installed on the entry ways that have sensors to detect the use of the garage units (elevation keynote #15) along with warning flasher & light (elevation keynote #20) per our traffic consultant's recommendations on sheet A202 of the architectural plans. The reason why the proposed development is placed closer towards Park Avenue is because there is a significant (more than 10') elevation difference and it will need enough room to build additional retaining wall to prevent the site from sliding. We also found that there are similar conditions that exist along Victory Lane with garages opening onto the street without driveways or with driveways less than eighteen feet in length (Diagram 5). We are requesting a variance from the required driveway backout of 18 feet. We are proposing a backout of 1'-6".

With the understanding of the current housing needs in the Bay Area, the owner wishes to meet the housing demands by providing two additional apartment units that are affordable but can only do so with the variances.

Planned Development Variance Report: Required Findings

I. Variances

- a. FAR Requirement for C-2 Zone (reference diagram 1)
 - Per Los Gatos Municipal Code Sec. 29.60.345, C-2 zone required FAR of 0.6
 - The lot area per square footage of the existing building is 0.69
 - The lot area per square footage of building with the proposed addition is 1.38
 - Dedication for public right of way decreases the lot size.
- b. Exception - Parking Space Requirement (reference diagram 2)
 - Per Los Gatos Municipal Code Sec. 29.10.150, the development will require 12 parking spaces in total
 - The development has total 10 parking spaces; 3 on-site parking spaces and 7 from additional parking per parking assessment district
 - Per Los Gatos Municipal Code Sec. 29.10.155 (c)(7), when a garage, with a sliding or overhead roll-up door, unenclosed parking space, or carport opens onto a street (excluding alleys) the length of the driveway shall not be less than eighteen (18) feet.
 - The garage will serve for the 3 proposed apartment units and the 7 from additional parking per parking assessment district will serve the retail and guest parking for the apartment units
 - The development asks for parking reduction of 2 guest parking

II. Justification / Findings

- a. Neighboring Properties Exceeding FAR Requirement for C-2 Zone (reference diagram 1)
 - Within the 500 feet radius from 25 West Main Street, out of the 13 sites that fall under C-2 zone, 11 of them are over the required FAR of 0.6. Out of the 11 sites that are over, 4 are over the proposed project, which is 1.38.
- b. Conditional Use Permit for Multi-Family Use in Mixed-Use Project
 - Along Main Street, there are properties that have living units with commercial use.
 - i. 21 & 23 W Main Street has retail towards the street side (Tangles Salon & Craft Box) and living units towards the rear side of the property.
 - ii. 80 W Main Street has retail on the first floor (Boutique La Lune) and living units above.
 - iii. 135 W Main Street has retail on the first floor (Le Boulanger) and living units above.
- c. Variance – Justify Driveway Backout Requirement (reference diagram 3, 4, & 5)
 - Residential units along Wilder Avenue have garages located along Victory Lane that open onto to the street without driveways or with driveway length less than eighteen feet.
 - Traffic study, prepared by KD Anderson & Associates, Inc., recommends:
 - i. Garage openings that are as wide as possible, with a minimum of 9.5 feet which they will be provided.
 - ii. Install 8" yellow flashers and appropriately sized signs on each end of the new building facing oncoming traffic.

III. Benefits

- a. The development is repurposing an existing historical building that is culturally significant to the Town of Los Gatos
 - The development is renovating the existing retail store on the street level and the living space on the second floor to improve the quality of the spaces inside
 - The development proposes additional living units towards the rear of the lot while maintaining the existing characteristics by matching the mass, material, color, and details
- b. The development is providing three (3) new apartment units in downtown Los Gatos with three-car garage
 - The three new apartment units will be beneficial to the shortage of housing in the Bay Area
 - The project is in a prime area in downtown Los Gatos where it is pedestrian friendly with access to public transits, which justifies the amount of living units the development is proposing

- The project also provides a three-car garage for the apartment units to have designated parking space that is closed off from the public
 - i. Providing a garage will prevent residents from facing parking issues in busy downtown area
 - ii. Providing a garage will make the project more feasible with tenant use in mind
- c. Out of the three (3) new apartments, two (2) will be affordable units
- Developments that convert non residential use to residential use are required to follow The BMP Program
 - Having two affordable apartment units will address housing issues in the Bay Area and make the project more sustainable and beneficial to the owner and the Town of Los Gatos
 - (Size of Units) The affordable units per City of Los Gatos's BMP policy would be located on top of the retail space and be of reasonably consistent size to the market rate unit in the project
 - i. One studio apartment unit – 404 SF BMP
 - ii. One bedroom apartment unit – 562 SF BMP
 - iii. One Bedroom apartment unit – 696 SF
 - (Location of Units) The units are all on the same floor of the building
 - (Finish of Units) The external and internal appearances of the BMP and Market value units will be indiscernible from one another.
 - (Project Facilities) Each unit is provided one garaged parking space, access to the communal open space, and access to a balcony
 - (Maintenance) All units will be maintained with the same amount of care from management
- d. Provides open space of 611 sf.
- 530.7 sf of shared open space including balcony on 2nd floor from hallway / 80.6 sf of private open space from apartment unit above garage.
 - Beneficial to tenants use in mind living in apartment units
 - Lush landscape design improves atmosphere and downtown area
 - Reduces building mass on site
 - Using permeable pavers make site aesthetically pleasing, which improves lifestyle and environment
 - Reduces pollutant and run off volume on site
 - Having open spaces makes project more sustainable
 - Parking will be prevented by installing bollards along Park Ave.
- e. Apartment unit amenities
- Each living unit includes a laundry and dryer unit with full kitchen
 - Ceiling height raised from 6'-10" to 8'-0" in existing building to provide more occupiable space
 - Open space for tenants
 - i. 600 sf required
 - ii. 611 sf proposed

Compliance to Town of Los Gatos Standards

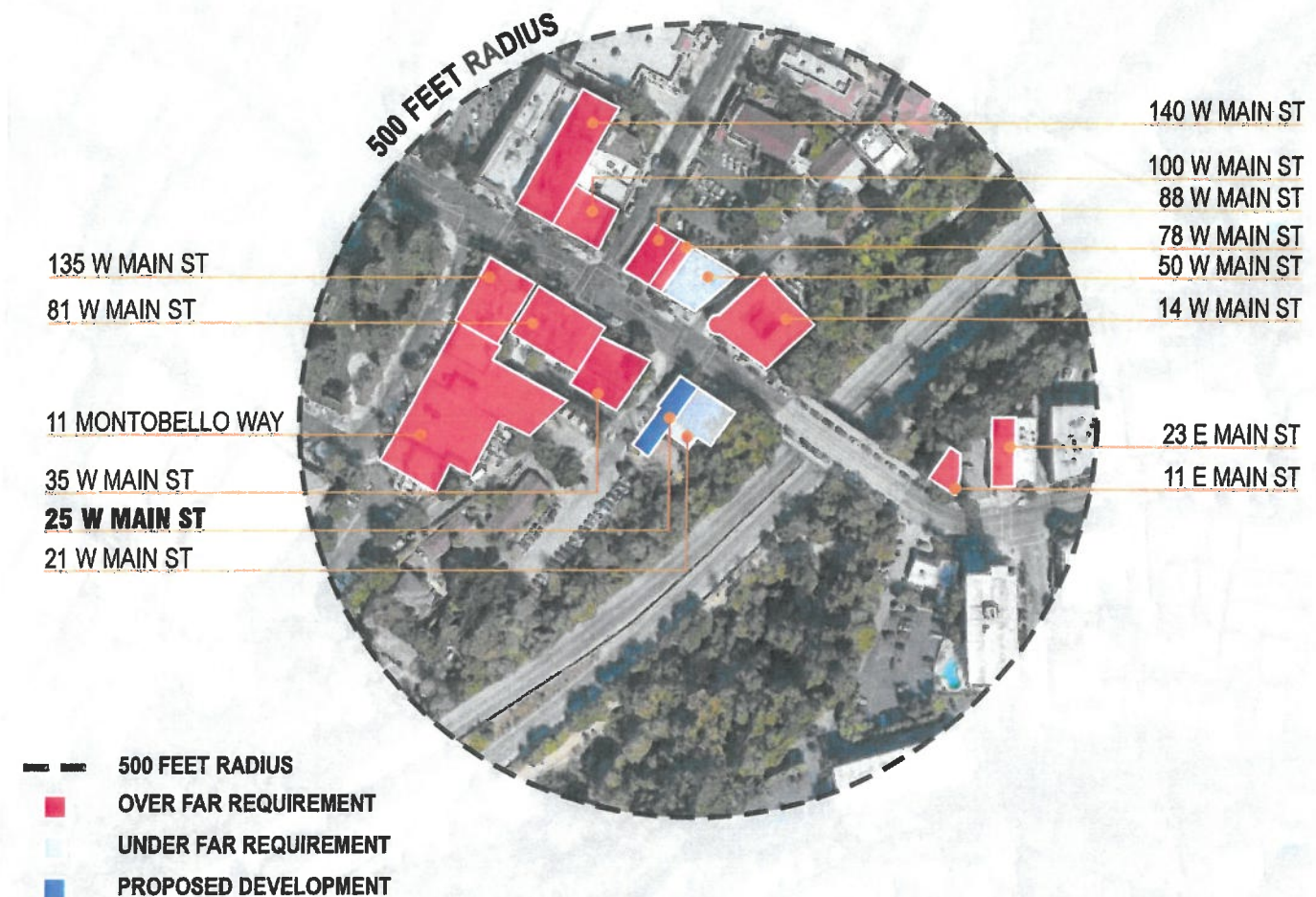
I. Municipal Code Section 29.20.150 – Considerations in review of applications

- a. Design of the proposed addition and remodeling of the existing building meet the considerations that are indicated under town municipal code section 29.20.150.
- b. Landscaping and site layout are designed so the project seems appropriate to the existing building and neighboring property.
- c. The scale of the proposed addition is like what is existing on site and the finish materials will match the existing historic building to make the addition seamless.
- d. Lighting and street furniture are also considered to fit with the site.
- e. Existing retail is remodeled to be accessible to physically disabled persons.

II. Commercial Design Guideline

- a. Design decisions of the proposed addition are made to meet the criteria listed under the Commercial Design Guidelines Section 1.5 Common Design Guidelines, Section 3.2 Site Development (C-2A Subdistrict), Section 3.3 Building Design (C-2A Subdistrict), Section 3.4 Los Gatos Historic Commercial District, and Appendix A Historic Commercial District.
- b. The existing building is a historical building and the proposed addition is designed to maintain and reinforce the existing conditions by matching materials, color, and details. The design was carefully done to preserve the character of Los Gatos.
- c. The proposed addition has several façade layers (e.g., columns, different depths, garage door) to make the exterior look richer and more interesting.
- d. None of the exterior faces, even the ones facing the adjacent building (21 W Main St), will be blank.
- e. The proposed addition has a 3-car garage that will hold the residents' cars. This will prevent from having cars parked where they are visible from the street.
- f. The building materials and details will be in high quality and to match the existing conditions of the historic building.
- g. The proposed development will provide a landscaped area in the rear space for residents to use as common open space.
- h. All windows will be transparent to match the existing windows.
- i. There is a clear designation between first and second floor for the proposed addition.
- j. The second floor is set back from the walls below.
- k. Trash areas are either enclosed or screened from the street and public view.
- l. On-site utility elements (i.e. condenser unit for the mini-split system) will be placed towards the back away from the public street.
- m. The rear outdoor space will be landscaped to define the site.

500 FEET RADIUS F.A.R. STATUS



DESCRIPTION

DIAGRAM 1

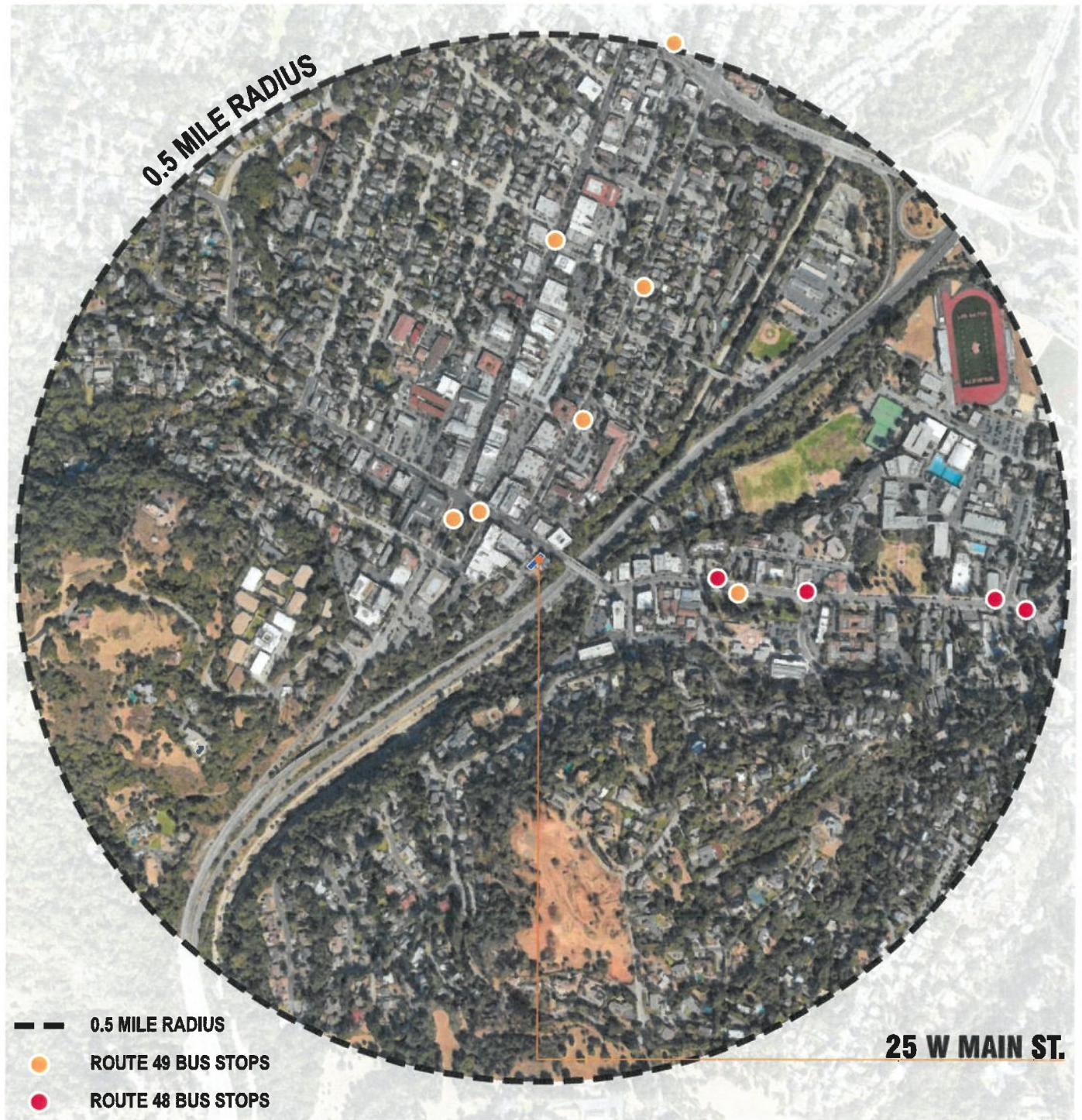
STREET ADDRESS	PARCEL AREA	TOTAL BUILDING AREA	FAR	(E) CONDITION
14 W Main St	13,240 SF	11,526 SF	0.87	OVER
21 W Main St	6,573 SF	7,308 SF	0.90	OVER
35 W Main St	8,276 SF	4,926 SF	0.60	OKAY
50 W Main St	9,940 SF	3,446 SF	0.35	UNDER
78 W Main St	1,382 SF	2,484 SF	1.80	OVER 1.38
81 W Main St	10,890 SF	9,888 SF	0.91	OVER
88 W Main St	2,602 SF	2,520 SF	0.97	OVER
100 W Main St	5,759 SF	5,238 SF	0.91	OVER
135 W Main St	5,492 SF	10,973 SF	2.00	OVER 1.38
140 W Main St	8,710 SF	15,444 SF	1.77	OVER 1.38
11 Montobello Way	2,673 SF	2,450 SF	0.92	OVER
11 E Main St	1,666 SF	2,898 SF	1.72	OVER 1.38
23 E Main St	3,150 SF	2,340 SF	0.74	OVER
25 W Main St	2,871 SF	3,963 SF	1.38	OVER

- Within the 500 feet radius of 25 W Main Street, 11 sites out of 13 sites are over the required FAR of 0.6
- Out of the 11 sites that are over, 4 are over the proposed project

VARIANCE REQUEST

- Neighboring buildings have created a context where they exceed the required FAR of 0.6
- The proposal is asking for an exception on FAR requirement

0.5 MILE RADIUS PUBLIC TRANSITS



DESCRIPTION

DIAGRAM 2

- There are total 11 bus stops (routes 48 and 49) within 0.5 mile radius of project location
- Route 48 runs from Los Gatos Civic Center to Winchester Transit Center via Winchester Blvd.
- Route 49 runs from Los Gatos Civic Center to Winchester Transit Center via Los Gatos Blvd.

VARIANCE REQUEST

- The project is located in downtown Los Gatos with access to public transit within walking distance
- Considering how pedestrian friendly the project location is, the proposal is asking for an exception on parking space requirement

DRIVEWAY WIDTH FOR BACKUP

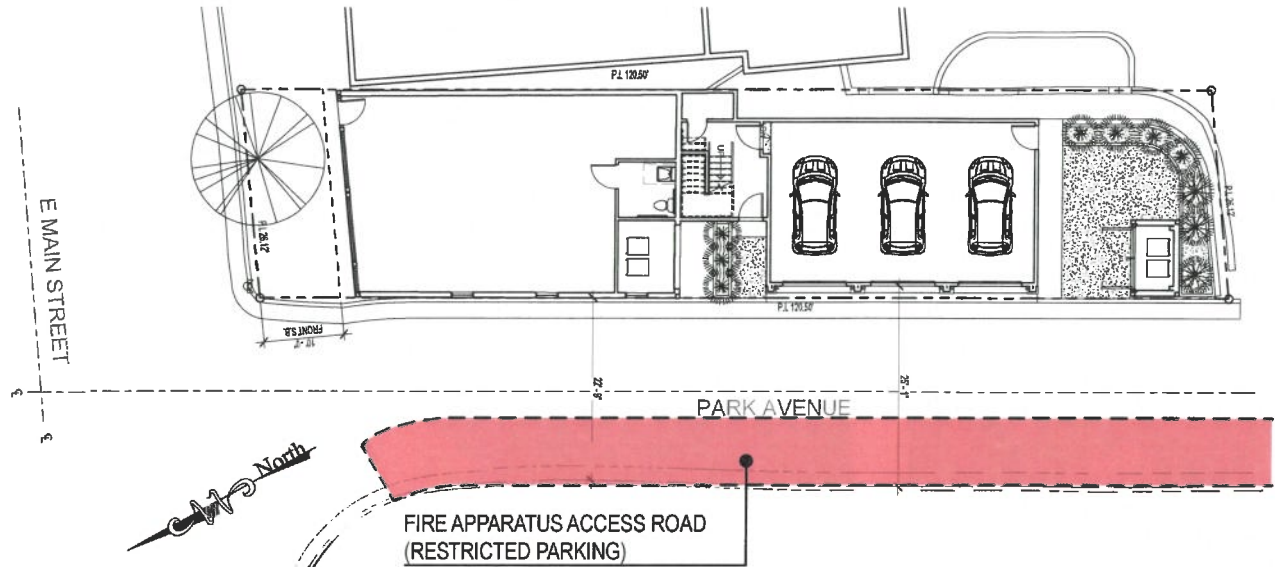


DIAGRAM 3



DIAGRAM 4

DESCRIPTION

- There is an existing fire lane along Park Avenue and it is illegal to stop, stand, or park along Park Avenue (Per Los Gatos Municipal Code Sec. 15.40.110. (a)(1))
- Existing fire lane works for the project's benefit to get the required minimum driveway width of 18' for cars to back out (Per Los Gatos Municipal Code Sec. 29.10.155 (c)(7))

GARAGES ALONG VICTORY LANE



150 Wilder Ave Garage



146 Wilder Ave Garage



140 Victory Ln Garage



122 Wilder Ave Garage



212 Victory Ln Garage



220 Wilder Ave Garage

DESCRIPTION

DIAGRAM 5

- There are garages along Victory Lane for single family houses along Wilder Avenue that have similar condition to the proposed development where garages open onto the street without driveways or with driveways that are less than eighteen feet in length.