



July 31, 2023

Jocelyn Shoopman, Associate Planner
City of Los Gatos Planning Department
110 E. Main Street
Los Gatos, CA 9

666 N. Santa Cruz Avenue: U-22-004

LETTER OF JUSTIFICATION

1. Convenience store use is a desirable use at this location. Today those people coming into the gas station expect a nice convenience store with the usual chips, drinks and other snacks. As well as commonly needed items found in grocery stores. This saves them added time driving to other stores and waiting in longer lines. Today convenience stores are even adding hot food items also.
2. The proposed uses will not impair the integrity and character of the zone. The current operator of the repair shop is retiring from this work, and so the auto repair shop is closing. Over the last 40 years the fuel station has taken on a new look. It is no longer the "service" station like it was. Car technology has changed this. They are now more of a convenience store. This model has proven to be a profitable change for the industry. Today it is more typical to see a convenience store than a car repair shop at a fuel station. With the repair shop empty the owner needs to change his model and expand into the convenience store. The character found within the zone will not be changed by this change. The building architecture will not be modified that much. The large door openings will be replaced with windows and the exterior wainscot will be updated.
3. The proposed uses would not be detrimental to public health, safety or general welfare. This proposed renovation will bring this property up to current code requirements for safety, health and general welfare. The restrooms will be accessed from the interior which is a deterrent for those who tend to hang around and use them without being a client of the facility.
4. The proposed uses of the property are in harmony with the various elements or objectives of the general plan and the purposes of this chapter. We feel that this use fits into the services that are allowed in the general plan and the design keeps the small town character of the neighborhood. Convenience stores are a use found within this zone.
5. A hazardous waste facility proposal is subject to the California Health and Safety code and with Santa Clara County Hazardous Waste Management Plan. The current fuel station is already following the guidelines of these codes and has a Hazardous waste management plan.

Sincerely,

A handwritten signature in blue ink that reads 'Kurt Wagenknecht'.

Kurt Wagenknecht



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LETTER OF JUSTIFICATION for Section 29.20.197 (a) and (b)

(a) When reviewing an application for a conditional use permit or modification to a conditional use permit to sell beer or wine for consumption off-premises at a service station pursuant to section 29.20.185, the deciding body shall consider the following factors in addition to those required in section 29.20.190

1. The number of locations that sell beer and wine within a mile. We do not have this information. We can ask the licensing organization to determine this. There does not appear to many stores that sell beer and wine within this radius.
2. The proximity of the location to schools, public parks, playgrounds, youth-oriented facilities, and residential neighborhoods. Generally, beer and wine sales within five hundred (500) feet of school, public park, playground, or youth-oriented uses should not be allowed;

There are no schools within 500'. There is a walking entrance to the Oak Meadow park within this 500'. The drive entrance is further away. The Vasona Lake County park is further away.

3. Hours of operation: The hours of operation will remain as they have been.
Monday-Friday: 5am to Midnight
Saturday- Sunday: 6am to Midnight
4. The past history of business at this location. The fuel station and auto repair has been there since 1970 and is a vital part of the neighborhood.
5. History of Loitering and police activity. While there have been some loitering and some police calls, this location is on the low side of police activity this is true for this neighborhood as well.

(b) When reviewing an application to sell beer and wine for consumption off-premises at a service station, the deciding body shall impose the following conditions and operating standards: The owners agrees with these provisions.

- 1) No beer or wine shall be displayed within five feet of the cash register.
- 2) No advertisement or display of beer or wine shall be made outside the building in which sales or beer and wine occur.
- 3) No sale of beer or wine shall be made from a drive-in window.

- 4) No beer or wine for sale shall be refrigerated, and no display or sale of beer or wine shall be made from an ice tub.
- 5) No self-illuminated advertising for beer or wine shall be located on buildings or windows.
- 6) Employees on duty between the hours of 10:00 p.m. and 12:00 a.m. who may sell beer or wine shall be at least 21 years of age.
- 7) There shall be no on-premises consumption of beer or wine.
- 8) The sale of beer and wine shall at all times be incidental to the operation of the building as a service station. Whether the sale of beer or wine is incidental shall be determined by measurement of the space devoted to sales of beer and wine with relation to sales of grocery and convenience items, and the volume of sales of beer and wine with relation to sales of other grocery and convenience items.
- 9) Uniformed security personnel may be required in or around the premises by the Chief of Police if alcohol-related problems recur that are not resolved by the licensed owner.
- 10) At the discretion of the Chief of Police, periodic meetings will be conducted with representatives of the Police Department for ongoing employee training on alcoholic beverages sales to the general public.
- 11) The operator shall post and maintain a warning regarding driving after consumption of alcoholic beverages in a visible location near the cash register.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kurt Wagenknecht', with a long horizontal flourish extending to the right.

Kurt Wagenknecht

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