

**LP ACQUISITIONS**  
REAL ESTATE DEVELOPMENT

March 21, 2018

**VIA E-MAIL (JARMER@LOSGATOSCA.GOV) & FEDEX**

Ms. Jennifer Armer  
Town of Los Gatos  
Community Development Department  
110 E. Main Street  
Los Gatos, CA 95031  
Phone: (408) 354-6872  
Email: jarmer@losgatosca.gov

Re: Appeal of Planning Commission Decision Denying a Request to Demolish Three Existing Office Buildings and Construct a New, Two-Story Office Building with Underground Parking for 401-409 Alberto Way Project  
Architecture and Site Application S-15-056  
Conditional Use Permit Application U-15-009  
APN 529-23-018

Dear Jennifer:

Thank you for coordinating the continued processing of the above-referenced 401-409 Alberto Way project (the "Alberto Way Project") for the Los Gatos Town Council's consideration at its upcoming April 3, 2018 meeting. We appreciated the Town Council's thoughtful questions last night regarding minor modifications to the building design, to accommodate an increased setback on the northern property boundary to address the neighbors' requests to expand the view corridor. As we explained, throughout this process, we have attempted to respond to the Town Council, Planning Commission, Town Planning Staff, Town Architect and neighbors' requests for further reductions in the project size, and measures to preserve views and setbacks. We think that this has made for an even better project.

We understand that Mayor Rennie and the Town Council were interested in finding a resolution that works for everyone. As we discussed, we are faced with certain site limitations and requests from our prospective tenants that have constrained the building design and configuration on the property. Nonetheless, after last night's Council meeting, our team went back and reviewed the plan in light of Mayor Rennie's suggestion to consider squaring off the northern side of the building, and to expand

the setback along the north side of the site to further preserve views of the mountains for nearby residents. We also gave thought to how to adapt the northern dog park/open space area into an amenity space to compensate for a reduction in interior amenity space associated with a building square footage reduction.

Based on the Mayor's and Council Member Sayoc's questions, we believe we would be able to reduce the northern side of the building by another 4,000 square feet to expand the width of the setback by another 16 feet, resulting in a 72-foot buffer width to the northern property boundary. With this compromise in expanding the setback, the building would still be slightly over 70,000 square feet with 35,000 square foot floor plates, which would be at the low end of the preferred floorplate sizing for Class "A" technology office users in Silicon Valley. In order to compensate for the reduction in square footage, we would propose to convert the open area / dog park area along the northern property boundary to a more flexible outdoor space for use by both building tenants and the public. For example, along with Town Council input, this area could be reserved as an outdoor dining area, or an exercise area with par course equipment, etc...

We would propose that the exact design of the 70,000 square foot building would be subject to review and input from the Director of Community Development with input from Larry Cannon, with the goal of maximizing the view corridor on the north end of the site. By confirming the size of the building and width of the setback through the CUP and ASA, we believe that the building design adjustments can be addressed as a final design measure in implementing the conditions of approval of the Architecture and Site Application if the Council were to approve the Project.

We appreciate the Town's consideration of our revised building design in the spirit of attempting to reach a compromise solution. We respectfully request that the Town Council grant our appeal and overturn the Planning Commission's denial of the Project. We believe that the Town Council has the information it needs to certify the Final EIR and approve the Architecture and Site Approval and Conditional Use Permit with a condition authorizing our team to work with the Community Development Director to finalize the details of the Project design to accommodate a greater setback along the northern boundary.

Thank you for your consideration. Please do not hesitate to contact Shane or myself if you have any further questions.

Sincerely,

LP ACQUISITIONS, LLC

By:



Randy Lamb

cc (via email): Rob Schultz, Town Attorney  
Laurel Prevetti, Town Manager  
Joel Paulson, Community Development Director  
Shane Arters  
Alicia Guerra, Esq.  
Jolie Houston, Esq.