

**TOWN OF LOS GATOS**  
**110 East Main Street, Los Gatos, CA 95032 (408) 354-6874**

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SUMMARY OF DISCUSSION OF A REGULAR MEETING OF THE **CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE** OF THE TOWN OF LOS GATOS FOR **JANUARY 13, 2016**, HELD IN THE TOWN COUNCIL CHAMBERS, CIVIC CENTER, 110 EAST MAIN STREET, LOS GATOS, CALIFORNIA.

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The meeting was called to order at 4:30 P.M.

**ATTENDANCE**

Members Present:

Absences:

Barbara Spector  
Marico Sayoc  
Kendra Burch (arrived late)  
Mary Badame  
Thomas O'Donnell

Staff Present: Laurel Prevetti, Town Manager  
Joel Paulson, Interim Community Development Director  
Marni Moseley, Associate Planner

Applicants Present: Douglas Rich (Item 2)  
Chek Tang (Item 2)  
Chris Lee (Item 2)

ITEM 1: Approval of Minutes  
• November 11, 2015  
• December 9, 2015

*Tom O'Donnell* moved to approve the November 11 and the December 9, 2015 minutes. The motion was seconded by *Mary Badame* and **approved 3-0-2** with Marico Sayoc recused and Kendra Burch not present.

ITEM 2: 15860, 15880, and 15894 Winchester Boulevard  
Conceptual Development Advisory Committee CD-15-008

Requesting review of conceptual plans to merge four properties zoned O, to demolish three existing single-family residences, and to construct a new two story office building with below grade and at grade parking. APNs 529-11-013, -038, -039, and 529-11-040.

PROPERTY OWNER: South Beach Partners LLC/Cumulus Capital Holdings, LLC

APPLICANT: Valley Oak Partners – Doug Rich

PROJECT PLANNER: Marni Mosely

EXHIBIT 11

**CDAC Comments:**

- Would it be possible to add an opening to allow more natural light and ventilation into to the underground parking?
- Primary concerns for the underground parking are ventilation, security, lighting, circulation, and bike parking.
- At grade parking circulation is a concern.
- The project should include showers for bicyclists.
- There is concern that the traffic would become an issue because it is right next to a school.
- Medical offices will cause more traffic in the area and is not a current need in the Town.
- Tandem parking is a concern.
- A shuttle service to downtown Los Gatos during lunchtime should be considered.
- LEED certification would be preferred.
- The design with white stucco walls and the metal roof are a concern in regards to compatibility. Natural/warm colors and materials would be more appropriate.
- Upstairs lofts or micro units which would create opportunities for live/work uses may be appropriate for the project.
- Adding patios and seating along Winchester Boulevard would make the bottom floor more inviting and better activate the Winchester Boulevard frontage.
- Ensuring screening of roof mechanical equipment is important.
- The proposed use is appropriate for the site, but the size should be supported by the required parking.

**ITEM 3: Election of Chair and Vice Chair**

*Tom O'Donnell* moved to elect Barbara Spector as chair and Marico Sayoc as Vice Chair. The motion was seconded by Kendra Burch and **approved 5-0**.

**ADJOURNMENT** Meeting adjourned at 5:13 p.m. The next regular meeting of the Conceptual Development Advisory Committee is Wednesday, February 10, 2016.

Prepared by:

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Sylvie Roussel, Administrative Assistant

cc: Planning Commission Chair

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*Planning for Success.*

January 3, 2017

Jocelyn Puga, Associate Planner  
Town of Los Gatos Community Development Department  
110 E. Main Street  
Los Gatos, CA 95030

Re: 15860-15894 Winchester Boulevard Response to Public Comments on Mitigated  
Negative Declaration

Dear Jocelyn,

The comment period for the above-referenced mitigated negative declaration ended on December 1, 2016 and two comment letters were received. The comment letters are attached. Responses to the comments in the letters are as follows:

**Santa Clara Valley Transportation Authority (VTA), December 1, 2016**

VTA supports the project's retention of the detached sidewalk along Winchester Boulevard and the addition of street trees within the planting strip. This comment does not raise an environmental issue that requires a response, and no changes to the mitigated declaration are required.

VTA supports the project's addition of a new sidewalk along Shelburne Way, closing the sidewalk gap between the Winchester and Shelburne intersection. This comment does not raise an environmental issue that requires a response, and no changes to the mitigated declaration are required.

VTA recommends a continuous buffer strip between pedestrian and automobiles with landscaping elements such as closely planted trees, shrubs, or light posts. This comment does not raise an environmental issue that requires a response, and no changes to the mitigated declaration are required. The project includes a continuous landscaping buffer along Winchester Boulevard and a partial landscaping buffer along Shelburne Way.

**EMC PLANNING GROUP INC.**  
A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940 Tel 831-649-1799 Fax 831-649-8399  
[www.emcplanning.com](http://www.emcplanning.com)

EXHIBIT 1.2

VTA recommends the inclusion of conveniently located bicycle parking for the project. As discussed in the initial study on pages 39 and 61 in Section 7 Greenhouse Gas Emissions and Section 16 Traffic and Transportation, the proposed project would include a secured bike storage room in its underground garage that would hold 36 bicycles. The proposed bicycle storage facility exceeds the secured bike storage quantity recommended by VTA and the Center for Green Buildings and Cities. The bike storage room would be located next to the driveway and could also be accessed from ground level via a set of stairs or elevators.

VTA recommends that the Town and Project sponsor consider a comprehensive Transportation Demand Management (TDM) program to reduce single occupant vehicle trips. The project includes pedestrian-friendly frontage improvements, and a new bus stop at the corner of Winchester Boulevard and Shelburne Way. Secured bicycle parking and showers are provided in the building. Town Code Chapter 15, Article VIII references Bay Area Air Quality Management District of District Regulation 13, Rule 1 for Transportation Demand Management requirements, but this regulation was suspended in 1996 in response to State legislation. Regulation 14, Rule 1 is similar, and went into effect in 2014. This rule requires that workplaces of at least 50 employees, which would include the proposed project, provide specified commute benefits designed to reduce single-occupancy trips.

VTA supports the proposed bus stop on the southeast corner of Winchester and Shelburne. This comment does not raise an environmental issue that requires a response, and no changes to the mitigated declaration are required.

VTA recommends 105-foot minimum red curb to allow ingress and egress of a transit vehicle at the bus stop if on-street parking is allowed on Winchester Boulevard. This comment does not raise an environmental issue that requires a response, and no changes to the mitigated declaration are required. It should be noted that any bus stop constructed will meet VTA standards.

VTA notes that should the applicant decide to add passenger amenities at the bus stop, VTA's Transit Passenger Environment Plan provides guidance for bus stop design. This comment does not raise an environmental issue that requires a response, and no changes to the mitigated declaration are required.

**Pacific Gas and Electric Company (PG&E), November 15, 2016**

PG&E suggests that project environmental review documents should consider the potential cumulative effects of development on power infrastructure. The comment letter does not identify any specific infrastructure that would require upgrades for this project. Pages 5-71 and 5-72 of the Town's Final 2020 General Plan Environmental Impact Report address how build-out of the 2020 General Plan may result in cumulative impacts associated with improvements to PG&E's gas and electric systems. The 2020 General Plan Environmental Impact Report (General Plan EIR) considered cumulative impacts with regard to electricity and natural gas consumption on page 4.14-36 and concluded that these impacts would be mitigated to a less-than-significant level by implementing the 2020 General Plan goals, policies, and actions. The General Plan EIR adequately analyzed all cumulative impacts to utilities and infrastructure corresponding with each threshold of significance as required by CEQA and shown on pages 4.14-20 to 4.14-21 of the General Plan EIR. Under Potential Cumulative Impacts on pages 4.14.-35 to 4.14-36 of the General Plan EIR, all thresholds of significance are adequately analyzed.

PG&E suggests that project proponents should coordinate with PG&E early in the development of their project plans to ensure that compliance with the California Utilities Commission clearance requirements are met for the gas and electric distribution lines that cross the site. PG&E suggests that proposed development plans should provide unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E facilities. This comment does not raise an environmental issue that requires a response, and no changes to the mitigated declaration are required.

Developers will be responsible for costs associated with the relocation of existing PG&E facilities to accommodate the development. PG&E encourages developers to consult with PG&E early in their planning stages for utility facility relocations. This comment does not raise an environmental issue that requires a response, and no changes to the mitigated declaration are required.

Sincerely,



Richard James, AICP, Principal





December 1, 2016

Town of Los Gatos  
Community Development Department  
110 E. Main Street  
Los Gatos, CA 95030

Attention: Jocelyn Puga

Subject: 15860-15894 Winchester Boulevard

Dear Ms. Puga:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Initial Study for 30,070 square feet of office development on 1.31 acres at 15860-15894 Winchester Boulevard. We have the following comments.

Pedestrian Accommodations and Access to Transit

Currently the pedestrian accommodations along the project's street frontages consist of a 5-foot detached sidewalk with a planting strip along Winchester Boulevard, and no sidewalk along Shelburne Way east of the Winchester/Shelburne intersection. VTA supports the project's retention of the detached sidewalk along Winchester Boulevard and the addition of street trees within the planting strip. VTA also supports project's addition of a new sidewalk along Shelburne Way, closing the sidewalk gap between the Winchester and Shelburne intersection and the easterly property. The Shelburne Way sidewalk would be partially detached, e.g. a partial landscaped buffer would be between pedestrians and automobiles. VTA recommends a continuous buffer strip between pedestrians and automobiles with landscaping elements, such as closely planted trees, shrubs, or light posts. Resources on pedestrian quality of service, such as the Highway Capacity Manual 2010 Pedestrian Level of Service methodology, indicate that such accommodations improve pedestrian perceptions of comfort and safety on a roadway. Such accommodations also support access to transit, specifically to the Local Line 48 proposed bus stop on the southeast corner of Winchester and Shelburne.

Bicycle Accommodations

VTA supports bicycling as an important transportation mode and thus recommends inclusion of conveniently located bicycle parking for the project. Bicycle parking facilities can include bicycle lockers or secure indoor parking for all-day storage and bicycle racks for short-term parking. VTA's Bicycle Technical Guidelines provide guidance for estimating supply, siting and design for bicycle parking facilities. This document may be downloaded from [www.vta.org/bikeprogram](http://www.vta.org/bikeprogram).

Transportation Demand Management/Trip Reduction

In order to reduce the number of single occupant vehicle trips generated by the Project, VTA recommends that the Town and Project sponsor consider a comprehensive Transportation Demand Management (TDM) program for the office portion of this Project. VTA notes that such programs can be more effective when they include a vehicle trip reduction target, third-party monitoring of trip generation upon Project completion and a Lead Agency enforcement/penalty structure.

Effective TDM programs that may be applicable to the Project include:

- \* Transit fare incentives, such as free or discounted transit passes on a continuing basis
- \* Parking pricing and parking cash-out programs
- \* Bicycle lockers and bicycle racks
- \* Showers and clothes lockers for bicycle commuters
- \* Preferentially located carpool parking
- \* Employee carpool matching services
- \* Parking for car-sharing vehicles

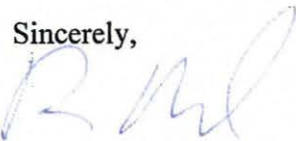
Bus Service

VTA supports the proposed bus stop on the southeast corner of Winchester and Shelburne. If on-street parking is allowed on Winchester Boulevard, VTA recommends a 105' minimum red curb to allow ingress and egress of a transit vehicle at the bus stop. This is based on VTA's Bus Stop & Passenger Facilities Standards.

Additionally, should the applicant decide to add passenger amenities (such as a custom bench, shelter or trash receptacle) at the bus stop, VTA's Transit Passenger Environment Plan provides guidance for bus stop design. This document may be downloaded from <http://www.vta.org/projects-and-programs/planning/transit-passenger-environment-plan>.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed  
Senior Environmental Planner





***Pacific Gas and  
Electric Company***

Land & Environmental Management  
111 Almaden Blvd., 8<sup>th</sup> floor  
San Jose, CA 95113  
(408) 282-7138  
d2g6@pge.com

November 15, 2016

**Town of Los Gatos  
Community Development Department  
110 E. Main St  
Los Gatos, CA 95030**

Attention: Jocelyn Puga

Re: 15860-15894 Winchester Blvd, Draft Initial Study / Mitigated Negative Declaration

Dear Jocelyn:

Thank you for the opportunity to review the Draft Initial Study / Mitigated Negative Declaration for 15860-15894 Winchester Blvd. PG&E has the following comments to offer.

PG&E owns and operates gas and electric distribution lines which cross the proposed project. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their project plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

Developers will be responsible for the costs associated with the relocation of existing PG&E facilities to accommodate their proposed development. Because utility facility relocations require long lead times and are not always feasible, developers should be encouraged to consult with PG&E as early in their planning stages as possible.

We would also like to note that continued development consistent with your General Plans will have a cumulative impact on PG&E's gas and electric systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing gas or electric transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.



Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate buildout capacity, and building new substations and interconnecting transmission lines. Comparable upgrades or additions needed to accommodate additional load on the gas system could include facilities such as regulator stations, odorizer stations, valve lots, distribution and transmission lines.

We would like to recommend that environmental documents for proposed development projects include adequate evaluation of cumulative impacts to utility systems, the utility facilities needed to serve those developments and any potential environmental issues associated with extending utility service to the proposed project. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

PG&E remains committed to working with The Town of Los Gatos to provide timely, reliable and cost effective gas and electric service to the City. Please contact Dan Gilardoni at 408-282-7141 if you have any questions regarding our comments. We would also appreciate being copied on future correspondence regarding this subject as this project develops.

Sincerely,



Dan Gilardoni  
Land Agent  
D2G6@pge.com

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## **MITIGATION MONITORING AND REPORTING PROGRAM**

DATE: January 25, 2017

PROJECT: 15860 – 15894 Winchester Boulevard

S-16-023, M-16-002

### **MITIGATION MONITORING AND REPORTING PROGRAM**

#### **INTRODUCTION**

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

#### **MONITORING PROGRAM**

The basis for this monitoring program is the mitigation measures included in the project mitigated negative declaration. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached monitoring program, which begins on the following page, is proposed for monitoring the implementation of the mitigation measures. This monitoring program contains all appropriate mitigation measures in the mitigated negative declaration.

#### **MONITORING PROGRAM PROCEDURES**

The Town of Los Gatos Community Development Department is responsible for coordination of the monitoring program. The Community Development Department is responsible for completing the monitoring program and distributing the monitoring program to the responsible individuals or agencies for their use in monitoring the mitigation measures.

Each listed responsible individual or agency is responsible for determining whether compliance with mitigation measures contained in the monitoring program has occurred. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring program with evidence of compliance to the Community Development Department to be placed in the project file. If the mitigation measure has not been complied with, the monitoring program should not be returned to the Community Development Department.



## MITIGATION MONITORING AND REPORTING PROGRAM

DATE: January 25, 2017

PROJECT: 15860 – 15894 Winchester Boulevard

S-16-023, M-16-002

The Town of Los Gatos Community Development Department will review the monitoring program to ensure that appropriate mitigation measures and additional conditions of project approval included in the monitoring program have been complied with at the appropriate time, e.g. prior to issuance of a use permit, etc. Compliance with mitigation measures is required for project approvals, permit issuance, and/or permit sign-off.

If a responsible individual or agency determines that non-compliance has occurred, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Community Development Department, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the Town of Los Gatos.

Mitigation Measure	Implementation	Responsibility	Timing and Monitoring
<b>3. Air Quality</b>			
<b>AQ-1.</b> During construction, the following basic control measures shall be implemented at the construction site: 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free. 2. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site. 3. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered. 4. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes. 5. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads. 6. All vehicle speeds on unpaved surfaces shall be limited to 15 mph. 7. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 8. Idling times shall be minimized either by	Required as a Condition of Approval	Director of Community Development	Ensure these measures are incorporated into project plans  Monitoring during construction





## MITIGATION MONITORING AND REPORTING PROGRAM

DATE: January 25, 2017

PROJECT: 15860 – 15894 Winchester Boulevard

S-16-023, M-16-002

Mitigation Measure	Implementation	Responsibility	Timing and Monitoring
<p>shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.</p> <p>9. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. All non-road diesel construction equipment shall at a minimum meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112.</p> <p>10. Developer shall designate an on-site field supervisor to provide written notification of construction schedule to adjacent residential property owners and tenants at least one week prior to commencement of demolition and one week prior to commencement of grading with a request that all windows remain closed during demolition, site grading, excavation, and building construction activities in order to minimize exposure to NOx and PM10. The on-site field supervisor shall monitor construction emission levels within five feet of the property line of the adjacent residences for NOx and PM10 using the appropriate air quality and/or particulate monitor.</p> <p>11. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</p> <p>12. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>13. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p>			



# MITIGATION MONITORING AND REPORTING PROGRAM

DATE: January 25, 2017

PROJECT: 15860 – 15894 Winchester Boulevard

S-16-023, M-16-002

Mitigation Measure	Implementation	Responsibility	Timing and Monitoring
<b>4. Biological Resources</b>			
<p><b>BIO-1.</b> If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the nesting bird season (February 1 to August 31), or if construction activities are suspended for at least two weeks and recommence during the nesting bird season, then the project developer shall retain a qualified biologist to conduct a pre-construction survey for nesting birds. The survey shall be performed within suitable nesting areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey shall be conducted no more than two weeks prior to the initiation of construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist and submitted to the Town of Los Gatos for approval prior to initiation of construction activities.</p> <p>If no active bird nests are detected during the survey, then construction activities can proceed as scheduled. However, if an active bird nest of a native species is detected during the survey, then a plan for active bird nest avoidance shall be prepared to determine and clearly delineate a temporary protective buffer area around each active nest, with buffer area size depending on the nesting bird species, existing site conditions, and type of proposed construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist and in compliance with any applicable project permits.</p> <p>To ensure that no inadvertent impacts to an active bird nest will occur, no construction activities shall occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.</p>	Required as a Condition of Approval	Directors of Community Development and Parks and Public Works	<p>Ensure these measures are incorporated into project plans</p> <p>Prior to issuance of any grading permit</p> <p>No more than 2 weeks prior to construction activities</p> <p>Monitoring during construction</p>
<p><b>BIO-2.</b> The applicant shall comply with the Town of Los Gatos Tree Protection Ordinance and a tree removal permit shall be obtained from the Town for the removal of any on-site trees that qualify as a protected tree.</p> <p>No new trees planted on site shall have a trunk</p>	Required as a Condition of Approval	Planning Division of the Community Development Department	Prior to removal of any protected tree on the project site



# MITIGATION MONITORING AND REPORTING PROGRAM

DATE: January 25, 2017

PROJECT: 15860 – 15894 Winchester Boulevard

S-16-023, M-16-002

Mitigation Measure	Implementation	Responsibility	Timing and Monitoring
<p>diameter of less than 1.5 inches.</p> <p>Protective construction fencing shall be in place for all retained trees prior to the commencement of any site work. Any trenching within the dripline of existing trees shall be hand dug.</p> <p>The Planning Division of the Community Development Department shall be responsible for ensuring the implementation of these mitigation measures.</p>			
<p><b>BIO-3.</b> The applicant shall comply with the recommendations in the arborist report prepared for the proposed project by Deborah Ellis on February 12, 2016, June 10, 2016, and July 22, 2016.</p> <p>The Planning Division of the Community Development Department shall be responsible for ensuring the implementation of these mitigation measures.</p>	Required as a Condition of Approval	Planning Division of the Community Development Department	<p>Ensure these measures are incorporated into project plans</p> <p>Prior to removal of any protected tree on the project site</p>
<b>6. Geology and Soils</b>			
<p><b>GEO-1.</b> The applicant shall include the recommendations of the 2015 geotechnical report on all bid and construction documents to ensure that the recommended standards for development of foundations, subsurface improvements, etc. are incorporated into the project design and construction. All foundation and grading plans shall be reviewed by a licensed engineer and approved by the Town's engineer.</p>	Required as a Condition of Approval	Town Engineer	Ensure these measures are incorporated into project plans
<b>7. Greenhouse Gas Emissions</b>			
<p><b>GHG-1.</b> The applicant shall include at least one reserved van-pool parking space, at least two reserved car-pool parking spaces, and at least four electric charging stations (one of which should be available to a handicapped space).</p>	Required as a Condition of Approval	Planning Division of the Community Development Department	Ensure these measures are incorporated into project plans
<p><b>GHG-2.</b> The applicant shall include solar energy or other alternative energy sources on project plans, providing 15 percent or more of the project's energy needs. Plans shall incorporate any combination of the following strategies to reduce heat gain for 50 percent of the non-roof impervious site landscape, which includes roads, sidewalks, courtyards, parking lots, and driveways: shaded within five years of occupancy; paving materials</p>	Required as a Condition of Approval	Planning Division of the Community Development Department	Ensure these measures are incorporated into project plans



## MITIGATION MONITORING AND REPORTING PROGRAM

DATE: January 25, 2017

PROJECT: 15860 – 15894 Winchester Boulevard

S-16-023, M-16-002

Mitigation Measure	Implementation	Responsibility	Timing and Monitoring
with a Solar Reflectance Index (SRI) of at least 29; open grid pavement system; and parking spaces underground, under deck, under roof, or under a building. Any roof used to shade or cover parking must have an SRI of at least 29 and/or have solar panels.			
<b>8. Hazards and Hazardous Emissions</b>			
<b>HZ-1.</b> Prior to the issuance of a demolition permit, the project applicant shall conduct sampling and testing of the existing building to determine the extent and presence of asbestos-containing building materials on the site. If measured levels exceed established thresholds, a work plan shall be developed and implemented to remove and dispose of the lead-containing materials in accordance with the established regulations.	Required as a Condition of Approval	Director of Community Development	Ensure these measures are incorporated into project plans  Prior to any demolition activities  Monitoring prior to and during construction



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## Jocelyn Puga

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**From:** Joseph Gemignani <josephtheweatherman@gmail.com>  
**Sent:** Friday, November 11, 2016 8:12 PM  
**To:** Jocelyn Puga  
**Subject:** 15860 Winchester Blvd Comments

Greetings,

I am not impressed with the Architecture of the two story building proposed on Winchester Boulevard. It seems like a lot of new proposals are going modern in style. Do we want to continue to be a charming, historic town or do we want to resemble a modern town. Could you please ask the Architect to come back with a building that respects and adds to our beautiful charming town.

Thanks, Joseph

## Jocelyn Puga

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**From:** Joseph Gemignani <josephtheweatherman@gmail.com>  
**Sent:** Friday, January 13, 2017 5:28 PM  
**To:** Jocelyn Puga  
**Subject:** Planning Commission meeting on the 25th. 15860 - 15894 Winchester Blvd

Hi Jocelyn, I wish I was in town on the 25th but I will be on vacation.

Please let the planning commissioner's know that I do not like the look of those buildings. We seem to be getting a lot of modern looking building proposals of late starting with Netflix, the library and so on. Do we want to look and feel high tech or do we want to be a beautiful, warm and charming historical town.

Thanks, Joseph



## Jocelyn Puga

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**From:** Nathan Mandelke <nathan\_mandelke@yahoo.com>  
**Sent:** Wednesday, January 18, 2017 9:29 PM  
**To:** Jocelyn Puga  
**Subject:** Proposed Winchester Office Building

Hi Jocelin,

I hope that you are having a nice week. I am writing to you with some concerns with the proposed office building on 15860, 15880, and 15894 Winchester Blvd. There are a few issues that I currently have with the proposal that include:

- the height of the new building
- the overall mass of the building
- the number of trees that are going to be cut down

All of the above concerns make the build request incompatible with the neighborhood. The current height would block views of the mountains and trees for many residents (who live in direct view of the mountains, or those who are out for a walk). It also seems that a lot of old oak trees are going to be cut down.

I would like to suggest that the building be pushed back 10 feet and lowered in height by 5 feet. This seems like it would be a good compromise for builder and residents and would keep the overall integrity of our neighborhood.

Thank you for your time.

Nathan Mandelke  
15415 Winchester Blvd.  
Monte Sereno, CA 95030  
408.828.9624

## Jocelyn Puga

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**From:** Bryan Carr <brcarr10@gmail.com>  
**Sent:** Thursday, January 19, 2017 10:59 AM  
**To:** Jocelyn Puga; Bryan Carr  
**Subject:** Objections To The Proposed Build on 15860, 15880, & 15894 Winchester Blvd.

Hi Jocelin,

This is Bryan Carr, we spoke a few weeks ago regarding the proposed Office Building on 15860, 15880, & 15894 Winchester. We own our single family home located at 17566 San Benito Way in Los Gatos and have lived here for 13 years. We are adamantly opposed to the proposed building as it stands now for the following reasons.

- Height is too high
- The building is too far forward towards Winchester
- Mass is too large
- Too many trees are being cut down

-Therefore making this proposed building completely incompatible with the neighborhood. In addition, the proposed building will block a significant amount of our view of the hills and mountains which is a major part of why we bought property in this location.

We also object to the front windows of the proposed project as they will invade our privacy by looking directly into our windows and backyard.

We would not oppose a structure if the entire building is moved back (East) 10' or more feet and height is reduced 10' or more. This change would also save some of the old growth trees which would help reduce some of the damage this structure will cause. We would also like to see the planting of 4-6 mature trees in front of the building. These changes would then make a structure in this location be compatible with the neighborhood.

We look forward to catching up further and appreciate your consideration.

Sincerely,  
Bryan Carr

*Bryan J. Mekechuk/Jo-Anne Sinclair  
17509 Via Sereno  
Monte Sereno, CA 95030  
408.655.0400  
bryan.mekechuk@comcast.net*

January 19, 2017

Planning Commission  
Town of Los Gatos  
110 East Main Street  
Los Gatos, CA 95030

Dear Commissioners:

Re: 15860, 15880, 15894 Winchester Boulevard

We own a house across Winchester Boulevard, less than 150 feet from the corner of Winchester and Shelburne Way, which is the North West corner of the proposed development. We have owned 17509 Via Sereno since 1997. In addition, we own a dwelling at 55 Roberts Road in Los Gatos. We have enjoyed living in the Los Gatos community for the past 20 years and we look forward to at least another 20 years in the same location.

My wife and family welcome the development of the proposed site provided it is an attractive and sustainable development that fits with Los Gatos. We were invited to, and attended the information session hosted by the applicant, then reviewed the story poles in December and January, and went through the complete application as filed with the Town of Los Gatos.

After reviewing all information available and based on living opposite the property, in our opinion the proposed development does not meet the required findings in order to be approved by the Planning Commission. Specifically, the proposed project does not meet the Commercial Design Guidelines regarding mass and scale.

#### *Concerns*

First, and foremost, one of the most desirable attributes of Los Gatos is its setting – Los Gatos is a small town that is framed by beautiful hillsides on each side of Los Gatos Creek. The town prides itself on maintaining its character and has approved developments that are consistent with its character and setting. Importantly, the Town of Los Gatos (and Monte Sereno) have managed the development of the surrounding hillsides to preserve their natural beauty for the enjoyment of everyone.

The Town of Los Gatos established Hillside Development Standards and Guidelines to manage the development of the hillsides around Los Gatos. The Planning Commission has invested significant time and resources to implement and maintain those guidelines, including the size and visibility of

structures and even lighting at night (consider 15680 Gum Tree Lane). The Planning Commission has been extremely diligent in protecting our hillsides.

Winchester Boulevard is one of the major arteries into Los Gatos and one has excellent views of the hillsides when going South on Winchester into Los Gatos.

The proposed development will box in that view and establish a precedent for building height of future developments along Winchester Boulevard. Specifically, the proposed application is to build to the maximum allowed height of 35 feet.

The Office Professional zone starts at the Southernmost part of the proposed development and continues North along Winchester to half way between Farley Road West and Pleasant View Avenue. The full block between Shelburne Way and Farley Road West may still be developed.

Underscoring the precedent that this proposed building will establish, the applicant has even included another two story building on the North side of Shelburne Way – see the sketch on sheet IM1.2.

Although set back from Winchester, the face of the building is a monolithic wall, broken with two open glass rooms looking down onto Winchester. While perhaps breaking the lines, these two features serve to block the views of the hillsides even more as these features are higher than the majority of the roofline.

The applicant stated in their covering letter, “Large glass openings complete the design while providing plenty of natural light and views of the hills to the east.” The applicant acknowledges the views and, by providing those views for their tenants, the proposed structure will blocking the views for everyone else.

While the application is consistent with the general plan and zoning and may follow the ‘letter of the law’, the application does not follow the ‘spirit of the law’ as set forth by the Town of Los Gatos. For example, it is desirable to have a transition to building heights and other dimensions at the perimeter of a zone and individual properties. Said differently, the general plan and zoning is not an algorithm – hence the need and role for a Planning Commission to review proposed developments, encourage community outreach and hold public hearings.

Approving the application with the maximum height will block views of the Los Gatos hillsides, which the Town of Los Gatos has committed to preserve.

Denying the application as submitted should not be a surprise to a developer in Los Gatos. Developers are encouraged to engage neighbors and other stakeholders prior to submitting their application to the Planning Commission.

The applicant hosted an information session on September 12, 2016. I attended that presentation and, with the others in the room, I found it difficult to understand the scale and scope as no cross sections or elevations were presented – it was somewhat abstract. Since then, the applicant has added additional information to their application (e.g., the sketch referred to earlier with the two story building on the North side of Shelburne Way.

At that meeting, I asked a number of questions and outlined four major concerns: (1) size and mass of the proposed structure; (2) traffic turning left into and left out of the at-grade parking from/to Winchester Boulevard; (3) traffic turning left from Winchester Boulevard onto Shelburne



Way for access into the underground parking; and (4) the loss of privacy related to a balcony at the North side of the proposed building on Shelburne Way.

Given that I articulated these issues, I expected the applicant to follow up with me, one way or another, since they requested my name and contact information from all attendees at the information session.

Since the meeting, I did not receive any further communications from the applicant. Upon reviewing the application as submitted to the Town of Los Gatos, none of my concerns were addressed whatsoever. Clearly, the information session was a perfunctory 'check the box' step in their application.

*Considerations for Applicant*

To support this application, which we would like to do, we offer the following for the applicant to consider:

1. Move the building East by approximately 10 feet and lower the maximum height above grade, as measured from Winchester Boulevard, to 25 feet. This will continue to allow views of the iconic hillsides on the East side of Los Gatos.
2. Integrate sustainability elements in the design. For example, consider future mounts for solar photovoltaic panels and even stationary storage (vs. generator back up). In their review of the conceptual plans on January 13, 2016, the Conceptual Development Advisory Committee commented, "LEED certification would be preferred." The applicant ignored this comment and has not outlined their reasons for doing so. Other applications in the Town of Los Gatos pursue various levels of LEED certification (e.g., Silver or Gold).
3. Protect the Coastal Oak trees on the property that are being saved. This would be accomplished by moving the building East and, to some extent, making the building length shorter (not as far North to the Coastal Oak on Shelburne Way).
4. Prohibit vehicles from turning left when entering or exiting the at grade parking.

Given the opportunity, we will meet with the applicant to review proposed alternatives and provide feedback.

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It is in everyone's best interest to see the site developed in such a way as to add value to the developers, the surrounding neighborhood, and the Town of Los Gatos.

Sincerely,



Bryan J. Mekechuk



Jo-Anne Sinclair