TOWN OF LOS GATOS **ITEM NO: 2**
PLANNING COMMISSION STAFF REPORT **DESK ITEM**
Meeting Date: July 13, 2016

PREPARED BY: Sally Zarnowitz, Planning Manager
szarnowitz@losgatosca.gov

APPLICATION NO: Architecture and Site Application S-13-090
Vesting Tentative Map M-13-014

LOCATION: **North 40 Specific Plan Phase 1** (southerly portion of the North 40 Specific Plan area, Lark Avenue to south of Noddin Avenue)

APPLICANT: Grosvenor USA Limited

CONTACT PERSON: Don Capobres (Harmonie Park Development Co.) and Wendi Baker (Summerhill Homes)

PROPERTY OWNERS: Yuki Farms, ETPH LP, Grosvenor USA Limited, Summerhill N40 LLC, Elizabeth K. Dodson, and William Hirschman

APPLICATION SUMMARY: Requesting approval for the construction of a new multi-use, multi-story development consisting of 320 residential units, which includes 50 affordable senior units; approximately 66,800 square feet of commercial floor area, which includes a market hall; on-site and off-site improvements; and a vesting tentative map. APNs: 424-07-024 through 027, 031 through 037, 070, 083 through 086, 090, and 100.

EXHIBITS:

Previously received under separate cover:

1. Proposed Development Plans, received March 18, 2016 (242 pages)

Previously received with the March 30, 2016 Staff Report:

2. Location Map (one page)
3. Initial Study (79 pages)
4. Findings and Considerations (three pages)
5. Conditions of Approval for Vesting Tentative Map (six pages)
6. Conditions of Approval for the Architecture and Site Application (27 pages)
7. Letter of Justification received March 23, 2016 (10 pages)
8. North 40 Narrative received February 8, 2016 (seven pages)
9. Economic study letter received November 6, 2015 (25 pages)
10. October 14 and November 11, 2015 CDAC Minutes (seven pages)

11. Response to CDAC comments received February 8, 2016 (13 pages)
12. January 27, 2016 Historic Preservation Committee Minutes (five pages)
13. Consulting Architect Report received December 18, 2015 (six pages)
14. Response to Consulting Architect Report received February 8, 2016 (three pages),
15. Consulting Architect memo received March 21, 2016 (six pages)
16. Consulting Arborist report received October 14, 2013 (33 pages)
17. State Density Bonus Law - Government Code Section 65915-65918 (14 pages)
18. Density Bonus Ordinance and Program Guidelines - Ordinance 2209 (21 pages)
19. Letter from Barbara Kautz, received March 10, 2016 (16 pages)
20. Town's BMP Program and Guidelines - Ordinance 2181 (19 pages)
21. Public comment received through 11:00 a.m., Thursday, March 24, 2016

Previously received with March 30, 2016 Addendum Report:

22. Updated letter from Barbara Kautz received March 25, 2016 (five pages)
23. Comments received from 11:01 a.m. on March 24, 2016 to 11:00 a.m. on March 28, 2016

Previously received with March 30, 2016 Desk Item Report:

24. Residential Density Exhibit (one page), received March 30, 2016
25. Comments received from 11:01 a.m. on March 28, 2016 to 11:00 a.m. on March 30, 2016

Previously received with July 12, 2016 Staff Report:

26. Frequently Asked Questions (FAQ) prepared for North 40 Study Session (14 pages)
27. Verbatim minutes of the March 30, 2016 Planning Commission meeting (164 pages)
28. Verbatim minutes of the June 15, 2016 Study Session (143 pages)
29. Memo from Town Attorney regarding application deadlines (eight pages)

30. Items received at March 30, 2016 Planning Commission (four pages)
31. Comments received from 11:01 a.m. on March 30, 2016 to 11:00 a.m. on July 6, 2016

Previously received with July 12, 2016 Addendum Report:
32. Comments received from 11:01 a.m. on July 6, 2016 to 11:00 a.m. on July 8, 2016
33. Additional information from the applicant and the applicant's attorneys

Previously received with July 12, 2016 Desk Item Report:
34. Summary of Residential Units
35. Comments received from 11:01 a.m. on July 8, 2016 to 11:00 a.m. on July 12, 2016

Received with this Desk Item Report:
36. Materials presented by the applicant at the meeting
37. Materials presented by the public at the meeting
38. Materials submitted by Commissioner Hudes
39. Comments received from 11:01 a.m. on July 12, 2016 to 11:00 a.m. on July 13, 2016

REMARKS:

Additional materials presented at the July 12, 2016 Special Planning Commission meeting by the applicant (Exhibit 36) and the public (Exhibit 37) are included in this desk item report.

Also included in this desk item are materials submitted to staff from Commissioner Hudes (Exhibit 38) and public comments (Exhibit 39) on the proposed application which were received after distribution of the July 12, 2016 desk item report.

Prepared by:
Sally Zarnowitz, AIA
Planning Manager

Approved by:
Joel Paulson
Community Development Director

JP:SZ:sr

From: Baker, Wendi [mailto:WBaker@shhomes.com]
Sent: Wednesday, July 13, 2016 9:45 AM
To: Joel Paulson; Sally Zarnowitz
Cc: Don Capobres
Subject: Presentation from 07/12/16 PC

Joel,

Attached is our presentation for last night, for distribution to the Planning Commissioners, per Commissioner Hudes request. Directly from our presentation are below facts regarding our open space program that can be attached, otherwise the slides generally capture what was presented.

Open space program will feature

- *39 community garden plots*
- *1 senior garden*
- *1 commercial demonstration garden*
- *2.2 ACRES orchard/vineyards which include*
- *1921 new trees of which 544 are fruit bearing orchard trees*

Overall, we project we will be able to grow and estimated 14½ tons/pounds of fruit and vegetables per year.

Wendi E. Baker
Vice President of Development
SummerHill Homes
3000 Executive Pkwy, Suite 450, San Ramon, CA 94583
Tel (925) 244-7534 • Mobile (650) 815-8611 • Fax (925) 884-8924
wbaker@shhomes.com
shhomes.com

Connect With Us:

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EXHIBIT 3 6

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July 12, 2016
Town of Los Gatos Planning Commission

North 40 Tentative Map and Architecture and Site Applications

Don Capobres, Representing Grosvenor Americas
Wendi Baker, SummerHill Homes

Decades of Policies

PROJECT TIMELINE
Nearly three decades of planning coming to fruition in 2017.

Application Has Adapted to Changes

Celebrating the Agrarian Heritage of the Property

Agrarian Inspiration

"The Committee reviewed the agrarian feel of the proposed plans and determined that the agrarian history is effectively integrated in Phase I."

-Historic Preservation Committee Minutes, Jan 27, 2016

North 40 is a new agricultural neighborhood rooted in the Los Gatos agrarian past

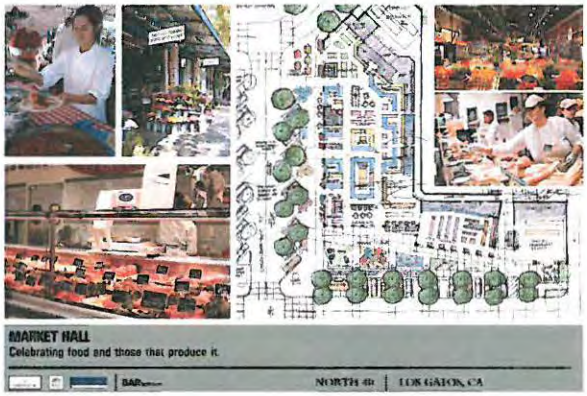
The essence of the design is the theme of Locally Grown & Agrarian Roots: 544 proposed orchard trees, community gardens and vineyards comprising 2.7 acres of agricultural uses

Rural and orchard themes recall historic Los Gatos and provide community benefits

Fruiting orchards along Lark Ave

Restaurant demonstration garden along South A Street

A Specialty Market for Every Day Needs
Celebrating Local Food Growers



Parks and Plazas
Publicly Accessible Community Park

Fire places, BBQ's, lounge chairs

Garden plots and orchards, communal tables, hammocks, shade trees, bocce court

Parks and Plazas
Publicly Accessible Community Park

Over 22,000 sf Community Park with public amenities such as bocce court, barbeque grills, outdoor dining areas, multiple fire pits, hammocks, outdoor lounge spaces, community gardens and fruiting orchards.

The Community Park is comparable in size and scale of Town Plaza Park.

Parks and Plazas
Publicly accessible Courtyard Plaza

Over 9,500 sf Courtyard Plaza with public amenities such as outdoor movie wall, fire pits, café seating, multiple dining & gathering spaces. The Courtyard Plaza is one of three plazas in the Transition District.

"Community"
Connecting Community

Connecting Community
New Bicycle Lanes from the North 40 to the Los Gatos Creek Trail

Connecting Community
Traffic Improvements

TAKING ON THE LION'S SHARE

Since 2012, developments in Los Gatos have increased traffic by 13%. North 40 improvements will zero out that impact.

LOS GATOS APPROVED/PENDING DEVELOPMENTS SINCE 2012

Riviera Terrace Expansion
South Bay Honda
Swanson Ford
Mitchell Subdivision
Winchester Medical Office
Terraces of Los Gatos
Blossom Hill Road Development
15400 Los Gatos Blvd
55 Los Gatos Saratoga Rd
National Medical Office
Placer Oaks
Valley Christian School
San Jose Medical Office
Sports Park
Highlands of Los Gatos
Winchester Office
Netflix Office Development
Bentley Silicon Valley
Classic Community
Hillbrook School Expansion
Twin Oaks
144 Gemini Court
Moore Buick
CVS Pharmacy

TRAFFIC **IMPACT** congestion added since 2012 — 13%

TRAFFIC **UPGRADES** to reduce traffic congestion since 2012 — 0%

North 40

TRAFFIC **IMPACT** North 40 will add to congestion by — 2%

REDUCED **DELAY** with North 40 traffic upgrades — 26%

Connecting Community
Traffic Improvements

COMMITTED TO A POSITIVE IMPACT

Phase One North 40 is spending more than 10x the EIR required* offsite traffic mitigations to reduce Los Gatos Blvd/Lark Ave traffic delay by 26%.

*Environmental Impact Report

Connecting Community
School Facilities

North 40 — 270 units

Southbay — 148 units

Oka Road — 99 units

In-law — 55 units

Open — 47 units

Meeting state requirements with **decades** of community input.

Connecting Community
School Facilities

Beyond SB 50—Standing Up for Education

The North 40 team is voluntarily working with the District to support the acquisition of two acres of land for LGUSD to expand its facilities. This is in addition to the school mitigation fees mandated by California SB 50.

We are committed to the positive impact of The North 40 project on all aspects of the community of Los Gatos.

Connecting Community
School Facilities

Connecting Community
Diversity of Housing Types, Sizes, and Materials

View Along South A Street

Tree lined corridors – South A Street

Cuesta de Los Gatos Way

Connecting Community

Diversity of Housing Types, Sizes, and Materials

View Along South A Street

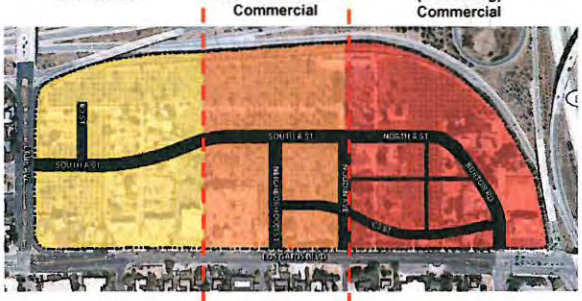
A Mix of Architectural Styles in Three Building Types Including Traditional, Farmhouse and Contemporary and 17 Unique Colors Schemes.

Church Street

Connecting Community

Proposed Distribution of Residential Units / Retail SF Across Specific Plan Districts

LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
193 Units	127 Units	45 Units (Remaining)
59,000 SF Existing Commercial	59,320 Net SF / 66,791 Gross SF Commercial	Approx. 389,000 SF (Remaining) Commercial



Connecting Community

Proposing Lower Intensity

	Specific Plan	Proposed
Open Space	30%	39%
Open Space – Publicly Accessible	20%	85%
2-Story Lark District	15%	25%
Units	270	237
Units (with Density Bonus)	365	320
New Commercial	435,000	66,000
25' Residential Setback on Lark/LGB	50'	65'
Height on Lark/LGB	25'	11'-25'

North 40
July 12th PC

Good Evening Commissioners,

Shannon Susick; 16407 Shady View Lane Los Gatos

I would like to address some of the items brought up in the 30 plus page letter submitted by the applicant's attorney on July 7th.

Let me be clear; I am not a land use attorney nor do I hold any law degree.

What I am clear about is the vision and intent of the North 40 Specific Plan and the mandates and objective criteria that it set forth for this exceptional piece of property.

"Land Use Goals & Policies p 2-2
Policy LU1: Land Use Designations
The Specific Plan **shall** be implemented through the approval of development projects that are consistent with the land uses and the Council Vision as outlined in this chapter."

This mandate validates the remainder of the policies and visions that the Town considers imperative.

The more I thought about the letter & with each time I reread it; the concept of being held hostage in my own Town kept entering my mind; I can only imagine how it feels to attempt to do your job while you have an applicant that is both so entitled and hostile.

Despite the by right designation from the Housing Element, cases cited and laws detailed there is MUCH at your, the Planning Commission's discretion and purview .

The letter submitted outlined **how** the Town of Los Gatos shall proceed with **our** review of the application and concluded with threat of a lawsuit.

While the residents and Town appreciate the attempt to educate us by the applicant's attorney, what we must, will and shall do is follow the Specific Plan.

We must be proactive regarding the adverse impact the current application brings in the way of(destruction of open space, views, trees, detrimental impact to our infrastructure in all regards, total dismissal of the Town's unmet housing needs or provision for other community services.)

EXHIBIT 3 ?

We urge you to deny this 1st of what could be many applications on all on the following findings:

1. **The proposed development is required to look and feel like Los Gatos. P 1.1**
   While Los Gatos has many different architectural styles the A&S looks NOTHING like anything in Los Gatos. The height and intensity, while following maximums is unimaginable and artist renderings show a different picture from massings. (see attached.)

2. **The Specific Plan states "lower intensity residential & limited retail...are envisioned" for the Lark District**
   The current application has the most intense residential located in the Lark District.

3. **The proposed development must embrace hillside views, trees & open space.**
   The proposed site plan doesn't embrace hillside views, all trees are to be removed and current open space reduced to bare minimums.

4. **The proposed development must "incorporate the site's unique agricultural characteristics."**
   There are none found in the application.

5. **The Specific Plan states the development should "address the Town's unmet needs."**
   Instead of move down, millennial or affordable housing, only 49 very low income senior units are to be built. They are located above a very high end retail market which competes with rather than compliments the downtown.

6. **The proposed development doesn't "minimize or mitigate impacts on town infrastructure, schools and other community services."**
   Although the agreement between the schools & developers appears to be substantial, due to the massive scope of the project it is not sufficient to mitigate the impact. The traffic studies are dated & need to be replaced by current ones.

We thank you for all your time & effort and appreciate the calendar which we are mandated to comply with, however the application must be denied on the above findings & others mentioned.

The Town of Los Gatos may be small in terms of population & large in term of untapped riches and land, but our true wealth & strength is our residents and the Commission and Council and that we VALUE our land.

This application and proposed development is the largest the Town will ever see and it is with the utmost respect that we request you consider not only the current residents, including all forms of life, but future residents and all pending applications.

Will it be a development that celebrates our history, heritage, views and character or will it be a blight at the gateway to our Town and one that impacts us negatively forever? This is our Town, but as commissioners this will be your legacy.

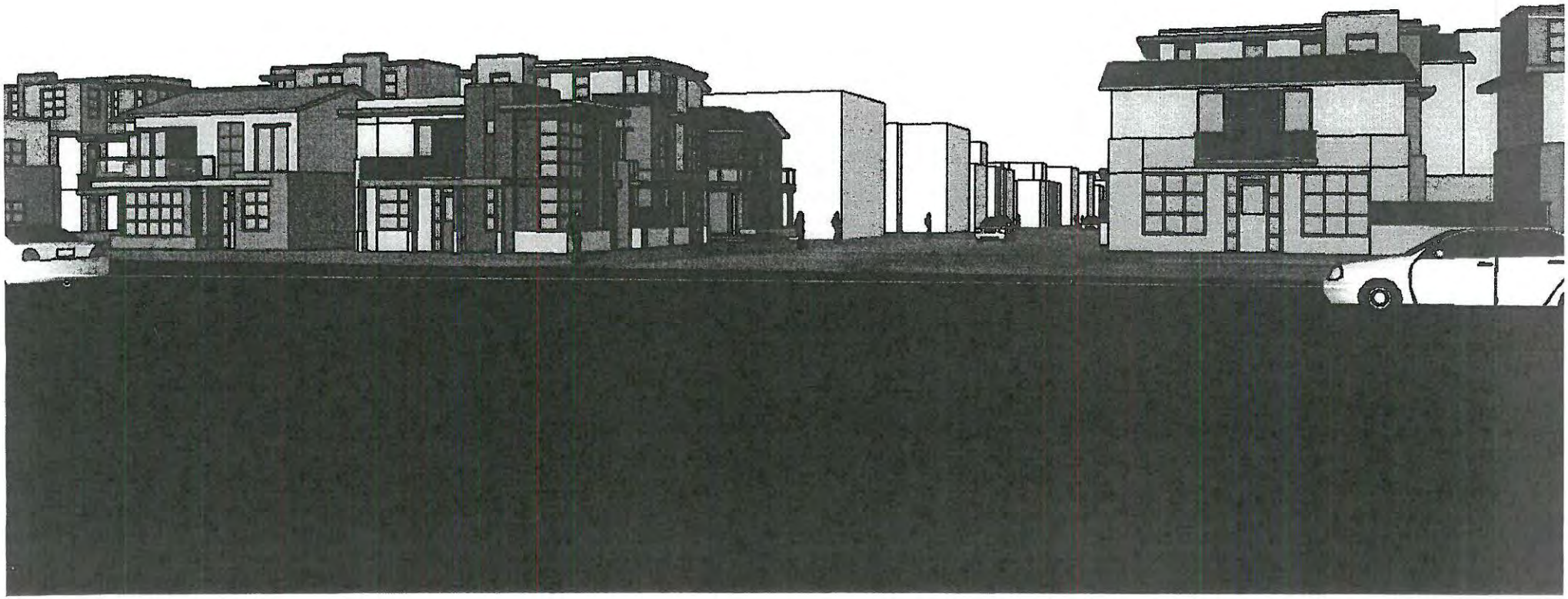
We've had these chambers full time and again with those that either don't live here or that underestimate the amazing civic pride and love of one another.

We are strong and after the applicant is long gone-we will still be proud Los Gatans.

Let's live that pride, let's plan with pride.

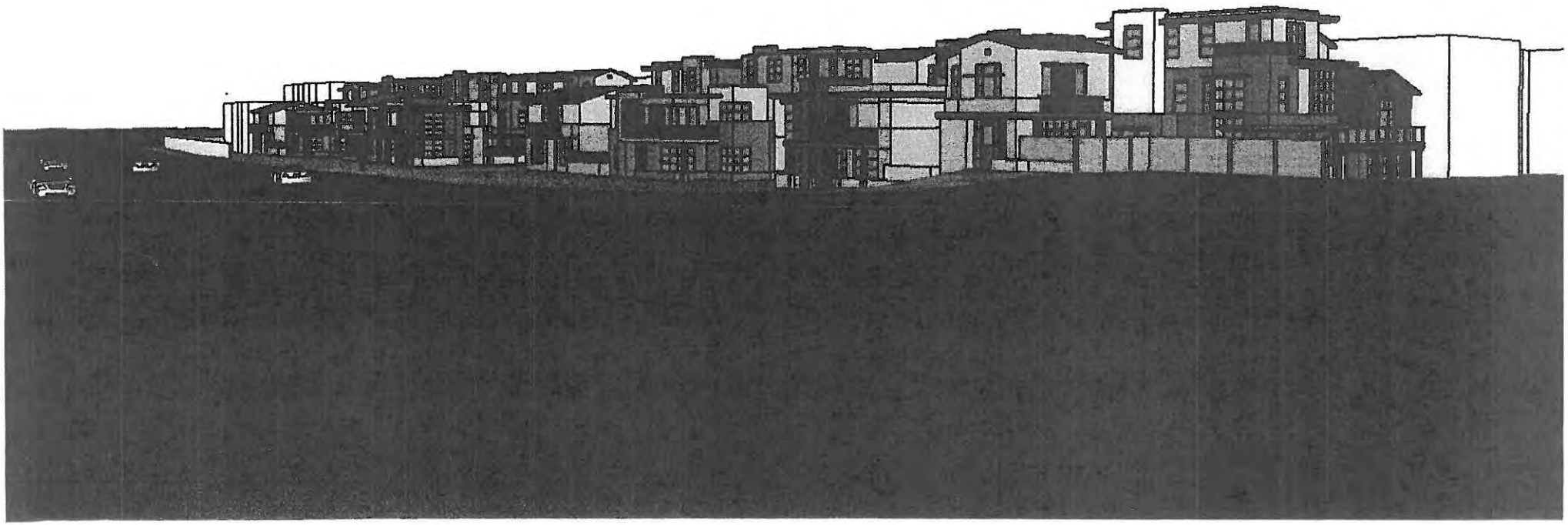
Thank you,

Shannon Susick



ENTRANCE FROM LARK

AERIAL VARK



CORNER LARK + LOS GATOS BLVD

Survey is asking Los Gatos residents 33 questions about plans f North 40

By Judy Peterson | jpeterson@community-newspapers.com (mailto:jpeterson@community-newspapers.com)

POSTED: 08/20/2011 07:34:22 PM PDT | UPDATED: 5 YEARS AGO

↑
June 2011

View Los Gatos' 'North 40' (http://maps.google.com/maps/ms?msa=0&hl=en&ie=UTF8&t=h&msid=207397488458627702253.0004a63c707946a58a22f&ll=37.250417,-121.952105&spn=0.020496,0.025663&z=14&source= in a larger map

The town has come up with a new way to get input from residents on what should happen at the North 40 when it's developed—with an online visual preference survey that people can take in just a few minutes. The 33-question survey is at www.losgatosca.gov (http://www.losgatosca.gov) (click on " New!").***

The North 40 is the last piece of undeveloped land in Los Gatos. The roughly 40 acres are bounded by Los Gatos Boulevard, Lark Avenue and highways 85 and 1

Today, much of the land is a walnut orchard, but in four or five years it's expected to be built into a mixed-use retail, commercial and residential development.

The Yuki family is the primary landowner and has hired Grosvenor Americas of San Francisco to help steer the development plan.

The survey is designed to give residents a chance to voice their opinions on the development. It includes pictures of different types of open spaces that could be i in the North 40, as well as photos of buildings and townhomes that reflect a variety of architectural styles.

"I think everybody wants a mix of architectural styles," Los Gatos senior planner Suzanne Davis said, "and we keep hearing people don't want it to look like Santa Row."

But at community meetings and North 40 advisory group meetings, differing opinions of what the buildings should look like have emerged. "The community gra to more traditional or mission-style buildings," Davis said. "The advisory committee liked agrarian and some modern styles."

Advertisement

Hampton Inn Martinsville

from $126
Book your ideal hotel on TripAdvisor

Survey-takers can vote for their likes and dislikes by clicking that the style they believe is appropriate, may be appropriate, is neutral, may not be appropriate or is not appropriate.

"If the majority of people don't like a particular style, that tells the design team 'don't design that.' So it information for town staff and the design team to have," Davis said.

In addition to being posted online, the survey was emailed to residents who have attended the North 4 community meetings.

"We wanted a wider group of people," Davis said about the online posting. "We also made it anonymou because we didn't want to discourage people from taking it." By early last week, 77 people had taken th survey.

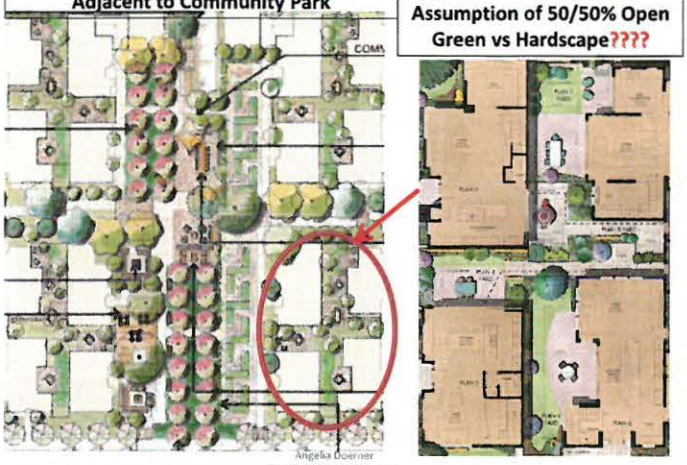
Survey questions that deal with open spaces also offer a variety of views for people to choose from. For example, there's a plaza with an interactive fou that children can play in, similar to the fountain at Town Plaza Park.

There are plazas with entertainment areas, park-like settings, sidewalk dining photos and active pedestrian spaces.

Davis expects there will be more online surveys for people to take as development of the North 40 proceeds. The current survey will remain online unt 1.

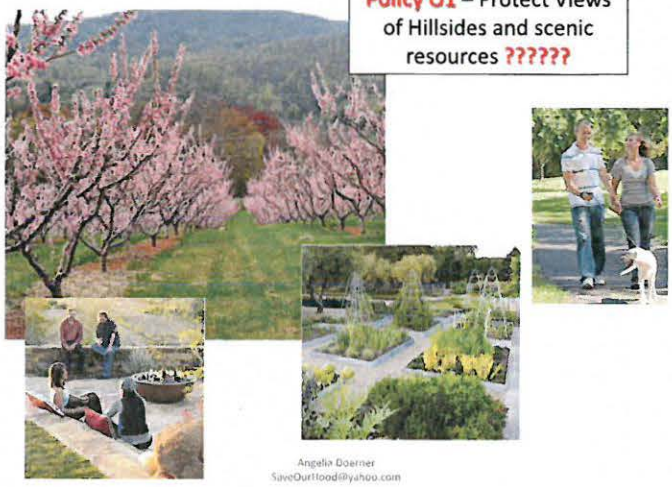
Clusters 1&2; Garden Cluster 7-Plex A Adjacent to Community Park

Assumption of 50/50% Open Green vs Hardscape????



Angelia Doerner
SaveOurHood@yahoo.com

Policy O1 – Protect Views of Hillsides and scenic resources ??????



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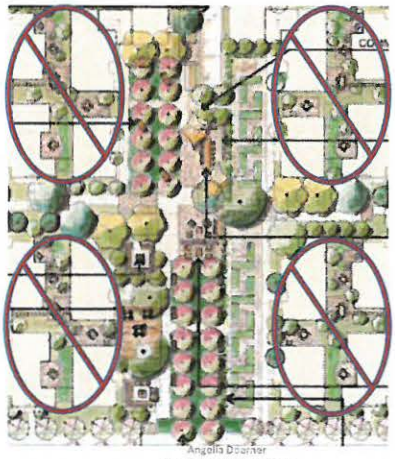
Community Park Enlargement Plan



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Distinguish Between PUBLIC and PRIVATE

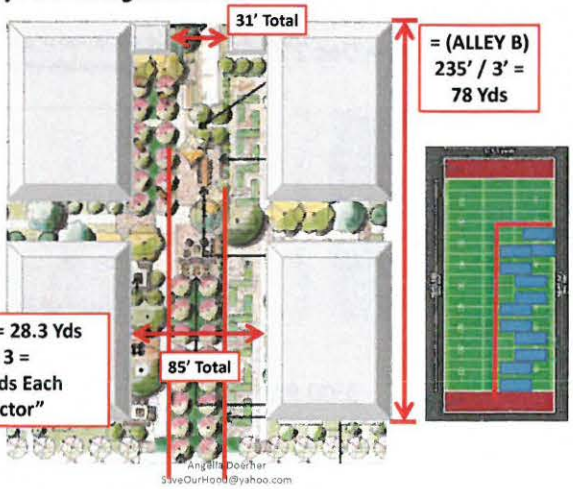
Policy O2 - Landscaped buffer around perimeter.

2.5.5.b - The buffer should provide an opportunity to incorporate walking paths and sitting areas for passive recreation. ?????

Angelia Doerner
SaveOurHood@yahoo.com

Perimeter buffers are very narrow – with abutting on-street parking – opportunity not identified

Community Park Enlargement Plan



Angelia Doerner
SaveOurHood@yahoo.com

Policy O3 - Provide an open space network – neighborhood parks, passive open space.
2.5.4 – "The Specific Plan provides incentives for consolidation of parking..... Minimizing at-grade parking....."??

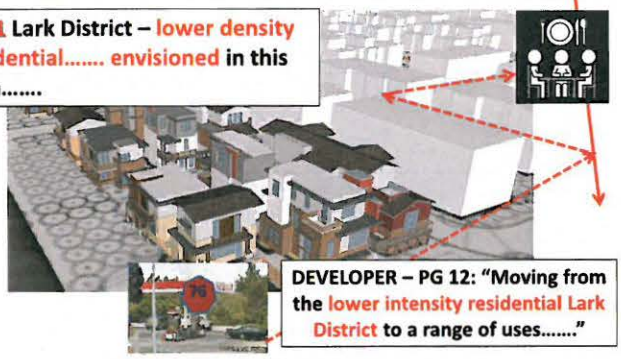
FIRST FLOOR:	(sq ft)	
Living Space	3,468	44%
Garage Space	2,635	34%
Private Open	1,754	22%
TOTAL:	7,857	

Clusters 1&2; Garden Cluster 7-Plex A Adjacent to Community Park

Angelia Doerner
SaveOurHood@yahoo.com

GRAND PASEO – Entrance from LGB; crosses Alley G and Proceeds Thru 38' Wide (12.7 Yds) Tunnel To South A Street – then a long way to Restaurant/Retail

2.3.1 Lark District – lower density residential..... envisioned in this area.....



DEVELOPER – PG 12: "Moving from the lower intensity residential Lark District to a range of uses....."

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Community Park Enlargement Plan

Angelia Doerner
SaveOurHood@yahoo.com

GRAND PASEO

Angelia Doerner
SaveOurHood@yahoo.com

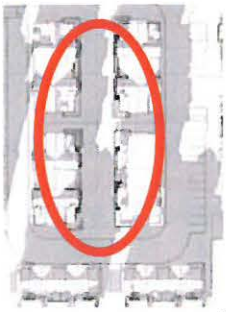
Community Park Enlargement Plan

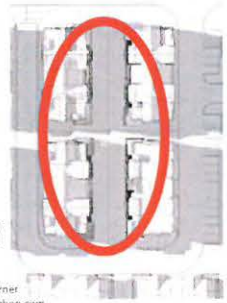
Angelia Doerner
SaveOurHood@yahoo.com

GRAND PASEO
Winter Solstice – Dec 21

3.2.2(g) - Be designed or located to ensure that it is usable year-round.....

9:00 AM





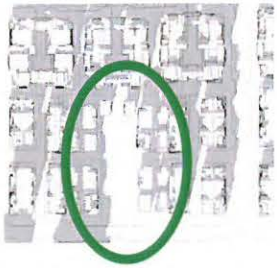
3:00 PM

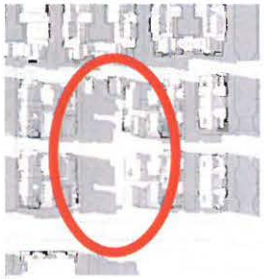
Angelia Doerner
SaveOurHood@yahoo.com

COMMUNITY PARK
Winter Solstice – Dec 21

3.2.2(g) - Be designed or located to ensure that it is usable year-round.....

9:00 AM





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Angelia Doerner
SaveOurHood@yahoo.com

Vision Statement

The North 40 Will Look and Feel Like Los Gatos

Overarching Goals - Compatible with surrounding areas; Contributes to small town charm

2.5.3 - The Specific Plan Area SHALL encourage outdoor activity.

2.5.5 - Throughout the Specific Plan Area..... accommodate different types of activities

LG Park						
Oak Meadow	x	x	x	x	x	x
Balzer Field	x	x		x		
Bachman Park		x	x	x	x	
Howes Playlot			x			
Oak Hill Playlot			x	x	x	
Creekside Sports Park	x	x				
Blossom Hill Park	x	x	x	x	x	x
La Rinconada Park		x	x	x	x	x
Live Oak Manor Park		x	x	x	x	
Bel Gatos Park	x		x	x	x	
North 40	x	x	x	x	x	x

Angelia Doerner
SaveOurHood@yahoo.com

The following slides reflect the look, the feel, and the charm of our hometown, Los Gatos.

We have Our "Willoughby"

For OUR new residents – "What-Will-It-Be"????

Angelia Doerner
SaveOurHood@yahoo.com

The residential areas embrace hillside views and large open spaces for children and adults to enjoy.

Los Gatos
Planning Commission Meeting
July 12, 2016

The North 40 Will Look and Feel Like Los Gatos!!???

Glenridge

Homes and neighborhood parks in Los Gatos depict the charm and individual character that creates a neighborhood and a community.

Glenridge

Ellenwood

Bachman Park - Open Space

Ellenwood

Almond Grove

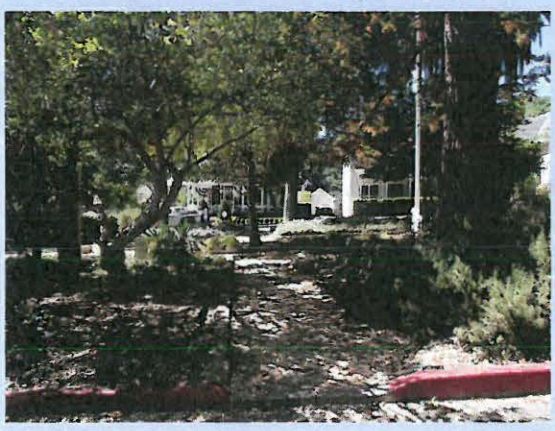
Bachman Park - Open Space

Almond Grove

Fairview Plaza Park – Open Space

Almond Grove

Fairview Plaza Park – Open Space



Four New Units on Hubbell Way

Almond Grove

Oak Meadow Park – Open Space

Almond Grove

Oak Meadow Park – Open Space

Almond Grove

Fillmer-Harding-Vista Del Monte

Mariposa

Fillmer-Harding-Vista Del Monte

Johnson-Loma Alta Area

Fillmer-Harding-Vista Del Monte

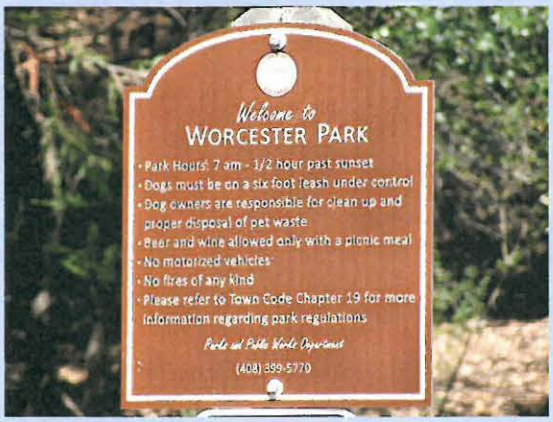
Johnson-Loma Alta Area

Los Gatos Blvd.

Fillmer-Harding-Vista Del Monte

Los Gatos Blvd.

Worcester Park – Open Space



Surrey Farms

Los Gatos Blvd.

Blossom Hill Park – Open Space

Surrey Farms

Blossom Hill Park – Open Space

Magneson Loop

Marchmont

Shady View

The Terraces – Senior Living

Marchmont

The Terraces – Senior Living

The Terraces – Senior Living

Heritage Grove by Summerhill Homes

The Terraces – Senior Living

Belgatos Area

Heritage Grove

Belgatos Area

Heritage Grove

Belgatos Area

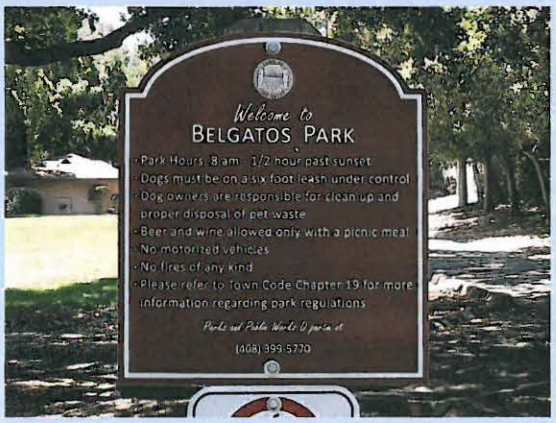
Heritage Grove

Los Gatos Village on LG/Almaden Road

Belgatos Area

- Los Gatos Village Townhomes

Belgatos Park – Open Space



Los Gatos Village Townhomes

Belgatos Park – Open Space

Live Oak Manor

Blossom Hill Manor

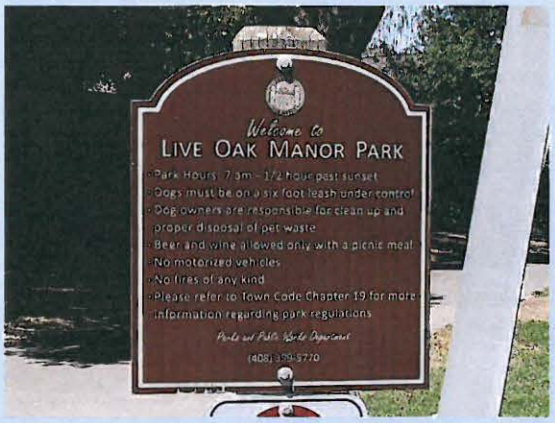
Live Oak Manor

Blossom Hill Manor

Live Oak Manor

Blossom Hill Manor

Live Oak Manor Park – Open Space



Live Oak Manor

Live Oak Manor Park – Open Space

Live Oak Manor

Live Oak Manor Park – Open Space

Live Oak Manor

Garden Hill

Oak Hill Playlot – Open Space

Garden Hill

Oak Hill Playlot – Open Space

Garden Hill

Highland Oaks

Wimbledon Area

Charter Oaks Townhomes

Wimbledon Area

Charter Oaks Townhomes

La Rinconada Park – Open Space

Charter Oaks Townhomes

Deny the Landing of Grosvenor City!

La Rinconada Park – Open Space

Planning Commission Meeting
July 12, 2016

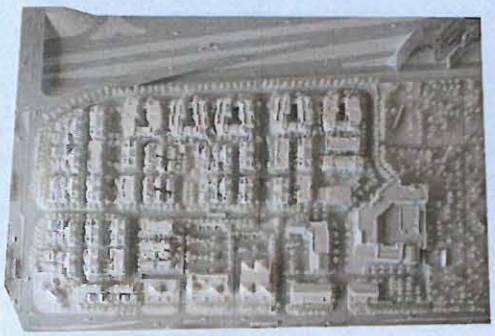
Staff Report
Development Examples
20 units/acre

You just saw
The Look and Feel
of
Los Gatos

Staff Report Examples

Aventino Apartments (516-1,484 sq.ft.)
The Bay Tree (782-1,114 sq.ft.)
Riviera Terrace – Vivere (639-1,035 sq.ft.)
Lora Drive Condominiums (800-1,000 sq.ft.)
Oak Rim Way/Oak Rim Court (sq. ft. unknown)

This is What the Developer Wants!



Aventino

Aventino

Bay Tree Apartments

Aventino

Bay Tree Apartments

Aventino – 46 units/acre

Vivere – Riviera Terrace

Bay Tree Apartments

Vivere – Riviera Terrace

Bay Tree Apartments – RM:5-12

Vivere – Riviera Terrace

Bay Tree Apartments

Lora Drive – Wedgewood Manor

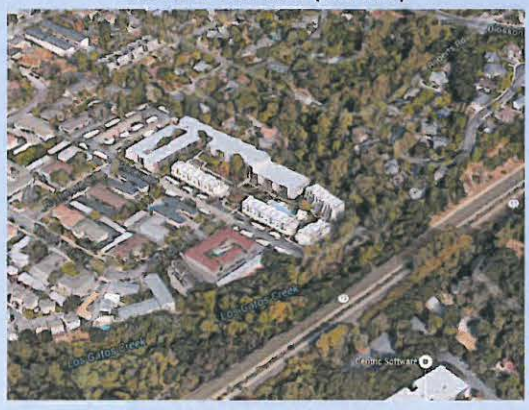
Vivere – Riviera Terrace

Lora Drive – Wedgewood Manor

Riviera Terrace (Vivere) RM:12-20

Lora Drive – Wedgewood Manor

Riviera Terrace (Vivere)



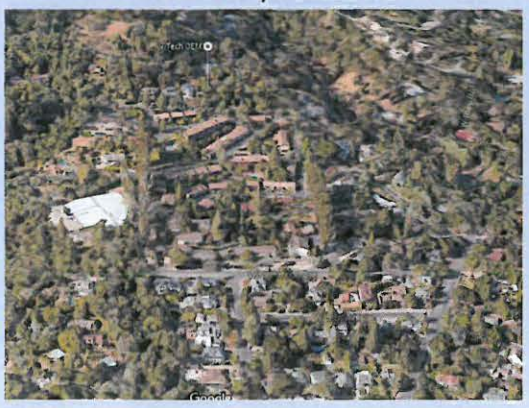
Oak Rim Way/Court

Lora Drive Condominiums R-1:8

600 Pennsylvania Ave RM:5-12

Lora Drive – Wedgewood Manor

600 Pennsylvania Ave



Oak Rim Way/Court RM:5-12

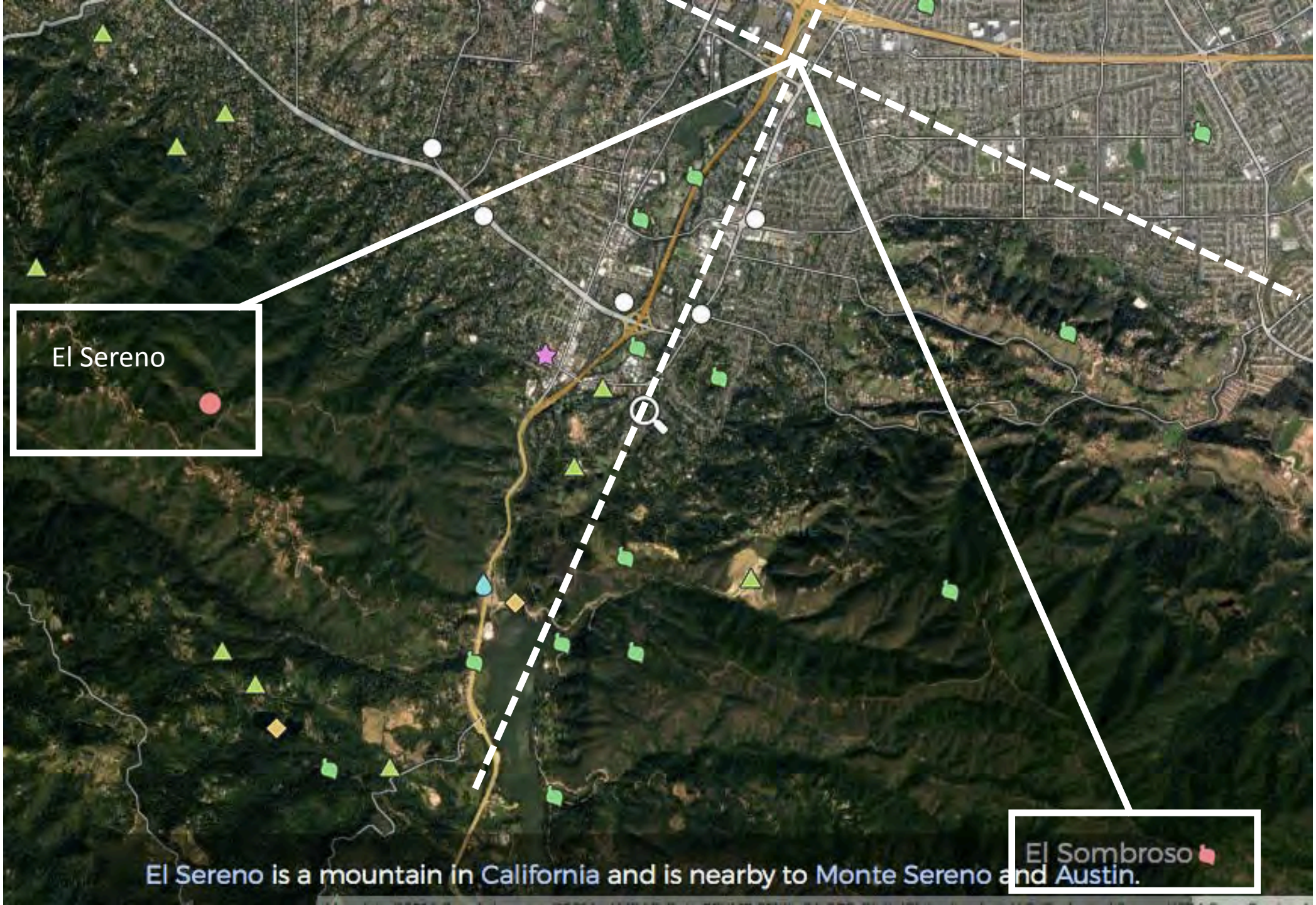

El Sereno
El Sombroso
El Sereno is a mountain in California and is nearby to Monte Sereno and Austin.

EXHIBIT 38

El Sereno
El Sombroso

El Sereno
El Sombroso

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From: Cristina Werdebaugh [mailto:cristinaw@gmail.com]
Sent: Tuesday, July 12, 2016 11:13 AM
To: Joel Paulson; Planning; Laurel Prevetti; Marico Sayoc; BSpector; Marcia Jensen; Steven Leonardis; Rob Rennie
Subject: North 40

Hi Planning Commission,

I am not supportive of the North 40 project. There is already way too much traffic in this area and I find it hard to believe that the traffic study performed claimed traffic would not be worsened by this development. We chose to move to Los Gatos because of the close knit, small neighborhood feel. A large 40 acre commercial complex takes away from this.

thanks,
Cristina Werdebaugh
Los Gatos resident

EXHIBIT 39

From: shaheani@aol.com [mailto:shaheani@aol.com]
Sent: Tuesday, July 12, 2016 11:19 AM
To: Joel Paulson; Planning; Sally Zarnowitz
Subject: Please read- North 40 Deveopment and its Impact on the Town of Los Gatos

Dear Planning Commission,

I am writing to you with concerns about the North 40 development and its impact on our town of Los Gatos.

1) WATER - we have a drought in California, this situation is not going to improve,
we are already limited to how much water we can use as it is.
How do you plan to provide water to all this new homes and businesses?
Do we have enough water to accommodate North 40?
We need water to survive!

2) EMERGENCY VEHICLES -
How will the doctors and nurses get to the hospital if they need to in an emergency?
How will Ambulances, Fire, Police get to where they need to be in an emergency - time is critical in emergencies!

3) TRAFFIC - each housing unit will bring in 2-4 cars, no less!! The Plan says up to 365 units???
365x4=1460. **Potentially 1,460 more cars?**
500,000 sq ft of commercial space?How much traffic will that bring?
Already traffic is a nightmare. We have 3 main 'tiny' roads in Los Gatos - N. Santa Cruz, University and Los Gatos Blvd.
Traffic to and from school. Traffic with grocery shopping. Traffic with events. Traffic and parking downtown. All are already problems.
Our everyday basic travel time will increase. More traffic, more accidents, increase danger for bicyclists and pedestrians...
How are our Emergency vehicles going to be able to respond within a reasonable time, when we increase this traffic.
In an emergency, for fire, medical or police - time is everything, it can make the difference between life and death.

In the event we have to evacuate the town, let's say there is a fire - How do you think we will be able to do that with already too many cars in a small town?

Are you willing to take responsibility, God forbid some major catastrophe happens and lives are lost because of poor city/ urban planning?

4) SCHOOLS - all schools just went through expensive remodels/renovation. Already full to capacity. How will the schools be able to accommodate more students? What will this do to the quality of our schools?
My 3 children went through K-12 Los Gatos schools,
trust me when I say the schools/classrooms are already crowded. What plans do you have for increasing student population in our schools?
How can you guarantee quality education in our districts? What plans do you have for drop-off, pick-up of students?
Our schools are already too crowded!

5) ENVIRONMENTAL IMPACT (open green space, pollution, etc) - already the car dealerships that have closed have been replaced by housing,other areas you have allowed housing with a few developments on Los Gatos Blvd, Winchester near the railroad. Homes with little space,no room for parking. Already Los Gatos is losing the feel for nature and simple open space.

How will this impact our environment?
How much more pollution/smog will this add to the area we live in?
We need more green space not more buildings!

6) QUALITY OF LIFE - What will this do to quality of life in Los Gatos? "$$$$$ vs. Quality"

I still cannot believe that a plan of this magnitude would move forward in the small town of Los Gatos. Money isn't everything. I think quality of life and preserving that is more important. **You cannot go back once you begin such a process.**

7) DOWNTOWN BUSINESSES WILL SUFFER -
I hate to think what will happen to our city center, our beautiful charming downtown Los Gatos. The Plan of the North 40 will take away from our downtown businesses. Improve what we have, **don't expand without thinking about the consequences** of such a major development.

8) ARCHITECTURE -
The architecture looks cheap and does not fit in with the town of Los Gatos. We don't need more cheaply built housing and commercial buildings. **Takes away from the charm of this beautiful town**.

9) STOP AND RECONSIDER -
I hope that you stop the development. Reconsider The Plan of the North 40. Significantly reduce the number of housing units permitted. Do not allow cheap industrial style architecture. Instead of commercial buildings, consider either incorporating the orchards or building a park! Think about what is best for your town, OUR town. Think about how you envision this town not just today but for the future generations. Listen to the people that live here, they know what is best for our town. There is no going back!

Respectfully,
Ani Komshian
Los Gatos

From: Teresa Botto [mailto:tpbotto@me.com]
Sent: Tuesday, July 12, 2016 11:20 PM
To: BSpector; Marico Sayoc; Rob Rennie; sleonardis@losgatosca.mac.com; Marcia Jensen; Joel Paulson; planning@losgatsca.gov; Sally Zarnowitz
Subject: North 40 development

Dear Town Council and Planning Commission,

I am writing to voice my opposition and to support the denial for the proposal on the North 40 development plan.

The current plan for the site basically does not fit or meet the following main tenants of the requirement of the plan:

1) requirement to keep the look and feel of LG. The current plan clearly is not in keeping with the look and feel of the TOWN of LG. The developer is proposing industrial style buildings.

2) if the story poles and plan model (at the town chambers) are any indication of the vision for the site, it appears not to comply with a plan to have lower intensity residential and limited retail/office uses. The developer is proposing tall and a highly intense development.

3) the proposed development does not minimize or mitigate impacts on town infrastructure, schools, and other community services. Traffic studies are out of date. Many new traffic congesting developments have been built since the time the traffic study was done, most notably the significant build up around the Hospital. In addition new housing was built on Los Gatos Blvd and Blossom Hill Road. Schools are already impacted with large class sizes and at maximum capacity. The only school with capacity for growth is Lexington, however if kids are sent to Lexington this will impact traffic. No school official has spoken about the impact to the high school. The high school resources will continue to be stretched and the quality education that we take for granted will be negatively affected.

Thank your for your attention.

Sincerely,
Teresa Botto
832 Lilac Way
Los Gatos, CA 95032

-----Original Message-----
From: Katherine Schuyler [mailto:kathyschuyler@me.com]
Sent: Tuesday, July 12, 2016 11:22 AM
To: Joel Paulson
Subject: north 40

Please deny the development. Traffic is already overly impacted in that area.

From: ann lawton [mailto:alawton111@gmail.com]
Sent: Tuesday, July 12, 2016 11:22 AM
To: Joel Paulson; iprevetti@losgatosca.gov; Planning
Subject: North40

I have spent lots of time thinking about this north 40 and the changes. I am very saddened by such a huge development. Is it REALLY necessary? I believe it comes down to making money, not really the highest and best use of the land. It seems every last piece of land is being covered by concrete leading to more drainage problems, less visual beauty (as we can't see the hills like we used to) which is a big value in Los Gatos; the charm the hills the rural-ness all seems to be leaving in the name of money. I just am asking to tone it down a bit. Really this Lark avenue is truly the gateway to Los Gatos as we drive south on highway17.
Also, it saddens me to see the redwood trees die and get taken down on the corner of Lark and LG Blvd. Seems like someone consciously did that and then installed the ugly white antennas or whatever they are on the roof. Absolutely hideous to the eye.
There are so many more people, more garbage, people who don't give a damn and its changing for sure, but we really need to stay in love with our town and make it NOT like the other towns. Crowded, dirty and rushed.
And sheesh, where is all this revenue going. I haven't bothered to look at the books, but seems to me with just the Netflix buildings alone the town will be having an excess in revenue.
That's my 2 cents.
Think about traffic, space, beautify, environment, the whole energy of the area.
The more open space we have the more valuable our town. It's really true! This land is very valuable, too valuable to cover up with massive buildings.

From: Perez, Kathy <KPerez@enpointe.com>
Sent: Tuesday, July 12, 2016 11:29 AM
To: Cindie Gonzales
Cc: Rosso, Danny; Perez, Kathy
Subject: North 40 Planning Suggestions

Hi Cindy,

I wanted to voice my concern with respect to the North 40 project. As a Los Gatos resident for 20 years now, it appears the initial appeal to move here is becoming less evident. We have severe traffic concerns already on residential streets with the congestion caused by previous home developments all over town, Vasona & Oak Meadow visitors, Santa Cruz traffic, and the new Netflix HQ. This project will surely create additional traffic delays which make getting around town worse than a large city (and we are a town). There must be significant road enhancements and infrastructure to support all of these existing requirements let alone a new project the size of the North 40. My biggest concern is for a medical emergency that will prevent us from getting to Good Sam or any urgent care facility.

It seems that there must be terms written into the project that force well thought out road improvements. I'd also like to see that the retail space allowed be consistent with improving property value versus just strip mall type cafés and businesses. The town seriously lacks high-end restaurants and shopping like that of Los Altos or Campbell. The retail should also be positioned nearby the freeway interchange of HWY17 and 85 to minimize excessive traffic.

I would hope our city council is looking out for residents and not just increased tax dollars. Otherwise some residents may find alternatives to Los Gatos...

Sincerely,
Kathy Perez
16478 Eugenia Way
Los Gatos, CA 95030
408-354-9389

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From: sharonturzo <calicat8@comcast.net>
Sent: Tuesday, July 12, 2016 11:32 AM
To: Joel Paulson; Planning; SZarnowwitz@losgatosca.gov; BSpector; Marico Sayoc; Rob Rennie; Steven Leonardis; Marcia Jensen
Subject: North 40 Development

As a resident of Los Gatos since 1963, I DO NOT WANT A CITY IN OUR TOWN! Additional traffic; loss of small town feel; additional pollution to mention a few...INANE! VOTE NO!
Mrs. Sharon Brunner Turzo

From: Robert Dunne [mailto:dunnelaw6383@gmail.com]
Sent: Tuesday, July 12, 2016 12:01 PM
To: BSpector
Cc: Marico Sayoc; Rob Rennie; Steven Leonardis; Marcia Jensen; Joel Paulson; Planning; Sally Zarnowitz
Subject: North 40

Barbara

Although I have only been a resident of this amazing Town a fraction of the time you have, I have proudly called the Town of Los Gatos home for 33 years. The development of the north 40 as planned makes this Town nothing more than another money grubbing city in the Bay Area-does Los Gatos really need the revenue generated by this development enough to destroy what Los Gatos is?

The impact to Los Gatos by this debacle will be devastating. The negative effect on our schools, traffic, the infrastructure, shopping, park access, and day to day comfort will unfortunately make Los Gatos simply another South Bay city, much like those suburbs of San Jose with no character or uniqueness or appeal.

Is not the uniqueness, character and appeal exactly what motivated you and me and others to come here? Yes, that is why we are here.

Those qualities will be destroyed by this development.

Every time I drive past those story poles I get a sick feeling in the pit of my stomach-sad!

Planning and Council need to shut this down now, re-evaluate what is right for the citizens of Los Gatos, and start over. Yes, I know what that means to your time and the volunteers who serve the Town, but to allow this development to proceed as planned will be devastating.

Thank you

Rob Dunne

Robert E. Dunne, Esq.
Robert E. Dunne Law Offices
16450 Los Gatos Blvd #110
Los Gatos, CA 95032
ph-408-357-7730

dunnelaw6383@gmail.com

May the road rise up to meet you
May the wind be always at your back
May the sun shine warm upon your face
And the rain fall soft upon your fields
And until we meet again
May God hold you in the palm of his hands
(Irish proverb)

From: Babette Goldstein Ito <babettegoldstein@yahoo.com>
Sent: Tuesday, July 12, 2016 12:35 PM
To: Planning
Subject: Pls reject Town 40 proposal

I am resident of LG and own 2 properties here. Please deny North 40 develop on grounds of:
1) Proposal doesn't prove look and feel of LG
2). It is too high density housing
3). Competes w downtown merchants
4). Doesn't mitigate or minimize impacts on town infrastructure

Thank you,
Babette and Doug Ito
127 Worcester Loop
Los Gatos, CA

From: Mark Wialbut <ridgetopboy@yahoo.com>
Sent: Tuesday, July 12, 2016 12:53 PM
To: Joel Paulson; Planning; Laurel Prevetti; Marico Sayoc; BSpector; Marcia Jensen; Steven Leonardis; Rob Rennie
Subject: Deny the current application for development of the North 40.

The current application for the development of the "North 40" would allow a much too dense use of that parcel which will have a severe impact on our quality of life. There's a reason we live in Los Gatos, it's "home" and in my opinion the only place left in the Valley with a sense of community. I believe the current application to develop the North 40 will destroy the very things that make Los Gatos what it is, a great place to live.

Thank you for you consideration,
Mark Wialbut

From: Vicky Mlyniec [mailto:vicky@writesense.com]
Sent: Tuesday, July 12, 2016 12:59 PM
To: Joel Paulson
Subject: We oppose approval of the North40 complex

To Whom It May Concern:

We are very concerned about the proposed development of the North40 complex. It is bound to have a tremendous negative impact on traffic in a situation where traffic problems are already extremely difficult to deal with. It is utterly irresponsible to claim that this development will have no impact on traffic. As result of the current traffic situation on weekends, we, like many other Los Gatos residents who live in the Santa Cruz Mountains, avoid coming down into the valley to shop or dine and instead spend our money in Santa Cruz County.

We urge you not to approve this development.

Sincerely,

Victoria and Paul Mlyniec

25135 Soquel San Jose Rd.

Los Gatos, CA 95033

From: Adrienne Kalpin <akalpin@olander.com>
Date: July 12, 2016 at 1:32:34 PM PDT
To: "'jpaulson@losgatosca.gov'" <jpaulson@losgatosca.gov>, "'lprevetti@losgatosca.gov'" <lprevetti@losgatosca.gov>, "'planning@losgatosca.gov'" <planning@losgatosca.gov>
Subject: North 40, should go SOUTH!

Just for thought~
Not sure if you all live in Los Gatos?

When was the last time you have driven down Los Gatos Blvd during the afternoons? Even better, how about a Saturday or Sunday; while everyone is now using "Waze" to get to Santa Cruz; and they now are re-routed through our neighborhoods, and the BLVD is just jammed!

What do you think 354 more new homes going to do to our traffic, and our "Town"

Keep Los Gatos a Town!

Thank you,
Adrienne Kalpin

July 12, 2016

To the Members of the Planning Commission:

We are grateful and happy to say that we have been residents of Los Gatos for 44 years. Over the early years, the town preserved its uniqueness as a wholesome, safe, interesting and sufficient place to live and raise a family, to work and to thrive.

We are deeply concerned about the North 40 Development being considered: that of adding a city with all of its frightening drawbacks to this small, mountain town. We don't need the income; Los Gatos has functioned well financially in an enviable, admirable way.

Please uphold the stated requirements of the town council and preserve the integrity of Los Gatos as a desirable place to live. A building project of this proportion will stress the resources of Los Gatos, and adversely impact the traffic flow, which is already suffering from housing projects built in the last 5-10 years.

Consider carefully the repercussions of the proposed project. Your lives as well as ours are at stake.

Sincerely

Robert M. Herman
Alicia P. Herman

aph50@comcast.net

From: J DRIEDGER [mailto:jddriedger@gmail.com]
Sent: Tuesday, July 12, 2016 3:06 PM
To: Joel Paulson; planning@losgatos.ca.gov; Sally Zarnowitz; BSpector; Rob Rennie; Steven Leonardis; mjenson@losgatosca.gov
Subject: Yuki Property/aka TheNorth 40

Dear Members of the LosGatosTown Council and Planning Commission

The proposal of the development of the "North 40" would require a change in the name of our fine **Town** to the city of Los Gatos due to the defining character of Town as defined by New College Edition of the *American Heritage Dictionary of the English Language* as "A population center often incorporated larger than a village and smaller than a city." Without this last remaining orchard of any size we might as well drop the "Town" from Los Gatos and just state the obvious that this area is just a suburb of San Jose. An extension Southwest of San Jose not a Town of charm.

The orchard could become an historic attraction. Orchards are rare in this part of the county. The North 40 should be considered an historical treasure!

Third point is the consideration of the impact on our infrastructure as well as our schools and water availability.

Thank you for your thoughtful consideration of this subject as this is the only time you will have the opportunity to have an orchard in the "Town".

Sincerely and with great concern

Jeanne Driedger

Sorry about the lack of commas this keyboard isobjecting to their use.

-----Original Message-----
From: Jane Decker [mailto:janedecker@comcast.net]
Sent: Tuesday, July 12, 2016 3:32 PM
To: Joel Paulson; Planning; Sally Zarnowitz
Subject: North 40

Members of the Planning Commission and Planning staff,

I'm writing to express my concern specifically regarding the traffic impacts of the North 40 development. I've been a Los Gatos resident since 1969.
I must tell you how seriously my life and my neighbors lives have been impacted in the last few years since several developments have been approved along Los Gatos Blvd. At a number of times during the day, it is almost impossible to traverse that street. The North 40 traffic mitigation doesn't in any way help Los Gatos Blvd south of Blossom Hill Road where the street is so impacted now. It's unimaginable how it will be after significant housing and commercial development is a reality at the North 40 site. Please consider requiring more traffic studies before any approval is given to the North 40.

Sincerely,

Jane Decker
16345-8 Los Gatos Blvd

From: Katherine Schuyler <kathyschuyler@me.com>
Sent: Tuesday, July 12, 2016 3:32 PM
To: Planning
Subject: North 40

The Los Gatos area has become best-known as a TRAFFIC NIGHTMARE. Please do NOT add to the nightmare.
I personally know many people who now routinely avoid Los Gatos.

From: Kenneth Arendt [mailto:kenarendt@comcast.net]
Sent: Tuesday, July 12, 2016 3:43 PM
To: Laurel Prevetti
Subject: Letter of July 7th

Hello Laurel,

So very sorry to bother you, especially when we have an important meeting tonight.

My name is Ken Arendt, and you may have seen me around several of the PC and TC meetings over the past 40 years. I know most all of the TC persons and have had at least coffee with most of them.

I live on 108 Ann Arbor Ct and will be speaking tonight encouraging denial of the application.

Having said all that, I must ask you what your take is on that "bullying" letter from the applicant's attorney? Do we put up with that? What will the Town's response be?

At the very least it is obtuse and arrogant in nature.

Thanks for all you are doing!

Ken Arendt

From: Kelly Luoma <luomak@gmail.com>
Sent: Tuesday, July 12, 2016 3:58 PM
To: Planning
Subject: North 40

Hi all

Just a note sent with the hope that there is still a chance to save this community we love!

We moved to Los Gatos over 10 years ago, I guess you could call us newbies. We looked long and hard at where we wanted to make our new home, we wanted something unique, a community, an authentic place not just another strip of houses that all looked the same and had tall fences, where no one knows their neighbors and the shops and restaurants could be found in any mall in any town.
Los Gatos is a special place, it grew slowly over time. People fought to manage that growth,preserve something that so many communities have lost.

I love this town and want to see it continue to blossom and thrive, we need a balanced plan for growth that would maintain the strong character of this town.
This proposed development misses the mark, we are being bullied and strong armed by their legal team. Where is our resolve to stand up and make this something the community can be proud of, something that does not divide this community.

We're stressed. Los Gatos is a pinch point for traffic flow, not easily fixed in our current situation, but will be aggravated as we add all of the additional growth in the years to come. Have you driven on Los Gatos BLVD?

As an advocated for public transportation, I can tell you it is near impossible to use without having to use a car. We're an outpost. The VTA train stops short of Los Gatos, those of us who use it, need to park cars at Winchester or Campbell to get back to town. (Yes I am aware of the bus, and have used it, but adding all that time is not an incentive to use PT). Let's address this as part of our growth. The new VTA proposal look to have less service to LG.

I'm not against growth, it just needs to be thoughtful and hopefully contributes positively to our town. Our hope is that those of you giving the honor and power to serve as our voice will represent the passion, the desire, to fight for Los Gatos and make the decisions that serve the community not the developer.

Kelly Luoma

From: Joel Devalcourt [mailto:jdevalcourt@greenbelt.org]
Sent: Tuesday, July 12, 2016 4:03 PM
To: Sally Zarnowitz
Subject: Greenbelt Alliance Endorsement of North 40-Phase 1

Dear Sally Zarnowitz,

I want to confirm that the Los Gatos Planning Commission has Greenbelt Alliance's official endorsement letter for the North 40-Phase 1 project (attached) in their packet for this evening's hearing.

Thank you,
Joel

--
Joel Devalcourt
Regional Representative, East Bay

Greenbelt Alliance
1601 North Main Street, Suite 105 | Walnut Creek, CA 94596
510.306.4203 (cell) | 925-932-7776 (office)
jdevalcourt@greenbelt.org

greenbelt.org | Facebook | Twitter

Read five ways local governments can help farms and ranches in HomeGrown.

From: Clark Cochran [mailto:clark.cochran@conformiq.com]
Sent: Tuesday, July 12, 2016 4:11 PM
To: Joel Paulson; Planning; Sally Zarnowitz
Cc: BSpector; Marico Sayoc; Rob Rennie; Steven Leonardis; Marcia Jensen
Subject: DENY Current North 40 Proposal
Importance: High

Dear Planning Commission and Town Council members,

Walking into the library recently, I saw the model of the proposed first half of the North 40 development. All I could say was "OMG"! I was appalled as were all the others also looking at it. This is NOT Los Gatos. The proposal as it is currently configured is way too dense, too high, generates too much traffic, hugely impacts the schools, and for what? Big profits for the developer! The litany of faults with this proposal is included below. I'm sure by now you will have read them many times, but the absolute disregard for the look and feel of Los Gatos is beyond words (polite ones anyway).

It can be said you get what you deserve and the residents of Los Gatos deserve MUCH better than this proposal. This should NOT be the new look and feel of Los Gatos. DENY this plan.

REASONS FOR DENIAL: THE PROPOSAL DOES NOT FULFILL THESE REQUIREMENTS, WHICH THE TOWN HAS MANDATED THROUGH ITS SPECIFIC PLAN

1) The proposed development is required to "look and feel like Los Gatos." P 1.1 The drawings for the Phase 1 proposal show boxy, massive, industrial style 3 -5 story buildings that have nothing in common with the look and feel of Los Gatos. It is designed as a separate city within the Town.
2) The Specific Plan says "Lower intensity residential and limited retail/office uses are envisioned..." for the Lark District (Lark/Los Gatos Blvd.) (pp.2-3) The developer has instead proposed highly dense development, including massive 6-, 7-, and 8-unit 3-story row house complexes and commercial/residential space up to 51 ft. high. (This is taller than the Albright buildings.) Is 3 stories the new normal building height? I hope not.
3) The proposed development must "embrace hillside views, trees, and open space." P. 1.1 The intensity and height and layout of the buildings block hillside views and provides minimal open space.
4) The proposed development must "incorporate the site's unique agricultural characteristics." P. 1.1 All the walnut trees will be removed. The site will be planted with other trees, mostly deciduous, that will take years to grow. There is no amenity that "incorporates the site's unique agricultural characteristics." The developer claims the marketplace, A STORE, will fulfill this requirement. Really?
5) The Specific Plan states the development should "address the Town's unmet needs." P 1.1 Move-down housing for the Town's seniors and millennial housing is not provided. Only 49 very low income senior apartments are provided. No other affordable housing will be built. Additionally, the retail as proposed largely duplicates that already provided elsewhere in town and competes with rather than complements the downtown commercial space.
6) P2.2 The proposed development doesn't "minimize or mitigate impacts on town infrastructure, schools, and other community services." On the contrary, P 1.1 Schools, street, and other services will be adversely affected. The initial traffic count was so grossly under estimated as to only be considered as an error instead of a gross misrepresentation of realistic traffic estimates. Current tax payers should not be forced to pay for the school and infrastructure improvements this project will require.

7) The Specific Plan states the intent is "to provide a comprehensive framework in which development can occur in a planned, logical fashion rather than a piecemeal approach." P 1-1 Phase I includes only a portion of the 44 acres. The current application is just part of a piecemeal approach since no information is provided about Phase II.

Change and growth are both part of our evolution. However, the full impact of both these phases, when completed based on the current half proposal, will tragically end the consistent look and feel all Los Gatos residents expected from the North 40 development. We will become the City of Los Gatos.

As our representatives, do NOT let big developers, big lawyers, and big money ruin our Town.

Clark Cochran
60 Rogers Street
Los Gatos

-----Original Message-----
From: Alayna Aghazarian [mailto:alayna@me.com]
Sent: Tuesday, July 12, 2016 4:14 PM
To: BSpector; Marico Sayoc; Rob Rennie; Steven Leonardis; Marcia Jensen; Joel Paulson; Planning; Sally Zarnowitz
Subject: North 40

Dear Town Council, Planning Commission and Town Staff,

I am not able to attend the meeting tonight, so I am writing to let you know I am against the plan proposed by the developer for the North 40 Project. I believe it needs to be modified specifically in the following ways.

1. The current plan develops all residential units in the first 20 acres. This will put an undue burden on one school district. It will be better for both school districts and our community if both school districts can more equally intake future students.

2. The developer needs to present a plan that includes "green" open spaces, so as to match the rest of Los Gatos. Currently, they have built this space to the maximum limit in housing, height and commercial space. This has created a "complex" vs a neighborhood.

3. This isn't part of the plan, but I would like to request that we see what both Phases will look like. I want to see storypoles in both Phases to see the more complete picture of what this developer is suggesting for Los Gatos.

Many Thanks for considering these modifications, Alayna Aghazarian Los Gatos Resident - Vista Del Monte

From: Katherine Schuyler <kathyschuyler@me.com>
Sent: Tuesday, July 12, 2016 4:15 PM
To: Planning
Subject: PLEASE deny the North 40 development. Traffic is already overly impacted in that area.

Have any of the town council members gone to the Starbucks and Subway center across from Samaritan Drive? It sits *very* close to the development in question.
That parking lot and intersection using the traffic lights there is HIGHLY impacted already, and the development in question is right next to it!
Additionally, I understand that the part of the North 40 that is closest Lark Ave. is heavily concentrated with residences. Los Gatos Schools will be negatively impacted
as a consequence. The planning committee could not have foreseen the beach traffic issues would get as extreme as they are now - with GPS directed traffic flooding that intersection.
Los Gatos already has a bad reputation for traffic issues and will have to be renamed "Bottleneck City" if this development is allowed to go ahead.

Instead expending energy attempting to EXPAND Los Gatos, let's work with Santa Clara and Santa Cruz counties and the state to develop mew routes to the beaches and to the homes of all the commuters who pass through on highway 17 in the mountains.

-----Original Message-----
From: Diane Stillinger [mailto:diane@stillinger.com]
Sent: Tuesday, July 12, 2016 4:28 PM
To: Joel Paulson; Planning; Laurel Prevetti
Cc: Marico Sayoc; BSpector; Marcia Jensen; Steven Leonardis; Rob Rennie
Subject: North 40

Dear Counsel Members,

How is it possible that so many important aspects of our town are being overlooked by the desire to increase revenues at all costs? And, there are many costs that will never be able to be remedied! The traffic on Lark Avenue can already be daunting. But, with the new development, it will make it nearly impossible to get from one side of town to the other. Aren't we already fighting a difficult traffic problem with the beach traffic? Why would you want to cause another?

Also, downtown Los Gatos is having problems attracting enough shoppers. Just as downtown San Jose is hurting from Santana Row, downtown Los Gatos could become even more overlooked than it is already.

However, my biggest concern, and should be to all, is how it will affect our highly valued schools. Over the years, the town and district have, in my mind, ignorantly sold land that could be used to alleviate our crowded schools. We could be asking for this much needed land. But, instead, the district has agreed to accept money that is insufficient to buy the land (even if we could find it) that we need for another school... a need that will definitely be necessary when these new houses go in.

The phrase that keeps coming to mind is, "What are you thinking?" How can we retain the town we love with these drastic plans? How can you even consider a development so large? Are you ready for the infamous legacy of the counsel who changed Los Gatos forever?

Please listen to the people of Los Gatos! We are more interested in keeping our charming town intact!

Respectfully,

Diane Stillinger
40 year resident and former teacher at Van Meter

From: Georgia Crowder [mailto:gcrowder12@yahoo.com]
Sent: Tuesday, July 12, 2016 4:39 PM
To: ipaulson@losgatos.gov; msaoc@losgatosca.gov; Sally Zarnowitz; BSpector; Rob Rennie; Steven Leonardis; Marcia Jensen
Subject: North 40 meeting July 12th at 7:00pm

To our elected Town Representatives:
I plan to attend the public meeting tonight, to add my voice to all those who oppose this project. I've enjoyed living in Blossom Manor since 1971. I've seen a lot of change. Our town has grown but maintained the small town beauty.
Since the car lots are mostly gone & replaced with housing & medical facilities, the traffic has dramatically increased on LG Boulevard. It takes about 20 minutes to get from Farley Ave. to Lark Ave. Exit.

I can't imagine adding 320 units and commercial businesses in this North 40 Project!
Both LG Blvd., Lark Ave., Winchester Blvd. & entrance to Hwy 17 will be a complete disaster! I can't imagine dealing with this on a daily basis.

I met the developers. They explained that people who buy homes in this development are expected to be childless workers at Netflix. Many of whom ride bikes to work on the newly constructed bike paths! Hopefully many "empty nesters" who want to downsize !

That would be terrific since there is no plan for a school! However, we all know that Los Gatos schools attract home buyers, so probably many will have children & crowd into our current schools!

I know this plan has been in the works for 10 years, but sadly it does not meet the needs of our community. It appears it will cause the loss of what we all find most desirable & beautiful .
Please consider this & vote down this terrible plan. It will mean less revenue now. But there will be much more in the long run as people continue to see this as a unique beautiful place to live.
Sincerely
Mrs. Georgia Crowder

Sent from my iPad

From: S, Linda [mailto:linda@richardsmithtax.com]
Sent: Tuesday, July 12, 2016 4:52 PM
To: BSpector; Marico Sayoc; Rob Rennie; Marcia Jensen
Cc: Joel Paulson; planning@losgatos.gov; Sally Zarnowitz
Subject: PLEASE DENY THE NORTH 40 DEVELOPMENT PLAN

To the board of the planning commission for the city of Los Gatos I beg of you to DENY the Development of the Yuki Orchard Aka The North 40.
I have grown up in beautiful Los Gatos and was forturnate enough to own my own home for 24 years. When I heard of this new Development I was shocked by the proposal as well as the industrial style massive buildings they intend to build. You will be destroying our Town. Schools and streets & other services will be horribly affected. Please protect our lands & walnut trees and open spaces.
I implore you the Town of Los Gatos Commission to Deny this Proposal on behalf of the residents of Los Gatos as well as all the commuters who already cannot get from Lark Ave. to town without backups every single day on Hwy 17. Which causes even more delays as Santa Cruz commuters get off on Lark tp go through towns back streets which is already a nightmare.
Sincerely, Linda Shamshoian
14 West Main St.
Los Gatos, CA 95030

Linda Shamshoian
Richard Smith & Associates
1500 E. Hamilton Ave., Ste 202
Campbell, CA 95008
p 408.377.9703
f 408.377.9709
linda@richardsmithtax.com
www.richardasmithtax.com

From: Kristin Dillehay [mailto:kristin.dillehay@verizon.net]
Sent: Tuesday, July 12, 2016 4:57 PM
To: Planning; Joel Paulson; Sally Zarnowitz
Cc: BSpector; Marico Sayoc; Rob Rennie; Steven Leonardis; Marcia Jensen
Subject: July 12 PC meeting & North 40

Dear Los Gatos Planning Commission,

I am a Los Gatos resident. I am unable to attend tonight's Planning Commission meeting but wanted to urge the Planning Commission to deny the current application for the North 40.

As proposed, the development will destroy our Town's small-town character forever. The proposed development does but "look and feel like Los Gatos." The proposed boxy, massive buildings do not have anything in common with the look and feel of Los Gatos. The proposed development does not "embrace hillside views, trees, and open space." Rather, once the story poles come down and buildings are erected, hillside views will be completely blocked and we will only be able to see a wall of stucco.

The proposed development does not "minimize or mitigate impacts on town infrastructure, schools, and other community services." Schools , streets, and other services will The adversely affected by this proposed development. As a parent of two children in Los Gatos schools, the impact on schools is particularly concerning to me and my family.

I urge you to deny the current proposal. Please don't ruin the feel of our town.

Sincerely,
Kristin Dillehay

From: Lori <lday4family@gmail.com>
Sent: Tuesday, July 12, 2016 4:57 PM
To: Planning
Subject: North 40

Hello

My husband and I have lived in Los Gatos for 17 years- we are in the East end of LG and want to voice our displeasure regarding the current plan for the North 40. This development is too large and dense for the area. The traffic is already ridiculous most of the day and adding so much housing and retail will only exacerbate the problem. We are writing in hopes that you will ask the developer to change the plans to compliment the Town Character and not deviate from the town's Vision as stated in The Specific Plan.

We are leaving on vacation or we would attend the meetings to give our opinion in person.
Regards

Lori and Chris Day
204 Dover St
Los Gatos, CA 95032

Sent from my iPad

****

On Jul 12, 2016, at 5:23 PM, Shayan Saghari <shayansaghari@gmail.com> wrote:

To the Town Council of Los Gatos,

I, Shayan Saghari, as a native of Los Gatos for 18 years, and as an architectural designer urge you to deny the current application for the North 40 development.

The reasons for this stance are vast, and expanded on below:

1) It will destroy the quaint small town character we have preserved for so long and are renowned for. Although in the state of California the term "city" and "town" are explicitly interchangeable, we all know that "The City of Los Gatos" doesn't have the same charm and ring as "The Town of Los Gatos". There are historic, nostalgic, and touristic reasons we call it the Town of Los Gatos, and it is only responsible to uphold those very characteristics of our town that make it so special. Los Gatos has always been a unique gem in that it has been explicitly NOT commercial and untouched by the hand of developers. Los Gatos is not San Jose. Let's keep it that way.

2) It will worsen traffic. I'm sure you are well aware of the size of our roads and streets of this town. Pretending like we have the infrastructure or capacity to accommodate more cars and traffic is down right foolish. The paralyzing traffic on Highway 17 and on Lark Avenue on weekends that over flow onto Winchester and N. Santa Cruz is already unpleasant and unfair for residents to deal with. Allowing this development is only going to worsen to an already big problem we have.

3) It is not fair to the existing residents. The residents of Los Gatos simply put do not deserve to be trapped in grid locked traffic, which they already are. This development will have a drastic and harmful impact on the quality of Los Gatos existing residents' lives. The town has reached it's boiling point and will only be hurting it's valued existing residents by allowing for this development.

4) In Los Gatos, we pride ourselves on the family style and safety of our town. Many children commute to and from school by bike, skateboard, or walking. This development will bring in an average of 2 cars per unit. This will increase traffic significantly, and create more dangerous conditions for our children.

5) It will overpopulate the size of our children's classrooms. There should be concern about the number of students that will be added to each classroom by allowing for this development. Los Gatos is known for having an excellent public school system with good teacher to student ratio in

the classroom. Adding this development will undoubtably increase the number of students in the classrooms and that's not what current residents are paying taxes for in this town.

Thank you for taking the time to read this and for keeping the best interest of the existing residents of the Town of Los Gatos in mind.

-Shayan Saghari

From: Bruce Botto [mailto:bruce.botto@gmail.com]
Sent: Tuesday, July 12, 2016 5:23 PM
To: Joel Paulson; Marico Sayoc; Rob Rennie; Steven Leonardis; Marcia Jensen
Subject: Please halt and rethink North 40 development

Ladies and Gentlemen,

I am a resident of LG, on Lilac Way.
I am writing you again to voice my opposition to the current development plan for the North 40. While I realize this has been a protracted process and a lot of work has been put in, I really think a major mistake is about to be made, from which there is no recovery/ resolution.

The current plan for the site honestly does not fit or meet the following main tenants of the requirement of the plan.

1) requirement to keep the look and feel of LG. The current plan clearly is not in keeping with the look and feel of the TOWN of LG.
2) all of the units are only crowded on approximately half of the space. Its clear why the developer would want locate them all in the LG school district but you are selling us all out by allowing this. (see point #1)
3) The current plan and its impact on traffic and infrastructure is OUT OF DATE. Many new traffic congesting developments have been built in the time the current study has been done, most notably the significant build up around the Hospital
4) Addressing of the towns unmet needs. This is a town, don't need more commercial space, especially space for big box type retailers. This is specifically the point of the residents wanting to keep LG a town, and now grow it into a city.

I really understand the town wants to conclude this as it has been in the works for years, but I really think we have made far too many concessions over this period and it no longer represents the view of the town.

I also realize the owners of the land would like to get a good value of the real estate they have held for so many years. However, I don't think they are entitled nor do the residents of the town want a high density residential commercial development on that spot.

Thank your for your attention!

Best regards,
Bruce Botto
832 Lilac Way
Los Gatos, CA 95032

From: Ken Cubbon [mailto:kcubbon@hotmail.com]
Sent: Tuesday, July 12, 2016 6:17 PM
To: Joel Paulson
Subject: North 40 Project- resident comments

Mr Paulson, as a resident of LG I have some input on the North 40 project which I hope you will consider.

A town has a feel, something that someone uses to describe it. Much like a company has a mission statement.
What does this town want to be, remain to be or want to become.

LG can be described as small town feel, warm, inviting, good food, good shopping, safe, a vintage or old world feel. Victorian homes, mountain setting not a industrial or large businesses setting, not overly crowded.

What makes someone want to live or visit here. A safe town. A very good education for our children. Easy to get to. Easy to park. Good food. Great place to walk and shop. Not the run of the mill tract homes, but homes of yesteryear, quiet.

The city works so hard to make any new house or rebuild of an older house follow strict rules of design etc to maintain the feel of LG. David Flick was a model for this. He built new homes that look 150 years old but were brand new inside and out. Flick did renovation projects that maintained the original look and feel of the buildings such as Tangles. Look at the care taken to renovate the movie theater to keeps its look. Yet should we be so careless on such a big property to throw the rule book away and significantly change our town in one stroke of the pen.

We see projects like Valco that is putting agriculture on the roof tops to use to feed the locals. Since farm to table is becoming popular, farmers markets etc. We see restaruants having their own herb gardens or small farms to bring extra fresh food to us and we pay more for it, no problem. We have 40 acres of farming, and we are converting it to black top. Why dont we set a new trend that becomes a model for other towns and cities. There is not a lot of negative feelings about farming. Cleaner air, (absorbe some of that pollution from 17) open space, good to help with global warming, food produced close.

I have lived in LG for 52 years, my parents still live on Old Adobe Rd and my wife and I moved back here from Sunnyvale in 2005, so she could buy a "cute" house. We bought Dave Flicks first built home. A victorian on Loma Alta. In the 11 years I have noticed a huge increase in traffic. Especially beginning at 3:00 pm coming in all directions. You dont dare go out between 8am - 9am and 3pm and 7pm anymore. I know this increase in traffic has to affect the businesses in town. Plus, with the addition of new restaruants and shops in the 40 acre development it has to hurt the shop owners in town. With the rents so high I cant see how they turn a profit, now. Just the change of Powells to the new candy store diminished this town as a destination.

This is probably the biggest decision this town has to make. I would err on the side of the many not the few. There are 31,000 residents in LG and I am sure if you asked them if they like LG the way it is now or if they want to cram more houses in, create more traffic, more students in the LG schools versus a turn to the past and continue the legacy of a farm, orchard and set a new model for the rest of the country to admire and copy.

Cupertino use to be orchards, now it is nothing but Apple, Target stores, strip malls, huge residential complexes and congestion. Sunnyvale use to be orchards, now it is mini commercial high rises, high tech businesses, strip malls, huge residential complexes and congestion.

Is this what we are shooting for too. Lets be different. We have one shot at keeping this town the way it was. The reasons why we moved here in the first place.
I hope money, city revenues, profits for a developer are not the deciding factors, but the welfare of the 31,000 residents that live here now, is.

Signed, Ken Cubbon, 125 Loma Alta Ave, Los Gatos. residence since 1964.

From: Chris <cspotter5@hotmail.com>
Sent: Tuesday, July 12, 2016 7:39 PM
To: Marni Moseley; BSpector; Marico Sayoc; Rob Rennie; Marcia Jensen
Subject: North 40 Plan and excess housing development within the LG School District

To the Town Council,

I am writing to voice my opposition in the strongest manner to the North 40 plan for overbuilding of residential housing units within the LG School District side. It unfair and unjust to expect the LG School District to take all these new students who will move into North 40 housing. This will result in overcrowded classrooms in the LG schools and further compromise our public education in the Town. Despite the extra donations we've made to the public schools, we have seen our children's experience at Fisher MS and LGHS suffer in quality already due to extra housing developed on Los Gatos Blvd, and our students now deserve better.

If any plan goes forward to overbuild residential housing units within the LG School District North 40 side, we will stage protests at the building site, write letters to the local blogs and newspapers, and stop supporting anyone now on the Planning Commission and Town Council who votes for the current plan.

Sincerely - Christopher Potter, 20 year resident at 33 Tait Ave, Los Gatos

Myrtle and Patrick Gunning
14800 La Rinconada Drive
Los Gatos, CA 95032

Town Council of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Dear Council Members,

My husband and I and our four children have lived in Los Gatos since 1964. Since then the town has grown greatly and has many attractive benefits as our new town library, newly remodelled theatre, many fine restaurants etc. However, the traffic has increased tremendously (bumper-to-bumper cars, numerous bikes, children in strollers, dogs, skateboards etc.) Witness the traffic congestion on the city streets, Winchester Blvd., Lark Avenue, Bascom Avenue — indeed, everywhere. If the North 40 development is allowed to proceed Los Gatos would become a dangerous place to live!

In addition to this, in very close proximity is the new Stanford Health Care Center, Good Samaritan Hospital with its ever increasing buildings, offices for doctors and medical facilities. Right now it is difficult to get in and out of this area and it is close to the proposed North 40 development.

For these reasons we are totally against the North 40 development.

Yours Truly,

Myrtle and Patrick Gunning

RECEIVED

JUL 12 2016

TOWN OF LOS GATOS
PLANNING DIVISION

From: <4lucasmartines@gmail.com>
Date: July 13, 2016 at 1:15:13 AM PDT
To: <lprevetti@losgatosca.gov>
Subject: North 40

My name is Lucas Martines and I believe that development of the yuki orchard will create a more crowded CITY of los gatos. I would like to keep the area looking like the beautiful orchard that it is.
Thank you for listening to the voice of the people

From: Tom Thimot <tom.thimot@gmail.com>
Sent: Wednesday, July 13, 2016 6:58 AM
To: Planning
Cc: Marcia Jensen; BSpector; Steven Leonardis; Marico Sayoc; Rob Rennie
Subject: Feedback and Advice

To: Planning Commission
CC: Town Council

Thank you for your service to Los Gatos. While I am a co-founder of Town Not City and firmly against the current application, I am also a three time CEO that has many times navigated negotiations that involve litigation threats. I wanted to take a minute and offer some advice for a way out of the space between a rock and a hard place that we find ourselves in. Sadly this becomes public record, but I can accept that...

First, as many of you highlighted last night, it was in poor taste to threaten the town with a take it (as is) or leave it ultimatum, but smart from a negotiating perspective. We need to be equally smart in our rebuttal. Put simply, we need to call their bluff. We have leverage right now and they know it, thus the threat. We need to understand that if the Planning Commissin now rubber stamps their application "as is" you tie the hands of our Town Council as they will be in a weakened negotiation position in any future litigation if you have given blanket approval. Please understand there is strong, unwavering sentiment from deep pockets in this town to go for a ballot initiative if both Planning Commission and Town Council approve this application as is. Overriding the planning commission and the town council would be an extremely weak litigation position (but one you and the Town Council will be stuck with if you approve as is) so your move here is critical.

Here is my suggestion:
1) Reject the current proposal. Message that the developers said it had to be accepted "as is without modification", so here is your answer "no".
2) Offer an olive branch in your denial. Take 5-10 of the best ideas from the last six months of feedback and list them out providing guidance, that if they resubmitted their proposal with these changes, you would recommend Town Council approve it.
3) This list of changes should include a few recommended changes to the N40 Specific Plan (and yes I realize this requires you to recommend these changes to Town Council and for them to amend the Specific Plan). In fairness to the developers this could be done time of essence from a legal and hearing perspective. There are inconsistencies in the Specific Plan that have now been exposed. Let's fix them and get them right.
4) If #2 were legally worded correctly, you could send a contingent approval to Town Council assuming these 10 changes to the application and 3 changes to the Specific Plan are accepted (I use 10 and 3 as examples, you need to decide the right numbers).
5) If they sue after we take this reasonable and fair approach, they are in a VERY weak litigation position as you have provided a reasonable path for them to gain approval.
6) Please make clear that the olive branch is conditional on their follow through on all commitments for traffic mitigation, school funding and the like.

Many of our Town Not City followers would not like my suggestion, but I make it as an involved citizen that has spent countless hours over many years raising money for our schools as I love our town. I have also negotiated many deals in my life. You have leverage, don't be afraid to use it.

Respectfully,

Tom Thimot
(408) 464-7390 Mobile

On Jul 13, 2016, at 8:45 AM, Taban Karimian <tabankarimian@gmail.com> wrote:

To the town council of Los Gatos,

I, Taban Karimian, as a native of Los Gatos for 25 years, and as a mother who raised two children here urge you to deny the current application for the North 40 development.

The reasons for this stance are vast, and expanded on below:

1) It will destroy the beautiful small town character we have preserved for so long and are renowned for. I take pride in living in the town of Los Gatos not "The City of Los Gatos". There are historic, nostalgic, and touristic reasons we call it the Town of Los Gatos, and it is only responsible to uphold those very characteristics of our town that make it so special. Los Gatos has always been a unique gem in that it has been explicitly NOT commercial and untouched by the hand of developers. Los Gatos is not San Jose. Let's keep it that way.

2) It will worsen traffic. I'm sure you are well aware of the size of our roads and streets of this town. Pretending like we have the infrastructure or capacity to accommodate more cars and traffic is down right foolish. The paralyzing traffic on Highway 17 and on Lark Avenue on weekends that over flow onto Winchester and N. Santa Cruz is already unpleasant and unfair for residents to deal with. Allowing this development is only going to worsen to an already big problem we have.

3) It is not fair to the existing residents. The residents of Los Gatos simply put do not deserve to be trapped in grid locked traffic, which they already are. This development will have a drastic and harmful impact on the quality of Los Gatos existing residents' lives. The town has reached it's boiling point and will only be hurting it's valued existing residents by allowing for this development.

4) In Los Gatos, we pride ourselves on the family style and safety of our town. Many children commute to and from school by bike, skateboard, or walking. This development will bring in at least an average of 2 cars per unit. This will increase traffic significantly, and create more dangerous conditions for our children.

5) It will overpopulate the size of our children's classrooms. There should be concern about the number of students that will be added to each classroom by allowing for this development. Los Gatos is known for having an excellent public school system with good teacher to student ratio in the classroom. 25 years ago my husband and I moved to Los Gatos to give our two daughters a better education. Adding this development will undoubtably increase the number of students in the classrooms and that's not what current residents are paying taxes for in this town.

Thank you for taking the time to read this and for keeping the best interest of the existing residents of the Town of Los Gatos in mind.

Sincerely,

Taban Karimian

16975 cypress way

From: Peter Dominick [mailto:peminick@gmail.com]
Sent: Wednesday, July 13, 2016 9:20 AM
To: Joel Paulson; Planning
Subject: Objections to the density bonus request in the North 40 application

To the Los Gatos Planning Commission:

Thank you for taking the time to read this. My name is Peter Dominick, and I live on Blossom Hill Rd. I am a 30+ year resident of Los Gatos.

I would like to comment on the letter sent by Goldfarb Lipman Attorneys to the Town of Los Gatos on July 7, 2016, in regards to the North 40 planning application.

At multiple points in this letter, the authors refer to their belief that the developers are "entitled" to a density bonus for this project. I believe this is inaccurate and represents a misinterpretation of the law. I support development in the North 40, but I believe the current application does not qualify for a density bonus as requested for the following reasons:

- First, the developers are inconsistent in their definition of the 49 units that are proposed to be built on top of the Market Hall building. In a letter from their lawyers dated March 10, 2016, they repeatedly refer to these units as a senior housing development. But, they also ask in the same letter that they be considered very low income housing for the sake of the density bonus calculation, presumably because very low income housing qualifies for a larger bonus than senior housing. However, the density bonus code states that any proposal for very low income housing must meet the definition in Section 50105 of the Health and Safety Code, and Section 50105 states that "'Very low income households' means persons and families whose incomes do not exceed the qualifying limits for very low income." The key words there are "persons and families." If the units proposed by Grosvenor are truly very low income, then they must be eligible to persons and families based on income. However, these units will have an age restriction on them. If they are not eligible for all persons and families of low income to be considered, then they do not meet the standards of Section 50105, and they therefore must be considered some other type of unit. They do not entitle the developers to a 35% density bonus.
- Second, even if you still believe that the 49 senior housing units---that the developers call senior housing units, and that sit in a single building because that is required for senior housing---also legally qualify as very low income housing and that the density bonus should be granted based on that scale, then I would submit that the base number of units of 237 proposed by this project is not valid according to the law. The density bonus law states that "A city shall grant one density bonus, and incentives or concessions, when an applicant for a housing development seeks and agrees to construct a housing development, *excluding any units permitted by the density bonus awarded pursuant to this section.*" We must exclude density bonus units from the initial proposal, but the 237

units proposed by this application include numerous units that would only be allowable if we waive our design guidelines for building height. In a March 10 letter, the developers' lawyers state that 97 units would be lost if they do not get one of the waivers for building height. If the total project is 320 units, that means the pre-density bonus and pre-waiver unit basis could not be more than 223 units. According to the density bonus law, we do not have to waive any standards until we grant a density bonus. I would propose that the developer must submit a base number of units that would actually be feasible to construct given our guidelines, and then we can consider a density bonus and any standard waivers.

- Finally and apart from the two preceding issues, the fact that there is more than one developer actually working on this project under the banner of Grosvenor USA seems to obfuscate the intention of the density bonus law. In their July 7 letter, the developers' lawyers themselves state that Grosvenor USA Limited and Summerhill Homes are at least two entities (collectively, "the Applicants"). But again, the density bonus law states that "A city, county, or city and county shall grant one density bonus and incentives or concessions, when an applicant for a housing development seeks and agrees to construct [an eligible affordable] housing development." That is singular: an applicant. In this project, we have Summerhill that will be building out the Lark District, and we have Eden Housing that will be building the senior housing unit, but because these two developers are paired up under Grosvenor, the units being built by Eden will benefit the development being built by Summerhill. I firmly believe that this is a gross distortion of the intention of the density bonus law, which is supposed to provide a singular applicant with a way to recoup costs for building affordable housing. Here, Grosvenor has ginned up a scenario where Eden gets to throw some senior housing units on top of a commercial building---so they are already saving on costs there---but it might allow Summerhill to build additional market rate units.

Based on these points, I believe this application is firmly out of line. In the July 7 letter, the developers' lawyers state that "Density Bonus Law (Gov't Code § 65915) contains no grounds on which a request for a density bonus may be denied." That is true, but only if a request meets the letter of the law. I believe this request does not meet the letter of the law, though, and therefore the Town of Los Gatos should and must ask the developer to revise it.

Thank you,

Peter Dominick

GREENBELT ALLIANCE

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June 13, 2016

Barbara Spector, Mayor
Los Gatos City Council
110 E. Main St.
Los Gatos, CA 95030

RE: Endorsement of the North 40-Phase 1

Dear Mayor Spector and Councilmembers:

For over 50 years, Greenbelt Alliance has been the champion of the places that make the Bay Area special. We defend natural and agricultural landscapes from sprawl development and help create great cities and neighborhoods to make the Bay Area an even better place to live. Since the 1980s, we have provided an independent validation of outstanding infill development to help ensure that the right development happens in the right place. Our endorsements have helped improve more than 140 neighborhoods around the region.

Greenbelt Alliance is pleased to endorse the proposed North 40-Phase 1 proposal. This plan for 320 new homes and a variety of commercial and recreational spaces has many laudable features. It will provide a walkable, vibrant community for residents across the income spectrum, support the local economy, relieve development pressure on the region's open spaces, and offer a host of other environmental and quality of life benefits.

To make the proposal even stronger, we encourage the following:

1. Use every opportunity to create safe, comfortable walking and biking opportunities, particularly across Los Gatos Boulevard and Lark Avenue.
2. To increase transit use and reduce traffic and congestion, provide free transit passes for residents and employees with an on-site administrator as part of a Transportation Demand Management program.

In addition, we recommend that the North 40 and other new developments in Los Gatos include more compact homes to help meet the needs of our region without turning to development on our natural and agricultural lands at the edge of the Bay Area, where over 320,000 acres are currently threatened by sprawl.

The North 40-Phase 1 is a smart step towards making Los Gatos—and the Bay Area—a better place to live. We hope that its approval will inspire communities around the region to redouble their efforts to grow smartly.

Sincerely,

Matt Vander Sluis
Program Director

From: "Shannon Susick" <ssusick@comcast.net>
To: "Mary Badame" <MBadame@losgatosca.gov>, "mkane@losgatosca.gov" <mkane@losgatosca.gov>, "todonnell@losgatosca.gov" <todonnell@losgatosca.gov>, "mhudes@losgatosca.gov" <mhudes@losgatosca.gov>, "mhanssen@losgatosca.gov" <mhanssen@losgatosca.gov>, "cerekson@losgatosca.gov" <cerekson@losgatosca.gov>
Cc: "Joel Paulson" <jpaulson@losgatosca.gov>, "Laurel Prevetti" <LPrevetti@losgatosca.gov>
Subject: North 40 continuation hearing tonight

Good Morning!

Thank you so much for your time.
Attached please find my presentation from last night as I was unable to e-mail it prior to the meeting. The Land Use Policy is an important cornerstone for the Specific Plan.

Additional questions for future reference;

1. Statements made last night by the applicant about submitting an application prior to the Specific Plan that followed early comments regarding not understanding how the application could be denied after the collaboration were confusing if not troublesome?

Thank you again,

Shannon Susick
(408) 316-9559