



MEETING DATE: 1/20/04
ITEM NO. 18

COUNCIL AGENDA REPORT

DATE: January 13, 2004

TO: MAYOR AND TOWN COUNCIL

FROM: TOWN MANAGER 

SUBJECT: CONSIDER A REQUEST TO MODIFY AN APPROVED PLANNED DEVELOPMENT RELATING TO THE ALLOWED SQUARE FOOTAGE OF OFFICE SPACE AND NUMBER OF APARTMENT UNITS ON PROPERTY ZONED CM:PD. APN 424-32-068. PROPERTY LOCATION: 14300 WINCHESTER BLVD. FILE #PD-03-1. PROPERTY OWNER/APPLICANT: SOBRATO DEVELOPMENT COMPANIES.

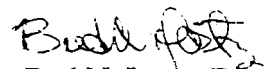
RECOMMENDATION:

1. Hold the public hearing and receive public testimony;
2. Close the public hearing;
3. Make the required findings (Attachment 1) and approve subject to the conditions included in the PD Ordinance (Attachment 2);
4. Direct the Clerk to read the title;
5. Move to waive the reading;
6. Introduce the Ordinance (Attachment 2) to effectuate Planned Development Application PD-03-1.

BACKGROUND

On February 4, 2002, the Town Council certified the Environmental Impact Report (EIR) and approved a Planned Development for 288,000 square feet of office/R&D and 134 apartments on the subject property. A subsequent Architecture and Site (A&S) application was filed in April, 2002.

(Continued on Page 2)


PREPARED BY: Bud N. Lortz, Director of Community Development

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Reviewed by: PSS Assistant Town Manager AL Town Attorney _____ Clerk _____ Finance
_____ Community Development Revised: 1/13/04 12:38 pm

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SUBJECT: CONSIDER A REQUEST TO MODIFY AN APPROVED PLANNED DEVELOPMENT RELATING TO THE ALLOWED SQUARE FOOTAGE OF OFFICE SPACE AND NUMBER OF APARTMENT UNITS ON PROPERTY ZONED CM:PD; FILE #PD-03-1.

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The Planning Commission held study sessions on the A&S application on May 22 and June 26, 2000. Following the June 26, 2002 study session a public hearing was held, and the application was continued to August 14, 2002. The Commission approved the Architecture and Site application on August 14, 2002. Since that time the applicant reevaluated the plans and decided to submit a proposal to modify the approved Planned Development to change the mix of uses (see project summary below).

On August 6, 2003, the Town Council held a study session to discuss the Planned Development modification. The purpose of the study session was for staff and the applicant to receive direction from the Council on key issues. The direction provided by the Council was also intended to assist the Planning Commission in its review of the modified PD. The Council was generally favorable of the proposed shift in land use and provided consensus motions on other discussion items, including timing, the review process, affordable housing and visual aids (refer to Exhibit L to the October 22, 2003 Planning Commission report).

PROJECT SUMMARY:

The applicant is proposing to modify the approved Planned Development (288,000 square feet of office/R&D and 134 apartments) to change the mix of land uses to allow 120,000 square feet of office/R&D and 290 apartments. The approved project includes 34 Below Market Price (BMP) units and the revised project includes 48 BMP units. The applicant is proposing to maintain the approved architectural design and quality for both the office and residential components of the project. Consequently, no architectural modifications are proposed as part of this modified PD application.

The concept of reviewing the modified PD with more detailed architectural plans that is typically provided with a PD application was discussed at the August 6, 2003 Council Study Session. The Council indicated support for this approach of reviewing the architecture and site application at the DRC level with assistance from the Town's Consulting Architect. The Council consensus was based on the provision of enough architectural detail, the retention of the architectural excellence of the approved project and not having too many loose ends. The architectural style for the modified PD, including exterior materials, has not changed. If the modified PD is approved the architecture and site process is anticipated to be a relatively minor review.

Soccer/Athletic Fields

A number of residents, soccer coaches, parents and players attended the three Planning Commission hearings to testify about the need for soccer and other sports facilities. The applicant has pledged to work with the interested parties to help find locations for soccer and/or to obtain new facilities.

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Community Benefit

The applicant is offering a substantial community benefit package with the revised project, to include the following:

- Express shuttle link between the Campbell light rail station and the project site until the Vasona extension is completed.
- Contribution to the Town for traffic/circulation improvements; the intersection of Knowles Drive & Winchester Blvd. is a possible project (\$50,000)
- Transit for Livable Communities Fund support/technical assistance
- Los Gatos Creek Trail improvements (\$20,000)
- Gateway art feature (\$100,000)
- Increase in affordable housing units (49 with the revised project as compared to 34 with the approved project)

The applicants' letter (Exhibit A to the October 22, 2003 Commission report) includes additional details on the community benefit offerings. A condition of approval requires an agreement to be developed and approved by the Town memorializing the community benefits and clarifying how they will be implemented. The applicant is open to shifting funds to areas that may be of higher priority to the Town.

PLANNING COMMISSION ACTION:

On October 22, 2003, the Planning Commission considered plans to modify the approved Planned Development to change the mix of land uses. The Commission received public testimony and discussed the modified project. Each Commissioner provided numerous comments for the applicant's consideration, and the item was continued to November 18, 2003.

The applicant presented revised plans to the Commission on November 18, 2003. After receiving public testimony and discussion, the Commission continued the item to December 10, 2003 and provided the following direction to the applicant:

1. Remove third story housing elements
2. Consider reducing the square footage of the office/R&D buildings
3. Create open space and recreational areas
4. Redefine community benefit (consider the need for recreational/sport facilities and possibly change the community benefit package)
5. Open a view corridor though to the creek area
6. Open the site up more; provide more open/green space

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7. There shall be no phasing of the project (the applicant is proposing to build the residential portion of the project first followed by the two office buildings at later dates).
8. Consider relocating the tot lot to a more secure area, and possibly add a second play area
9. Consider eliminating the loop road
10. Provide a public easement over the alternate trail (if the trail connection on SCVWD land is not part of the project).

On December 10, 2003 the applicant made a presentation on plan changes that were feasible and requested that the Planning Commission formulate a recommendation to the Town Council. The Commission voted 4-1 (two Commissioners were absent) to forward a recommendation to the Council that the revised plan not be approved and that an extension on the approved architecture and site application be granted to allow additional time to work on plan issues and concerns. The Commission expressed concern about the quality of life in the residential portion of the project, the architecture, and the parking. The Commission would like to see more green space in the project and suggested that a small retail component be included. Attachment 3 is the meeting minutes from this final Commission meeting. Minutes from the two prior Commission meetings were forwarded to the Council under separate cover.

The applicant has submitted a letter summarizing the process to date and stating their position on the pending application (see Attachment 9). The applicant prefers not to return to the Planning Commission to revise the plans as recommended by the Commission.

Time Extension

The Architecture & Site (A&S) approval for the approved project will expire on August 14, 2004 unless it is vested. To vest the approval a building permit must be issued and substantial work done. Typically substantial work is defined as having the foundation(s) in. The Council approved the Planned Development, but the subsequent A&S application was reviewed and approved by the Planning Commission. As the Commission was the body that granted the original approval, it may approve a reasonable extension of time, not to exceed one year, if requested by the applicant. In order to grant an extension of time the deciding body (Commission) must make the following findings:

1. There would be no legal impediment to granting a new application for the same approval.
2. The conditions originally applied or new conditions to be applied as part of the extension approval are adopted to any new facts concerning the proposed project.

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The applicant has indicated that a time extension is not desired due to the carrying costs associated with the property. The applicant would like to move forward with construction of the approved project if the PD modification is not approved.

ENVIRONMENTAL ASSESSMENT:

An Environmental Impact Report (EIR) was prepared and certified by the Town on February 4, 2002, as required by the California Environmental Quality Act (CEQA). An Addendum to the EIR was prepared for the modified project as required by the California Environmental Quality Act. The Addendum includes details of the revised traffic analysis that was prepared for the revised project. The conclusions of the traffic report are that the revised project will generate fewer vehicle trips than the approved project (estimated at 395 fewer net new daily trips) and will have a less than significant impact on intersections in Los Gatos and Campbell, including five Congestion Management Program (CMP) intersections. A condition is included in the Planned Development Ordinance requiring the applicant to pay a traffic impact mitigation fee as required by the Town's Traffic Policy.

FISCAL IMPACT: None

Attachments:

1. Required Findings (two pages)
2. Revised Planned Development Ordinance (31 pages)
3. Planning Commission Minutes of December 10, 2003 (17 pages)
4. Letter from Philip Dinapoli (one page), received January 13, 2004
5. Letter from Charles J. Toeniskoetter (one page), January 14, 2004
6. Letter from Edgar M. Thrift & Gail Ross Thrift (one page), received January 14, 2004
7. Letter from Victor Aboukhater (one page), received January 14, 2004
8. Letter from Santa Clara County VTA (one page), received January 14, 2004
9. Applicant's letter (six pages plus exhibits and attachments), received January 14, 2004
10. October 22, 2003 Planning Commission report with Exhibits A-N (*sent under separate cover*)
11. October 22, 2003 Planning Commission report addendum with Exhibits O-Y (*sent under separate cover*)
12. October 22, 2003 Planning Commission desk item with Exhibits Z-GG (*sent under separate cover*)
13. October 22, 2003 Planning Commission Minutes (*sent under separate cover*)
14. November 18, 2003 Planning Commission report with Exhibits HH-PP (*sent under separate cover*)

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15. November 18, 2003 Planning Commission desk item with Exhibit QQ (*sent under separate cover*)
16. November 18, 2003 Planning Commission Minutes (*sent under separate cover*)
17. December 10, 2003 Planning Commission report with Exhibits RR-TT (*sent under separate cover*)
18. December 10, 2003 Planning Commission desk item with Exhibits UU-YY (*sent under separate cover*)
19. Statement submitted by Planning Commission Chair Paul Dubois (one page), received December 10, 2003 (*sent under separate cover*)
20. Development plans (32 sheets), received December 4, 2003 (*sent under separate cover*)

Distribution:

John Shenk, Sobrato Development, 10600 N. De Anza Blvd., Suite 200, Cupertino, CA 95014

Eric Morley, Morley Hunter Group, 99 Almaden Blvd., Suite 720, San Jose, CA 95113

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REQUIRED FINDINGS FOR:

14300 Winchester Boulevard

Planned Development Application PD-03-1

Requesting approval to modify a Planned Development relating to the allowed square footage of office space and number of apartment units on property zoned CM:PD. APN 424-32-068
PROPERTY OWNER/APPLICANT: Sobrato Development Companies

FINDINGS

Required consistency with the Town's General Plan:

- That the proposed Zone Change is internally consistent with the General Plan and its Elements.

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ORDINANCE

ORDINANCE OF THE TOWN OF LOS GATOS AMENDING THE PLANNED DEVELOPMENT AT 14300-14350 WINCHESTER BOULEVARD (ORDINANCE 2095)

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES ORDAIN AS
FOLLOWS:

SECTION I

Ordinance 2095 for the Planned Development at 14300 & 14350 Winchester Boulevard as shown on the map attached as Exhibit A is hereby amended as follows.

SECTION II

The amended PD (Planned Development Overlay) zone established by this Ordinance authorizes the following construction and use of improvements:

1. Construction of a research and development/office complex up to 120,000 square feet and 290 residential apartments including 242 market rate and 48 Below Market Price (BMP) units.
2. Landscaping, parking, and other site improvements shown and required on the Official Development Plan (Exhibit B);
3. Uses permitted are residential and those uses specified in the underlying CM (Controlled Manufacturing) zone by Sections 29.70.220 (Permitted Uses) and 29.20.185 (Table of Conditional Uses) of the Zoning Ordinance, as those sections exist at the time of the adoption of this Ordinance, or as they may be amended in the future subject to any restrictions or other requirements specified elsewhere in this ordinance including, but not limited to, the Official Development Plan. However,

no use listed in Section 29.20.185 is allowed unless specifically authorized by this Ordinance.

4. The R & D/office complex is limited to a maximum of four tenants.

SECTION III

COMPLIANCE WITH OTHER DEVELOPMENT STANDARDS

All provisions of the Town Code apply, except when the Official Development Plan specifically shows otherwise.

SECTION IV

Architecture and Site Approval is required before any construction work for the project is performed, whether or not a permit is required for the work and before any permit for construction is issued. Construction permits shall only be issued in a manner complying with Section 29.80.130 of the Zoning Ordinance.

SECTION V

The attached Exhibit A (Map) and Exhibit B (development plans received by the Town of Los Gatos on December 4, 2003, 32 sheets), incorporated herein by this reference, are part of the Official Development Plan. The following must be complied with before issuance of any grading, demolition or construction permits, unless otherwise stated:

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. **ARCHITECTURE AND SITE APPROVAL REQUIRED.** A separate Architecture and Site Application and approval shall be required for the research and development/office buildings, apartment buildings, parking areas and landscape improvements. This application

may be approved by the Town's Development Review Committee with review by the Consulting Architect.

2. OFFICIAL DEVELOPMENT PLANS. The Official Development Plans provided is conceptual in nature. Final footprints and building designs shall be determined during the architecture and site approval process.
3. BUILDING SIZES. The size of the R & D/office complex shall be up to 120,000 square feet, inclusive of any conference facilities, cafeteria, fitness center or other amenities. The size and composition of the apartment buildings shall be refined as part of the architecture and site approval process. The maximum number of apartments is 290. The final size of the office buildings may be increased or decreased provided that the total floor area does not exceed 120,000 square feet.
4. BELOW MARKET PRICE PROGRAM. The developer shall designate 48 of the residential units as BMP rental units. A deed restriction shall be recorded prior to issuance of building permits stating that the BMP units must be rented as below market price units pursuant to the Town's BMP requirements. The BMP units shall be low income (less than 80% of median income).
5. COMMUNITY BENEFIT. The applicant shall enter into an agreement with the Town for provision of the community benefits being offered with the project as listed in the letter from the applicant dated May 14, 2003 (Exhibit A to the October 22, 2003 Report to the Planning Commission). The agreement shall include details on the timing and implementation of each item and shall be approved by the Town Attorney and the Director of Community Development prior to issuance of any building permits for the project.

6. LANDSCAPING. The planting along Los Gatos Creek shall be riparian ground covers, understory and trees selected from the California Department of Fish & Game's Riparian Vegetation List.
7. LANDSCAPE PLAN. The final landscape plan shall be reviewed by the Consulting Arborist as part of the Architecture & Site approval process. All Tree Protection measures recommended by the Consulting Arborist shall be followed.
8. ****CULTURAL RESOURCES MITIGATION MEASURE 4.8-1.** If it is demonstrated that there are intact deposits of significant archaeological materials, a plan for the mitigation of impacts to these resources shall be submitted to the Planning Division for approval prior to resumption of construction activities in the area of identified deposits. If cultural or archaeological resources are uncovered during construction, all work must be halted within a 50-foot radius of the find, the Community Development Director shall be notified, and a qualified archaeologist must be retained to examine the find, determine its significance and make appropriate recommendations. Project personnel shall not alter the materials or their context or collect cultural resources. The cost of the Town retaining a qualified archaeologist shall be paid for by the property owner/developer. If human remains are discovered, the Los Gatos Police Department and Santa Clara County Coroner shall immediately be notified. The Coroner would determine whether or not the remains were Native American. If the Coroner determines that the remains are not subject to his or her authority, the Coroner shall notify the Native American Heritage Commission, who would attempt to identify descendants of the deceased Native American.

9. TREE REMOVAL PERMIT. A Tree Removal Permit shall be obtained prior to the issuance of a Building, Grading or Encroachment Permit.
10. RECYCLING. All wood, metal, glass, and aluminum materials generated from the demolished structure shall be deposited to a company that will recycle the materials. Receipts from the company(s) accepting these materials, noting type and weight of material, shall be submitted to the Town prior to the Town's demolition inspection.
11. LIGHT RAIL EXTENSION. The developer shall participate and assist the Town in working with the Santa Clara Valley Transportation Authority (VTA) in extending the light rail line from Campbell to the project site.
12. PARKING. The minimum parking ratios for the project are 3.1 spaces/1000 square feet for the office buildings and 1.8 spaces/unit for the apartments. The area between the office and residential uses is identified as shared parking. Parking spaces may be removed to accommodate the future light rail station, a sidewalk along the property frontage or other improvements deemed appropriate by the Director of Community Development provided that the number of spaces does not fall below the minimum levels. Any changes to the parking layout shall be first approved by the Directors of Community Development and Parks & Public Works. Wheel stops are not permitted and shall be deleted from the plans. Parking spaces shall be double striped per Town standards.
13. RIPARIAN CORRIDOR. Riparian planting shall be on the creek side of the trail, and a drinking fountain shall be included alongside the creek trail if permitted by the Santa Clara Valley Water District.
14. NETWORK ACCESS. Network access shall be provided in the outdoor common area for the office buildings, to allow people to work outside.

15. PROJECT SIGNS. A sign program shall be proposed by the applicant and approved by the Director of Community Development prior to issuance of any building permits for the project. Any signs to be placed on the site, including a monument sign, building signs for both the office and residential components and directional signs shall be included.
16. PROJECT PHASING. The project may be phased as shown on the Phasing Plan submitted to the Town. Time frames for phasing of project components shall be approved by Director of Community Development prior to issuance of any building permits for the project. The Phasing Plan shall included provisions for security and maintenance of the land designated for the office buildings and parking.
17. ARCHITECTURAL DETAILS. The applicant shall continue to work with Planning staff and the Consulting Architect to refine the plans through the Architecture & Site review process. The following items shall be included in the final architectural review:
 - Refinement of the front entry towers on the office buildings.
 - Redesign the exterior of one of the office buildings so they are not the same, but remain compatible.

The applicant shall submit a final set of plans that includes all changes reflected in the conditions of approval.

Building Division

18. **GEOLOGIC MITIGATION MEASURE 4.3-1: Prior to issuance of any building permits, project plans shall demonstrate compliance with 1997 Uniform Building Code requirements for structural and seismic loads and recommendations made by Lowney Associates, as required by the Building Division.

19. ****GEOLOGIC MITIGATION MEASURE 4.3-2:** The undocumented fill on the site shall be completely removed and replaced with engineered fill in order to minimize differential settlement and possible damage to the buildings. In addition, sheet piles that were left in place shall be cut and removed during excavation activities.
20. ****AIR QUALITY MITIGATION MEASURE 4.6-1.** Construction activities shall comply with the "Basic Control Measures" and applicable "Optional Control Measures" for dust emissions as outlined in the Bay Area Air Quality Management District CEQA Guidelines.
21. **PERMITS REQUIRED.** A building permit application shall be required for each proposed structure. Separate Electrical/Mechanical/Plumbing permit shall be required as necessary.
22. **CONSTRUCTION PLANS.** The Conditions of Approval shall be stated in full on the cover sheet of the construction plan submitted for building permit.
23. **SIZE OF PLANS.** The maximum size of construction plans submitted for building permits shall be 24 inches by 36 inches.
24. **PLANS.** The construction plans for this project shall be prepared under direct supervision of a licensed architect or engineer (Business and Professionals Code Section 5538).
25. **DEMOLITION REQUIREMENTS.** Contact the Bay Area Air Quality Management District at (415) 771-6000 and complete their process as necessary before obtaining a demolition permit from the Town Building Department. As part of the permit application process a site plan shall be provided that includes all existing structures and existing utility lines such as water, sewer, and P.G.&E. No demolition work shall be done without first obtaining a demolition permit from the Town.
26. **SOILS REPORT.** Two copies of a soils report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be

submitted with the building permit application. This report shall be prepared by a licensed civil engineer specializing in soils mechanics.

27. FOUNDATION INSPECTIONS. A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project building inspector upon foundation inspection. This certificate shall certify compliance with the recommendations as specified in the soils report and the building pad elevation and on-site retaining wall locations and elevations are prepared according to approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer for the following items:
 - a. Pad elevation
 - b. Finish floor elevation
 - c. Foundation corner locations
28. TITLE 24 ENERGY COMPLIANCE. California Title 24 Energy Compliance forms CR-IR and MF-IR shall be printed on the construction plans.
29. TITLE 24 ACCESSIBILITY - COMMERCIAL-1. On-site parking facilities shall comply with the latest California Title 24 Accessibility Standards. Accessibility parking shall be provided for in both covered and uncovered parking areas.
30. TITLE 24 ACCESSIBILITY - COMMERCIAL-2. On-site general path of travel shall comply with the latest California Title 24 Accessibility Standards. Work shall include, but shall not be limited to, accessibility to building entrances from parking and sidewalks.
31. TITLE 24 ACCESSIBILITY - COMMERCIAL-3. The buildings shall comply with the latest California Title 24 Accessibility Standards. Necessary work shall be first investigated by the design architect then confirmed by Town staff.

32. SPECIAL INSPECTIONS. When a special inspection is required by UBC Section 1701, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of any building permits, in accordance with UBC Section 106.3.5. Please obtain Town Special Inspection form from the Building Division Service Counter. The Town Special Inspection schedule shall be printed on the construction plans.
33. NON-POINT SOURCE POLLUTION STANDARDS. The Town standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet is available at the Building Division service counter.
34. ADDITIONAL AGENCY APPROVALS REQUIRED. The project requires the following agency approvals before issuance of a building permit:
- a. West Valley Sanitation District 378-2407
 - b. Santa Clara County Fire Department: 378-4010
 - c. Campbell Union High School District: 371-0960

Note: Obtain the school district forms from the Town Building Department, after the Building Department has approved the building plans.

TO THE SATISFACTION OF THE DIRECTOR OF PARKS AND PUBLIC WORKS:

Engineering Division

35. **HYDROLOGY AND WATER QUALITY MITIGATION MEASURE 4.4-3.

Note: the permit process and storm water management requirements have been updated since the EIR was prepared.

A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared prior to start of construction. The SWPPP and project plans shall be reviewed by the Town Engineering

staff, and any applicable measures contained in the amended provisions C.3 and C.14 of Order 01-024 shall be incorporated. The SWPPP shall be in conformance with the Santa Clara County NPDES Permit as amended by the San Francisco Bay Regional Water Quality Control Board (RWQCB) on October 17, 2001. The SWPPP shall be approved concurrently with the grading, drainage and erosion control plans.

36. ****TRANSPORTATION & TRAFFIC RECOMMENDATIONS:**

- a. The Winchester Boulevard driveway shall be striped as an exclusive left-turn lane plus a shared through/right-turn lane. The northbound left-turn pocket at this intersection shall be lengthened to provide adequate storage as part of the intersection modification in coordination with the Town of Los Gatos and Caltrans.
- b. Pedestrian and bicycle facilities shall be provided at the Winchester driveway and along A Street to Knowles Drive. Safe railroad crossing points shall also be provided at these intersections. Sidewalks to accommodate both pedestrians and bicycles shall be provided between the Winchester Boulevard/northbound SR 85 on-ramp/site driveway intersection and the project site on both sides of the driveway. In addition, any street improvements along the Winchester Boulevard site frontage shall include or accommodate planned bike lane improvements as specified in General Plan Policy T.I.5.10. Feasibility of all off-site measures will need to be determined by the Town since the applicant does not own the property where these improvements are recommended to be located.
- c. The VTA and Town shall determine feasibility of the applicant providing the recommended bus stop on Winchester Boulevard, but maintenance responsibilities will be either the VTA's or Town's.

- d. Since fiber optic cable facilities are located within the Union Pacific Railroad Company right-of-way, the applicant shall contact Union Pacific before project construction to determine whether such facilities could be affected by the project.
 - e. The proposed four-foot wide pedestrian path along the southern project boundary (connecting the creek trail and the future light rail station) should be widened to provide a multi-use trail connection between the creek trail and Winchester Boulevard/the future light rail station. This trail should be pedestrians and bicyclists.
37. ****TRANSPORTATION & TRAFFIC RECOMMENDATIONS:** The following provisions or improvements shall be made:
- a. Loading areas should be designed to ensure the intended trucks can be accommodated.
 - b. Well-lighted pedestrian and bicycle paths between buildings, transit locations, and bicycle parking should be provided.
 - c. Bicycle racks should be provided for short-term visitor parking and bicycle lockers should be provided for project employees in accordance with VTA Guidelines.
38. **NOTICE OF INTENT.** A Notice of Intent (NOI) shall be filed with the San Francisco Bay RWQCB. A copy of the NOI shall be provided to the Town Engineering Division.
39. **PUBLIC IMPROVEMENT SECURITY.** The applicant shall supply suitable securities for all public improvements that are a part of the development in a form acceptable to the Town in the amount of 100% (performance) and 100% (labor and material) prior to issuance of any permit. Applicant shall provide two (2) copies of documents verifying the cost of the public improvements to the satisfaction of the Engineering Division of the Parks and Public Works Department.

40. DEVELOPMENT AGREEMENT. The Applicant shall enter an agreement to construct public improvements in accordance with Town Code §24.40.020.
41. GRADING PERMIT. A grading permit is required for site grading and drainage. The grading permit application (with grading plans) shall be made to the Engineering Division of the Parks & Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location, driveway, utilities, structural drawings for retaining walls, and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). A separate building permit, issued by the Building Department on E. Main Street is needed for grading within the building footprint.
42. SCVWD APPROVAL. The following Santa Clara Valley Water District approvals shall be obtained:
- a. A letter from the Santa Clara Valley Water District indicating they have reviewed and approved the site retaining wall structural plan, grading plan, and public improvement plan shall be provided prior to issuance of either a grading or encroachment permit.
 - b. Any work within 50-feet of the top of the Los Gatos Creek bank or within the vicinity of SCVWD water transmission facilities will also require a District permit. Evidence of such permits shall be provided to the Engineering Division of Parks and Public Works prior to issuance of the grading and encroachment permit.

43. **RETAINING WALLS.** A building permit, issued by the Building Department at 110 E. Main Street, is required for all site retaining walls. Site wall plans shall also be submitted to the Engineering Division of Parks and Public Works as part of the grading permit submittal. Engineering will review the plans for construction clearances to property lines.
44. **SOILS REPORT.** One copy of the soils report shall be submitted with the grading permit or public improvement application, whichever is submitted first. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
45. **SOILS REVIEW.** Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations and the peer review comments. The applicant's soils engineer's approval shall then be conveyed to the Town either by letter or by signing the plans.
46. **SOILS ENGINEER CONSTRUCTION OBSERVATION.** During construction, all excavations and grading shall be inspected by the applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report, and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing should be documented in an "as-built" letter/report prepared by the

- applicants soils engineer and submitted to the Town before final release of any occupancy permit is granted.
47. PUBLIC WORKS INSPECTOR. The applicant shall fund a full time public works inspector for the duration of the earthwork and public improvement operations. The applicant will be charged on and time and materials basis. A deposit for the full amount, to be estimated by the Town based on the Contractor's approved schedule, shall be paid prior to issuance of the grading and encroachment permits.
48. PARCEL MAP. A parcel map shall be recorded. Two copies of the parcel map shall be submitted to the Engineering Division of the Parks & Public Works Department for review and approval. Submittal shall include closure calculations, title reports and appropriate fee. The map shall be recorded before any permits are issued.
49. DEDICATIONS. The following shall be dedicated on the parcel map or by separate instrument. The dedications shall be recorded before any permits are issued.
- a. Winchester Driveway. An easement of width and type specified by the PUC shall be granted by separate instrument.
 - b. Public Service Easement (PSE). All on-site roadways shall be within PSE's, as required.
 - c. Ingress-egress, storm drainage and sanitary sewer easements, as required.
 - d. Emergency Vehicle Access Easements (EVAE). All on-site roadways shall be within EVAE's, as required.
50. TRUCK ACCESS. Site design presented at Architectural and Site review shall accommodate a WB-50 truck.

51. PUBLIC IMPROVEMENTS. The following improvements shall be installed by the developer. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, and guaranteed by contract, Faithful Performance Security and Labor & Materials Security before the issuance of a building permit or the recordation of a map. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. Public improvements shall include the following:

- a. Winchester Boulevard/Highway 85 Intersection: Modify the intersection and the signal of the main driveway with Winchester Boulevard. The Town and Cal Trans shall approve the preliminary intersection and signal plans prior to start of final design by the applicant. Intersection plans shall include improvements to the rail road crossing.
- b. Winchester Boulevard: Entrance drive, railroad crossing, two street lights, tie-in paving, signing, striping, storm drainage and sanitary sewers, sidewalk on both sides of entry drive, new bus stop to VTA standards, access ramps, right turn pocket, bike lane, median modifications, as required.
- c. A Street. Sidewalk between project and Knowles shall be provided. The developer shall make a good faith attempt, to the satisfaction of the Public Works Director, to obtain sidewalk rights from the adjacent property owner. In the event that such an effort fails, the developer shall work with the Town to provide the walk within the existing right of way. Details of provisions to be provided shall be addressed prior to issuance of an encroachment permit.

52. ARBORIST REVIEW. The Town Consulting Arborist shall review and approve both the grading and public improvement plan sets prior to issuance of a grading or encroachment permit.
53. WINCHESTER SIDEWALK. An in-lieu fee, based on \$10 per square foot, shall be paid prior to issuance of a building permit to pay for future construction of a sidewalk across the entire Winchester Boulevard project frontage.
54. TRAIL CONNECTION. The trail connection between the Los Gatos Creek Trail and Winchester Boulevard shall be constructed by the developer as part of the first development phase. The trail shall be maintained by the developer if the connection is provided through private property. The Town shall maintain the trail if the facilities are constructed within either Santa Clara Valley Water District (SCVWD) property or within land dedicated to the Town in a form approved by the Director of Parks and Public Works. Should the trail be constructed within SCVWD property, the developer shall update the existing Joint Use Agreement between the Town and SCVWD prior to map recordation.
55. RAILROAD CROSSING MAINTENANCE. The portion of the Winchester driveway within the VTA right of way shall be maintained by the developer and VTA. The Town will not maintain new facilities within the VTA right of way.
56. INSURANCE. One million dollars (\$1,000,000) of liability insurance holding the Town harmless shall be provided in a format acceptable to the Town Attorney before recordation of the parcel map.
57. TRAFFIC IMPACT MITIGATION FEE (COMMERCIAL) The developer shall pay a proportional to the project's share of transportation improvement needed to serve cumulative

development within the Town of Los Gatos. The fee amount will be based upon the Town Council resolution in effect at the time the building permit applications is made. The fee shall be paid before the building permit is issued. The traffic impact mitigation fee for this project, using the current fee schedule and the preliminary plans is \$1,070,466. The final fee shall be calculated from the final plans using the rate schedule in effect at the time of the building permit application, and shall be based on the net increase in trip generation as determined by the traffic analysis prepared by Fehr and Peers.

58. ECO PASS. The owner of the development shall offer and fully finance Eco Pass stickers for all full-time employees within the development site. Proof of Eco Pass purchases shall be provided to the Town annually.
59. PLAN CHECK FEES. Plan check fees shall be deposited with the Town prior to submittal of plans to the Engineering Division of the Parks and Public Works Department.
60. INSPECTION FEES. Inspection fees shall be deposited with the Town prior to issuance of any Permit or recordation of the Final Map.
61. GENERAL. All public improvements shall be made according to the latest adopted Town Standard Drawings and the Town Standard Specifications. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the Town performing the required maintenance at the developer's expense.

62. ENCROACHMENT PERMIT. All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security.
63. PUBLIC WORKS INSPECTIONS. The developer or his representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting an work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in rejection ow work that went on without inspection.
64. DUST CONTROL. Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three times daily in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed 25 MPH. All trucks hauling soil, sand, or other loose debris shall be covered.
65. SURVEYING CONTROLS. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:

- a. Retaining wall--top of wall elevations and locations
 - b. Toe and top of cut and fill slopes
66. PRECONSTRUCTION PAVEMENT SURVEY. Prior to issuance of a Grading Permit, the project Applicant shall complete a pavement condition survey documenting the extent of existing pavement defects using a 35-mm or digital video camera. The survey shall extend the full length of the truck haul route within the Town limits. The results shall be documented in a report and submitted to the Town for review.
67. POSTCONSTRUCTION PAVEMENT SURVEY. The project Applicant will complete a pavement condition survey to determine whether road damage occurred as a result of project construction and whether there were changes in pavement strength. Rehabilitation improvements required to restore the pavement to pre-construction condition and strength shall be proposed by the applicant. The results shall be documented in a report and submitted to the Town for review and approval. The Applicant shall be responsible for completing any required road repairs prior to release of the occupancy permit.
68. EROSION CONTROL. Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks & Public Works Department. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading,

drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the amended provisions C.3 and C.14 of Order 01-024 of the amended Santa Clara County NPDES Permit.

69. SITE DRAINAGE. Stormwater detention facilities shall be provided to insure that post project runoff is less than or equal to pre-development rates.
70. STORM DRAINAGE OUTFALL. The drainage outfall shall be televised prior to the architecture and site submittal to verify that the existing facilities are in an acceptable physical condition. The videotape shall be submitted to the Town Engineer for review and approval. In the event that the facility is unacceptable, the architecture and site plans shall reflect the proposed improvements needed to rehabilitate the outfall condition.
71. NONPOINT SOURCE POLLUTION PREVENTION. On-site drainage systems shall include a filtration devices such as bio-swales and mechanical filters (i.e. Storm Septor) placed upstream of the site discharge point.
72. SILT AND MUD IN PUBLIC RIGHT-OF-WAY. It is the responsibility of contractor and home owner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
73. UTILITIES. The developer shall install all utility services, including telephone, electric power and all other communications lines underground, as required by Town Code §27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service.
74. RESTORATION OF PUBLIC IMPROVEMENTS. The developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of

developer's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc. shall be repaired and replaced to a condition equal to or better than the original condition. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector, and shall comply with all Title 24 Disabled Access provisions. Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

75. CURB AND GUTTER. The developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. New curb and gutter shall be constructed per Town Standard Details. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project.
76. DESIGN CHANGES. The Applicant's registered Engineer shall notify the Town Engineer, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the plans. Any proposed changes shall be subject to the approval of the Town before altered work is started. Any approved changes shall be incorporated into the final "as-built" drawings.
77. AS-BUILT PLANS. After completion of the construction of all work, the original plans shall have all changes (change orders and field changes) clearly marked. The "as-built" plans shall again be signed and "wet-stamped" by the civil engineer who prepared the plans, attesting to the changes. The original "as-built" plans shall be review and approved the Engineering Inspector. A Mylar and AutoCAD disk of the approved "as-built" plans shall

be provided to the Town before the Faithful Performance Security or Occupancy Permit is released. The AutoCAD file shall include only the following information and shall conform to the layer naming convention: a) Building Outline, Layer: BLDG-OUTLINE; b) Driveway, Layer: DRIVEWAY; c) Retaining Wall, Layer: RETAINING WALL; d) Swimming Pool, Layer: SWIMMING-POOL; e) Tennis Court, Layer: TENNIS-COURT; f) Property Line, Layer: PROPERTY-LINE; g) Contours, Layer: NEWCONTOUR. All as-built digital files must be on the same coordinate basis as the Town's survey control network and shall be submitted in AutoCAD version 2000 or higher.

78. **SANITARY SEWER LATERAL.** Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used or reused. Install a sanitary sewer lateral clean-out at the property line.
79. **GREASE TRAPS.** Meet all requirement of the Santa Clara County Health Department and West Valley Sanitation District for the interception, separation or pretreatment of effluent.
80. **CONSTRUCTION NOISE.** Between the hours of 7:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. The Building Official may restrict construction activities between 7:00 am and 8:00 am weekdays. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.

81. **SITE SECURITY.** Prior to commencement of any site work or the introduction of any earth moving equipment or building materials onto the site, the applicant shall insure that a temporary fence constructed of materials and located to the satisfaction of the Director of Community Development has been constructed. This fence shall be in place as approved until the Director of Community Development shall allow it to be removed or changed. The fence may only be expanded or contracted in size upon approval of the Director of Community Development. Failure to adhere to this condition of approval shall result in the permit being brought to the Planning Commission for its review and introduction of stricter site and building construction regulations.
82. **PRECONSTRUCTION MEETING.** Prior to issuance of any permit or the commencement of any site work, the general contractor shall:
- a. Along with the project applicant, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
 - b. Acknowledge in writing that they have read and understand the project conditions of approval, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction
83. **EARTH MOVEMENT PLAN.** Prior to issuance of a Grading Permit, the applicant shall develop an earth movement and management program under the supervision of a licensed soils engineer for review and approval by the Engineering Division of the Department of Parks and Public Works.

84. CONSTRUCTION MANAGEMENT PLAN. The Applicant shall submit a construction management plan that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, construction trailer, and proposed outhouse locations. The Traffic Control Plan shall require that construction traffic use the main driveway at Winchester/SR85 on ramp. Construction traffic shall not be allowed on A Street without the express approval of the Town Engineer.
85. GOOD HOUSEKEEPING. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division.
86. SITE SUPERVISION. The General Contractor shall provide qualified supervision on the job site at all times during construction.
87. CONSTRUCTION TRAFFIC CONTROL. The Applicant shall prepare a traffic control plan for incorporation into the construction bid documents. The plan shall be submitted with the grading permit application and is subject to the review and approval of the Town Engineer.

Parks Division

88. GENERAL. All existing and newly planted trees, except those identified for removal, are specific subjects of approval of this project and shall remain on the site.

89. **TREE REPLACEMENT.** Replacement trees of a size and number adequate to mitigate the loss of existing mature trees shall be planted on the project site. The new trees shall be included on the comprehensive landscape plan to be reviewed as part of the Architecture & Site approval process.
90. **NEW TREES.** Newly planted and relocated trees shall be double-staked, using rubber tree ties and shall be planted prior to acceptance of the subdivision or architecture and site approval as determined by the Parks & Forestry Superintendent.
91. **IRRIGATION.** All newly planted landscaping shall be irrigated by an in-ground irrigation system. Special care shall be taken to avoid irrigation which will endanger existing native trees and shrubs.
92. **WATER EFFICIENCY.** This project is subject to the Town's Water Efficient Landscape Ordinance, Chapter 26, Article IV of the Town Code. A fee of \$472 shall be paid when the landscape, irrigation plans and water calculations are submitted for review.
93. **TREE PROTECTION FENCING.** Tree protection fencing shall be placed at the drip lines of existing trees to be retained in the areas of construction. Fencing shall be four foot high chain link attached to steel poles driven two feet into the ground when at the dripline of a tree. If the fencing is within eight feet of the trunk of a tree, a fence base may be used, as is typical in a chain link fence is rented.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

94. **HOSE VALVES/STANDPIPES.** Buildings that are three or more stories in height or where emergency access has been deemed minimal shall be equipped with standpipes designed per

NFPA Standard #14, and shall be equipped with 2½ inch hose valves. The locations of the 2½ hose valves may be determined prior to development of the fire sprinkler plan. The existing Fire Department connection shall be replaced with a device similar or equal to Potter Roemer Model 5776, four way, individually clappered connection. Domestic water shall not be fed from the fire service line.

95. REQUIRED FIRE FLOW. Required fire flow is 5,750 GPM at 20 psi. residual pressure.
96. AUTOMATIC FIRE SPRINKLER SYSTEM. Buildings requiring a fire flow in excess of 2,000 GPM shall be equipped with an approved automatic fire sprinkler system, hydraulically designed per National Fire Protection Association (NFPA) Standards #13.
97. FINAL REQUIRED FIRE FLOW. Required fire flow may be reduced up to 50% in buildings equipped with automatic fire sprinkler systems, but can be no less than 1500 GPM. Therefore, the final required fire flow of 2,875 GPM at 20 psi residual pressure shall be available from any two hydrants on or near the site, provided that they have a maximum spacing of 250 feet.
98. PRIVATE FIRE HYDRANTS. Provide fire hydrants at locations to be determined by the Fire Department. Maximum hydrant spacing shall be 250 feet with a minimum single flow of 1,500 gallons per minute at 20 psi. residual pressure. *Prior to design, the project civil engineer shall meet with the Fire Department water supply officer to jointly spot the required fire hydrant location.*
99. FIRE HYDRANT LOCATION IDENTIFIER. Prior to final inspection, a “blue” dot shall be placed in the roadway near each fire hydrant, as directed by the Fire Department.

100. FIRE LANE MARKING REQUIRED. Provide marking for all roadways within the project. Markings shall be per fire department specifications. Installation shall also conform to Local Government Standards and Fire Department Standard Details & Specifications A-6.
101. FIRE DEPARTMENT KEY BOX. The buildings shall be equipped with a permanently installed emergency access key lock box (knox) conforming to Fire Department Standard detail and Specification sheet K-1. Access keys shall be provided to the Fire Department at the time of final inspection.
102. FIRE APPARATUS (ENGINE) ACCESS ROADS REQUIRED. Provide access roadways with a paved all weather surface and a minimum width of 20 feet, vertical clearance of 13 feet six inches, minimum circulating turning radius complying with Truck #5 specifications. Installations shall conform with Fire Department Standard Details and Specifications A-1.
103. EMERGENCY VEHICLE TURNAROUND. Provide an approved Fire Department engine roadway turnaround as may be required, with a minimum radius complying with Truck #5 specifications. Installations shall conform with the Fire Department Standard Details and Specification sheet A-1.
104. TIMING OF REQUIRED INSTALLATIONS. The required fire services, fire hydrants and access road installations, up through the first lift of asphalt, shall be in place, inspected, and accepted by the Fire Department prior to the start of framing. Bulk construction materials shall not be delivered to the site until the hydrants and roadway have been accepted. Clearance for building permits will not be given until such time as this requirement is addressed by the developer, to the satisfaction of the Fire Department. During construction, emergency access roads shall be maintained clear and unimpeded.

105. PREMISE IDENTIFICATION. Approved addresses shall be placed on all new buildings so they are clearly visible and legible from the streets or roads fronting the property. Numbers shall be a minimum of four inches high and shall contrast with their background, and shall be illuminated for nighttime viewing.
106. INTERIOR COURTYARDS. The applicant shall provide a plan showing Fire Department access to interior courtyards.
107. FIRE ACCESS. The applicant shall provide a plan showing alternate compliance to providing fire access to buildings that exceed the 150' travel distance through an alternate method and material application.

TO THE SATISFACTION OF THE POLICE CHIEF:

108. SECURITY REVIEW. The applicant shall meet with the Police Department to review the construction plans, and shall make any recommended design improvements needed for security, crime prevention or safety. A security consultant will be hired at the applicant's expense to assist the Town in the security review. The consultant will work at the direction of the Town.
109. SECURITY GUARD. A security guard shall be on the premises during nighttime hours. A thorough security plan component shall be established between the developer and the Police Department.
110. GARAGE LIGHTING. Lighting at garage entrances shall fully light the entry area. Interior garage lighting shall be on 24-hours a day.

112. PATHWAY LIGHTING. Path lights shall be provided along the trail from the Winchester Blvd. entrance to the creek trail.
113. CREEK TRAIL LANDSCAPING. Landscaping along the creek trail shall be selected and planted so that it does not provide a place where a person can be concealed. Low shrubs and/or non-dense trees are recommended in this area.
114. OFFICE PARKING. The applicant shall notify the Police Department of any parking restrictions for the surface space around the office buildings.

SECTION VI

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on _____, 2003, and adopted by the following vote as an ordinance of the Town of Los Gatos at a meeting of the Town Council of the Town of Los Gatos on effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

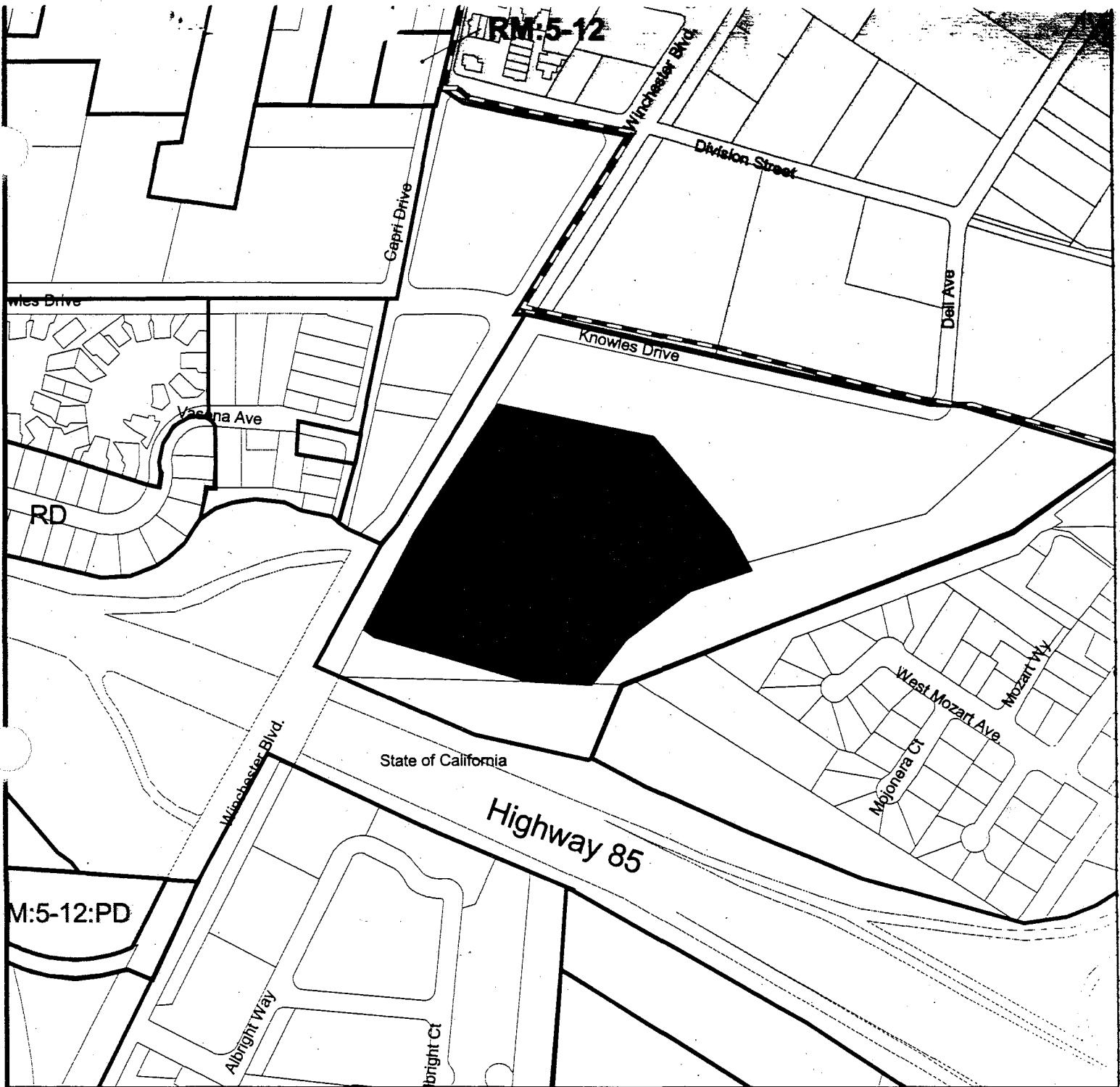
SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

N:\DEV\ORDS\14300-14350Win-TC.wpd



TOWN OF LOS GATOS

Application No. PD-03-1. A.P.N. # 424-32-068.

Modification of approved Planned Development (Ordinance 2095).

Recommended by Planning Commission

Approved by Town Council
Town Clerk

Date: _____
Mayor

Date: _____
Ord: _____

Page 1

(1) TOWN OF LOS GATOS
 (2) PLANNING COMMISSION MEETING
 (3) PUBLIC HEARING
 (4) 14300 WINCHESTER BLVD.
 (5) 16495 TOPPING AVENUE
 (6) 15220 KENNEDY ROAD
 (7) Town Council Chambers
 (8) 110 East Main Street
 (9) Los Gatos, California
 (10) Taken on
 (11) December 10, 2003
 (12) #14559
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Page 3

(1) A G E N D A
 (2)
 (3) Page
 (4) Continued Public Hearings
 (5) 14300 Winchester Avenue 4
 Architecture and Site
 (6) Application S-02-42
 Subdivision Application M-02-5
 (7)
 (8) New Public Hearings
 (9) 16495 Topping Avenue 65
 Architecture and Site
 Application S-03-43
 (10)
 (11) 15220 Kennedy Road 95
 Architecture and Site
 (12) Application S-01-98
 Negative Declaration ND-04-3
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Page 2

(1) A P P E A R A N C E S :
 (2)
 (3) Los Gatos Planning
 Commissioners: Paul Dubois, Chair
 (4) Michael Burke
 Phil Micciche
 (5) Lee Quintana
 Joanne Talesfore
 (6)
 (7) Director of
 (8) Community
 Development: Bud W. Lortz
 (9)
 (10) Transcribed by: ADVANTAGE REPORTING SERVICES
 BY: LISA A. GLANVILLE,
 (11) CSR 9932
 1083 Lincoln Avenue
 (12) San Jose, CA 95125
 (408) 920-0222
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Page 4

(1) P R O C E E D I N G S :
 (2)
 (3) CHAIRMAN DUBOIS: Moving on to continued
 (4) public hearings. 14300 Winchester Boulevard,
 (5) planned development application PD-03-1, requesting
 (6) approval to -- to modify a planned development
 (7) relating to allow -- allow square footage of office
 (8) space and number of apartment units on property
 (9) zoned CM:PD.
 (10) Is the applicant here? Mr. Shenk.
 (11) JOHN SHENK: Good evening. John Shenk,
 (12) Sobrato Development Companies. I'm back. I - I
 (13) want to just briefly give an -- an overview of our
 (14) project, the process and -- and what we're hoping
 (15) for this evening.
 (16) As you know, the modified project provides
 (17) a project with less overall height, less mass, less
 (18) volume, all of the numbers that we've -- we've
 (19) talked through before. Specifically and importantly
 (20) we think, just to remember again, that it's -- it's
 (21) 20 percent less volume of -- of building out on the
 (22) site from the approved project and -- and ten
 (23) percent less trips, average daily trips on the -- on
 (24) the streets, while still achieving and actually
 (25) improving the transit oriented development nature of

Attachment 3

Page 5

(1) the site or of the development that we're achieving
 (2) all of the same important goals and policies set
 (3) forth by the Town for this unique site with this
 (4) modified plan that - and just - and as a result,
 (5) lowering the impacts of the development.
 (6) The - there was some discussion on - on
 (7) open space that I did want to point out, because
 (8) I - I didn't point out the numbers last time. But
 (9) the - the Town Code for this development, it would
 (10) be on the residential side, would be for 268 feet
 (11) per unit of - of - that would be the requirement
 (12) for the open space. And we're providing almost
 (13) double that in that open space - in the way that
 (14) that open space is defined. There is almost six
 (15) acres of open space, landscape area, walkways.
 (16) That - that does include the - the private
 (17) balconies, the private open space. But it's a huge
 (18) amount of open space. It can be hard to perceive,
 (19) but there is. The numbers - the numbers are the
 (20) numbers.
 (21) I wanted to tell you that we will continue
 (22) to consider and will continue to implement design
 (23) refinements as we go through the process. There is
 (24) a lot of process yet to happen, and our commitment
 (25) is there to - to incorporate things that do improve

Page 6

(1) the project, and our commitment is there to work
 (2) with Staff, Consulting Architect, as we go
 (3) forward - when we go forward.
 (4) I want to state that - that we have
 (5) worked cooperatively and collaboratively with the
 (6) Town for years. We've really taken the position of
 (7) putting our best foot forward at each step. We
 (8) haven't come in with more square footage to simply
 (9) give square footage away, or come in with units to
 (10) give units away through the process. We really
 (11) wanted to - there's a lot of work that's gone into
 (12) a project before we show it to you in working with
 (13) Staff. And sometimes that's - that's - you all
 (14) aren't - you don't benefit from that process, but I
 (15) want to tell you that there is a lot of process that
 (16) goes into our projects before we get to you.
 (17) The - we're - some of the excitement
 (18) is - the balloon was popped a bit, but I'm - I'm
 (19) very excited about this project. I really think it
 (20) is a vast improvement when - when looked at through
 (21) the eyes of Town goals and policies and - and
 (22) impacts. And we are excited, and hopefully, you
 (23) know, you all will, you know, appreciate the benefit
 (24) that is this plan offers. And we are here tonight
 (25) to specifically ask for your recommendation to

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(1) Council with whatever that may be, whatever your
 (2) requirements are, and I'm here to answer any
 (3) questions, anything regarding the affordable housing
 (4) and our - the option that we offered last time to
 (5) increase the number of affordable housing by
 (6) incorporating Riviera Terrace into the mix.
 (7) Any of those things, I - I'm happy to
 (8) answer the questions. I'll put this - put this up.
 (9) There was some discussion last week about the tot
 (10) lot location, a view corridor through the site, et
 (11) cetera. We studied the - that doesn't come in
 (12) super clear, but the back of the site, and by simply
 (13) decreasing the - or making the V a little more
 (14) narrow that's over on the north side there, that
 (15) area exactly, we're able to shift buildings over and
 (16) really try to (inaudible, away from the microphone)
 (17) going to have to put back and forth here on your
 (18) site plans, but as you come up from the leasing
 (19) office and on to that podium through the project
 (20) (inaudible, away from the microphone), which I
 (21) believe is an improvement, as well as with the
 (22) activity level here, there is a pool fence and such,
 (23) this area could have a separate fence or not, kind
 (24) of wondering what the security consultant's input
 (25) may be on that, but we think this is an interesting

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(1) option.
 (2) And I hope to entertain some feedback from
 (3) you all this evening on - on this option. Thank
 (4) you.
 (5) CHAIRMAN DUBOIS: Good timing. Okay.
 (6) Questions for Mr. Shenk? Any questions at this
 (7) point of Mr. Shenk?
 (8) COMMISSIONER QUINTANA: I do. This is
 (9) just to clarify actually some information from last
 (10) week that I'm not sure I remember correctly. What
 (11) was the size of the main green space, the common
 (12) green in the middle of the project? I think you had
 (13) mentioned that it was -
 (14) JOHN SHENK: Off the top of my head, I
 (15) don't know. We can -
 (16) COMMISSIONER QUINTANA: - that it was
 (17) equal in size to the Town Plaza?
 (18) JOHN SHENK: No, no.
 (19) COMMISSIONER QUINTANA: Okay.
 (20) JOHN SHENK: Two-thirds of Town Plaza.
 (21) I'm thinking a half. It was - I remember it wasn't
 (22) all of Town Plaza obviously, but about a half I
 (23) would guesstimate.
 (24) COMMISSIONER QUINTANA: Okay.
 (25) CHAIRMAN DUBOIS: Other questions for

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- (1) Mr. Shenk? Commissioner Burke.
 (2) COMMISSIONER BURKE: This project and the
 (3) approved project, similar overall cost to you?
 (4) (Inaudible.)
 (5) JOHN SHENK: Yes.
 (6) COMMISSIONER BURKE: Yeah. What -
 (7) without - I don't want numbers, you know, dollars,
 (8) but ratio to - to land to improvements, is that an
 (9) 80-20? I mean, improvements to land, is that an
 (10) 80-20, a 60-40? I'm just trying to get a feel of -
 (11) of - of -
 (12) JOHN SHENK: 80-20. 85-15. I -
 (13) COMMISSIONER BURKE: But that - that
 (14) generally, it's not a 50-50 or -
 (15) JOHN SHENK: Could be, yeah.
 (16) COMMISSIONER BURKE: Okay.
 (17) CHAIRMAN DUBOIS: Any other questions for
 (18) Mr. Shenk at this time? I guess not. Thank you
 (19) very much, sir.
 (20) JOHN SHENK: Thank you.
 (21) CHAIRMAN DUBOIS: Okay. This is an
 (22) opportunity for any member of the public who would
 (23) like to speak to this application. I only have one
 (24) card right now. Oh, I have more than one card. I'm
 (25) sorry. Okay. We're going to start off with

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- (1) Mr. Davis, 'cause he gave us the first card, so
 (2) Mr. Davis, you're up.
 (3) RAY DAVIS: Yes. Down here just finishing
 (4) up, you know. Getting ready to head out over the
 (5) hill, get me a new community, where democ -
 (6) American democracy is alive and well. Oh, boy, I
 (7) can hardly wait, okay.
 (8) But, you know, while I'm here and up to
 (9) speed on this matter, I'm going to give you the
 (10) benefit of my, what I consider sterling comments. I
 (11) hope you do, too.
 (12) Number one, this is the same proposal, so
 (13) they didn't - they didn't - their (inaudible)
 (14) direction at the last meeting to come up with some
 (15) new ideas, okay. Flat out, you know, correct me if
 (16) I'm wrong here.
 (17) Number two, Mr. Lortz told you last time
 (18) that the water company property was - was, you
 (19) know, master planned as C-1. Excuse me, I went up
 (20) to the master plan. They're rated 01 right smack
 (21) there, and you can see the C-1 in pink is right up
 (22) to the north entrance of Highway 85. So that's way
 (23) into the property, okay, owned by these gentlemen.
 (24) So I think Mr. Lortz needs to recant his statement,
 (25) okay.

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- (1) Number three, architecturally the project
 (2) I think is best described as institutional. I mean,
 (3) as a gateway project for Los Gatos, where anywhere
 (4) in this Town is there anything like it? Show me.
 (5) You know, this is an abomination in terms of the
 (6) architecture, okay.
 (7) The - and lastly, traffic. Nobody's
 (8) talked about traffic. Well, I read the Staff
 (9) Report, and there's 300 and some odd car trips per
 (10) day less in this project than the one that was
 (11) approved. That's 300 and some odd out of about
 (12) 3,700. Hardly significant. Hardly a significant
 (13) reduction. If this plan is approved as shown there,
 (14) the traffic will be again unbelievable at this
 (15) portion of Town, particularly when you tie in the
 (16) traffic from the Jewish Community Center that's to
 (17) be built, you know, fairly soon, with its massive
 (18) onslaught of traffic, too.
 (19) And again, I want to bring up the point
 (20) there's no one on this Town Staff that is adding up
 (21) the accumulation, cumulative impacts of traffic from
 (22) all the approved projects over the years. There's
 (23) no one doing that. There's no one looking to the
 (24) future to try to see what the Town will be when all
 (25) these projects - projects, if they're built, go on

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- (1) line. And it's a - it is a crime. And I will not
 (2) be here to - if they - if it occurs, to suffer the
 (3) consequences. I promise you.
 (4) CHAIRMAN DUBOIS: Thank you, Mr. Davis.
 (5) Michele Jehenson.
 (6) MICHELE JEHENSON: My name is Michele
 (7) Jehenson. I'm a citizen of Monte Sereno. And I
 (8) just wanted to say that in Los Gatos or Monte
 (9) Sereno, when you buy a piece of land, you're not
 (10) allowed to build just anything on it. When you buy
 (11) land in Los Gatos, you also buy into the community
 (12) of Los Gatos, and you also buy into the set of
 (13) restrictions imposed by the City of Los Gatos,
 (14) setbacks, height restrictions, covered - coverage
 (15) ratio, aesthetics, whatever.
 (16) When I bought my house, I also bought into
 (17) a homeowners association. They can tell me that my
 (18) color is not suitable to the neighborhood. They can
 (19) fine me for not keeping up my house - my - not my
 (20) housekeeping, they can't fine me for this, but my
 (21) front yard.
 (22) Homeowners often incur costs due to these
 (23) restrictions, like a full fenced yard for a swimming
 (24) pool so people trespassing don't drown in your pool.
 (25) These restrictions are for a purpose. They're for

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(1) my neighbors, my community. I would call these
 (2) restrictions to be the community benefits that is
 (3) imposed – that are imposed on homeowners. And when
 (4) I hear it's not Sobrato's responsibility to provide
 (5) land for a soccer field just because the community
 (6) desperately needs it, and I think that you were
 (7) quoted, Commissioner Quintana, saying something like
 (8) that my response is why not. They need a community
 (9) benefit, we have a community need. Why can't we
 (10) make that work?
 (11) Why is it so wrong to impose a community
 (12) benefit on developers when everybody – every
 (13) homeowner agrees to community benefits for their –
 (14) on their own property? It is – it is a restriction
 (15) on us as well, and we accept it as part of being a
 (16) community.
 (17) You know, the thing that you may not
 (18) realize is that this happens in other communities.
 (19) It happens in Benecia. It happened to Benecia. A
 (20) developer had to give up 20 acres – it was a much
 (21) larger piece of land, it was about a hundred – a
 (22) hundred acres, but the Town imposed that restriction
 (23) on developer. The developer wanted to develop as it
 (24) saw fit. It had to give up land. And Benecia ended
 (25) up with a beautiful facility with a rec center

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(1) that – that puts ours to shame, five soccer fields,
 (2) five baseball diamonds.
 (3) We're not even asking that much. We – an
 (4) acre and a half for Sobrato is like a droplets in
 (5) their swimming pool. I mean, they're out there to
 (6) make money, and that's fine, they're developers.
 (7) That's their job. But you're out there to build a
 (8) community. That is your job, and that's why I hold
 (9) you to it. It's as simple as that.
 (10) CHAIRMAN DUBOIS: Thank you. Are there
 (11) any questions from the Commission? Seeing none,
 (12) thank you very much. Appreciate it. Dale Hill.
 (13) DALE HILL: I am Dale Hill. I live at 150
 (14) Robin Way in Los Gatos, and I'm speaking again for
 (15) the Southwest Santa Clara Valley League of Women
 (16) Voters. I'm beginning to feel like a broken record
 (17) restating our support of this amended project based
 (18) on our housing position.
 (19) It is important, though, to keep the focus
 (20) on the fact that this project supplies a significant
 (21) number of dwelling units. It is no secret that the
 (22) housing shortage is severe in this area, as well as
 (23) other areas of the state, as exemplified by the
 (24) distances people are having to commute.
 (25) We learned recently at a meeting that the

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(1) population of California will grow, like it or not,
 (2) by the equivalent of seven Los Angeleses in the
 (3) foreseeable future. I don't remember what the
 (4) period mentioned was, but we all went sort of uh.
 (5) That's the way it is.
 (6) Los Gatos cannot declare itself immune
 (7) from the responsibility to provide housing when a
 (8) well designed project is brought to us. You have
 (9) here the opportunity to provide homes to 295
 (10) households, both market rate and below market units.
 (11) And that's all I'm going to say tonight.
 (12) Thank you.
 (13) CHAIRMAN DUBOIS: Thank you. Any
 (14) questions for Ms. Hill? Commissioner Quintana.
 (15) COMMISSIONER QUINTANA: I just want to ask
 (16) you a question. I think you actually answered my
 (17) question that I was going to ask, which is that in
 (18) reviewing the project, you – it's been reviewed
 (19) both for policy and design?
 (20) DALE HILL: The League of Women Voters
 (21) does not have a position on design.
 (22) COMMISSIONER QUINTANA: Okay, thank you.
 (23) DALE HILL: There are many things I would
 (24) like to say about the project and about the
 (25) discussion that's gone on. I am speaking from the

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(1) League's housing position and, therefore, I am
 (2) constrained, because we just don't ad lib when we're
 (3) speaking for the League.
 (4) COMMISSIONER QUINTANA: Okay. So I think
 (5) you answered my question.
 (6) DALE HILL: Yeah. Yeah. I have looked at
 (7) the, you know, the design, and – and I have read
 (8) the reports each time I've prepared to come, and –
 (9) but I've – I've gone as far as I think I should.
 (10) CHAIRMAN DUBOIS: Thank you. Martin Hall.
 (11) MARTIN HALL: Good evening Commissioners.
 (12) My name's Martin Hall. I live on Lilac Lane in Los
 (13) Gatos. And I'm here this evening – first of all,
 (14) I'm a parent, soccer coach and a volunteer with the
 (15) Los Gatos Soccer League.
 (16) I'm here this evening hopefully to try and
 (17) close a loop. First of all, can I ask all of you,
 (18) did you receive copies of the petition and the
 (19) supporting comments?
 (20) CHAIRMAN DUBOIS: That was in the desk
 (21) item tonight, Mr. Hall.
 (22) MARTIN HALL: Okay. I just wanted to
 (23) check. So what we included in that were – was the
 (24) support of 200 families. And we didn't try very
 (25) hard to get that. I wanted to give you, you know, a

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(1) sense of the depth of feeling within the community,
 (2) and I think you Commissioners heard that previously.
 (3) There continue to be newspaper articles, and we'll
 (4) continue to voice the depth of feeling and the real
 (5) need for a soccer field in Los Gatos.
 (6) The loop that I really want to close is
 (7) that I heard at the meeting in October, the majority
 (8) of Commissioners asked Sobrato Development to come
 (9) back with some way in which they could help with a
 (10) soccer field. The community says this is important,
 (11) the elected officials are saying this is important.
 (12) The elected officials asked Sobrato Development to
 (13) come back and make some comments on this, and all I
 (14) heard at the November meeting were yeah, we kind of
 (15) agree with that, but we don't think we should do
 (16) anything about it.
 (17) So what I would like to do is kind of
 (18) close the loop, say that there are people standing
 (19) ready to roll up their sleeves and work with Sobrato
 (20) Development, (inaudible) Sobrato Development,
 (21) approach us, engage, understand the depth of
 (22) feeling, understand your need. And it states in the
 (23) General Plan the need to provide for the community,
 (24) come to us, tell us how you will help us, how you
 (25) will engage on the subject, how will you help us get

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(1) a soccer field for the community of Los Gatos.
 (2) If it's not at this development, where is
 (3) it? We will continue to voice the strength of
 (4) feeling. I'll go back and get several hundred more,
 (5) if that's necessary. But we're standing ready to
 (6) work with you, so please engage, please think
 (7) outside that box, 'cause every time I sit in these
 (8) meetings, I hear inside the box the discussions
 (9) about everything that's in there. Outside the box
 (10) is the community of Los Gatos. We're the community
 (11) of Los Gatos. The soccer playing families of the
 (12) community of Los Gatos.
 (13) Think outside that box. You've been asked
 (14) about soccer. Engage, work with us, we'll roll up
 (15) our sleeves, we'll work with you, but let's start
 (16) talking.
 (17) And one final point. I've got - I'm not
 (18) allowed to give, by virtue of the - the permissions
 (19) that I got from the people who submitted their names
 (20) to the petition, I'm not allowed to give you names
 (21) and contact details, but I will, Mr. Shenk, give you
 (22) a copy of all the comments that represent that
 (23) (inaudible) in Los Gatos. Thank you.
 (24) CHAIRMAN DUBOIS: Are there any questions?
 (25) Seeing none, thank you very much, sir, I appreciate

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(1) It. I have no other cards from anyone else. Is
 (2) there anyone else who would like to speak to this
 (3) issue from the public? If so, I need to hear from
 (4) you now. Okay. Seeing no one stepping forward,
 (5) I'll call on Mr. Shenk back. Do you have any
 (6) rebuttals that you would like to address, sir?
 (7) Are there any questions for Mr. Shenk
 (8) before we close the public hearing from the
 (9) Commission? Commissioner Quintana. Mr. Shenk.
 (10) COMMISSIONER QUINTANA: Just for the
 (11) record, would you outline the changes that have been
 (12) made to the project from the last time we saw it.
 (13) JOHN SHENK: The changes, we did some - a
 (14) significant amount of clean up in the plans where
 (15) there were some arrows that were errant, and there
 (16) were some misidentified sheet notes and such
 (17) things.
 (18) Of substance, I believe - and I'll check
 (19) in a minute, but the one change is we have - we now
 (20) show the trash enclosure on the north side of the
 (21) northern office building near the garage entry. If
 (22) I had my little pointer, I'd help you. Right up at
 (23) the top there, yes, ma'am. And in that - in
 (24) re-working that area, the parking proximate to that
 (25) trash enclosure area is - is changed as well. So

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(1) just to the north of that building is the change.
 (2) And - and not in the plan, but as - as
 (3) an offered suggestion or alternate, if you will,
 (4) layout for the townhouse buildings, is the - is the
 (5) sheet that I've shown, and we can put back up if you
 (6) like.
 (7) COMMISSIONER QUINTANA: Okay. With regard
 (8) to that tot lot, were any solar shadow studies done
 (9) to see whether it's going to be in shade during the
 (10) winter?
 (11) JOHN SHENK: The shadow study in the plan
 (12) is of the current project, so we could peek at that
 (13) very quickly to see what the shadows - it looks
 (14) like just on the December 21st date in the later
 (15) afternoon, 3:00 p.m., there would be the impact
 (16) across that building. Most of the shadows move from
 (17) the east to the west, so the fact that this - the
 (18) fact that the tot lot is located at the eastern side
 (19) of the buildings, they don't really throw shadows.
 (20) (Inaudible, speaking away from the microphone.)
 (21) COMMISSIONER QUINTANA: Okay. Thank you.
 (22) Do I have another question? I don't think so. Oh,
 (23) yes, I do.
 (24) Just to clarify that the podium venting
 (25) or - I don't know what to call it, the area that is

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- (1) not bermed.
 (2) JOHN SHENK: Yes.
 (3) COMMISSIONER QUINTANA: On the previous
 (4) project, you say you didn't need to do mechanical
 (5) ventilation.
 (6) JOHN SHENK: We don't think that we did.
 (7) We didn't actually get through, as we're not now,
 (8) enough engineering to determine if there's any
 (9) assistance needed. I'm - I'm certain that it
 (10) wasn't - it wouldn't be a fully mechanically
 (11) ventilated garage. Sometimes in - when the final
 (12) design's done and the structural happens, you end up
 (13) with walls, and I'll call it a dead spot of air, and
 (14) it requires a fan. So I wouldn't want to say in any
 (15) plan there would be no mechanical assistance at all,
 (16) but it was not a mechanically ventilated garage from
 (17) a full sense.
 (18) COMMISSIONER QUINTANA: Thank you.
 (19) JOHN SHENK: Sure.
 (20) CHAIRMAN DUBOIS: Commissioner Talesfore.
 (21) COMMISSIONER TALESFORE: Yeah, I - you
 (22) know, I still have a - a concern about the traffic.
 (23) And the average daily trips were supposedly at 4,000
 (24) before the reduction, ten percent reduction; is that
 (25) correct?

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- (1) JOHN SHENK: I don't recall the numbers
 (2) off the top of my head. I do recall checking the
 (3) ten percent reduction.
 (4) CHAIRMAN DUBOIS: Can Staff give a -
 (5) A VOICE: The numbers was the low 3,000
 (6) range. I don't have the exact numbers with me, but
 (7) it was 3,300 to 3,500 range.
 (8) COMMISSIONER TALESFORE: Okay. 3,500
 (9) possibly? So - so we're looking at a reduction of
 (10) ten percent, so that's, what, 350 cars? Okay, all
 (11) right.
 (12) And then, also, your overall reduction in
 (13) volume of the building, was that in - was that R&D,
 (14) reduction of R&D or -
 (15) JOHN SHENK: We measured the volume of the
 (16) project, the R&D office and the residential of the
 (17) approved plan -
 (18) COMMISSIONER TALESFORE: Uh-huh.
 (19) JOHN SHENK: - and the same in the
 (20) modified, and compared the two and came up with that
 (21) difference.
 (22) COMMISSIONER TALESFORE: Okay. There
 (23) are - and just for clarification, it was a little
 (24) hard for me to count, but how many buildings are on
 (25) the property in the apartments and the R&D

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- (1) buildings, if you total them up?
 (2) JOHN SHENK: Eleven.
 (3) COMMISSIONER TALESFORE: Is that under one
 (4) roof, or are those -
 (5) JOHN SHENK: No, ma'am. That would be all
 (6) of the buildings. So each office building has its
 (7) own roof and is a separate building.
 (8) COMMISSIONER TALESFORE: I - I had a hard
 (9) time counting. Mine was somewhere between eleven
 (10) and fourteen or fifteen.
 (11) JOHN SHENK: Yeah. I count eleven.
 (12) COMMISSIONER TALESFORE: Okay. And then
 (13) you talked also about other refinements that you
 (14) will be working on, other than the elimination of
 (15) the deletion of arrows and deletion of incorrect
 (16) total number of the ones you mention here in our
 (17) Staff Report. What - what other refinements are
 (18) you thinking for -
 (19) JOHN SHENK: I'm referring to - I don't
 (20) have anything in - in the back of my head at this
 (21) point. I'm referring to things that may come up
 (22) from the Consulting Architect at a later point, just
 (23) confirming our - our willingness to work and to see
 (24) through other - other good refinements.
 (25) One issue that we have left on the table

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- (1) are the specific architectural details that - that
 (2) can happen. I think we offered up a pallet of four
 (3) that we feel are appropriate to mix into the
 (4) project. And while that's not refined, and it's
 (5) not - and for that reason it's not reflected in our
 (6) plans specifically, those four elements are
 (7) committed to, and we'll work with the Consulting
 (8) Architect and Staff to incorporate them into
 (9) specific locations.
 (10) COMMISSIONER TALESFORE: Thank you.
 (11) JOHN SHENK: Sure.
 (12) CHAIRMAN DUBOIS: I have a quick question
 (13) for you: On the addendum to the EIR, I believe I
 (14) read that the undocumented fill needed to be
 (15) removed, and that will all have to be removed and
 (16) then put in I guess with documented fill, I don't
 (17) know what the correct word is. Has any testing been
 (18) done on site to determine are there any residues
 (19) left over from the previous user there, and if so,
 (20) the movement of this stuff, is this going to present
 (21) any environmental hazards to us, or what are we
 (22) doing to protect, if there is any chemical there
 (23) (inaudible)?
 (24) JOHN SHENK: I would say we - we have
 (25) fully searched the site. There are slash were, some

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- (1) have been removed already, toxins, environmentally
- (2) not healthy things left by Maxim. That was - we
- (3) figured that out going through the purchase.
- (4) There's a whole process that we go through, not only
- (5) with the Town, but the Regional Water Quality
- (6) Control Board, the - with the air group. With the
- (7) air group, the water - the different state health
- (8) agencies all get involved in these permits that
- (9) allow you to clean up the site. Off - and some of
- (10) that is off hauling the - the soils to a facility
- (11) that handles contaminated soil.
- (12) So it would be through that process that
- (13) we would clean up the rest of the site. And
- (14) removing the undocumented fill, and there's some -
- (15) what do they call them? Some sort of piles that
- (16) were left in there, all that's got to come out, and
- (17) then they do come back with not necessarily
- (18) documented fill, but engineered fill is what they
- (19) call it.
- (20) CHAIRMAN DUBOIS: Okay. Engineered fill.
- (21) JOHN SHENK: And they'll fill it back so
- (22) that it's safe to build on.
- (23) CHAIRMAN DUBOIS: So I assume some of this
- (24) undocumented fill may be some of the contaminated
- (25) soil? Or is that a good assumption or not?

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- (1) JOHN SHENK: I don't think so.
- (2) CHAIRMAN DUBOIS: You don't think so.
- (3) JOHN SHENK: I don't think so.
- (4) CHAIRMAN DUBOIS: Okay. Okay. Thank you.
- (5) Any other questions for him? Yes, Commissioner
- (6) Talesfore. No?
- (7) COMMISSIONER TALESFORE: I have all the
- (8) questions tonight.
- (9) CHAIRMAN DUBOIS: All right.
- (10) COMMISSIONER TALESFORE: A clarification.
- (11) We discovered last month that you - that there was
- (12) tandem parking in the garage. Did you look at that
- (13) in any way to eliminate some of it? I mean, I find
- (14) that a flaw with the parking design.
- (15) JOHN SHENK: We did remove some.
- (16) COMMISSIONER TALESFORE: How many stalls
- (17) are there of the total, what, 400 and -
- (18) JOHN SHENK: I forget the number. We
- (19) counted them last time. The - the way we looked at
- (20) them, and the reason that there was - I think
- (21) Commissioner Quintana is the one who raised issue of
- (22) the increase in the number last time, and the reason
- (23) for the increase is that we had a significant
- (24) increase in the number of two bedroom apartments,
- (25) specifically the townhouse units. There is a - a

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- (1) typical matter of practice in the apartment
- (2) industry, a townhouse often gets a two-car tandem
- (3) garage or parking space. The thought being the
- (4) occupants of that unit can manage for themselves
- (5) whose car is where and who goes in first and out
- (6) last and these kinds of things.
- (7) So we're - we were very comfortable from
- (8) an operational standpoint increasing the number of
- (9) tandem stalls, because we had all of those townhouse
- (10) units.
- (11) COMMISSIONER TALESFORE: Well, in a
- (12) crowded city I know that sometimes that works. My
- (13) daughter has that, but she lives in San Francisco.
- (14) I was just curious, because we brought it up, if you
- (15) had looked at somehow improve - addressing that in
- (16) some way.
- (17) JOHN SHENK: They were looking at - at -
- (18) at removing some in the office, but I - I
- (19) understand your question to be more pointed at the
- (20) residential. And that number is the same as it was
- (21) before for the reasons that I stated before.
- (22) CHAIRMAN DUBOIS: Commissioner Quintana.
- (23) COMMISSIONER QUINTANA: Actually, I think
- (24) you reduced the number of tandem parking spaces -
- (25) JOHN SHENK: They were just pointing

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- (1) out -
- (2) COMMISSIONER QUINTANA: - for the
- (3) residential.
- (4) JOHN SHENK: - (inaudible) saying at
- (5) the - at the office. I understood her question of
- (6) the residential. At the office, there were some
- (7) where the trash enclosure is. And so that's - as
- (8) that wall moved back, those tandem - the tandem
- (9) portion of that stall went away. But I - on the
- (10) residential side, as far as how it functions and
- (11) such, we feel comfortable that it will work and -
- (12) and that number's the same.
- (13) CHAIRMAN DUBOIS: Are there any other
- (14) questions for Mr. Shenk? I have one more quick one.
- (15) In previous iterations of drawings that we have seen
- (16) up on the board, there was a little green section
- (17) down in the lower left-hand corner that was on the
- (18) Water District property there. Now I see a great
- (19) big long green strip up there. Is that little green
- (20) piece still in the property or not? Or what -
- (21) JOHN SHENK: It is. It's - what it
- (22) was -
- (23) CHAIRMAN DUBOIS: I remember what it was
- (24) from the original project.
- (25) JOHN SHENK: Or maybe what it looked -

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- (1) not what it looked like, but what it was is – or
 (2) what was a – a – a hoped for piece of dirt from
 (3) the Water District that could be used as some type
 (4) of open space for the public. We still, and our
 (5) commitment is there, want to make that happen. We
 (6) pulled it off because it – we didn't want it to be
 (7) perceived as something that was guaranteed. A lot
 (8) of questions came up is it was guaranteed. With
 (9) Staff and with conditions we're work – we will
 (10) continue to try to get that. There's a lot of
 (11) things we're trying to get from the Water District
 (12) at this point, and I think it will happen, but
 (13) that's the reason it came off.
 (14) CHAIRMAN DUBOIS: I'm having some concerns
 (15) about that thing just kind of dangling out there
 (16) with not really any relationship to the project. So
 (17) that's why I asked the question.
 (18) Commissioner Talesfore. Excuse me, I'm
 (19) sorry, Quintana. Sorry.
 (20) COMMISSIONER QUINTANA: I guess I changed
 (21) my name.
 (22) CHAIRMAN DUBOIS: I'm sorry, I'm –
 (23) COMMISSIONER QUINTANA: That's okay. Two
 (24) questions. Actually, three. One is related to the
 (25) issue of easements from the Water District for the

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- (1) alternate trail site and for the connection from the
 (2) trail to the green space where the tot lot used to
 (3) be.
 (4) JOHN SHENK: Yes.
 (5) COMMISSIONER QUINTANA: Has the – do you
 (6) have agreements with the water company for easements
 (7) over their portion of that area?
 (8) JOHN SHENK: We – we do not have
 (9) easements. We've had discussions with them. There
 (10) are – don't seem to be any issues with gaining
 (11) access – I now have a pointer, but at where the old
 (12) tot lot was, that access that we intend to be
 (13) private or for the use of the occupants and
 (14) residents of the site, on the other side, no issues
 (15) there, either, with gaining access to the creek
 (16) trail from that corner of our site.
 (17) The issue with them that's been
 (18) outstanding is the use of our easement over their
 (19) property as a public access point or extension of
 (20) the creek trail.
 (21) COMMISSIONER QUINTANA: Okay. And my
 (22) other question relates to the – you removed some
 (23) information from one of the drawings as to the mix
 (24) of the apartments and sizes, but it hasn't been
 (25) replaced. So is there – have you determined the

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- (1) mix, or is that still up for refinement?
 (2) JOHN SHENK: The mix is known. I'm trying
 (3) to think if I have a sheet. I don't know if you
 (4) have a sheet.
 (5) (Inaudible discussion.)
 (6) COMMISSIONER QUINTANA: Oh, is it? You
 (7) may be right (inaudible).
 (8) JOHN SHENK: What had happened last time,
 (9) it was – is that it was incorrect. We had left in
 (10) all of the – it was the market rate housing and the
 (11) affordable housing is different sizes as if it were
 (12) the, I'll call it the segregated project, that was
 (13) the – the concept that was floated early on. And
 (14) that had remained. And maybe in trying to clean
 (15) that up, it came off, but the – okay. It is not
 (16) there. It is known, because every unit is – is
 (17) known to be either a studio, a one bedroom, two
 (18) bedroom or three bedroom unit.
 (19) COMMISSIONER QUINTANA: Okay. So it's
 (20) only the BMP mix that isn't determined yet?
 (21) JOHN SHENK: It is, because it would be
 (22) representative of the whole. It would be – you
 (23) know, if we had a hundred one bedrooms –
 (24) COMMISSIONER QUINTANA: Okay. So it would
 (25) be a percent –

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- (1) JOHN SHENK: A percent of those would be
 (2) the one bedrooms. So it would be – correct. And
 (3) the same size. The same units.
 (4) COMMISSIONER QUINTANA: Yeah, okay.
 (5) 'Cause I thought I remembered it from the last
 (6) meeting that you had said that was still to be
 (7) determined.
 (8) JOHN SHENK: They will –
 (9) COMMISSIONER QUINTANA: So that's a
 (10) clarification.
 (11) JOHN SHENK: – be the same units, the
 (12) same mix of market rate units will be represented as
 (13) affordable units.
 (14) COMMISSIONER QUINTANA: Thank you.
 (15) JOHN SHENK: Sure.
 (16) CHAIRMAN DUBOIS: Any other questions?
 (17) Thank you, Mr. Shenk. I appreciate your time.
 (18) JOHN SHENK: Thank you very much.
 (19) CHAIRMAN DUBOIS: At this point I'm going
 (20) to close the public hearing, return this to the
 (21) Commission for questions of Staff or a motion.
 (22) Tonight, folks, our charge is to make a
 (23) recommendation to the Town Council, along with
 (24) recommendation – with our thoughts. Commissioner
 (25) Micciche.

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- (1) COMMISSIONER MICCICHE: First I'm going to
 (2) give some comments, then follow it with a motion.
 (3) At the previous hearing I was the only
 (4) Commissioner present who voted no on returning this
 (5) application for redesign at that time, and I will
 (6) give my reasons why.
 (7) I believe the approved project is
 (8) significantly more intense than the modified
 (9) project. And the reduction and offers square
 (10) footage increase in affordable housing and the
 (11) increase in open area makes the modified project
 (12) significantly better. I refer to Exhibit D in the
 (13) October 22nd Staff Report and found the following to
 (14) support this belief.
 (15) First, the approved project had 288,000
 (16) square feet of office space and 158,000 square feet
 (17) of residential area, for a total of 446,000 square
 (18) feet. The modified project has 120,000 square feet
 (19) of office space and 302,000 square feet of
 (20) residential space, for a total of 420,000 square
 (21) feet, or a net reduction of 26,000 feet
 (22) collectively.
 (23) Secondly, the approved project had 853
 (24) employees in the office area and 295 residents, for
 (25) a total of 1,112 persons who could also potentially

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- (1) have automobiles coming and leaving at the critical
 (2) times. And the majority of them it would be at the
 (3) peak traffic, considering it was the
 (4) R&D operation.
 (5) The modified project has 355 employees.
 (6) That's a reduction of some 600 - of 500. And 566
 (7) residents, for a total of 921 people who would have
 (8) automobiles leaving and entering the site, for a
 (9) reduction of 191 vehicles and with significantly
 (10) less coming in and out because of the office
 (11) reduction.
 (12) Additionally, the modified project has
 (13) 4,000 square feet more of landscaping and no
 (14) increase in paving area. And lastly, the approved
 (15) project had 64,300 square feet of usable public open
 (16) space, and the modified project has 172,000 square
 (17) feet of usable public space, or a net increase of
 (18) 100,000 square feet.
 (19) I also believe it still meets all the
 (20) elements of the General Plan that we stated when we
 (21) first recommended the approved project to the Town
 (22) Council.
 (23) However, having said all that, I also
 (24) believe that the modified project has reduced
 (25) community benefits. And let me explain why.

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- (1) The approved project had 33 percent of the
 (2) market rate units as BMP units, 13 percent over the
 (3) required amount, which was a significant community
 (4) benefit as I saw it. The modified project has the
 (5) minimum required of 20 percent, which provides no
 (6) additional community benefit.
 (7) I believe a way should be found to
 (8) approach the same benefit percentage as they had in
 (9) the approved project. Additionally, I would expect,
 (10) after hearing all the issues involved in the Los
 (11) Gatos sports area - and I call it a sports area,
 (12) 'cause I'm not prone to just soccer alone. I think
 (13) football needs help, baseball needs help, so soccer
 (14) doesn't stick out there individually to me at all -
 (15) that they should commit to using the Sobrato
 (16) resources and influences to do something about it.
 (17) And I believe that commitment should be a strong
 (18) commitment and, if possible, a proposal with
 (19) milestones and proposed action items.
 (20) I'm not asking for your land or money.
 (21) I'm asking you to get involved and use your power to
 (22) do something.
 (23) For these reasons, I make a motion to
 (24) recommend to the Town Council that we approve the
 (25) planned development application, PD-03-1, which

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- (1) modifies the approved PD on property zoned CM:PD,
 (2) APN 424-32068, by requesting the applicant to, one,
 (3) add additional BMP units and, two, make a strong
 (4) commitment to use the power, resources and influence
 (5) of the Sobrato Corporation to bring a sports center
 (6) to Los Gatos that can help accommodate not only
 (7) soccer, but football and baseball needs of the
 (8) community.
 (9) I would also ask them to modify the route
 (10) of the shuttle they propose to include stops at the
 (11) Safeway shopping center on Winchester Avenue near
 (12) the VTA station and the Victoria Station strip mall
 (13) to accommodate the residents and possibly decrease
 (14) the amount of car trips that are there.
 (15) If I get a second, I welcome my fellow
 (16) Commissioners to add whatever they like as a request
 (17) of the Town Council.
 (18) CHAIRMAN DUBOIS: Okay. There's a motion
 (19) on the floor. Do we have a second? Not seeing
 (20) anybody jumping in for a second, so I guess motion
 (21) dies for lack of second. Thank you, Commissioner
 (22) Micciche.
 (23) Commissioner Quintana, do you have
 (24) comments, motion? Questions of Staff?
 (25) COMMISSIONER QUINTANA: I have - I have

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- (1) comments. I don't know whether you'd prefer to have
 (2) a motion on the floor before the comments or the
 (3) comments before the motion. Whatever your pleasure
 (4) is.
 (5) CHAIRMAN DUBOIS: Actually, I'd prefer a
 (6) motion on the floor.
 (7) COMMISSIONER QUINTANA: Okay.
 (8) CHAIRMAN DUBOIS: Is there a motion coming
 (9) on the floor, Commissioner Burke? Do you have a
 (10) motion?
 (11) COMMISSIONER BURKE: Okay. I'm going to
 (12) make a motion to send PD application PD-03-1 to the
 (13) Town Council with the recommendation against
 (14) approving this revised plan. I'm also going to make
 (15) a recommendation against certifying or approving the
 (16) Environmental Impact Report addendum, and I'll
 (17) explain that why.
 (18) My reasons for not wanting to recommend
 (19) this plan is that I do not feel the quality of life
 (20) for the residences of this new project will be as
 (21) good as the old project. I felt the old project at
 (22) least gave a fair percentage of the - of the - the
 (23) residents creek views, or they weren't looking right
 (24) back upon other apartment buildings.
 (25) I also feel that the EIR - environment -

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- (1) the addendum to the Environmental Impact Report did
 (2) not adequately address what effects the additional
 (3) resident from the 300 - or 295 dwelling units would
 (4) have on recreational activities in the Town. Not to
 (5) say Sobrato has a responsibility to necessarily
 (6) provide those, but we ought to address what this is.
 (7) It may be a minor thing, but we really don't talk
 (8) about it.
 (9) But as part of this motion, I would also
 (10) make a recommendation that the Town Council grant an
 (11) extension to the vesting of the original project and
 (12) send this project back to the Planning Commission
 (13) for us to work with it. Why? Because I think this
 (14) project can be saved and made a lot better.
 (15) How would we do that? One is I think we
 (16) need more green space on the project. Now, they
 (17) talked about the amount of open space that was
 (18) walkways, private patios. Well, you're going to
 (19) have 295 dwelling units. You need a little more
 (20) lawn for the kids to play on. I mean, that's the
 (21) thing I'm looking at there. You know, and that can
 (22) be achieved by changing the architecture, maybe
 (23) making the - the apartment buildings taller by
 (24) the - by the R&D so there's less footprint. I'm
 (25) not saying reduce the number of units. I just think

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- (1) we need more green space in my opinion.
 (2) I also think we need to do something with
 (3) the architecture in general. I'm not a - a student
 (4) of architecture or architectural history, but if I
 (5) go back to style, this - this is a very imposing
 (6) style, and I assume that was the - the intent of it
 (7) back when it was developed. And I think we need
 (8) something that's much less imposing if it's going to
 (9) be the biggest project we have going in Los Gatos,
 (10) something that blends in better with nature and
 (11) stands out less.
 (12) I also think we need to solve some of
 (13) these prob - parking issues, and I don't know if
 (14) that's - I know there's - there's all sorts of
 (15) problems with undergrounding, but I think there's
 (16) still too many parking issues to send this forward.
 (17) And the final thing I think this thing
 (18) needs is a small - and the operative word is small,
 (19) retail component. This place with the shuttle is
 (20) going to be the de facto Light Rail station, transit
 (21) station for the next five, ten, maybe even twenty
 (22) years. Maybe forever. We never may - we may never
 (23) get that extension. And one of the things, as
 (24) somebody who tries to take Light Rail, it's really
 (25) nice when there's a convenience store, I can go in

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- (1) and buy a magazine, oh, I forgot my comb, I need
 (2) some Kleenex, and I can buy that. That is a big
 (3) amenity.
 (4) It's also an amenity that you want to have
 (5) if you're going to have a pedestrian friendly
 (6) apartment complex. People aren't going to want
 (7) their kids walking across Winchester Boulevard to go
 (8) to Vasona Station to go to, let's say a 7-Eleven,
 (9) not that it would be necessarily a 7-Eleven, but
 (10) that - also, the merchants across the street have
 (11) said well, there's not the traffic. Well, if you're
 (12) driving down Winchester, you're not going to make a
 (13) left and a U-turn and another left or whatever to
 (14) make a quick stop at a convenience store if you're
 (15) going northbound. You're going to stop at a place
 (16) that's on the right side. So I think that - you
 (17) know, I'm only talking five, 6,000 square feet. I
 (18) think you'd have that. You might have something
 (19) like a Los Gatos Coffee Roasting Company, maybe a
 (20) Jamba Juice, but something that people that are
 (21) going to take transit and live in the apartment, dry
 (22) cleaners, are going to want. It's going to make it
 (23) a better project.
 (24) I'm not trying to punish the developer,
 (25) I'm trying to make a better project for everybody.

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- (1) And if the Council agrees with these ideas, I would
- (2) request that they send this back to the Planning
- (3) Commission with instructions both to Planning
- (4) Commission and the applicant. And I'm not being
- (5) critical of anybody's actions, but I'm -
- (6) (inaudible) work together in good faith. That means
- (7) study sessions where we come in with a blank page.
- (8) We don't come up with the design, and we try to
- (9) tweak the trim, the windows, whatever. We say how
- (10) are we going to make this work.
- (11) So that's where I think this should go. I
- (12) don't want to force the applicant to build the old
- (13) project, 'cause they're running out of time. That's
- (14) why I think they need the extension. But if the
- (15) Town Council does go ahead to approve this PD, I'm
- (16) going to ask one thing, and that is something that
- (17) I've always been uncomfortable with this because
- (18) I've never seen specific findings, so if the Town
- (19) Council does approve the new PD, please make a
- (20) specific finding on the height.
- (21) As somebody who's worked on General Plan,
- (22) General Plan limit is 35 feet in this area. I know
- (23) there are a lot of ways. But I'd like a specific
- (24) finding just so when we reference this, we can know
- (25) how it was - how things like this should get

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- (1) approved, on how this PD is consistent with that.
- (2) And if the applicant decides to go,
- (3) instead of waiting to go ahead with the first
- (4) project, let me just give you the advance - you
- (5) know, the offsetting advantages to that. One is
- (6) more jobs. The person from Santa Clara County
- (7) Manufacturing Association that spoke a couple
- (8) meetings ago made the comment Los Gatos is very job
- (9) poor. Very difficult to live - afford to live in
- (10) Los Gatos if you work in Los Gatos unless you're a
- (11) lawyer, a doctor or some other self-employed.
- (12) There's not necessarily a lot of, you know, high
- (13) paying, high tech jobs.
- (14) And also imagine if we had had a facility
- (15) where Metrocom could have stayed in Los Gatos. You
- (16) know, they might still be around. They might be
- (17) doing a wonderful job. A place for Netflix, another
- (18) homegrown start-up company. Nice facility for them
- (19) to locate. So the original project wouldn't be all
- (20) that bad in - in that respect.
- (21) Also - and I'm speculating, but the
- (22) other - the original project looked like it
- (23) probably had lower overall rent. You know, I know
- (24) rents have not been set, but if I just looked at the
- (25) project, the combination of BMP, the no townhomes,

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- (1) I'm going to guess that probably the - the rent on
- (2) the average was lower.
- (3) And the final thing is less impact on
- (4) services. Residents impact services, schools,
- (5) parks, more than employees do. So that's one
- (6) advantage that I think the original project had if
- (7) the applicant went ahead to do it.
- (8) And my final thought on this is I'm
- (9) thinking for the people who are going to live in
- (10) this project, I think it's really important that
- (11) they be able to tell that they live in Los Gatos
- (12) without looking at the address on their mail. And I
- (13) don't see that with this project. Thank you.
- (14) CHAIRMAN DUBOIS: Okay. We have a motion
- (15) on the floor. Do we have a second for this motion?
- (16) Commissioner Quintana.
- (17) COMMISSIONER QUINTANA: I'll second.
- (18) CHAIRMAN DUBOIS: Is there any
- (19) Commissioners that would like to add, 'cause I'd
- (20) like Council to have benefit of our thoughts -
- (21) COMMISSIONER QUINTANA: Can I -
- (22) CHAIRMAN DUBOIS: Commissioner Quintana.
- (23) COMMISSIONER QUINTANA: - make some
- (24) comments?
- (25) CHAIRMAN DUBOIS: Please.

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- (1) COMMISSIONER QUINTANA: I agree with most
- (2) of what Commissioner Burke has said, although I have
- (3) a slightly different way of approaching it, so I'd
- (4) like to go through that.
- (5) The first thing I did was look at the
- (6) consensus from the Council study session on this to
- (7) see how the project meets those expectations, and
- (8) there were six different things.
- (9) The Council felt that it was moving in the
- (10) right direction, that the density and third story
- (11) elements should be carefully evaluated. To me, I
- (12) agree that it was moving in the right direction.
- (13) That usually means that it still needs some, I would
- (14) say, significant tweaking. And I don't think that
- (15) the - the density and the third story elements have
- (16) been carefully evaluated by the applicant. I think
- (17) the Commission has indicated that they probably need
- (18) to have further work.
- (19) The Commission - excuse me, the Council
- (20) indicated that it was important that the community
- (21) understood what this project was about. And they
- (22) requested story poles at the highest points and at,
- (23) I believe, some of the corners or the most visible
- (24) areas. The story poles were placed by balloons,
- (25) which was a good idea, 'cause it was certainly a

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(1) more cost effective way of doing it. Unfortunately,
 (2) the timing was such that I think a lot of people –
 (3) and this was testified to in the last hearing –
 (4) thought it was advertising the pumpkin patch.
 (5) In addition, the Council asked that the
 (6) building footprints be marked, and this was also
 (7) requested from the Commission in the October
 (8) meeting. The footprints were not marked. Only the
 (9) corners of the building were marked, and it was
 (10) really difficult to picture exactly what was going
 (11) on.
 (12) They also asked for artist rendering on
 (13) the site, which didn't happen. I think the
 (14) Commission also asked for that. And a high quality
 (15) model, which we did get, but not until the second
 (16) meeting.
 (17) In the review process, the Council was
 (18) generally supportive of expediting the review
 (19) process, provided all the necessary analysis was
 (20) done, and I think there could be some question about
 (21) whether that in fact has occurred, but they also
 (22) indicated that the majority supported review of
 (23) architecture and site plans by DRC and the
 (24) Consulting Architect, provided that the PD plans
 (25) have enough architectural detail, architectural

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(1) excellence of the approved project is retained, and
 (2) there are not too many loose ends. And I would say
 (3) on that, that the – when I look at this project, I
 (4) see that there are three different projects. The
 (5) architectural style has been retained beautifully in
 (6) the office building, somewhat less in the apartment
 (7) building and, in my opinion, not really at all in
 (8) the townhouses.
 (9) And the quality of the design has
 (10) decreased as we moved away from Winchester
 (11) Boulevard. So I don't believe that the architecture
 (12) has maintained the same excellence in design as the
 (13) original project.
 (14) And I think there still are many loose
 (15) ends, as the request from the Planning Commission in
 (16) the last two meetings indicates.
 (17) The Council was supportive of low and very
 (18) low income housing, and but preferred to see them
 (19) integrated into the project. The affordable housing
 (20) has been integrated into the project, but it has not
 (21) incorporated any very low housing income, and the
 (22) percentage has – has dropped. And then also,
 (23) generally – so I don't think that has been – it's
 (24) been met partially, but not totally.
 (25) And then the Council also was favorable

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(1) about the land use mix. And I think that the
 (2) Commission has indicated that it is also supportive
 (3) of the land use mix, but not at the detriment or
 (4) sacrifice of good site design. And I think that's
 (5) the whole issue on – on this project is site
 (6) design.
 (7) We have a letter from an architect in Town
 (8) that talks to that, and I'd just like to read a
 (9) little bit of it, because I think it summarizes it
 (10) well. The – the buildings are fine. The problem
 (11) with them is that while individually acceptable,
 (12) they as a group are not organized by an overriding
 (13) site plan concept.
 (14) Rather – excuse me. The buildings, much
 (15) like our historic downtown, should define and shape
 (16) the outdoor communal areas. And essentially saying
 (17) that that – that hasn't happened. That the site
 (18) design needed to start with a concept and – and
 (19) work from there. I would agree with that. I think
 (20) there are many deficiencies in the current site
 (21) design, the amount of open space, the relationship
 (22) of the open space to the various activities to the
 (23) buildings themselves in relationship to the mass and
 (24) scale of the buildings.
 (25) I think that it feels – when I look at

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(1) it, I get two reactions. One, that the wagons have
 (2) circled for protection. And secondly, that there's
 (3) been a train wreck the way the buildings have
 (4) been – sorry about that.
 (5) I – gosh, I have so many comments, but
 (6) those are basically my – my – my major comments.
 (7) I know we – I – if – if I look at this project on
 (8) its own merit, not comparing it to the original
 (9) approved project, it does not stand up from a site
 (10) design standpoint, and it doesn't stand up in part
 (11) on an architectural design. Not architectural
 (12) style – well, the architectural style hasn't been
 (13) changed, but when you change footprints and
 (14) groupings of buildings and massing of buildings, you
 (15) do change architecture, and I don't think the
 (16) apartment element of it has the same degree of
 (17) excellence that the original did.
 (18) And if I look at it in comparison to the
 (19) existing project or approved project, that has
 (20) problems, too, but I believe the architecture was
 (21) better and on balance. Overall, I think they were
 (22) about equal.
 (23) In terms of the intensity, we talked about
 (24) intensity and density. The applicant has indicated
 (25) that the intensity of the development has gone down.

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- (1) In one sense that's true. The impacts of the
 (2) development have gone down slightly with the traffic
 (3) and the number of people on site, but the intensity
 (4) of the building on the site I don't think has
 (5) decreased. In some ways, the apartment part of it
 (6) seems more massive and more closed in to me and,
 (7) therefore, more intense.
 (8) And I could go on forever I think, but I
 (9) don't think everybody wants me to do that, so -
 (10) CHAIRMAN DUBOIS: Thank you.
 (11) COMMISSIONER QUINTANA: But also I -
 (12) CHAIRMAN DUBOIS: One more.
 (13) COMMISSIONER QUINTANA: - have to make
 (14) one more comment - two more comments.
 (15) One is with regard to the General Plan,
 (16) which Commissioner Burke raised. I have two other
 (17) items to add to my concern with the General Plan.
 (18) Not the density, because the Staff Report, either
 (19) this time or last time, clearly indicated that the
 (20) General Plan density could go up if there was BMP
 (21) units, that type of addition. But with its
 (22) conformance with the General Plan goals and policies
 (23) in the land use section under intensity of land use.
 (24) And secondly, I - I agree with Commissioner Burke's
 (25) concern about the General Plan height limits. While

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- (1) the PD zoning will, I believe, allows you to exceed
 (2) the zoning requirements, it doesn't allow you to
 (3) exceed the - or to violate the General Plan, and a
 (4) portion of the site is General Planned for
 (5) commercial, which has it in the General Plan a
 (6) maximum height limit of 35 feet.
 (7) And one other thing in terms of the
 (8) architecture and site plan. I spent a lot of time
 (9) looking at the civil plans, because I did not -
 (10) remember or understand the concept of the open
 (11) podium from the first plan. And indeed, I found
 (12) that in one small section - well, not one small
 (13) section - across the Winchester frontage, there was
 (14) about two feet. It's not reflected well in the
 (15) cross sections on C-2 of the approved plans, but if
 (16) you have very good eyes and a good magnifying glass,
 (17) you can read it from our reduced plans from the
 (18) elevations on the civil plans, C-1.
 (19) The modified project has much more open
 (20) space between the grade and the podium, ranging from
 (21) three feet to eleven feet that's from curb, and if
 (22) you add in the three or four feet of berming that
 (23) you can probably make, you're still going to wind up
 (24) with bigger openings over a much greater area of the
 (25) site. The drawings on C-2 of the approved project

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- (1) don't show - I mean, they do show that the majority
 (2) of the podium has been bermed with the exception of
 (3) where the entrances are and along Winchester.
 (4) Thank you for your forbearance.
 (5) CHAIRMAN DUBOIS: Thank you, Commissioner
 (6) Quintana. Is that it?
 (7) COMMISSIONER QUINTANA: Well, I have more
 (8) comments -
 (9) CHAIRMAN DUBOIS: Do you have another -
 (10) COMMISSIONER QUINTANA: - but I'll let
 (11) other people -
 (12) CHAIRMAN DUBOIS: Thank you, appreciate
 (13) that.
 (14) COMMISSIONER QUINTANA: I have
 (15) recommendations.
 (16) CHAIRMAN DUBOIS: Okay. Commissioner
 (17) Micciche, do you have anything to add? Okay.
 (18) Anybody else? Commissioner Talesfore.
 (19) COMMISSIONER TALESFORD: Okay. I'm going
 (20) to make this very short. Although I - I appreciate
 (21) some of the refinements that you tried to address,
 (22) it's clear that I don't think that our - the intent
 (23) that we - with which we made the directions given
 (24) to you in our October and November meetings, there
 (25) were a list of ten, were adequately addressed. And

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- (1) so because of that, those were directions that we
 (2) thought would make this a better project, and when I
 (3) consider that I think I'm working with a community
 (4) partner, I really was hoping that we wouldn't see
 (5) just refinements, but I would have something in
 (6) front of me that I could really get my hands on and
 (7) say yeah, this is great, we're going somewhere,
 (8) because I want to save this project, too. It's
 (9) important that we work together on it.
 (10) But I can't recommend this unless I see
 (11) more movement in the area of our direction. So
 (12) because of this and my pledge to uphold the General
 (13) Plan, I - I won't be - I will be supporting
 (14) Commissioner Burke's motion tonight, with the
 (15) following - can I add - I'd like to add those now.
 (16) That there would be no phasing. Projects
 (17) are approved for a certain time in which they are
 (18) usually - it is usually an appropriate time, and if
 (19) the time changes, then so should the project.
 (20) And that, of course, the BMP units would
 (21) be located throughout the project. I think we
 (22) talked about that before.
 (23) And bicycle racks included, and I think
 (24) that was mentioned maybe another time, but I wanted
 (25) to make sure it was in.

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- (1) And that the community benefit of the -
 (2) the bus between the project and Campbell and also
 (3) with Commissioner's Micciche's suggestion of on
 (4) to - is it the Safeway mall? Winchester Boulevard.
 (5) That also be included.
 (6) And I can't really comment on the tot lot,
 (7) because - oh, (inaudible) was there another place
 (8) that you wanted to it to go to besides Winchester?
 (9) COMMISSIONER MICCICHE: (Inaudible.)
 (10) COMMISSIONER TALESFORE: And Victoria
 (11) Station. I can't really -
 (12) A VOICE: (Inaudible.)
 (13) COMMISSIONER TALESFORE: Vasona, okay. I
 (14) know you did. Vasona Station, okay.
 (15) And I can't really comment on the tot lot,
 (16) although I was glad to see it moved. I think it is
 (17) looking better, but I'd like to have that reviewed
 (18) by somebody that's more of an expert in that area of
 (19) security of the project. But I like that movement,
 (20) thank you.
 (21) And then the buildings running parallel to
 (22) the creek. I still would like to see them
 (23) eliminated. I know that if we did, we would reduce
 (24) it - the project by 45 units, however, I think -
 (25) still think you would get about 30 units an acre.

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- (1) So please consider that.
 (2) Let's see. Then access to the creek and
 (3) more direct access to the transit hubs from the
 (4) apartments to be incorporated into the final design.
 (5) And the site plan shall be reviewed by an
 (6) expert in planning, but I think we talked about that
 (7) before, too.
 (8) Other than that, I'd like to have you look
 (9) at eliminating that tandem parking. I just think
 (10) that's asking for some fender benders. I don't know
 (11) how we do that, but we'll work on that maybe.
 (12) And then also there was the whole issue of
 (13) the apartments on the flood plain. Is that
 (14) something that we - did we talk about that?
 (15) COMMISSIONER QUINTANA: I was going to
 (16) discuss that a little bit.
 (17) COMMISSIONER TALESFORE: Oh, you were?
 (18) Oh, okay. I just wanted us to make sure we
 (19) understood that - that the apartments along that
 (20) creek, although they're approved to be taller, would
 (21) not be taller because of the - you know what I'm
 (22) saying? We would have to - however I'm saying
 (23) it - okay, I'm not an engineer. Refer to Kevin on
 (24) that.
 (25) And I think that's it for now. Thank you.

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- (1) CHAIRMAN DUBOIS: Okay. Thank you. I'm
 (2) going to add a couple comments. Can I add a couple
 (3) comments before you do?
 (4) COMMISSIONER QUINTANA: Yeah, but I think
 (5) Commissioner Talesfore added things that she wanted
 (6) added to the motion.
 (7) CHAIRMAN DUBOIS: Oh, as part of the
 (8) motion? Okay, then we need part of the second. We
 (9) need both the maker and the seconder to either
 (10) concur or not.
 (11) COMMISSIONER BURKE: Sure.
 (12) CHAIRMAN DUBOIS: Maker concurs.
 (13) Secunder?
 (14) COMMISSIONER QUINTANA: Secunder would
 (15) qualify that the applicant should work with VTA to
 (16) include the additional stops in the shuttle vans,
 (17) since VTA is going to be partner in this, or at
 (18) least that's my understanding.
 (19) And in addition, on the first item, which
 (20) was that - let's see, what was it? That the BMP
 (21) units would be located throughout the project,
 (22) clarifying also that they're not going to be, as the
 (23) applicant has indicated, will not be specifically -
 (24) specifically allocated to separate locations, but
 (25) would be on a rotating basis and - and would be in

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- (1) proportion to the total number of apartments.
 (2) CHAIRMAN DUBOIS: Okay. Do we have -
 (3) does the maker on this concur?
 (4) COMMISSIONER QUINTANA: Does the, yeah,
 (5) maker of it concur?
 (6) COMMISSIONER BURKE: Well, I'm a little
 (7) confused, because my - the fact that my motion was
 (8) a recommendation against -
 (9) COMMISSIONER QUINTANA: Yeah.
 (10) CHAIRMAN DUBOIS: (Inaudible.)
 (11) COMMISSIONER BURKE: - I don't know how
 (12) we can be adding -
 (13) COMMISSIONER QUINTANA: That's true.
 (14) COMMISSIONER BURKE: - these
 (15) conditions - yeah, to a denial.
 (16) COMMISSIONER QUINTANA: You're right.
 (17) You're right. These could be just comments -
 (18) CHAIRMAN DUBOIS: Comments for the
 (19) Council.
 (20) COMMISSIONER QUINTANA: - added for the
 (21) Council's consideration if they choose to proceed
 (22) with the project.
 (23) CHAIRMAN DUBOIS: Correct.
 (24) COMMISSIONER TALESFORE: Well, would
 (25) this -

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- (1) CHAIRMAN DUBOIS: Commissioner Quintana
 (2) still has the floor. Okay. Commissioner
 (3) Talesfore -
 (4) COMMISSIONER QUINTANA: I think -
 (5) CHAIRMAN DUBOIS: - do you have a
 (6) comment? Are you through?
 (7) COMMISSIONER QUINTANA: Yeah, I think -
 (8) CHAIRMAN DUBOIS: Okay.
 (9) COMMISSIONER QUINTANA: - for - for the
 (10) time being. I have more comments to make, but on
 (11) this.
 (12) COMMISSIONER TALESFORE: So -
 (13) CHAIRMAN DUBOIS: Commissioner Talesfore.
 (14) COMMISSIONER QUINTANA: I think - I -
 (15) just to explain, if I understand Commissioner Burke
 (16) correctly, he has - he's essentially - his motion,
 (17) which I seconded, is essentially to not recommend
 (18) the adoption of this plan and, however, you - there
 (19) are things in your motion that if they do, then you
 (20) would like to see, so I think these could be part of
 (21) that part of the motion.
 (22) COMMISSIONER BURKE: If they can be added
 (23) to the motion in such that these are the things that
 (24) we think would improve the project, I'm more than
 (25) happy to. I just don't want to cloud the motion.

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- (1) COMMISSIONER QUINTANA: Okay.
 (2) CHAIRMAN DUBOIS: I think the goal here is
 (3) to educate the Council as to what we're thinking -
 (4) COMMISSIONER TALESFORE: Right.
 (5) CHAIRMAN DUBOIS: - that's what we're
 (6) saying. So they're comments. Am I interpreting
 (7) this -
 (8) MR. LORTZ: Yes. In terms of the
 (9) formality of the motion, though, we have a motion.
 (10) We have a second. If you intend to have some
 (11) specific recommendations to the Council, please make
 (12) them as clear as possible and concise so the Council
 (13) understands that's a recommendation. If they're
 (14) just general comments, they're going to - the
 (15) Council's going to be getting a verbatim transcript
 (16) of the meeting, so they will hear everything. They
 (17) will also get a disk of the meeting.
 (18) COMMISSIONER QUINTANA: Okay.
 (19) CHAIRMAN DUBOIS: Commissioner Quintana.
 (20) COMMISSIONER QUINTANA: This is not an
 (21) addition to the motion at this point, but it's
 (22) further comments. The applicant has asked us to
 (23) make specific recommendations to the motion - to
 (24) consider for amending of the - of the project that
 (25) they're proposing. And I have two problems with

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- (1) that.
 (2) One is that we as a Commission try very
 (3) hard not to micro manage and design projects. And
 (4) it seems like that's what you're asking us to do.
 (5) But even more important than that, by essentially
 (6) having communicated to us that you're willing to
 (7) look at changes to the project, but primarily only
 (8) if they don't involve a change in density or a
 (9) change in intensity or any major site plan changes,
 (10) by focusing on specific details, you're - it's -
 (11) it's - let me use this word, and I can't pronounce
 (12) it very well, obfuscating, the - some of the major
 (13) issues with the project, which are that the, as I
 (14) think the Commission indicated last hearing, we have
 (15) no problem with the density per se, as long as
 (16) maintaining that density does not sacrifice a good
 (17) site plan, and the whole focus of my opinion needs
 (18) to be on the site plan.
 (19) And I could make specific recommendations,
 (20) but I have another statement that I - I - or
 (21) request that I would like to make. I think that -
 (22) this goes to Commissioner Talesfore's comment about
 (23) the flood plain. I also spent a lot of time looking
 (24) at the plans and trying to figure out where the
 (25) flood plain was, and I spoke with Fletcher from

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- (1) Public Works, and he indicated that the flood plain
 (2) elevation runs from about 260 to about 258 on the
 (3) project.
 (4) So that there apparently is some room to
 (5) lower the elevation of the townhouses, but I don't
 (6) think that can be done as an isolated thing. It
 (7) affects the entire site plan, as do many of the
 (8) other things that the Commission had requested. It
 (9) can't be looked at as individual. They all fit
 (10) together as a whole and have to be integrated as a
 (11) whole.
 (12) So I would - I'm going to ask that before
 (13) this goes to Council, that several things be
 (14) included with the packet to Council so they can
 (15) understand better the flood plain - a flood plain
 (16) map and how it relates to the existing project.
 (17) Some clarification drawings of the approved plan in
 (18) terms of the podium and the berming as approved in
 (19) the plan. I could only find that one instance of
 (20) two feet differential in the podium exposure.
 (21) And the third thing was some drawings that
 (22) are legible and that have dimensions on them, both
 (23) on the elevations and on the typical apartments so
 (24) that you can really see what we're getting, we can
 (25) see in reduced sets what the distance of the green

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(1) space is, all of that kind of thing, 'cause it's
 (2) very, very difficult on these drawings, and these
 (3) drawings on the elevations don't indicate the
 (4) existing elevation versus the proposed elevation,
 (5) and it's difficult to figure out how the heights
 (6) were determined. When the padding and elevation
 (7) changed, did the height of the building change, or
 (8) did it stay the same, but it seems bigger or smaller
 (9) because the - the finished grade is higher or
 (10) lower? It's hard to figure out from these drawings,
 (11) and I think those are all important things to be
 (12) clear.
 (13) And so I think I'm going to make that a
 (14) part of the motion, if I may.
 (15) COMMISSIONER BURKE: I think it's always
 (16) important to have clear drawings, sure.
 (17) COMMISSIONER QUINTANA: Thank you.
 (18) CHAIRMAN DUBOIS: Okay. So much has been
 (19) said. I will keep mine very, very brief.
 (20) In the memo of August 8th, regarding a
 (21) summary of the Council's consensus, it said Council
 (22) asked that the residential density be carefully
 (23) reviewed through our process. Also, the density of
 (24) the third story elements should be carefully
 (25) evaluated. Both of those have been continuing

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(1) themes that we have been hitting on for three
 (2) meetings. I think they still need work, and I would
 (3) ask the Council to - to give us some clarification
 (4) what they mean on density.
 (5) And I thought the model that you folks did
 (6) was wonderful. And the model for me, however,
 (7) showed that the density created an intensity in this
 (8) design that could create some problems for the
 (9) resident. And I - I - I'm really going to look
 (10) forward to whenever the security consultant reviews
 (11) this thing, because I could see some potential
 (12) problems with the way that density is there, and I'm
 (13) looking forward to seeing how you're going to
 (14) resolve those problems.
 (15) In the last meeting, I reiterate - we
 (16) talked about removal of the third story elements.
 (17) We talked about consider creating open space,
 (18) recreation area, re-define the community benefit,
 (19) and I think Commissioner Micciche did a good job
 (20) on - on asking that. And I think we do need to
 (21) re-define what is the community benefit of this
 (22) project, make it clear.
 (23) And I would suggest that - I like
 (24) Commissioner's Micciche's remark of extending the
 (25) shuttle to the Safeway downtown, but I would give

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(1) you - I would say look at a lot of latitude there,
 (2) because there's also one on Pollard that maybe
 (3) that's a better one. I don't know. You know,
 (4) what's the best for the resident there.
 (5) And opening up view corridors. I mean,
 (6) tonight was a - was a talk of trying to do that,
 (7) and that's - that's a start. And moving the tot
 (8) lots, there's a start there, folks. Basically I
 (9) think what this Commission is saying is we'd like to
 (10) keep working with you, and I'd ask the Council to
 (11) send it back to us so that we can work on it.
 (12) I think the problem, as Commissioner Burke
 (13) so eloquently put it, is that you guys are facing a
 (14) deadline, that makes you move - have to move
 (15) forward on a time schedule, and if the Council could
 (16) give you some relief on that, then we could all sit
 (17) down and breathe and get through this thing and make
 (18) it work for us.
 (19) So, okay, there is a motion on the floor.
 (20) There's a second on the floor. And I'm going to
 (21) call the question. I'm going to call the question.
 (22) Commissioner Quintana, is it really that -
 (23) COMMISSIONER QUINTANA: I - I think for
 (24) me this is an important thing to get on the record.
 (25) With respect to the applicant's offer of

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(1) transferring BMP units to the Riviera site, I - my
 (2) recommendation to the Council would be not to do
 (3) that, to leave the - the BMP units on the site
 (4) where they're required.
 (5) CHAIRMAN DUBOIS: Okay. That's a comment.
 (6) Okay. And I would also like to ask Staff to provide
 (7) Council - I know you're going to provide verbatim
 (8) minutes, would they be verbatim - verbatim minutes
 (9) for all of the hearings that we've had, the last
 (10) three hearings?
 (11) MR. LORTZ: Yes, that's our tradition
 (12) here.
 (13) CHAIRMAN DUBOIS: Thank you. Okay. Okay,
 (14) I'm going to call the question. All those in favor
 (15) of the motion, signify by saying aye.
 (16) (Ayes.)
 (17) CHAIRMAN DUBOIS: Opposed?
 (18) COMMISSIONER MICCICHE: Nay.
 (19) CHAIRMAN DUBOIS: Motion carries four to
 (20) one, Commissioner Micciche dissenting.
 (21) MR. LORTZ: Just for those people that are
 (22) following this item, there will be a new public
 (23) hearing that will be scheduled for the Town Council.
 (24) This item is tentatively scheduled for the
 (25) January 20th Town Council meeting, so if you're

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- (1) inclined to want to follow this, please check our
 (2) web site, but we're - we're scheduling it for
 (3) January 20th at this moment.
 (4) CHAIRMAN DUBOIS: We're going to take a
 (5) five minute recess at this point.
 (6) (Recess.)
 (7) CHAIRMAN DUBOIS: Commissioners. Okay.
 (8) We're now moving into the topic of new public
 (9) hearings. Item Number 3 on the agenda is 164 - 495
 (10) Topping Way, Architecture and Site Application
 (11) S-03-43, requesting approval to demolish single
 (12) family residence and construct a new single family
 (13) residence on property zoned R-1:8. Is the applicant
 (14) here? Please come forward and identify yourself.
 (15) And when you get a chance, if you'd fill - well,
 (16) actually the applicant we don't need a card on you,
 (17) so - is that mike on?
 (18) DAVID BRITT: Good evening. Better?
 (19) David Britt with Britt Rowe, 108 North Santa Cruz
 (20) Avenue, Los Gatos. And the project that we're
 (21) presenting tonight is of course a new residence, and
 (22) it's located in an area that's predominantly County
 (23) property, but this - this parcel has been annexed
 (24) into the property.
 (25) We worked really closely with the Town.

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- (1) Staff with the design, as - as well as the
 (2) Consulting Architect. It is a large home, and
 (3) that's why it's here tonight. It's not the largest
 (4) home in the neighborhood. We don't feel it's the
 (5) largest home in the neighborhood, because there are
 (6) some considerably larger homes in the County
 (7) jurisdiction of the area, but of course this is one
 (8) of the first Town parcels in that neighborhood. So
 (9) obviously, this project has been designed within the
 (10) Town guidelines and uses all of the design
 (11) guidelines adopted by the Town.
 (12) We have made modifications throughout the
 (13) process - design process. Probably the most
 (14) significant, the front porch element, which was
 (15) recommended to us by the Consulting Architect. And
 (16) I think if you look at his report, he felt that
 (17) the - the house was very well designed, and if we
 (18) included this front porch element, that the house
 (19) would be compatible with the adjacent one-story
 (20) residences.
 (21) So that's about all I can talk about on
 (22) the design aspect of the project. I'd be happy to
 (23) answer any questions regarding the design, and I
 (24) know my client, Mr. Khani, would like to speak as
 (25) well.

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- (1) CHAIRMAN DUBOIS: Okay. Yeah, that's
 (2) probably a good time if Mr. Khani would like to
 (3) speak at this point. Please identify yourself for
 (4) the record, if you would, Mr. Khani.
 (5) ALI KHANI: My name is Ali Khani, 16495
 (6) Topping Way. David covered pretty much good - good
 (7) summation about the design and what the process that
 (8) took place. I'd like to really mention about
 (9) neighborhood and - and our situation.
 (10) We - we have lived in the neighborhood
 (11) for six years, established a good relationship,
 (12) friendship with the neighbors. Throughout this
 (13) process, we were close working relationship with our
 (14) neighbors in terms of design and what we were doing,
 (15) and I want to take this opportunity and thank three
 (16) closest neighbors that are immediate neighbors here
 (17) in our support in the audience here.
 (18) And what - after design was completed,
 (19) between myself and my wife, we took the time to -
 (20) to go to 25 homes in the neighborhood - on the
 (21) Hilow and Topping, pretty much covered every single
 (22) home, sat down and showed them the design and got
 (23) their feedback, and they were - they were kind
 (24) enough to - to sign the petition in terms of the
 (25) support for the project.

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- (1) We - we also have looked at the
 (2) neighborhood in terms of the mass or size. Maybe
 (3) immediate - immediate houses next door, or they are
 (4) not big homes only because they were - they were
 (5) built many years ago, and also it's like a County
 (6) jurisdiction in the past, and now area - the
 (7) neighborhood in particular is in transition, and
 (8) we - and we seen a lot of homes are being belt.
 (9) In fact, right now on Hilow, about 300.
 (10) feet away from us, there are two homes are being -
 (11) well, one is being built, and one just got approval
 (12) by the Town. Only because they are right next to
 (13) the big home they got the approval pretty easily.
 (14) So we feel that - we feel that even
 (15) though the neighbor exact next door, they are not
 (16) big homes, but very close by. In fact, La Chiquita
 (17) has some homes over 4,500 square foot, which, if you
 (18) stand in our backyard, you will see the homes very
 (19) clearly as far as the mass and so forth.
 (20) So with those thoughts, I hope that we -
 (21) we - we be able to ask you folks to - to vote in
 (22) favor for this project and let us to move on. Thank
 (23) you.
 (24) CHAIRMAN DUBOIS: Thank you, Mr. Khani.
 (25) Members of Commission, do you have any questions for

J. PHILIP DiNAPOLI

RECEIVED

JAN 14, 2004

TOWN OF LOS GATOS
PLANNING DEPARTMENT

January 14, 2004

Bud Lortz
Planning Director
City of Los Gatos

Via email

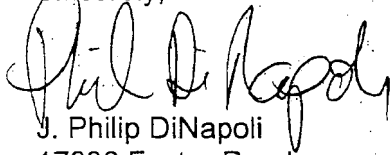
Dear Mr. Lortz:

I am writing to again ask for your support for the Sobrato project in Los Gatos, including the revised plan for Los Gatos Gateway.

This project will enhance the area with high-quality buildings, better transportation, more taxes for the city and schools, an increase in both temporary and permanent jobs, and much needed quality housing.

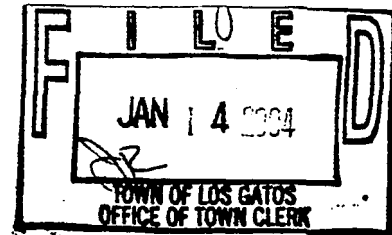
I urge your support.

Sincerely,



J. Philip DiNapoli
17986 Foster Road
Los Gatos, CA 95030

CHARLES J. TOENISKOETTER
25570 FIRHAVEN LANE
LOS GATOS, CALIFORNIA 95030



Mayor Steve Glickman
Town of Los Gatos
Town Hall
110 E. Main St.
Los Gatos, CA 95030

January 12, 2004

Dear Mayor Glickman and Los Gatos City Council,

The approved plan for Los Gatos Gateway constitutes a good project for the site, for the neighborhood and for Los Gatos. The amended plan is even better.

The office market has changed significantly in the more than three years since Sobrato Development settled on a mix between commercial and residential. The housing market, however, has remained fairly stable.

With a projected slow recovery, it could be 8 to 10 years before all the large corporate campuses that have already been built are fully leased. Nobody knows this portion of the office market better than the Sobrato Development Companies. We concur with their assessment that smaller office buildings will better suit the needs of Los Gatos while still providing the architectural presence required by the major boulevard that they front.

Fortunately, the Sobrato Companies are as expert in rental housing as they are in large corporate campuses. We can count on them to deliver a superior residential project that meets a proven demand and provides numerous benefits for the adjacent neighborhoods and the town as a whole.

We urge you to approve the proposed amendment to Los Gatos Gateway.

Sincerely,



Charles J. Toeniskoetter
25570 Firhaven Lane
Los Gatos, CA 95033

Edgar M. Thrift, Jr.
Gail Ross Thrift
140 Wilder Avenue
Los Gatos, CA 95030

RECEIVED

JAN 14, 2004

TOWN OF LOS GATOS
PLANNING DEPARTMENT

January 12, 2004

Mayor Steve Glickman
City of Los Gatos
Town Hall
110 E. Main Street
Los Gatos, CA 95030

Re: Sobrato Project Proposed For Winchester Boulevard

Dear Mayor Glickman,

We have been dismayed to read that the Sobrato project proposed for Winchester Boulevard seemed to become bogged down in extraneous issues at the Planning Commission level. We hope that you and the rest of the City Council will be able to focus on the merits of Los Gatos Gateway and approve the revised application.

The Town has approved a good mixed-use project for this site. The issue for you to decide is whether this plan will be improved by increasing the number of apartments and decreasing the amount of office space. The Sobratos make a good case that it will be improved.

The proposed change in mix increases housing opportunities for more people who work in Los Gatos but cannot afford to live here. It reduces by about 10% the amount of automobile traffic. It encourages more people to commute via the planned Vasona light rail station or initially by shuttle bus.

The office component remains sufficient to accommodate a significant corporate user, possibly one generating sales as well as property taxes. In fact, it may very well be that a corporate headquarters best suited for Los Gatos would prefer the smaller buildings that are now proposed.

The larger issues of whether Los Gatos should accept its responsibility to provide additional market and affordable housing and accommodate the regional transit network at Vasona Station have already been decided. We will. We are fortunate that we have such an excellent site to accomplish it.

Sincerely,

Edgar M. Thrift, Jr.

Gail Ross Thrift

From: <VEAGA@comcast.net>
To: <planning@town.los-gatos.ca.us>
Date: 1/14/04 10:26AM

RECEIVED

JAN 14, 2004

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Mayor Steve Glickman
Los Gatos Town Council
110 E. Main St.
Los Gatos, CA 95030

January 14

Dear Mayor Glickman and City Council,

Los Gatos Gateway is a good project that has gotten better as it has gone

through the town's approval process. Sobrato Development's assessment of a need for more housing and less office space should be accepted as authoritative. We urge the Town Council to approve the application for a revised plan.

Most people think of Los Gatos as beginning at the freeway rather than a little distance beyond. We actually are quite fortunate to have this commercial location on our outskirts where we can meet our transportation and housing responsibilities without affecting the low-density character of the rest of the town.

The town has already accepted that Winchester and 85 is the ideal location for higher density, a mix of commercial and residential, and for a transit station. We hope the City Council will take the steps required to finally get it built.

Yours,

Victor Aboukhater
293 Casitas Bulevar
Los Gatos, CA. 95032



January 9, 2004

Mr. Bud N. Lortz
Director of Community Development
Town of Los Gatos
P.O. Box 949
Los Gatos, CA 95031

RECEIVED
JAN 12 '04
TOWN OF LOS GATOS
PLANNING DEPARTMENT

Subject: Revised Design – Los Gatos Gateway

Dear Mr. Lortz,

Santa Clara Valley Transportation Authority (VTA) staff has reviewed the revised proposal for the Los Gatos Gateway project (formerly Vasona Research Park) from Sobrato Development Companies.

The revised proposal, which includes 295 housing units in a mixed-use project, better addresses the potential future extension of the Vasona Light Rail Project and the location of a future station adjacent to this development. We support this revised plan. It should be noted, however, that the future light rail extension is not a funded project.

In previous comments (letter attached) VTA stressed the need for pedestrian access to be provided along the entire frontage of Winchester Boulevard and strong pedestrian connections be provided between buildings and the future light rail station. It is also important to preserve access from Winchester Boulevard to a future bus transfer center and park and ride lot that will be located immediately south of the development.

We also wish to reiterate previous comments on the importance of bicycle facilities and Transportation Demand Management measures.

Thank you for the opportunity to review the revised proposal. If you have any questions, please call me at (408) 321-5744.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Lightbody".

James R. Lightbody, Deputy Director
Transit Planning & Programming

Attachment



SOBRATO

| DEVELOPMENT COMPANIES

January 14, 2004

The Honorable Steve Glickman, Mayor
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

RE: 14300-14350 Winchester Boulevard

Dear Mayor Glickman and Council Members:

We request that the Town Council approve the Addendum to the Environmental Impact Report (EIR) for Vasona Research Park/Los Gatos Gateway and the modification to the mix of uses in the approved Planned Development Zoning for our development at 14300-14350 Winchester Boulevard. Given that the architecture was unanimously approved and is not proposed to be changed, we also request that refinements to the approved architecture be addressed by DRC, as discussed at the August 6, 2003 Council Study Session. At the Council Study Session, the Council stated its preference for this modified plan over the approved plan given the substantial number of additional benefits to the Town.

This modified plan presents the Town with the opportunity to achieve more community goals with fewer impacts by approving a well orchestrated land plan that creates a true sense of place and unparalleled living environment, with the highest quality architectural design, landscape, materials, finishes and details of any project in our portfolio. This will be the nicest apartment home community with the most wonderful living environment we are aware of.

Approved vs. Modified Project.

As you know, we are proposing to modify the approved mix of uses on the 12.3 acre site from 288,000 square feet of Office/R&D and 135 apartments to 120,000 square feet of Office/R&D and 290 apartments. The approved plan includes 34 Below Market Priced (BMP) homes and the modified project includes 48 BMP homes, an increase of 14 BMP apartment homes.

The approved project includes three story office buildings and three story residential buildings over a garage. The modified plan maintains the same approach, but delivers less overall height, less total square footage, less bulk, less mass, and represents a substantial decrease in the intensity of the site. Specifically, the modified project represents a 20% reduction in overall building volume (mass and scale), an 18% reduction in site population, a 10% reduction in average daily traffic trips, and substantially less linear mass than the approved project.

Architecture.

Sobrato, the Town's professional staff, Town's consulting architect and the Planning Commission spent considerable time and resources on the architectural style and design of the approved project.

The Planning Commission unanimously approved the architecture for the project. We are not proposing changes to the approved architectural style or level of quality of the project. For these reasons, we are requesting that refinements to the architecture be addressed by the DRC. We have taken great care to maintain the project's Winchester façade and have succeeded in keeping it the same. The materials for the project still consist of sloped barrel tile roofs, stucco walls and ground floor pedestrian arcades. The project will also improve the interface between the Creek Trail and this site by blending the new natural landscaping into the existing perimeter vegetation further emphasizing the natural character of the project. Trellises, vines and extensive landscaping will compliment the first class architecture. We have also succeeded in keeping the vast majority of the parking in underground garages. The residential portion of the site has been designed with a village environment as the theme resulting in a variety of open spaces both active and passive as well as unique views and perspectives from all locations within the project. We have also included various one, two and three story elements throughout the site (See attached diagram).

The approved project has a maximum height of 49.5 feet for the office and 41 feet for the residential. The modified project represents a substantial reduction in height across project site ranging from 5-15 feet. The predominant height of the residential portion is only 35.5 feet in the modified plan. Through the modified project, we have lowered building height along the creek trail by as much as 8 feet.

General Plan Conformance.

The modification to the mix of uses of the approved project conforms to the Town's General Plan Goals, Policies, and Objectives as no substantial use changes are proposed. General Plan Conformance for the approved project was previously outlined in a letter by Andrew L. Faber of Berliner Cohen to the Town of Los Gatos on September 7, 2000 and confirmed by the General Plan Committee, Planning Commission, and Town Council through their respective affirmative comments and votes on the issue of conformance. The approved project's EIR also details the project's conformance with the Town's General Plan. The Addendum to the EIR analyzed the modified project and reached the same conclusions. The modified project further addresses numerous Housing Element Goals, Policies and Implementation Measures.

No Significant Environmental Effect.

The approved project and the modification to the mix of uses have no significant environmental effect. A comprehensive and thorough Environmental Impact Report (EIR) was completed by Geier & Geier Consulting (the Town's independent third party environmental expert) for the Town and approved by the Town Council as part of the approved project. An addendum to the EIR was prepared by Geier & Geier Consulting as well for the modified project. Both the EIR and Addendum conclude that there are no significant environmental effects as a result of either plan.

Community Benefits.

In conjunction with the modification, we plan to provide the same or functionally equivalent community benefits including:

Increased Affordable Housing. A total of 48 (20%) affordable units are proposed, representing an increase of 15 units from 34 in the approved project. This is a 44%

increase in the number of affordable units generated for the Town. While 20% is required by the Town, the 15 additional units could not be realized in the approved project and can only be achieved through the modification.

As described below the number of affordable homes can be increased. For example the total can be increased to 53 (22% of the total market rate homes) if 25 units were located at Riviera Terrace.

Los Gatos Creek Trail Improvements. We plan to provide \$20,000 for Los Gatos Creek Trail improvements adjacent to the project. This also includes an emergency call box if feasible.

Police Communications Infrastructure. We have also agreed to provide rooftop space (at a location to be mutually determined) for Los Gatos Monte Sereno Police advanced technology communications infrastructure within the development at no cost to the Town.

Transit for Livable Communities Funds. With the approval of the project the Town is eligible for up to \$1 million in Transit for Livable Communities (TLC) funds for a variety of improvements in and around the project.

Express Shuttle. We propose a shuttle or equivalent along with the VTA to provide service to and from the site to the Winchester Boulevard terminus of the Vasona Light Rail line in Campbell.

Gateway Art Feature. We plan to continue to provide \$100,000 for a gateway art feature(s) to enhance the visual and cultural character of this northern entrance to Town.

Traffic and Other Public Improvements. Sobrato will implement a variety of traffic and other public improvements through substantial additional fees associated with modified project that could not have been realized through the approved project. In addition to nearly \$2 million in traffic fees paid to the Town, Sobrato will either contribute \$50,000 toward offsite traffic improvements in the area or pay into the new sidewalk fund.

Community Support.

There is significant, diverse and broad based community support for both the approved and modified plans. The project is supported by project neighbors, Los Gatos residents, Los Gatos business owners, local community organizations, faith based organizations, environmentalists, labor, and other stakeholders. Over the past three years, support has come from more than 100 letters (See attached letters) and/or people testifying in favor of the plans including the League of

Women Voters, the Los Gatos Chamber of Commerce, Greenbelt Alliance, Silicon Valley Manufacturing Group, Vasona Station and many others.

Key Issues

Open space. The total landscape and open space area (public and private) is approximately 264,000 square feet or more than 6 acres. This includes open space, landscaped areas, private patios, and walkways. Town Code requires 200 square feet of open space per unit or 58,000 square feet for the project. The project includes 98,399 square feet of open space, nearly double what is required by Town Code. These spaces have also been thoughtfully linked to the Los Gatos Creek Trail, the Future Light Rail Station and to convenient pedestrian access to the nearby retail (See Attached Site Circulation Diagram).

View Corridor. In response to the Planning Commission, we have created a view corridor through the site to the creek trail. This was accomplished by increasing the open space area between townhomes across from the pool area. The tot lot was also relocated to this location to address suggestions from the Planning Commission. The site plan incorporating the view corridor to the creek trail option was provided to the Planning Commission on December 18, 2003 and is attached (See Attached Landscape Plan).

Affordable Housing. The approved project provides 34 affordable units. The modified project increases the number of affordable units to 48, an increase of 14 additional affordable homes. This new housing triples the amount of permanently affordable housing stock in the Town's BMP rental pool.

In addition, the Community Benefit ordinance was established to offset impacts associated with increases in traffic. As the approved project had no significant impacts and the modified project creates fewer impacts than the approved project, yet increases the affordable housing component by 41% (with the potential to increase), we do not propose to increase the number of affordable units further on the site.

In order to further increase the number of affordable homes we are offering to move some of the affordable homes from the project to the Riviera Terrace Apartments near Downtown Los Gatos. For each affordable home moved to Riviera Terrace, we will dedicate an additional .20 homes at Riviera Terrace as permanently affordable. For example, if the Town elected to "move" 25 affordable homes to Riviera Terrace, 5 additional affordable units would be included for a total of 30 at Riviera Terrace, 23 on the project site and 53 total affordable homes (a 56% increase over the approved project). As Riviera Terrace is already constructed, some units could be put into service as affordable and be occupied as soon as the new entitlement for the modified plan is vested and others would be available as market rate units were vacated and converted to affordable rentals in compliance with Town codes.

This achieves two additional goals and policies for the Town. The new affordable homes would be spread over a greater geography allowing those residents of the Town seeking affordable housing greater flexibility and choices. Some will prefer to be within walking distance of the Downtown.

To make this feasible if the Council feels that this is desirable we require that at least 20 homes be "moved".

Phasing. The Planning Commission previously recommended that phasing be included in the plans. Some Planning Commissioners are now recommending that no phasing occur. We indicated previously that developing the project in phases with the office portion first and residential portion second was not feasible as a result of site constraints and construction staging. We need to be able to construct the project's residential portion first with one or both office buildings to follow. This may occur in one, two or three phases all depending upon the market and our objectives. A phasing plan is attached in the submittal package. No phase is dependent upon another - each will stand on its own.

Soccer. The Town's General Plan calls for transit oriented development on this site and there is an approved and modified project consistent with long established plans for this location. While we are empathetic to the need for soccer fields in Los Gatos, this use is not appropriate for this site or compatible with the planned uses. Nevertheless, we have worked with the Town staff and soccer representatives and have identified at least seven sites in Town currently under public ownership that, in many cases, already have the appropriate infrastructure (turf, irrigation, parking, etc.) for soccer. If the Town wishes it could elect to re-prioritize some of the project related community benefit funds for this use. In addition, we have indicated that we are willing to provide our expertise and resources to assist the soccer community and Town in achieving their recreational goals.

Density. With the approved project, the Town established the appropriate level of density and intensity for this unique site. The design criteria for the approved project was established at the minimum threshold recommended for Transit Oriented Development. The modified project is currently below this minimum but because of the new mix of uses achieves more Town goals (more housing, affordable housing and rental housing) with fewer/reduced impacts and less intensity than the approved project, while meeting the Town's General Plan, Town Council direction, TOD goals and our business objectives. Further reduction in the number of units or office square footage would undermine the fundamental tenants of the project. While we expect to continue to make refinements to the plan with the DRC, we do not support changes in the number of rental homes or square footage of the office component.

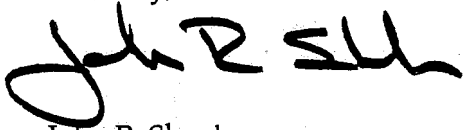
Conclusion.

Over the past three years, we have worked cooperatively and collaboratively with the Town Staff, Town Council, Planning Commission and community. We are a partner in this community and a good corporate citizen. We have been forthright. We have operated in good faith and put our best foot forward at every step in the process. We have told the Town staff, Planning Commission and Town Council exactly what we need to make the project successful. We could have easily started with more square footage and more units so that someone could feel good about tearing it down, but instead chose to play it straight and present our best project from the beginning. We have also responded to all suggestions and recommendations within the context of the Town's own long standing plan for this site, TOD goals and our business objectives.

The modified plan presents the Town with the opportunity to achieve more community goals with fewer impacts. The modified project also represents a well orchestrated land plan that creates a true sense of place and unparalleled living environment, with the highest quality architecture design, landscape, materials, finishes and details of any project in our portfolio. We have included a series of vignettes to illustrate the environment we have developed (See attached vignettes).

On behalf of Sobrato Development Companies, I appreciate your time and consideration regarding the modification to the approved Planned Development Zoning. We look forward to presenting this quality, unique and innovative plan to you on January 20, 2004. Again, we request that the Town Council approve of the Addendum to the EIR for the project, approve the modification to the PD Zoning and confirm that refinements to the approved architecture be addressed by the DRC. In the interim, if you have any questions, please feel free to contact me directly at 408-446-0700.

Sincerely,

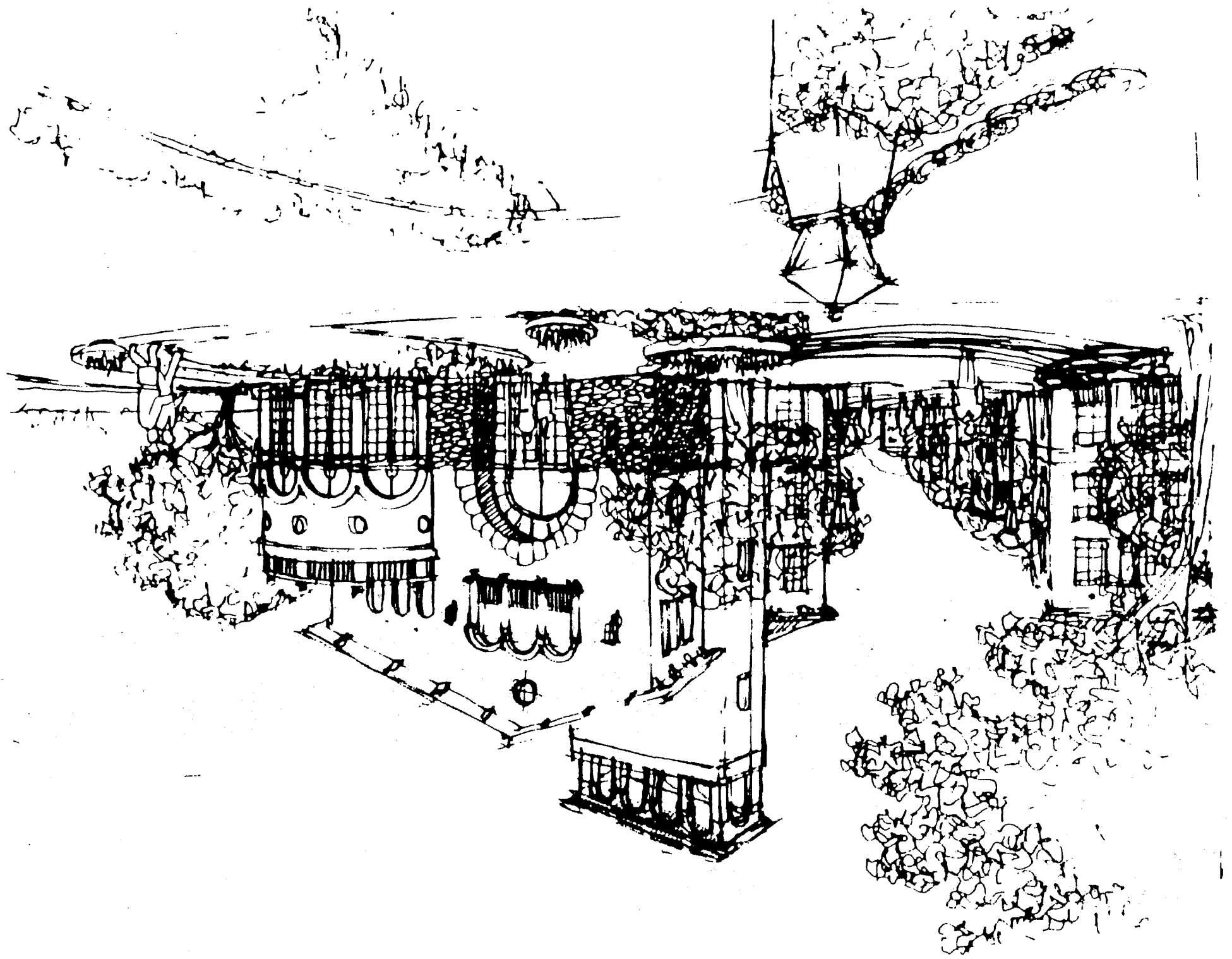
A handwritten signature in black ink, appearing to read "John R. Shenk". The signature is fluid and cursive, with the first name "John" being the most prominent part.

John R. Shenk
Senior Vice President
Sobrato Development Companies

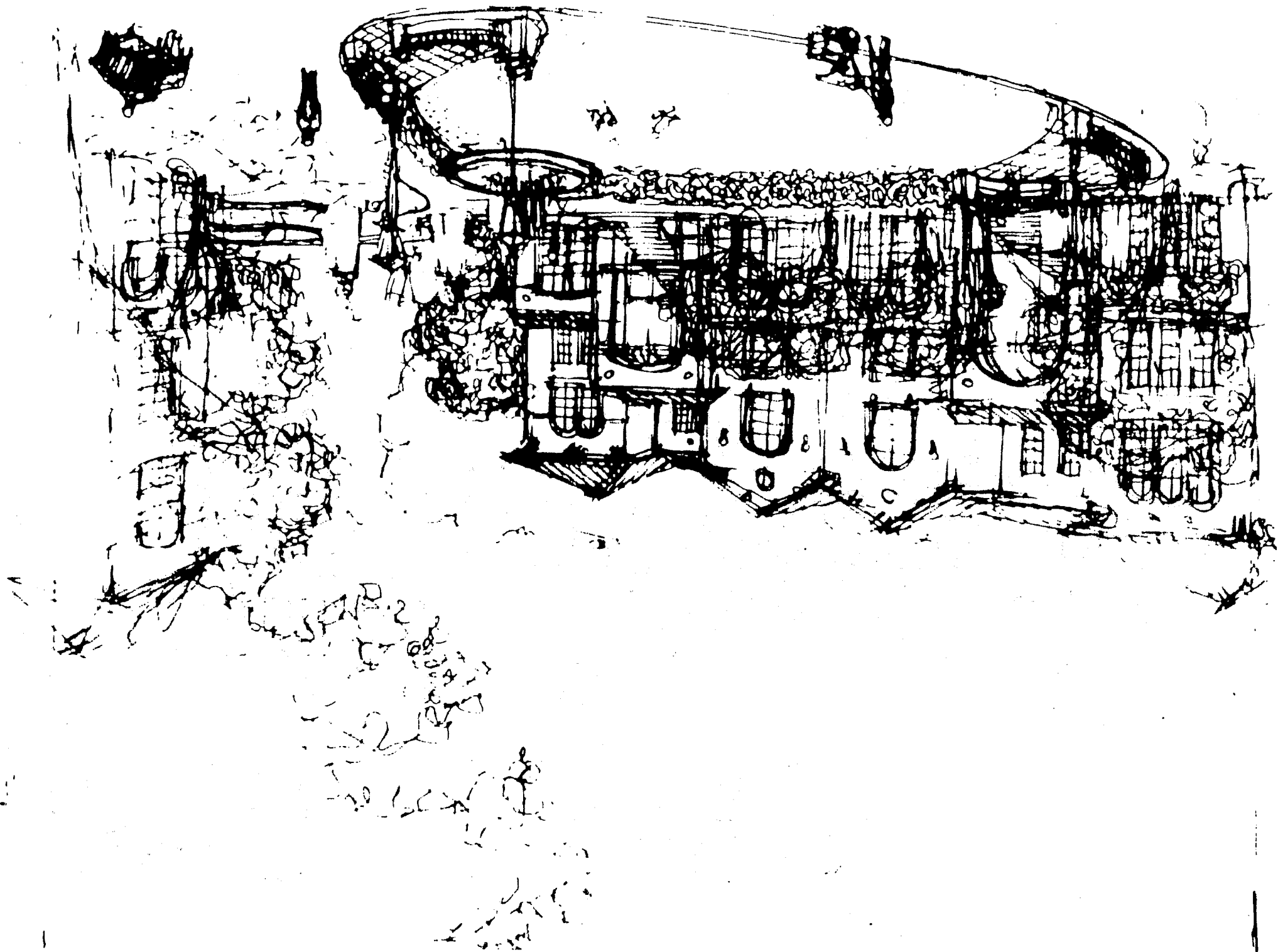
Attachments:

- Four Vignettes
- Colored Site Plan
- Circulation Diagram
- Single Story, Two Story Elements Site Plan
- Reduced Height, Mass Scale Section
- Parking Demand Graph









WINCHESTER BOULEVARD
NEW STREET TREES

EXISTING TREES TO REMAIN P.P.

NOTE: COORDINATE LANDSCAPE
QUALITY AND AMOUNT TO BE DETERMINED
WITH LANDSCAPE PLANNING FIRM

STREET A

PLANT BANTAM
UNIQUE PLANTING
TO THE CREEK, THEN
TO THE CREEK, THEN

SCULPTURE

BRIEF STAIR AND RAMP

PLANTED COURTYARDS

RECREATION BUILDING

ALT. LINK TO GOLF BALL

STREET PLANNING
W/ 3.3 INVA

US. HATCH LINE

3.3 INVA PLANTING

TOTAL SITE

STREET A
ADJACENT
PARKING LOT

STREET A
AND ELEVATOR

STREET A

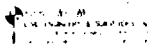


SOBRATO
DEVELOPMENT COMPANIES



THE GUZZARDO PARTNERSHIP PC
Landscape Architects - Land Planners

156 Montgomery Street
San Francisco, CA 94133
T 415 437 4672
F 415 437 5003



LOS GATOS GATEWAY

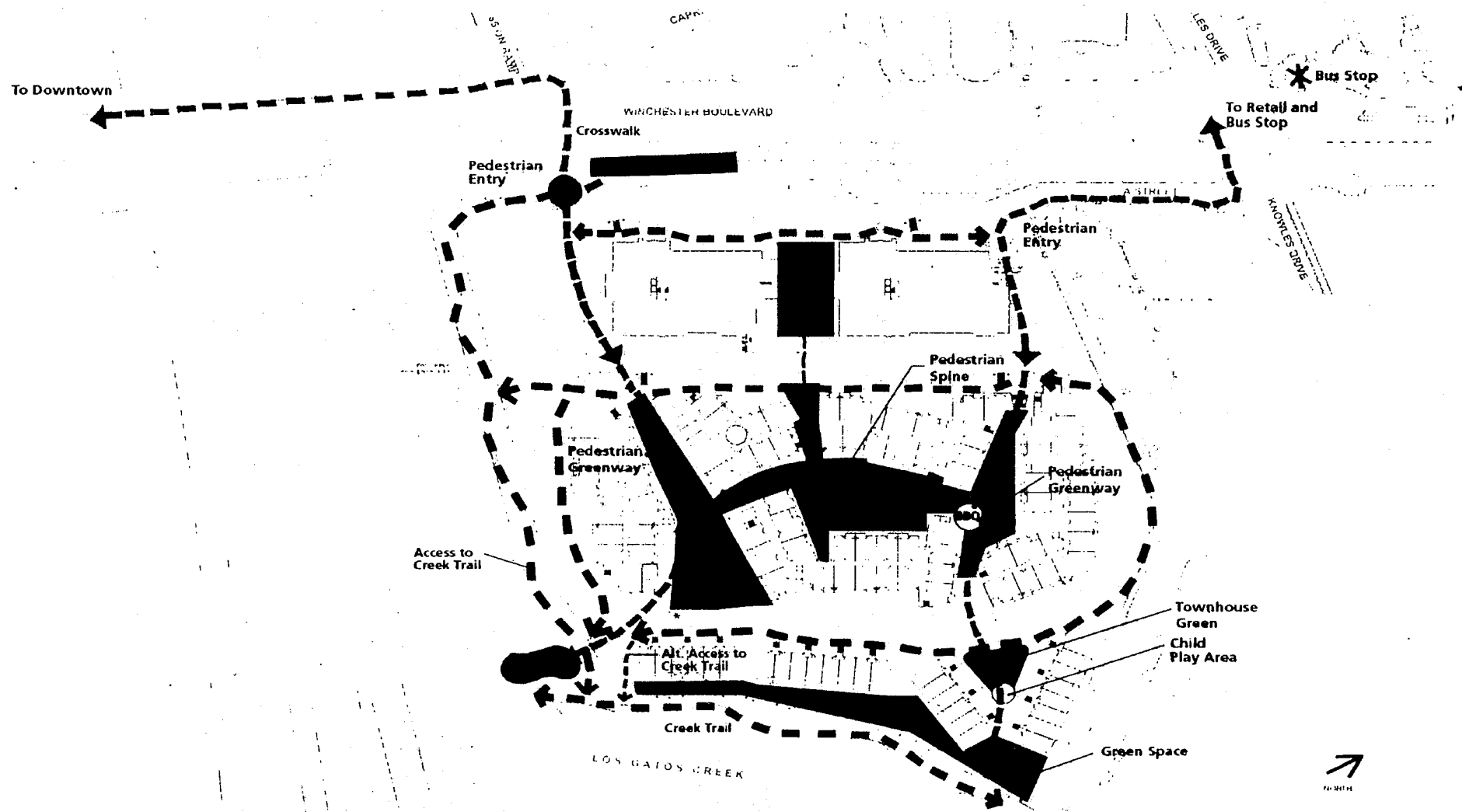
LOS GATOS CALIFORNIA
SOBRATO DEVELOPMENT COMPANIES
SCHEMATIC LANDSCAPE PLAN

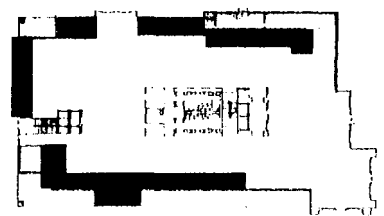
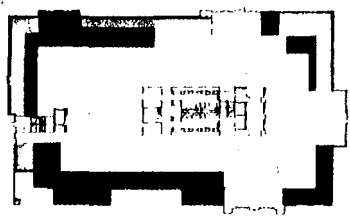
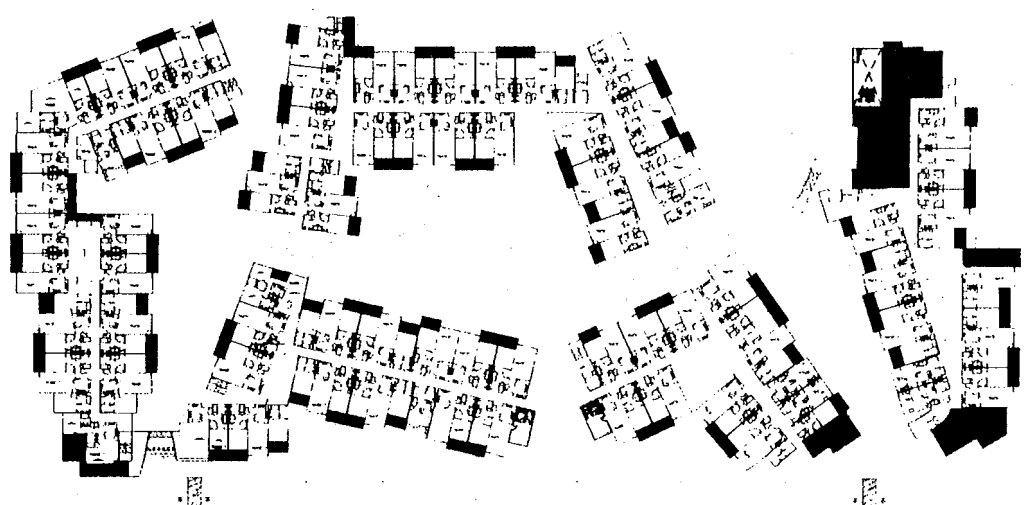
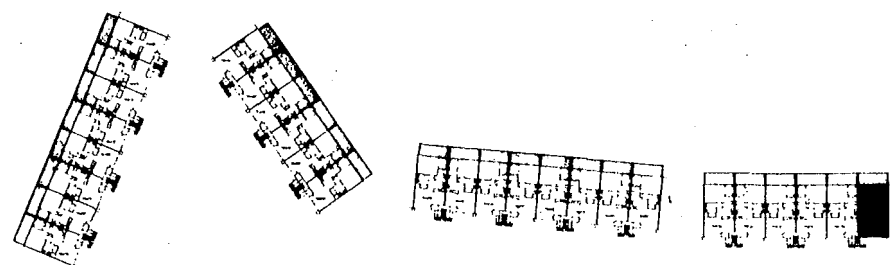
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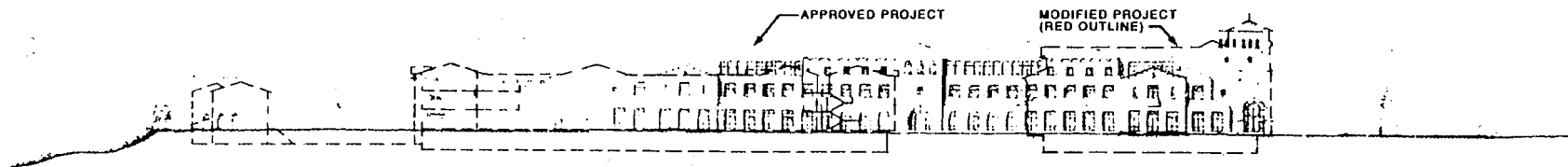
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PLANNING RE SUBMITTAL	11 12 00
PLANNING RE SUBMITTAL	10 18 00
PLANNING RE SUBMITTAL	08 20 00
PLANNING RE SUBMITTAL	08 12 00
ARCH & SITE RE SUBMITTAL	07 18 00
ARCH & SITE RE SUBMITTAL	06 30 00

IGP, INC 03585









SITE SECTION
DATE: 10.10.18

1



Version 4

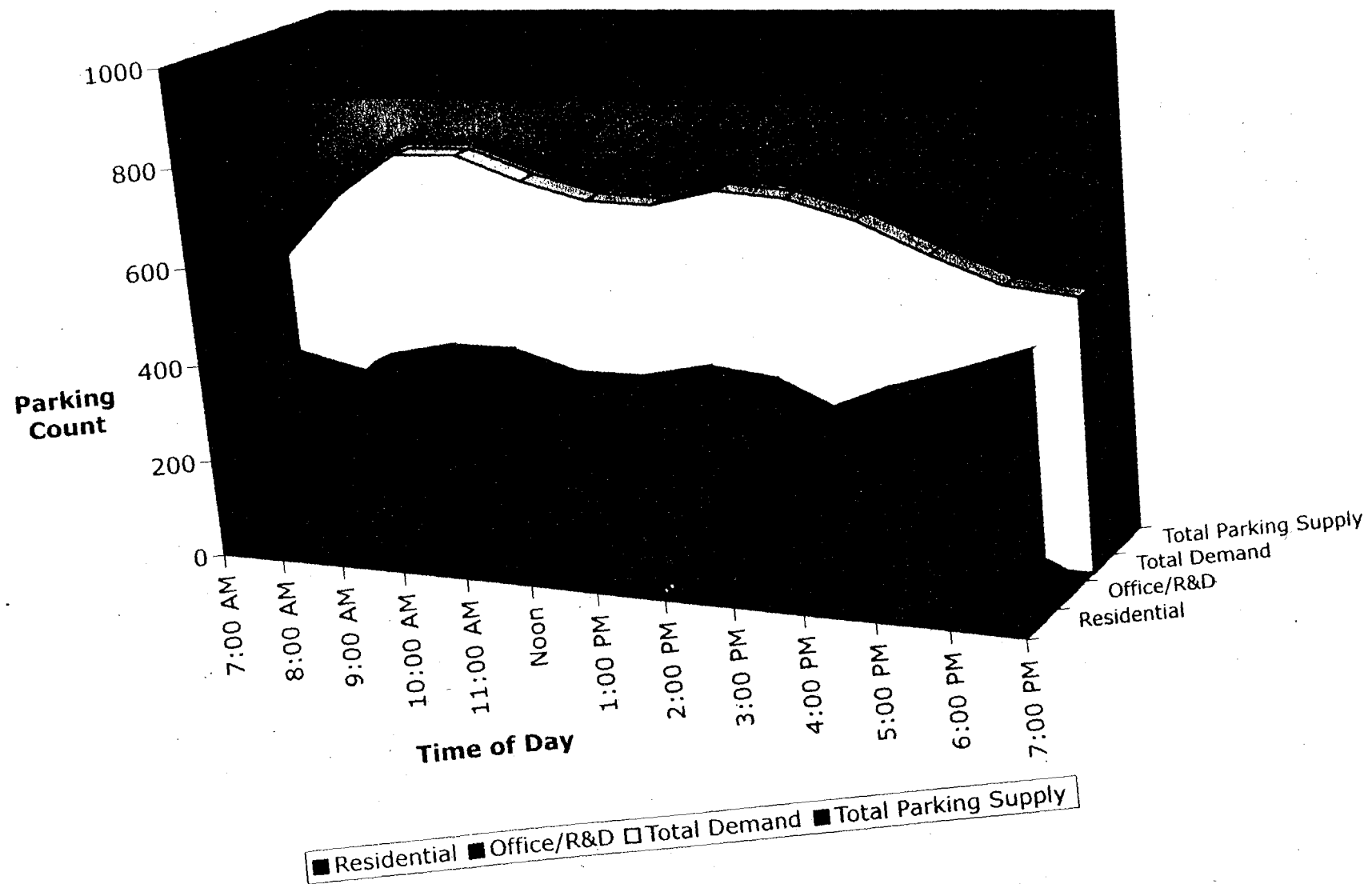


LOS GATOS GATEWAY

LOS GATOS, CALIFORNIA
SOBRATO DEVELOPMENT COMPANIES
SITE SECTION (Winchester to Creek Trails)

A14

Los Gatos Gateway Parking Analysis



J. PHILIP DiNAPOLI

November 10, 2003

Paul Dubois, Chair
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

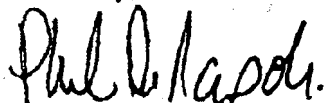
Dear Mr. Dubois and Planning Commission:

While Sobrato Development Companies and the City of Los Gatos agreed upon the mix of housing and office uses for the Los Gatos Gateway project at 85 and Winchester, it seems that the market wants to have the final say. That market message is less commercial and more housing. Without the changes in the revised plan before you, we would suspect that the project cannot be built any time soon.

This delay would be unfortunate, for Los Gatos Gateway offers many advantages. The high-quality buildings and landscaping for which Sobrato is well known will improve Winchester Boulevard and thereby the surrounding properties as well. The transportation benefits also remain. The city and the schools will receive more taxes. Both the construction and permanent jobs will be particularly valuable during the current period of high unemployment. Even more people will be able to find a good home in a development with fine bicycle access along Los Gatos Creek.

I urge you to approve the revised plan for Los Gatos Gateway.

Sincerely,



J. Philip DiNapoli
17986 Foster Road
Los Gatos, CA 95030

Bcc: John Sobrato
John R. Shenk, Sobrato Companies
Mike Myers, CarterIsrael ✓

From: "Mike Logan" <district63@sbcglobal.net>
To: <planning@town.los-gatos.ca.us>
Date: 12/10/03 9:03AM
Subject: Sobrato Development

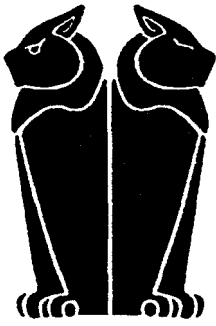
Unfortunately I cannot make the Planning Meeting this evening, but wanted to offer an alternate point of view regarding the petition from many local residents about earmarking some space from the Sobrato project for a score field.

I too am a resident of Los Gatos, and likewise I have two school age children that have had to suffer the plight of facilities challenges (availability and condition) when playing their sports. However, this issue is much larger and comprehensive than the Los Gatos soccer program. All youth sports, soccer, basketball, baseball, football, field hockey and the programs offered through the Recreation Department face similar challenges. This issue has been exacerbated the past two years as Union and Los Gatos School District facilities have undergone extensive remodeling and therefore limited normal access to those facilities. Likewise, the emergence of year-round sports opportunities has increased the demands of some leagues beyond their traditional calendar season.

This is a larger and more complex issue than is being represented, and the media reports are peppered with inaccuracies. We do have a youth sports crisis in our community - no doubt, but forcing a local developer to earmark property is clearly NOT the solution. Creating a coalition of the various leagues to work in concert with the School Districts and the Rec Department is much better first step. Enlisting private enterprise to donate or participate to that cause is a far better precedent to set than having our local government require that action as a condition of development.

I firmly oppose this petition or potential course of action. It is morally corrupt from my viewpoint to have our community take something that belongs to another just because we want it, and then hide behind our children as justification. I do not believe the town of Los Gatos should endorse or be a part of that type of behavior.

Mike Logan
246 Belvue Drive
Los Gatos
408/358-2651 H
408/445-8344 W



TOWN OF LOS GATOS CHAMBER OF COMMERCE

SPEAKING FOR BUSINESS,
LISTENING TO THE COMMUNITY

October 21, 2003

Bud Lortz, Director of Community Development
Town of Los Gatos Chamber of Commerce
110 East Main Street
Los Gatos, CA 95030

2003

Dear Mr. Lortz:

We want to express support for the Sobrato Los Gatos Gateway development on behalf of the Los Gatos Chamber of Commerce Board of Directors. The land use mix of office/R&D and housing conforms to the Los Gatos General Plan and is very appropriate in this strategic, transit-oriented location.

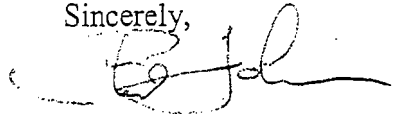
The revised proposal pending Town approval is a positive response to specific community concerns raised last year. The office space is scaled down and more housing units have been added, including an increased number of affordable units. Architectural and site design quality have not been compromised in the revised proposal.


We feel that Los Gatos is fortunate that a local company with a strong track record of success is proposing to develop this strategic parcel of land. The Sobrato Company is not only successful, but has a reputation for quality development, for holding properties long term, for high standards of property management and for attracting the kind of technology tenants that are the mainstay of Silicon Valley.

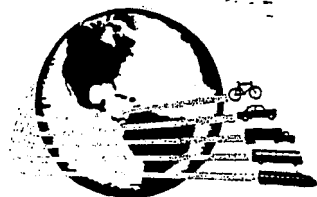
On the matter of including retail in the project, the Vasona Station shopping center should be the focus of retail businesses serving that area of Town. Residents of the Sobrato project will provide additional market support for the Vasona Station retail area.

The Chamber of Commerce's support for this revised project is consistent with the support of the original project, which was approved by the Town Council in 2002. We urge the Planning Commission and the Town Council to approve this revised proposal.

Sincerely,


Phil Johnson, President


Jim Derryberry, Vice President for Legislative Affairs



MTI

MINETA TRANSPORTATION INSTITUTE

Created by Congress in 1991

SJSU Research Center
210 N. Fourth St., 4th Fl.
San Jose, CA 95112
Tel 408/924-7560
Fax 408/924-7565
e-mail: mti@mti.sjsu.edu
<http://transweb.sjsu.edu>

Founder

Hon. Norman Y. Mineta

Board of Trustees

Honorary Co-Chairs

Congressmember Don Young
Congressmember James Oberstar

Chair

Michael Townes

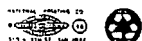
Vice Chair

Hon. John Horsley

Executive Director

Hon. Rod Diridon

Rebecca Brewster
Donald Camph
Anne P. Canby
Dean David Conrath
Hank Dittmar
Bill Dorey
David Gunn
Steve Heminger
Celia Kupersmith
Dr. Thomas Larson
Bob Lingwood
Brian Macleod
William Millar
William Nevel
Hans Rat
Lawrence Reuter
Vickie Shaffer
Paul Toliver
David Turney
Edward Wytkind



October 17, 2003

RECEIVED

OCT 22 2003

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Chairman Paul Dubois
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

Dear Chairman Dubois and Planning Commissioners,

We were extremely pleased when Los Gatos followed through on the town's long support for the Vasona transit corridor by approving the Los Gatos Gateway project adjacent to the light-rail station site.

There is clear consensus among both local governments and voters that the regional transit system should be expanded and that growth should be directed into greater densities around transit stations. This policy is being pursued as a means to avoid urban sprawl while accommodating growth and ultimately reducing traffic congestion.

We supported Los Gatos Gateway as it was proposed and approved, and we support the revised even more strongly. Increasing the number of residences while decreasing the size of the office buildings increases the housing stock and represents good planning in many respects.

We applaud the plan for the express shuttle from the site to the Campbell light-rail station. We favor development that allows more people who work in Los Gatos and in our Valley to also live there.

Your support for the Los Gatos Gateway project will be good for Los Gatos and the Valley now and in the future.

Sincerely,

Rod Diridon

Bob Lewis Volkswagen



RECEIVED

OCT 27 2003

**TOWN OF LOS GATOS
PLANNING DEPARTMENT**

Chairman Paul Dubois
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

911 Capital Expressway Auto Mall
San Jose, CA 95136
Tel 408/265.4400
Fax 408/445.9146
info@boblewis.com
boblewis.com

Oct. 19, 2003

Dear Chairman Dubois and Planning Commissioners,

Many of the people who work in Los Gatos and on whom we rely for our daily services must commute long distances to get here. Even people with college degrees and solid, middle-class incomes find it extremely difficult to both work and live in our town.

The amendment proposed by Sobrato Development for the previously approved Los Gatos Gateway project will help these people by increasing rental housing opportunities near their work.

While demand for housing continues, the market for offices has fallen so sharply that it will take years to work off the surplus. Under these conditions, the scaled down office buildings that Sobrato now proposes are preferable to those earlier approved.

The two uses for this project were always dependent on each other from both a planning and an architectural perspective. But unless the town approves the proper mix, Los Gatos Gateway could be put on hold at a time when we need the housing, the jobs and the taxes.

We urge your approval of the proposed amendment to Los Gatos Gateway.

Sincerely,

Bob Lewis

Bob Lewis
16051 Greenwood Rd.
Monte Sereno, CA 95030

CHARLES J. TOENISKOETTER

25570 FIRHAVEN LANE

LOS GATOS, CALIFORNIA 95030

Chairman Paul Dubois
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

October 17, 2003

Dear Chairman Dubois and Los Gatos Planning Commission,

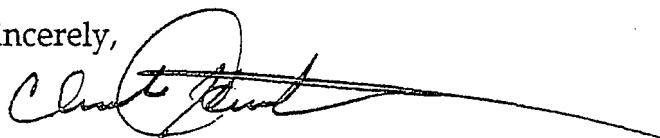
The PD zoning that was approved for Los Gatos Gateway last year represented the best efforts of three years of study, hearings, negotiations and planning. It was a good project for the site, the neighborhood and for Los Gatos.

Now the office market has changed. With a slow economy and a projected slow recovery, it could be 8 or 10 years before all the large corporate campuses that have already been built are fully leased. Nobody knows this portion of the office market better than the Sobrato Development Companies. We concur with their assessment that smaller office buildings will better suit the needs of Los Gatos while still providing the architectural presence required by the major boulevard that they front.

Fortunately, the Sobrato Companies are as expert in rental housing as they are in large corporate campuses. We can count on them to deliver a superior residential project that meets a proven demand and provides numerous benefits for the adjacent neighborhoods and the town as a whole.

We urge you to approve the proposed amendment to Los Gatos Gateway.

Sincerely,



Charles J. Toeniskoetter
25570 Firhaven Lane
Los Gatos, CA 95033

Colleen B. Wilcox, Ph.D.
59 College Avenue
Los Gatos, California 95030

RECEIVED

OCT 24 2003

TOWN OF LOS GATOS
PLANNING DEPARTMENT

October 22, 2003

Mr. Paul Dubois, Chairman
Los Gatos Planning Commission
110 E. Main Street
Los Gatos, CA 95030

Dear Chairman Dubois:

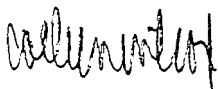
As a resident of Los Gatos, I have supported Sobrato Development's Los Gatos Gateway project for a number of reasons, including its benefits for public transportation, providing jobs and taxes and improving Winchester Boulevard. But as an educator, my strongest support has been for the opportunities it provides for teachers to rent homes nearer the schools where they teach.

Since the revised plan provides significantly more housing than the original one did, the new plan may be even more desirable.

Locating a significant source of market rental housing at this easily accessible site can help to hold down housing costs for middle class families like those of teachers in Los Gatos. The affordable housing component will allow people who may now commute long distances to work in Los Gatos and to live closer to their jobs.

I urge you to approve the revised application for Los Gatos Gateway. Thank you for giving me the opportunity to share my thoughts with you.

Sincerely,



Colleen B. Wilcox

ROBERT STEACY & ASSOC

2336 SAMARITAN DRIVE
SAN JOSE, CA 95124

PH (408) 356-6821
FAX (408) 351-0134
EMAIL rsteacy@earthlink.net

October 21, 2003

Attn: Paul Dubois
Chairman of Planning Commission
c/o Town Manager, Fax 399-5786
RE: Sobrato Development

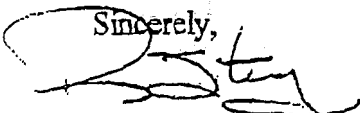
OCT 21 2003

Dear Sir,

It was recently brought to my attention that there will be an extensive development taking place off of Winchester and 85. Progress is terrific and I applaud the ingenuity and efforts of the individuals behind these projects. That being said, I would hope that the developers involved would also recognize certain aspects and needs of the community at the same time, and consider donating a very small parcel of land that may be used for community sports. There is a finite number of undeveloped acres left in the Los Gatos community, and field availability for youth sports has become dire. As a long time member of the Los Gatos and San Jose soccer community, I would very much appreciate if one small acre of level land could be donated within this Sobrato development to community sports and related activities.

Strong ties between corporate development and the community should always remain at high levels and this donation would go a very long way to reinforce that thinking. Thank you for your indulgence in this matter and I hope that something can be done on these lines.

Sincerely,



Robert Steacy

CHARTER OAKS TOWNHOUSE ASSOCIATION

200 Willow Hill Court
Los Gatos, CA 95032
408-871-1882 tel
831-401-2715 fax
jb@bonno.com

October 22, 2003

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

Karen@foton.org

Reference: Sobrato Project

Dear Members of the Commission:

This letter comes to you on behalf of the Charter Oaks Townhouse Association: A 10-acre PUD located at the intersection of Lark Avenue and Charter Oaks Drive that is home to a community of 250 adults and children.

Charter Oaks is one of the closest residential areas to the Sobrato site. While we have long recognized the site would ultimately be developed with more dense uses and appreciate your past actions to notify us of pending actions regarding the site, we received no notice whatsoever regarding the proposed change to the mix of R&D and residential uses. While we assume this was an oversight, we do believe it to be a serious one.

Charter Oaks has concerns regarding the traffic impacts of the Sobrato development, regardless of what form it takes. These concerns are heightened by the traffic anticipated with the pending Community Center development on Oka Road and the light rail shuttle service at the Sobrato site that we understand will be available to the public. We expect the combined traffic impacts of the Sobrato and Community Center developments on Charter Oaks will be significant and warrant your close scrutiny.

While right turns from Charter Oaks onto Lark do require patience, it is difficult and dangerous to make left turns from Charter Oaks onto Lark at certain times of the day. We believe the Sobrato and Community Center developments will aggravate these conditions.

We request that the Planning Commission evaluate the traffic impacts of both projects on Charter Oaks and consider appropriate mitigation measures such as:

- **Add a traffic signal at Charter Oaks and Lark, or**
- **Remove the left turn lane from Lark (at intersection of Charter Oaks) into the R&D parking lot; the lot is constantly used as a short cut to University Avenue, and**
- **Add a safety pocket on Lark for cars making left turns from Charter Oaks, and**
- **Improve the line of sight from Charter Oaks to traffic coming from the left on Lark**

The Charter Oaks community appreciates your attention to its concerns and looks forward your favorable consideration of this request. Any questions or correspondence related to this matter should be directed to the Association c/o Jack Bonno at the address above.

The Board of Directors of the Association unanimously approved this letter on October 20.

Sincerely,

Gary Manning

Gary Manning, President
Charter Oaks Townhouse Association

Copies: Members of the Town Council

From: <VEAGA@comcast.net>
To: <planning@town.los-gatos.ca.us>
Date: 10/20/03 9:09AM
Subject: Sobrato Development

Chairman Paul Dubois
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

Dear Chairman Dubois,

We are residents near the Sobrato Development Companies's proposed Los Gatos Gateway project who have supported it because of the benefits to public transportation and to improving Winchester Boulevard. We've also felt that building rental apartments behind the offices would help alleviate the housing shortage that causes many people employed in Los Gatos to commute long distances.

We've reviewed the proposed amended plan and feel that it preserves the original transportation and commercial benefits while increasing the housing benefit. The reasons for changing the mix seem perfectly reasonable. With so many empty office buildings in the valley now, it makes little sense to build another large campus. Without the changes being proposed, probably nothing will get done on the site. And we want it to be improved.

Please approve the amended zoning for Los Gatos Gateway when it comes before the Planning Commission.

Sincerely,

Victor & Gima Aboukhater
293 Casitas Bulevar
Los Gatos 95032

Carl Guardino
489 Bird Avenue
Los Gatos, CA 95030

October 15, 2003

Paul Dubois
Chairman
Town of Los Gatos Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

RECEIVED

OCT 20 2003

TOWN OF LOS GATOS
PLANNING DEPARTMENT

RE: Letter of Support for Sobrato Development Companies' Los Gatos Gateway Project at
14300 Winchester Boulevard

Dear Chairman Dubois and Members of the Planning Commission:

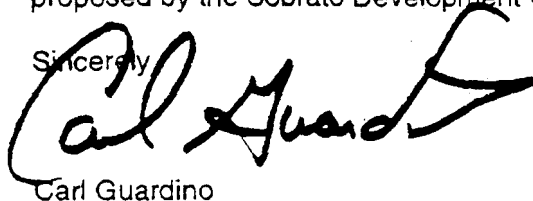
I am writing to you to express my support for the modifications to the Planned Development Zoning for the Sobrato Development Companies Los Gatos Gateway Project.

As many of you know, I have spent many years of my professional career advocating for smart growth developments like the one presented to the Town of Los Gatos by Sobrato Development Companies. This development provides Los Gatos with a unique opportunity – the creation of a true transit-oriented development. The intensification of mixed uses along transit corridors is a concept that many cities throughout Silicon Valley have embraced because it allows them to meet many of the goals of their General Plans while providing necessary housing and jobs to members of their communities.

More personally, I moved to Los Gatos nearly a year ago, and enjoy our community immensely. I frequently use the Los Gatos Creek Trail, which runs adjacent to the Sobrato project. I believe that in addition to being the perfect location for a smart growth development, the addition of housing along the creek trail will make it safer for the runners and cyclists who use the trail either early in the morning or late at night. Additionally, Los Gatos has a tremendous need to provide additional affordable homes to its residents. The Sobrato development would provide an additional 45 units of affordable housing in Town which would nearly triple the current amount available. Several of these homes also would be set aside for the teachers in our community, a personal passion of mine. The modifications to the Planned Development Zoning for Los Gatos Gateway provides the right mix of uses for the Town of Los Gatos.

I respectfully urge you to approve the modifications to the Los Gatos Gateway project as proposed by the Sobrato Development Companies.

Sincerely,



Carl Guardino

From: Dennis Chambers <dennis@cps-co.com>
To: <planning@town.los-gatos.ca.us>
Date: 10/20/03 10:57AM
Subject: Sobrato Project

Chairman Paul Dubois
Los Gatos Planning Commission
110 E. Main St.
Los Gatos Ca 95030

October 19, 2003

Dear Mr. Dubois and Planning Commissioners,

The Sobrato Development Companies' project already approved for Winchester and Highway 85 offers many benefits for Los Gatos. We should encourage its early construction by approving the application to revise the mix of uses.

As a Los Gatos resident (469 Wraight ave), I'm faced with passing that property and thinking how much better Winchester Boulevard will look with Sobrato-quality buildings and landscaping there.

As a specialist in commercial real estate, and with a vacancy of over 62 million square feet of office and R&D space begging for tenants in the greater Silicon Valley, I know how difficult it would be for the Sobratos to find one or two users for the large campus they had originally planned. The proposed smaller office buildings are much more in line with the current market for corporate headquarters in Los Gatos. The current market conditions are likely to continue for 5 to 7 years.

In addition to improving Winchester Boulevard, Los Gatos Gateway will provide jobs, housing, public revenue and transportation improvements. It was and is a good project, and the town should adopt the revisions that will allow it to proceed.

Yours,

Dennis Chambers
469 Wraight ave
Los Gatos, 95032
395-0182

--

Dennis Chambers
dennis@cps-co.com
<http://www.cps-co.com>

Donald D. Grabnek
371 Pennsylvania Avenue
Los Gatos, CA 95030

Phone: (408) 354-6254

Fax: (408) 354-9344

October 20, 2003

VIA FACSIMILE (408) 354-7593

Chairman Paul Dubois
Los Gatos Planning Commission
110 E. Main St.
Los Gatos Ca 95030

Dear Chairman Dubois and Planning Commission,

The town's approval last year of Los Gatos Gateway constituted good, long-term planning that promised to provide a number of benefits, including housing, jobs, public transportation and enhancement of Winchester Boulevard. The amendment before you that alters the mix of approved uses does not diminish these benefits and should assure that the project actually gets built.

The town's approval of this project culminated nearly three years of meetings, studies, planning and hearings. During this period, the plan got better, but the office/r&d market got worse. And there's been little recovery since. Economic recovery in the valley has been slow, and hiring even slower. The scaled back commercial use is more appropriate for today's market as well as for the market as long as we can safely forecast.

The demand for housing, meanwhile, has performed quite the opposite. Particularly at the lower end, the housing market is strong throughout the valley and particularly in Los Gatos.

The revised plan for Los Gatos Gateway maintains virtually all of the benefits of the original plan, while adding to the amount of new rental housing that is so desperately needed. More importantly, it should ensure that the project gets going.

I urge your approval of the Sobrato application for a revised PD zoning of Los Gatos Gateway.

Sincerely,

Don Grabnek



**COMMUNITY HOSPITAL
OF LOS GATOS**

Tenet HealthSystem

Daniel P. Doore
Chief Executive Officer

October 17, 2003

Paul Dubois
Los Gatos City Hall
110 E. Main Street
Los Gatos, CA 95030

RE: Los Gatos Gateway

Dear Chairman Dubois and Los Gatos Planning Commissioners:

Community Hospital of Los Gatos strongly supported Sobrato Development Companies' project because of its positive impacts on transportation and neighborhood revitalization. We now offer our support for the amendment to increase the housing component. We believe the additional housing will assist in attracting sorely needed healthcare professionals to our community, and will offer our current employees an attractive new option to live within walking distance of the hospital.

We currently have an average daily workforce of 400 people. Since the hospital lies within 2,000 feet of the proposed bus stop for the express service to the Campbell Light Rail Station, we are confident it would persuade an even greater number of our employees to travel by public transportation instead of by automobile. We anticipate that some of our employees will immediately make use of the shuttle.

Community Hospital of Los Gatos is planning to implement a major capital improvement program at our campus, and we expect to be an important member of this neighborhood for many years to come.

We're counting on Los Gatos Gateway's office buildings to add significantly to the attractiveness and importance of Winchester Boulevard as the town's northern approach. We're confident that a high-quality housing development between the commercial front and the creek behind will help assure that our neighborhood remains prosperous, attractive and safe.

Please do not hesitate to contact me directly if you require further information.

Sincerely,


Daniel P. Doore

DPD/pr

cc: Bud Lortz, Director, Los Gatos Community Development Department
blortz@town_los-gatos.ca.us



October 20, 2003

The Honorable Paul Dubois, Chairman
Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Chairman Dubois and Members of the Town Planning Commission:

I am pleased to again provide my support to Sobrato Development Companies' Los Gatos Gateway project on Winchester Boulevard.

As an adjacent property owner to the Los Gatos Gateway, I am pleased to see the modifications that have been made to the plans. We are very supportive of the increase to the residential component of the project. March Development supported the project during the PD Zoning application in 2002, and continues to support the modification of the plan because we believe that Sobrato Development Companies has presented the Town of Los Gatos with the best mix of land uses for the site. This project will be an asset to the entire community of Los Gatos.

During the Town Council study session on August 6, 2003, there was a discussion regarding the addition of retail to the proposed project. As the Planning Commission deliberates the modifications to the project, it should be pointed out that there is sufficient retail in the area. Our development, Vasona Station, provides significant neighborhood retail services almost directly across Winchester Boulevard from the proposed project. In addition, there is another neighborhood center, Rinconada Center, located approximately one mile west on Pollard Road. I have attached a summary of the type of retail businesses currently located within these two centers, which will adequately provide a variety of goods and services to the residents of the Gateway Project.

It is important to note that historically, there have been vacancies at both shopping centers. Therefore, we are strongly opposed to the addition of any retail to this project and hope that the planning commission will not make a decision that will adversely affect the existing retail centers.

I respectfully request that the Planning Commission approve the modifications to the zoning for the Los Gatos Gateway Project, and allow Sobrato to begin construction in a timely manner.

Sincerely,

Beth Wright
Principal
March Development Company

Exhibit Z

Edgar M. Thrift, Jr.
Gail Ross Thrift
140 Wilder Avenue
Los Gatos, CA 95030

Paul Dubois, Chairman
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

October 21, 2003

Dear Chairman Dubois and Planning Commission,

Please add our support to the Sobrato Development Companies' application for a revised plan for Los Gatos Gateway. This project is good for Los Gatos, but without the change in mix, it is not likely to be built very soon.

Los Gatos Gateway has been in planning for several years, and during this time both the market and our local economy have changed dramatically. Industry has grown more efficient and less demanding of more space, even if we didn't already have a huge surplus of empty buildings. The 60,000-square-foot buildings that the Sobratos now propose are much more in keeping with the size needed for a corporate campus by a company already in Los Gatos or located outside the town and wanting to relocate here.

The demand for housing, meanwhile, continues unabated, especially rental housing with an affordable component. Many people who work in Los Gatos suffer miserable commutes, and it would serve them and their employers well to offer a local housing alternative.

We urge approval of the Sobrato Development Companies' application for a revision to the PD zoning for Los Gatos Gateway.

Sincerely,

Edgar M. Thrift, Jr. + Gail Ross Thrift

Edgar M. Thrift, Jr. and Gail Ross Thrift

Nicolette Rodman Kelly
224 Loma Alta Avenue
Los Gatos, CA 95032

October 15, 2003

Paul Dubois, Chair
Los Gatos Town Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

RECEIVED

OCT 20 2003

TOWN OF LOS GATOS
PLANNING DEPARTMENT

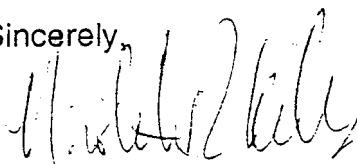
Dear Chair Dubois:

This letter is to express my support for the Los Gatos Gateway Project.

As a business person and long time resident of Los Gatos, I was please to see the Town Council approve the Los Gatos Gateway project in February, 2002. The modified plan that is presented to you for your review further demonstrates the Sobrato Company's willingness to provide the Town of Los Gatos with the best project possible. I am very supportive of the change in uses to provide more housing in our Town.

The Sobrato Company is committed to the Town of Los Gatos, and has demonstrated it by bringing back a plan that reflects what the community asked for – more housing. I believe they have come up with the best mix of uses for the site. I would ask the Planning Commission to listen to the residents of our town and approve the modified plans for the Los Gatos Gateway project.

Sincerely,



Nicolette Rodman Kelly

From: "michaelsilva" <michaelsilva@comcast.net>
To: <planning@town.los-gatos.ca.us>
Date: 10/21/03 10:29AM
Subject: Los Gatos Gateway

October 21, 2003

Dear Chairman Dubois and Planning Commissioners:

My name is Michael Silva. In light of previous commitments scheduled at the same time as the planning commission meeting, that includes the Los Gatos Gateway project, I want to voice my feelings and opinion about the project

Last year both the Planning Commission and the City Council determined that Los Gatos Gateway was the right project at the right time for the right location. There was a clear majority if not a clear consensus that the mixed uses on a single platform over underground parking would allow the highest quality buildings and the most extensive landscaping.

This project will help to improve Winchester Boulevard, provide much needed housing, encourage use of public transit, improve the creek trail, and bring jobs to Los Gatos .

Unfortunately, the market for commercial buildings was deteriorating throughout the planning and approval process. You can't drive around the valley without noticing all the see-through buildings. Hundreds of them. Tens of millions of square feet of empty space.

However, The need for housing is still in great demand and need. I support the concept and hope for the immediate approval of change to the Los Gatos Gateway project, to reduce the footprint of business space and increase the footprint of housing.

Los Gatos Gateway is still the right project at the right time for the right location. It just needs a shift in the mix of uses. You have an opportunity to approve that shift Wednesday night. I urge you to help get this project moving. We need it.

Sincerely,

Michael Silva
675 North Santa Cruz Avenue
Los Gatos, Ca. 95030
408 761 1443

Mailing; p o box 1599
Los Gatos, Ca. 95031



October 20, 2003

Paul Dubois
Chairman
Town of Los Gatos Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

RE: Letter of Support for Los Gatos Gateway Project at 14300 Winchester Boulevard

Dear Chairman Dubois and Members of the Planning Commission:

On behalf of Classic Communities, I am writing to you in support of Sobrato Development Companies' proposed Los Gatos Gateway project. I am delighted to see a complimentary mixed-use development in the vicinity of Classics at Vasona Ranch.

As you know, Classic Communities recently took ownership of the Vasona Ranch property where we are approved to build single family homes. In conjunction with the Los Gatos Gateway project, community members will have housing choices in the northern portions of Los Gatos. We believe that the Los Gatos Gateway project compliments our own development while providing housing and job opportunities in close proximity to transit, a goal of the Town of Los Gatos.

The modifications being proposed by Sobrato further demonstrates their commitment to build the best suited development for the site and the Town of Los Gatos. Reducing the Office/R&D component while increasing the number of residential units, reduces traffic, increases open space, and provides a more balanced plan.

Sobrato Development Companies has proposed a quality, mixed-use, transit oriented development that is appropriate for the surrounding neighborhood. I respectfully request the Planning Commission support the modified Planned Development Zoning for the Los Gatos Gateway project as proposed by the Sobrato Development Companies.

Sincerely,

Scott Ward
Vice President
Classic Communities



Exhibit FF



Santa Clara County Housing Action Coalition



The Santa Clara County Housing Action Coalition is comprised of a broad range of organizations and individuals who have, as a common goal, the vision of affordable, well-constructed and appropriately located housing

September 28, 2003

Sandy Decker
Mayor, Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

Dear Mayor Decker:

On behalf of the Housing Action Coalition, we are writing to express our support for the revision to the Los Gatos Gateway mixed-use development proposal by Sobrato Development Companies.

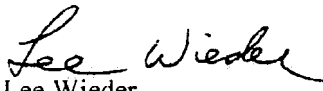
By way of reference, the Housing Action Coalition includes more than 100 organizations and individuals. Its goal is the production of well-built, appropriately located housing that is affordable to families and workers in Silicon Valley. Organizations participating in the HAC include the Silicon Valley Manufacturing Group, the Home Builders Association, Greenbelt Alliance, the Sierra Club, the League of Women Voters, numerous local governments, several chambers of commerce, Santa Clara County Association of Realtors, Tri-County Apartment Association, and the Affordable Housing Network.

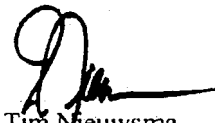
In its original form, this mixed-use development consisted of two commercial buildings and 105 apartments. The proposed revision would remove a significant portion of the office component and replace it with an additional 111 apartments for a total of 246 new homes. Forty-nine of these new homes will be affordable, providing Los Gatos the opportunity to significantly increase its overall supply of affordable homes.

The Housing Action Coalition is very pleased to see that the applicant would like to add more housing to the proposal. Coupled with the developer's commitment to provide shuttle service to the light rail station, we feel this is a smart use of a valuable infill parcel. By providing both housing and jobs in proximity to transit, residents and workers can leave their cars at home, helping to alleviate air pollution and traffic congestion.

The Housing Action Coalition strongly encourages your support of this proposal. Thank you for your consideration of our comments.

Sincerely,


Lee Wieder
Housing Action Coalition Co-Chair


Tim Mieuwsma
Housing Action Coalition Co-Chair

cc: Los Gatos City Council, Morley Hunter

Housing Action Coalition c/o SYMG 224 Airport Parkway, Suite 620, San Jose, Ca 95110

K. Hagar
16428 Shady View Lane
Los Gatos, CA 95032

October 17, 2003

The Honorable Paul Dubois
Chair
Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

RE: Support of Sobrato Development Company's Modified Los Gatos Gateway Project

Dear Chairperson Dubois:

I am writing in support of the modified Los Gatos Gateway Project. I was pleased to see that the Sobrato's have responded to the community by providing an alternative plan that will provide less office space and more, much needed housing in Los Gatos. I am especially thankful to see that there will be an addition of 45 affordable units to the Town's affordable housing stock. Los Gatos needs to be able to provide housing choices for all of its citizens.

Sobrato Development is proposing to retain the architectural design that was approved last year by the Town Council. I believe that it is appropriate to locate three story buildings on this property. It is at an intersection of a major highway, light rail line and major arterial road. This is the most appropriate place in Town to add density. Again, the Town Council has already approved a development that has three story elements for this property.

I would respectfully request that the Planning Commission approve the modified project as proposed by the Sobrato Development Company.

Thank you for your consideration.

Sincerely,


Kevin Hagar

Santa Clara County Housing Action Coalition

The Santa Clara County Housing Action Coalition is comprised of a broad range of organizations and individuals who have, as a common goal, the vision of affordable, well-constructed and appropriately located housing

September 28, 2003

Planning Commission
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RECEIVED

OCT 20 2003

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Dear Commissioners:

On behalf of the Housing Action Coalition, we are writing to express our support for the revision to the Los Gatos Gateway mixed-use development proposal by Sobrato Development Companies.

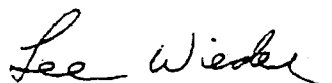
By way of reference, the Housing Action Coalition includes more than 100 organizations and individuals. Its goal is the production of well-built, appropriately located housing that is affordable to families and workers in Silicon Valley. Organizations participating in the HAC include the Silicon Valley Manufacturing Group, the Home Builders Association, Greenbelt Alliance, the Sierra Club, the League of Women Voters, numerous local governments, several chambers of commerce, Santa Clara County Association of Realtors, Tri-County Apartment Association, and the Affordable Housing Network.

In its original form, this mixed-use development consisted of two commercial buildings and 105 apartments. The proposed revision would remove a significant portion of the office component and replace it with an additional 111 apartments for a total of 246 new homes. Forty-nine of these new homes will be affordable, providing Los Gatos the opportunity to significantly increase its overall supply of affordable homes.

The Housing Action Coalition is very pleased to see that the applicant would like to add more housing to the proposal. Coupled with the developer's commitment to provide shuttle service to the light rail station, we feel this is a smart use of a valuable infill parcel. By providing both housing and jobs in proximity to transit, residents and workers can leave their cars at home, helping to alleviate air pollution and traffic congestion.

The Housing Action Coalition strongly encourages your support of this proposal. Thank you for your consideration of our comments.

Sincerely,



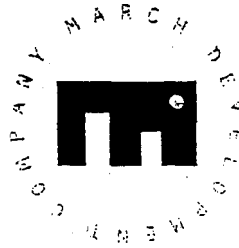
Lee Wieder
Housing Action Coalition Co-Chair



Tim Nieuwsma
Housing Action Coalition Co-Chair

Housing Action Coalition c/o SVMG 224 Airport Parkway, Suite 620, San Jose, Ca 95110

Exhibit R



July 31, 2003

The Honorable Sandy Decker
Mayor
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Mayor Decker and Members of the Town Council:

I am please to once again provide my support to Sobrato Development Companies' Los Gatos Gateway project on Winchester Boulevard.

As an adjacent property owner to Los Gatos Gateway, I am please to see the modifications that have been made to the plans. We are very supportive of the increase to the residential component of the project. March Development supported the project during the PD Zoning application in 2002 because we believed that Sobrato Development Companies presented the Town of Los Gatos with the best mix of land uses for the site with the highest quality of design and architectural details. This project will be an asset to the community and to the Town of Los Gatos.

I look forward to the Council's approval of the modifications to the plan so that Sobrato can begin construction in a timely manner. Therefore, I respectfully request that the Town Council support the modifications to the zoning for Los Gatos Gateway.

Sincerely,

Beth Wright

Beth Wright
Principal
March Development Company

APR 10 2003
TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT

Exhibit I

Post-it® Fax Note 7671		Date	6/25/02	# of pages	1
To		Suzanne Davis			
From		K. Hagar			
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		354-7593			

Hagar
16428 Shady View Lane
Los Gatos, CA 95032

June 24, 2002

The Honorable Lee Quintana
Chair
Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

RE: Support of Sobrato Development Company's Los Gatos Gateway Project

Dear Chairwoman Quintana:

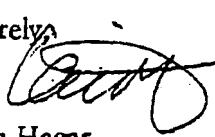
I am writing to restate my support for the Los Gatos Gateway Project. I was please to see the approval of the project by the Town Council in February, 2002. The high quality of this project can be seen in the exceptional architectural design.

Sobrato Development and its architectural team have listened to the Town and its residents, and incorporated many of the element that make Los Gatos a great place to live and work into the design. I am very please to see the project moving forward.

I would respectfully request that the Planning Commission approve the architectural design of the project as proposed by the Sobrato Development Company.

Thank you for your consideration.

Sincerely,


Kevin Hagar

CHARLES J. TOENISKOETTER

25570 FIRHAVEN LANE

LOS GATOS, CALIFORNIA 95030

August 8, 2002

RECEIVED

AUG 12 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Chair Lee Quintana
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

Dear Chair Quintana and Los Gatos Planning Commission:

While many excellent suggestions have arisen from architecture and site review for Los Gatos Gateway, there comes a time when comment by consultants and commissioners reaches its highest point of usefulness. I believe that time has come for this project, and I urge you to approve the design that will be presented to you on August 14th.

The project that is coming before you constitutes the result of some three years of study, hearings, negotiations and planning, with comment on and discussion of every conceivable issue. Sobrato Development Companies has assembled a team of the highest caliber representing the best talent in the valley. I think that you will agree that they have addressed every item presented to them, either by making the suggested change or demonstrating a compelling reason not to.

Los Gatos Gateway will be closely associated with the Sobrato companies and the family name. You can be sure that they will pay attention to every detail and provide the highest quality. It is time to rely on their expertise and their reputation for quality and integrity and let them get on with their project.

Very truly yours,

Charles J. Toeniskoetter

Charles J. Toeniskoetter
25570 Firhaven Lane
Los Gatos, CA 95033
408-246-3691



MTI

**Norman Y. Mineta
International Institute for
Surface Transportation
Policy Studies**

Created by Congress in 1991

College of Business
San José State University
San Jose, CA 95192-0219
Tel 408/924-7560
Fax 408/924-7565
e-mail: mti@mti.sjsu.edu
<http://transweb.sjsu.edu>

Founder

Hon. Norman Y. Mineta

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Brian Macleod

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William Nevel

Hans Rat

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Vickie Shaffer

Paul Toliver

David Turney

Edward Wytkind

August 7, 2002

Chairman Lee Quintana
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

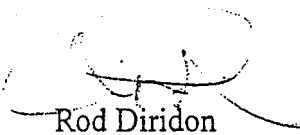
RECEIVED
AUG 12 2002
TOWN OF LOS GATOS
PLANNING DEPARTMENT

Dear Chairman Quintana and Planning Commissioners,

In the months since the Los Gatos City Council approved zoning for the Sobrato Development Companies' Los Gatos Gateway, it has become even more apparent that this is the right project for the location. The Town of Los Gatos sent a message that it wanted to be part of the regional transportation system, and that message was heard. On numerous occasions, I have heard planners hold up Los Gatos Gateway as exactly the kind of Transit-Oriented Development that works for neighborhoods, for cities and for the larger community in the Santa Clara Valley.

While the architecture and site review process has been long and arduous, I am confident that your efforts have improved what already was a great design. We look forward to final approval and implementation of what will be a model for economic growth and enhanced quality of life.

Sincerely,


Rod Diridon

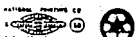


Exhibit U

EDGAR M. THRIFT, JR.
GAIL ROSS THRIFT
140 Wilder Avenue
Los Gatos, California 95030

RECEIVED

AUG 12 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

August 8, 2002

Chair Lee Quintana
Los Gatos Planning Commission
110 E. Main Street
Los Gatos, CA 95030

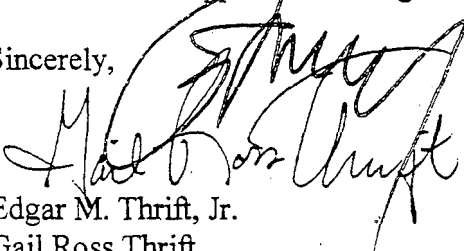
Dear Chair Quintana and Los Gatos Planning Commission,

We've long admired the work of the Sobrato Development Companies, which are known for the high quality of both their office and residential projects. Yet the Los Gatos Gateway project, which we have been following for more than two years now, will be an unprecedented effort even for the Sobratos.

It would be most disheartening, therefore, for such a fine project that has been reviewed and approved by so many people to become mired in the architecture and site review process. Even during the zoning approval process, it was clear that the applicant was being forced to respond not only to competing advice and concerns, but conflicting ones as well. During discussion of the minutia of design, it becomes even more difficult to provide a single, coherent message to an applicant. Still, I think you will admit that Sobrato Development has bent over backward to respond to and address every issue that has been raised.

We would like to see this excellent project get started. We urge the Planning Commission to approve the design on August 14.

Sincerely,



Edgar M. Thrift, Jr.
Gail Ross Thrift
140 Wilder Avenue
Los Gatos, CA 95030

Nicolette Rodman Kelly
224 Loma Alta Avenue
Los Gatos, CA 95032

August 12, 2002

Lee Quintana, Chair
Los Gatos Town Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

Dear Chair Quintana:

This letter is to again express my support for the Los Gatos Gateway Project.

As a business person and long time resident of Los Gatos, I was pleased to see the Town Council approve the Los Gatos Gateway project in February. With the specific design proposed, I am more encouraged than ever that this project will be a tremendous asset to the Town.

The Sobrato Company's commitment to the Town has been proven by their willingness to work with staff and the Commission on the design. I believe they have come up with the best plan possible for the site. I would ask the Planning Commission to listen to the residents of our town and approve the architectural designs for Los Gatos Gateway.

Sincerely,

Nicolette Rodman Kelly



August 13, 2002

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

Dear Chair Quintana and Planning Commission:

As a representative for the adjacent property owner to the Los Gatos Gateway project, I am pleased to support the Sobrato Development Company's plan for development.

As you may know, my company, March Development Company, represents the owner of Vasona Station Shopping Center. We have been waiting for more than a decade to see this type of development come to our area. It is the most appropriate type of land use for the site. The Town staff and the Sobrato team have worked to ensure that a quality design and site plan is proposed for the project. I think that they have achieved that goal and more.

The time has come to approve the plan so that the project can get underway. I strongly urge you to vote in favor of the Sobrato Development's architectural plans for Los Gatos Gateway without further delay.

Sincerely,

Beth Wright

Beth Wright
President
March Development Company

Exhibit X



YEARS OF SERVICE
SANTA CLARA COUNTY
OFFICE OF EDUCATION

RECEIVED

AUG 14 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

August 13, 2002

Chair Lee Quintana
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

Dear Chair Quintana and Planning Commissioners,

For a number of reasons related to education, I supported the proposed Los Gatos Gateway project when land use and zoning were before the City Council last January. While I also found the project to be attractive, I appreciate the efforts that you and other city officials have taken to affirm that the architectural and site details will fully benefit the people who will live and work there and the larger community as well. As a Los Gatan, I say that this is a project that we need in Los Gatos, and I hope that you will approve the revised architecture and site plans at your meeting on Wednesday.

The difficulty of recruiting qualified teachers in an area of high housing costs continues unabated, and the 135 rental and affordable units at Los Gatos Gateway will be extremely valuable.

The increase to the local tax base for schools will also be a great benefit. From the offices alone, incremental taxes should be a great help. While the project is located in the Campbell Union School District, a portion of the property tax revenue will be shared with neighboring districts and the larger community as well. Based on the number and proposed mix of units, the Campbell district does not anticipate that new construction will be required to accommodate children living there. The Los Gatos schools will receive their share of the revenue without incurring any additional costs and it seems to be an all around win-win situation.

Most Sincerely,

Colleen B. Wilcox, Ph.D.
County Superintendent of Schools

Superintendent: Colleen B. Wilcox, Ph.D.

Board of Education: Alex Bantis | Leon F. Beauchman | Maria Y. Ferrer | T.N. Ho | Anna Song | Mark D. Webster
1290 Ridder Park Drive, San Jose, CA 95131-2398 | 408.453-6500 | <http://www.sccoe.org>
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COMMUNITY HOSPITAL
OF LOS GATOS

Tenet HealthSystem

Daniel P. Doore
Chief Executive Officer

RECEIVED

AUG 14 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

August 12, 2002

Chairman Lee Quintana
Los Gatos Planning Commission
110 East Main Street
Los Gatos, California 95030

Dear Chairman Quintana and Los Gatos Planning Commission:

Community Hospital of Los Gatos has strongly supported the use and location for Sobrato Development Companies' proposed Los Gatos Gateway Project because of its positive impacts on transportation and neighborhood revitalization.


We also support the architectural design, because it is both attractive and practical.

Almost by definition, appreciation for design must be somewhat subjective. What is pleasing to one person may be less so to another. Yet the Sobrato design incorporates numerous elements that are almost universally recognized as appealing, including the use of high quality materials, the stepping back of elevations, the use of balconies and other elements to soften walls and a variety of angles and planes. The large underground garage is unprecedented for an office in this location and it results in an unprecedented allowance for landscaping and outdoor public areas. Whether you call it "Mission" or "Mediterranean" style, the design has withstood the test of time.

Our hospital has a stake in seeing a development of this quality proceed in our neighborhood, for we are undertaking a multi-million-dollar capital improvement program of our own. We expect to be important member of this neighborhood for as long as we can see. And we see Los Gatos Gateway as exactly what we need to assure that our neighborhood remains prosperous, attractive, and safe.

While we like the design from the beginning, we're sure the approval process has made it even better. We urge you to approve the plan.

Sincerely,



Daniel P. Doore

14300-14350 Winchester



Santa Clara & San Benito Counties Building & Construction Trades Council

2102 Almaden Rd., Suite 101, San Jose, CA 95125-2190 • Phone (408) 265-7643 • Fax (408) 265-2080

July 30, 2002

Bud Lortz
Planning Commissioner
The Town of Los Gatos
110 East Main St.
Los Gatos, CA 95030

RECEIVED

AUG 2 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Re: Los Gatos Gateway Project

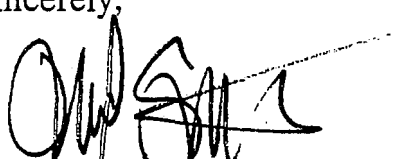
Dear Commissioner Lortz:

On behalf of the members that our Building Trades Council represents in Santa Clara County I would like to request the support of approving the architectural plans for Los Gatos Gateway Project in your upcoming meeting of August 14, 2002. I believe that this project is not only going to bring jobs to the community but will also provide housing to the area which, as we all know, is a tremendous need for the residents in the county.

In addition, I wish to express myself by saying that Sobrato is a quality developer always respectful of the community.

If I can be of further assistance in regard to this matter please contact me at (408) 265-7643. Thank you for your support.

Sincerely,


Neil Struthers
Chief Executive Officer

Neil M. Struthers
Chief Executive Officer
Josué Garcia
Deputy Executive Officer

Jay James
President

Asbestos Workers 16
Boilermakers 549
Brick & Tile 3
Northern California
Carpenters Regional Council
Carpenters 405
Carpet & Linoleum 12
Cement Masons 400
Electricians 332
Elevator Constructors 8
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Laborers 270
Lathers 9144
Millmen 262
Millwrights 102
Operating Engineers 3
Painters District Council 16
Painters 507
Plasterers 300
Plumbers & Steam
Fitters 393
Roofers 95
Sheet Metal Workers 104
Sign, Display 510
Sprinkler Fitters 483
Teamsters 287

Affiliated with:
State Building and
Construction Trades
Council of California
California Labor
Federation, AFL-CIO
California Labor C.O.P.E.
South Bay AFL-CIO
Labor Council



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Exhibit M

**Silicon Valley
Manufacturing
Group**

224 Airport Parkway, Suite 620
San José, California 95110
(408)501-SVMG (7864) Fax (408)501-7861
<http://www.svmg.org>

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President & CEO

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Silicon Valley Bank

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Roche Bioscience

DAVID WRIGHT

Legato Systems

JOANN ZIMMERMAN

Kaiser Permanente

Working Council Chair

ANDREA LEIDERMAN

Kaiser Permanente

Founded in 1977 by

DAVID PACKARD

July 22, 2003

The Honorable Sandy Decker

Mayor

Town of Los Gatos

110 E. Main Street

Los Gatos, CA 95031

Dear Mayor Decker:

I write on behalf of Silicon Valley Manufacturing Group to express our support for Los Gatos Gateway, a proposed mixed-use development by Sobrato Development on Winchester Avenue at Route 85.

As you may know, the Silicon Valley Manufacturing Group (SVMG), which was founded in 1978 by David Packard of Hewlett-Packard, represents 180 of the Valley's most respected employers. SVMG members collectively provide nearly 225,000 jobs, or one of every four jobs in Silicon Valley.

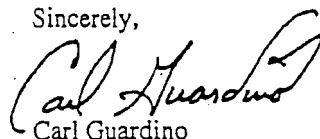
Due to drastically changed economic conditions, Sobrato Development is seeking to amend its approved Planned Development Zoning for this 12.3 acre site. They are proposing to reduce the number of square feet devoted to office space/R&D from 288 square feet to 120 square feet and increase the number of homes from 135 to 295, of which 49 would be affordable. Sobrato is also proposing to add a one-third acre park along the Los Gatos Creek trail.

We supported the original plan for this site because we believe this is an ideal location to concentrate homes and offices. The parcel is buffered on all sides from other single-family neighborhoods. It is also in walking distance to retail stores, on a major bus route, and adjacent to a future light rail station—the first and only proposed for Los Gatos. Sobrato has also offered to run a shuttle from the site to the light rail terminus in Campbell until or unless the extension to Los Gatos is built.

For these reasons, we would have liked to see even more homes included in the original plan. Consequently, we are pleased to support Sobrato's request to revise the plan to permit the construction of more homes. When the economy recovers, experts anticipate it will take years for Silicon Valley to absorb the current oversupply of office space. In contrast, the demand for homes—particularly affordable homes—is expected to sharply increase. Los Gatos Gateway will expand the supply and types of homes available to Los Gatos-area workers and residents and maximize the investments we as a community have and continue to make in our transit system.

We respectfully urge you and your Council colleagues to approve the modification to the approved Planned Development Zoning for Los Gatos Gateway as requested. Thank you for considering our views.

Sincerely,



Carl Guardino

President & CEO

cc: Cynthia James, Morley Hunter Group
John R. Shenk, Sobrato Development Companies

RECEIVED

JUL 30 2003

MAYOR & TOWN COUNCIL

Exhibit K



July 31, 2003

The Honorable Sandy Decker
Mayor
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Mayor Decker and Members of the Town Council:

I am please to once again provide my support to Sobrato Development Companies' Los Gatos Gateway project on Winchester Boulevard.

As an adjacent property owner to Los Gatos Gateway, I am please to see the modifications that have been made to the plans. We are very supportive of the increase to the residential component of the project. March Development supported the project during the PD Zoning application in 2002 because we believed that Sobrato Development Companies presented the Town of Los Gatos with the best mix of land uses for the site with the highest quality of design and architectural details. This project will be an asset to the community and to the Town of Los Gatos.

I look forward to the Council's approval of the modifications to the plan so that Sobrato can begin construction in a timely manner. Therefore, I respectfully request that the Town Council support the modifications to the zoning for Los Gatos Gateway.

Sincerely,

Beth Wright
Principal
March Development Company



PROTECTING OPEN SPACE AND PROMOTING LIVABLE COMMUNITIES

August 14, 2003

The Honorable Sandy Decker, Mayor
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

Re: Los Gatos Gateway - Amended Proposal -- SUPPORT

Dear Mayor Decker:

Greenbelt Alliance, the Bay Area's leading land conservation and urban planning organization, has endorsed the amended proposal for Los Gatos Gateway and urges your support for this exemplary Residential and Office/R&D transit oriented development on Winchester Boulevard proposed by the Sobrato Development Companies. Our representative, Tamara Shelton, recently spoke at the Town Council study session considering the revised Planned Development proposal.

In January 2002, after a careful review of Sobrato's initial and revised development proposals, Greenbelt Alliance endorsed the project, rating it as one deserving our strong support. At that time, modifications proposed by the developer in response to Planning Commission comments resulted in an increase in residential units and a decrease in office space. We are pleased to see that the current project will offer even more residential units, while scaling back the office component, and will result in 49 units of affordable housing.

The modified Los Gatos Gateway will offer a number of important community benefits, including a dramatic increase in the number of affordable rental units in the Town of Los Gatos. The project's location directly across from the planned Vasona Light-Rail Station supports the use of mass transit and also provides access to existing shops, food and entertainment. The new design creates a greater amount of on-site open space along with access to the Los Gatos Creek Trail. In addition, the developer has proposed a 1/3-2/3 acre park adjacent to the creek trail. As in their original proposal, the project also includes a shuttle for residents and employees to and from the Campbell line terminus until the light-rail line is completed to Vasona.

In sum, these features represent significant community-serving benefits that will enhance the development and further the town's General Plan Goals, Policies and Implementation Measures for the site and Sub Area.

MAIN OFFICE ♦ 631 Howard Street, Suite 510, San Francisco, CA 94105 ♦ (415) 543-6771 ♦ Fax (415) 543-6781
SOLANO/NAPA OFFICE ♦ 725 Texas Street, Fairfield, CA 94533 ♦ (707) 427-2308 ♦ Fax (707) 497-9815
SOUTH BAY OFFICE ♦ 1922 The Alameda, Suite 213, San Jose, CA 95126 ♦ (408) 983-0856 ♦ Fax (408) 983-0856
EAST BAY OFFICE ♦ 1601 North Main Street, Suite 105, Walnut Creek, CA 94596 ♦ (925) 932-7776 ♦ Fax (925) 932-7776
SONOMA/MARIN OFFICE ♦ 50 Santa Rosa Avenue, Suite 307, Santa Rosa, CA 95404 ♦ (707) 575-3661 ♦

Exhibit H

Letter to The Honorable Sandy Decker, Mayor

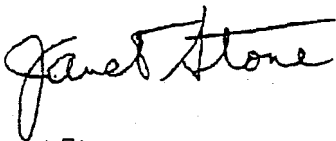
8/14/03

p. 2

We are pleased to support what we believe will be a high-quality transit oriented development that contributes to environmental sustainability, economic vitality, and social equity.

Thank you for your consideration of our comments.

Sincerely,



Janet Stone

Livable Communities Program Director

Greenbelt Alliance

cc: ✓ Bud Lortz, Director of Community Development, Town of Los Gatos
Cynthia James, Morley Hunter Group



Santa Clara County Housing Action Coalition



The Santa Clara County Housing Action Coalition is comprised of a broad range of organizations and individuals who have, as a common goal, the vision of affordable, well-constructed and appropriately located housing

September 28, 2003

Sandy Decker
Mayor, Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

Dear Mayor Decker:

On behalf of the Housing Action Coalition, we are writing to express our support for the revision to the Los Gatos Gateway mixed-use development proposal by Sobrato Development Companies.

By way of reference, the Housing Action Coalition includes more than 100 organizations and individuals. Its goal is the production of well-built, appropriately located housing that is affordable to families and workers in Silicon Valley. Organizations participating in the HAC include the Silicon Valley Manufacturing Group, the Home Builders Association, Greenbelt Alliance, the Sierra Club, the League of Women Voters, numerous local governments, several chambers of commerce, Santa Clara County Association of Realtors, Tri-County Apartment Association, and the Affordable Housing Network.

In its original form, this mixed-use development consisted of two commercial buildings and 105 apartments. The proposed revision would remove a significant portion of the office component and replace it with an additional 111 apartments for a total of 246 new homes. Forty-nine of these new homes will be affordable, providing Los Gatos the opportunity to significantly increase its overall supply of affordable homes.

The Housing Action Coalition is very pleased to see that the applicant would like to add more housing to the proposal. Coupled with the developer's commitment to provide shuttle service to the light rail station, we feel this is a smart use of a valuable infill parcel. By providing both housing and jobs in proximity to transit, residents and workers can leave their cars at home, helping to alleviate air pollution and traffic congestion.

The Housing Action Coalition strongly encourages your support of this proposal. Thank you for your consideration of our comments.

Sincerely,

Lee Wieder
Housing Action Coalition Co-Chair

Tim Nieuwsma
Housing Action Coalition Co-Chair

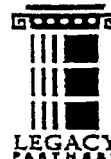
cc: Los Gatos City Council, Morley Hunter

Housing Action Coalition c/o SVMG 224 Airport Parkway, Suite 620, San Jose, Ca 95110

RECEIVED

JAN - 8 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT



January 8, 2002

Planning Commission
c/o Bud Lortz, Director,
Los Gatos Community Development Department
blortz@town.los-gatos.ca.us

Dear Chairman Lyon,

I've lived in Los Gatos for many years, and I've spent as many years following and admiring the work of the Sobrato Development Companies. Their projects are of an extremely high caliber, tastefully designed with excellent materials and always sensitive to the specific location and its surroundings.

But there's something even more remarkable. Every one of their buildings is a corporate campus or a single-user tenant. None are typical multi-tenant office buildings. As a result, the proposed Los Gatos Gateway project will surely become a corporate or divisional headquarters with numerous benefits for our town. Among these are:

1. Higher quality buildings with more employee amenities, more meeting rooms and more space per employee.
2. Employment opportunities that are likely to appeal to Los Gatos residents and employees who will want to live in Los Gatos.
3. Additional local volunteers and contributors whose efforts will enhance our community vitality.

The Sobrato proposal is excellent and appropriate for the site. I urge you to approve the application without further restrictions that jeopardize the size and quality required to attract a major corporation to our town.

Sincerely,

Edgar M. Thrift, Jr.
Partner
Legacy Partners
thrift@legacypartners.com

LEGACY PARTNERS, 4000 E. THRID AVENUE, 4TH FLOOR, FOSTER CITY, CA 94404

Attachment 9

William R. James
15750 Winchester Boulevard, Suite 103
Los Gatos, CA 95030

Jim Lyon
Chairman
Los Gatos Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

RECEIVED

JAN 10 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

RE: Support of Los Gatos Gateway Project

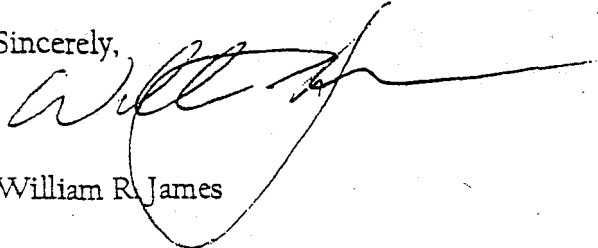
Dear Mr. Lyon and Planning Commissioners:

I have been a small business owner and resident of Los Gatos for many years. I wanted to express my support for the Sobrato's project as designed.

I believe that the proposed mixed-use project is appropriate for the site. After watching development in this town for many years, I am pleased to see a developer propose a project that is appropriate for the location. The site at Highway 85 and Winchester Boulevard is the correct place to put a higher density office/residential project.

This project will greatly benefit our community. Please approve the Sobrato's proposal for the site.

Sincerely,



William R. James

Nicolette Rodman Kelly
224 Loma Alta Avenue
Los Gatos, CA 95032

RECEIVED

JAN 11 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

James Lyon, Chair
Los Gatos Town Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

Dear Chairman Lyon:

This letter is to state my support for the Los Gatos Gateway Project.

As a business person and resident of Los Gatos, I am pleased to support the Los Gatos Gateway project. This project is a wonderful opportunity for the Town of Los Gatos. It is a well designed, mixed-use plan that takes advantage of its proximity to the future Vasona Light Rail line. Developing a higher density project that includes residential and office affords people the opportunity to live close to their jobs. This proposal will also add affordable housing for many of the Town's residents that cannot afford to be homeowners. This is the type of development that the Town should encourage along the Vasona Light Rail.

The Sobrato Company's plan is smart growth for Los Gatos. I would ask the Planning Commission to please approve the Los Gatos Gateway project.

Sincerely,



Nicolette Rodman Kelly

Bud Lortz - Sobrato Project

From: Joseph Gemignani
To: <manager@town.los-gatos.ca.us>
Date: 1/15/2002 12:41 PM
Subject: Sobrato Project

Hi Debra, it was very disheartening to attend and speak at the last planning commission meeting in which we were presented a wonderful opportunity for Sobrato to build such a beautiful project for our city. After I spoke in favor of it and countless others did so, the planning commission didn't consider our input at all.

Every one of those members has a different idea or agenda.

If you have any influence on the matter I would like to see this project get approved before Sobrato pulls out and we end up with a project nobody would like.

Secondly, this should provide additional tax revenue for other capital improvement projects.

Thanks for your time.

Joseph.

Attachment 15

STEVE MIRASSOU 17294 NAGPAL COURT MONTE SERENO.CA.95030

RECEIVED

JAN 30 2002

MAYOR & TOWN COUNCIL

Chairman James Lyon
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

Dear Chairman Lyon,

We live near the proposed office and residential project proposed for Winchester and Highway 85, but are relatively new to the neighborhood. Since it's not been long since we thoroughly examined the area and chose to make a significant investment based on existing development and traffic patterns, you might expect us to oppose any significant changes. In fact, we support the Sobrato proposal, and urge you to approve the application before you.

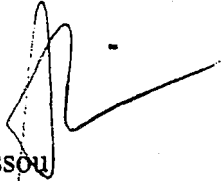
The last two years have shown that what appeared to be an entirely new information economy was actually little different from the vulnerable old economy, requiring constant attention, adaptation and support. The proposed project will support our economy and our quality of life in a number of ways.

Building a high-quality corporate office constitutes a higher, more contemporary and more appropriate use for land historically used for both heavy and light industry.

A transit-oriented development that starts from day one with shuttle service to Campbell will help connect us to the regional transit system on which the valley's future depends.

Additional housing, especially some that is affordable, will help enable people to live in the town where they work, which is important for the health of any community.

Sincerely,
Steve Mirassou
lmirassou@linkline.com





Colleen B. Wilcox, Ph.D.
Superintendent

RECEIVED

JAN 24 2002

MAYOR & TOWN COUNCIL

January 18, 2002

Mayor Randy Attaway
Los Gatos Town Council
110 E. Main St.
Los Gatos, CA 95030

Dear Mayor Attaway and Town Council:

I am writing to you regarding the proposed Los Gatos Gateway project. The 135 rental apartments will provide one of our community's greatest needs – homes that teachers and other school staff members can afford. As you know, one of the most difficult tasks we face in education is recruiting qualified teachers, because they cannot afford to pay Silicon Valley prices for housing.

The 25% affordable units are particularly valuable and directed specifically at teachers and other public employees who work in Los Gatos and would like to live here as well. This proportion of affordable units is not only unusually high for Los Gatos, where I'm told it will double the existing amount, but for the valley as well. Both as an educator and a Los Gatos resident, I appreciate this aspect of the Sobrato proposal.

Rental apartments are particularly attractive to younger teachers and other school district employees. The location along the Los Gatos Creek Trail should be very desirable for those who hike, jog or bike.

The proposed offices are attractive and will increase the tax base for our schools by \$1 to \$2 million annually. While the project is located in the Campbell Union School District, a portion of the property tax revenue will be shared with neighboring districts and the larger community as well. Based on the number and proposed mix of units, the Campbell district does not anticipate that new construction will be required to accommodate children living there.

Most Sincerely,

Colleen B. Wilcox, Ph.D.
County Superintendent of Schools

:cbw/lh

Board of Education

Alex Bantis • Leon E. Beauchman • Maria Y. Ferrer • T. N. Ho • Andrea Leiderman • Anna E. Song • Mark I

1290 Ridder Park Drive • San Jose, CA 95131-2398 • Phone 408-453-6500 • www.sccoe.org

Attachment 16

Bud Lortz

From: <VEAGA@attbi.com>
To: <blortz@town.los-gatos.ca.us>
Date: 1/25/2002 7:24 AM

To:
 Los Gatos City Council
 c/o Bud Lortz, Director,
 Los Gatos Community Development Department
 blortz@town.los-gatos.ca.us

As a resident who lives near the proposed Los Gatos Gateway project and a banker concerned with the health of the Los Gatos business community, I urge the City Council to approve the application by Sobrato Development Companies.

A large, high-quality corporate campus and multiunit residential development is exactly what is needed at this major crossroads in what has long been an industrial area on the northern edge of town.

The immediate benefits of this project will be more taxes, more jobs, shorter commutes, help for working families and a boost for retail and service businesses in town. There will also be improvements for the popular Los Gatos Creek Trail. Locating a major corporate campus in town will enhance our community spirit, volunteerism and contributions.

Longer term, the project will help bring light-rail transit to Los Gatos, benefiting both Los Gatos residents who commute out and Los Gatos workers who commute in. Approval of this project will demonstrate that Los Gatos is cooperating not only with regional housing and transportation goals, but with its own housing and transportation policies as well.

Victor E. Aboukhater
 293 Casitas Bulevar
 Los Gatos, CA. 95032

Attachment 17

Eugene E. Blakeslee
17354 Creekside Court
Monte Sereno, CA 95030

By email: Bud Lortz
Director Los Gatos Community Development Department
blortz@town_los-gatos.ca.us

Chairman Lyons
Los Gatos Planning Commission

Dear Chairman Lyons and Los Gatos Planning Commissioners:

I am writing to support the Sobrato project proposed for Winchester and Highway 85. Every project the company has built has enhanced the local community and been responsive to adjacent neighborhoods, and we can count on the same level of quality in Los Gatos.

Like most other West Valley residents, I have supported development of public transit in order to reduce the valley's nearly exclusive dependence on automobiles for transportation.

I live near the Los Gatos Gateway project and support it as a way of helping assure that light-rail transit will be extended to Los Gatos. We believe that a transit station near Highway 85 will enhance traffic flow and reduce congestion, both regionally and locally. In addition, it will obviously benefit the environment.

As much as we support transit, however, we realize that just building new lines will not necessarily redirect large numbers of people into using it. To succeed, transit must redirect development into the areas around transit stations.

The Sobrato project will be the only one Los Gatos will ever be able to approve next to a transit station, and it could not be a more perfect location. It provides an ideal mix and number of jobs, residents and affordable housing. While we are not guaranteed that approving the project will persuade the VTA to extend the line from Campbell, we are virtually assured that refusing to allow a transit-oriented development will keep transit out.

Winchester and 85 is the perfect location for the high-quality, mixed-use project proposed by the Sobrato Development Companies. It should be approved without delay.

Gene Blakeslee



**Norman Y. Mineta
International Institute for
Surface Transportation
Policy Studies**

Created by Congress in 1991

*College of Business
San José State University
San Jose, CA 95192-0219
Tel 408/924-7560
Fax 408/924-7565
e-mail: mti@mti.sjsu.edu
http://transweb.sjsu.edu*

Founder

Hon. Norman Y. Mineta

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Vickie Shaffer
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David Turney
George Warrington
Edward Wyrkind*



January 24, 2002

RECEIVED

JAN 28 2002

MAYOR & TOWN COUNCIL

Mayor Randy Attaway
Los Gatos City Council
110 E. Main St.
Los Gatos, CA 95030

Dear Mayor Attaway and City Council members:

For nearly 20 years, Los Gatos City Council members have participated in and supported the studies and deliberations that led to adoption of the Vasona transit corridor with a light-rail station on Winchester Boulevard near Highway 85. Among the people working with us from Los Gatos were former mayors Tom Ferrito, Brent Ventura and JoAnn Benjamin. They and their fellow City Council members wrote their support into the Los Gatos general plan, where it remains town policy.

Now, after all these years, you finally have an opportunity to act on this policy by approving a Transit-oriented development on the adjacent Sobrato property. Here is why you should approve this TOD.

There is clear consensus among both local governments and voters that the regional transit system should be expanded and that growth should be directed into greater densities around transit stations. This policy is being pursued throughout the light-rail system as means to avoid urban sprawl while accommodating growth and ultimately reducing traffic congestion.

Two studies conducted by the Mineta Transportation Institute show that the policy is working as intended. Transit-oriented development adds value to transit, to the lower density neighborhoods around them and to communities in general. Transit-oriented development does not intrude on nearby neighborhoods; in fact, it enhances them.

Most people think of Los Gatos as a low-density community, and for the most part, it is. But significant buildings have always helped form the town's character, and a high-quality mixed-use project at this unique location will both conform to the town's tradition and enhance its future. Transit-oriented development works. It is not only good for the Santa Clara Valley as a region, but for individual cities and neighborhoods as well.

Los Gatos Gateway qualifies at the low end as a transit-oriented development. It is proposed for the appropriate location adjacent to a designated transit station site. I urge you to support it.

Sincerely,

Rod Diridon

Attachment 20

Gail Ross Thrift
140 Wilder Avenue
Los Gatos, California 95030

RECEIVED

JAN 31 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

January 26, 2002

Mayor Randy Attaway
Los Gatos City Council
110 E. Main Street
Los Gatos, CA 95030

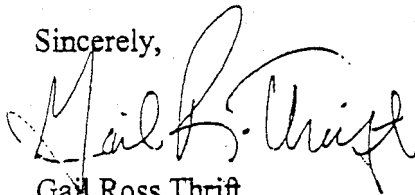
Dear Mayor Attaway,

As a homeowner concerned about the continued economic strength of our local and regional economy, I urge you to approve the proposed Sobrato project on the former A to Z Nursery site. I am confident that the Sobratos will fulfill their pledge to build an excellent, contemporary project on this former industrial site.

Sobrato Development caters to major corporations, and we are lucky to have a site that will accommodate a corporate headquarters without impacting our residential neighborhoods.

The Sobrato proposal will set a tone for other improvements in the commercial area along Winchester Boulevard. It will pay more taxes significantly in excess of its cost in city services. It will allow more teachers, firemen, policemen and other middle-class people who provide important services in Los Gatos to live near their work. Since the project is located at a freeway intersection and will connect to transit, we will be gaining all these benefits without any significant impact on traffic.

Sincerely,



Gail Ross Thrift
Los Gatos Homeowner

JAN 31 2002

Tuesday, January 29, 2002

MAYOR & TOWN

Stephan McNulty
4727 Hacienda Avenue
Campbell, CA 95008

Mayor Randy Attaway
Los Gatos Town Council
110 East Main Street
Los Gatos, CA 95030

Dear Mayor Attaway,

The Sobrato proposal for Winchester and Highway 85 is very near our home at 4727 Hacienda Avenue. We support this development for a number of reasons, but primarily for its impact on transit.

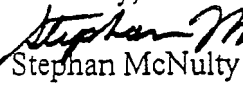
I work for the County of Santa Clara in San Jose. If I could get on light-rail at the intersection of Winchester and Highway 85, it would be ideal for getting to work. Presently it takes me longer to get to work in downtown San Jose by taking the Santa Clara Valley Transit Bus, than it takes me to drive to San Francisco in my car. I need to change busses twice to get to my work. That is an incredible hassle. My neighbors also look forward to a new transit station near our homes.

At the same time, many of the people who will work at the new development will live in San Jose, and they can come here by transit.

In addition to letting my neighbors and me leave our cars at home, the new transit station would allow people who work in Los Gatos restaurants and retail stores to leave their cars at home. I know approval of the Sobrato project does not mean we will get a transit station right away, but I think this is exactly the kind of project that should be located around transit stations. If you do not support a transit-oriented development, we will probably not get a transit station in the Los Gatos area.

Thank you for your help in making sure this important development is approved by the Los Gatos Town Council.

Sincerely,


Stephan McNulty
(408) 376-3863



RECEIVED

January 25, 2002

JAN 29 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Mayor Randy Attaway
Los Gatos City Council
110 E. Main Street
Los Gatos, CA 95030

Dear Mayor Attaway,

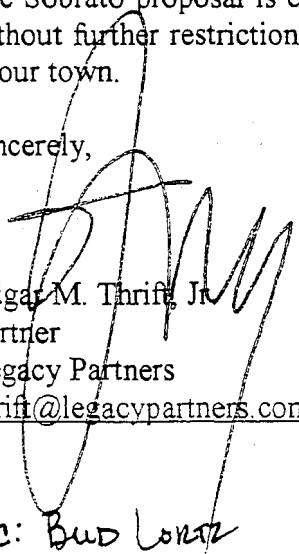
I've lived in Los Gatos for many years, and I've spent as many years following and admiring the work of the Sobrato Development Companies. Their projects are of an extremely high caliber, tastefully designed with excellent materials and always sensitive to the specific location and its surroundings.

But there's something even more remarkable. Every one of their buildings is a corporate campus or a single-user tenant. None are typical multi-tenant office buildings. As a result, the proposed Los Gatos Gateway project will surely become a corporate or divisional headquarters with numerous benefits for our town. Among these are:

1. Higher quality buildings with more employee amenities, more meeting rooms and more space per employee.
2. Employment opportunities that are likely to appeal to Los Gatos residents and employees who will want to live in Los Gatos.
3. Additional local volunteers and contributors whose efforts will enhance our community vitality.

The Sobrato proposal is excellent and appropriate for the site. I urge you to approve the application without further restrictions that jeopardize the size and quality required to attract a major corporation to our town.

Sincerely,


Edgar M. Thrift, Jr.
Partner
Legacy Partners
thrift@legacypartners.com

cc: Bud Lantz

Town Manager (External) - Sobrato Project

From: Town Manager (External)
To: joseph.gemignani@eimac.cpii.com
Date: 1/29/2002 5:05 PM
Subject: Sobrato Project

Dear Mr. Gemignani:

Thank you for your email about the proposed Sobrato development on Winchester Boulevard. It is my understanding that the Planning Commission did consider all of the public comments that were received. However, a project of this magnitude raises numerous policy concerns and I believe that several Commissioners concluded that these policy considerations were outside their purview as a Planning Commissioner since the Town Council sets Town policy. In any event, due to the type of applications being requested the Town Council is the final decision making authority. Consequently, the Commission forwarded the project to the Town Council with a neutral recommendation. The Commission did provide numerous important comments about the project that the Council will take into consideration during its evaluation of the project.

The Sobrato project will be considered by the Town Council at a public hearing on February 4th. Your email will be provided to the Town Council but I encourage you to attend the meeting and provide direct input to the Council. Your interest in this project is greatly appreciated.

If you have any questions, please contact Bud Lortz, Community Development Director of Suzanne Davis, Associate Planner at 354-6875.

DEBRA J. FIGONE
Town Manager

Victor E. Aboukhater
293 Casitas Bulevar
Los Gatos, CA. 95032

Hagar
16428 Shady View Lane
Los Gatos, CA 95032

RECEIVED

JAN 10 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Jim Lyon, Chair
Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

RE: Support of Sobrato Development Company's Los Gatos Gateway Project

Dear Chairman Lyon:

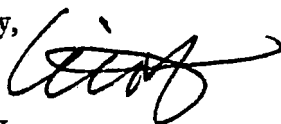
As a resident of Los Gatos for over 30 years, I have seen numerous changes in our town's landscape. Many of those changes have defined the character of downtown Los Gatos as a quaint, charming small town. The northern portion of town, however, does not share all those same characteristics. It is more commercial in nature with the larger retail centers. The Sobrato's Los Gatos Gateway project fits more the character of north Los Gatos. It is a high quality, mixed-use project that integrates well with its adjacent uses.

Los Gatos Gateway takes full advantage of its surroundings. This smart growth, infill project takes advantage of the future mass transit planned for the area. By locating jobs and housing near mass transit, it will help with the reduction of traffic congestion in the area.

I believe that the Los Gatos Gateway project, as proposed, is the best use for the former A to Z nursery site. I respectfully request the Planning Commission approve the project.

Thank you for your consideration.

Sincerely,



Kevin Hagar



LEAGUE OF WOMEN VOTERS SOUTHWEST SANTA CLARA VALLEY

• Los Gatos • Saratoga • Monte Sereno • Campbell

P.O. Box 2865, Saratoga CA 95070-0865
www.lwv-sw-santaclara-valley.org
Telephone (408) 867-VOTE

Statement to Los Gatos Planning Commission

January 9, 2002

Re: Sobrato Application PD 00-4

My name is Dale Hill, and I live at 150 Robin Way, Los Gatos. I am authorized tonight to speak on behalf of the League of Women Voters of Southwest Santa Clara Valley, formerly LWV of Los Gatos-Saratoga.

There are several aspects of this application which we support based on our positions on housing and commercial development.

First, we applaud the combination of employment opportunities and housing for the jobs thereby created. The League also recognizes the need for rental housing, which this project supplies.

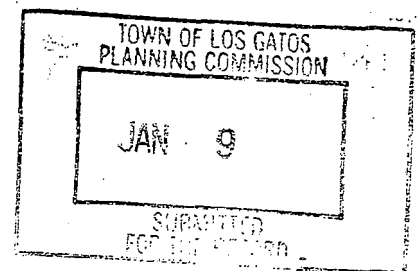
We are pleased that the number of BMP and teacher units has been increased. Our position supports increases in density near transportation corridors. Our position also supports increases in heights of residential developments near transportation corridors; so we have no problem with the residential buildings being three stories.

We are pleased that the three story portion of the R & D. building has been stepped farther back, to keep the scale of this large project more in keeping with surrounding buildings.

The plan to provide a shuttle service pending completion of light rail to Vasona Station is a positive mitigation of traffic impacts.

Last, we are pleased to see the use of sustainable building techniques, minimizing the environmental effects of this project.

Thank you for the opportunity to comment.



Bud Lortz - Sobrato proposal

From: "Lynn Mirassou" <lmirassou@linkline.com>
To: <blortz@town.los-gatos.ca.us>
Date: 1/9/2002 6:56 PM
Subject: Sobrato proposal

RECEIVED

JAN - 9 2002

Chairman James Lyon
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Dear Chairman Lyon,

We live near the proposed office and residential project proposed for Winchester and Highway 85, but are relatively new to the neighborhood. Since it's not been long since we thoroughly examined the area and chose to make a significant investment based on existing development and traffic patterns, you might expect us to oppose any significant changes. In fact, we support the Sobrato proposal, and urge you to approve the application before you.

The last two years have shown that what appeared to be an entirely new information economy was actually little different from the vulnerable old economy, requiring constant attention, adaptation and support. The proposed project will support our economy and our quality of life in a number of ways.

Building a high-quality corporate office constitutes a higher, more contemporary and more appropriate use for land historically used for both heavy and light industry.

A transit-oriented development that starts from day one with shuttle service to Campbell will help connect us to the regional transit system on which the valley's future depends.

Additional housing, especially some that is affordable, will help enable people to live in the town where they work, which is important for the health of any community.

Sincerely,
Steve and Lynn Mirassou
lmirassou@linkline.com

RECEIVED

JAN - 8 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

January 8, 2002

Planning Commission
c/o Bud Lortz, Director,
Los Gatos Community Development Department
blortz@town.los-gatos.ca.us

Dear Chairman Lyon,

I've lived in Los Gatos for many years, and I've spent as many years following and admiring the work of the Sobrato Development Companies. Their projects are of an extremely high caliber, tastefully designed with excellent materials and always sensitive to the specific location and its surroundings.

But there's something even more remarkable. Every one of their buildings is a corporate campus of a single-user tenant. None are typical multi-tenant office buildings. As a result, the proposed Los Gatos Gateway project will surely become a corporate or divisional headquarters with numerous benefits for our town. Among these are:

1. Higher quality buildings with more employee amenities, more meeting rooms and more space per employee.
2. Employment opportunities that are likely to appeal to Los Gatos residents and employees who will want to live in Los Gatos.
3. Additional local volunteers and contributors whose efforts will enhance our community vitality.

The Sobrato proposal is excellent and appropriate for the site. I urge you to approve the application without further restrictions that jeopardize the size and quality required to attract a major corporation to our town.

Sincerely,

Edgar M. Thrift, Jr.
Partner
Legacy Partners
thrift@legacypartners.com

Nicolette Rodman Kelly
224 Loma Alta Avenue
Los Gatos, CA 95032

James Lyon, Chair
Los Gatos Town Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95032

Dear Chairman Lyon:

This letter is to state my support for the Los Gatos Gateway Project.

As a business person and resident of Los Gatos, I am pleased to support the Los Gatos Gateway project. This project is a wonderful opportunity for the Town of Los Gatos. It is a well designed, mixed-use plan that takes advantage of its proximity to the future Vasona Light Rail line. Developing a higher density project that includes residential and office affords people the opportunity to live close to their jobs. This proposal will also add affordable housing for many of the Town's residents that cannot afford to be homeowners. This is the type of development that the Town should encourage along the Vasona Light Rail.

The Obrato Company's plan is smart growth for Los Gatos. I would ask the Planning Commission to please approve the Los Gatos Gateway project.

Sincerely,

A handwritten signature in cursive script, reading "Nicolette Rodman Kelly". The signature is written in dark ink and is positioned above the printed name.

Nicolette Rodman Kelly



WWW.GREENBELT.ORG

January 7, 2002

James Lyon, Chair
Planning Commission
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RECEIVED

JAN 10 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

**Re: Los Gatos Gateway (Sobrato Mixed-Use Project) -- SUPPORT
Item on Planning Commission Agenda of 1/9/02**

Dear Chair Lyon and Planning Commission Members:

Greenbelt Alliance, the Bay Area's leading land conservation and urban planning organization, strongly urges your support for the mixed-use development on Winchester Boulevard, located on the northern periphery of the Town of Los Gatos, and proposed by the Sobrato Development Companies. After careful review of their initial development proposal last fall, Greenbelt Alliance has endorsed the project, rating it as one deserving our utmost support.

In addition, we have reviewed the recent modifications to the project proposed by Sobrato in response to Planning Commission comments and would also support this development alternative -- which increases the housing component and decreases the office square footage, adds additional affordable housing, and proposes an express shuttle service. We conclude that either project alternative will provide many important community benefits for Los Gatos, as well as help protect the Bay Area greenbelt by utilizing an appropriate infill area for needed residential development.

Greenbelt Alliance has reviewed the town's General Plan and believes that both Sobrato proposals implement a number of particularly important town policies and goals. Among the key community benefits provided are: creating more transit- and pedestrian-friendly development; providing greater housing choices and increasing the amount of affordable housing; improving the Los Gatos Creek Trail and riparian environment; and revitalizing an underutilized infill property by creating a high-quality mixed-use project that fits in with the community character.

Furthermore, the additional community benefits proposed by Sobrato as part of the increased- housing alternative are far beyond what typically would be offered by a developer. These include a daily express shuttle provided in partnership with the VTA;

MAIN OFFICE ♦ 530 Bush Street Suite 303, San Francisco CA 94108 ♦ (415) 398-3730 ♦ Fax (415) 398-6530
SOUTH BAY OFFICE ♦ 1922 The Alameda Suite 213, San Jose CA 95126 ♦ (408) 983-0589 ♦ Fax (408) 983-1001
NORTH BAY OFFICE ♦ 50 Santa Rosa Avenue Suite 307, Santa Rosa CA 95404 ♦ (707) 575-3661 ♦ Fax (707) 575-4275
EAST BAY OFFICE ♦ 1601 North Main Street Suite 105, Walnut Creek CA 94596 ♦ (925) 932-7776 ♦ Fax (925) 932-1071
info@greenbelt.org ♦ www.greenbelt.org

Greenbelt Alliance

Letter of 1/07/02

p. 2

additional affordable housing units (increased from 20% to 25% of the total), with seven targeted for Los Gatos teachers; substantial additional funds for Los Gatos Creek Trail improvements and an art feature; and other financial contributions for traffic, street and pedestrian circulation improvements.

The project location is particularly well suited for housing and office uses, given that Winchester Boulevard is a major arterial and is currently served by bus lines. Further, both the Town of Los Gatos and the Valley Transportation Agency consider this site ideal for transit-oriented development, as it is adjacent to a future light rail station.

Finally, this project fits in well with the surrounding uses and is a particularly well designed example of a transit-oriented, mixed-use development. It combines housing and office uses in a thoughtful site plan that minimizes the visual impact of parking and maximizes landscaped and open areas. The podium design, with most of the parking placed beneath the buildings, is not only aesthetically pleasing, but also environmentally sound, as it reduces the amount of impervious surfaces.

Again, Greenbelt Alliance urges your support for this desirable and needed mixed-use development. Thank you for the opportunity to present our comments on this matter.

Sincerely,



Janet Stone

Livable Communities Program Director

cc: Bud Lortz, Planning Director, Town of Los Gatos
John R. Shenk, Senior Vice President, Sobrato Development Companies

January 7, 2002

RECEIVED

JAN - 8 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Planning Commission
c/o Bud Lortz, Director
Los Gatos Community Development Department
Los Gatos Planning Commission
Los Gatos City Hall
110 E. Main St.
Los Gatos, CA 95030

Dear Mr. Lortz,

I urge you to approve the Los Gatos Gateway application from Sobrato Development Companies both as a residential neighbor and a commercial neighbor.

We live nearby on Oak Meadow Drive and are very anxious to see the proposed redevelopment of this property. While we did use the A to Z Nursery and have some regrets at its passing, we never liked having the cement trucks there. The single-story manufacturing buildings are outdated. The proposed mixed use R&D and residential is much more contemporary and appropriate for the property.

In addition, as an employee of South Bay Development, which owns the adjacent property, I am extremely pleased to support a project that will enhance and upgrade the surrounding commercial community. Invariably an extremely high quality development such as Sobrato proposes raises adjacent property values and acts as a catalyst that enables and encourages other property owners to also upgrade and improve their properties.

Approving a transit-oriented development for the Sobrato site will also improve our chances of getting the proposed transit station built. The transit station will also encourage improvements in the area by offering an alternative to the automobile for residents and employees.

Sincerely,


Mark Regoli

cc: John A. Sobrato
John M. Sobrato



Santa Clara County Housing Action Coalition



The Santa Clara County Housing Action Coalition is comprised of a broad range of organizations and individuals who have, as a common goal, the vision of affordable, well-constructed and appropriately located housing

September 24, 2001

Mayor & Council
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

Dear Mayor & Council:

On behalf of the Housing Action Coalition, we are writing to express our support for the Los Gatos Gateway EIR housing alternative mixed-use proposal at 1430 and 1450 Winchester Blvd submitted by Sobrato Development.

By way of reference, the Housing Action Coalition includes more than 100 organizations and individuals. Its goal is the production of well-built, appropriately located housing that is affordable to families and workers in Silicon Valley. Organizations participating in the HAC include the Silicon Valley Manufacturing Group, the Home Builders Association, Greenbelt Alliance, the Sierra Club, the League of Women Voters, numerous local governments, several chambers of commerce, Santa Clara County Association of Realtors, Tri-County Apartment Association, and the Affordable Housing Network.

This mixed-use development consists of two commercial buildings and 105 apartments, 25% of which would be available at below market rate. The additional homes would help Los Gatos to assist the region in closing the gap between jobs and housing, serving to increase the overall supply of much-needed homes in Silicon Valley and positively impacting our region's jobs/housing imbalance.

The parcel proposed for development is adjacent to a planned light rail station, and as such, presents a rare opportunity to capitalize on the potential to link land use and transportation. By providing both housing and jobs in close proximity to transit, residents and workers can leave their cars at home, helping to alleviate both air pollution and traffic congestion. Additionally, the site is uniquely buffered on all sides, limiting the direct impacts on the adjacent uses. The Housing Action Coalition strongly supports opportunities to maximize land use and transportation linkage through greater heights and increased densities adjacent to transit stations and along transit corridors. The Los Gatos Gateway proposal presents such an opportunity.

Although the Coalition would prefer to see more homes proposed on this site, we understand the developer's sincere efforts to tailor a proposal that compliments existing uses and neighborhoods. The Housing Action Coalition strongly encourages your support of this proposal. Thank you for your consideration of our comments.

Sincerely,

Lee Wieder
Housing Action Coalition Co-Chair

Rebecca Elliot
Housing Action Coalition Co-Chair

Housing Action Coalition c/o SVMG 226 Airport Parkway, Suite 190, San Jose, Ca 95110

Exhibit Z

MOORE

GMC TRUCK PONTIAC BUICK

15500 Los Gatos Blvd. • Los Gatos, CA 95032 • Phone 408/356.8111 • Fax 408/356.7107

January 4, 2002

Chairman James Lyon
Los Gatos Planning Commission
Los Gatos City Hall
110 E. Main St.
Los Gatos, CA 95030

RECEIVED

JAN - 7 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Dear Mr. Lyon,

It may seem unusual for someone whose family has been in the automobile business in Los Gatos for more than half a century to be advocating public transit, but this is precisely the main reason that we support the Sobrato Los Gatos Gateway project.

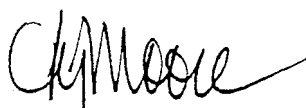
Automobiles are our business; we love them. We'll always have them. But we also recognize that our future prosperity rests on the creation of a balanced transportation system. Our love affair with automobiles will surely dim if traffic congestion keeps us from driving them anywhere, anytime.

Santa Clara County is not going to extend light-rail transit to Los Gatos if the town rejects a transit-oriented development for what will probably be the only Los Gatos property to be developed in such close proximity to a proposed transit station. Town policy and the general plan both support building a transit station at the intersection of Winchester and 85. We can prove we are sincere by supporting a development that is exactly what transportation officials envision for the adjacent property.

Of course there are a lot of other benefits from the Sobrato proposal that will exist even without transit: jobs, more business for local restaurants and stores, more taxes for schools and city services, and more affordable housing.

Los Gatos is part of a larger community, and we need to show that we will do our fair share to solve regional problems. Approval of the Sobrato application will demonstrate the Town's intention to be a part of that solution.

Sincerely,



John Moore

www.moorevalue.com

Exhibit AA

Los Gatos Swim and Racquet Club

established in 1959

1998 USPTR International Club of the Year
1998 USTA Nor Cal Sectional Organization of the Year

January 7, 2002

Mr. Jim Lyons
Chairperson
Los Gatos Planning Commission

Re: Sobrato Development Project

Dear Mr. Lyons:

After reviewing the plans for the Sobrato project, we would like to offer our support for the development. A transit oriented project with a campus style 288,000 square foot office and R&D component and a 135 unit residential project will be welcome additions to the north side of town and we feel beneficial to the business community. We would hope that this project will speed up the construction of the light rail down to the Vasona Station, which would help relieve traffic congestion and assist our employee commuting times.

The project is well conceived and we know the architecture and design will be first class. The company that eventually occupies the buildings will become the largest tenant in town and the people who occupy the residences will have the opportunity to live in our beautiful town.

We are available to further discuss this project should you have any questions or comments.

Sincerely yours,

Ron Denevi
Owner/Manager

Mike Denevi



Jan. 7, 2002

Chairman James Lyon
Los Gatos Planning Commission
Los Gatos City Hall
110 E. Main Street
Los Gatos, CA 95030

RECEIVED
JAN 08 2002
TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT

Dear Mr. Lyon and Planning Commission Members,

I have lived in Los Gatos and sold homes here for many years. The value of these homes has grown steadily and dramatically, reflecting both prosperity and a perception that our town is a fine place in which to live. The equity building in our homes assures us that we will be provided for in retirement as well as that we will have something to leave to the next generation of our families.

But property values are not guaranteed; they can also decline. And the problems associated with declining property values are far greater than those associated with appreciation.

The Sobrato project proposed for the former A to Z Nursery property will help Los Gatos in a great many ways to remain a prosperous and desirable community in which to live.

Los Gatos Gateway will significantly increase our tax base and ability to provide community services.

A corporate office there will provide the kind of jobs for which people who live here are qualified, and it will bring more business for local retailers and service companies.

The apartments will enable more middle-class people who work here and perform valuable services for the community to also live here.

As Silicon Valley continues to grow, our prosperity will lie increasingly on being connected to the regional transportation system. The combination of jobs and housing included in the Sobrato proposal is needed to persuade the VTA to build a transit station in Los Gatos.

I strongly urge you to approve the Sobrato application.

Linda S. Rodriguez

A handwritten signature in cursive script, appearing to read 'Linda S. Rodriguez', is written over a circular stamp.

214 Los Gatos-Saratoga Road
Los Gatos, CA 95030
Office 408.358.1111 Fax 408.358.1199
<http://www.apr.com>

Exhibit FF



RECEIVED

JAN 08 2002

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT

Tuesday, January 7, 2002

To: Town of Los Gatos
Attention: Mr. Jim Lyons

From: Tom Albanese
C/o Campo di Bocce

RE: Los Gatos Gateway Project
Sobrato Development

Dear Mr. Lyons,

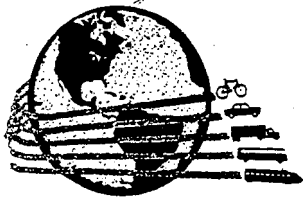
I am the principal owner of the property and business known as Campo di Bocce located at 565 University Avenue and would like to comment on the above referenced project.

I am in favor of this project for the following reasons. Because of the nature of this mixed use project, I feel, would bring a solid base of people to Los Gatos that could reinforce our economy here in our Town. Because of people like ourselves that have made substantial investments in the Town we rely on good sound planning practices that promote and nurture our local businesses. By approving this excellent use of property that contains R and D and much needed housing, it accomplishes the primary goal of ensuring a consistent core of employment and housing that will no doubt bolster the economy of the Town of Los Gatos with the least amount of infrastructure issues.

I strongly urge the planning commission to look favorably upon this project and vote unanimously to approve this request.

Sincerely,

Thomas Albanese
Campo di Bocce



MTI

**Norman Y. Mineta
International Institute for
Surface Transportation
Policy Studies**

Created by Congress in 1991

College of Business
San José State University
San Jose, CA 95192-0219
Tel 408/924-7560
Fax 408/924-7565
e-mail: mti@mti.sjsu.edu

Founder

Hon. Norman Y. Mineta

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Hans Rat
Lawrence Reuter
Vickie Shaffer
David L. Turney
George Warrington
Edward Wytkind*

January 8, 2002

Chairman James Lyon
Los Gatos Planning Commission
110 E. Main St.
Los Gatos, CA 95030

RECEIVED

JAN - 9 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Dear Chairman Lyon and Planning Commissioners:

Since 1982, Los Gatos representatives have participated in the studies and deliberations that led to adoption of the Vasona transit corridor with a light-rail station near the intersection of Winchester Boulevard and the West Valley Freeway (Highway 85). These representatives included former mayors Tom Ferrito, Brent Ventura and JoAnn Benjamin. Los Gatos's support for this transit corridor was written into the Los Gatos general plan and remains town policy.

There is clear consensus among both local governments and voters that the regional transit system should be expanded and that growth should be directed into greater densities around transit stations. This policy is being pursued throughout the light-rail system as means to avoid urban sprawl while accommodating growth and ultimately reducing traffic congestion.

Three studies conducted by the Mineta Transportation Institute, show that the policy is working as intended. Transit-oriented development adds value to transit, to the lower density neighborhoods around them and to communities in general. Transit-oriented development does not intrude on nearby neighborhoods; in fact, it enhances them. As a former elected official at both the city and county levels, I know it is difficult to support greater densities in selected areas of low-densities communities. But transit-oriented development works. It is not only good for the Santa Clara Valley as a region, but for individual cities and neighborhoods as well.

The Sobrato Development Companies' Los Gatos Gateway project qualifies, albeit at the low end, as a transit-oriented development. It is proposed for the appropriate location adjacent to a designated future transit station site. I urge your support.

Sincerely,

Rod Diridon

RECEIVED

JAN 09 2002

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT

January 9, 2002

The Honorable Jim Lyon
Chair, Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

RECEIVED

JAN 09 2002

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT

RE: Sobrato Development Company's Los Gatos Gateway Project

Dear Chairman Lyon:

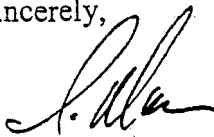
I am writing to you and the Planning Commission in support of the Sobrato Los Gatos Gateway project on Winchester Boulevard.

As a resident of Los Gatos, I have the opportunity to enjoy the variety of amenities that the Town offers. Los Gatos has a unique character with its quaint downtown, creek trail system and outlining shopping districts. I believe that the Sobrato development will add to that character. The addition of upscale apartments and a business campus at the north end of Town will enhance a currently blighted area. It will also assist the Town with the development of the Vasona Light Rail line.

The Sobrato family has a long history of building quality projects in Santa Clara County as well as participating in the communities in which they build. I think the Sobrato development is a welcome addition to our town. I would urge to Planning Commission to approve the project as proposed by the Sobrato Development Company.

Thank you for your consideration.

Sincerely,



Scott Monson
16 Bayview

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

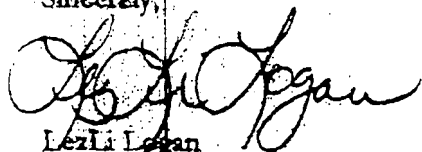
Dear Chairman Lyon:

Thank you for your dedication to serving the Town of Los Gatos. I would like to state my support for the Los Gatos Gateway project on Winchester Boulevard.

I moved to Los Gatos about 8 years ago, and have enjoyed living in our small town. My husband is a long-time resident, and my children will be the 3rd generation of Logans to attend Los Gatos High School. I believe that both the Planning Commission and the City Council have done an exceptional job of ensuring that Los Gatos maintains its character and charm - not an easy task. While I would like to see growth limited in Town, I am supportive of this project. I believe that the location on Winchester Boulevard and Highway 85 is the appropriate place for an intensified development. Los Gatos needs more affordable housing, and combining both housing and jobs on one site makes sense. It is a forward-thinking concept that will afford people the ability to live close to their work, thus reducing traffic on the street.

Los Gatos should encourage a real transit-oriented plan for this property since it is located right on the Vasona Light Rail line. The Sobrato Company's plan, I believe, is the right mix of uses and density. I ask you to support the Sobrato project.

Sincerely,



Lezli Logan
136 Loma Alta Avenue
Los Gatos, CA 95030



January 9, 2002

James Lyon
Los Gatos Planning Commission
Los Gatos City Hall
110 E. Main St.
Los Gatos, CA 95030

Dear Chairman Lyon and Los Gatos Planning Commissioners:

Community Hospital of Los Gatos strongly supports Sobrato Development Companies' proposed Los Gatos Gateway project because of its positive impacts on transportation and neighborhood revitalization.

We currently have an average daily workforce of about 400 people, many of whom commute to work by bus. Since the hospital lies within 2,000 feet of the proposed transit station, we are confident it would persuade an even greater number of our employees to travel by public transportation instead of by automobile. We anticipate that some of our employees will immediately make use of the proposed shuttle bus service to the Winchester light rail station in Campbell, especially if it were to swing by Knowles Drive.

Patients and visitors also will take advantage of the new public transportation choices made available to them.

We also hope that some of our employees will be able to take advantage of the new housing proposed for Los Gatos Gateway. Since they will be within walking distance of the hospital, their commuting worries will be over.

Community Hospital has just announced an \$85 million capital improvement program. We expect to be an important member of this neighborhood for as long as we can see.

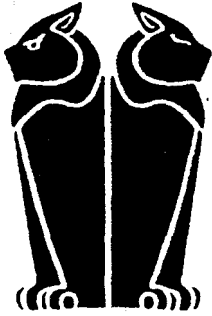
Relying on traditional patterns of low-density development served solely by automobiles will not solve our traffic congestion problems or maintain our quality of life.

A high quality, mixed-use, transit-oriented development such as that proposed is exactly what we need to assure that our neighborhood remains prosperous, attractive and safe.

Sincerely,

Daniel P. Doore
Chief Executive Officer

DPD/pr



TOWN OF LOS GATOS CHAMBER OF COMMERCE

SPEAKING FOR BUSINESS,
LISTENING TO THE COMMUNITY

February 1, 2002

Mayor and Town Council
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95032

Re: Los Gatos Gateway Project

Dear Mayor and Members of Council:

The Board of Directors of the Los Gatos Chamber of Commerce has reviewed this project and recommends that the Los Gatos Town Council approve the Los Gatos Gateway proposal for the following reasons:

It is consistent with the General Plan. The proposed project is the appropriate land use for this area of the Town, is compatible with surrounding office park and commercial uses and will support the VTA's consideration of the Vasona light rail extension.

The environmental analysis found no significant adverse impacts. Town staff has analyzed this project carefully and the developer has agreed to include in the project mitigation measures that will address those impacts.

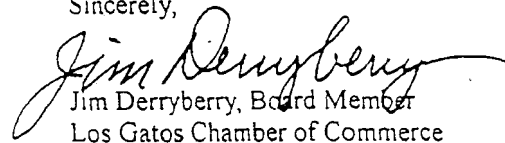
The proposal was modified in response to the Town's concerns. The developer has reduced the amount of office and increased the affordable housing in response to the Planning Commission's concerns.

The project has positive economic development benefits. The proposal will provide both jobs and housing opportunities for Los Gatos. Adding new office space to the local inventory can attract new businesses and provide for expansion of local companies that are successful. Affordable housing is also an important benefit for employees of local businesses and school districts who do not have housing choices to live in the Town.

Finally, the business community looks to the Town Council to provide leadership that enhances the overall economic health of Los Gatos in support of services and capital improvements that benefit all residents and businesses.

On behalf of the Los Gatos Chamber of Commerce Board of Directors, I respectfully ask the Mayor and Town Council to favorably consider the Los Gatos Gateway proposal.

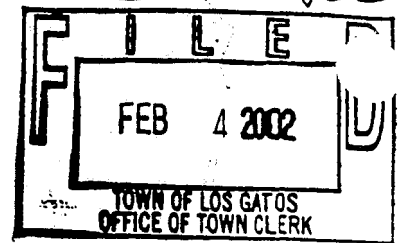
Sincerely,


Jim Derryberry, Board Member
Los Gatos Chamber of Commerce

**The Interfaith Council on Religion, Race, Economic, and Social Justice
Housing Committee**

February 4, 2002

Mayor Randy Attaway and City Councilmembers
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030



Gentlepersons:

It is with regret that I will not be able to be present at the Town Council meeting tonight to speak on behalf of the Interfaith Council in support of the Sobrato Planned Development project on Winchester Avenue.

Our Council past chair, Rabbi Melanie Aron of Congregation Shir Hadash in Los Gatos, spoke in support of the project at the Planning Commission hearing, but she has since left the country on a sabbatical.

It is our understanding that the project is in compliance with the Town's General Plan and will help in providing more affordable housing toward Los Gatos' fair share with some units set aside for teachers and public safety service workers which are much needed in the community.

The Interfaith Council advocates for all basic human needs including the right of all people to economic sustenance, safe and affordable housing, education, and health care.

We respectfully ask that you approve this project. Thank you for your attention.

Sincerely yours,



Betty S. Feldheym

Co-chair
Housing Committee

J. PHILIP DiNAPOLI

January 29, 2002

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FEB - 5 2002
TOWN OF LOS GATOS
PLANNING DEPARTMENT

RECEIVED

FEB 4 2002

MAYOR & TOWN COUNCIL

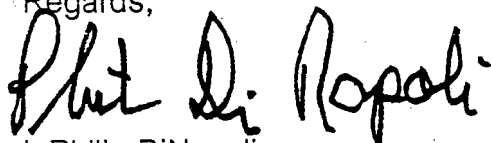
The Honorable Randy Attaway
Mayor, City of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Mayor Attaway:

Our family has owned property in Los Gatos and the Santa Clara Valley since long before electronics replaced agriculture, and we have seen a lot of developments approved or disapproved depending on their appropriateness at a given time. Most of Los Gatos comprises single-family homes of relatively low density, but our homes have never entirely defined either our town's character or its charm. There always have been substantial public and private commercial structures, and the need for them grows not less, but more.

We believe it is now appropriate and timely for the proposed Los Gatos Gateway project to replace the outdated industrial uses at Highway 85 and Winchester Boulevard. We are fortunate that a developer with the strength and caliber of Sobrato Development Companies has proposed to build a project of this quality at that location. It will benefit and set a high standard for the entire commercial district on the northern perimeter of our town. It is the appropriate use of the appropriate size at the appropriate location at the appropriate time. We urge you to approve this application.

Regards,


J. Philip DiNapoli

LAW OFFICES OF
JAMES F. BOCCARDO
985 UNIVERSITY AVENUE, SUITE 12
LOS GATOS, CALIFORNIA 95032
TELEPHONE (408) 354-5222

FACSIMILE (408) 354-5116

RECEIVED

FEB 4 2002

MAYOR & TOWN COUNCIL

January 25, 2002

Mayor Randy Attaway
Los Gatos Town Council
100 Main Street
Los Gatos, CA 95030

RECEIVED
FEB - 5 2002
TOWN OF LOS GATOS
PLANNING DEPARTMENT

RE: Los Gatos Gateway

Dear Mayor,

As a long-time resident and an owner of numerous commercial properties in and around the Winchester, Lark and University Avenue area, I want to go on record as strongly supporting approval of the proposed Sobrato Gateway project. It's especially important that this project be approved as a development that will qualify as a transit-oriented development.

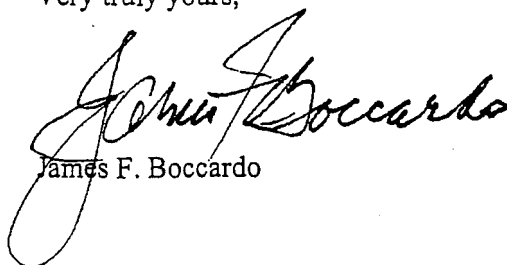
I recognize what an enormous value it will be for my employer tenants to have light rail so close at hand. And I know that employers throughout Silicon Valley place a high value on having a business near a light rail line.

The general feeling is that a substantial, high-quality project such as the Sobratos propose will enhance economic prospects for both the immediate area and the rest of the community as well. Having immediate freeway access and a shuttle bus to the new transit station in Campbell assures that the project will not add to traffic congestion. Providing a corporate headquarters, good jobs and more housing will increase business for local service companies, retail stores and restaurants.

In addition to immediate financial benefits, employers look forward to the long-term, regional benefit of having a transit station at this major intersection. Light rail transit enjoys tremendous support in Los Gatos, and residents have overwhelmingly supported it during elections. Los Gatos has adopted policy and a general plan that supports extending light rail to this location. People understand that transit officials are never going to approve the extension they want unless the town approves a project like Los Gatos Gateway for the property adjacent to the station.

I greatly appreciate your consideration of this project.

Very truly yours,


James F. Boccardo

James and Michelle Rees
16696 Magneson Loop
Los Gatos, CA 95032

January 25, 2002

Mayor Randy Attaway
and the Los Gatos City Council
110 E. Main St.
Los Gatos, CA 95030.

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FEB - 5 2002

TOWN OF LOS GATOS
PLANNING DEPARTMENT

RECEIVED

FEB 4 2002

MAYOR & TOWN COUNCIL

Dear Council Members:

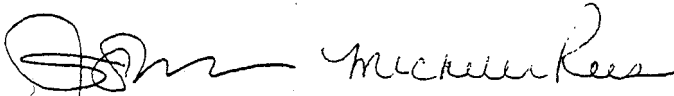
We have lived for many years in Los Gatos and are very familiar both with the former A to Z Nursery site and the high quality projects built by the Sobrato Development Companies. We have also examined the Los Gatos Gateway proposal and believe that it is an ideal location for the proposed Los Gatos Gateway. These are the reasons:

The project is large enough to support transit. It is dense enough to assure the highest quality design and materials. The location at the periphery of the town at the intersection of a freeway and major arterial prevents any significant impact on traffic, even without the adjacent transit station.

Los Gatos will benefit from having a corporate headquarters, increased taxes and improvements to the Los Gatos Creek Trail. Los Gatos residents will benefit from having jobs so close to their homes that they can commute by bicycle. Los Gatos employers will benefit from enhanced transit opportunities for their out-of-town employees. More people who work in Los Gatos and are vital to maintaining our quality of life will also be able to live here.

It is for these reasons that we support the proposed Los Gatos Gateway project.

Sincerely,


James and Michelle Rees



September 17, 2001

RECEIVED

SEP 17 2001

TOWN OF LOS GATOS
PLANNING DEPARTMENT

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

Dear Chairman Lyons:

I am writing in support of the Los Gatos Gateway project as presented by Sobrato Development.

By way of background, I am a life long resident and business owner in the Town of Los Gatos. My business, March Development Company, has managed Vasona Station on Winchester Boulevard since it was built in 1979. I am pleased to see the development of the Maxxim and A to Z Nursery sites as a mixed-use project. The Los Gatos Gateway project will be a nice addition to our end of town.

Los Gatos Gateway is a well-designed plan that allows for the integration of office space and housing, while maximizing the amount of on-site open space. It also takes full advantage of the future Vasona Corridor Light Rail line and the Los Gatos Creek Trail. This is the most appropriate use for this property and meets the goals of the General Plan of the Town.

Again, as a business owner on Winchester Boulevard, I am very supportive of this development in our area and request the Planning Commission's approval of the mixed-use alternative.

Sincerely,

Beth Wright
Principal
March Development Company



**Town & Country
Landscaping
& Supply Co., Inc.**

Contractor's License No. 300450

RECEIVED

SEP 18 2001

TOWN OF LOS GATOS
PLANNING DEPARTMENT

September 18, 2001

Dear Chairman Lyon and Planning Commission Members:

For many years I operated A to Z Tree Nursery on the Winchester Boulevard site now owned by Sobrato Development Companies. While I was sorry to have to give up the nursery and will miss doing business in Los Gatos, particularly the Christmas tree lot that had become something of an institution, I have to confess that I don't miss a bit the hard work that went into the nursery's operations. I'm writing you for two reasons. First of all to tell you of the incredibly good experience of working with the Sobrato Development Company. After I was notified that I was losing my lease, John Michael Sobrato met personally with me and could not have been nicer to deal with. He gave me extra time on my lease to close the nursery in an orderly manner and transfer my employees to other sites, and in general provided a high level of consideration and understanding. And secondly, I've had a chance to review the plans for a mixed-use development on the site and think they are tremendous. Los Gatos Gateway is an outstanding use for this property. The location is ideal from a transportation standpoint, with easy access via freeway, light rail and the Los Gatos Creek bicycle trail.

If anyone has concerns about the traffic aspect of the proposed project, I think there are three significant points to remember:

1. The nursery itself and the cement batch plant generated a tremendous amount of traffic, including heavy truck traffic and retail traffic on weekends.
2. The traffic in and out of the proposed new project will be almost 100% reverse commute. Los Gatos residents who work at the site will in many cases ride bicycles or at best have a very short commute.
3. It is important that this project be approved in order to secure priority funding for light rail. That transit line will unquestionably serve both employees coming to the project and residents leaving the project. Not only that, getting light rail in will also reduce traffic overall because so many other residents will be able to use it.

Even though this project in itself will generate traffic, if it is instrumental in bringing light rail to Los Gatos, as I believe it will be, it will reduce overall traffic in town, possibly very significantly.

Sincerely yours,

Jon Anderson

Exhibit K

Please direct remittance and inquiries to:

P.O. Box 320940, Los Gatos, CA 95032 • (408) 354-6603 • Fax (408) 354-8395

Frank Alam
14345 Capri Drive
Los Gatos, CA 95032

RECEIVED

SEP 18 2001

TOWN OF LOS GATOS
PLANNING DEPARTMENT

Mr. Bud Lortz, Community Development Director
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

VIA FAX: 408-354-7593

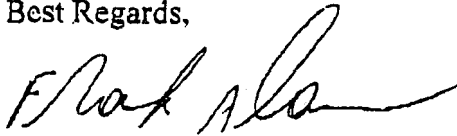
Re: Sobrato Development Project

Dear Mr. Lortz:

I am the homeowner who's property most directly affected by the proposed redevelopment of the Maxxim facility and I am writing to express my 100% support for the mixed use development by Sobrato Development Companies. This development makes sense at this location and will upgrade and add quality and value to our entire neighborhood.

As a neighbor and property owner living directly across the street from the proposed project, I ask that the Town of Los Gatos consider my views thoughtfully and move the project forward expeditiously. Please forward my letter the Town Council and Planning Commission.

Best Regards,



Frank Alam

September 17, 2001

RECEIVED

SEP 18 2001

TOWN OF LOS GATOS
PLANNING DEPARTMENT

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

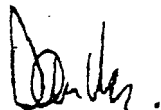
Dear Mr. Lyon:

I am writing to request the Town of Los Gatos Planning Commission's support for the Los Gatos Gateway project on Winchester Boulevard.

I live and work in Downtown Los Gatos, and I believe the proposed Gateway project would be an excellent use of the Winchester Boulevard area. The idea of mixed use will provide Los Gatos with needed housing and at the same time add jobs and tax income to our town. Access to the future light rail will place these homes and jobs near public transit. Also, it seems much thought has been given to the layout of this unique site, recognizing the Winchester Boulevard commercial influence and Los Gatos Creek trail.

I believe that the Los Gatos Gateway project is a well thought out development that will greatly benefit our town. Please approve the mixed-use alternative for this site.

Best regards,



Dan Ross
Homeowner
466 University Avenue
Los Gatos, CA 95032



226 Airport Parkway, Suite 190
San José, California 95110
(408)501-SVMG (7864) Fax (408)501-7861
<http://www.svmg.org>

CARL GUARDINO
President & CEO

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University of California, Santa Cruz

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BEATRIZ INFANTE
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DAVID KLINGER
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San José Mercury News

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JOE NEMETH
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ARTHUR L. ROBERTS
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CITIBANK

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JOHN STEWART
General Dynamics Electronics Systems

JOYCE M. TAYLOR
Pacific Bell

BOB WAYMAN
Hewlett-Packard Company

DAVID WRIGHT
Legato Systems

JOANN ZIMMERMAN
Kaiser Permanente

Working Council Chair
ROBERT C. SHERRARD
Mid-Peninsula Bank

Founded in 1977 by
DAVID PACKARD

September 15, 2001

Mr. James Lyon
Chair Planning Commission
Town of Los Gatos
239 Johnson Avenue
Los Gatos, CA 95031

Dear Mr. Lyon:

I write on behalf of Silicon Valley Manufacturing Group to express our support for **Los Gatos Gateway**, a proposed mixed-use development by Sobrato Development on Winchester Avenue at Route 85.

As you may know, the Silicon Valley Manufacturing Group is a public policy trade organization formed 23 years ago by David Packard of Hewlett Packard. Today, the Manufacturing Group represents 190 of Silicon Valley's most respected employers who collectively provide 275,000 jobs—one out of four in the private sector. Housing is one of five top priorities for the organization, including Transportation, Education, Environment and Energy.

The housing alternative in the EIR for this 12.3 acre site is for a two- to three-story office and residential development that would include 105 apartments, 25 percent of which would be below market rate. Sobrato Development has committed that 5 percent of the homes will be reserved for Los Gatos teachers.

The parcel is bordered by a water district rock storage facility, an office park, Los Gatos Creek, and the railroad track running along Winchester Boulevard. It is in walking distance to retail stores, on a major bus route, and adjacent to a future Light Rail Station—the first and only proposed for Los Gatos.

Given these conditions, we believe this site is idea for the higher-density development proposed by Sobrato Development. Los Gatos Gateway will expand the supply and types of homes available to Los Gatos-area workers and residents, including the supply of more affordable homes. And, it will increase the opportunity for residents to walk or use transit, rather than having to rely on a car. By locating a higher-density development such as this on a transit corridor, the Town of Los Gatos will maximize the investments we as a community have and continue to make in our transit system, while giving VTA more reason to extend Light Rail to Los Gatos.

Ideally, we would like to see even more homes approved at this location, given that it is buffered on all sides from other lower-density residential areas. But even at this density, Los Gatos Gateway would make an important contribution to the town and our region. Thank you for considering our views.

Sincerely,

Carl Guardino
President & CEO

cc: Planning Commission

A to Z Property Proposal

From: "The O'Laughlins" <poloughl@home.com>
To: <blortz@town.los-gatos.ca.us>
Date: 09/18/2001 6:25 PM
Subject: A to Z Property Proposal

September 17, 2001

To: Planning Commission Chair Jim Lyon and the Los Gatos Planning Commission
Care of Bud Lortz, Director of Community Development Department
Town of Los Gatos
<mailto:blortz@town.los-gatos.ca.us>

Dear Chairman Lyon and Planning Commissioners:

I have followed the proposed development of the former "A to Z Nursery" property with considerable interest. The proposal addresses two issues I have long advocated during my ten years of service on both the Los Gatos Planning Commission and the Los Gatos Town Council. The issues are high density housing near light rail and more affordable housing for Los Gatos residents.

A concentration of high density housing will be a considerable inducement for the Valley Transit Authority to fund extension of light rail to the Vasona Station. The A to Z parcel is the only one in Los Gatos that will be adjacent to a light rail station. Whatever project is approved there must meet the VTA's criteria for transit-oriented development if we are going to have any priority in funding. The VTA strongly advocates housing and jobs near its light rail stations.

The proposed housing element of the plan, particularly its affordable housing portion, will make a significant contribution to allowing middle-class families that work in Los Gatos to live here. Home prices in Los Gatos are so high that many people who work here, like teachers, police and firefighters, often cannot afford to live here. This is an unhealthy situation that the Town has recognized for many years, but has been unable to do much about. There are very few sites in Los Gatos that can potentially offer 105 units of rental housing for these people.

A site fully developed for housing only creates its own set of problems. This is why I advocate an appropriate mixed use, which logically compromises between development that generates taxes and development that consumes Town resources.

Very truly yours,

Pat O'Laughlin

From: Kim Macdonald <kmacdonald@tbionline.com>
To: "blortz@town.los-gatos.ca.us" <blortz@town.los-gatos.ca.us>
Date: 09/19/2001 8:54 AM
CC: "johnm@sobrato.com" <johnm@sobrato.com>

Dear Chairman Lyon and Los Gatos Planning Commissioners,

During many years of involvement in the Santa Clara Valley real-estate industry, I have found that when it comes to quality development and personal integrity of the principals, the Sobrato Development Companies is among our very finest organizations. The Town of Los Gatos can be assured that whatever representations the Sobrato organization makes about Los Gatos Gateway or any other project, they will be honored. Key Sobrato strengths have been experience, capability and local ownership. Now in its third generation as a family-owned development business, the Sobratos have become one of the two largest developers in Silicon Valley. They have won widespread recognition both for outstanding high-technology headquarters and campuses and for creative residential communities. Most important, they nearly always build and hold for their own portfolio, assuring that tremendous pride goes into both design and construction.

At Toeniskoetter & Breeding, Inc. we have the same philosophy, and I know how important quality is to a local, family-owned enterprise. Los Gatos Gateway will be closely associated with the Sobrato companies and the family name. You can be sure they will pay attention to every detail.

Sincerely,

Charles J. Toeniskoetter
25570 Firhaven Lane
Los Gatos, CA 95033

cc: John Michael Sobrato

Sobrato Development Project

From: Jim Levitt <jel@quakesafe.com>
To: "blortz@town.los-gatos.ca.us" <blortz@town.los-gatos.ca.us>
Date: 09/19/2001 10:02 AM
Subject: Sobrato Development Project

To: Planning Commission Chairman James Lyon
 C/o of Bud Lortz,
 Director, Community Development Department
 Town of Los Gatos
 blortz@town.los-gatos.ca.us

Dear Chairman Lyon,

The Sobrato Development project proposed for Winchester Boulevard north of Highway 85 offers Los Gatos a unique opportunity to support greater use of public transportation and lesser use of the automobile. A mixed-use, transit-oriented development such as proposed is very appropriate for the site and location.

Both elected officials and staff in Los Gatos have always publicly supported light rail. That's one of the reasons we didn't get a larger interchange at Highway 17 and 85. There will never be a better situation to put this verbal support into action than this. Even though the site is on the Campbell side of the freeway, it technically is in Los Gatos. If the town is not willing to support light rail in the one place where it has the opportunity, it is unlikely that extending light rail service to Los Gatos will ever get any priority.

Frankly, I'm not a big supporter of light rail. As a third-generation valley resident who is involved in businesses that range from broadcasting to construction, I would prefer a more flexible mass transit system. But our region has selected light rail as the long-term alternative to the automobile and committed hundreds of millions of dollars to it. Los Gatos must now do its part to support the regional light rail system. Projects like Los Gatos Gateway are the key to making it work.

If mass transit works the way our town officials have always said it will, then ultimately, by supporting light rail now, we will lessen our reliance on the automobile in the future. If we fail to take what is probably the only chance we will ever get to endorse the system, we will probably assure a continuing dependence on our cars and ever-worsening traffic congestion.

This kind of project is good for Los Gatos and the valley as a whole. The Sobrato family is the kind of local developer that we should support. They live here. They will pass by this project the rest of their careers. They will build it right.

Jim Levitt
 jel@quakesafe.com <<mailto:jel@quakesafe.com>>.

14 Glenridge Ave.
 Los Gatos

VASONA RANCH

P. O. Box 320564
Los Gatos, CA 95032-0109

RECEIVED

SEP 19 2001

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT

September 19, 2001

The Honorable James Lyon, Chair
Planning Commission
Town of Los Gatos
110 East Main
Los Gatos, CA 95030

RE: Sobrato Development Company Proposal
Los Gatos Gateway

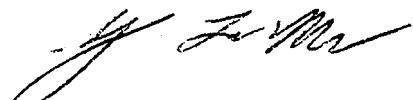
Dear Chair Lyon and Commission:

Our property, which is located at 14561 Winchester Boulevard - directly south and west across Highway 85 and Winchester Boulevard from the Sobrato site - has been owned by our family since 1912.

The Sobrato project, as envisioned, would provide a welcome addition to the neighborhood. It would replace a barren, pseudo-industrial site with a first-class, aesthetically pleasing, office/research and development complex, as well as providing much-needed housing - including below market rate units. The planned VTA station at the site further maximizes the utilization of resources.

In view of the above, our family supports Sobrato Development Company's Los Gatos Gateway project.

Sincerely,



Guy LaMar



COURTSIDE CLUB

SEP 19 2001 SD

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT

September 14, 2001

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

Dear Members of the Planning Commission,

I have had the opportunity to review the planned development of 14300-14350 Winchester Boulevard by Sobrato Development Companies, and would like to state Courtside Club's support for approval of the project. This type of development fits well in the area and supports a much needed community resource in the eventual extension of light rail into the Los Gatos Gateway. We encourage the Planning Commissioners to consider the application and we look forward to seeing the improvement to area that the development will bring.

Sincerely,

Natalie A. Valdez

Natalie A. Valdez
General Manager

cc: Eric Morley, Morley Hunter Group, Inc.
John Shenk, Sobrato Development Companies
Jim Gerber, Western Athletic Clubs
Mindy Steiner, Western Athletic Clubs

