



MEETING DATE: 6/2/08  
ITEM NO: 19  
DESK ITEM

## COUNCIL AGENDA REPORT

DATE: June 2, 2008

TO: MAYOR AND TOWN COUNCIL

FROM: GREG LARSON, TOWN MANAGER

SUBJECT: CONSIDER AN APPEAL OF A PLANNING COMMISSION DECISION DENYING A REQUEST TO DEMOLISH A SINGLE FAMILY RESIDENCE BUILT PRIOR TO 1941 AND A 3,250 SQUARE-FOOT OFFICE BUILDING, MERGE TWO EXISTING PARCELS AND CONSTRUCT A NEW 15,510 SQUARE-FOOT OFFICE BUILDING ON PROPERTY ZONED O. NO SIGNIFICANT ENVIRONMENTAL IMPACTS HAVE BEEN IDENTIFIED AS A RESULT OF THIS PROJECT, AND A MITIGATED NEGATIVE DECLARATION HAS BEEN MADE. ARCHITECTURE AND SITE APPLICATIONS S-07-34, SUBDIVISION APPLICATION M-07-13 APN 424-27-011 AND 051 PROPERTY LOCATION: **15720 AND 15736 WINCHESTER BOULEVARD** PROPERTY OWNER: MARTIN DERMER APPLICANT: JOHN LIEN APPELLANT: MARTIN DERMER

### REMARKS:

Attached are letters received after the report on this matter was finalized.

### Attachments:

- 1-12 Previously Submitted
- 13. Letter from William Burns dated 5-27-08 (1 page)
- 14. Letter from Audrey Van Belleghem dated 6-2-08 (1 page)
- 15. Letter from Dr. and Mrs. John Mann dated 6-2-08 (1 page)
- 16. Letter from Derek and Maureen Olson received 6-2-08 (1 page)
- 17. Email from Bryan Mekechuk w/attachments received 6-2-08 (8 pages)

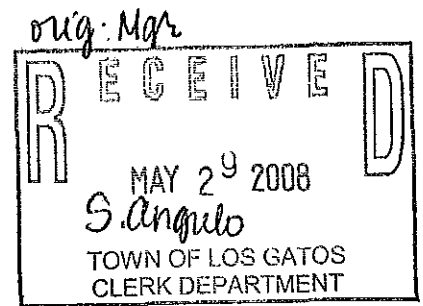
BNL:CB

PREPARED BY: Bud N. Lortz  
Director of Community Development

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Reviewed by: PSS Assistant Town Manager OK Town Attorney \_\_\_\_\_ Clerk Administrator  
\_\_\_\_\_  
Finance ✓ Community Development

May 27, 2008  
Los Gatos, California

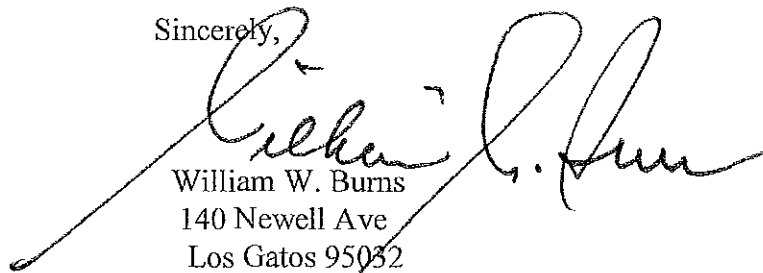


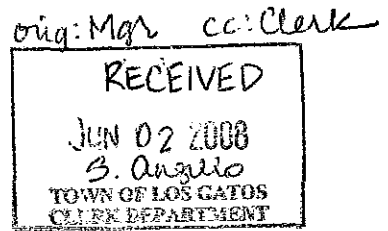
Honorable Mayor Barbara Spector, Honorable Vice Mayor  
Mike Wasserman, and Honorable Councilpersons  
Pirzynski, McNutt, and Glickman:

This letter is written to recommend the development by the Martin Dermer family at 15720-15736 Winchester Boulevard in Los Gatos. I have been a home owner, living within two blocks of Winchester Boulevard in Los Gatos, for nearly 37 years. I have viewed the model of this development and find it to be a significant upgrade architecturally for Winchester Boulevard and the surrounding neighborhood.

I shall not be in attendance at the June 2 meeting of the Council, so I simply ask that you approve the project.

Sincerely,

  
William W. Burns  
140 Newell Ave  
Los Gatos 95032



June 2, 2008

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

Re: Architecture and Site Applications S-07-34, Subdivision Application M-07-13. APN 424-27-011 and 051.

I am writing to support the application by John Lien on behalf of property owner Martin Dermer to build a new office building at 15720 and 15736 Winchester Boulevard.

As a resident of Los Gatos for 13 years, I take great pride in the way our community has created a balance between growth and aesthetic beauty. We have a gorgeous downtown area, that allows for shopping, but doesn't feel overrun by large signs and tall buildings. Old Town has kept its appeal while maintaining high quality restaurants and stores. The schools have been rebuilt with state-of-the-art facilities.

What is lacking in our town, however, is general office space. There are few places for professional services that are vital to our town to hold a place of business. While our population grows and continues to be successful, our residents need legal services, accountants, and small business offerings within Los Gatos.

I realize it is a constant struggle for the Town Council to keep our quaint atmosphere in check with the demands of the people who live here. However, I think this proposed office development may be a step in the right direction.

The architects have spent a lot of time looking at the area surrounding Winchester and Daves Avenues. This style of development is in line with the adjacent areas. The Spanish hacienda structure would fit in perfectly on the thoroughfare, where there are already other 2-story buildings, including Los Sereno Plaza. It would make a perfect entrance to our downtown.

If you have any questions or would like to discuss further, please feel free to contact me.

Sincerely,



Audrey Van Belleghem  
16471 W. Mozart Ave.  
Los Gatos, CA 95032

June 02 2008

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To The Town of Los Gatos City Council,

JUN - 2 2008

TOWN OF LOS GATOS  
PLANNING DIVISION

We are unable to attend tonight's meeting regarding the Dermer project on Winchester. We would like to say that we travel Daves Ave to Winchester daily and have been residents of Monte Sereno since 1968. We are whole heartily in favor of this project. We feel it will improve the appearance of Winchester Blvd. as did Marie Peterson's building on Los Gatos Saratoga Ave.

Sincerely,

A handwritten signature in cursive script that reads "Claudia Mann". The signature is written in dark ink and is positioned below the word "Sincerely,".

Dr. and Mrs. John Mann

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JUN 02 2008

MAYOR & TOWN COUNCIL

Derek & Maureen Olsen  
101 Hepplewhite Ct.  
Los Gatos, CA 95032  
(408) 395-2336

May 28, 2008

Mayor Barbara Spector  
Los Gatos Town Hall  
110 E. Main St.  
Los Gatos, CA 95030

Dear Mayor Spector,

As you are aware, our friend and attorney Martin Dermer has designed a new office building to replace his current suite of offices at 15720 Winchester Blvd. It is our understanding that the Los Gatos Planning Commission refused to approve this project and that Mr. Dermer will be appealing the decision at the Los Gatos Town Council meeting on Monday June 2, 2008.

We will be unable to attend the meeting because we will be out of town, overseeing a construction project currently underway at our Nevada City, CA property, however we want to urge the Council to reverse the decision of the Planning Commission and approve Mr. Dermer's project for the following reasons:

- a). The 3-D model is architecturally sound, and goes well with the Spanish style architecture seen around the area;
- b). The project is a major improvement over the existing buildings and makes for a much more pleasing sight;
- c). The increased size represents an opportunity for Los Gatos to increase tax revenues and provide additional local jobs;
- d). The underground parking is an added bonus plus the additional outdoor parking area in the rear is hidden from street view;
- e). The many new trees to be planted along Winchester Blvd. will enhance the aesthetic beauty of the entire area.

After inspecting the 3-D model, the site location, and viewing the shadow study poles today, we feel that many careful considerations have been taken in the overall design of this project. It is of high quality, aesthetically pleasing, and will enhance the neighboring areas greatly. If it isn't approved, the town runs the risk of having a less appropriate, less well funded project in the future. Please urge the Town Council to approve construction of this project.

Respectfully yours,



Derek & Maureen Olsen

**From:** "Bryan Mekechuk" <bryan.mekechuk@comcast.net>  
**To:** "Curtis Banks" <cbanks@losgatosca.gov>  
**CC:** "John McLaren Home" <johnmclaren@verizon.net>, "Kel Marchbank" <kelmarch...>  
**Date:** 6/2/2008 2:56 PM  
**Subject:** S-07-34 and M-07-13 (15720/36 Winchester Boulevard)  
**Attachments:** 15720 Letters to Dermer.pdf

Dear Curtis,

Thank you for speaking with me today.

As I mentioned, the materials that were provided to Los Gatos Town Council stated, 'The applicant held a community meeting on May 17, 2008. The project architect indicated to staff that eight or nine residents attended the meeting.'

Please highlight for the Town Council that the applicant asked everyone that attended the meeting to sign their names on a sign-in sheet so they could record the attendance. The applicant knows exactly how many people attended the meeting.

Many people could not attend the meeting in person (the Los Gatos Community Garage Sale was on, Los Gatos Little League games, etc.), so some of the people that could not attend in person took the time to submit letters to the applicant stating their position on the proposed development. Attached are two letters and one e-mail that I printed and provided to Mr. Dermer on Saturday, May 17.

As well, I have included two letters from my wife and I that are for the file.

I believe that there were more than 16 people that attended the meeting and letters were provided by at least 4 people that could not attend the meeting. This is more than double the number stated by the applicant.

Since they have this data, the applicant should state for the Town Council exactly how many people attended the meeting in person, and the number and type of written correspondence that they received at the meeting.

This information would give the Town Council accurate information so they

can make an informed decision during the appeal tonight.

Thank you.

Sincerely,

Bryan

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Bryan Mekechuk

408 655 0400

## **Bryan Mekechuk**

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**From:** John McLaren [jmclaren@mmetrics.com]  
**Sent:** Friday, May 16, 2008 10:42 PM  
**To:** bryan.mekechuk@comcast.net  
**Subject:** RE: 15720/36 Winchester - Letters!  
**Attachments:** Dermer Letter BM.doc; Dermer Letter JM.doc

**Importance:** High

Bryan, Attached are our letters. I will also drop signed copies by your front door in a few minutes (I have also printed the emails from other neighbors and attached them with my letters). Let me know how it goes tomorrow while I am in lovely Watsonville!

John McLaren  
Vice President, Western Region  
M:Metrics, Inc.  
m 408.499.8020  
[jmclaren@mmetrics.com](mailto:jmclaren@mmetrics.com)



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May 16, 2008

JUN - 2 2008

Mr. Martin Dermer  
15720 Winchester Boulevard, Suite 1  
Los Gatos, CA 95030

TOWN OF LOS GATOS  
PLANNING DIVISION

Dear Mr. Dermer,

Due to our previous family commitments this coming Saturday at 10am, we are unable to attend your presentation at the Neighborhood Center but have asked that my letter be delivered by my neighbors and submitted for the record.

Please note for the record that after attending reviewing all staff report as well as your submitted plans, myself and my family are not in favor of your proposed development. While we support the development of 15736 Winchester, we believe any improvements or development should be done in a way which is consistent with the character of the surrounding neighborhood buildings. The town staff report reflects this as well as other related concerns. Simply put, we feel your project is too large in size and creates an overly and unnecessary imposing presence which is not consistent with the character of our neighborhood. I would urge you to consider something more suitable for our neighborhood.

Sincerely,

Brenda McLaren  
17560 Daves Ave  
Monte Sereno, Ca 95030

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JUN - 2 2008

May 16, 2008

Mr. Martin Dermer  
15720 Winchester Boulevard, Suite 1  
Los Gatos, CA 95030

OFFICE OF LOS GATOS  
PLANNING DIVISION

Dear Mr. Dermer,

Due to my previous family commitments this coming Saturday morning, I cannot attend your presentation at the Neighborhood Center but have asked that this letter be delivered by my neighbor and submitted for the record.

Please note for the record that after attending the Planning Commission hearing and reviewing all staff report as well as your submitted plans, I am not in favor of your proposed development for many of the same reasons as communicated to you by the Los Gatos CDAC, the Los Gatos Community Development Staff, the Planning Commission, and as stated by the nearly one dozen speakers during the public hearing on March 26 of which I was one.

While I fully support the development of 15736 Winchester, I believe any improvements and development (which are quite welcome given the current state of disrepair of the single family residence) should be done in a way which is befitting to and consistent with the character and stature of the surrounding neighborhood buildings. Simply put, I feel your proposed project is too large in size and scope and creates an imposing presence which is not consistent with the character of the neighborhood. I would welcome your reconsideration of the recommendations of town staff and downsize the project to something more suitable for the location.

Sincerely,

John McLaren  
17560 Daves Ave  
Monte Sereno, Ca 95030

## Bryan Mekechuk

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**From:** Kel Marchbank [kelmarchbank@yahoo.com]  
**Sent:** Saturday, May 17, 2008 6:32 AM  
**To:** bryan.mekechuk@comcast.net  
**Subject:** Re: 15720/36 Winchester - Meet with Martin Dermers on Saturday, May 17 10:00 am

hi Bryan,

I cannot make today's meeting and am not sure if Colleen will be going.

Please represent me and let it be known I am very much against the proposed development as it currently is represented. Also please forward my concerns in what I believe to be sneaky behavior by the developers by forgoing sight poles and lack of neighborhood notice.

Thanks and regards,

Kel Marchbank

Jo-Anne Sinclair  
17509 Via Sereno  
Monte Sereno, CA 95030  
408.892.2455

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JUN - 2 2008

TOWN OF LOS GATOS  
PLANNING DIVISION

May 17, 2008

Mr. Martin Dermer  
15720 Winchester Boulevard  
Los Gatos, CA 95030

Dear Mr. Dermer,

Re: 15720/15736 Winchester Boulevard

I will do my best to attend the meeting at the Neighborhood Center this morning; if I cannot attend then please accept this letter.

Please be advised that I am not in favor of your proposed development for the reasons given to you by the Los Gatos Conceptual Development Advisory Committee, the Los Gatos Community Development Staff, the Planning Commission, and as stated by the speakers during the public hearing on March 26, 2008.

While I support the development of 15736 Winchester, it should be done in a manner that is consistent with the surroundings.

Sincerely,



Jo-Anne Sinclair

cc Town of Los Gatos  
Architecture and Site Applications S-07-34  
Subdivision Application M-07-13

Bryan J. Mekechuk  
17509 Via Sereno  
Monte Sereno, CA 95030  
408.655.0400

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JUN - 2 2008

TOWN OF LOS GATOS  
PLANNING DIVISION

May 17, 2008

Mr. Martin Dermer  
15720 Winchester Boulevard  
Los Gatos, CA 95030

Dear Mr. Dermer,

Re: 15720/15736 Winchester Boulevard

I am attending the meeting at the Neighborhood Center briefly this morning, due to my son's baseball game at Bagerly Field that started at 9:00 am.

Please be advised that I am not in favor of your proposed development for the reasons given to you by the Los Gatos Conceptual Development Advisory Committee, the Los Gatos Community Development Staff, the Planning Commission, and as stated by the speakers during the public hearing on March 26, 2008.

While I support the development of 15736 Winchester, it should be done in a manner that is consistent with the surroundings.

Sincerely,

A handwritten signature in black ink, appearing to be 'Bryan Mekechuk', with a long horizontal flourish extending to the right.

Bryan Mekechuk

cc Town of Los Gatos  
Architecture and Site Applications S-07-34  
Subdivision Application M-07-13