

From: David W Tucker [<mailto:dwt58@verizon.net>]
Sent: Wednesday, July 13, 2016 11:58 AM
To: Sally Zarnowitz
Subject: North 40 Development Application

Good Morning

I wish to be on record strongly opposing the North 40 Development Application as currently written. The currently envisioned development is a disgrace to the feel and character of our town. My family and I did not move here 25 years ago to have this most precious piece of land become a boxy subdivision sticking out of the ground as monoliths to our industrial age. This is not what I want the entrance of our town to become, a massive project of concrete without depicting our small town character, let alone the impact on traffic and our most wonderful schools.. Please reconsider their proposal and send a clear message that this development must be redesigned to be the showcase of our community, depicting our small town character, our values and our environment. Our focus should be lower density with limited retail and office space, beautified with open spaces, unobstructed views and tree-lined streets, and designed to minimize impacts to town services and infrastructure.

Sincerely,

David Tucker
220 Arroyo Grande Way
Los Gatos, CA 95032

408-691-9996

From: Diane Dreher [mailto:ddreher@scu.edu]

Sent: Wednesday, July 13, 2016 1:02 PM

To: Planning

Subject: North 40 objective data

Dear friends and neighbors on the Planning Council,

At last night's meeting I was concerned about the developer's threat of a lawsuit if any parts of their proposed plan was changed without "objective" data. I am grateful to Council member O'Donnell for exposing this. I also have a suggestion about getting "objective data":

Conduct an online survey asking a representative sample of the Los Gatos population to:

1. View slides of current housing and buildings in Los Gatos (available from some of our neighbor's slides from last night),
2. View slides of developer's proposed plan plus slides from Sandy Decker
3. For each of the slides in (2) answer this question: "this plan looks and feels like Los Gatos." on a Likert scale of 1-strongly disagree, 2-disagree, 3-neither agree nor disagree, 4-agree, 5-strongly agree

You could add questions about any other key areas of difference between the Specific Plan and the developer's plan, again using the Likert scale

Online surveys by SurveyMonkey will analyze the data for you, providing "objective" evidence that you might need to address the developer's claims that our concerns are not "objective."

And thanks for all you are doing to maintain the integrity of our town.

Diane

From: Wendy Riggs [mailto:wendy.riggs@gmail.com]

Sent: Wednesday, July 13, 2016 2:43 PM

To: Joel Paulson; Planning; Laurel Prevetti; Marico Sayoc; BSpector; Marcia Jensen; Steven Leonardis; Rob Rennie

Subject: North 40 - NOT opposed!

Dear Planning Commission and Town Council,

There is a lot of noise out there against the North 40 project. Although I understand the perspective of the 'Town not City' movement I am not in agreement with them. I feel it is important that you also hear from those of us who understand that the North 40 will be developed. I feel the owners of that land have a right to sell it and build upon it.

It is my opinion these developers have been listening to the schools and the citizens throughout this 8? year long process. I attended a meeting four years ago at the new LG Police building on LG Blvd, called to enable residents and business owners to voice their wants, needs and concerns about this development. I have also met them through my work running the LGSUD Parcel Tax campaign in 2013. It is my opinion that they have listened and do not wish to ruin our town or downtown.

Please make your decision regarding this development based upon the merits of the application. Give as few concessions to the developer as reasonable. But DO NOT allow the vocal minority with their pitchforks and nimbyism to influence you.

I believe this should be approved.

Wendy Riggs

President, CASA Los Gatos

LGUSD Volunteer of the Year - 2016

Past Chair Measure B Campaign (LGUSD Parcel Tax)

Past Treasurer Blossom Hill HSC

Past Board Member LGUSL

From: Ron Piziali [mailto:ronaldpiziali@gmail.com]

Sent: Wednesday, July 13, 2016 3:38 PM

To: Joel Paulson; BSpector

Subject: A city within a town

Re: proposed development

My wife and I are 40 year residents of Saratoga. We cannot believe that the town of Los Gatos would consider such a development. The traffic impact would be seriously detrimental to effective flow to an already impacted situation. In addition such a development is inconsistent with the nature, spirit and community that is Los Gatos. We strongly recommend that you reject this development Ron and Diane Piziali

13123 Regan Lane Saratoga

From: Jennifer Sundquist [mailto:sunnyone@gmail.com]
Sent: Wednesday, July 13, 2016 4:39 PM
To: Marni Moseley
Cc: Torben Rankine
Subject: READ for 7/13 Meeting: North 40 Project Feedback & Questions

Marni,

I am writing to you about the North 40 project. My husband and I recently moved to Los Gatos because of the wonderful small community feel and the high quality schools. I grew up in the South Bay, lived in Los Gatos in 1999 and moved away, but always wanted to return.

When my husband and I saw the polls go up for the North 40 project we were extremely dismayed. I read through the plan was amended to 270 residential housing units, which is still FAR too many. Our primary concerns with adding between 600 - 1000+ new residents to an area that is already extremely congested are the following:

1) Traffic - what infrastructure changes do you have planned to address this potential traffic nightmare? The current situation is already really bad during commute hours and the all weekend during the late spring and summer due to beach traffic). Adding that many more people means adding between 600 - 800 more cars on the road in an already congested area.

2) Schools - This development appears to be in the Louise Van Meter school district, which already has a relatively high student to teacher ratio. Based on the plan, there are no plans to open a new school. How does the town plan to address the overpopulation of one of the crown jewels of LG education?

3) Cultural Change - When you add high density housing developments to a town that is known for it's small town charm, you are going to change the very thing that makes Los Gatos unique in the Bay Area. We live in a place of sprawling, highly populated, congested cities that lack our special small community character. How can you possibly justify altering our most treasured commodity?

4) Removal of Green Space and the some of the Last Orchards - As someone who grew up in the South Bay, I have seen the disappearance of nearly all of our once famous valley orchards. Did you know that Blossom Hill road used to be a road filled with blossoming fruit trees? Now open space is an endangered species in the Bay Area - with Los Gatos as the last hold out for preservation. Once it's gone, it's gone forever. How does the council justify more removal of green space for more traffic and congestion?

Finally, I'd like to understand what is driving this development. Property taxes are at all time highs and there for city revenues are also at all time highs. Why do you (the town council) need to ruin so much of what makes our town a unique and treasured jewel to accommodate this development?????

Very disgruntled and dismayed residents,
Jennifer Sundquist & Torben Rankine

From: Shelley Smyers <stargazer9999@gmail.com>

Date: July 13, 2016 at 7:23:04 PM PDT

To: <jpaulson@LosGatosCA.gov>, <planning@losgatosca.gov>, <bspector@losgatosca.gov>, <rrennie@losgatosca.gov>, <sleonardis@losgatosca.gov>, <mjensen@losgatosca.gov>, <msayoc@losgatosca.gov>

Cc: Shelley Smyers <stargazer9999@gmail.com>, Scott Smyers <scott.smyers@me.com>

Subject: NORTH 40 Concerns (Smyers)

We appreciate the countless hours that each of you has worked on this project thus far.

As local taxpayers, we feel both a right and a duty to voice our concerns. We have been residents of Los Gatos now for 17 years and are extremely opposed to the application put forth by Summerhill and their associates.

1. First, we would disagree that the process thus far, since its inception, has been transparent. While the public may have been invited to planning meetings in the past, there was nothing to reveal the scope of the project until the story poles went up. Certainly, there were no notices to discourage people from attending, but also none widely distributed to announce and highlight the scale of the work and changes being considered. The insinuation that the citizenry was lazy or remiss in getting involved sooner is inappropriate and offensive, and does not reveal the bigger truth of the circumstances.

2. We are struck by the fact that no one has mentioned that the traffic study used in this project is about 2 years old!! Two years ago, the Netflix complex was not yet finished, nor were all the new medical buildings on LG Blvd. between Nob Hill and Highway 85. The economy was slower and WAZE also did not exist to divert traffic in circuitous ways around the town. There were absurd and irresponsible claims in the past that other housing developments in town (Bluebird Lane and Heritage (near Fisher Middle School)) would create little to zero impact to traffic. How naive would we be to believe that the North 40 development would also not bring about additional major traffic delays and congestion?

It is interesting to hear that the developer is "willing" to inject over \$10 million toward traffic solutions, but the claim that traffic would somehow be mitigated by 30% is a far-fetched and unfounded claim. Any claims about traffic abatement can only really be made after a new traffic study is conducted!!!

3. We have 2 children, one of whom is still a student in the LG school districts. We don't understand how the districts will absorb all the new students without significant strain to our already-strained resources. We can only think it was sneaky of the developer (and whoever in town was in cahoots with them) to cram the majority of housing units into the Lark District when the original plan, as we understood it, was to distribute the kids into the neighboring districts.

In addition, at the Planning Commission Meeting in (we believe) April, the Summerhill representative admitted it had been challenging to identify a site for a new school, and hinted it could completely absolve itself of any responsibility to do so. While they may be legally able to drop this action item from their plan, doing so would spotlight even more clearly their singular interest in financial gain.

4. We feel like we are being intentionally misled. Initially, we heard we were building low-income housing. Then, we heard there would be senior housing. Now, we hear it is low-income senior housing. The appearance is that the builder is trying to kill two birds with one stone, with little regard for "how the dust will settle". As one speaker mentioned last night, there don't appear to be provisions for

seniors who are downscaling or seniors who require services. The plan for senior housing above the Marketplace is so ill-conceived, it is near laughable if it were not also sad. How is this plan in alignment with the true needs of seniors?

As for low-income housing, I understand that we will only receive a small percentage of the state credit that was originally promoted at the beginning of Summerhill's application process. How / why did this happen?! If we are mandated by the state to add the additional units before 2020(?), where does the town intend on building them?!?! Letting this opportunity pass would be an irreversible mistake.

5. Aesthetically, there is nothing in the current design that is consistent with maintaining "the look and feel of Los Gatos". Any attempts at creating (as opposed to maintaining or retaining!!) an agrarian feel are nominal and become downright fodder given the dense, urban, blocky, recto-linear design of the proposed buildings and streets. We feel the developer has completely trivialized the town's documented goals in this area. Either that or the Planning Commission was inattentive and let the plans proceed in ways not consistent with these goals.

6. Why CAN'T the citizens take a vote on this?! It seems that would be a very democratic idea and a logical course of action. Of course, there could never be a unanimous vote, but moving forward with the current application would be irresponsible and a disgrace — an egregious example of a local government acting flagrantly against its constituents.

Without a vote, our opinion is that the development plan needs to be scaled back significantly—lower density, with a greater setback from Hwy 17, have a more organic / looser grid layout, have more provisions for low-income and senior housing, and have provisions for a new school.

With the current proposal, the North 40 could never feel like an integral part of Los Gatos. It is so different (physically "shielded" by Lark Ave., very densely laid out, comparatively large in size for a small town, non-conforming in style to and wildly different in architecture), it would always feel to us like an afterthought, a bastard part of town. Our out-of-town family and friends will forever inquire, "What happened there? Is that part of Los Gatos?"

This is just a summary of our most major concerns at this time. We hope that you will take them into true consideration and that you will proceed fairly, with due diligence, for the betterment of our town.

Thank you.
Scott & Shelley Smyers
(128 Vista del Monte)

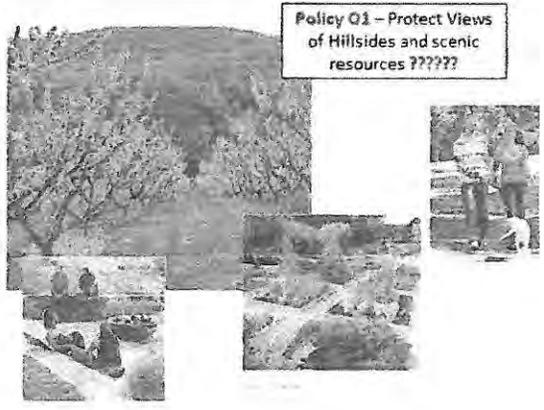
July 13, 2016

To: Our Trusted Planning Commissioners:
From: Angelia Doerner – a Proud and Trusted Resident of the Almond Grove

I am honored to provide some narrative relating to my slide presentation last evening. In addition, I have additional points that I would like you to consider in your deliberations on the North 40 – some of which are spurred by the comments and additional information heard this evening. Any observations not supported by fact are italicized as my opinions.

AND, I have an overriding concern about this Project. There are two populations of residents that you and our Town Council are representing – those that ~~currently live here~~ AND those ~~who will live here~~. I believe we need to address every vision, every policy, and every standard as it relates to BOTH populations. As is, this development will create two separate and disparate populations – and a devisiveness that will ruin, not only the true character of our Town, but will make the management and governance process impossible to achieve effectively.

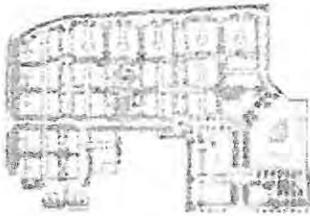
Narrative Relating to 071216 Presentation

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p data-bbox="479 724 698 808">Policy Q1 – Protect Views of Hillside and scenic resources ??????</p> <p data-bbox="316 1564 527 1617">RECEIVED</p> <p data-bbox="332 1638 511 1690">JUL 13 2016</p> <p data-bbox="284 1701 568 1774">TOWN OF LOS GATOS PLANNING DIVISION</p> | <p data-bbox="1023 745 1575 955">You have received a lot of testimony regarding the impacts on our Hillside Views. The story poles made it clear – but I would really like to see renderings of our “as impacted” hillsides from a number of viewing platforms.</p> <ul data-bbox="1071 966 1583 1354" style="list-style-type: none">• The Developer has not provided any that I am aware of – failure to provide evidentiary material to support their claim of compliance alludes to – evidence of failing to comply.• Unfortunately, Staff has not provided any pictures, or have had renderings prepared on the Town’s behalf, to support their own conclusions regarding compliance. <p data-bbox="1023 1354 1583 1575">This is standard operating procedure on ANY hillside development project. I understand the North 40 is on “flatland” – but any reasonable person would expect this information to be provided as it is an integral component of the Specific Plan.</p> <p data-bbox="1023 1606 1583 1890">Views are significantly hampered from various viewing platforms outside the development. As to “within the development” - none of these pictures in the Developer’s Plans can be achieved. No evidentiary materials have been provided concerning the “viewing corridors” cited by the Developer (and Staff has not pursued</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

obtaining them in all these long months of preparing for this point in time).

Given this – at this point in time, the Developer has FAILED to comply with Policy O1.

Policy O2 - Landscaped buffer around perimeter.
2.5.5.b - The buffer should provide an opportunity to incorporate walking paths and sitting areas for passive recreation.
?????



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

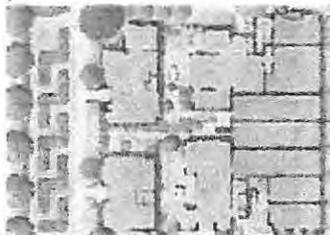
The Perimeter Buffers are very narrow in many places and has a “tight” network of trees. The Buffer around the Transition Area on Lark is vineyards. In addition, on-street parking abuts all such buffers.

In the Plan’s “Lot Coverage and Open Space Tabulation” – 100% of all perimeter buffers are counted as Green Open Space (*) – indicating NO hardscape for walking paths or foundations for bench/seating placement that Policy O2 states should be provided.

Given this – at this point in time, the Developer has FAILED to comply with Policy O2.

(*) Please see additional comments Reg Green Open Space in the separate section below. Should the developer claim Policy O2 compliance – then their Green Open Space calculations must be reduced.

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



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

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

My comments concerning “neighborhood parks and passive open space” are addressed in subsequent slides. These comments relate solely to “...Minimizing at-grade parking”.

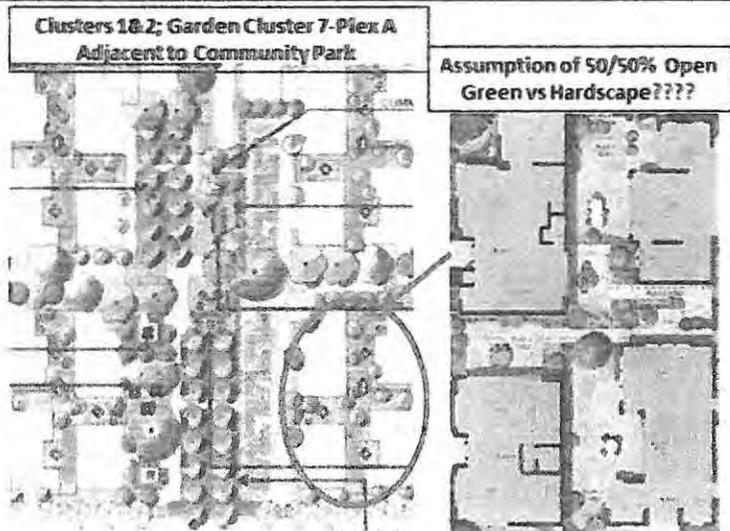
This example is Garden Clusters 1&2 – selected specifically as they are adjacent to the “Community Park” and can be used to illustrate other factors of note. As can be seen – based on the tabulations of First Floor Square Footage – 34% of this structural mass is for garage space. Of the 7 Units, 2 have no living space on the first floor; one has 108 SqFt representing a laundry and stairs to the Second Floor; all others range from 713 to 908 SqFt.

This garage space could be put underground; starting a downward slope from the existing garage door and extending forward “under the existing living/private open space”. I have

been led to believe that the sloped length required for ease of access to such underground parking does not need to exceed one-half (?) car length; allowing the "existing first floors and private open space" to be moved closer to the alley by maybe as high as 10'. Consequently, this would add an additional 10' along 95% of the length of the Community Park (both sides) potentially adding 4,500+ SqFt of Open Space. These are design considerations that fall beyond my direct experience – other than having seen it done elsewhere.

The reality of the current Plan is that NO consideration was given to underground parking. At-grade parking has NOT been minimized – it has been maximized! *If there was a smaller "palette" of undeveloped land, a different developer would pursue these design alternatives as it would still be profitable to do so.*

Given this – at this point in time, the Developer has FAILED to comply with this aspect of the Open Space Standards set forth in Specific Pan 2.5.4.

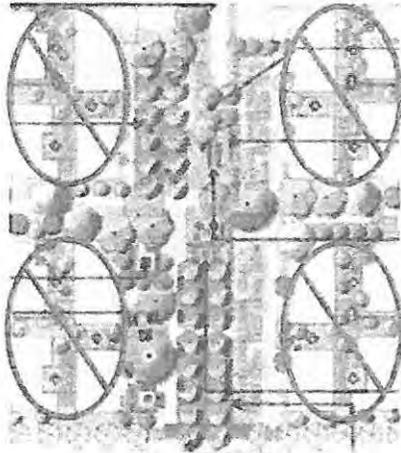


Using the same Garden Cluster as the preceding example – the Developer used an assumption that this Private Open Space is split 50/50 between Green and Hardscape. Visually, it appears that there is more Hardscape than Green. Using the 50% assumption, the amount of Green Space is 10,182 SqFt – 7% of the total Green Space for the Lark District or 2% of the 28.2% Total Green Space for this District.

(*) Currently, the Lark District has 28.2% Green Space – which is necessary to mitigate the inadequate 16.2% Green Space in the Transition District – yielding an application-wide Green Space Percentage of 22.8%. This "Assumed" Private Green Space, even at 100%, would not be enough for the total Green Space to fall below the required 20%. However, when combined with the amount of Green Space that would be "replaced" with hardscape in order to comply with Policy O2 (discussed) above – it is relatively assured

that the Application-wide Green Space would fall below the required 20%. (*) Please see additional comments Reg Green Open Space in the separate section below.

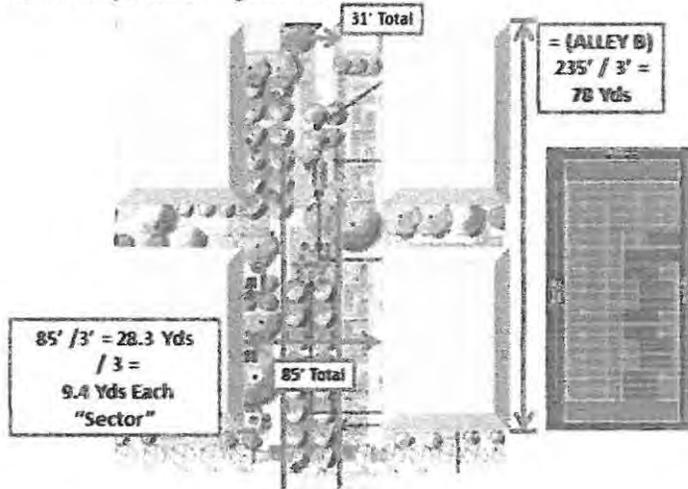
Community Park Enlargement Plan



**Distinguish
Between
PUBLIC
and
PRIVATE**

This is the Community Park Enlargement Plan. It is misleading – almost to the point of being deceiving – as it does not delineate between public and private space. The marked areas are private space, one cluster of which was used as an example in the previous two slides.

Community Park Enlargement Plan

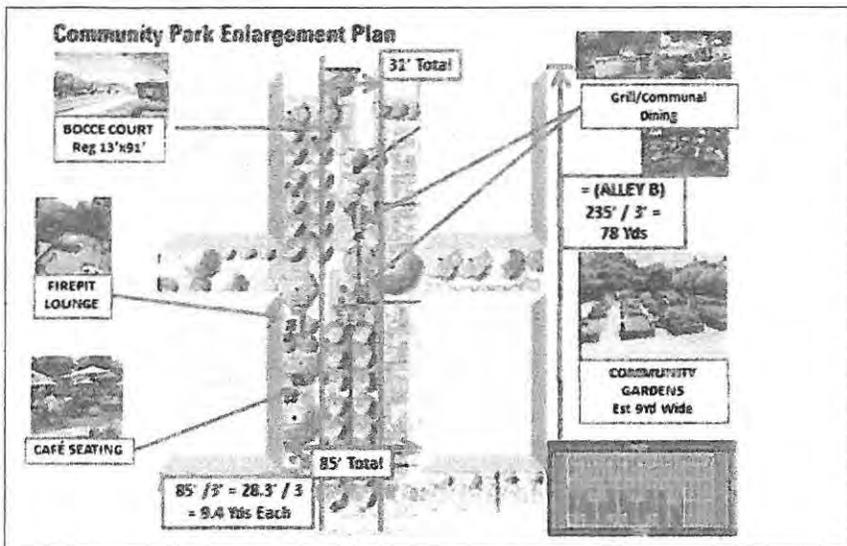


The dimensions of this Community Park are 235' by 85' (although one end is only 31' for 20-30(?)). @ 235'x85' the Park is 19,975 SqFt, or .46/Acre. The shape is important in that, lengthwise, it is generally split into even thirds (green space with trees, hardscape and community gardens). This means that each of these distinct areas is only 9.4Yds in Width!!

For example, that means a 9Yd wide stretch of lawn with two lines of trees planted at "hatchmark" #2.25 from each side (allowing the crowns to span the whole area. Want to toss a ball or Frisbee? I think not.

Keep that in mind when looking at the next slide which overlays the hardscape components.

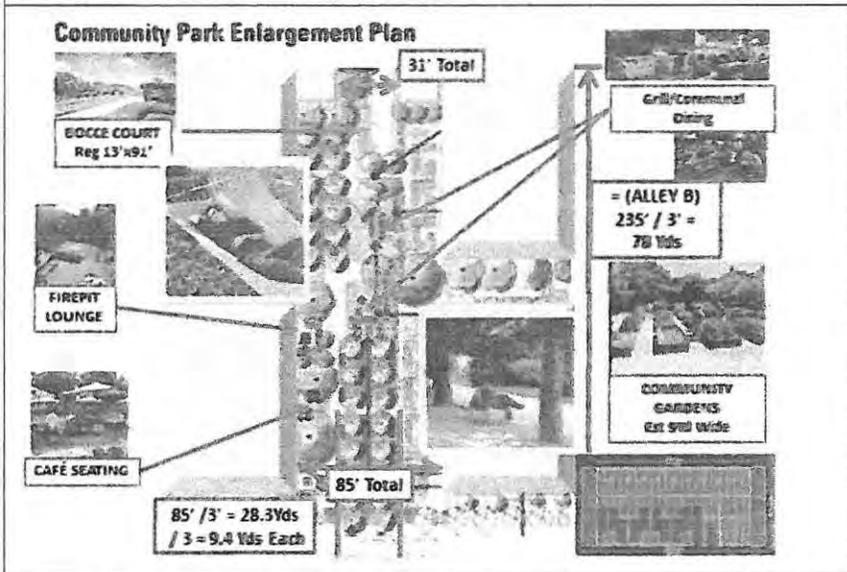
For visualization purposes, I have presented the size and shape of the Park as it compares to a football field.



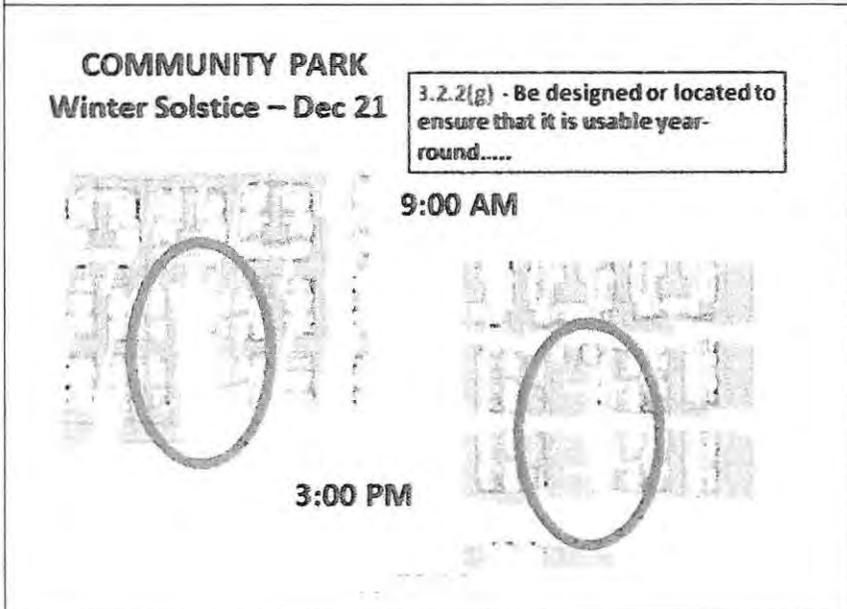
Can you imagine all of these features packed into this space? In 9Yd width of space – you may be able to get two of the raised beds depicted in the picture.

A realistic true-to-scale- drawing should be requested for this area. The pictures are deceiving as to the reality of user-ability of this space. This drawing should also consider realistic expectations of maximum number of people comfortably accommodated in this space at any one time.

Also – who is responsible for maintenance, insurance?



Considering all of the activity depicted on the earlier slide – it is claimed that this Park will also provide “passive space” – repose in a hammock perhaps, sit on a quiet bench to read a book or contemplate life? I think not.



I have concerns about the viability of trees, gardens and especially grass areas given the Shadow study. Shadow studies should be expanded for this critical Plan element accompanied by arborist and horticulturalist opinions as to placement and continued sustainability.

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

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

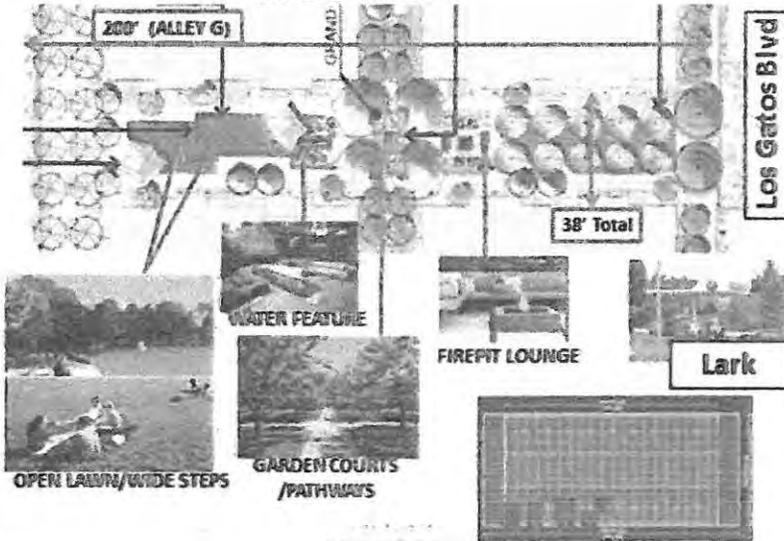


DEVELOPER – PG 12: “Moving from the lower intensity residential Lark District to a range of uses.....”

Note that Specific Plan 2.3.1 states that lower density residential is envisioned in the Lark district. On Page 12 of the Plans, when describing the Grand Paseo, the Developer states “Moving from the lower intensity residential Lark District...”. First off, maximum density is being proposed in this Plan. Also, how can the Developer claim that maximum density does not also create high intensity?

Also, the “Grand Paseo” is actually is a “tunnel” 12.7 Yds going through three-story

GRAND PASEO



The depiction in the Plans does look “Grand” – until you visualize the total space in relation to a football field. Also, as with the Community Park depiction, the pictures shown have absolutely no realism given the space as defined.

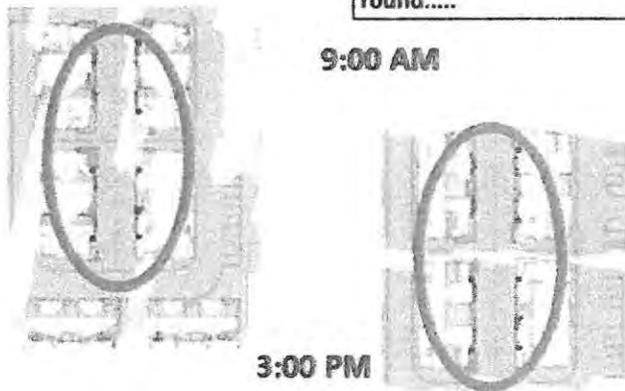
A realistic true-to-scale- drawing should be requested for this area. This drawing should also consider realistic expectations of maximum number of people comfortably accommodated in this space at any one time.

Also – who is responsible for maintenance, insurance?

GRAND PASEO

Winter Solstice – Dec 21

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



I really have concerns about the viability of trees, gardens and especially grass areas given the Shadow study. The Grand Paseo will be 100% in the shade for at least 50% of the year. Shadow studies should be expanded for this critical Plan element accompanied by arborist and horticulturalist opinions as to placement and continued sustainability.

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

2.5.5 - The Specific Plan Area SHALL encourage outdoor activity.

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

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

When assessing "compatibility" of open space – you must consider it in relation to the characteristics of other similar spaces within, and supported by, the Town. This is just a sample of the Tw'n's public Park areas. In this light, the Plan's proposed Open Space fails miserably! There are NO:

- Restrooms
- Facilities to promote a variety of outdoor activities for adults and children
 - Sports – Other than a Bocce Court, no half-court basketball, no tennis court, no baseball field, no space large enough for a couple soccer nets, etc
 - Playgrounds – This Town prides itself on providing facilities for children
- Passive space allowing private or family picnics or lounging



We have Our "Willoughby"

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

On Jul 14, 2016, at 12:17 PM, Cheryl R <crezos@hotmail.com> wrote:

To the Los Gatos Town Council Members,

Hope you are doing well. I was unable to attend the townhall mtgs this week as I broke my foot. But I just would like to kindly email that I would not be in favor of the North 40 Development project. The traffic at Lark is already very, very congested at peak times and it would create even worse traffic/pollution issues there. (Also, I've read it is not safe to build housing at the North 40 site as studies show living so close to a freeway causes long term health issues.) There are other reasons, but these are just a couple in my opinion. Thank you for your time and take care,

Cher
Los Gatos Resident

On Jul 14, 2016, at 4:53 PM, Tessa Arguijo <tessaarguijo@gmail.com> wrote:

Dear Councilmembers,

We're going to keep this short & sweet...

Please uphold the Planning Commission's decision to deny the current development proposal, Architecture and Site Application S-13-090, for development of Phase 1 of the North Forty.

Thank you,

Tessa & Allen Arguijo

On Jul 14, 2016, at 4:56 PM, btdodson@aol.com wrote:

July 14, 2016

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

Dear Mayor Spector, Vice Mayor Sayoc, and Council Members Jensen, Leonardis, and Rennie:

I encourage you to accept the Planning Commission's recommendation to deny the Phrase 1 application, and just have several comments in reaction to what was said at the July 12-13 Planning Commission meetings.

GROSVENOR/SUMMERHILL/EDEN BUILDING DESIGNS ARE 7- OR 8- YEAR OLD DESIGNS THAT WERE CLEARLY NOT TAILORED TO THE REQUIREMENTS OF THE SPECIFIC PLAN. During the July 12 Planning Commission meeting, I was struck by the comments of the woman who described a brainstorming meeting with Grosvenor seven or eight years ago. You may recall that this woman told about how Grosvenor posted paper on the wall and asked participants to draw the kinds of buildings/housing they'd like to see on the North 40. Numerous pictures were submitted. A month later, Grosvenor came back with what they claimed were the results of the meeting. The pictures shown at that meeting were the very same pictures we are looking at today.

Obviously, the buildings in the pictures that Grosvenor now claim encapsulate the look and feel of Los Gatos were created long before the Specific Plan came out. They were not created in response to the Specific Plan and fail to meet the Guiding Principles of the Specific Plan. They take no account of the need for hillside views. They show no particular relationship to the area surrounding the North 40 or to the look and feel of Los Gatos. They show no effort to mitigate impacts of schools or traffic. . It's likely the designs were developed for Anywhere, USA.

I, too, recall seeing these pictures at several meetings hosted by the Los Gatos Community Alliance for Grosvenor long before the Specific Plan was written.

STEPDOWN SENIOR HOUSING AND COTTAGE CLUSTERS. I find the idea that Grosvenor had to eliminate stepdown senior housing because the height limits went below (I believe they said) 55 feet is ridiculous. Grosvenor could have offered a fresh design that responded to the actual wants and needs of the Town as expressed in the Specific Plan. There's not just one design for stepdown senior housing!

The same goes for the cottage cluster housing. Grosvenor could have come up with a fresh design in keeping with the 20 units per acre dictum. Grosvenor appears simply to have not wanted to move away from its 7- or 8-year old Anywhere, USA plans.

RHNA CREDIT FOR AFFORDABLE HOUSING. Despite what Staff and the town lawyer said about RHNA credits, I'm still concerned that we may not get the credits we think we're getting. I just want to refer you to the source for my belief that we won't get RHNA credit for anything beyond the senior affordable housing. The quote below comes from a website of the California Department of Housing and Community Development (http://www.hcd.ca.gov/housing-policy-development/housing-element/hn_phn_regional.php).

To credit units affordable to very-low, low-, and moderate-income households toward the RHNA, a jurisdiction must demonstrate the units are affordable based on at least one of the

- subsidies, financing or other mechanisms that ensure affordability (e.g., MHP, HOME, or LIHTC financed projects, inclusionary units or RDA requirements);
- actual rents; and
- actual sales prices.

Densities of housing developments do not describe affordability for the purposes of crediting units against the jurisdiction's RHNA. For projects approved but not yet built, the jurisdiction must demonstrate the units can be built within the remaining planning period and demonstrate affordability to very low- or low-income households... (emphasis added)

LACK OF PUBLIC GREEN SPACE. I hope that you will pay particular attention to Angelia Doerner's presentation and submitted materials about open space. She shows clearly that there is very little usable, shareable public open green space within Phase 1 and that a large amount of the green space the developer is claiming is either private space or along the periphery of the development. The plaza and other usable open spaces appear to be largely paved spaces, not green space.

Good luck in your deliberations. You certainly have a challenging task.

Sincerely,

Barbara Dodson
239 Marchmont Drive, Los Gatos

On Jul 14, 2016, at 6:05 PM, w james silva <wjsilvamd@gmail.com> wrote:

As a 34 year LG resident well aware of the changes that have occurred in our town diminishing the quality of life attributable to oppressive traffic and overflowing schools, I want to support the Planning Commissions denial of the North 40 project as currently designed.

Please advocate for a project that supports the town, community and its values, not the profitability of the developers.

Thanks

w j silva md

100 stonybrook road

los gaots

From: KR Winkelman [mailto:kathy@seniorcareauthority.com]

Sent: Friday, July 15, 2016 12:07 PM

To: Planning

Subject: Traffic

Hello we have lived off of Los Gatos Almaden Road 32 years it has now become almost impossible to turn left 12 Los Gatos Almaden safely from gardenia because of the constant traffic I have changed my route to get onto Los Gatos Boulevard I am located in the North 40 I respectfully request a complete denial of the plans as they stand for the UK property for very serious reasons our roads cannot handle safely the amount of traffic that has increased in the recent years due to high density building in our area and an addition of many medical companies division of Los Gatos is not for high density in our area I have been very involved with Los Gatos as a volunteer for 30 years thank you.

From: Suzann Beglau [mailto:suzannbeglau@me.com]
Sent: Friday, July 15, 2016 3:47 PM
To: Joel Paulson; BSpector
Subject: North 40 development

The proposed building on the "North 40" is atrocious. It will destroy the character of Los Gatos forever.

A bigger threat, and my concern, is the impact of traffic on Lark Ave.

There are times of the day when I have to wait through 3 lights to turn from Oka Road right onto Lark Ave. And then wait through the rotations of signals to turn right onto Winchester to access the freeway.

I have had to wait through three rotations of the signal at LG Blvd and Lark to turn left on Lark at 3:30 pm. (This does not include all the signals traveling north on the way to Lark) The line or traffic backs up as far as Nob Hill Grocery. Mid-afternoon!!

A colleague of my husband had stated it takes him 20 minutes every weekday to turn left onto Lark from LG Blvd. to access Hwy 17. He travels from LG Blvd at Kennedy Rd.

Lark Ave. is overwhelmed. With the medical facilities on Los Gatos Blvd. on one side and the commuters to Net Flix on Winchester, Lark Ave. becomes a parking lot. To make things worse, all freeway access is now directed to use Lark Ave. (Presumably to take traffic pressure from the "good part" of Town.)

The residential streets that feed off Lark Ave are inaccessible at certain times of the day. Emergency personal may have long waits to get through.

Please drive home via Lark some week day and see for yourselves. This short stretch of road CANNOT absorb more traffic!

Thank you,
Suzann Beglau
16481 Mozart Ave.
Los Gatos resident since 1977

From: AgroEcology@aol.com [mailto:AgroEcology@aol.com]

Sent: Saturday, July 16, 2016 3:10 PM

To: agroecology@aol.com

Cc: Sylvie Roussel; Marcia Jensen; BSpector; Steven Leonardis; Marico Sayoc; Rob Rennie; Joel Paulson

Subject: North 40 community gardens suggestion

Mary Vidovich on the list of supporters suggested North 40 community gardens be named for Jim Sugai. Here is a brief video of Jim...a bit over a minute.

<https://vimeo.com/37880673>

Jim and Kikue Sugai Jill and Larry Kroh Grace Kvamme Rich and Lucy Amico Chris Marselli Peter R
Werp Sara Werp Tony Fiorentino Jim and Barbara Niles Rooz Nazari Jason Saroush
Frances Burge Mary and Janie Vidovich Tom and Pauline Ferrito Jon and Julee Bode Les and
Susan Kishler Kathy Morgan Tim and Judy Coughlin Richard and Vicki Wendell
Marisa S. Gerston Alex and Janel Shultz Karen Ettinger Nanette Ettinger Carmen R and Jan
Segnitz Bryan Maghribi Biret Adden Sara Zebian
Steve and Eileen Werner Eve Hadley Sutton and Anne Roley
Angelo Womack Dana, Cameron and Monica Bunker
Brenda Hammond Ross Hanson Garri and Rosa Grossman Phil Rosenblum
Elke Billingsley

RECEIVED

JUL 19 2016

July 17, 2016

MAYOR & TOWN COUNCIL

Dear Mayor Spector,

I am very concerned about the look of the row houses proposed by the developers of the NORTH 40. I cannot imagine anyone who is currently living in Los Gatos, and interested in "down sizing" moving into the proposed housing. I have enclosed a picture, from the newspaper, that is typical of what Los Gatos looks like, and much more inviting than the row houses.

It would be nice if Grosvenor would dump the current architect and hire someone with some small town feeling. Obviously the current architect is stuck in the New York City Mode.

Thank you for all you do for The Town.

Sincerely, Carol Burt

A handwritten signature in cursive script that reads "Carol Burt".

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Developers threaten litigation if town makes changes to North 40 plan

By JUDY PETERSON

The planning commission took up Phase 1 of the proposed North 40 development on July 12, holding a site and architecture hearing that lasted for more than four hours. The hearing opened with commissioners wondering if the development's 320 homes all have to be built on the 13½ acres that are included in the development's first phase.

"Are they required in Phase 1?" Commissioner Tom O'Donnell asked.

Community development director Joel Paulson replied, "There is nothing [in the North 40 Specific Plan or the housing element] that specifically states

where those acres have to be. It just has to be in the North 40 area."

The North 40's primary developers are Grosvenor Americas and SummerHill Homes. A July 7 letter from their attorneys stirred up quite a bit of controversy because it threatens litigation if the town makes significant changes to the development plan.

The letter says in part, "The town may not reduce density, require project phasing, relocate units to other sites on the North 40, place units in other school districts, reduce heights or impose any other requirement not already contained in the adopted development standards."

Even so, a long line of residents asked the planning commission to consider changes, including a reduction in density.

Tom Thimot, who is the co-founder of the grassroots organization "Town Not City," said residents don't want the development as currently proposed. "You don't have to count up the votes," Thimot said. "It's clear the town wants you to deny this application. Bring the litigation. Bring it on."

Grosvenor representative Don Capobres defended the application, saying it complies with the town council-approved North 40 Specific Plan. "It shouldn't be a surprise, because of all our participation

in the community, that we've come up with an application that is in conformance with all your policies; not just the specific plan, but the housing element and all the other policies," Capobres said.

He added, "What we typically find in an architecture and site type discussion is it's about architecture and not about whether or not housing is allowed or the types of housing that's allowed. That is already in the documents that have already been approved."

The proposed homes will range in size from one to three bedrooms.

In addition, the development's first phase includes plans for 66,000 square feet of

retail and commercial space.

The planning commission was to continue its North 40 discussion on July 13 (details of that meeting were not available at our print deadline) and also has a July 20 meeting planned.

The town council has set aside Aug. 9, 11 and 16 and Sept. 1 and 6 for deliberations.

The planning commission can recommend the town council approve or deny the development, but the council has the final say.

The North 40 hearings can be viewed live on Comcast channel 15 or online at losgatosca.gov under the agendas and minutes heading. North 40 documents are at losgatosca.gov/NAOSP.

Los Gatos, Saratoga joining forces to present upcoming Relay for Life

By KHALIDA SARWARI

A community of cancer survivors, along with their families and caregivers, will convene later this month at St. Andrew's Field for Relay for Life, a 24-hour event that honors people who have passed away from cancer and raises money for those suffering from the disease.

Members of 20 teams will gather on the field for a 24-hour event that includes activities, food, live music, speakers, onsite fundraisers and entertainment, with constant walking in between. During the 24 hours, at least one person from each team will try to walk around the track.

Relay for Life begins at 10 a.m. on July 23 and ends at 10 a.m. the following day. During that time, participants typically organize various events to celebrate and honor cancer survivors, such as a survivor walk, a luncheon for survivors and a luminaria ceremony at

sunset where the facility lights are replaced by white candles and bags bearing the names of all those affected by cancer.

Other highlights include a lip sync battle, karaoke and jam session followed by a barbecue on July 23. Later that evening, musician Burr Nissen will give a bagpipe performance.

Two survivors are scheduled to speak during the opening and luminaria ceremonies: Simran Mallik, a sophomore at Saratoga High School, and Michele Crowe, the team captain of Team Chel. The musical performances will be led by students from St. Andrew's Episcopal School and Saratoga High.

For the first time this year, participants will get to keep track of their laps as well as their teams' by using an RFID tag system developed by local engineering firm Guerra Technologies, according to Thierry Doyen, the event's lead coordinator.

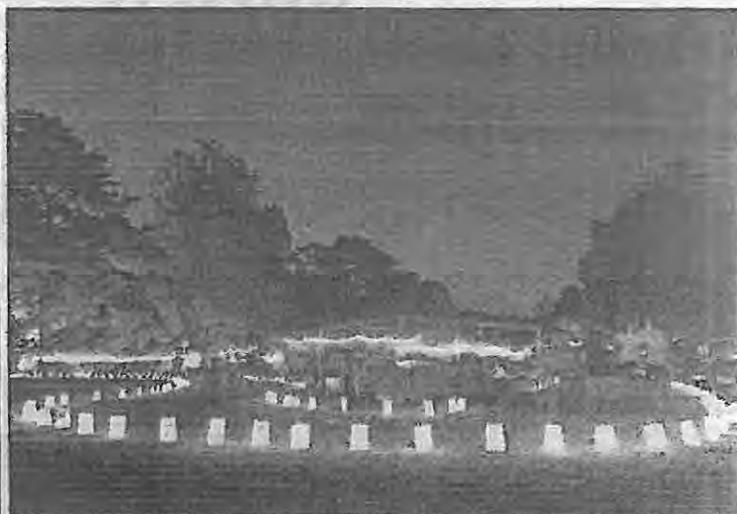
"Last year, our event walked the whole length of the state of California, from the Mexico border to the Oregon border," said Doyen.

"This year, our goal is to go from the Mexico border to the Washington—or even Canadian—border. The more participants we will have walking around the track, the furthest we will be able to go as an event."

Throughout the day, teams will sell raffle tickets and hold silent auctions. Participants can find information about different types of cancer at various team booths.

On Sunday morning, the event will conclude with an announcement of the money raised up to that point and a recognition of the participating teams.

This year, the Saratoga and Los Gatos Relay events are being consolidated, so there will be a significant Los Gatos presence at the event. Led by Rita Melamed, the Los Gatos Discovery



FILE PHOTOGRAPH BY PIETRO BREZZI

Local residents will go on a 24-hour mission starting at 10 a.m. on July 23 to defeat cancer. This year marks the American Cancer Society's 13th annual Relay for Life fundraising event in Saratoga.

Shop is specifically for Los Gatos residents and they encourage people to sign up at their shop at 39 E Main St. in Los Gatos.

The event, now in its 13th year in Saratoga, is held annually by the American Cancer Society. Thus far this year, Saratoga has 20

teams signed up and has raised nearly \$27,000. All proceeds from the event will go toward funding cancer research, education and patient support services.

The event is free to attend. Registered survivors and caregivers will be treated to a free T-shirt and

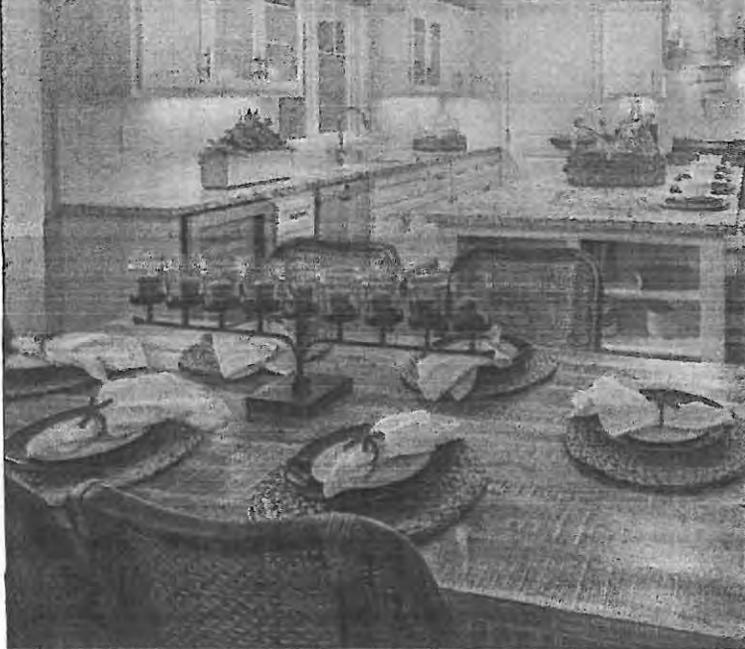
luncheon.

Those interested in joining a team are able to do so up until the day of the event. To join, either as a participant or a survivor, visit the Saratoga Relay for Life website at relayforlife.org/saratoga.



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Plans!

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From: Lucille Weidman [laweidman@sbcglobal.net]
Sent: Tuesday, July 19, 2016 10:19 PM
To: BSpector; Marico Sayoc; Rob Rennie; Marcia Jensen; Steven Leonardis
Subject: North 40 concerns
Dear Mayor Spector, Vice-Mayor Sayoc, and Council Members,

TO BE INCLUDED IN PUBLIC COMMENTS FOR AGENDA ITEM NORTH 40 AT AUG. 9, 2016 TC MEETING.

Our questions for the Council:

1. Are the housing areas in the North 40 designated as a Common Interest Development-(CID)? It is our understanding that the homes will be under the management of an HOA. At the July 13, 2016 Planning Commission meeting Wendi Baker, a Grosvenor associate, introduced the garden management supervisor to discuss the HOA elements pertaining to the various gardens he will be designing and maintaining.
2. Is the North 40 exclusive to the homeowners so that visitors are trespassers?
3. Can local residents who live outside the North 40 come in to use the common areas such as the fire-pit area for a gathering, walk through the retail sites, and the neighborhood streets?
4. Is the North 40 an open area or a private area? Is there an exclusivity aspect that needs to be addressed by the Council so that residents understand the restrictions, if any, within the North 40?
5. How private is the North 40? How public is the North 40?

We are asking these questions after testimony was given at the Planning Commission meetings which prompted our concerns for the North 40 being a part of Los Gatos or a community unto itself. We read many CA State property and housing laws and have realized many questionable and unsettling aspects in the Specific Plan that could leave Los Gatos residents out in the cold in their own town.

Thank you for taking the time to consider our concerns. We look forward to your reply.

Respectfully,

Sam and Lucille Weidman
215 Carlester Drive
Los Gatos, 95032

On Jul 20, 2016, at 11:15 PM, Mike Matthews <mike.matthews@power.com> wrote:

Dear Ms Sayoc

Though having never written to the council before, on this occasion I feel I must.

Although I am all for the development of Los Gatos in general, I find the currently proposed North 40 development plans very concerning.

The key concerns relate to the requirements you stipulated for the development – namely:

1. To “look and feel like Los Gatos”

The phase 1 of 2 plans as submitted look to have buildings much too densely packed and boxy industrial type buildings. To me Los Gatos has the enviable reputation of one of the few Valley towns with a real old town charm which I feel is the “look and feel” of Los Gatos.

I would be much happier if the proposed development had smaller low rise buildings with more open space around them to allow trees over time to disguise the development and keep the small town feel

2. To “embrace hillside views, trees and open space”

It is difficult to see any open space in the proposed development as the buildings are too densely packed.

I feel, to comply with this requirement, there would need to be lower rise buildings throughout and more open areas/small parks for trees to become established

3. Finally to “incorporate the site’s unique agricultural characteristics”

Again I believe more space for trees and open park areas would be needed to in any way reflect the agricultural characteristics – not a market place store

I hope the above points meet with your understanding and agreement and that the council will see fit to reject the current proposal in order for the developers to take your requirements into closer consideration for a future proposal.

Rgds

David Matthews

Resident

Englewood Avenue

Los Gatos

From: Marico Sayoc
Sent: Thursday, July 21, 2016 4:49 PM
To: Mike Matthews
Cc: Joel Paulson; Laurel Prevetti
Subject: Re: Concerned resident - North 40 Development

Dear Mr. Matthews —

Thank you for your email and sharing your concerns about the proposed application for the North 40. The town council will begin its public review of this application on August 9 and I am copying our town staff so that your concerns can be documented in the project file and the other council members can read your email too.

I appreciate your taking the time to write.

Marico

From: Richard McCartney [mailto:rfm6@sbcglobal.net]

Sent: Monday, July 25, 2016 8:55 AM

To: japulson@losgatosca.gov; Sally Zarnowitz; BSpector; Marico Sayoc; Rob Rennie; Steven Leonardis; Marcia Jensen

Cc: jessie_lin1202@yahoo.com

Subject: Please VOTE NO on New Development

Hello,

We just got home from our July vacation and found some information on the proposed development off Rt 17/Lark Ave (the one with the orange flagging). Please don't pass such a development for our small town atmosphere that we have in Los Gatos...we have been in this town for a long time, and love this town for what it is and what it is not....and certainly this huge development with tall structures goes against everything that Los Gatos stands for and gives us. I know that we were not in town to attend the July 12/13 meetings, so we don't know the outcome. Please feel free to contact us at the following address (our home):

Jessie Lin
268 Las Miradas Dr
Los Gatos

Thanks you for your consideration. I trust that if you actually live here in this town, you know how terrible this would be for this town. If possible, please let me know which direction this is going and if there is anything that I can do to express how against this kind of development we are.

Rick McCartney and Jessie Lin

RECEIVED

JUL 26 2016

TOWN OF LOS GATOS
PLANNING DIVISION

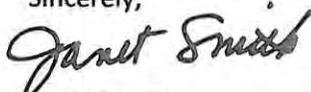
247 Kingston Hill Way
Los Gatos, CA 95032
July 27, 2016

Commissioner Mary Badame
110 E. Main Street
Los Gatos, CA 95030

Dear Commissioner Badame,

Thank you very much for your denial vote of the North 40 development.
It is wonderful to know our Commissioners listen to and respect the opinions of their fellow citizens.

Sincerely,

A handwritten signature in black ink that reads "Janet Smith". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Janet Smith

From: Christine Page <christinepage23@gmail.com>
Sent: Friday, July 29, 2016 8:45 AM
To: Planning
Subject: Just Saying NO to the proposed 93K sq ft Office Building between Hwy 17 & Los Gatos Blvd.

Sally Zarnowitz

From: Tricia Blue <trb@bluesroof.com>
Sent: Friday, July 29, 2016 12:20 PM
To: North40 Comment
Subject: North 40 and the Los Gatos Blvd traffic

I would like to strongly suggest that each of the members of the Town Council take a drive South bound on Los Gatos Blvd from White Oaks (okay it is Bascom there) all the way to Lark Ave on any evening, Monday thru Friday, between 4:30 and 6:00. Then explain how the traffic is going to work on that road when you will be adding two cars per "new" house. Even if you add another lane it will be grid locked.

Tricia Blue
Corp. Sec.
Blues Roofing Co
408-240-0695

Sally Zarnowitz

From: TO <topreising@yahoo.com>
Sent: Friday, July 29, 2016 12:41 PM
To: North40 Comment
Subject: Objection to North 40 project

I live off of North Los Gatos Blvd, and the congestion and traffic from Lark south has grown to monumental proportions. The North 40 plan clearly shows that the project will accelerate the increase in congestion.

I appreciate the goals of creating more affordable housing while retaining our small town feel. This project is too big and too dense to achieve those goals. Please reject it.

TO Preising
Magneson Loop homeowner

Sent from my iPhone

From: Laverne Nolan [mailto:lnolan12@verizon.net]
Sent: Friday, July 29, 2016 1:54 PM
To: Council
Subject: North 40

Thank you for taking on this arduous task. It is our last hurrah for the Town and we need to make it an outstanding addition to our Town.

The current proposal is typical developer cookie cutter. Cheapest construction possible and move onto the next gullible city. Every property owner should have the right to develop and make a profit; but not at the expense of the existing Town.

Perhaps, the current developers should consult with creative planners and architects to present a more cohesive project. There are ways to make massive square footage less obtrusive; i.e. utilize underground space. Plan the entire 40 acres and build in phases; not just the first phase. By just presenting the plan for the first phase, it gives the appearance that the current developer may not be committed to the entire project.

It is very unfortunate that this developer has chosen to present a plan that would work in a new development, rather than a plan that enhances our existing Town. Therefore, I request that you reject the current plan as presented.

Thank you,

Laverne Nolan
Pinta Court

From: Crumpton Family [mailto:crumpton3@verizon.net]
Sent: Friday, July 29, 2016 11:22 PM
To: Joel Paulson
Subject: North Forty-terrible proposal

Hello,

We believe the proposed plans by the developers, is not consistent with our town character or vision statements and should be denied as proposed.

The scale is too large and burdensome on our roads, schools and communities.

Respectfully,

Crumpton Family, Cathy & Tom & Will
124 Las Astas Dr
Los Gatos, CA 95032-7680
crumpton3@verizon.net

From: Jennifer E Liebthal <jliebthal@gmail.com>
Date: July 30, 2016 at 10:35:15 AM PDT
To: <North40.comment@losgatosca.gov>, <jpaulson@losgatosca.gov>, "council@losgatosca.gov" <council@losgatosca.gov>
Subject: North40 - please do not approve

Dear Town Council,

Let me start by saying that I appreciate your commitment to the town of Los Gatos by working on the Council. I know your job is not an easy one. I understand that the North40 project has been in the works for a long time and there has been a lot of time and effort by many people into this project.

I have lived in Los Gatos for over 16 years. I am saddened to see all the issues that currently are affecting our town at the same time and building proposals that will change our town in a negative way forever. The North40 project is the turning point were if approved we will have "jumped the shark" for our town. I am hoping that the following suggestions can be implemented to make this project have less negative and more positive impact on our town.

- REDUCTION in the sq. footages to be more in line with other similar high density housing
- Redistribution of some units over North 40 Phase 2 & 3 and/or put some of this government required housing on the Alberto Way site
- Add elevators and/or turning some of the proposed units into single story for seniors to fill the towns "unmet needs"
- Add more age restricted housing in the complex so we can support our local seniors. We have more residence wanting to down size as they get older and we do not have the housing to support them staying in LG.
- Add underground parking to lower the heights and make more green space
- Add more parking spaces per unit. Number of parking spaces per unit seems limited as well. If there are multiple people in a unit each with a car where will the overflow go?
- The proposed complex is not fitting with the town look and feel. Make more bungalow style or more similar to downtown Los Gatos
- Add more green space

I am very concerned about traffic but I do not know what the correct solution would be. Traffic is horrible in that area especially during commute times and this will make it substantially worse. If it is mostly senior living in the housing then maybe the impact will not be as great but..

The North 40 fits none of the below guiding principles from the Town's Specific Plan below:

- The North 40 will look and feel like Los Gatos.
- The North 40 will embrace hillside views, trees, and open space.
- The North 40 will address the Town's residential and/or commercial unmet needs.

- The North 40 will minimize or mitigate impacts on town infrastructure, schools, and other community services.

Please hold strong to the ideals that have made this town so great! We should not allow a square peg to be stuffed into a round hole. The damage is irreversible.

Thank you for the continued service to our great town,
Jennifer

From: dani nedom [dnedom@comcast.net]
Sent: Saturday, July 30, 2016 3:05 PM
To: BSpector
Subject: North Forty Hearing, August 9, 2016
Mayor Barbara Spector and Town Council
Re: North 40 Hearing on August 9, 2016

Dear Mayor Spector and Town Council,

The following email, with some format and editing changes, was sent to the Town Planning Commission for consideration before its July 12th, 2016, hearing on the North 40. I submit that the points I raise remain valid critiques of the developers' proposal for Phase 1 and hope you will consider them in your deliberations.

The developers' proposal for Phase 1 is inconsistent with the North 40 Specific Plan for the following reasons, among others cited by the Planning Commission:

1. The intent of the Specific Plan, as clearly enunciated in the run-up to its adoption, is that housing will be spread over the entire North Forty area. The language of the Plan provides for this, prescribing housing in every district. See Specific Plan sections 2.3.1, 2.3.2, 2.3.3. In the prefatory language of section 2.3 LAND USE DISTRICTS, it is stated, "(T)he Specific Plan divides the North 40 into three districts based on site context and desired development characteristics." (emphasis added)

Despite this the developers propose 320 units in Phase 1. Phase 1 consists of less than half of the total project acreage. Including the density bonus the maximum number of units allowed is 364. There are 32 existing units on the larger northern portion of the acreage which leaves only 12 more to be developed.

At the March 30, 2016 hearing before the Planning Commission, Commissioner O'Donnell asked Mr. Capobres why housing is concentrated in the Lark Section and not spread over the entire North 40. The pertinent portion of Mr. Capobres' response was, "...the Specific Plan calls for the residential to be primarily located in the Lark District, and so we're implementing the guidelines found in the Specific Plan." This is a misrepresentation of the intent of the Plan and ignores the language of the Plan that describes the housing envisioned in each District.

At the close of that lengthy meeting the developers' attorney summarized. In pertinent part she stated, "The Specific Plan does not have any requirement that the 20 units per acre be spread out over the site", but she failed to mention the language in the Specific Plan regarding "desired development characteristics" in each District.

At the North 40 Study Group Meeting on June 16, in answer to the question as to whether all housing had to be built in the Lark Section, Mr. Paulson answered, "no".

The developers' position that there are no "requirements" to spread the housing is cynical and disingenuous. I submit that, in deciding this issue, you are entitled to consider not only the sections

cited above but also your legislative intent as expressed in pre-adoption discussions. Perhaps, to remove any doubt, the Specific Plan ought to be amended to incorporate the precise requirement that reflects your collective intent and which the developer seems to need for guidance.

2. The intensity of the proposed residential development in the Lark Section is inconsistent with the Land Use and Development Standards of the Specific Plan. As stated on page 1 of that section, among the “overarching goals” are the commitment to ensure “compatibility with the surrounding area” and “contribute to the small town character of Los Gatos”. Section 2.3.1 applies these goals to the Lark District. Because the Lark District is in close proximity to existing residential neighborhoods, lower intensity residential is envisioned for this area.

In addition, the third sentence of section 2.4 PERMITTED LAND USES, states, “(I)n general, lower intensity shops, offices, and residential land uses are envisioned in the southern portion of the Specific Plan Area”.

While the developers’ proposal includes allowable housing types, its density is far greater than the lower intensity envisioned. The most graphic evidence for this are the story poles that present a numbing skyline when viewed from Highway 17 and along Lark Avenue. The proposed density destroys the small town character of Los Gatos rather than contributing to it and has stirred the justified rage of residents.

3. A prominent concern about permitting any housing in the North Forty has been its potential effect on the schools. The efficacious solution was to limit housing to the Town’s unmet needs, such as for millennials and seniors. Section 2.1 COUNCIL VISION, is followed by Guiding Principles to achieve this vision. Included therein are the directives that the North 40 will address the Town’s residential and/or commercial unmet needs, as well as the directive that the North 40 will minimize or mitigate impacts on Town infrastructure, schools, and other community services.

Again, Policy LU10, under section 2.2 LAND USE GOALS AND POLICIES, states, “(P)rovide and integrate a mix of residential product types designed to minimize impacts on schools while complying with SB50, School Facilities Act, and serve the unmet housing needs within the Town of Los Gatos”.

And yet again, in Chapter 6 PLAN IMPLEMENTATION, PHASING AND ADMINISTRATION, the Residential Unit Size Mix Example states in part, “(T)he types and sizes are targeting the unmet needs of Los Gatos”.

Despite these clear and oft-repeated bedrock rules the developers propose 54 units with 3 bedrooms and 135 with 2 bedrooms in the Lark District. Many of the so-called “2 bedroom” units have a “den” that can easily be converted to a bedroom. These units will be magnets for families with school-age children thus subverting the specific directives for housing that meets the Town’s unmet needs.

The developers’ rationale for 2 and 3 bedroom units is that focus groups commented that 1 bedroom units are less appealing. At the most recent Planning Commission Hearing the developers’ spokeswoman also stated that loft, or 1 bedroom units, are unusual in other than urban developments. Thus, for economic reasons, the developers propose to ignore the Specific Plan directives.

Interestingly, the developers' position on unit size also contradicts the findings in APPENDIX C of the Specific Plan. There, in summary, it states that "Gen Y" people are looking for "smaller household sizes", "smaller units with some larger units featuring loft characteristics", which include, "open floor plans, few, if any bedrooms...". (emphasis added)

Here again it may be necessary for your Council to amend the Specific Plan to more precisely reflect your legislative intent in the size of housing units you intended in order to serve the Town's "unmet needs".

Finally, it must be noted that entering into a "Voluntary Contribution Agreement" with the Los Gatos Union Elementary School District does not excuse the developers from following the directives of the Specific Plan to provide residential product types designed to minimize impacts on schools. Minimizing impact on schools is accomplished by offering units that don't appeal to families. The developers cannot trade a "Voluntary Agreement" outside the Specific Plan for a violation of clear and unequivocal directives within it.

Respectfully submitted,
Woody Nedom
16280 Azalea Way
Los Gatos, CA 95032

From: Kent Goheen [mailto:kent.goheen@gmail.com]
Sent: Saturday, July 30, 2016 5:18 PM
To: ipaulson@lostatosca.gov; Planning; Sally Zarnowitz; BSpector; Marico Sayoc; Rob Rennie; Steven Leonardis; miensen@losgatosca.gov
Cc: bruce.mccombs@comcast.net; Mary Goheen
Subject: North 40

Dear Planning Commission and Town Council Members,

My wife and I have been proud residents of Los Gatos for twenty-nine years, raising our now 32 year old daughter here, availing of the outstanding schools as well as the healthy and positive environment. It's been an outstanding place in which to live and raise children. Occasionally we have discussed the possibility of moving elsewhere but have always come to the same conclusion - where else could we possibly live that could provide the same wonderful small town attributes as Los Gatos?

We are extremely concerned over the proposed North 40 development project. We cannot understand why our town would allow a developer to proceed with such an "over the top", high density plan that cannot in any way relate to the character of the town. If it's because of potential town tax revenue, we would gladly pay higher local taxes just to keep the town "The Town" (and believe me, we're not in favor of higher taxes). We can't really think of any other reasons why this project would even be considered.

Deny this project. If allowed to proceed as is, the developer(s) will leave with a bag of money never to be seen again, and we, the residents, will be left with a irreversible disaster! The attractiveness of our town will diminish, our property values will go down, we'll be gridlocked with traffic, and we'll be just another extension of San Jose.

Please keep Los Gatos unique and beautiful,

Sincerely,

Kent A Goheen
17200 Phillips Ave,
Los Gatos, CA 95030

From: Darcie McNeil [mailto:darciecmcneil16@gmail.com]

Sent: Saturday, July 30, 2016 7:30 PM

To: Joel Paulson; Planning; Sally Zarnowitz; BSpector; msavoc@lsogatosca.gov; Rob Rennie; Steven Leonardis; meinsen@losgatosca.gov

Subject: North 40

Hi!

I am a 40 year resident of Los Gatos. My grandparents attended Los Gatos High. My grandfather, Gene Rugani, owned and ran one of the first grocery stores in Los Gatos. Back then Los Gatos was a very small town with beautiful orchards and land everywhere. Now it seems every little piece of undeveloped land is being taken over and built up and our charm is disappearing.

Please do not give in to developing the North 40. Our town is in dire need of soccer fields, dog parks, open space for our residents to all enjoy....

The proposed development will just crowd our town even more. It is already becoming a traffic nightmare, our schools are already over crowded. Let us keep open land and breathe fresh air please.

Thank you for listening.

Darcie McNeil
105 Longmeadow Dr.
Los Gatos

Sally Zarnowitz

From: Daniel Snyder <dan@danandann.com>
Sent: Saturday, July 30, 2016 9:17 PM
To: North40 Comment
Subject: Comments regarding N40 Application

Dear Town Council-

I would like to add my comments for the application for the N40 development.

I have lived in this town for the past 16 years. Prior to that, my wife and I grew up in smaller towns (<12,000 population suburbs) from outside CA. We also lived in large metropolitan areas for many years too. We chose Los Gatos, and have stayed because of the great downtown and the good schools.

Since we tend to walk around town, and to Daves Ave School, we know there is a wide variety of housing types and densities in our town. Some areas, like Town Terrace, off University, have very high density, but in a poorly laid out manner. What our town lacks, in my opinion, is affordable housing. This is why I strongly support the N40 specific plan. Having density, with a mix of services and retail/dining all within walking distance is a real need.

I strongly believe the current application does a very good job of meeting the needs and goals of the Specific Plan. No application will be perfect, but I disagree with the Planning Commission's determination.

Except for the view from a certain portion of HWY 17, there is almost no impact upon hillside views. Frankly, why do we prioritize the view from a highway anyway? If the land owner had planted trees like exist everywhere else all along HWY 17 (predominantly pines), no one could even see the story poles.

I think the style of the proposed buildings look good, and are consistent with Los Gatos. Los Gatos has a wide variety of architectural styles, from Victorian to modern. The application is consistent with that range, and looks better than any other apartment building in town. Where the application does fall down, is that it is consistent with the Town's zoning requirements for parking. The town has failed to have rational parking mandates, like 2 spots for each unit, plus one guest spot per unit.

Thanks,

Daniel Snyder

Sally Zarnowitz

From: All Events in City <contact@allevents.in>
Sent: Sunday, July 31, 2016 11:33 PM
To: North40 Comment
Subject: North 40 Phase 1 – Town Council Public Hearing on August 9, 2016 at 6:00 p.m. is now live on AllEvents.in



Hi,

I am super glad to share with you that your event **North 40 Phase 1 – Town Council Public Hearing on August 9, 2016 at 6:00 p.m.** is now listed on allevents.in

What is All Events in City?

An Event Discovery portal assisting more than **25 Million people** across the globe (from Toronto to Tokyo, Las Vegas to Rio, Mumbai to Michigan - 30,000 cities) to engage and explore events (Conferences to Concerts, Tourism Festivals to Summits, community meetup to music fests etc.) happening around them through - our mobile app, website, weekly newsletters, city evangelists and in-built social discovery platform.

More than **8 Million event organizers** from Tourism Corporations to Entertainment companies, Industry Associations to Startups, Pubs to Hotels, Artists to Sports Personalities, Media Organizations use AllEvents.in to reach out to event explorers on our platform.

Below are details of your event that have been shared with us by one of your happy attendees:

**North 40 Phase 1 – Town Council Public Hearing on
August 9, 2016 at 6:00 p.m.**



09 Aug

Time :

Tue Aug 09 2016 at 06:00 pm

Venue :

Council Chambers 110 East Main Street, Huon Valley Council, Australia



We advise you to have a look at the event page and ensure that all the provided information is correct.

You have already got following benefits with the free listing:

- Dedicated Event Page
- Local as well as global visibility through our event listing as well as search engine indexing
- Chances of getting featured in our Weekly newsletter (based on the quality of the event)
- Social Event Discovery (Whenever someone attends your event, his/her followers get to know about it, makes it instantly viral)
- 200 Credits for email invitations
- Online Ticketing (No setup fees, No per-transaction fees)
- Organizer Profile

In case you wish to boost your event visibility with **top of the page listing in multiple cities**, check out our pocket-friendly **promotional plans**.

Boost Visibility

We hope that you have a smooth experience using "All Events in City".

In case of any problems/queries, please check out our **FAQs** or email us at **contact@allevents.in**.

Happy to help,

Manoj Yadav

Customer Happiness Manager

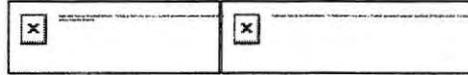
<http://allevents.in>

PS: If the event was intended to be private and not supposed to be shared to the public, you can report it by hitting this **link**. We will remove it within 24 hours.



Event Discovery App

Build your follower base on All Events in City. When you create a new event, all your followers get instant notification about your event.



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Sally Zarnowitz

From: Dave Schoenwald <designwald@hotmail.com>
Sent: Monday, August 01, 2016 9:38 AM
To: North40 Comment; Marcia Jensen; BSpector; Marico Sayoc; Steven Leonardis; Rob Rennie
Subject: North 40 Development

Town and Council Members

I am opposed to the North 40 development in it's current plan. The height of buildings and density of the plan is not appropriate for Los Gatos. Please reconsider your thoughts regarding this project to keep Los Gatos a great place to live.

Regards;
Dave Schoenwald
143 Bella Vista Ave
Los Gatos, Ca 95030

Sally Zarnowitz

From: Laura Howard <laurgome@yahoo.com>
Sent: Monday, August 01, 2016 2:38 PM
To: North40 Comment
Subject: North 40 comment
Attachments: RE The North 40.doc

RE: THE NORTH 40

It is the general opinion of most Los Gatos citizens and businesses that our town does itself a great disservice to approve the building of another town--with its own conditions and ordinances--within the boundaries of Los Gatos. Since it is only in the last couple of decades that our town has become a popular "destination" for tourists and out-of-town shoppers as well as a bedroom community for wealthy high-tech employees and execs, the infrastructure and character remains essentially the same as it was before Highway 17 bisected Los Gatos. The small-town ambience is the town's appeal to those shoppers and tourists. They probably also shop at Santana Row and go to the opera and theatre in Mt. View or San Francisco. But they come to Los Gatos to use our trails, browse in our wonderful, little downtown shops, and dine in our many diverse restaurants. That being said, several needs of the *residents* still exist. One of those essentials is not a new high-density community within the boundaries of Los Gatos.

We are short of parks and recreation facilities for the community. Where Highway 17 crossed through Main Street, we used to have a park and a municipal swimming pool. (The Los Gatos Foundation contributed to the remodeling of the high school's pool, but the hours allowed to the public are limited and inconvenient.) Many of us are still eager to have a dog park that includes an area to accommodate small dogs. Kids want a skateboard park as well as a safe place to gather and play. A component to a school's curriculum or to a youth-oriented organization could be the maintenance of a small part of the present orchard. Most importantly Los Gatos really needs to provide its seniors and minimum-wage earners with abundant and suitable, low-income housing. The 40 acres of the North 40 can include all of these needs/requests and more without impacting the town's existing infrastructure.

I urge the Town Counsel to deny the present application from the North 40 developers. Also I urge the counsel to find the funds from grants, loans, private donations, or a county partnership to acquire the North 40, to challenge any lawsuit brought by the present developers, and to initiate the process of providing a suitable development that will meet the real needs of our town.

Laura Howard
College Avenue
Los Gatos

From: Laura Howard [mailto:laurgome@yahoo.com]
Sent: Monday, August 01, 2016 2:40 PM
To: Joel Paulson
Subject: North 40

RE: THE NORTH 40

It is the general opinion of most Los Gatos citizens and businesses that our town does itself a great disservice to approve the building of another town--with its own conditions and ordinances--within the boundaries of Los Gatos. Since it is only in the last couple of decades that our town has become a popular "destination" for tourists and out-of-town shoppers as well as a bedroom community for wealthy high-tech employees and execs, the infrastructure and character remains essentially the same as it was before Highway 17 bisected Los Gatos. The small-town ambience is the town's appeal to those shoppers and tourists. They probably also shop at Santana Row and go to the opera and theatre in Mt. View or San Francisco. But they come to Los Gatos to use our trails, browse in our wonderful, little downtown shops, and dine in our many diverse restaurants. That being said, several needs of the residents still exist. One of those essentials is not a new high-density community within the boundaries of Los Gatos.

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I urge the Town Counsel to deny the present application from the North 40 developers. Also I urge the counsel to find the funds from grants, loans, private donations, or a county partnership to acquire the North 40, to challenge any lawsuit brought by the present developers, and to initiate the process of providing a suitable development that will meet the real needs of our town.

Laura Howard
35 College Avenue
Los Gatos CA 95030

From: Mary Rose [mailto:mrose@ten90group.com]
Sent: Monday, August 01, 2016 3:52 PM
To: Council
Subject: Deny the current North 40 Application and Amend the Specific Plan

It is horrible that our town feel is deteriorating. Lark and 17 is a mess lots of the time. It can take 30 minutes to drive 3 miles into town from Courtside area.

The new medical buildings adjacent to the North 40 already generate so many more drivers on weekday. Netflix is not even done with construction and loading all their works in. The traffic diversions for beach traffic are only minimally effective.

I was raised in this area and have always been happy to be on the outside edge of the over development of Silicon Valley. Now we are being crushed by overdevelopment in our own town. Please deny the current North 40 Application and Amend the Specific Plan to keep Los Gatos a town, not a city.

-- Mary Rose
507 Clearview Drive, Los Gatos
408-718-3302

From: Giordano, Christopher <Chris@thegwmg.com>
Sent: Monday, August 01, 2016 4:37 PM
To: Marni Moseley
Subject: North 40

I am writing you to voice my opinion about the North 40. I feel that the density being applied for is much too high and the development does not have the look and feel of the community of Los Gatos. Reduce the density and improve the look.

Christopher Giordano, AIF®
Founder



GIORDANO

644 N. Santa Cruz Ave
Suites 3 and 4
Los Gatos, CA 95030
408 354-5554
chris@thegwmg.com
www.TheGWMG.com
CA Insurance Lic# 0813295



Christopher Giordano is a Registered Representative with and securities offered through LPL Financial, Member FINRA/SIPC. Investment advice offered through Strategic Wealth Advisors Group LLC (SWAG), a registered investment advisor. SWAG LLC and Giordano Wealth Management Group are separate entities from LPL Financial.

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From: Joseph Gemignani <josephtheweatherman@gmail.com>

Date: August 1, 2016 at 5:06:18 PM PDT

To: N40.comment@LosGatosca.gov

Subject: North forty survey

I participated in a citywide survey regarding the north forty architecture back in the summer of 2011. The results were sent to Suzanne Davis and the results were that Traditional or Mission style buildings were preferred over Modern buildings. These results were published in the Los Gatos times. I will bring a copy August 9th.

I don't mind some of the Agrarian looking buildings but I don,t understand why no traditional or Mediterranean buildings are in the plans. This is 13 acres after all there should be some room for what the people prefer.

Thanks,

Joseph

Sent from my iPad

From: Joanne Benjamin <joanne.benjamin@verizon.net>
Date: August 1, 2016 at 8:31:12 PM PDT
To: <bspector@losgatosca.gov>, <msayoc@losgatosca.gov>, <mjensen@losgatosca.gov>, <sleonardis@losgatosca.gov>, <rrennie@losgatosca.gov>
Cc: <jpaulson@losgatosca.gov>
Subject: North 40 Proposed Development Project

Dear Mayor Spector, Vice Mayor Sayoc, and Councilmembers Jensen, Leonardis, and Rennie,

I strongly urge you deny the North 40 Development Plan as proposed. My reasons for opposition include the points previously mentioned in my March 25 email to the Planning Commission, the general consensus of the public testimony before the planning commission both in March and on July 12 and 13, and the explicit findings made by the planning commission in their July 13 recommendation to you.

By the way, I personally watched and listened to the nearly 10 hours of public testimony and deliberation at the special planning commission meetings, and also read the entire packet and addendums. In doing so, I realized just how significant this project is to the Town's residents and how essential it is that "we get it right". I also became extremely proud of the Los Gatos community for their many emails, letters, and remarks during public testimony. The public's comments in nearly all instances showed a citizenry that was exceptionally knowledgeable, logical, sincere, and highly articulate in communicating the salient points of their opposition. Likewise, I applaud the planning commission for their tremendous patience, stamina, sensitivity to the community and its needs, and their overall professionalism and thoroughness in deliberating this difficult matter.

Finally, I am most disappointed that the developer did not appear to understand the Town's unmet need for Senior housing. When the Visioning phase of the Specific Plan was being conducted, most participants understood the need to be for senior style housing along the lines of the Los Gatos Commons, or facilities like the Terraces of Los Gatos, or Los Gatos Meadows which feature small units with open space and/or assisted living options, allowing seniors to "age in place". The goal was to provide housing for seniors who wished to remain Los Gatos but move to a smaller home. Studios and one bedroom units should be specifically encouraged. Regardless of unit size, the senior housing should feature adequate parking for residents and guests, plus plenty of open space and community rooms for meetings, recreation activities, socializing, and visiting with family. It should be noted that many families have an older parent, who has perhaps lost a partner and is getting on in age. These folks need to have a smaller home that is convenient and close to their Los Gatos families. Perhaps the Specific Plan needs to be revised to explicitly explain and elaborate on this important need?

Very truly yours,

Joanne and Jim Benjamin
109 Worcester Loop
Los Gatos

From: Pamela Warren [mailto:pwarren@Devcon-const.com]

Sent: Tuesday, August 02, 2016 9:21 AM

To: Joel Paulson; Planning; Sally Zarnowitz; spector@losgatosca.gov; msavoc@losgatosca.gov; rrennis@losgatosca.gov; sleonardius@losgatosca.gov; miensen@losgatosca.gov

Subject: Proposed "north 40" project

My husband Leonard Ruggieri and I have lived in Los Gatos for 20 + years. We are both Santa Clara County natives and were born at O'Connor Hospital and attended Cupertino and Monte Vista High School as well as San Jose State and UC Santa Cruz.

Some thoughts on the proposed project

HISTORY/CONTEXT

1 – This is now a privately owned orchard and as such does not offer public access into its property (if we spread out a picnic blanket we'll probably get run over by a tractor) but that being said the orchard itself does add to the community environment by way of the benefit of the many trees

A – trees mitigate climate change, clean the air, cool the atmosphere, and mark the seasons –

2 – So this project should replace and increase the number of trees lost in the orchards

3 – Sense of place in time and history – some portions of the orchard should remain intact so provide a link past to our Town history and ground this project into the fabric of our local culture – similar to what the Olsen cherry orchards do for the City of Sunnyvale.

Maybe the theme of this project can incorporate the drying sheds and outbuildings found on local farms

There is nothing presented that says anything " Los Gatos" at all.

SIZE/SCALE

1 – This is a massive project that overwhelms the site and neighborhood. – how can this be justified?

Can the parking all be placed underground -as well as the first floor of the buildings to reduce the heights and allow for some open green belt areas that serve some actual purpose?

Can the buildings have "green roofs" that are vegetated and add something back to the atmosphere and help cool the area to contrast against all the "hard" paved surfaces?

Thus project should add to the community needs and become an asset not an eyesore – but taking pot shots is not constructive – some actual thought needs to occur as well as meaningful planning goals.

Is there any requirement for LEED certification?

ASSETS

1 –What does Los Gatos obtain in a positive light from this development – what does Los Gatos really need?

Housing is in need in every community – but to what cost?

What is the burden on our infrastructure – power, roads, water, sewer, hospitals, parks, fire fighters and police departments – how does this problem address these?

Why is the below market and senior housing so sparsely proposed and underserved?

Is there any solar power generation? Treatment of rain runoff in bioswales? New fire house or police station, new schools or new parks or playing fields -community swimming pools?

This projects begs more questions than answers and as Community Leaders the Town citizens look to you for solutions.

Respectfully submitted.

Pamela M. Warren, AIA Architect

LEED Green Associate
DEVCON CONSTRUCTION
INCORPORATED
690 Gibraltar Drive
Milpitas, CA 95035
Phone: (408) 942-8200
Direct: (408) 964-5739
Fax: (408) 262-2342
License #399163

August, 2nd 2016

Dear honorable Mayor, and members of the Town Council,

The planning commissions vote to deny Grosvenor's plans as presented at the last planning commission meeting was the right thing to do, particularly in light of the developer's threat to sue the town to get what they want, as opposed to compromising on what Grovesnor would be willing to change based on the specific plan as you approved it, changes that might *mitigate* scale, mass, density, and future attendant traffic problems.

It is my understand that they *could* relocate some residential housing to other parts of the property including the north end of the N-40 but choose not to because (obviously) of new home sale values in our school district. It is my understanding that they *could* reduce square footage and vary the height of the buildings but obviously choose not to in order to maximize per square foot rents/ sales. It is also my understanding that they *could* make some of these concessions now, per the specific plan, but choose not to under the guise of not "controlling" the north end of the N-40 per Don because "members of the Yuki family live on it". It appears that Don is more interested in suing the town rather than working with it and the citizens who will remain here long after he's gone.

It is my belief that the entire N40 should work congruently with the existing downtown's commercial space, and care should be taken to protect it, rather than approve another piecemeal development to be built, which most certainly will compete with the downtown.

One of the most telling slides presented by a town citizen to the planning commission was an aerial shot of the Sobrato apartments on Winchester Ave. vs. the story poles of N40 residential as is now installed on the Yuki property. The contrast couldn't be clearer; a local developer who's esthetically pleasing residential project looks like an aerial shot of Lucca Italy (winding streets, varying heights) vs. an out of town developers plans; one height all the way east to west, jamming as much as possible as high as possible, which look more like barracks at Manzanar .

Those of you who voted in favor of the specific plan last Christmas made a premature and wrong judgment based the outdated 5 year old EIR, traffic study, and market study. Now is your chance to correct yourselves and do the right thing by sending them back to the drawing board, rather than letting their threat to sue intimidate you and the future of our town. Let them sue; you will have 85% of the tax paying townspeople backing you.

The council will only get this one last chance to impact the future quality of life in our town for generations to come.

Respectfully,



Jeff Whalen, (2nd generation Los Gatan, 4th generation Santa Clara county family)

RECEIVED

AUG 03 2016

Aug 3 ~

MAYOR & TOWN COUNCIL

This was meant to be an emailed letter but my computer could not send it to the addresses at legatosca.gov ~

Of course my printer and computer are not talking to each other for unknown and unsolvable reasons.

Since I am leaving town very soon, I decided to hand deliver a copy to town hall to be copied and distributed.

Sorry about the old-fashioned approach, and thanks for all your hard work.

Susan Kunkel

RECEIVED

AUG 03 2016

MAYOR & TOWN COUNCIL

Begin forwarded message:

From: Susan Kankel <susankankel@comcast.net>

Subject: North 40 Application

Date: August 2, 2016 4:08:49 PM PDT

To: bspector@losgatosca.gov; sleonardis@losgatosca.gov; mjensen@losgatosca.gov; msayoc@losgatosca.gov; rrennie@losgatosca.gov

Cc: jpaulson@losgatosca.gov

August 2, 2016

To the Town Council:

I will be out of town during the Council's hearings on this project, but I wish to make my opinions known.

I recommend that you deny the present application for the North 40 because it does not fulfill several requirements of the North 40 Specific Plan (cited in parentheses).

- The look and feel of Los Gatos is not present. (p 1.1) The buildings are too massive, too dense, and too high, which in turn prevents it from meeting the requirement that it embrace hillside views (p.11).

The Specific Plan calls for lower intensity residential and limited commercial/ office space for the Lark District, also called Phase 1, (pp.2-3) but the application gives us three-story buildings with six to eight units in each.

- The proposal does not provide open space as it is perceived in a small town: lawn areas like the front of Town Hall or all schools or the Town Plaza; hardscape may be deemed open space in metropolitan areas like San Francisco, it is not appropriate in a small town (p11).

- The site's unique agricultural characteristics are not incorporated (3.2.4); one would hope that this last vestige of our rural heritage would be acknowledged by more than one market which sells high-end products;

there is a barn on the property and retaining it with an existing buffer area of land would make a great start in showing what Los Gatos used to be and incorporating the "Unique Farmland" as designated by the State Department of Conservation.

- Move-down housing for seniors, one of the Town's unmet needs (p.1.1), is not provided. The latest census of 2010 report states that there are 5,236 seniors in Los Gatos and 80% of those own their own homes.

The original plan by this developer showed cottage clusters for seniors, yet the present application gives 49 apartments owned and run by Eden for very low income seniors/disabled.

- Mitigation measures (p 1.1) are based on outdated or incomplete reports which do not include planned and incomplete projects in the area. The schools will be impacted because all 320 units are located in the Los Gatos Union School District even though the Specific Plan states residences must be spread throughout the 40 acres.

- The entire object of the Specific Plan is "to provide a comprehensive framework in which development can occur in a planned, logical fashion rather than a piecemeal approach" (p1.1) yet this application covers only one piece of the property, thus not filling this requirement.

These are only some of the reasons I support a denial of the present application; traffic, open space, look and feel of Los Gatos, impact on downtown's commercial viability and vitality are all additional reasons to deny.

The developer has not shown us how this application is going to make our lives and our town better; Grosvenor has only shown us how it will leave a lasting negative impact on Los Gatos. When we, the community of residents and merchants, pushed back at what Grosvenor says we need instead of listening to what we want, as was stated in the Specific Plan, it simply threatened litigation. Bully tactics do not further cooperation or acceptance.

I urge you to deny the present application because it does not fulfill the requirements of the Specific Plan.

Respectfully,

Susan Kankel
99 Reservoir Road

From: Kay Maurer [mailto:kayathome@yahoo.com]

Sent: Wednesday, August 03, 2016 10:30 AM

To: Council

Subject: North 40 and traffic issues

Kay Maurer from Los Gatos MainJust now

Thank you for your decision to continue the closure of the SB access to highway 17 for the rest of the month. This is good news, but the same council has to decide what is going to happen with the North 40 and all the cars that will be added to the traffic mix in Los Gatos if the current proposal is approved. What on earth would warrant that to be approved in the face of the current traffic issues in town. It seems to me that this meeting last night will be repeated again and again if high density housing projects are continued to be approved for the town. There is just not room for any more cars and people. The beach traffic is just the tip of the iceberg, it is seasonal....the traffic from the North 40 and other large projects will be permanent. Stop the madness before it is too late. Stop adding more and more houses to an already crowded town.

From: edrathmann@comcast.net [mailto:edrathmann@comcast.net]

Sent: Wednesday, August 03, 2016 11:03 AM

To: Steve Leonardis; Marcia Jensen; BSpector; Rob Rennie; Marico Sayoc

Cc: Joel Paulson

Subject: North 40 August meetings

Town Council and Planning Department,

The following are OBJECTIVE examples of how the Grosvenor plan does not conform to the Specific Plan. I am here focusing on the retail component of the plan. I am also focusing on the Market Study & Business Assessment by BAE Economics. To be clear this Market Study is part of the Specific Plan and is simply not followed by the Grosvenor proposal.

I also want to stress that it does not matter if the proposed retail is 5000 square feet, 66,000 sf, or 400,000 sf. Either what is proposed conforms to the Specific Plan, or it doesn't. In this case, it does not!

Also, I will cite further evidence of how this Market Study is, as described by Planning Commission, "FLAWED"

- 1) Several times, the Market Study says that the only retail "leakage" to other communities (i.e. unmet needs) that is currently happening is in the category of "... building materials and general merchandising stores, stand out for their substantial leakages." p. 3. 61. 63. 116. There is nothing in the Grosvenor plan to meet this need. Only more of the same small retail and restaurants that is an already met need according to the study.
- 2) The study finds 10,000 sf or above spaces lacking in the Downtown. "... Los Gatos SHOULD consider using the North 40 ... to establish new retail uses... by permitting larger floor plate[s]..." p. 5, 10, 76, 111, 116. Again there is nothing in the proposal to satisfy this finding.
- 3) The Market Study states "... Los Gatos SHOULD encourage a mix of new office space at the North 40..." Also "...pursue the concept of a Los Gatos innovation center" Later it finds" The Town Should consider a hotel use for the North 40..." (all on p. 11) Again the Grosvenor plan does not comply with the Market Study. None of these ideas are in the current proposal.
- 4) The Market Study states that retail in the North 40 should " establish a clear difference in the shopping experience between the Downtown and the North 40." p. 114. There is nothing in the Grosvenor proposal to address this important issue.

The following highlights further flaws in the the Market Study.

- 5) The study discusses other developments in our area and mentions their square feet. Nowhere in this study does it mention the square feet of the Downtown core area. How can a rational analysis of whether the North 40 will negatively impact the Downtown be accomplished, if the study does not even mention or know the size of the Downtown? This is a serious flaw.

6) The Market Study suggested that the developer "... identify new retail uses that will complement the Town's mix such as specialty foods (e.g., "market hall"). p. 10. What is Whole Foods and parts of Lunardis if not specialty foods? And both are right down Los Gatos Blvd. How could a Market Hall at the North 40 not compete with Whole Foods? The other problem with a market hall in the North 40 is that most are not farmers markets like Grosvenor is touting. Most are full of prepared foods, restaurants, and coffee bars. Take a look at The Shed in Healdsburg, the Ox Bo Market in Napa, or the Ferry Building in San Francisco. Is there anything limiting what Grosvenor can put in their Market Hall? Restaurants, coffee bars, and specialty foods are a met need in town. As the Market Study says: there is not leakage in these categories!

7) Finally as the Planning Commission pointed out, there is absolutely no mention in this study comparing downtown parking to parking in the North 40. How can you discuss economic impacts if parking is not taken into account?

Also, the Downtown requires Conditional Use Permits for much of their businesses. The North 40 does not. This has to impact the Downtown negatively and offers an unfair competitive advantage to the North 40. This Market Study does not address parking or the need for CUP's in the Downtown in contrast to the North 40. This again, is a serious flaw.

These are numerous OBJECTIVE reasons to deny this proposal for the North 40. Please vote to deny.

In addition, the Specific Plan, because of it's many flaws, needs to be reviewed and revised before any new project applications are accepted.

Thank you, Ed Rathmann

Managing Partner Main Street Burgers and Willow Street

From: Yumi Hiroshima [mailto:yumi.hiroshima@gmail.com]

Sent: Wednesday, August 03, 2016 6:19 PM

To: Council

Subject: North 40 vote

Dear Los Gatos Town Council member,

I am writing to encourage a NO on the North 40 development from the Town Council.

Thank you for your consideration.

Best regards,

Yumi Hiroshima

North 40 Public Comments 8.4.16

From: Elke Billingsley [<mailto:elke.billingsley@gmail.com>]

Sent: Thursday, August 04, 2016 7:59 AM

To: Council

Subject: North 40 vote on August 9

Good morning town council,

Your vote about the "North 40" development at Lark and Los Gatos Boulevard is coming up next week. I realize the planning commission denied the plans as they are currently drawn. I hope you will do the same and **deny the current proposal**.

My concerns are similar to our friends and neighbors in town (and neighboring Campbell and San Jose as well):

- * Traffic on town streets and entry/exit to Highways 17 and 85. This is already crowded around the property, especially heavy for hours each morning and evening during commute peaks.
- * Why does the residential all need to be built within the Los Gatos school district? Our family has students in the district now and we are out of room. We added 50+ students just last year to our school. I know school impact is not to be considered when building but that leaves out an important part of the impact.
- * The community is aging. Senior housing could be a great solution here: minimal traffic impact, no school impact, build retail that they can walk to on the property.
- * The look of Los Gatos is not in this development. It is about the developer maximizing profit. I realize something will be built on the property but this is too much. I hope some creativity can be used to make a development of which everyone can be proud.

I am not able to attend the meeting, due to previous commitments. I hope the residents are heard. Thank you for your efforts - we appreciate it!

- Elke Billingsley

From: Chris Szeles [mailto:cszeles@yahoo.com]

Sent: Thursday, August 04, 2016 10:38 AM

To: BSpector; Marico Sayoc; Marcia Jensen; Steven Leonardis; Rob Rennie; Laurel Prevetti

Subject: URGENT -- North 40 Observations

Mayor Spector, Town Manager, and Town Council,

The North 40 proposal feels as if the town is morphing into San Jose, which is what I needed to move away from several years ago when I decided to relocate to Los Gatos. I grew up in the valley, and Los Gatos was always considered a *diamond* in the valley. When we change the dynamics of that small-town feel it will never be reversible and will truly have a negative effect on how the town is viewed and culture.

I propose we keep Los Gatos feeling like a small town in the already-too-dense Silicon Valley. If we take emotion out of the equation, and view the proposal from a Civil Engineering perspective, our infrastructure is already under pressure and adding a development of this magnitude does not seem reasonable. As we increase infrastructure load, the quality of residents life will drop dramatically. A simple example of this equation: We are already seeing this issue during summer beach traffic months.

The North 40 developers are not from our community, are not made up of our friends or neighbors, and have no sense of the town look/feel/community. It is obvious that they only care about money and it absolutely apparent in their proposal.

I was in the library the other day and a woman from out of town was visiting, and saw the North 40 model near the front entrance. She asked me 'why the heck is the town going to allow this *monster* here?' This is the same question I ask you.

Thank you for listing to my perspective,

Chris Szeles
115 Amanda Ln
Los Gatos, CA 95032

RECEIVED

Mrs. Roland Campbell
25 Fillmer Avenue
Los Gatos, California 95030

AUG 04 2016

MAYOR & TOWN COUNCIL

TO TOWN COUNCIL

AUGUST 2, 2016

+ STAFF:

DRIVING HOME FROM MY GRADUATION CEREMONIES AT CAL IN 1941, WHEN 5000 OF US RECEIVED DIPLOMAS. MY PARENTS AND I PASSED A SMALL SIGN SAYING: "LOS GATOS, POPULATION 5000."

I WAS BORN IN LOS GATOS IN 1920 (I WENT TO THE GRAMMAR SCHOOL WHERE OLD TOWN IS NOW. MY FIRST-GRADE TEACHER WAS MISS LOUISE VAN METER. THE PRINCIPAL WAS MR RAYMOND J. FISHER. THEN FOUR YEARS AT THE LOVELLST HIGH SCHOOL I HAVE EVER SEEN.

I HAVE SPENT ALL BUT LEAST PART OF THE-NINETY-SIX YEARS I HAVE LIVED IN LOS GATOS PLEASE, PLEASE

DON'T LET DEVELOPERS DESTROY THE HEART-WARMING, SMALL-TOWN FEELING I HAVE FOR LOVELLST LOS GATOS.

SINCERELY
Marnie Phelps Campbell