



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 02/12/2025

ITEM NO: 3

ADDENDUM

**DATE:** February 11, 2025  
**TO:** Planning Commission  
**FROM:** Joel Paulson, Community Development Director  
**SUBJECT:** Consider a Request for Approval to Demolish Existing Hotel Structures (Los Gatos Lodge), Construct a Multi-Family Residential Development (155 Units), a Conditional Use Permit, a Condominium Vesting Tentative Map, Site Improvements Requiring a Grading Permit, and Remove Large Protected Trees Under Senate Bill 330 (SB 330) on Property Zoned CH:PD:HEOZ. **Located at 50 Los Gatos-Saratoga Road.** APNs 529-24-032, 529-24-001, and 529-24-003. Architecture and Site Application S-23-042, Conditional Use Permit Application U-23-017, and Subdivision Application M-23-009. No Additional Environmental Review is Necessary Pursuant to CEQA Guidelines Section 15183: Streamlining Process, Since the Proposed Project’s Environmental Impacts were Adequately Addressed in the 2020 General Plan EIR and/or 2040 General Plan EIR, as Applicable. Property Owner: Keet S. Nerhan. Applicant: SummerHill Homes, LLC. Project Planner: Sean Mullin.

REMARKS:

Below is a corrected table from page 10 of 15 of the Staff Report providing a summary of the BMP units by income level and number of bedrooms.

<b>BMP Units</b>		
<b>Unit Type</b>	<b>Moderate Income</b>	<b>Low Income</b>
Two Bedroom	1	2
Three Bedroom	4	7
Four Bedroom	5	7
<b>TOTAL</b>	<b>10</b>	<b><del>17</del> 16</b>

Exhibit 18 includes revised findings and considerations correcting a typo.

Exhibit 19 includes additional public comments received between 11:01 am, Friday, February 7, 2025, and 11:00 am, Tuesday, February 11, 2025.

PREPARED BY: Sean Mullin, AICP  
Planning Manager

Reviewed by: Community Development Director

PAGE 2 OF 2

SUBJECT: 50 Los Gatos-Saratoga Road/ S-23-042, U-23-017, and M-23-009

DATE: February 11, 2025

EXHIBITS:

Exhibits previously received with the February 12, 2025, Staff Report:

1. Final Initial Study – December 24, 2024  
(available online at <https://www.losgatosca.gov/50LGS>)
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Location Map
5. Project Description Letter
6. Letter of Justification
7. Consulting Architect's Report
8. Applicant's Response to Consulting Architect's Report
9. Final Arborist's Report
10. Table of Requested Waivers Through State Density Bonus Law
11. Neighbor Outreach Summary
12. Visual Renderings
13. Construction Phasing Exhibit
14. Objective Design Standards Checklist
15. Letter from SummerHill Regarding Commissioner Stump
16. Public comments received by 11:00 a.m., Friday, February 7, 2025
17. Development Plans

Exhibits provided with this Addendum report:

18. Revised Required Findings and Considerations
19. Public comments received between 11:01 am, Friday, February 7, 2025, and 11:00 am, Tuesday, February 11, 2025

**PLANNING COMMISSION – February 12, 2025**  
**REQUIRED FINDINGS AND CONSIDERATIONS FOR:**

**50 Los Gatos-Saratoga Road**

**Architecture and Site Application S-23-042**  
**Conditional Use Permit Application U-23-017**  
**and Subdivision Application M-23-009**

**Consider a Request for Approval to Demolish Existing Hotel Structures (Los Gatos Lodge), Construct a Multi-Family Residential Development (155 Units), a Conditional Use Permit, a Condominium Vesting Tentative Map, Site Improvements Requiring a Grading Permit, and Remove Large Protected Trees Under Senate Bill 330 (SB 330) on Property Zoned CH:PD:HEOZ. APNs 529-24-032, 529-24-001, and 529-24-003. No Additional Environmental Review is Necessary Pursuant to CEQA Guidelines Section 15183: Streamlining Process, Since the Proposed Project’s Environmental Impacts were Adequately Addressed in the 2020 General Plan EIR and/or 2040 General Plan EIR, as Applicable.**

**Property Owner: Keet S. Nerhan**  
**Applicant: SummerHill Homes, LLC**  
**Project Planner: Sean Mullin.**

**FINDINGS**

**Required finding for CEQA:**

- As required, additional environmental review is not necessary pursuant to CEQA Guidelines Section 15183: Streamlining Process, since the proposed project’s environmental impacts were adequately addressed in the Environmental Impact Reports (EIR) prepared for the 2020 General Plan and/or 2040 General Plan, as applicable. An Initial Study was prepared for the project in support of this determination.

**Required finding for consistency with the Town’s General Plan:**

- That the proposed project is consistent with the General Plan and its Elements in that the proposed zoning is consistent with the existing General Plan Land Use designation.

**Required findings to deny a Subdivision application:**

- As required by Section 66474 of the State Subdivision Map Act the map shall be denied if any of the following findings are made: **None of the findings could be made to deny the application.**

Instead, the Town Council makes the following affirmative findings:

- a. That the proposed map is consistent with all elements of the General Plan.
- b. That the design and improvement of the proposed subdivision is consistent with all elements of the General Plan.
- c. That the site is physically suitable for the type of development.
- d. That the site is physically suitable for the proposed density of development
- e. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat
- f. That the design of the subdivision and type of improvements is not likely to cause serious public health problems.
- g. That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

**Required findings for a Conditional Use Permit:**

- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit:

The deciding body, on the basis of the evidence submitted at the hearing, may grant a conditional use permit when specifically authorized by the provisions of the Town Code if it finds that:

1. The proposed use is desirable to the public convenience because it provides an additional residential dwelling units in the Town; and
2. The proposed use would not impair the integrity of the zone, in that the proposed use is allowed in the CH zone with the granting of the concession pursuant to State Density Bonus Law; and
3. The proposed use would not be detrimental to public health, safety, or general welfare, as the conditions placed on the permit and existing regulations would maintain the welfare of the community; and
4. The proposed use is in conformance with the Town Code and General Plan with the granting of the concession pursuant to SDBL.

**Required compliance with the Zoning Regulations:**

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations) except for the concession and waivers requested pursuant to State Density Bonus Law.

**Required compliance with the Town of Los Gatos Objective Design Standards for Qualifying Multi-Family and Mixed-Use Residential Development:**

- The project meets the Town of Los Gatos Objective Design Standards for Qualifying Multi-Family and Mixed-Use Residential Development except for the waivers requested pursuant

to State Density Bonus Law.

**Required for granting concession and waivers pursuant through State Density Bonus Law:**

**Concession(s) or incentive(s)**

- CA Government Code Section 65915:
  - (d) The Town shall grant concession(s) or incentive(s) requested by the applicant unless the Town makes a written finding, based upon substantial evidence, of any of the following:
    - (A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).
    - (B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
    - (C) The concession or incentive would be contrary to state or federal law.

**Waivers**

- CA Government Code Section 65915 (a)(2):

The Town shall grant waivers to the Town's development standards requested by the applicant unless the Town makes a written finding, based upon substantial evidence, that the development standard for which the waiver is requested would not physically preclude the construction of the development at the densities and with the concession permitted through Density Bonus Law.

**Required finding for consistency with California Government Code Section 65863 regarding state RHNA requirements, the Town's Housing Element Sites Inventory, and No Net Loss Law:**

As required for approval of a development of any parcel with fewer units by income category than was identified in the Town's Housing Element for that parcel:

- The project provides fewer Very Low, Low, and Moderate Income units than anticipated in the Housing Element Sites Inventory, but more Above Moderate Income units, producing a net cumulative deficit of 105 units for the site. The cumulative impact of the project on the capacity of the Housing Element allows the Town to maintain a positive surplus in each income category. The remaining capacity of the Housing Element is adequate to meet the requirements of Section 65583.2 and to accommodate the Town's share of the regional housing need pursuant to Section 65584. As required by Government Code Section 65863, the following No Net Loss findings are made:

1. Remaining sites identified in the Housing Element are adequate to meet the Town’s remaining RHNA for the planning period by income category.

Findings: The remaining capacity of the Housing Element sites are adequate to meet the Town’s remaining RHNA with approval of this project. The Town is not required to identify additional sites to accommodate the remaining RHNA as a result of this project.

2. Include a quantification of the remaining unmet need for the jurisdiction’s RHNA at each income level and the remaining capacity of sites identified in the Housing Element, to accommodate that need by income level.

Findings: The remaining unmet need for the Town’s RHNA at each income level and the remaining capacity of the Housing Element is provided in the table below. The remaining capacity at each income level of the Housing Element is greater than the remaining unmet RHNA need at each income level. The Town is not required to identify additional sites to accommodate the remaining RHNA as a result of this project.

<b>Remaining RHNA and Housing Element Capacity</b>					
	Units by Income Category				
	Very Low	Low	Moderate	Above Moderate	Total
Remaining RHNA	537	294	310	695	1,836
Remaining Capacity of Housing Element	608	335	349	817	2,109

## **CONSIDERATIONS**

### **Required considerations in review of Architecture and Site applications:**

- As required by Section 29.20.150 of the Town Code, the applicable considerations in review of an Architecture and Site application were all made in reviewing this project.

**From:** Natalie Schmidt <[REDACTED]>  
**Sent:** Friday, February 7, 2025 4:10 PM  
**To:** Clerk <Clerk@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>  
**Subject:** Fw: Document - Feb 7, 2025

[EXTERNAL SENDER]

To whom it may concern,

Please see my attached file with my support for the Los Gatos Lodge. Thank you. ~Natalie

**Natalie Schmidt**

*Marketing Manager*

P [REDACTED]



Planning Commission,

I support SummerHill Homes' proposed townhome development at 50 Los Gatos-Saratoga Road, particularly because of its inclusion of an Emergency Vehicle Access (EVA) route to Los Gatos High School. Student safety is a top priority, and ensuring first responders have quick and direct access to the school is essential.

Additionally, the project's responsible land use and walkability improvements make it a valuable addition to our community. I encourage you to approve this development.

Natalie Schmidt

[REDACTED]

Los Gatos, CA 95030

A handwritten signature in black ink, appearing to read "N. Schmidt", written over a white background.

**From:** Arthur Lin <[REDACTED]>

**Sent:** Friday, February 7, 2025 4:49 PM

**To:** Sean Mullin <SMullin@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>

**Subject:** Letter of Support for SummerHill project at Los Gatos Lodge

[EXTERNAL SENDER]

Dear Planning Commission and Town Council,

I'm writing to express my strong support for SummerHill Homes' proposal to build 155 townhomes. As a Los Gatos resident, I see this as a great opportunity to add much-needed housing while keeping the character of our community intact.

This project fits well with the existing townhomes and condos on Alberto Way. It offers a smart balance of growth without overwhelming the area, giving first-time buyers and downsizing residents more housing options. The plan also improves pedestrian access with a new pathway connecting students and residents to the high school and downtown while ensuring public safety through an emergency access route.

This is a well-thought-out project that benefits both current and future residents, and I encourage you to approve it.

Best,

Arthur Lin and Christine Change



**From:** Adam DeMaestri <[REDACTED]>  
**Sent:** Friday, February 7, 2025 3:38 PM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Cc:** Clerk <Clerk@losgatosca.gov>  
**Subject:** Los Gatos Lodge Project

[EXTERNAL SENDER]

To whom it may concern,

Please see the attached letter in association with my support for the project at the Los Gatos Lodge site.

Thank you

Adam



*Adam DeMaestri*  
*Chief Executive Officer*

[REDACTED]  
[REDACTED]  
[REDACTED]

Los Gatos Town Leaders,

As a resident of Los Gatos, I want to share my support for SummerHill Homes' proposed townhome development at 50 Los Gatos-Saratoga Road. I've been following this project closely, and I appreciate that SummerHill has made a real effort to listen to the community and work collaboratively with residents.

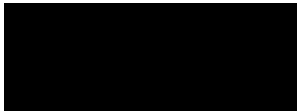
They've taken a thoughtful approach to designing a project that fits well with the neighborhood, while also addressing important housing needs. Including 26 below-market homes is a huge benefit, and I also appreciate their efforts to improve pedestrian and emergency access without adding unnecessary traffic to our already busy streets.

It's refreshing to see a developer that genuinely wants to work with the community rather than just build and move on. I believe this project will be a positive addition to our town, and I encourage you to support it.

Sincerely,



Adam DeMaestri



From: Charlene <[REDACTED]>  
Sent: Friday, February 7, 2025 12:09 PM  
To: Sean Mullin <SMullin@losgatosca.gov>  
Subject: Los Gatos Lodge

[EXTERNAL SENDER]

I am very much opposed to the plan of housing at Los Gatos Lodge. The traffic on Hwy 9 is already awful. If there were a fire how would everyone be able to get out? Our schools are already at capacity. North Forty already did that. There are too many plans for adding housing in Los Gatos.

From: Cheryl Huddleston [REDACTED] >

Sent: Friday, February 7, 2025 2:49 PM

To: Planning <[Planning@losgatosca.gov](mailto:Planning@losgatosca.gov)>

Subject: Item #3 Los Gatos Lodge Property

[EXTERNAL SENDER]

I looked at the rendering and plot plan that was online. It is way too dense. There is no open spaces for all those people to enjoy. The traffic that will be occurring in an already impacted area will be horrendous. What does the fire department say about the density. Does Summerhill foot the bill for all of the items such as water supply, usage and fire; Street repairs after construction is done; The increase of children to our local schools in addition to the school traffic; so many of our beautiful trees will be cut.

I am not against a complex there, just not in favor of such a large development.

Please do not allow another ugly complex like the North Forty.

Thank you, Cheryl Huddleston

[REDACTED]

Los Gatos

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com) <[noreply@civicplus.com](mailto:noreply@civicplus.com)>  
**Sent:** Friday, February 7, 2025 3:49 PM  
**To:** Planning <[Planning@losgatosca.gov](mailto:Planning@losgatosca.gov)>  
**Subject:** Online Form Submission #15498 for Town Contact Form

[EXTERNAL SENDER]

Town Contact Form

First Name	Rich
Last Name	Stephens
Email Address (Required)	[REDACTED]
Phone Number	[REDACTED]
Message (Required)	Regarding the 50 Los Gatos-Saratoga Road project: <a href="https://www.losgatosca.gov/2378/L">https://www.losgatosca.gov/2378/L</a> , I do not like the recommendation to go to 4 stories, at all. It is a 'little' busy but in today's times, with SB330 and Builder's Remedy, I believe this project makes very good use of this land as it is designed. It will be nestled against the hill, between the high school and Hwy 9. It doesn't 'match' the Town character but it does a great job coming as close as possible relating to height, colors, style, etc and is a great alternative to what could have been proposed on this site under the current circumstances. I further believe that this project could be used as a good example of an alternative to other builders who have proposed massive high-rises adjacent to single-story neighborhoods that we should never allow to be built in our Town.
Which Department do you want to submit this message to? (Required)	Community Development: Building & Planning
Add an attachment	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

**From:** James (Jason) Farwell [REDACTED]  
**Sent:** Monday, February 10, 2025 11:45 AM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Cc:** Clerk <Clerk@losgatosca.gov>  
**Subject:** 50 Los Gatos Saratoga Road - SummerHill Townhome Development

[EXTERNAL SENDER]

Town of Los Gatos,

Please see the attached.

Thank you.

Jason Farwell

Farwell Rashkis, LLP

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

February 10, 2025

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

RE: SummerHill Homes' Proposed Townhome Development – 50 Los Gatos Saratoga Ave.

Dear Members of the Planning Commission and Town Council,

As a lifelong Los Gatos resident, I submit this correspondence in support of SummerHill Homes' proposed townhome development at 50 Los Gatos-Saratoga Road. This project will:

- Offer 26 below-market homes for teachers and essential workers
- Provide much-needed townhomes for young professionals and downsizing residents
- Maintain neighborhood harmony while ensuring responsible land use
- Improve pedestrian access to Los Gatos High School
- Avoid increased traffic burdens on Highway 9 and Los Gatos Boulevard

This thoughtful development will benefit our community and I urge your approval.

Respectfully Submitted,



Jason Farwell



**From:** Sue Farwell [REDACTED] >  
**Sent:** Monday, February 10, 2025 1:23 PM  
**To:** Monica Renn <[mrenn@losgatosca.gov](mailto:mrenn@losgatosca.gov)>  
**Subject:** Summer Hill/LG/Saratoga Road

[EXTERNAL SENDER]

Monica, can you please add this to the packet for the review of the Summer Hill project?  
Thanks, Sue

Sent from my iPhone

Dear Members of the Planning Commission,

As a longtime Los Gatos resident, I support the SummerHill Homes townhome development at 50 Los Gatos-Saratoga Road. Our town needs more affordable housing options, and this project provides 26 below-market homes for essential workers. Additionally, improved pedestrian access to Los Gatos High School will create a safer, more walkable community.

This project is a responsible step forward for Los Gatos. I urge you to approve it.

Best,

Sue Farwell

[REDACTED]

[REDACTED]



**From:** Nico Flores [REDACTED] >  
**Sent:** Monday, February 10, 2025 12:51 PM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Cc:** Clerk <Clerk@losgatosca.gov>  
**Subject:** LG Lodge Letter of Support

[EXTERNAL SENDER]

Dear Shaun,

Attached, please find a letter for item 3 on the planning commission agenda for this Wednesday, 1/12/2025.

Thank you.

Nico Flores

Dear Commission Members,

As a longtime resident of Los Gatos, I am writing to express my strong support for SummerHill Homes' proposed 155-townhome development at 50 Los Gatos-Saratoga Road. This project is a much-needed addition to our community, addressing housing shortages while maintaining the character of the neighborhood.

The development is thoughtfully designed to complement the area, with townhomes that fit seamlessly alongside existing housing. It also includes 26 below-market units for essential workers, helping teachers, healthcare providers, and others afford to live near their workplaces. Additionally, the project enhances pedestrian access to Los Gatos High School, improves emergency response routes, and avoids adding unnecessary traffic congestion to local roads.

By balancing responsible density with community needs, this project is a valuable opportunity for Los Gatos. I urge you to approve it and support smart, sustainable growth in our town.

Thank you,

Nico Flores

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, February 10, 2025 2:13 PM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Cc:** Clerk <Clerk@losgatosca.gov>  
**Subject:** LG Lodge letter

[EXTERNAL SENDER]

Dear Shaun,

Attached please find a letter for item 3 on the planning commission agenda for this Wednesday 1/12/2025. Thank you.

Thanks,

--

Drew Brown

Dear Members of the Planning Commission and Town Council,

I am writing to express support for SummerHill Homes' proposal to develop townhomes at 50 Los Gatos-Saratoga Road. As a resident of Los Gatos, I believe this project is addressing our town's housing needs and maintaining the character of our community.

The benefits of this development include:

- **Neighborhood Compatibility:** The project mirrors the existing townhomes and condos along Alberto Way.
- **Affordable Housing:** This development will provide housing to local essential workers like teachers and healthcare professionals.
- **Smart Density:** The plan balances housing needs without overwhelming the area.
- **Diverse Housing Options:** It provides much-needed homes for first-time buyers and downsizing residents.
- **Improved Pedestrian Access:** A new pathway will safely connect students and residents to Los Gatos High School and downtown.
- **Emergency Vehicle Access:** The EVA route to the high school will enhance public safety.
- **Traffic Considerations:** The plan avoids increased congestion by restricting public vehicle access to the school.

This project benefits both current and future residents. I urge you to approve it.

Sincerely,

Andrew Brown

[REDACTED]

**From:** Daniel Saban <[REDACTED]>

**Sent:** Monday, February 10, 2025 5:01 PM

**To:** Sean Mullin <SMullin@losgatosca.gov>

**Subject:** Message of Support for 50 Los Gatos-Saratoga Rd proposal

[EXTERNAL SENDER]

Dear Mr. Mullins and Members of the Town Staff,

I am writing to express my support for the SummerHill Homes proposal to develop 155 townhomes at 50 Los Gatos-Saratoga Road. I believe this project represents a significant opportunity to address some of our community's key needs and enhance the overall quality of life in our town.

I believe the SummerHill Homes proposal demonstrates a commitment to preserving neighborhood harmony. The design and scale of the proposed townhomes appear to be thoughtfully considered, integrating well with the existing character of the surrounding area.

In summary, I believe the SummerHill Homes proposal for 155 townhomes is a responsible and much-needed development for our community. It addresses the critical need for affordable housing, demonstrates sensitivity to the existing neighborhood, and prioritizes the safety and accessibility of residents. For these reasons, I urge you to approve this project.

Thank you for your time and consideration.

Daniel Saban

Los Gatos Resident

**From:** carlos azucena <[REDACTED]>  
**Sent:** Monday, February 10, 2025 2:22 PM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Cc:** Clerk <Clerk@losgatosca.gov>  
**Subject:** Support Letter - Old LG Lodge

[EXTERNAL SENDER]

Hi Sean,

Please see the attached letter in support of the old Los Gatos Lodge project. Seems like a good idea.

Please let me know if you have any questions.

Thanks,

Carlos

Dear Members of the Planning Commission,

As a resident of Los Gatos, I encourage you to approve SummerHill Homes' proposal for townhomes at the Los Gatos Lodge site. This project helps with the town's housing shortage while maintaining a responsible approach to growth. The last thing the Town needs is a massive, high-density project there that could alter the character of the Town and create unnecessary congestion. This project looks as though it would avoid those issues. It seems sensible and overall, a net positive.

It would meet the need to create more housing for essential workers, have some improvements in pedestrian access, and could have strong benefits for the businesses in town. I also don't think having vehicle access to the high school would help. It certainly would not be helpful to the neighbors on Alberto way and would create another traffic headache which we already have enough of.

I am acutely aware that there is a need for more housing in Los Gatos. That need should be addressed responsibly. This project seems well thought out and can address that need along with imparting other benefits. Please make a recommendation of approval to the Council.

Thank you,

Carlos Azucena

[REDACTED]

**From:** Joe Brady/USA [REDACTED]  
**Sent:** Tuesday, February 11, 2025 10:15 AM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Cc:** Clerk <Clerk@losgatosca.gov>  
**Subject:** Los Gatos Lodge letter of support

[EXTERNAL SENDER]

Dear Members of the Planning Commission and Town Council – per the attached letter, I support the SummerHill Homes project. Thank You

**Joe Brady**  
Vice Chairman

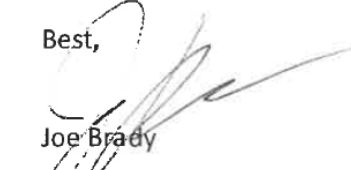


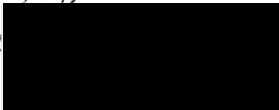
Dear Members of the Planning Commission and Town Council,

I support the SummerHill Homes project at 50 Los Gatos-Saratoga Road because it addresses major community concerns: it provides affordable housing for essential workers, improves pedestrian and emergency access, and integrates well with the existing neighborhood.

This development is a responsible and much-needed addition to Los Gatos.

Best,

  
Joe Brady



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