

Bryan J. Mekechuk/Jo-Anne Sinclair



October 30, 2022

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

Dear Town Council:

Re: Story Pole Exemption – 15860 Winchester Boulevard

Based on filings by the applicant, Town Council should deny the application for a story pole exemption.

Story poles indicate that an application has been submitted and is under consideration by the Town. Only after the applicant has filed accurate information reflecting existing and planned conditions at the site should Town Council consider, and accept, a request for a story pole exemption.

The applicant (1) omitted any reference, depiction or reference to the Class IV bike lanes from the drawings, renderings and photographs of the existing site and plans; (2) the traffic studies included in the application on the Town's website do not acknowledge or consider the effect of the existing Class IV bike lanes; and (3) the traffic study in Appendix F shows a traffic signal, which does not exist, controlling the Winchester/Shelbourne intersection. A brief, cursory review of the materials of the Town's website identified these deficiencies.

While one may advocate that having plans that omit existing conditions and traffic studies that do not consider Class IV bike lanes and have wrong traffic signals will not have a material effect on a request for a story pole exemption, Town Council should consider the precedent they are setting and the message they are sending to applicants, Town Staff, the Planning Commission, citizens and neighboring jurisdictions regarding the duty of care and accuracy required by the Town in filings on proposed developments.

Of material importance is that the staff report refers to "... variance from the maximum height and lot coverage for the zone ..." yet sheets A-4.2 and A-4.3 do not show any "Variance Area" in yellow while sheets A-3.2 and A-3.3 of identical elevations in the application highlight variance areas in yellow. This is misleading.

The application that was denied by the Planning Commission in 2017 and subsequently approved on appeal to Town Council had a two-story 30,070 sq ft office building with 128 parking spaces (87 below grade and 41 at grade). The front setback was 35 to 44 feet along Winchester. The proposed three-story building is 81,633 sq ft with 54 parking spaces (49 below grade and 5 at grade). The front setback is the minimum allowed, 25 feet, along Winchester.

The change in the project is staggering.

We ask that the Town Council deny the request for exemption until the applicant has prepared and filed documents that reflect existing conditions and include the variance locations on the plans.

Sincerely,

Bryan J. Mekechuk

Jo-Anne Sinclair

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