

VIA E-MAIL

September 17, 2020

Jocelyn Shoopman  
Associate Planner  
Town of Los Gatos  
110 E. Main Street  
Los Gatos, CA 95030

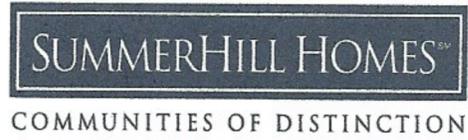
Re: Los Gatos North Forty; Request for Modification (S-20-012) to an Existing  
Architecture and Site Application Approval (S-13-090)

Dear Ms. Shoopman:

At the Planning Commission hearing on September 9, 2020 there were a number of questions about the calculations used for determining the required and proposed parking for the Market Hall and the Transition District as a whole. In our A&S Amendment we provided documentation on the parking change associated with the Market Hall located on Lot 27. Sheet A.11 in the plans focused on the changes to the Market Hall. The table that it was based on was Sheet 3.22 of the approved A&S plans. The required parking shown on Sheet 3.22 reflected the parking that would be required based on a mix of uses that could be allowed by the specific plan. In order to clarify what the required parking is today based on the current Town Code we have prepared Exhibit A attached to this letter. This table takes the square footage proposed for Market Hall and combines it with the Gross Square Footage identified on Sheet 3.22 of the approved A&S for the remainder of the Transition District. The result of this analysis shows that the Transition District would be required to provide 273 parking spaces and is currently estimated to provide 319 spaces. This is a surplus of 46 parking spaces.

In addition, at Staffs request we have provided a summary of the residential square footage totals for the project, a table of the parking proposed and required for the residential portion of Phase I within the Lark District and Transition District D, and a site plan with a count of all of the surface parking currently proposed for Phase I.

Lastly, we have prepared a line by line response to the letter provided by Barbara Dodson questioning the accuracy of the parking requirements. Exhibit A is a complete summary of the required parking for the Transitional District and helps explain most of the questions in the letter.



As can be seen in Exhibit A, the Market Hall meets the Towns parking requirements and based on the Gross Square footage from the approved A&S the Transition District as a whole will have a surplus of 46 parking spaces.

Please let us know if you need any additional information.

Very Truly Yours,

SummerHill Homes

A handwritten signature in blue ink, appearing to read "Michael Keaney". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Keaney

CC: Joel Paulson

## Exhibit A

Transition District Parking Summary											
	Commercial SF	Residential Units			Required Parking					Proposed Parking Provided	
	Square Footage	Affordable	1-Bedroom	2-Bedroom	Gross Commercial Required Parking 1:300	Gross Community Room Square Footage 1:590	Residential Required Parking 0.5 per unit + 0.5 per unit (guest)	1-Bedroom Required Parking 1 per Unit + 0.5 per unit (guest)	Required Parking 1 per Unit + 0.5 per unit (guest)		Subtotal
<b>Commercial Transition District</b>											
<b>Market Hall</b>											
Gross Commercial SF	20,760				69					69	176
Gross Community Room SF	2,772					5				5	
Affordable Residential		50					50			50	
Subtotal										124	
<b>Building A1</b>											
Gross Commercial SF	11,438				38					38	
1 Bedroom Residential			6					9		9	
2 Bedroom Residential				4					10	10	
Subtotal										57	
<b>Building A2</b>											
Gross Commercial SF	11,198				37					37	
<b>Building B2</b>											
Gross Commercial SF	5,745				19					19	
<b>Building C1</b>											
Gross Commercial SF	10,644				35					35	
<b>Subtotal: Building A1, A2, B2, C1</b>	<b>39,025</b>				<b>130</b>					<b>149</b>	<b>143</b>
<b>Transition District Total</b>	<b>62,557</b>	<b>50</b>	<b>6</b>	<b>4</b>	<b>199</b>	<b>5</b>	<b>50</b>	<b>9</b>	<b>10</b>	<b>273</b>	<b>319</b>
									<b>Surplus</b>		<b>46</b>

Square Footage Based on approved Building Permit and Minor Revisions Estimated with the Elimination of the Basement

Gross Commercial Square Footage Based on Column 18 on Sheet 3.22 of A&S Approved Plans

Unit Count Based on Column 1 on Sheet 3.22 of A&S Approved Plans

**Notes:**

- The total in the Gross Commercial Required Parking column has one more parking space than required when adding up the column because when the decimals are aggregated and rounded off, it results in one more parking space being required than there would be if each parcel is considered separately.

Prepared By: Michael Keaney, SummerHill Homes

Date: September 14, 2020

<b>Lark District &amp; Transition District Area D</b>				
	Number of Units	Required Parking Per Unit	Total Required	Total Provided
<b>Covered Parking Stalls</b>				
1 Bedroom	69	1	69	69
2 Bedroom and 2+ bedroom	191	2	382	382
Subtotal			451	451
<b>Guest Parking Stalls</b>				
1 Bedroom	71	0.5	35.50	
2 Bedroom and 2+ Bedroom	189	0.5	94.50	
Subtotal			130	130
<b>Total</b>	<b>260</b>		<b>581</b>	<b>581</b>

Prepared By: Michael Keaney, SummerHill Homes

Date: September 14, 2020

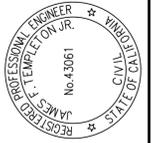
<b>Total Residential SF Lark District and Transition District D</b>	
	<b>Total SF</b>
<b>Bellaterra Approved Building Permit</b>	
Rowhomes	169,458
Garden Clusters	113,466
Condo Clusters	122,440
<b>Subtotal</b>	<b>405,364</b>
<b>Hirschman Parcel</b>	
Garden Cluster	11,112
<b>Parcel A Loft Units*</b>	12,195
<b>Affordable Housing</b>	44,966
<b>Total</b>	<b>473,637</b>

\* SF from Sheet 3.22 of Approved A&S Plans

Prepared By: Michael Keaney, SummerHill Homes

Date: September 14, 2020

CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PERFORMANCE OF WORK ON THIS PROJECT, INCLUDING THE PERFORMANCE OF WORK ON THIS PROJECT, INCLUDING THE PERFORMANCE OF WORK ON THIS PROJECT, INCLUDING THE PERFORMANCE OF WORK ON THIS PROJECT.

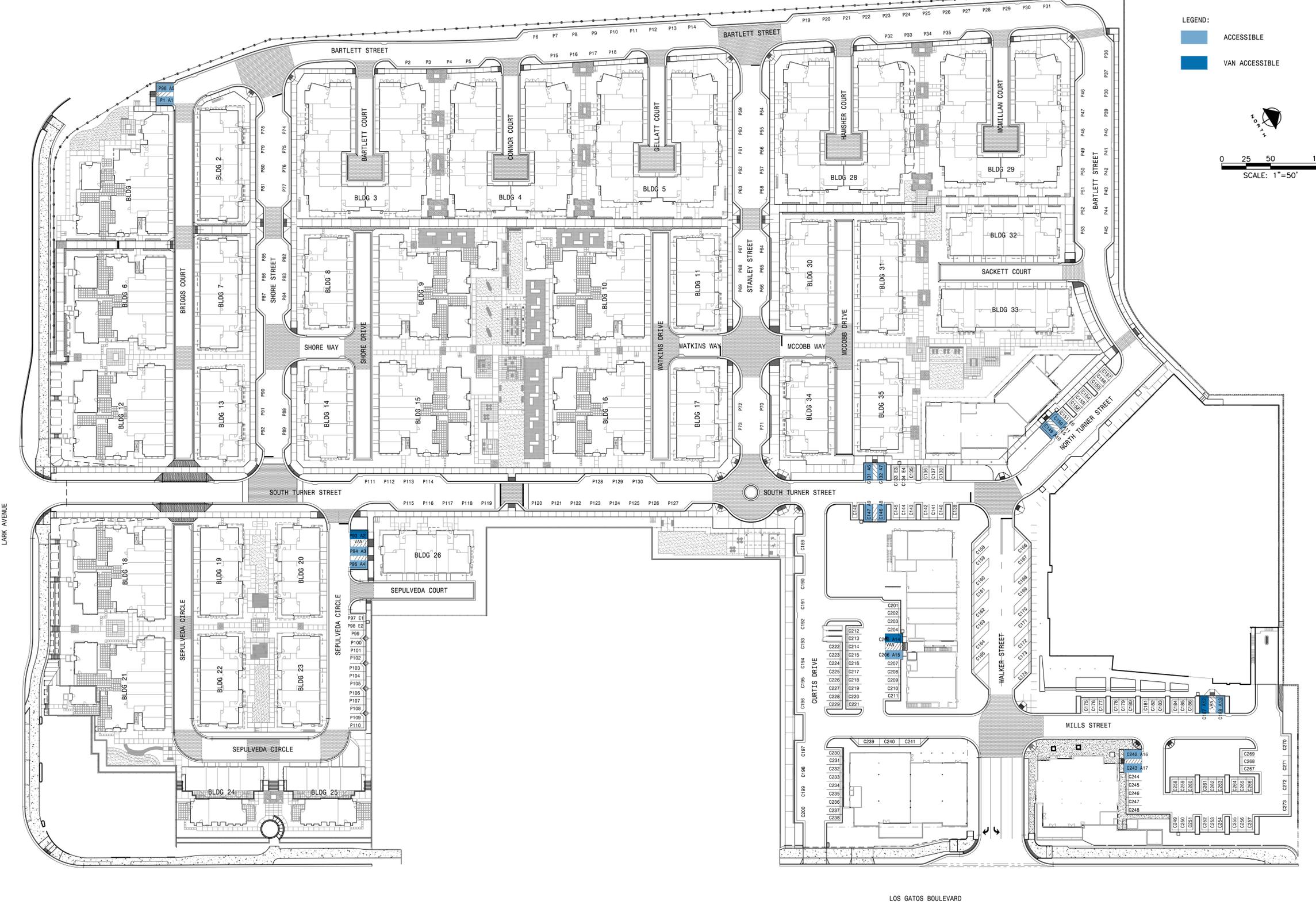


DATE: APRIL 4, 2020  
 SCALE: AS SHOWN ON PLAN  
 DESIGN: JDB  
 DRAWN: FR  
 CHECK: CTR  
 ENGR: NB  
 PROJECT NO.: 19890-011

PLAN FOR THE IMPROVEMENT OF  
**LOS GATOS NORTH 40 - PHASE 1**  
**COMMERCIAL**  
**PARKING SPACES**

**MACKAY & SOMPS**  
 ENGINEERS PLANNERS SURVEYORS  
 51428 FRANKLIN DR., PLEASANTON, CA 94588  
 (925) 225-0690

REVISIONS	BY	DATE



SummerHill Responses to Letter from Barbara Dodson:  
Responses Provided in Red Text

Barbara Dodson  
239 Marchmont Drive  
Los Gatos, CA 95032  
September 3, 2020

Dear Members of the Planning Commission:

**SUBJECT: ELIMINATION OF THE UNDERGROUND GARAGE IN THE NORTH FORTY**

I oppose the elimination of the underground parking garage. I think it will result in an insufficient amount of parking, and while looking at the SummerHill proposal I think I've come across the fact that SummerHill's provision of parking for the Transition District A, B, & C, with the elimination of the garage, will be below the Town's required number of parking stalls.

I think that SummerHill's proposal has focused on parking for the Market Hall and argued that without the underground garage SummerHill would still be fulfilling the Town's requirements for parking. However, the Market Hall parking in the garage is just one component of the parking for the entire Transition District A, B & C. With the elimination of the parking garage, SummerHill will not meet the Town's requirements for the Transition District A, B & C.

According to Sheet A.11 in SummerHill's proposal, the Town's requirement for parking stalls in the Transition District A, B, & C is 354. With the elimination of the underground garage, SummerHill will be providing only 330 parking spots.

Response: Sheet A.11 in the A&S Amendment Application was an attempt to only show the changes related to the Market Hall and Lot 27. It was based on clouding revisions to Sheet 3.22 from the approved A&S plan set. Sheet 3.22 from the approved plan set did not calculate parking based on what is required by the current Town code. Sheet 3.22 was an attempt to estimate parking requirements that could be anticipated with a hypothetical set of land uses and the code requirements in place at that time. Exhibit A accurately reflects the parking required by the code and what is currently being provided.

The bottom line for me is that we can't approve the SummerHill proposal because it provides 24 fewer parking spots than required by the Town.

Response: If the A&S amendment is approved the Market Hall will provide 176 parking spaces, and there will be 143 parking spaces in the transition district. This is a total of 319 parking spaces. Based on the SF proposed in the A&S approval for the transition district this is a surplus of 46 parking spaces. Exhibit A has a summary of the required and proposed parking for the transition district.

I hope I have my numbers correct in the explanatory material below.

Just as a note: SummerHill has provided inconsistent numbers, making it confusing to figure out exactly what is being proposed. In some places, SummerHill says it's providing 330 spaces for the Transition District A, B, & C; in other places it says it's providing 331.

**Response:** The 330 required parking spaces was consistent with the concept described above to calculate the required parking based only on the change to the Market Hall building on Lot 27 and not analyze the full district based on the parking required by the Town code. The correct parking requirement per the Town code for the transition district is shown on the attached Exhibit A.

As another example, in the table titled "Market Hall-Parking Requirements," SummerHill gives the required number of parking spaces for the Community Room as 5, but in A.11 the required number of parking spaces for the Community Room is listed as 4. In the table titled "Market Hall-Parking Requirements," SummerHill gives the required number of parking spaces for the Market Hall as 62 as 5, but in A.11 the required number of parking spaces for the "Specialty Market" is listed as 55.

**Response:** The required parking for the community room increased because the square footage increased. Exhibit A has a complete summary of the required parking for the transition district, including the Community Room.

1. SUMMERHILL'S NUMBERS SHOW THAT IT IS NOT PROVIDING THE AMOUNT OF HOUSING THAT THE TOWN REQUIRES FOR THE TRANSITION DISTRICT (Areas A, B, C).

In the adopted Developer's Phase 1 Plan from 2016: Based on the table titled Transition District Area A, B & C Building Area and Parking Tabulations (Table 3.22, page 58), the required number of parking stalls was 354 for the Transition District Area A, B & C (69 residential stalls/residential guest stalls + 285 commercial stalls). The original developer committed to providing more than that: 458 (389 commercial stalls (total for the specialty market, retail, restaurant/café, bar/tavern, and community room); and 69 residential/residential guest stalls.

**Response:** The required parking table on sheet 3.22 was not based on what is required by the code for parking. Exhibit A summarizes what is required by the code.

TOTAL ADOPTED IN 2016 FOR THE TRANSITION DISTRICT Area A, B & C:

458 PARKING STALLS

- The SummerHill proposal provides for only 330 parking spaces for the Transition District A, B & C. (See A.11: Transition District Building Area and Parking Tabulations on page 62 in the Agenda Packet. This is SummerHill's revised version of Table 6.22.)

**Response:** Exhibit A more accurately shows the required and provided parking for Market Hall and the transition district. 273 parking spaces are required and 319 are being provided.

- By eliminating the underground garage, SummerHill would provide 24 fewer parking spaces than required by the Town for the Transition District A, B & C. (354-330=24)

**Response:** Per Exhibit A there are currently 46 more spaces provided in the transition district than are required.

• Both Table 6.22 in the Developer’s proposal and Table A.11 in SummerHill’s proposal show that the Town requirement for commercial stalls is 285. Table A.11 shows that under SummerHill’s proposal, SummerHill would provide only 261 commercial parking stalls.

Response: Exhibit A includes commercial and residential parking that is required. Currently there are 69 residential parking spaces required and 204 commercial spaces required.

• Under its proposal, SummerHill would provide 24 fewer than the required number of commercial parking stalls ( $285-261=24$ ) for the Transition District A, B & C.

Response: Per Exhibit A there is a surplus of 46 spaces in the transition district.

THE MATH using numbers from Sheet A.11

Town required number of parking spaces for the Transition District A, B & C: 354

285 required commercial spaces + 39 required residential stalls +

30 required residential guest stalls = 354 required parking spaces

Number of total spaces proposed by SummerHill: 330

261 commercial spaces + 39 residential stalls +

30 residential guest stalls = 330 provided parking spaces

Response: As mentioned in an earlier response sheet A.11 was an attempt to only show the changes related to the Market Hall and Lot 27. It was based on clouding revisions to Sheet 3.22 from the approved A&S plan set. Sheet 3.22 from the approved plan set did not calculate parking based on what is required by the current Town code. Exhibit A accurately reflects the parking required by the code and what is currently being provided.

OTHER MATH using numbers from Table 6.22 on page 58 of the Developer’s Proposal, which is the proposal adopted by the Town

Parking spaces in the adopted plan in 2016: 458

Parking spaces SummerHill wants to eliminate: 127

Number of total spaces proposed by SummerHill

for the Transition District A, B, & C: 331

The Summerhill proposal drops the number of total parking spaces for the Transition District A, B & C below the Town’s requirement of 354. SummerHill is shortchanging the Town by 24 (or 23, depending on which Table you use) parking spaces.

Response: The numbers referenced above are based on the parking table on sheet 3.22 of the approved A&S plan, but these numbers are not reflective of what is required by the Town code.

2. SUMMERHILL SAYS IT IS PROVIDING EXCESS PARKING. HOW DID SUMMERHILL COME UP WITH ITS (I believe, incorrect) NUMBERS? SUMMERHILL APPEARS TO HAVE CONFUSED THE REQUIRED NUMBER OF

COMMERCIAL PARKING SPACES WITH THE REQUIRED NUMBER OF TOTAL PARKING SPACES. (See the notes in red in A.11 on the right -- p. 62 in the Agenda Packet.)

- In the red notes next to the section outlined in red called Retail, SummerHill implies that it will provide a TOTAL OF 330 parking spaces for retail.
- SummerHill does its math to reach 330 commercial stalls by including 39 residential stalls and 30 residential guest stalls.
- SummerHill has a deficit of 24 parking stalls below the requirement of 285 commercial stalls. It does not have 45 extra commercial stalls as is claimed.

Also note on Sheet A.11 that in the column headed "Total. Required Number of Commercial Stalls." SummerHill lists 285. Then, just 2 columns to the right, under "Provided Commercial Stalls," it lists 261. In its own chart, SummerHill clearly shows that there is a deficit of 24 commercial parking stalls.

Response: The numbers referenced above are based on the parking table on sheet 3.22 of the approved A&S plan, but these numbers are not reflective of what is required by the Town code. Exhibit A summarized the required and proposed parking for the transitional district.

3. THE PARKING GARAGE ALREADY HAD AN INSUFFICIENT NUMBER OF PARKING SPACES. The developer wants to drop the number of parking spaces in the garage from 303 to 176. But there was already a lack of parking in the garage in the adopted plan. Specifically, the parking for the 50-unit senior complex wasn't realistic. The allotment was 1 space per senior unit for a total of 50 spaces--½ space for each resident and ½ space for guests. The developer said most of the seniors wouldn't be able to afford cars. It also assumed each senior unit would have just one resident.

In fact it's possible that each senior unit will have two or even more residents. There may be one or more cars connected to each unit for a possible total of more than 50 cars. This uses up all the unit spaces and then some without accounting for guests.

Response: Eden has thirty-six properties containing two thousand seven hundred and four units. Four of those properties are in Santa Clara County and contain three hundred and five units. All of the suburban properties are parked at a ratio of 0.5 spaces per units. Urban properties in their portfolio have fewer spaces per unit. Eden's lease agreement limits the number of occupants in a 1-bedroom unit to two occupants.

Suppose the residents of the 50 senior units use their 50 parking spots. 126 spaces remain for the Market Hall, Bakery, and Community Room. Let's say 10 seniors and their guests use 30 additional spaces. We're down to 96 spaces.

Response: The senior parking is on the 3<sup>rd</sup> floor and is gated.

How about employees at the Market Hall and bakery? Let's say they use 20 spaces. We're down to 76 spaces for shoppers and people using the community room. Is this enough???

Response: The Town codes required parking for this land use is intended to accommodate parking for customers and employees.

How about overflow parking from other areas? There will be 71 one-bedroom units with one garage each. Suppose two people live in these units and each person has a car. We now have 71 more cars that will be seeking parking. The garage would be a logical space for these residents to use.

**Response: The residential portion of the project meets its parking requirement. The garage is private property. It will have a gate that will be closed after hours.**

4. WE NEED AN EXPLANATION FOR WHY THE DEVELOPER THINKS THE NEW PARKING ALLOCATIONS ARE ADEQUATE. The developer claims to be justifying the new lowered parking allocations using city code and the specific plan. Logic and common sense have clearly not been applied here. For example, the 2,032 square foot bakery has 7 spaces. Is this for employees as well as patrons? Will there be seating within the bakery? If yes, 7 parking spaces are hardly enough. How about the community room? It gets 4 parking spaces for its 2,772 square feet. Obviously more than 5 people can easily attend a meeting in such a space. Where are they supposed to park?

**Response: Per Exhibit A, the parking in the transition district will exceed what is required.**

5. PARKING WILL STILL BE NEEDED FOR FUTURE DEVELOPMENT. The SummerHill proposal states that "The Market Hall was originally designed with a basement level by Grosvenor, with the intent to use the excess parking for future development in Phase II of North 40. With Grosvenor no longer involved in Phase I of the project, SummerHill has no need for parking beyond what is required by Town Code and the specific plan."

But the need for parking for future development has not changed. There will still be future development and thus still a need for parking.

**Response: Future phases of the project will be required to meet their parking requirements on their portion of the project.**

Sincerely,

Barbara Dodson

*This Page  
Intentionally  
Left Blank*