



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 10/03/2023

ITEM NO: 12

---

DATE: September 28, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Adopt a Resolution to Deny an Appeal of a Planning Commission Decision to Approve the Demolition of One Existing Office and Four Residential Buildings, Construction of an Assisted Living and Memory Care Facility, Variance from the Maximum Height and Lot Coverage of the Zone, Merger of Four Lots into One, and Removal of Large Protected Trees on Property Zoned Office.  
**Located at 15860 -15894 Winchester Boulevard and 17484 Shelburne Way.** APNs 529-11-013, -038, -039, and -040. Architecture and Site Application S-21-008, Conditional Use Permit Application U-21-010, Variance Application V-21-003, Subdivision Application M-22-008, and Mitigated Negative Declaration ND-22-001. An Initial Study and Mitigated Negative Declaration Have Been Prepared for This Project. Applicant/Property Owner: Green Valley Corp. d.b.a. Swenson. Appellant: Eric Hulser. Project Planner: Jennifer Armer.

**RECOMMENDATION:**

Adopt a resolution to deny an appeal of a Planning Commission decision to approve the demolition of one existing office and four residential buildings, construction of an assisted living and memory care facility, variance from the maximum height and lot coverage of the zone, merger of four lots into one, and removal of large protected trees on property zoned Office.

**DISCUSSION:**

On September 19, 2023, Town Council held a public hearing on the appeal, and voted three to two that it was unable to make the findings required to grant an appeal of a decision of the Planning Commission, in accordance with Town Code Section 29.20.275.

**PREPARED BY:** Jennifer Armer, AICP  
Planning Manager

---

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Community Development Director

PAGE 2 OF 2

SUBJECT: 15860-15894 Winchester Boulevard and 17484 Shelburne Way/S-21-008, U-21-010, V-21-003, M-22-008, and ND-22-001

DATE: September 28, 2023

DISCUSSION (continued):

Because the motion to deny the appeal did not specifically reference the resolution, this item is a procedural matter to ensure a clear record. The public hearing is closed and the public is welcome to comment only on the resolution. An updated resolution based on the Town Council's decision is provided as Attachment 1.

Public comment received after the public hearing and before 11 a.m. on September 28, 2023, is included in Attachment 2.

Attachments:

1. Revised Resolution to Deny the Appeal and Uphold the Planning Commission Decision
2. Public Comment