

From: Eric Hulser [REDACTED]
Sent: Monday, September 18, 2023 10:40 AM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: Updated Appeal Slide Deck and Survey Results

[EXTERNAL SENDER]

Dear Mayor, Vice Mayor and Town Councilmembers,

(included via BCC)

My name is Eric Hulser and I am appealing the decision of the Planning Commission to approve the proposed development at 15860 Winchester Boulevard.

Attached is an updated version of the slide deck which I will be presenting tomorrow night along with the raw survey summary, updating what was submitted with the staff report last Thursday.

The survey has been closed and the only changes to the presentation reflect the survey results as of today.

Respectfully,


Eric Hulser

[REDACTED]
Los Gatos, CA



Appeal of Approval for 15860 Winchester Blvd

Project / Application Number: 5-21-008 | U-21-010 | V-21-003 | M-22-008

- 
1. **Town Council Should Deny Variances**
 2. Setbacks Should Follow R-M Zoning
 3. Height Variances Shown are Misleading
 4. Digital Survey Results

The variances requested are the result of the project design, not site constraints or topography.

Similar three-story buildings in the vicinity do not require variances.



Town Code Sec. 29.20.170

The deciding body, on the basis of evidence submitted at the hearing, may grant a variance if it finds that:

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zone; and
2. The granting of a variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

On August 9, the Planning Commission voted 5-2 making the findings to grant the variance request citing topography despite:

1. Another project had already been approved on the exact same property requiring no variances.
2. Town Staff being unable to make the same findings.
3. Other buildings in the vicinity (notably the apartments two properties south at 1025 N Santa Cruz Ave) step down to match the same slope.
4. The project on 400-420 Blossom Hill Road is a three-story assisted living and memory care facility that meets the 35 height limit.



Town Code Sec. 29.20.170

The deciding body, on the basis of evidence submitted at the hearing, may grant a variance if it finds that:

1. Because of special circumstances applicable to the property, including size, shape, *topography*, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zone; and
2. The granting of a variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

If a building was designed for this property and did not require variances for height and lot coverages then the property itself cannot be the issue:

1. Granting this variance would constitute a special privilege for this development

August 2017

Building height of 35' above lower
of natural or finished grade **with
no variance**



November 2022

Building height of 50'
with variance



Photos above are from Google Street View, at same location, at the corner of Via
Sereno and Winchester Boulevard.



No Site Specific Issues

WINCHESTER ASSISTED LIVING - PROPOSED

SITE DESCRIPTION

Site Description

Location:	15860 Winchester Boulevard Los Gatos, Santa Clara County, CA 95030 The property is located at the southeast corner of Winchester Boulevard and Shelburne Way.
Shape:	Rectangular
Topography:	Gentle slope
Land Area:	1.310 acres
Frontage:	Good
Access:	Good
Visibility:	Good
Soil Conditions:	We did not receive nor review a soil report. However, we assume that the soil's load-bearing capacity is sufficient to support existing and/or proposed structure(s).
Utilities	The site is served by all typical utilities, including water, sewer, electricity, and natural gas.
Site Improvements:	The site improvements will include asphalt and concrete paved parking areas, curbing, signage, landscaping, exterior lighting and drainage.
Land Use Restrictions:	We do not know of any easements, encroachments, or restrictions that would adversely affect the site's use. However, we recommend a title search to determine whether any adverse conditions exist.

The Applicant engaged Cushman & Wakefield to complete a market study and analyze the market conditions for the proposed development of the 125 unit, assisted living / memory care facility to be situated on a 1.31-acre parcel of land in Los Gatos.

The site description does not indicate any abnormal conditions in the site which would indicate topographical reasons for a variance for building height or coverage.



Assisted Living - Rental Rates

Based on our analysis, the following chart summarizes our estimate of probable assisted living unit sizes and rental rates for a senior project such as the subject in the Los Gatos area.

SUBJECT - Probable Rental Ranges - Assisted Living						
Unit Type	Unit Size (SF)		Subject Range		Subject Range	
			\$ /Month		\$/SqFt/Month	
Studio	353	- 496	\$5,500	- \$6,500	\$13.10	- \$15.58
One-Bedroom	511	- 677	\$8,000	- \$9,000	\$13.29	- \$15.66

We emphasize that these ranges are based on the data available and represent the general range of potentially achievable rates for assisted living units within a good quality project. These ranges are noted as falling within the current per square foot per month ranges in the Primary Market Area, but are considered achievable based on the growing dynamics of the area, as well as the physical and locational characteristics of the proposed subject development.




Memory Care Unit - Rental Rates

Based on our analysis, the following chart summarizes our estimate of probable memory care unit sizes and rental rates for a senior project such as the subject in the Los Gatos area.

SUBJECT - Probable Rental Ranges - Memory Care						
Unit Type	Unit Size (SF)		Subject Range		Subject Range	
			\$ /Month		\$/SqFt/Month	
Studio	362	- 556	\$8,000	- \$9,000	\$16.19	- \$22.10

We emphasize that these ranges are based on the data available and represent the general range of potentially achievable rates for memory care units within a good quality project. These ranges are noted as falling within the current per square foot per month ranges in the Primary Market Area, but are considered achievable based on the growing dynamics of the area, as well as the physical and locational characteristics of the proposed subject development.

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1. Town Council Should Deny Variances
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While the property is zoned Office, the building and intended use are more in-line with a multi-family development.

Accordingly, any setbacks should follow residential multi-family zoning.



Zoning Uses

Office Zone

The following uses are permitted in O zone:

- Offices, administrative, professional, medical, dental and optical laboratories associated with a professional use, real estate, insurance, stocks and bonds, and other similar offices characterized by absence of retail sales.
- Retail sales by a pharmacy within a medical building

Residential Multi-family Zone

The following uses are permitted in a R-M zone:

- Single-family dwelling
- Two-family dwelling
- Small family day care home
- **Residential care facility, small family home**
- Multiple Family Dwellings and Condominiums



Greater Zoning Height Limits for Residential Multi-Family

Office Zone

The maximum height of a principle building in the O zone is 35 feet.

(measured from the natural or finished grade, whichever is lower and creates a lower profile, to the uppermost point of the roof edge, wall, parapet, mansard, or other point directly above that grade).

Residential Multi-family Zone

The maximum height of a principle building in the RM zone is 30 feet.

(measured from the natural or finished grade, whichever is lower and creates a lower profile, to the uppermost point of the roof edge, wall, parapet, mansard, or other point directly above that grade).

If a building has cellar parking the maximum height is 35'.



Greater Zoning Setbacks for Residential Multi-Family

Office Zone


- Front 25'
- Rear 20'
- Street side 15'
- Side 10'

Residential Multi-family Zone

- Front 25'
- Rear 20'
- Street side 20'
- Side, multiple family dwellings 10'

Provided that if the wall facing the side yard contains:

- Bedroom windows 12'
- Living room windows 20'

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1. Town Council Should Deny Variances
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The requested variances are even more contentious when viewed in context for how far outside the limits the requests go.

50' – 81,633 sq ft

The proposed maximum height is 50'1" and the gross floor area is 81,633 sq ft.

Source: Page 3 of the Applicant's Project Plan Document on file with the Town

The proposed height is **42% above the maximum height limit.**

It is **271% larger** than the previous development (30,070 sq ft).

Previous Project Preserved View of Ridge



Current Project Completely Obscures View of Ridge



Variance Areas Shown by Applicant are Misleading



The Applicant's plans do not show the requested height variance areas accurately.

The top image shows the variance area above the natural grade from the ground closest to the perspective view. Measuring height is from the lower of natural or finished grade directly below each part of the building.



The bottom image implies the entirety of the building is below the maximum height limit, which conflicts with the architectural plans.

The Applicant's plans showing the height variances are misleading and cannot be relied upon.

Variance Areas Shown by Applicant are Misleading



Yellow highlighting added, not present in Applicant's plans

Many of the renderings in the project plan show variance area in the legend but do not represent it on the plans.

The image shows a cross-section of the building with the southern portion removed, showing the height of the building above finished grade.

The building is four stories and more than 50 ft tall.

Failing to show the height variance is misleading.

Variance Areas Shown by Applicant are Misleading



Yellow highlighting added, not present in Applicant's plans

The eastern view the building shows it is over 50' above finished grade. This variance highlighting was not shown on the submitted plans, though it is defined in the legend.

This overlay shows the area that is above the height limit from page 45 of the submitted plans.

Variance Areas Shown by Applicant are Misleading




Yellow highlighting added, not present in Applicant's plans

The south facing wall is three stories, which exceed the zoning requirement of 35'.

This building contains both living and bedroom windows, not offices, directly facing south - which for a Residential Multi-family zone would require a setback of 20' and a height limit of 30' (reflected in blue highlighting).

The balconies and windows on the second and third floor offer views directly into the living rooms and bedrooms in the adjacent University Oaks.

The building approved by Town Council in 2017 did not offer such views.

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 4. **Digital Survey Results**

A link to a digital survey was posted on NextDoor on September 11 and made available to the community.

As of 10:00 am on Monday, September 18, seventy-eight (78) individuals responded to the digital survey.

Attached is the raw summary of the responses to the survey.

The survey was closed on Monday, September 18, 2023 and the survey results are set forth on the following pages.

Of 78 respondents, only 14% support the approved plan.

—



85% oppose a height variance

82% oppose a lot variance

83% worry traffic is an issue



38% live in the immediate area

29% would've joined an information session if offered by the Applicant

8% were invited to an information session by the Applicant

1% believe their input was considered



33% aware of the story poles from 2022

38% thought project on hold or abandoned

24% aware of video exemption to poles



14% saw the video prior to the survey
56% believe video misrepresents height
49% aware building exceeds the height limit

Voices from the Community

“This building is way too big for the current area. It is out of scale and not be fitting the neighborhood. The other size will just create more traffic and parking issues as well as ruining the view of the neighborhood.”

“I attended the Planning Commission meeting that approved the variance and felt the comments of myself and fellow neighbors to the construction site were totally ignored and our concerns not addressed.”

“Comes right up to front doors of University Oaks Condos...they'll see into our bedrooms and we'll see into theirs.”

“Such a dense structure is not supported by the recently narrowed Winchester Blvd. This project has inadequate driveway and parking space and will add too much traffic, which is already extremely heavy on Winchester Blvd during school hours, commute hours and on weekends. The development poses numerous traffic safety hazards for elementary school children and the broader community.”

“The height variance is a big deal. This community does so much to maintain the character of the community...trees and etc. Why would they bend on this. I am opposed to this variance. The other thing that concerns me is the traffic flow disruption, extra parking on street, environmental impact for trees and wildlife.”

“Essentially disappears from the story post to be a massive project that is under represented in the video. Furthermore, none of it was socialized with neighbors like myself. It’s evident from the story poles that this massive building will block the entire hillside and ridge line which is currently visible from Winchester.”

“The Eichlers in Via Sereno are ‘inside-out’ designs with lots of floor to ceiling glass in all rooms including bedrooms and bathrooms. A tall building will allow a view of those private areas from windows and balconies. This is an unacceptable intrusion into the privacy of those houses.”

“It sets a precedence that affect the integrity of our neighborhood for future construction and it is way out of place for the area.”

“They make the height limit to keep Los Gatos a town and not a city - it should be followed.”

“This will also add a lot of traffic. As is, we can’t get to town during summer as Winchester traffic is horrible.”

The variances requested are the result of the project design, not site constraints or topography.

Winchester Development Survey v1.0

78 responses

To get started, what is your first name?

78 out of 78 answered

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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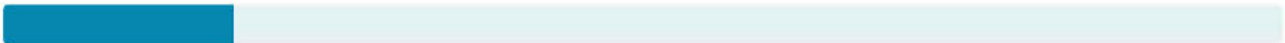
, what area do you live?

78 out of 78 answered

In the immediate neighborhood 30 resp. 38.5%



Monte Sereno 14 resp. 17.9%



Off Winchester Boulevard north of Daves Ave 14 resp. 17.9%



Downtown or Central Los Gatos 7 resp. 9%



East Los Gatos

[REDACTED] [REDACTED]



West Los Gatos

[REDACTED] [REDACTED]



North Los Gatos

[REDACTED] [REDACTED]



Other

[REDACTED] [REDACTED]



What street do you live on?

30 out of 78 answered

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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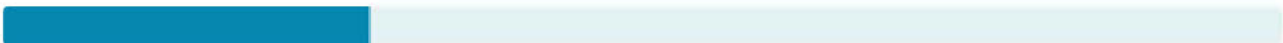
[REDACTED]

You're in Downtown or Central Los Gatos. Which neighborhood do you live?

7 out of 78 answered

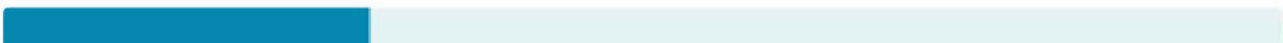
Almond Grove

2 resp. 28.6%



Glenridge

2 resp. 28.6%



Broadway 1 resp. 14.3%



Downtown 1 resp. 14.3%



Fairview Plaza 1 resp. 14.3%



Bachman Park 0 resp. 0%



Edelen or University 0 resp. 0%



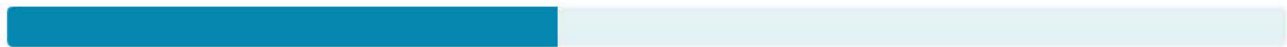
You're in East Los Gatos. Which neighborhood do you live?

7 out of 78 answered

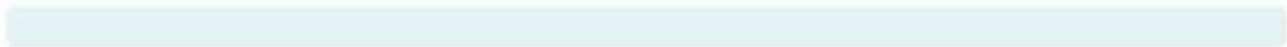
Alta Vista 3 resp. 42.9%



Vista Del Monte 3 resp. 42.9%



Belwood 0 resp. 0%



Blossom Manor 0 resp. 0%



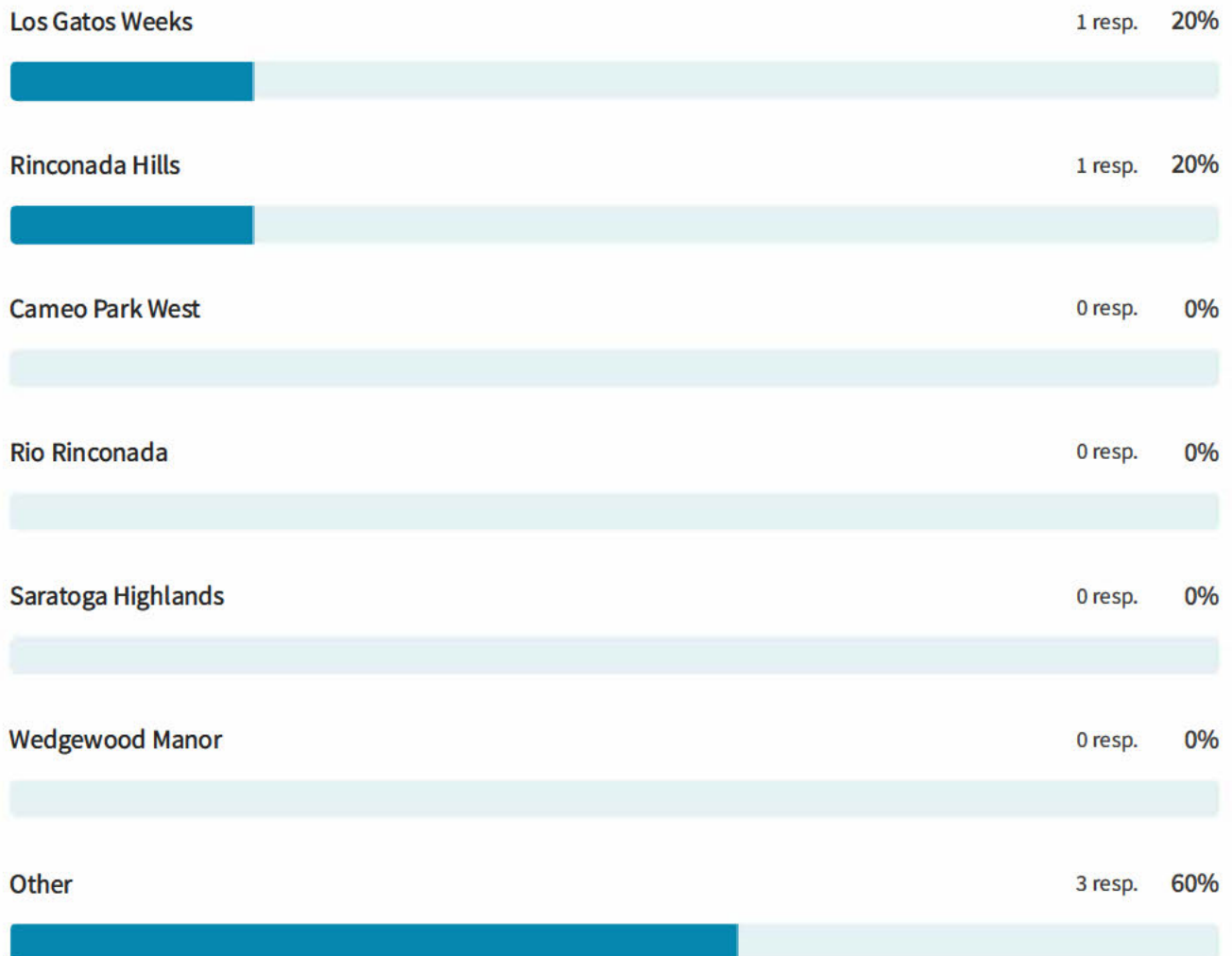
Other 1 resp. 14.3%



Bella vista

You're in West Los Gatos, which neighborhood do you live?

5 out of 78 answered



Lark

Roberts & University

Fisher Area

You're in North Los Gatos, which neighborhood do you live?

1 out of 78 answered

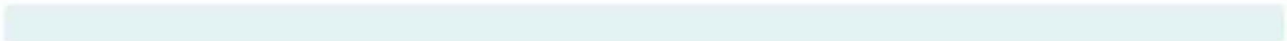
Charter Oaks 1 resp. 100%



Arroyo Grande & Garden Hill 0 resp. 0%



North 40 0 resp. 0%



Other 0 resp. 0%



You live in the immediate neighborhood - were you invited to an information session by the prior developer (Valley Oak Partners)?

30 out of 78 answered

Yes 4 resp. 13.3%



No

26 resp. 86.7%

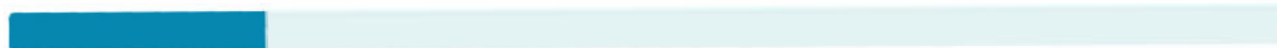


Did the current developer, Swenson Builders, invite you to an information session?

30 out of 78 answered

Yes

6 resp. 20%



No

24 resp. 80%



Great! Swenson invited you to an information session that you attended.

Did Swenson consider your input in their application?

6 out of 78 answered

Yes

1 resp. 16.7%



No

5 resp. 83.3%



If you would have been invited to an information session, would you have attended?

24 out of 78 answered

Yes 23 resp. 95.8%



No 1 resp. 4.2%



, how long have you lived in the Los Gatos area?

64 out of 78 answered

Over 20 years 36 resp. 56.2%



11-20 years 10 resp. 15.6%



5-10 years 9 resp. 14.1%



Less than 5 years 9 resp. 14.1%

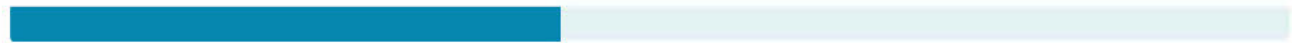


, how long have you lived in Monte Sereno?

14 out of 78 answered

Less than 5 years 6 resp. 42.9%





Over 20 years 5 resp. 35.7%



11-20 years 2 resp. 14.3%



5-10 years 1 resp. 7.1%



How often do you drive, bike or walk on Winchester Boulevard between Lark Avenue and Blossom Hill Road?

78 out of 78 answered

More than once a day 44 resp. 56.4%



At least 5 times a week 17 resp. 21.8%



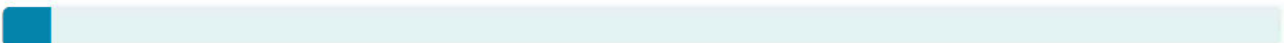
Twice a week 7 resp. 9%



Once a week 4 resp. 5.1%



Once a day 3 resp. 3.8%



Once every 2 weeks 2 resp. 2.6%

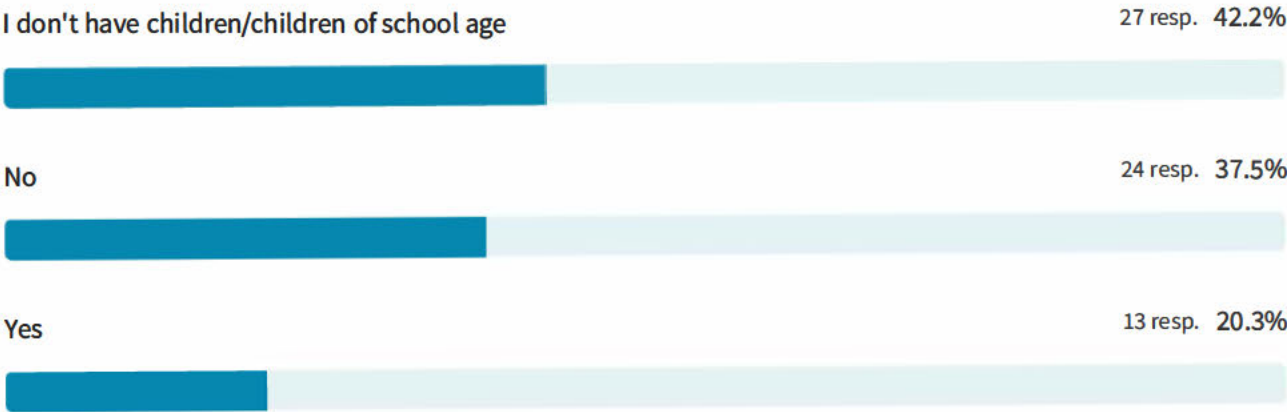


Once a month 1 resp. 1.3%



Do your children attend Daves Ave Elementary School?

64 out of 78 answered



Do you believe traffic is an issue on Winchester Boulevard?

78 out of 78 answered



Did you know that a development proposed in 2017 was approved by Town Council?

78 out of 78 answered

Yes 39 resp. 50%



No 39 resp. 50%



How did you become aware of the new proposed building in 2023?

39 out of 78 answered

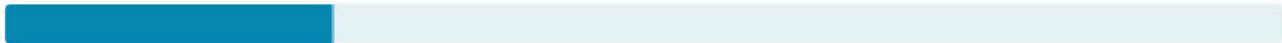
Someone told me about the development 22 resp. 56.4%



Story Poles 14 resp. 35.9%



Sign on Winchester 10 resp. 25.6%



Received notice by mail 8 resp. 20.5%



Planning Commission / Town Council 5 resp. 12.8%



Other 2 resp. 5.1%



nimbys on nextdoor

Did you attend any of the previous hearings on the 2023 proposed development?

39 out of 78 answered

Yes 1 resp. 2.6%



No 38 resp. 97.4%



Did you see the Story Poles that were put up in 2022?

39 out of 78 answered

Yes 26 resp. 66.7%



No 13 resp. 33.3%



What did you think the status of the project was with the faded Story Poles that have been in place since 2022?

39 out of 78 answered

Project abandoned 16 resp. 41%



Project on hold 14 resp. 35.9%



Other 9 resp. 23.1%



No Information

Moved here after the proposal.

No idea

Didn't know

Not aware

No opinion

Project moving slowly

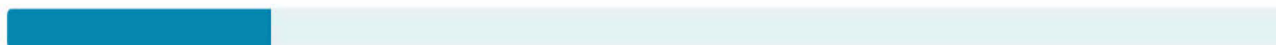
Wasn't sure what was going on, figured project may have been having approval problems or builder ran out of money

Didn't know- thought it was residential

Are you aware that Swenson requested an exemption to the Story Pole requirements in exchange for a web-based video rendering of the project instead?

78 out of 78 answered

Yes 16 resp. 20.5%



No 62 resp. 79.5%



_____, would you like to see the video rendering that Swenson created?

62 out of 78 answered

Yes 53 resp. 85.5%



No 9 resp. 14.5%



Did you see the video rendering?

16 out of 78 answered

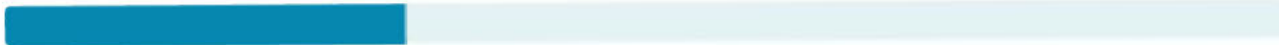
Yes

11 resp. 68.8%



No

5 resp. 31.2%



Did the video rendering give you a clear understanding of the size and mass of the building?

78 out of 78 answered

Yes

45 resp. 57.7%



No

33 resp. 42.3%



You couldn't see the size and mass. Why not?

33 out of 78 answered

There was nothing to tell the scale

22 resp. 66.7%



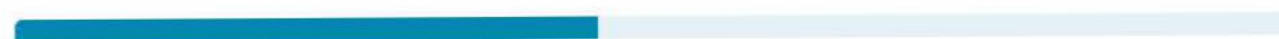
It was misleading

20 resp. 60.6%



I couldn't see other buildings

15 resp. 45.5%



It didn't look like Winchester Boulevard

14 resp. 42.4%



Did the video rendering give you an understanding of where the building was on Winchester Boulevard?

78 out of 78 answered

Yes

41 resp. 52.6%

No

37 resp. 47.4%



You couldn't understand where the building was on Winchester. Why not?

37 out of 78 answered

It didn't look like Winchester Boulevard

26 resp. 70.3%

I couldn't see other buildings

22 resp. 59.5%

It was misleading

19 resp. 51.4%



Did the video rendering allow you to understand the height of the building if you were westbound on Shelbourne Way?

78 out of 78 answered

No

42 resp. 53.8%



Yes

36 resp. 46.2%



You couldn't understand the height of the building on Shelbourne Way. Why not?

42 out of 78 answered

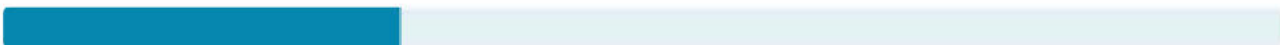
There was nothing to put the height into perspective

40 resp. 95.2%



It was misleading

13 resp. 31%



I couldn't see the top of the building

7 resp. 16.7%



Did the video rendering allow you to understand the height of the building if you were eastbound on Shelbourne Way?

78 out of 78 answered

No

54 resp. 69.2%



Yes

24 resp. 30.8%



You couldn't understand the height of the building eastbound Shelbourne Way. Why not?

54 out of 78 answered

There was no video rendering of the building eastbound on Shelbourne Way

38 resp. 70.4%



The video rendering misleading

26 resp. 48.1%



Did the video rendering allow you to understand the height of the building if you were southbound on Winchester Boulevard (going into Los Gatos)?

78 out of 78 answered

Yes

40 resp. 51.3%



No

38 resp. 48.7%



You couldn't understand the height of the building looking south on Winchester Boulevard. Why not?

38 out of 78 answered

There was nothing to put the height into perspective

33 resp. 86.8%



It was misleading

19 resp. 50%



I couldn't see the top of the building

7 resp. 18.4%



Did the video rendering allow you to understand the height of the building going northbound on Winchester Boulevard (going towards Highway 85)?

78 out of 78 answered

No

47 resp. 60.3%



Yes

31 resp. 39.7%



You couldn't understand the height of the building northbound on Winchester Boulevard. Why not?

47 out of 78 answered

There was nothing to put the height into perspective

36 resp. 76.6%



I couldn't see the top of the building

22 resp. 46.8%



It was misleading

19 resp. 40.4%



Did the video rendering allow you to understand the total height of the back of the building?

78 out of 78 answered

No

54 resp. 69.2%



Yes

24 resp. 30.8%



You couldn't understand the maximum height of the back of the (east side). Why not?

54 out of 78 answered

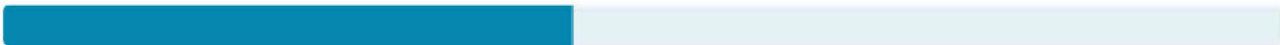
There was nothing to put the height into perspective

40 resp. 74.1%



It was misleading

24 resp. 44.4%



I couldn't see the bottom of the building

21 resp. 38.9%



It looked like there were four floors, not three floors

14 resp. 25.9%



I couldn't see the top of the building

12 resp. 22.2%



Did the video rendering allow you to understand the perspective of the neighboring properties?

78 out of 78 answered

No

46 resp. 59%

Yes

32 resp. 41%

The neighboring properties and driveway don't look realistic. Why not?

46 out of 78 answered

This is misleading

31 resp. 67.4%

The video rendering does not include the large oak tree on the neighboring property

21 resp. 45.7%

The driveway in the video rendering is wrong

19 resp. 41.3%

The driveway slopes down immediately from Winchester

18 resp. 39.1%



In general, was the height of the building evident in the video?

77 out of 78 answered

Yes

35 resp. 45.5%



No

42 resp. 54.5%



Are you aware that Swenson is proposing a building that exceeds the maximum allowable height?

77 out of 78 answered

Yes

38 resp. 49.4%



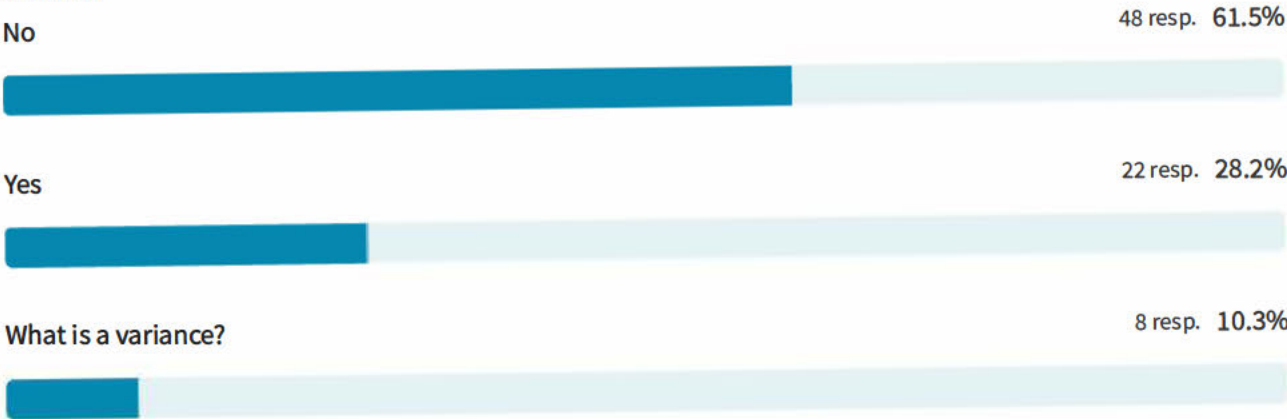
No

39 resp. 50.6%



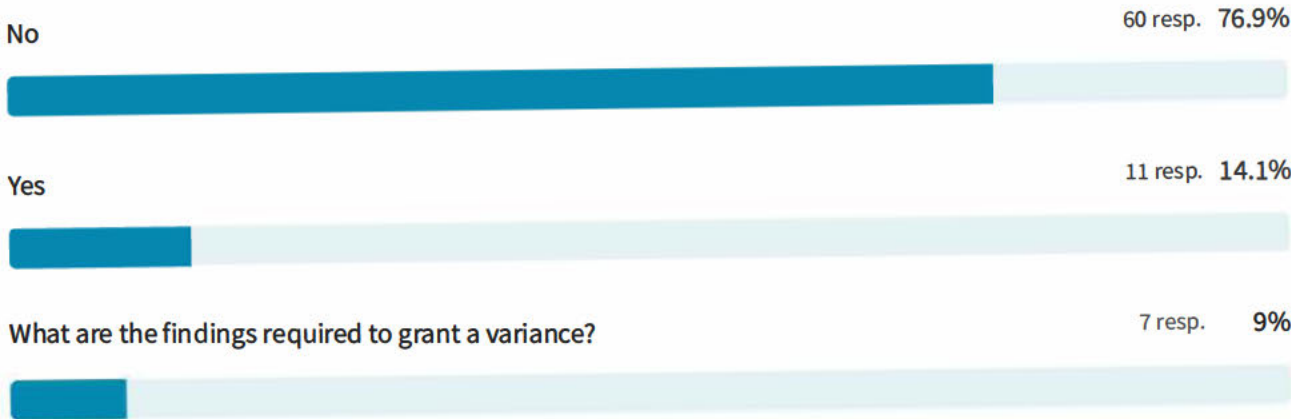
Do you know that the Planning Commission approved a height variance in their meeting on August 9, 2023?

78 out of 78 answered



Are you in favor of granting the height variance?

78 out of 78 answered



Are you in favor of granting the height variance?

7 out of 78 answered





, why are you in favor of granting a height variance?

12 out of 78 answered

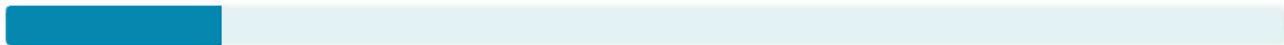
The height fits with the neighborhood 8 resp. 66.7%



Tall buildings are ok 5 resp. 41.7%



Building height doesn't matter 2 resp. 16.7%



Anything else in favor of the height variance?

10 out of 78 answered

We need senior housing and the way they used roof decks / outdoor space looks pretty good. Senior housing doesn't add much traffic compared to other units.

It will be an adjustment but worth it.

Los Gatos residents need to stop appealing every single step and get with the program. One day they might want to live in this building.

we need to use the land more efficiently to fight sprawl. Only way to do that is build up you nimby morons

It's all commercial property to the east and the limited residential to the north is distanced by Shelburne. Residential to the west is distanced by Winchester. The condos to the south have very limited windows and are angled; not looking directly into the proposed new building.

compromises reached

No

We need quality memory care facilities. This one looks good

I believe the design effort supports the variance along with the proposed use is needed. The existing site is an embarrassment to Los Gatos as a whole and to our local community

It isn't that much different then the standard height allowed

, why would you deny the height variance?

65 out of 78 answered

Adversely affects others who bought properties nearby believing in the height limitations

56 resp. 86.2%



Height variance grants a special privilege to the developer

46 resp. 70.8%



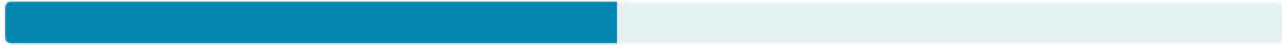
Other buildings follow the height limits

45 resp. 69.2%



Make the building smaller

31 resp. 47.7%



Variance findings are not met

22 resp. 33.8%



Anything else to deny the height variance?

35 out of 78 answered

It doesn't fit init's too tall

The intimate feel of LG will slowly lose its appeal, and value, if developers are allowed to go beyond limitations. It's a slippery slope if the City begins to allow it. Although a nice design, the building is too big for the area and does not need to be given there is currently no official 'buyer'. Additionally, it will negatively impact traffic which it at the cusp of being a larger problem, again, negatively impacting the values of property in LG.

A variance should be granted to enable a developer to complete a project that would otherwise not be possible within the property. This would be slight changes to accommodate a development. Going from a 35' limit to a 50' height is a gross disregard for the community and neighbors. This is no slight modification, this is pure corporate greed to maximize profit.

Too high and too dense of a project for this area. It is out of character and will pose a danger to flow of traffic to Daves Elementary. Also, Winchester Blvd recently narrowed to one lane, already resulting in much greater traffic congestion.

This development will negatively impact traffic flow and safety near an elementary school. It will have a great deal of ambulance traffic that is not safe to have in this location. And the structure does not provide adequate space for medical and other emergency vehicles that inevitably need to regularly visit a memory care/assisted living facility of any size and especially a massive one, such as this. It needs to be relocated near the Good Samaritan Hospital and North 40 Development and away from Daves Elementary School.

The building is too large for the neighborhood. The zoning sets the limit for a purpose and there is no reason to exceed the limit

Following height variance is a must for the natural beauty of the town

It seems to me that the Town and the Developer are attempting to mislead the public in the overall height of the project.

There is nothing unique regarding this property that would allow the findings to approve a variance. People buy properties and rely on the zoning for building heights and setbacks and do not expect variances to be granted without making specific findings.

It looks like a behemoth and it is dwarfing the properties surrounding

Common sense and understanding

I along with many others live close by, the height will block the view.

Massive building will impact our neighborhood

Town has worked hard to maintain 35 ft limit. Why is video showing young, active people if it's memory care? LG knows developers try to trick us (N40). Town council needs to overrule the Planning Commish, send Swenson back to the drawing board.

It looks too big

New building should match the surrounding buildings.

The height variance is a big deal. This community does so much to maintain the character of the community...trees and etc. Why would they bend on this. I am opposed to this variance. The other thing is that concerns me is the traffic flow disruption, extra parking on street, environmental impact for trees and wildlife.

they make the height limit to keep los gatos a town and not a city - it should be followed

The Eichlers in Via Sereno are “inside-out” designs with lots of floor to ceiling glass in all rooms including bedrooms and bathrooms. A tall building will allow a view of those private areas from windows and balconies. This is an unacceptable intrusion into the privacy of those houses.

Traffic flow would be severely disrupted

Needs to belong to the nature of the neighborhood

More traffic with more area

No

Citizens don't like their representatives cutting secret backdoor deals to enrich their friends, at the cost to the community as a whole. There is no valid reason that a person with integrity would approve such an unfair deal.

The question should not be "why deny the variance," it should be "why should it be approved?" And approving the variance will pave the way for other projects that want the same.

Are you in favor of granting the lot coverage variance?

78 out of 78 answered

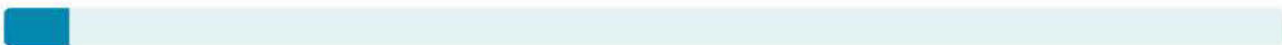
No 62 resp. 79.5%



Yes 12 resp. 15.4%



What are the findings required to grant a variance? 4 resp. 5.1%



Are you in favor of granting the lot coverage variance?

4 out of 78 answered

Yes 2 resp. 50%



No

2 resp. 50%



_____, why are you in favor of granting a lot coverage variance?

14 out of 78 answered

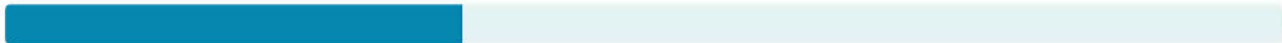
Unique topography requires increased lot coverage

8 resp. 57.1%



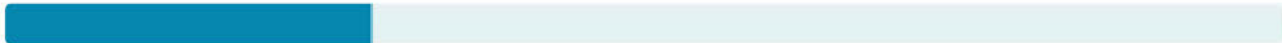
Development shouldn't be stopped because of lot coverage

5 resp. 35.7%



Lot coverage doesn't matter to me

4 resp. 28.6%



Lot coverage limits are wrong

1 resp. 7.1%



Anything else in favor of the lot coverage variance?

9 out of 78 answered

This is a good use of that space.

Nothing but a necessity to increase respect to neighbors most impacted by change.

For a business like this with limited outdoor use (residents won't go outside much) I'd rather let the lot be used for square footage than parking lot space or whatever the alternative is.

This use is greatly needed as our population is aging. If there is limited mobility with residents having interior ADA accessible communal space will more valuable and safer for these residents and their neighbors.

x

No

Better to have lot coverage variance than height variance

I would be willing to give lot coverage for reduced height. A compromise.

They could go wider and not taller.

, why would you deny the lot coverage variance?

63 out of 78 answered

Adversely affects others who bought properties nearby believing in the lot coverage limits

55 resp. 87.3%



Lot coverage variances grants a special privilege to the developer

46 resp. 73%



Other buildings follow lot coverage limits

46 resp. 73%



Make the building smaller

30 resp. 47.6%



Variance findings are not met

25 resp. 39.7%



Anything else to deny the lot coverage variance?

30 out of 78 answered

Same comments as before

The lot coverage is for an office building, the setbacks are for an office building. This property is zoned for an office building. What is proposed is a multi-family residential unit, a memory care unit, which otherwise should have double the setback from the adjacent property. Extending from 40% to 50% and pushing up to the complete edge of our property line while constructing a 50' high building increases the overall mass of the building monstrously.

This area is already massively congested with school traffic, commute traffic and beach traffic. It does not need a massive assisted living facility that will generate a great deal of extra emergency vehicle traffic at all hours.

Such a dense structure is not supported by the recently narrowed Winchester Blvd. This project has inadequate driveway and parking space and will add too much traffic, which is already extremely heavy on Winchester Blvd during school hours, commute hours and on weekends. The development poses numerous traffic safety hazards for elementary school children and the broader community.

The building is too large for the neighborhood which includes residential properties immediately beside it

Disproportionate to neighborhood homes - UNSIGHTLY

I would want to know why the Town is interested in granting the requested variances to this developers of this project? It seems suspect and misleading.

There is nothing unique regarding this property that would allow the findings to approve a lot coverage variance. People buy properties and rely on the zoning for lot coverage and do not expect variances to be granted without making specific findings.

It seems every developer goes for an outrageous height and lot coverage proposal as a negotiating starting point rather than proposing something reasonable. They are playing a game.

Common sense and community awareness

Granting the variance will detract from the "small town" atmosphere of Los Gatos and Monte Sereno

It is bigger than anything else around

Everyone needs to follow the same rules

no

I think the lot coverage specs are there for a reason. For example, would the lack of permeable land 1) cause more run off from storms and cause a negative impact like flooding on neighbors, and 2) remove habitat for animals, insects and plants. The City of Miami Beach had to reduce the allowed percent of coverage allowed about 10 years ago.

same reason as i put for height variance

Traffic flow would be severely disrupted

Residential areas across the street are impacted

More traffic and congestion in area

I was not allowed either

Citizens don't like it when their representatives cut shady backdoor deals to enrich their friends at the cost of the community. No person with integrity would make such a deal. Allowing "no story poles" was a ham-fisted attempt to hide this malfeasance from the community. Shame on you all.

No

Again, it is too big for Winchester. It will be horrible for the neighborhood and lower our investment

The size of the building is too large for the lot size. It is out of place in size not in keeping of the look of our Los Gatos neighborhood on Winchester

Common sense. We have lived in Los Gatos for 14 years. Trying to shoehorn this building into an undersized lot is going to bring nothing but problems. Our planning commission was given incorrect information and intimidated the panel. They are unscrupulous and untruthful. Don't do business with them. Please. We live here. Approving the variance is tacit president approval for other deceitful opportunists to prey on Los Gatos.

Are you aware of the memory care facility currently being built at 400-420 Blossom Hill Road?

78 out of 78 answered

No 45 resp. 57.7%



Yes 26 resp. 33.3%



Tell me more 7 resp. 9%



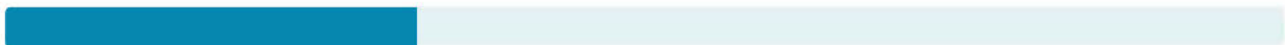
Overall, should Town Council allow the Winchester Development to proceed?

78 out of 78 answered

No 42 resp. 53.8%



Yes, with restrictions 25 resp. 32.1%



Yes

11 resp. 14.1%



Please make any additional comments on why you are in favor of this development.

5 out of 78 answered

Our population is aging. Having another location to house our elderly respectfully is good in my opinion. The buildings look very good.

Los Gatos residents need to stop appealing every single step of the development process and accept that buildings change with time. I have also reviewed the traffic study, static and and video renderings, and other material on the planning department website and do not have any concerns with what I have seen.

This use will not impact our schools, limited traffic with the lower parking ratio of this demographic. Our town should meet the residential needs of all ages and these new developments are doing just that.

None

Over the years the town has been more and lenient with the size of homes being built in downtown LG neighborhoods. These extremely large home are changing the character of our neighborhoods. I don't feel that the proposed building changes the character of Winchester. And, I am strongly in favor of new memory/nursing care facilities. Most facilities in the area are dated and run down and our senior

population needs and deserves a more up-to-date, and clean environment to spend the remainder of their lives.

Please make any additional comments on the restrictions that the Town Council should consider for this development.

10 out of 78 answered

same as before.

The building should take into consideration that there are residential properties in the immediate vicinity and should follow the zoning requirements that other buildings and developments are required to follow. No special privileges should be granted

Town Council should not grant the variances and direct the applicant to change the design for the proposed building so it meets the zoning requirements.

Overbuilding Los Gatos

I work in this health care setting. Currently I have seen them being built in larger numbers than what the population currently will require going forward

They need to consider the environmental impact.

TOO MUCH TRAFFIC FOR THE AREA!

Design restrictions adhering to “the look and feel of Los Gatos”. NOT the type of design instituted for The North Forty.

This building is way too big for the current area. It is out of scale and not be fitting the neighborhood. The other size will just create more traffic and parking issues as well as ruining the view of the neighborhood.

The nature of this business is not conducive to the residential peace safety of our neighborhood.

Please make any additional comments on why you are opposed to this development.

17 out of 78 answered

We don't need another senior living center in this small town. We need housing for our new generation. To bring money into this town

The builder has shown disregard for the community, dishonesty in their dealings with this project - there have been numerous shady practices from erecting story poles incorrectly then going and asking for exceptions, letting the poles go derelict, posting incorrect dates on their signage, posting incorrect statistics on their signage, threatening the council with builders remedy, cracking callous jokes at our expense by claiming the proximity to our homes shouldn't be a problem due to the fact the elderly wouldn't be able to see in anyway. There has been no attempt to work with us as a community to come to an amenable solution and their attitude towards the town at large has been deplorable. There is no cause to grant these variances, we should not grant them.

There is no precedent for such a massive structure anywhere in the vicinity, and as such, it is does not meet the requirement for a variance. To grant a variance is most definitely the inappropriate granting of special privileges to a developer!!!

It is set much too close to a busy street with not enough ground level driveway and parking for residents, visitors and the numerous medical and emergency vehicles that such a facility would inevitably require.

There is already quite a bit of traffic on Winchester, especially on summer weekends and when school is in session. I can't imagine what this would do to the neighborhood residents.

Too big and too tall buildings are disproportionate and unsightly for the neighborhood and town

Instruction will make a huge mess in the area. Traffic will be degraded. It looks ugly.

I live off Winchester just two blocks up the street from the proposed development. Over the course of 30 years I have seen more and more nondescript office complexes pop up along Winchester and replace smaller, perhaps run-down houses. These new buildings make it feel more like an office park rather than a residential community; the corporate, charmless aesthetic contributes to an overwhelming feeling that Los Gatos and Monte Sereno are interchangeable with any other generic Bay Area suburb. If the area is inevitably to be developed then I would urge the town to make it much smaller in height and lot size—i.e. human scale—and make meaningful steps to reduce car traffic and speed and increase walkability and bikeability (especially since this development is geared towards elderly people with limited mobility). The last thing we need is more traffic on Winchester, which increasingly feels like an artery road for Highway 17 rather than a residential street. I am not opposed to development, but I am tired of seeing generic, multi-story buildings pop up rather than community-focused spaces that would actually be appealing destinations for the neighborhood residents. This one reason why young people, including myself, are moving away or considering it.

The neighborhood character is negative

Once I learn that my representatives are lying to me, a citizen, I will do anything I can to shut them down - everything they touch is now poison. Is that clear enough?

The question should not be "why deny the variance," it should be "why should it be approved?" And approving the variance will pave the way for other projects that want the same.

None

I attended the planning Commission Meeting that approved the variance and felt that the comments of myself and fellow neighbors to the construction site were totally ignored and our concerns not addressed.

Our tenant have a very difficult time parking near our apartments. The increased traffic will only cause greater problems on Santa Cruz Ave and University Ave.

This is a main route for bicycles and children getting to school. A massive increase in traffic (due to building size and operational functions - patients, workers, visits, medical vehicles, trash, food delivery, etc) for a facility where patients have diminished mental capacity and physical performance in negligent to the community

Comes right up to front doors of University Oaks Condos...They'll see into our bedrooms and we'll see into theirs

Not consistent with surrounding neighborhood which consists primarily of homes on both sides of Winchester all the way from Lark to Blossom Hill. Massive footprint.

Thank you for answering our survey . To add more credibility to the survey, would you be willing to state your last name?

78 out of 78 answered

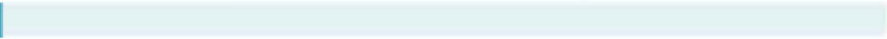
Yes

54 resp. 69.2%



No

24 resp. 30.8%



Thank you [REDACTED]. What is your last name?

54 out of 78 answered

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

Final question:

Would you like to receive an update of the status of the appeal and staff report prior to the Town Council meeting on Tuesday, September 19?

78 out of 78 answered

Yes 55 resp. 70.5%



No 23 resp. 29.5%



_____, please provide your email address below.

55 out of 78 answered

[REDACTED]

[REDACTED]

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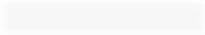
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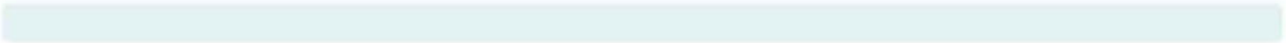
Please confirm, is your email address ?

55 out of 78 answered

Yes	55 resp.	100%
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No	0 resp.	0%
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