

**From:** [Nicole Ricci](#)  
**To:** [Clerk](#)  
**Subject:** Architecture and Site Application S-21-008  
**Date:** Monday, September 18, 2023 10:26:30 PM

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[EXTERNAL SENDER]

Dear Los Gatos Town Council Members,

This email concerns Architecture and Site Application S-21-008 and the Appeal of a Planning Commission decision for the property located at the corner of Shelburne Way and Winchester Blvd.

Please deny the variances for coverage and height for the reasons listed here:

- The variances are not minor adjustments to existing rules, but rather are tantamount to tripling the scope and size of what was intended to be built on a lot of this size. Instead of a building of 30,000 sq ft, this project will be 81,000 + sq ft! And that's not a typo! The same goes for the height. It allows three stories when there are no three story buildings in existence in the entire area. It allows for 50 ft high structures where only 35 ft should be allowed. Furthermore, there is no meaningful setback from the busy Winchester Blvd or surrounding neighbors, who have lived in the community for many years.
- Many members of the surrounding community that will be impacted have not received notice either in the mail or in the form of being able to view accurate story poles or other physical markers. Instead, a video that few in the community are even aware of, was created in lieu of redoing the existing inaccurate story poles. People incorrectly believe that the current story poles are accurate when, in fact, they are not. Using the weather as an excuse is not appropriate. We live in an area with great weather, and the poles can be put up during a time of the year when there is less wind and rain. The developers simply want to obscure the obscene enormity of their project from the community to avoid mobilizing dissent.
- The road that passes this site was recently reduced from two lanes to one lane to widen bicycle lanes to encourage slower driving and more bicycle riding. The reduced road configuration is incompatible with an enormous assisted living and memory care facility. Such facilities require wide roads with multiple lanes where ambulances and other medical personnel can swiftly transport residents to doctors and hospitals as medical needs arise. To impose a large number of medical transport emergencies into an already congested, one lane road, neighborhood with a great deal of elementary school traffic during the week and beach traffic on the weekend is extremely unsafe for everyone involved, including the future residents of this proposed enormous facility.
- The project callously removes many trees that are deemed protected such as Coastal Oaks.
- The project thoughtlessly blots out the ridgeline from view with its unprecedented demands for three stories in a neighborhood that does not have any three story buildings.
- The developer is clearly trying to maximize his own profits without thought or care about the impact to the future residents of the assisted living community or the current residents that live in the area. He seeks to maximize profit and density at the expense of quality of life for everyone else that will live in and around this project.

My name is Nicole Ricci, and I have lived in the community since 2008. Although I could have lived anywhere, one of the main reasons that I chose to live and raise a family here was the open and rural feeling of the area. When I bought a home here, it was with the understanding that the town of Los Gatos had consistent rules for development that were fairly applied to all developers. It is understandable that developers want to maximize their profits in a project by pushing the envelope and requesting variances, but what is requested here goes far beyond pushing the envelope. To call it a variance is misleading. A variance implies a slight deviation from the existing rules. What has been requested and approved by the planning commission is a tripling of the original project! To call it a variance is a misleading euphemism. It really is outrageous and beyond the bounds of reasonable land development for the area.

Sincerely,  
Nicole Ricci

[REDACTED]

Monte Sereno, CA. 95030

**From:** [REDACTED]  
**To:** [Clerk](#)  
**Subject:** 80,000sf project on Winchester and Shelbourne  
**Date:** Monday, September 18, 2023 11:33:26 PM

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[EXTERNAL SENDER]

To Wendy and the Los Gatos council members. Mike and Liz Frangadakis are 100% against the project. As neighbors we want to speak against the proposed massive project of an 80,000 square-foot building. An 80,000 square-foot building is not conforming to the neighborhood or conducive to the traffic issue which is already extremely impacted. We do not understand why the planning commission can not stick with the current building requirements.

Mike and Liz Frangadakis  
[REDACTED]

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**From:** [Mike McNelly](#)  
**To:** [Clerk](#)  
**Subject:** Architecture and Site Application S-21-008  
**Date:** Tuesday, September 19, 2023 8:35:59 AM

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[EXTERNAL SENDER]

Dear Los Gatos Council Members,

This email is regarding Architecture and Site Application S-21-008 (Shelburne Way and Winchester Blvd). I strongly urge you to deny the unprecedented variances for height and size of the proposed structure.

The plot of land in question is old, run-down and seems under utilized, so there is considerable community support for allowing developers to build there. However, there are two significant impediments to the proposed building.

First, recent changes to Winchester Blvd were implemented to punish those who drive cars by reducing this critical street down to one lane of traffic. I'm sure this was part of some sort of green initiative, but the result has not been any sort of boon to public transit (the buses are all still empty), nor to bicyclists (there are no more bikes on the road now than before). The only result is that traffic is now a snarled mess and kids can't get to school on time. While the Planning Division might not care about that, they should care if they're trying to authorize a HUGE new structure in the area. In addition to a significant increase in regular traffic, this senior living home is going to need quick access to ambulance services, but the city has made the road impassable during parts of the day. One cannot mandate choking off a main road AND then add a huge new user of that road at the same time. Some senior is going to die because of this, and the city will get sued for millions.

Second, the Planning Division in this matter have acted in a deceitful (and possibly criminal) manner by intentionally misleading the public about the proposed changes. The developer put up short story poles (35' ... that's still tall, as tall as the city allows). Later, in the dead of night, the Planning Division granted a 40% height increase - and since they KNEW the community would hate the idea, they also granted the developer the right to conceal the change. They knew very well that the community would see the OLD story poles, and not bother seeking out and watching some long, boring, difficult to locate video (a video that does not even paint an accurate picture). Citizens in this community count on those orange poles to paint an accurate picture of proposed changes. When the Planning Division chose to use the poles to deceive the community, they set a new precedent of uncertainty and distrust.

I would love to see some sort of new structure built at this location, but the Planning Division's blatant disregard for traffic, existing resident view changes and safety - combined with their ham-fisted attempt to deceive the community that they are supposed to serve is an abomination of governance. Everyone associated with approving the variance should be ashamed of themselves.

I urge you again to deny the variances for coverage and height and to send a strong message to the Planning Division to never try to pull a stunt like this again.

Michael McNelly  
