

From: [voicemail@verizon.com](mailto:voicemail@verizon.com) <[voicemail@verizon.com](mailto:voicemail@verizon.com)>  
Sent: Wednesday, September 9, 2020 11:37 AM  
To: Sally Zarnowitz <[SZarnowitz@losgatosca.gov](mailto:SZarnowitz@losgatosca.gov)>  
Subject: New Voicemail Message from 408-XXX-XXXX

Hello, I'm calling regarding the underground parking garage. It is extremely important that it be kept underground and promises be kept. It is extremely important. Thank you.

Barbara Dodson

239 Marchmont Drive  
Los Gatos, CA 95032  
September 16, 2020

Dear Members of the Planning Commission:

**SUBJECT: THE SUMMERHILL PLAN WOULD CREATE A PARKING SHORTAGE IN THE TRANSITION AREA A, B & C IN THE NORTH FORTY**

Since our Town lawyer is now claiming that we need “objective” criteria for denying SummerHill’s proposal, here’s my personal list of **objective** reasons to reject SummerHill’s proposal.

1. The SummerHill proposal would create a parking shortage in the Transition District A, B & C. The Market Hall and garage cannot be considered in isolation. The application inappropriately focuses on the Market Hall and garage without admitting its impact on the total amount of parking needed for commercial uses in the Transition District A, B and C. This wider impact is that parking in the Transition District A, B and C would be reduced by between 4 and 24 spaces. . *(Note: There is 11,438 sq ft of commercial area in Building A1; 11,198 in Building A2; and restaurant/retail of 10,644 sq ft marked for Area C. The proposal deals only with parking in area B.)*

SummerHill doesn’t provide consistent numbers, although their numbers always show that their proposal would create a shortage, not an excess, of parking spaces for the Transition District. Here are two ways in which the SummerHill numbers show parking shortages.

A SHORTAGE OF 24 SPACES. This is shown just using numbers in A.11. The **required** number of commercial spaces is 285 (column 36). The **provided** number of commercial spaces is 261 (column 39). There is a shortage of 24 spaces

A SHORTAGE OF 4 SPACES. This uses Sheet A.11 and Exhibit 4. The required number of commercial stalls in the Transition District is 285 (A.11). In Exhibit 4, Market Hall commercial stalls are given as 126 (176 – 50 resident-related stalls). Also in Exhibit 4, additional Transition District Parking is given as 155. Thus the total commercial parking SummerHill would provide would be 126 + 155, which equals 281. There is no excess parking. In this way of looking at it, there is a clear shortage of 4 spaces for the district (285 required – 281 provided).

2. To put item 1 above in another way: The application is based on the false assumption that the garage was intended for use only by occupants of the Market Hall complex—senior housing, senior guests, market hall, bakery, and community room. In fact, the garage was also intended for use by customers at nearby retail

outlets, restaurants, and bars in addition to occupants of the Market Hall complex itself. (Just think about Santana Row. Are shoppers limited to parking in the garage under the hotel if they want to shop at Anthropologie, which has a different parking lot across the street?) Given this fact, the parking in the underground garage is needed to accommodate these parking requirements.

3. Building on the point in item 2 above, the applicant fails to clearly show where the parking for the retail, restaurant/café, and bar/tavern that are not inside the Market Hall would be located and whether the removal of the underground garage has an impact on the availability of parking for these commercial outlets. Exhibit 4: Transition District Parking shows that Parking Areas A, B, and C (which provide surface parking) would provide a total of 155 spaces. But based on A.11, retail, restaurant/café, and bar tavern outside of the Market Hall would require 213 spaces. Here's the math from A.11:

Retail spaces	55
Restaurant/café spaces	124
Bar/tavern spaces	34
Total:	213

There is a 58-space difference ( $213 - 155 = 58$ ). Where would these 58 spaces be located? Were they originally planned for the garage? (Following on this, Exhibit 4 in the SummerHill proposal says there would be an "excess" of 52 spaces in the parking garage. If the 58 unaccounted for spaces are considered, then there is a **shortage** of 6 spaces in the parking garage.)

4. The applicant provides conflicting numbers about how much parking it would provide in the Transition District. In some places, the applicant says that there would be 331 total spaces in the Transition District; in others the applicant uses a total of 330 spaces. Other inconsistencies are: 7 spaces for the bakery listed in Exhibit 4 versus no listing in A.11; 5 spaces for the community room in Exhibit 4 versus 4 spaces for the community room in A.11; 62 spaces listed for the Market Hall in Exhibit 4 versus 55 spaces for the "specialty market" listed in A.11.

Numbers for the amount of total commercial parking are also inconsistent. In A.11 the total of provided commercial parking is given as 261. However, using Exhibit 4, when you add the amount of commercial parking, you get a total of 281 (commercial parking of 126 in the garage + 155 in parking areas A, B). How much commercial parking will actually be provided? There's no way of knowing based on this proposal. The Commission cannot approve the application without consistent numbers and accurate data being given.

5. The applicant makes false statements and uses bogus math.

Example 1: The applicant says that removing the subterranean parking level "leaves the Market Hall project with an excess of 52 parking spaces above what is required by the zoning code to serve the **commercial interests** at North 40." (page 49,

Exhibit 5) However, A.11 under Commercial Required Parking Tabulations, in column 36, under the heading **REQUIRED/Number of Commercial Stalls**, we have the number 285.” Since removing the subterranean parking level actually leaves the project with only 261 commercial spaces and a **deficit of 24 spaces**, the applicant has made a false statement.

Example 2: The computations  $39 + 30 + 261 = 330$  and  $330 \text{ PROVIDED} - 285 \text{ REQ'D} = 45 \text{ EXTRA}$  in red to the right of A.11 creates a false impression. They imply that SummerHill would provide 45 extra commercial spaces. But to come up with the 45 Extra supposedly commercial stalls, SummerHill mixes residential stalls (the 39 and the 30) with commercial stalls (the 261). SummerHill then uses the required number of commercial stalls (the 285) to come up with its extra 45. In fact, lookin at the situation this way, SummerHill has a **shortage of 24 parking stalls** for the Transition District A, B & C.

6. If the applicant claims that the numbers in A.11 are no longer accurate or are out of date, then the entire application must be thrown out for containing inaccurate data. It is the applicant’s responsibility to provide accurate data. Commissioners cannot make their decisions without accurate data.

.....  
I’m wondering if you might ask SummerHill these questions based on Sheet A.11. I’d love to get answers.

Main Questions

- Under Commercial Required Parking Tabulations, in column 36, under the heading **REQUIRED/Number of Commercial Stalls**, we have the number 285. Is this number still accurate? If not, what is the accurate number?
- Under TOTAL PROVIDED PARKING TABULATIONS, **PROVIDED Commercial Stalls, we have 261** (column 39). **Since this number is not the total of the numbers provided in the table (the total is 285), where does this number come from and what is the explanation for this reduced number of parking stalls?**

Subquestions

Under Commercial Required Parking Tabulations, in column 27, under the heading Specialty Market/Number of Stalls, we have the number 55. Is this number still accurate? If not, what is the accurate number?

- Under Commercial Required Parking Tabulations, in column 29, under the heading Retail/Number of Stalls, we have the number 68. Is this number still accurate? If not, what is the accurate number?
- Under Commercial Required Parking Tabulations, in column 33, under the heading Bar/Tavern/Number of Stalls, we have the number 34. Is this number still accurate? If not, what is the accurate number?
- Under Commercial Required Parking Tabulations, in column 35, under the heading Community Room/Number of Stalls, we have the number 4. Is this number still accurate? If not, what is the accurate number?

- Looking at the tabulations in red to the right of A.11, what is the number 126 labeled Revised Bldg B1 Retail based on?
- What is the computation  $39 + 30 + 261 = 330$  supposed to show? *The implication of the bottom two computations in red*

$$39 + 30 + 261 = 330$$

$$330 \text{ PROVIDED} - 285 \text{ REQ'D} = 45 \text{ EXTRA}$$

*is that SummerHill is providing 45 extra commercial parking spaces. However, the numbers 39 and 30 used in the computations are the numbers for residential stalls and residential guest stalls respectively. Therefore SummerHill is making a false statement; it is NOT providing "45 Extra" if indeed it is trying to show that it is providing extra commercial stalls.*

*In fact, SummerHill has a **deficit of 24 parking stalls** for the Transition District A, B & C.*

- In the bottom computation in red, why is the number 285 being used? (*THIS APPEARS TO BE AN ADMISSION THAT 285 COMMERCIAL STALLS ARE REQUIRED AS LISTED IN COLUMN 36. HOWEVER, IN COLUMN 39 SUMMERHILL ADMITS THAT IT IS PROVIDING ONLY 261 COMMERCIAL STALLS, 24 STALLS BELOW THE REQUIREMENT.*)

Thank you for your service to the Town.

Sincerely,  
Barbara Dodson

**From:** Jean Mundell <jmundell@earthlink.net>  
**Sent:** Monday, September 14, 2020 9:43 AM  
**To:** Jocelyn Shoopman <jshoopman@losgatosca.gov>  
**Subject:** north 40

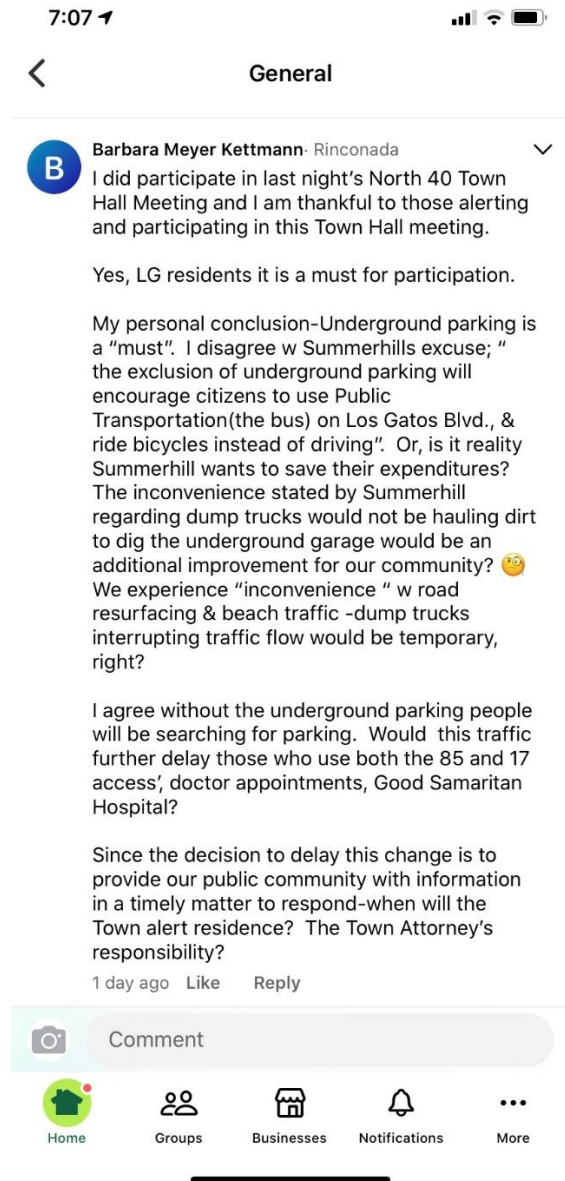
This has been a long and arduous process. Plans should be followed as agreed upon.

No backsliding.

Jean Mundell  
I live off Lark Ave. Need I say more?

**From:** Barbara Kettmann <abckett@gmail.com>  
**Sent:** Monday, September 14, 2020 7:23 AM  
**To:** Jocelyn Shoopman <jshoopman@losgatosca.gov>  
**Subject:** North 40

To the Town Council of Los Gatos



I thought I have registered w the Town. Los Gatos Home owner since 1986. Keep original plans for underground parking and please does the Town have current meeting notes posted, links for Zoom? Last week the link I was given to access was listening & viewing Council members only.

Regards,  
Barbara Kettmann  
Sent from my iPhone

**From:** Lori Day <[lday4family@gmail.com](mailto:lday4family@gmail.com)>  
**Sent:** Sunday, September 13, 2020 11:39:07 AM  
**To:** Joel Paulson <[jpaulson@losgatosca.gov](mailto:jpaulson@losgatosca.gov)>  
**Subject:** North 40 Changes

Dear Joel,

I am writing to you regarding the requested change to remove the underground parking in the North 40. We ask that the Planning Commission deny this request, parking is necessary in order for the North 40 to be successful and not to move penetrate the surrounding neighborhood. Let's keep the developer to task and the approved plan.

Thank you

Lori & Chris Day  
204 Dover St.  
Los Gatos 95032



**From:** Charles Wade <[charles.wade13@gmail.com](mailto:charles.wade13@gmail.com)>

**Sent:** Saturday, September 12, 2020 4:12:02 PM

**To:** Joel Paulson <[jpaulson@losgatosca.gov](mailto:jpaulson@losgatosca.gov)>

**Subject:** N. 40 Garage

Mr Paulson, I think it is atrocious that the developers would even try for this change. Traffic and parking were big items in all the years this was negotiated. To change at this point makes a mockery of all the efforts expended to make this a positive addition to LG. Thanks.

From: Angela Di Berardino <angiedib@yahoo.com>  
Sent: Friday, September 11, 2020 3:39 PM  
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>  
Subject: North 40!!!!

Underground parking is essential to combatting our parking problems!!! Everybody KNOWS that!!! Do NOT allow this to be removed!!!!!!!!!!!!

Sent from my iPhone

**From:** Babette Ito <babetteito@gmail.com>  
**Sent:** Friday, September 11, 2020 8:50 AM  
**To:** Jocelyn Shoopman <jshoopman@losgatosca.gov>  
**Subject:** North 40 parking

Hi - I'm a resident of 15 years in Los Gatos. Please do not allow the developers to get away with what they agreed to in the current plan - especially the parking. The street congestion will be bad enough and will affect the hospital ambulance and other emergency vehicles. There needs to be underground parking.  
Thank you

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Yours,  
Babette Ito  
mobile: 408-279-9064

**From:** Jocelyn Fong <[JFong@losgatosca.gov](mailto:JFong@losgatosca.gov)>  
**Sent:** Thursday, September 10, 2020 4:57:36 PM  
**To:** Joel Paulson <[jpaulson@losgatosca.gov](mailto:jpaulson@losgatosca.gov)>  
**Subject:** Voicemail: No name.(9/9) 11:36 AM

Someone called saying they wanted to keep the underground parking.

***Jocelyn Fong***  
CDD Administrative Assistant

**From:** r pathak

**Sent:** Wednesday, September 9, 2020 12:24:55 PM (UTC-08:00) Pacific Time (US & Canada)

**To:** Planning

**Cc:** Pathak Rahul

**Subject:** need Underground Parking

Dear Staff,

Is the the Town of Los Gatos committed to underground Parking at North 40?

Thank you,  
Sookmunny

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