

December 10, 2025

VIA ELECTRONIC SUBMITTAL THROUGH TOWN OF LOS GATOS PORTAL

Planning Division
Town of Los Gatos
110 E. Main St. Los Gatos, CA 95030
Attn: Erin Walters
ewalters@LosGatosCA.gov

RE: Development Applications at 178 Twin Oaks Drive (APN 532-16-006) in the Town of Los Gatos
Architecture and Site Applications S-24-023 through 034
Subdivision Application M-24-013

Dear Erin:

This letter serves as the final revised Project Description and Letter of Justification for the Surrey Farms project in conjunction with the resubmittal and in accordance with comments received from the various Town departments.

The proposed project consists of a new subdivision with a private road accessing 12 total units with 9 single family homes and 3 detached row house units on a portion of an existing approximately 17.9-acre parcel ("Project") on Twin Oaks Drive in the Town. The property is currently zoned as Resource Conservation and was previously subject to a Williamson Act contract which has terminated as of January 2025. This is a SB330 project subject to the robust protections of the Housing Accountability Act and the Builder's Remedy and there are no zoning or land use changes proposed. The project proposes grading and tree removal to accommodate the development. The homes will range in size from +/- 5,775 SF to +/- 6,170 SF and the townhomes will be +/- 1,630 SF.

Of the Project's 12 units, 9 will be market-rate and 3 (25%) will be affordable to lower-income households at the "low" income designated level. The project exceeds the Town of Los Gatos Below Market Price program as established by Ordinance 2313 as the project is only required to provide for 10% of the units to be designated as affordable for projects between 5 units to 20 units. The project provides for 25% affordable designated units for 3 of the 12 total units. These units will be for sale at the "low" income affordability level. The only deviation from the Below Market Price Housing Program and Guidelines, as established by Resolution 2020-040, is section III A regarding unit size. While these units are smaller in size and different in design, they provide for a well-balanced integration of affordability into this neighborhood in a first-class manner.

Please note that we are attempting to comply with the various development standard documents and guidelines the Town would ordinarily apply to the project, however, we remind the Town that pursuant to the Builder's Remedy the Project is not required to comply with the general plan land use or zoning standards referenced in these guidelines and checklists. That said, we have designed the Project in such a way so that it harmonizes with the Town's development standards as much as possible and is a seamless integration into the surrounding neighborhoods.

Pursuant to the request of Town Staff, this project has been divided into twelve individual applications, one per lot. As such, the totality of the requested deviations from existing development standards appears high. However, individually each housing site has strived to comply with the standards that would exist in what would be the appropriate zoning for each site as

much as possible. Since the property is not being rezoned, we have done our best to project what would be appropriate zoning and development standards and adhere to them as much as possible to deliver a harmonious extension of the existing Surrey Farms neighborhood. Of the 12 lots, only 4 lots, (7, 8, 9, & 10) would likely have been zoned HR if a zone change were pursued. The balance of the lots would likely have been R-1. Please keep this in mind when reviewing the development standards and deviations we have applied to each lot in the lot matrices. Included in this submittal are twelve matrices, one for each lot, that detail deviations from the aforementioned development standard documents as well as designations in both the matrix and the individual comment response letters where incentives, concessions, or waivers are being requested.

To briefly summarize, the project is requesting four incentives under State Density Bonus Law, the Builder's Remedy, and pursuant to Gov. Code 65589.5(h)(6)(C). The project wide incentives we have implemented are electing not to erect story poles as required by the Town's Story Pole and Netting Policy, not including sidewalks as required by the Hillside Design requirements, not including open space as required by Open Space, Parks, and Recreation Element of the 2040 General Plan and the Hillside Specific Plan, and not including a public trail as required by the Hillside Design requirements. Those elements would drastically exceed the project budget and preclude its development at the proposed density. We also believe our design to be very harmonious with the surrounding neighborhoods without those elements and specifically sidewalks would be out of place. Across the 12 lots we have enumerated 153 waivers from the development standards as outlined in the matrices provided. There are at most 16 waivers requested and as few as 9 on any given lot. Many of the waivers are the same, just applied to each of the lots so there is redundancy. With regards to the specific Town comments regarding grading, home orientation, architectural design & massing, open space easements, trails, on-site parking requirements, etc. that are generally found in the Hillside Design Guidelines & Standards, any deviations from these are detailed in the matrices, and otherwise are justified under the aforementioned protections under State Housing law in order to make the project feasible. Please refer to the letter from Travis Brooks at Miller Star Regalia outlining these protections and referencing the applicable legal provisions that cover these items in question.

The following sections further characterize the intent of the development to deliver a first-class neighborhood as originally envisioned by Bob Dodge decades ago.

BACKGROUND

In the early 1950s, Bob Dodge put together the Surrey Farms neighborhood development. The first phases were developed and exist today. In 1956, he hired a civil engineer to begin the planning of a final phase and laid out 14 lots on the land where we propose today's neighborhood (this project). Bob decided to pursue other opportunities and the land was put into the Williamson Act until its termination in January of 2025. Bob's children (Tom, Linda, and Larry) are excited to finally finish the remaining phase of a decades long first-class neighborhood development that has served the Los Gatos community well. The Dodge family are truly generational stakeholders in the community. They could have pursued hundreds of units at the property and abused current state housing laws, but instead chose to deliver a tasteful luxury home neighborhood in keeping with their father's original vision and out of respect for the existing neighborhood.

NEIGHBORHOOD LOTTING PLAN AND ROADWAY DESIGN

This latest iteration of the project has a single private road extending from Twin Oaks drive into the project culminating in a cul-de-sac. Emergency access is provided by a connection to Brooke Acres Drive. Lot 10 is a single lot accessed from Cerro Vista Court. The project took the roadway design into consideration from many neighborhood comments received in connection with the 2018 project that objected to a through connection from Cerro Vista Court to Twin Oaks Drive as it would create impacts to neighbors by headlights shining directly into existing homes in the evening as cars drove downhill from Cerro Vista to Twin Oaks. As such, we have designed most home sites to be on the lower area of the property to avoid headlight impacts and preserve the upper hillside views. The previous layout had 4 homes planned for the upper hillside where we now have only a single lot, Lot 10. Lots 7, 8, 9, & 10 have large back yards extending into the hillsides preserving them with an open space look. The private road does not propose sidewalks or street lighting. Street lighting poses similar objections as to previously described. In order to maintain a rural and luxury feel, the lots have been designed to minimize unnecessary impervious features such as sidewalks and to maintain a harmonious look with similar hillside neighborhoods. The inclusion of sidewalks would not only feel out of place but also be too costly and preclude development of the project at the proposed density. Therefore, an exception under builder's remedy, waiver, or incentive under state density bonus law is the justification in addition to the aforementioned design reasoning.

ARCHITECTURE

Surrey Farms is a subdivision of 17.55 acres of land which includes sloped hillside towards the east and flatter portions of land at the toe of the slope towards the west (+/- 3 acres of <10% slope) and adjacent to R-1:10 residential neighborhood. The proposed neighborhood is served by a cul-de-sac road which aligns with the slope transition between the flatter western areas of the site and the eastern hillside.

Lots 1, 2 and 3 are adjacent to residential neighborhoods towards the south and are screened from view with substantial trees and vegetation. They are located adjacent to a drainage easement at the lower elevations of the overall site. Their footprints are more compact, and they are designed as two-story homes whose primary massing is broken down with several secondary roof forms.

Lots 4, 5 and 6 are adjacent to residential development west of the site which is zoned R1:10 and the proposed homes on those lots are mostly one-story massing with a very limited second floor over one wing of the house and less than 20% of its overall footprint. The materials and colors palettes for these homes are carefully chosen to blend with the natural environment and be consistent with the 'California Ranch' and 'Mediterranean' styles that are prevalent in the neighborhood.

The proposed 'hillside' homes on Lots 7-10 are generally on slopes of +/-20%, and the homes are placed on 'terraced pads' approximately 40' wide stepping with the hillside and oriented parallel to the contours. This minimizes the impact on the hillside and allows the homes to fit into the topography. The homesites are placed away from existing ridgelines, trees and natural features, a riparian corridor exists between lots 7 and 8. The design of the hillside homes terrace with the slope and have primary roof forms that parallel the contours. Stone is integrated into the lower level of the home providing a base that blends with the hill. Colors and materials were carefully chosen to be

darker in tone and more natural patinas that blend with the surrounding natural landscape. Where retaining walls are necessary they will be stepped according to the principles outlined in the Los Gatos Hillside Development Standards and Guidelines.

UTILITES AND WATER TREATMENT

The subdivision is designed with a private road and all utilities have been confirmed with capacity to extend to each lot. The lots will collectively own the private street with each lot containing a portion of the street thereon. CC&Rs have been established providing governance and a maintenance agreement for the street and stormwater treatment areas. The treatment areas are generally located within a lot or shared across two lots.

ENVIRONMENTAL SENSITIVITY

An Environmental Impact Report was prepared for this project in 2018. Although the EIR was never certified, the information was utilized and updated for the 2025 Initial Study/Mitigated Negative Declaration that has been prepared for the proposed project. The project has been designed to not impact the ephemeral swale present in the middle of the site and also avoids any impacts to Ross Creek. All other categories have been evaluated and where necessary mitigations have been identified. The site has been designed with care and is a harmonious extension of the Surrey Farms neighborhood with very low density and little impact to the existing property.

AFFORDABLE HOUSING

Not only will the project deliver new homes for the market, but three of the homes are designated affordable and will be some of the first newly delivered affordable product available in Los Gatos in years. This furthers the Town's goal of delivering affordable housing in conformance with the Housing Element and General Plan. The homes have been designed in a very tasteful way to fit beautifully in the neighborhood and provide an option for ownership supported by the Town's affordable housing policies.

We thank Town Staff and the consultant team for their diligent and careful work to help refine the project as proposed today. We look forward to answering any and all questions and provide details at the Public Hearings to help enable the swift approval of the project, as revived and submitted in December of 2023 and deemed complete in March 2025.

Thank you,



Jim Foley

Principal/Broker-Owner

(408) 813-7490



DRE # 01841825